



73rd Meeting of the Advisory Committee for Northern Ireland (ACNI)

Wednesday 11 September 2019

Minutes

Present:

Carrie Matchett	ACNI
Paul Wilson	ACNI
Alan Meban	ACNI
Kathy Graham	ACNI
John Ellison	ACNI
Phil Flanagan	ACNI
Rick Hill	CCP
Emma McFadyen (via VC)	Ofcom
Jonathan Rose	Ofcom
Sinéad Lee	Ofcom
James Stinson	Ofcom

Apologies:

Angelina Fusco	Content Board
Bob Downes	Ofcom Board Member
Rebecca Lennon	Ofcom

1. Welcome, introductions and apologies, minutes from last meeting and matters arising

Apologies were noted from Bob Downes, Angelina Fusco and Rebecca Lennon.

Actions from the previous meeting we noted as complete, and the Minutes were approved with minor corrections.

2. Declaration of Members' interests

Rick Hill declared an interest as Deputy Chair of the Independent Press Standards Organisation (IPSO). He also confirmed that he is a consultant in the independent television production sector and is currently working on two documentary programmes.

3. Interim Committee Business since last formal meeting

Members noted the following activity:

- The Committee's response to Ofcom's Access Market Review
- The Committee's feedback on Ofcom's Review of BBC News and Current Affairs
- A briefing some members had with Ofcom's Spectrum Policy team about preparations for the Digital Terrestrial Television (DTT) retune on 4 September

- A post-statement briefing some members had on Ofcom's Made Out of London TV production rules, published in June 2019
- A meeting Carrie Matchett had with Jacqui Gregory, Ofcom Corporation Secretary

The Committee noted that the briefings had been useful and timely, especially in relation to the DTT retune.

Members noted that the Chairs from Ofcom's nations' Advisory Committees were scheduled to meet Terry Burns, Ofcom Chairman, and Sharon White, Chief Executive, in November.

The Committee discussed plans for its next informal meeting, which had been provisionally set for 24 October.

Actions:

- *The Chair to communicate with members at the appropriate time whether another informal would take place before the November ACNI meeting.*

4. Committee discussion on Agenda items and papers

The Committee observed that there were a significant number of papers on the agenda that were for information only. It was noted that significant Committee work had taken place at the interim meetings held over the summer, as outlined in Item 3.

5. For info: Ofcom Board update: Jonathan Rose

On Bob Downes' behalf Jonathan Rose provided an update from the last Board meeting in July. This included:

- An update on the recruitment process for the next Ofcom Chief Executive
- The ongoing negotiations between Mobile Network Operators (MNOs) and the UK Government to reach an agreement on coverage targets – Bob had advised the Board that the Government should discuss this matter with the devolved administrations.
- Royal Mail's five-year strategy
- The Migration to VOIP and BT's copper switch-off trial in Salisbury

The Committee:

- Discussed the potential mobile deal, how this would impact Ofcom's coverage targets as part of the auction for 700 MHz and potential impacts on 5G coverage for Northern Ireland. They acknowledged that a deal with government would mean that coverage levels would be met quicker than they would through the Ofcom targets.
- Noted that Bob is also now a permanent member of Ofcom's Content Board.

6. For info: Director's Report: Jonathan Rose

Jonathan highlighted the following items from the Director's Report:

- The publication of the Media Nations report and subsequent media coverage
- The Department for the Economy (DfE) had started the procurement process for Project Stratum.
- The UK Government's arrangements are in place to preserve cross-border broadcasting and telecoms services when the UK leaves the EU. Specifically, Republic of Ireland TV channels will

be able to continue to broadcast to Northern Ireland under a new licensing regime, and there will be a clause in UK legislation that will require mobile providers to take reasonable steps to protect against inadvertent roaming.

- Recent Ofcom engagement with the NI Consumer Council including a meeting with its Chair and Chief Executive.

The Committee:

- Requested that DfE is invited to provide an update on Project Stratum at a future meeting.
- Discussed the proposals from the UK Government to pass the consumer advocacy role to the Consumer Council here and Citizens Advice in England, Scotland and Wales. Members stated that a good deal of co-operation would be needed between these organisations to benefit consumers in Northern Ireland as well as across the UK. They noted that Citizens Advice and the Consumer Council had worked together previously on parcel surcharging.
- Stated it would be useful to have regular updates on the success or otherwise of Ofcom's work, for example Ducts and Pole Access.

