



67th Meeting of the Advisory Committee for Northern Ireland (ACNI)
Wednesday 2 May 2018

Minutes

Present:

Maureen Edmondson	ACNI
Alan Meban	ACNI
Kathy Graham	ACNI
Paul Wilson	ACNI
John Ellison	ACNI
Fiona Macmillan	ACNI
Brendan Mulgrew	ACNI
Rick Hill	CCP
Tim Suter (via VC)	Ofcom
Katie Pettifer	Ofcom
Jonathan Rose	Ofcom
Sinead Lee	Ofcom
James Stinson	Ofcom

Apologies:

Rebecca Robinson	Ofcom
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1. Welcome, apologies, minutes from last meeting and matters arising

The Chair welcomed everyone to the meeting. Minutes and actions from the last meeting were agreed.

Matters arising:

- Members urged Ofcom to make a Code of Conduct for Advisory Committee Members available as soon as possible, noting that this has been raised with Ofcom on several occasions.
- Members also asked for an update on the implementation of the Commitments and the NI Protocol by BT and whether BT had to inform Ofcom formally if it re-structured BTNINs host organisation. It was noted that an Implementation Report from Ofcom's OMU would be published shortly.

Action: Ofcom to report on the NI Protocol regarding changes to BT's host organisation.

2. Governance Update: Tim Suter, Katie Pettifer

Tim informed members that as a Board Member for Northern Ireland cannot be appointed without a Northern Ireland Minister in place, the Ofcom Board has decided that he should act as the link between the ACNI, Northern Ireland stakeholders and the Board.

He noted that he would visit Northern Ireland in the coming weeks for initial meetings with key stakeholders.

Members welcomed this interim arrangement, and while reassured regarding the commitment of the Nations Committee Chair urged Ofcom to consider other additional and innovative solutions to ensure that an authentic Northern Ireland voice would be available to the Ofcom Board.

It was also noted that a NI Member for the Content Board is to be appointed and that the position for Chair of ACNI will become vacant before the end of the year.

3. Directors Report: Jonathan Rose

Jonathan noted several points from his Report:

- The BBC in Northern Ireland has plans to redevelop its headquarters in Ormeau Avenue and UTV will be moving to its new premises in the coming months.
- The Connected Nations update has been published showing an increase in the number of premises able to access 30Mbit/s to 88% (from 85%).
- The Broadband Conference jointly hosted with NILGA was well attended and had received positive feedback.
- The CBI is chairing an industry group which has been established to discuss the approach to the roll-out of broadband.
- The Ofcom team working on the USO met with DfE and BT as part of their visit to Belfast the previous week.

Members also raised the Postal Stakeholders event held earlier in the week and the issues arising from parcel surcharging and denied delivery of some products to Northern Ireland. While good partnership work has resulted in increased awareness and potential action for retailers, ACNI are concerned that the USO is not being used and as such is not serving its purpose. Additionally, there may be potential for OFCOM and CAA to address issues resulting in denial of service for NI Consumers.

There was also a discussion about community radio in Northern Ireland and whether listening figures were collated for such stations.

4. Local TV: Izzy Whitford, Leen Petre

Alan Meban declared he presents on NvTv on an ad hoc basis.

The Committee noted:

- In July 2017 NvTv as well as the rest of the 'Local TV Network' made the commercial decision to be no longer included in BARB analysis.
- Ofcom will not actively advertise new Local TV licences but would consider viable business plans or proposals for future licences.
- Videos from Local TV programmes are available online following broadcast and this is a way for Local TV stations to widen their audience reach.

5. Brexit: Kate Matthews, Helen Franks

The team noted Ofcom was providing policy advice to government.

The Committee:

- Asked about implications for communications regulation in Northern Ireland post-Brexit.
- Enquired about the possibility of mobile roaming at no additional cost post-Brexit.
- Noted that Brexit may have an impact on Creative Europe funding for industry.
- Asked how Ofcom is preparing for issues arising from inadvertent roaming & landline charges
- Sought reassurance about engagement with future regulatory developments in order not to significantly diverge from our Irish neighbour.

6. Spectrum Enforcement Update: Philip Morgan, Stuart Lannie, Robert Barfoot

The Northern Ireland Spectrum Enforcement Team provided an update on their work to mitigate the effects of harmful radio interference, prioritise radio interference complaints and trace and remove the source of harmful radio interference.

The committee thanked the team for the presentation and noted the valuable contribution they make to Ofcom's work in Northern Ireland.

