

There was a discussion about a Code of Practice for Advisory Committee members. The Committee were advised that this was in progress and would be issued as soon as possible.

3. Director's Report: Jonathan Rose

Jonathan highlighted three items from his report:

- The recent visit to Belfast by the Ofcom Board.
- The Communications Market Report and subsequent stakeholder event. Of note were the questions around regulation of online content which is becoming a bigger issue for all citizens, broadcasters and governments.
- A broadband conference organised by the NI Local Government Association which looked at challenges of extending coverage of good broadband, especially in rural areas. He noted there may be an opportunity to organise a forum where stakeholders could gather to further discuss the roll-out of broadband in Northern Ireland.

The Committee was informed that in the absence of a Content Board Member for Northern Ireland, Jonathan would temporarily attend these meetings as the Northern Ireland representative.

4. Connected Nations 2017: Jibin George, Gary Clemo

The team gave an update on the Connected Nations Northern Ireland 2017 report, which is due for publication before the end of the year.

The Committee:

- Queried assertions in the team's paper about the availability of broadband services to SMEs in Northern Ireland. This would be addressed and corrected for the report.
- Expressed some concern that this year's report would not include detail on the percentages and number of premises that are unable to get download speeds of 5Mbit/s, which had been carried in previous years. The team said this was to streamline the information in the report but would look at what information could be added elsewhere to address the Committee's concerns.
- Noted that the report does not take into account inadvertent mobile coverage provided in border areas from masts on the other side of the border that would now boost coverage in NI without fear of roaming charges for local consumers.
- Welcomed the provision of robust data sets on availability of communication services.

5. Annual Plan 2018/19: Ana Serodio, Matt Bourne, Oli Rawlings.

The team briefed and sought input from the Committee on areas of Ofcom's work with deliverables in the 2018/19 period which should be highlighted as priorities.

The team also provided an early draft of the Northern Ireland specific elements of the Annual Plan.

The Committee:

- Stressed that neither the Universal Service Obligation or Universal Service Commitment for broadband should in any way disadvantage Northern Ireland. The Committee stressed that as Northern Ireland had proportionately more properties with broadband speeds of less than 10Mbit/s (and 2Mbit/s), it would stand to benefit most from a proposed Universal Service Obligation.

- Encouraged Ofcom to consider scams in its work on nuisance calls; called for greater clarity on the respective responsibilities of the ICO and Ofcom; and clearer information on who consumers can or should complain to.
- Recommended that the team should be mindful of the equality legislation in Northern Ireland and its impact on Ofcom's work.
- Asked the team to address concerns around how Ofcom will monitor the new commitments regarding the independence of Openreach. For clarity, Northern Ireland's unique situation needs to be addressed.
- Highlighted there were no specific mentions of Post in a nations context and commented on the good work Ofcom has done already working with the Consumer Council and others in researching the area of parcel surcharging and the need for this to continue.
- Noted that due to the fluid political situation Ofcom should be mindful when referring to the Northern Ireland government.
- Welcomed several of the objectives common to all of the Nations especially as regards broadband coverage and mobile services.

Action: *Ofcom to investigate whether vulnerable customer and/or critical care registers exist for telecommunications similar to those that currently exist for other utilities such as electricity, gas and water.*

6. Brexit Briefing: Liz Bates, Linda McElwee, Robert McGruer

The Committee discussed the paper provided by the team.

The Committee:

- Noted that Brexit may have an impact on the fixed telecoms market for landline calls which are charged on an all-island basis.
- Stated that Northern Ireland consumers had benefited greatly from EU roaming regulations and that they would not wish for this to change post-Brexit
- Urged Ofcom to continue its working relationship with ComReg and the BAI.
- Asked whether Brexit would have an impact on the procurement and tender process for the public sector or telecoms industry.
- Queried whether cross-border post would be affected post-Brexit.
- Stated that there will likely be consequences for Northern Ireland which are not yet evident.
- Noted the potential impact of shared infrastructure and data management issues for telecoms companies operating in the UK and across Europe
- Noted that there may be an impact on the broadcasting sector, particularly for children's programming.

7. Nuisance Calls: Eric Bash, Ruth John, Adrian Ball

The team highlighted that the instances of nuisance calls was reducing, although the figures were still high. They outlined detailed analysis now undertaken to identify where the calls were originating.

The Committee:

- Noted that Communications Providers (CPs) were expected to assist Ofcom and others identify organisations making nuisance calls.
- Encouraged Ofcom to provide consumer information on CPs that were most helpful in aiming to reduce nuisance calls.

- Noted that General Condition 20.3 is in place if Ofcom wished to request that a CP block access to telephone numbers based on fraud or misuse, but that in the first instance it would look to the industry working group to pursue a CP.
- Asked if the team could split the complaint data by fixed and mobile.
- Queried whether it would be possible to have a system where a consumer could send a short code to a regulatory body to report a previous call – ie make it easy to notify relevant authorities.
- Wondered whether the reduction in complaints was as much because of complaint fatigue rather than consumers receiving fewer nuisance calls.
- Asked if they could receive a breakdown of the data by nation.
- Said that education was perhaps required for businesses on which numbers appear on CLI as some organisations (e.g. the health service) do not appear on CLI and that this may mean that consumers do not answer these calls.

Action: ***Nuisance Calls team to investigate the possibility of a simple code as a method of reporting nuisance calls
Team to also look at presenting data by fixed v mobile and by nation.***

8. 5G: Cristina Data and Helen Rance

The Committee:

- Noted that there were a number of bands identified for 5G and that some may be available on a licence exempt basis.
- Noted that some 5G spectrum bands have been harmonised globally (harmonisation of other bands will take place at the next world radio conference).
- There is co-ordination between the RoI and UK/NI on bands such as 700MHz.
- Was informed that 5G technology was currently being tested and that commercial deployment will likely roll-out from 2020.

9. WLA, Broadband USO and BT's voluntary universal broadband offer: Jack Gaches, Steve Perry, Brian Potterill, Everardo Quezada, David Murray, James Mackley.

The team provided an update on consultation responses received to the WLA charge controls consultation which was issued after BT made its voluntary offer for universal broadband to DCMS.

The Committee

- Discussed the difference between a regulatory USO and BT's voluntary offer, how each would be funded and who would be the provider for a USO.
- Stated that BT's commitment should extend to at least 99% of each of the nations rather than UK-wide, and asked that Ofcom raise this matter and use its influence with DCMS.
- Noted that in Northern Ireland there are several funds and initiatives to improve broadband coverage and that careful cooperation and coordination would be required to ensure that these dovetail together to maximize the benefits for all consumers and businesses in Northern Ireland.
- Stated that their preference was for the UK government to choose whatever method would roll-out broadband coverage fastest, provided it was at the same level for fixed line broadband across the UK nations, i.e. 99%.
- Addressed each of the DCMS consultation questions on the design of the USO and agreed that it should submit a formal response.

Action: ***Response to be drafted and sent around members for approval and sign off before the closing date of 9 October.***

10. Government and Parliament Update: Ed Leighton

In addition to the paper provided, Ed noted that Sharon White and Dame Patricia Hodgson would appear before the House of Commons Committee for Culture, Media and Sport, and Sharon would also give a speech on Brexit in Brussels the following week.

11. AOB

Members requested to receive a soft copy of meeting papers as well as a hard copy. All members were also asked to open Ofcom e mail accounts in order to receive future papers and confidential information in a secure way.

Date of next meeting: **23 November 2017**