Action:

- *ACNI to draft a response to the BEIS consultation on consumer advocacy - Kathy Graham to lead with input from Phil Flanagan.*

7. For info: Content Board update: Angelina Fusco

Angelina Fusco, who was not present, had submitted a paper to the Committee providing an update on the recent Content Board meetings, including:

- Proposed changes to iPlayer and BBC Sounds;
- Radio and television diversity monitoring reports;
- Adults in Programmes update;
- PSB work programme; and
- PSB Prominence.

The Committee:

- Noted Ofcom's work on PSB prominence and how challenging this could be with more content now being provided online.
- Noted work Ofcom is doing around the sustainability of PSB broadcasting, especially in relation to the ongoing work around the 'Small Screen: Big Debate' discussion. It was suggested that Ofcom could use upcoming events in Belfast including a Media Nations stakeholder event and/or the Belfast Media Festival to engage with stakeholders in Northern Ireland.

8. For Discussion: 700 MHz clearance & DTT retune: Graham Plumb, Alastair Goff

The Committee received an update on the 700 MHz clearance events and subsequent DTT retune, which took place on 4 September. The team reported the process had gone very well. Calls to the Freeview helpline were lower than forecast as was the number of home visits booked to assist viewers with problems.

The Committee:

- Welcomed the extra support which had been put in place in Northern Ireland to support viewers who receive Republic of Ireland channels via the Saorview platform. The Committee said it was helpful that these special circumstances in Northern Ireland had been addressed.
- Said it was important that the Freeview help scheme also included viewers in Northern Ireland who have Saorview on their main set but for whom Saorview may not necessarily be the main platform on that set. Jonathan Rose briefed the Committee that DCMS was looking at this matter.
- Suggested that viewers might have benefited from knowing what time of the day was best to retune their sets rather than just being told to retune their sets on that day. The team explained that main transmitters were switched over first and then their relays switched over later in the day which made it difficult to provide more detailed messaging.

9. For info: Communications Consumer Panel update (CCP): Rick Hill

Rick Hill provided an update from the CCP. The Panel is currently recruiting for a new member. It also had an increase in its budget, which will allow it to carry out more research.

Rick Hill also highlighted the UK Government Consultation on Reforming Consumer Advocacy in Telecoms. Other points of note were:

- Details on a qualitative piece of research on the impact of debt issues for telecoms customers.
- Information on the creation of an industry forum, which includes communications providers (CPs). Among other things, the forum will look at how CPs can improve customer service. The forum will examine best practice in other sectors to see how these can be used in the communications sector.
- The Panel is also looking to create a consumer hub in each of the nations to bring together relevant bodies and representatives in those nations with an interest in consumer issues.
- The CCP is also taking a keen interest in VOIP migration and will follow closely the upcoming trial in Salisbury. The Panel is keen that customers who take a landline only shouldn't have to pay any more than they do now. It has said it will also closely monitor the practicalities for vulnerable and older customers of new VOIP services, which unlike copper-based phone services will require a power supply. It was suggested that the VOIP team in Ofcom could brief the Committee at an upcoming meeting.

Actions:

- *The VOIP team to update ACNI at an upcoming meeting.*

10. For info: Public Policy update: Katie Pettifer

Katie provided an update on recent developments, focussing on Brexit and the proposed deal between the UK Government and MNOs to increase geographic coverage in rural areas of the UK.

In relation to the proposed 'Shared Rural Network' deal, the Committee:

- Acknowledged that a voluntary deal between operators and the government had the potential to deliver better coverage, sooner.
- Said that the ambition should be for mobile coverage to be universal.

- Expressed concern that the modest ambitions wouldn't deliver for Northern Ireland, and if the deal set UK-wide coverage targets they would not match the nations obligations Ofcom was proposing as part of the upcoming 700 MHz auction.
- Queried whether a future emergency services network in Northern Ireland could also be used by MNOs, as a similar arrangement was set to help boost rural coverage in Great Britain.

Actions:

- *Ofcom to provide ACNI with an update on impact in Northern Ireland of the proposed UK Government / MNO deal.*
- *Jonathan to investigate whether a new emergency network in NI could be used by MNOs too.*

11. For Discussion: Ofcom Annual Plan: Guy Holcroft

(Paul Wilson and Sinéad Lee were not present for this item.)