7. Government and Parliamentary Update: Katie Pettifer

Katie highlighted several points from her update:

- Ofcom recently gave evidence to the Joint Committee on National Security Strategy, as part of its ongoing inquiry into cyber security.
- Ofcom has been asked to give evidence to the new inquiry into regulation of the internet established by the Lords Communications Committee. This will examine a broad range of areas – including the need for specific legislation, platform legal liability, online safety and competition.
- The recent decision by the Secretary of State, Matt Hancock, to issue a Public Interest Intervention Notice in relation to the merger of Trinity Mirror and Express and Star newspapers. Ofcom is to report by the end of May.

8. ACNI MoL response: Kirsty Johnston, Simon Terrington, Tom Lancaster, Lucy Stuart

The team noted that it was seeking ACNI's views on any insights it may have on the state of the production sector in Northern Ireland.

The Committee:

- Welcomed the "Made outside London" quotas and said they had contributed greatly to commissioning in Northern Ireland, particularly from BBC and C4.
- Confirmed that targets are needed to change behaviour.
- Asked that the term 'Out of London' be made more specific – to include productions from the nations and regions.
- Noted the successful partnership agreement between Northern Ireland Screen and BBC NI and expressed a desire that Channel 4 be encouraged to enter into a similar partnership.
- Highlighted the takeover of UTV by ITV in 2016, which may result in increased investment in programming
- Commented on the strong growth in children's TV production sector in NI over the last 10 years.

- Expressed concern about how much of the production budget spent in the nations, stays in the nations. It was suggested that up to half the spend is “returned” to London. It was suggested that Ofcom could police the numbers more effectively
- Said that ‘lift and shift’ hadn’t worked for Northern Ireland or the other nations/regions nor had it contributed to the intended aim of encouraging production in the nations.
- Said that portrayal follows production and noted that this is best encouraged/enforced by local agencies such as Northern Ireland Screen.
- Queried if all commissions could be captured within the MoL register and not just material that has been broadcast.
- Suggested a mechanism to review the regime in a timely period should be built in – possibly 2-3 years, given the fast-moving nature of the sector.

Action: Committee to encourage responses from Northern Ireland Screen and other organisations that monitor the flow of investment from broadcasters.

ACNI to draft response to Cfl

9. Nations Committee Report: Maureen Edmondson

Maureen noted that the last Nations Committee meeting had also included Brexit, governance issues and the Broadband USO as well as the governance issues already reported.

It was also noted that there had been a very useful discussion around the different broadband improvement programmes in the nations and that it would be useful for Ofcom to look at how these ‘mesh’ together and work with the USO.

10. For Discussion: CCP Update: Rick Hill

Rick updated the committee on recent developments.

This included:

- A meeting he recently had with officials at the Department for the Economy in which he stressed that future broadband interventions had to look beyond value for money targets if they are to properly address poor broadband in rural areas.
- The recent Kerslake report into the bombing at the Manchester Arena. The report had been critical of the broadcast media. It also noted the National Mutual Aid Telephony system had failed for several hours after the attack, making it difficult for people to find out information about relatives and friends.
- That the Panel will issue an update to its *Going Round in Circles?* report (2013), which looked at the consumer experience of dealing with communications providers.

11. For info: Content Board Update: Jonathan Rose

Jonathan gave an update on recent Content Board activity.

This included:

- A discussion around advertising for food and drinks high in fat, salt and sugar. Public Health in England is currently reviewing its model and the updated version may capture more products. There are also growing calls to address exposure during family viewing.

- Ofcom was looking to put in place more formal processes for complaints about BBC performance and the BBC's impact on fair and effective competition.

Further issues that had been discussed at the most recent meeting included: Russia Today investigations, the BBC thematic review of representation and portrayal and the prominence of public service broadcasters on the Electronic Programme Guide.

The Committee said it might be useful for Ofcom to carry out research into how its complaints process was viewed by people who'd been through the process.

12. Member Discussion: Brendan Mulgrew

The Committee discussed a short paper that Brendan Mulgrew had presented on "making the communications infrastructure language mean something". The discussion centred around making language in Ofcom reports / statements and other publications more user-friendly and more relevant to consumers everyday experience of using these services and encouraging others to do likewise.

13. AOB: Maureen Edmondson

The meeting was Brendan's last on the Committee. Maureen thanked Brendan for his participation and contribution.

14. External Presentation: DfE – Geraldine Fee and Trevor Forsythe

DfE colleagues gave a presentation on the Telecoms work of Department for the Economy.

This included:

- The £150m for broadband in Northern Ireland as a result of the DUP / Conservatives Confidence and Supply deal.
- The challenges and opportunities around this opportunity, including the short window, just two years, in which this money is to be spent.

The Committee welcomed the work the Department is doing in this area and stressed the importance of this being done in a timely manner so that the benefits of this money can be maximised for consumers in Northern Ireland. The Committee offered to assist the Department if this were helpful.

Date of next meeting: 20 June 2018