

MINUTES OF THE SIXTY-SIXTH MEETING OF THE OFCOM ADVISORY COMMITTEE FOR ENGLAND HELD AT RIVERSIDE HOUSE ON 20th NOVEMBER 2018

Present

John Varney	Chair
Graham Creelman	Member
Emma Davison	Member
Alan Nunn	Member
Caroline Roberts-Cherry	Member
Mark Smith	Member

In Attendance

Chris Holland	Communications Consumer Panel member for England
Tim Suter	Ofcom Board Member
Monisha Shah	Content Board member for England
Emma McFadyen	Director, England
David Edwards	Assistant Corporation Secretary
Other Ofcom Colleagues	

1.	<p><u>Introduction and declarations of interest</u></p> <p>It was noted that this would be the last meeting for the Chairman and for Graham Creelman, both of whom were thanked for their valuable contribution to the work of Ofcom over a number of years. A process was underway to recruit two new members, to be followed by a process to appoint a new Chairman from amongst members. Existing members had been invited to express an interest in the role.</p> <p>There were no declarations of interests.</p>
2.	<p><u>Minutes of the meeting held on 11th September 2018 and matters arising</u></p> <p>The minutes of the meeting held on 11th September 2018 were approved.</p> <p>It was noted that the Ofcom Board had agreed proposals for the future operation of the Advisory Committees, with four meetings each year, and that the Nations Committee would be disbanded. In place of the latter, the Chairs of the Advisory Committees would attend an annual meeting with the Ofcom Chairman and Chief Executive.</p> <p>It was noted that Ofcom would be publishing the Connected Nations 2018 report shortly, tracking progress in fixed and mobile services in the UK and summarising the role Ofcom would play in further improvements.</p>
3.	<p><u>Representation and portrayal on BBC television</u></p> <p>Ofcom colleagues joined the meeting for discussion and members had been sent a link to Ofcom’s report <i>Representation and portrayal on BBC television</i>, that had been published in October 2018. Issues raised by members included:</p>

	<ul style="list-style-type: none"> • BBC reaction to the way that it was perceived by audiences and its awareness of the areas where improvements were required. • Socio-economic diversity. • Younger people, an audience turning to rivals like Netflix, and lack of data on their viewing habits online. • Differing views amongst audiences with shared characteristics about authentic cultural representation. • Ofcom plans to monitor BBC performance and expectations concerning progress.
4.	<p><u>Channel 4</u></p> <p>Colleagues from Channel 4 joined the meeting to update members on Nations and Regions output, with a focus on England. Topics covered included the broadcaster's new senior leadership and expanded Nations and Regions team; headline figures on spend in the English regions, suppliers and made outside London hours of output; key programming in the Midlands and the East of England, the North and Southern England; portrayal, representation and diversity; Film 4 in the English regions; the '4 All the UK' strategy to ensure that Channel 4 served the whole of the UK, including a new National HQ in Leeds and two new Creative Hubs in Glasgow and Bristol; the wider context facing the broadcasting industry and Channel 4's strategic response.</p>
5.	<p><u>Made outside London (MOL)</u></p> <p>Ofcom colleagues joined the meeting and members had received a paper to update them on the findings to date of the Made Outside London Guidance Review, including key themes and issues identified through different stakeholder engagement methods; analysis of Ofcom's own data and processes; and Ofcom commissioned analysis on the current production sector in the Nations and Regions and how this had changed over time. Ofcom expected to publish a consultation shortly and a statement in Spring 2019.</p> <p>Issues raised by members included:</p> <ul style="list-style-type: none"> • Difficulty in quantifying what was meant by the presence of a substantial production base in a particular region. • MOL in England could not be captured by 'made in Salford'. • 'Lift and shift' and the genuineness of MOL. • The presence of production capabilities and creative businesses in the Midlands and the East of England. • Portrayal, representation and diversity off-air. • Limitations of Guidance that only captured PSB.
6.	<p><u>EPG Code of Practice review</u></p> <p>Ofcom colleagues joined the meeting and members had received a paper to update them on responses to Ofcom's consultation on proposed changes to the linear EPG Code and the future of the prominence regime, published in July 2018, and on proposals in relation to local TV. Ofcom proposed to revise the code from a 'principles'</p>

	<p>based approach to more specific definitions of ‘appropriate prominence’.</p> <p>Issues raised by members included:</p> <ul style="list-style-type: none"> • The changed context since the existing code was published (including consumption habits, channel availability on different platforms and the phenomenon of ‘fake news’) • A need for periodic review of the code. • Listing in the top three pages of an EPG as a quality mark. • EPG prominence of local TV (for discoverability, to enable advertising revenue and a driver of viewing figures). • Other forms of discoverability in EPGs, eg news and sports tabs. • Searchability and devices, eg set-top boxes and the Netflix button on Sony remote controls. • Findability of non-PSB quality content. <p>Members noted that as part of Ofcom’s children’s programming review children’s journey/diary research had been commissioned with findings expected to be available at the end of January. Findings could be shared with the committee in due course.</p>
<p>7.</p>	<p><u>Regulatory Political update</u></p> <p>An Ofcom colleague joined the meeting and members had received a paper to provide an update on the key UK Government and Parliamentary developments since the last meeting. Issues noted included:</p> <ul style="list-style-type: none"> • An announcement in the Autumn Statement to spend £200m to fund installation of full-fibre broadband lines to connect rural schools and libraries. More details could be provided to the Committee in due course. • In October, the Government had asked the National Infrastructure Commission to conduct a study into regulation of the UK’s energy, telecoms and water industries. The case for or against a multi-utility regulator would be an aspect of the study. • Ofcom participation in work with the UK Regulators Network on mapping data, members noting activity by the Government’s Geospatial Commission to make data linked to location more readily available in the public domain. • Regulatory impacts of Brexit in the broadcasting sector. • The formation of a Telecoms, Creative, Technology and Media Council to provide the Government with high-level advice and policy recommendations on the critical issues affecting business.
<p>8.</p>	<p><u>Content Board update</u></p> <p>Monisha Shah updated members on recent topics of interest to/discussion by the Ofcom Content Board. These included Ofcom’s first Annual Report on the BBC; proposed changes to the BBC iPlayer; local TV and programme commitments; RT investigations related to</p>

	impartiality; Ofcom’s Annual Plan and the Content Board’s workplan; key themes from standards investigations; and Brexit issues.
9.	<p><u>Communications Consumer Panel update</u></p> <p>Members had been provided with a summary note on recent activity of the Panel. Chris Holland highlighted issues and discussions including the Panel’s input to a recent Consumer Forum for Communications event on Ofcom’s comparing service quality report; work on VOIP migration issues and promoting availability of access services on on-demand services; the recent fines for Virgin and EE and the Panel’s role in highlighting unfair practices; its input to the CMA investigation into the loyalty penalty; and the Panel’s research plans.</p>
10.	<p><u>AOB</u></p> <p>Members noted the contents of an information paper to provide an overview of Ofcom’s <i>Proposed Annual Plan 2019/20</i>, ahead of publication and consultation in December.</p>