The Annual Plan team presented to the Committee and asked for feedback on:

- Areas of work which are a common priority to all Nations and regions.
- Areas of work which are of importance to Northern Ireland.
- Highlighting the work of our Nations' offices and invited Member's views as to what should be included.

The team noted there was opportunity to modify project priorities and to reflect latest thinking and events.

The Committee:

- Agreed that the nine main priority areas set out in the current plan remained relevant.
- Recommended that Post be added to the 'Fairness for Customers' section alongside phone, broadband and TV. It was pointed out that fairness needs to be across all Ofcom's regulated industries. The Committee highlighted the importance of the postal USO and the issue of parcel surcharging in this context.
- Commented that there are additional risks for Northern Ireland consumers arising out of Brexit and these need to be reflected in the Annual Plan and continue to be monitored.
- Said it would be helpful to know what Ofcom is doing regarding cyber security and what other bodies it is working with on this area.
- Reflected that it is important that efforts to get a Northern Ireland Board member are sustained and that, the continued absence of one should be highlighted, even informally, to any new Minister.
- Suggested that the language and intent around priorities for vulnerable people be made more proactive.
- Stressed that it was important that the benefits of a deal between MNOs and the Government on mobile coverage as well as 5G roll-out be fully realised in Northern Ireland.
- Said it is important that Northern Ireland is adequately represented in the upcoming informal PSB review.
- Suggested that Ofcom should continue to keep an eye on the unique Openreach arrangements in Northern Ireland to ensure they are working for providers and consumers.

12. For Discussion: BBC Annual Report/ News and Current Affairs: Tom Walker and Garreth Lodge

(Paul Wilson and Sinéad Lee returned for this part of the meeting.)

The team noted themes from the upcoming BBC Annual Report which included a focus on children's content, BBC's performance against its public purposes and views from audiences from Northern Ireland.

The Committee:

- Asked about the BBC's performance in relation to children's programming and noted that meeting the needs of younger audiences was an issue for all broadcasters and our Annual Report on the BBC will note some of the ways the BBC has tried to tackle this.
- Stated that BBC NI tended to air local content after 10:30pm rather than in peak time but also urged that BBC did not decrease spend and volume of local programming.
- Welcomed work on on-screen and off-screen diversity but noted that as there wasn't a Board Member specifically to represent Northern Ireland on the BBC Board that this could affect funding decisions for Northern Ireland.
- Asked whether Ofcom had a role in BBC spending decisions, particularly considering the funding for the licence fee for over 75s and the investment in Britbox and how these might impact the funding available for local programming. They noted that Ofcom doesn't have a role in BBC policy decisions but that the team would take interest in revenue implications for delivery of services and that the BBC would have to make a formal request if it wanted to diverge from its current programming commitments.
- Noted that some content on BBC Bitesize was not relevant to the Northern Ireland curriculum.

The Committee then heard from the team looking at News and Current Affairs provision by the BBC and presented a video from focus group research on this topic.

The Committee:

- Asked whether the research would address the BBC's impact on other news sources such as local newspapers and noted that Ofcom colleagues were looking at such issues in relation to the Cairncross Review.
- Noted that the BBC and Ofcom receive the most complaints on due impartiality of the BBC's news and current affairs output, but that they were generally not found to be in breach.
- Said that the BBC was in a good place to offer a trusted news source, particularly to younger audiences who seek most of their news from online sources.

13. Discussion in advance of meeting with BBC NI

The Committee discussed the following issues in advance of the meeting with BBC NI.

- Network commissioning – ambitions for the future, opportunities and challenges to deliver the benefits in Northern Ireland. BBC NI views on the revised Made outside London guidance.
- BBC News NI online and £11m investment – the development of BBC NI News online including at weekends and evenings; a progress update on the investment and the impact it has made.
- Younger audiences – the local dimension to the BBC's strategy.

- Sports coverage, including how decisions about allocation of airtime and resources are made between sports.
- Volume and range of BBC NI TV opts, time spent viewing in NI.
- Radio – including DAB uptake and BBC commitment to 100% speech radio at breakfast slot in Nations.
- Capital investment plans and opportunities as a centre for excellence in technology.
- Northern Ireland representation and portrayal including the impact and any mitigations round current gaps in governance appointments.

Action

- *The Chair to send members a note of the key themes and which Members will take a lead on which themes.*

14. AOB

The Committee recorded congratulations to Rebecca following her recent wedding.