



## 58th Meeting of the Advisory Committee for Northern Ireland (ACNI)

Thursday, 16 June 2016

Minutes

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### Present:

Maureen Edmondson	ACNI
Fiona MacMillan	ACNI
Brendan Mulgrew	ACNI (from 10:50)
Fiona Boyle	ACNI
Andrew Colman	Content Board / ACNI
Kate Briggs	Ofcom (from 10:30)
Jonathan Rose	Ofcom
James Stinson	Ofcom
Sinéad Lee	Ofcom
Rebecca Robinson	Ofcom

### Apologies:

Paul Wilson	ACNI
Sharon O'Connor	ACNI
Rick Hill	Communications Consumer Panel

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

The Chair welcomed all to the meeting. She thanked David Burkin for his assistance to the Committee during his time in the Belfast office, and welcomed Sinead Lee back from maternity leave.

The minutes of the last meeting were addressed and approved. Action points were discussed.

### 2. Communications Market Report 2016: Jessica Rees, Steve Cape

The CMR colleagues informed the Committee about the changes which will be made to this year's publication and highlighted some of the initial research findings.

The Committee:

- Stated the importance and value of the CMR to the consumer and communications sectors in Northern Ireland.
- Indicated that they would prefer one publication date for the online version and the print version, but understood the reason behind the two dates.
- Asked for further information on the 'Coping in a Digital World' research in terms of specific results for Northern Ireland respondents and by age.

- Noted that Northern Ireland was catching up with the rest of the UK on a lot of the measurements.
- Asked for further details, as far as possible, on the definition of Current Affairs programming as well as breakdown on spend and volume of Current Affairs programming shown on BBC NI and UTV.
- Noted the link between satisfaction and levels of expectation in terms of some communications services, such as broadband.

Action: Further details to be provided on the 'Coping in a Digital World' research. CMR Team to investigate the possibility of providing further detail on the current affairs metrics

### **3. Connected Nations 2016: Max Fernando, Gary Cleo**

The Connected Nations team alerted members to the topics which are likely to feature in this year's report.

The Committee:

- Noted that Inadvertent Roaming is not covered by this report but in the past has been bespoke research carried out as part of the CMR.
- Welcomed efforts to make the report consumer friendly and readable.
- Noted with concern the difference between fixed broadband headline speed, advertised speed and actual speed; particularly in rural areas and over wifi and hoped this would be highlighted in the report and taken up for action. OFCOM and advertisers.
- Stated that although the proportion of premises receiving faster broadband speeds and mobile coverage is high, there remains a significant number that cannot receive over 2Mbit/s nor have decent mobile coverage. Again, this is more prevalent in rural areas and the Committee would like this to be highlighted in the report.

### **4. UK Government and Parliament Update: Mark Sweeney**

Mark provided an update on key Westminster Government and Parliamentary developments since April.

In particular, the Committee:

- Discussed the upcoming Digital Economy Bill which is likely to include a number of measures relevant to Ofcom.

Kate Briggs updated the committee on changes to the Government and Parliamentary Business Team within Ofcom and discussed her role from a Nations perspective.

Action: Ofcom to provide an organisation chart for the G&PB Team as well as the wider organisation.

### **5. BBC Charter Review – White Paper: Mark Sweeney, Mary Elliot**

Colleagues provided information on the UK Government's White Paper on the future of the BBC. It was noted that Ofcom would likely be engaging with the Devolved Administrations and Advisory Committees in the coming months on this issue.

The Committee:

- Highlighted the importance of effectively gathering the views of audiences, and in particular those in the devolved administrations, as part of its regulation of the BBC.
- Noted the importance of nations-specific commissioning and spend, and portrayal, to the production sectors in Northern Ireland (as well as Scotland and Wales). Also, asked how production from BBC Studios would operate in the nations.
- Discussed whether there should be individual service licences for BBC in the nations.
- Enquired whether competition for content spend would include radio production.
- Discussed the challenges in defining ‘distinctiveness’.
- Noted the importance of representation from the devolved nations within the governance structure of the BBC.
- Stated the importance of adequate resourcing of Ofcom for this new role - it should not be allowed to swallow up resource from other important business plan commitments within the statutory remit of OFCOM

The team took note of the Committees questions and concerns and agreed to come back to the Committee in due course, with more detail and information.

Action: Further information to be provided by the team.

## **6. CCP Update: Jenny Borritt**

The Committee thanked the Communications Consumer Panel for its paper and expressed an interest in the Space Spectrum Strategy in terms of a potential solution for rural broadband.

## **7. ACNI response to Ofcom’s Broadband USO Call for Inputs: Brendan Mulgrew**

Brendan presented the initial findings the working group had carried out.

The Committee made the following additional key points:

- Specification and scope of the USO:
  - The Committee called for a USO that is “scalable” so that it takes account of evolving needs and technologies.
  - The Committee would like specifications around issues like cost; quality of service, data limits etc. to be the same for all consumers regardless of technology or location and whether a USO or regular consumer.
- Demand for the USO:
  - The Committee believes that the provision of a Universal Service Obligation should be supply rather than demand led. It should be treated as a utility.
- Cost, proportionality and efficiency of the USO:
  - The Committee recognises that due to the rural and disperse nature of settlements in Northern Ireland; it is highly unlikely that fibre to premises will be a workable solution for all premises in all locations.
  - The Committee suggests further investment in fixed broadband (i.e. fibre) will still play a part in improving broadband availability but that a variety of

different technologies could and should be deployed. The USO should be technology neutral.

- The Committee said that the USO should be worked into future planning regulations, making it a requirement for new premises to be USO-enabled.
- The Committee said that the differing challenges for introducing a USO in different parts of the UK meant it was important that the final outcome reflects that “localised solutions might be best” and for the USO to be tailored accordingly.
- Funding of the USO and potential market distortions:
  - The Committee said the USO should be funded by industry. However, it was suggested that Ofcom look at ways of extending this beyond CPs to including other industry players that will benefit from greater broadband availability and take-up.
- Review of the USO:
  - The Committee suggested this should take place after 2-3 years with a more comprehensive review after five.

Action: Brendan to incorporate points raised and refine the response, then distribute to the Committee for approval before submitting.

## **8. Content Board: Andrew Colman**

Andrew delivered an update on the recent Content Board meeting, highlighting the following areas:

- Recent discussions on the Local TV sector. The Committee noted the omission of continued funding from the BBC in the Government’s recent White Paper on BBC Charter Review.
- The recent European Tobacco Products Directive, which in turn led to Ofcom directing the Broadcast Committee of Advertising Practice (BCAP) to prohibit advertisements for e-cigarettes containing nicotine on TV and radio.

## **9. Director’s Report: Jonathan Rose**

Jonathan highlighted the following sections of his report:

- Co-ordinated work between regulators and government departments in the UK and RoI on clearance of 700MHz spectrum band.
- The recently published Draft Programme for Government Framework 2016-2021, which included “Improving internet connectivity” as one of 42 performance indicators.
- Recent briefings for several local Councils carried out by DfE officials as well as Ofcom colleagues. These focussed on current, present and possible future interventions in the broadband market.

## **10. Nations Committee Update: Jonathan Rose**

Paul Wilson attended the recent Nations Committee meeting on Maureen’s behalf. He was not present at the Committee meeting so Jonathan Rose provided an update.

He highlighted:

- Discussions on BBC Charter Review, with a particular emphasis on the Nations.
- A briefing from Ofcom colleagues on recent developments in radio, including DAB and work on areas for possible further deregulation.
- A presentation from the Connected Nations team, which contained nation-level statistics on broadband speeds and availability.
- Nuisance Calls: Ofcom colleagues briefed the Committee on Ofcom's role in this area and its relationship with the Information Commissioners Office and other agencies. Ofcom is working with CPs to reduce the number of such calls. The Nations Committee stressed this was very important for consumers and called for more robust action in this area.
- Royal Mail regulation: Members were also given a briefing on the recently released consultation on the regulation of Royal Mail. This included work the team is carrying out relating to parcel surcharging to areas like Northern Ireland and the Highlands and Islands of Scotland.

## **11. AOB**

The Chair alerted members to the Automatic Compensation Call for Inputs which has been issued by Ofcom.

Action: Members to send Sinead Lee comments on this document for Monday 27 June.  
Fiona Boyle and Sharon O'Connor to draft ACNI response before closing date of 22 July.

## **12. External Presentation: Rainbow Communications – Martin Hamill**

Martin Hamill presented to the Committee, giving a detailed insight into the Northern Ireland business telecoms market from a reseller's perspective.

**Date of next meeting: Thursday 15 September 2016**