

**MINUTES OF THE TWO HUNDRED AND TWENTY-NINTH MEETING OF  
THE OFCOM BOARD HELD ON 19 JULY 2016 IN LONDON**

**Present**

Patricia Hodgson	Chairman
Sheila Noakes	Deputy Chairman
Sharon White	Chief Executive
Lynne Brindley	Member
Graham Mather	Member
Ben Verwaayen	Member (minutes 1-part way through minute 4)
Jonathan Oxley	Executive Member and Group Director, Competition
Steve Unger	Executive Member and Group Director, Strategy, International, Technology and Economists

**Apologies**

Bill Emmott	Member
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**In attendance**

Polly Weitzman	General Counsel
Alison Crosland	Group Director, Corporate Responsibility Group (minutes 3 & 11)
Philip Marnick,	Group Director, Spectrum (minute 10)
Steve Gettings	Corporation Secretary
Jenny Leyland	Assistant Secretary to the Corporation

Other Ofcom Colleagues

**Pre-summer Political Developments – Board Paper 76(16)**

1. The Board discussed an update on political developments following a change of Prime Minister in the UK and the recent referendum on the UK’s membership of the European Union.

**Sharing Back Office Functions Across Regulators – Board Paper 77(16)**

2. The Board discussed a request received from HM Treasury to further review Ofcom’s appetite for taking part in the work being done on the sharing of back office functions across economic regulators. The Board **AGREED** that it would not be appropriate for Ofcom to participate in that work. The Board noted that Ofcom has a strong track record on making efficiency savings and has set out its plans for the future.

**Digital Communications Review: Update on Final Proposal for Openreach Reform- Board Paper 79(16)**

3. The Board was updated on and discussed the progress made in relation to proposals for the reform of Openreach. A further set of documents had been received

from BT on the previous evening, comprising a notification under Section 89C of the Communications Act 2003 and a request for a variation of the Undertakings under the Enterprise Act 2002. The executive summarised the proposals highlighting substantive changes in BT's position, and outstanding points of difference between Ofcom and BT.

**Minutes of the Board Meeting held on 21 June 2016 – Minutes 228(16) - and Matters Arising**

4. The minutes of the Ofcom Board meeting held on 21 June 2016 were **APPROVED** for signature as a correct record. There were no matters arising not covered elsewhere on the agenda.

**Chairman's Report – oral**

5. The Chairman provided her report to the Board which included reference to a number of meetings.

**Reports from the Non-Executive Members – oral**

6. Lynne Brindley reported on matters discussed at the Content Board meeting held on 28 June 2016 in Bill Emmott's absence.

7. Graham Mather reported on matters discussed during a recent meeting with the Chairman of the Communications Consumer Panel.

**Chief Executive's Report - Board Paper 78(16)**

8. Sharon White presented her report to the Board. The Board was updated on developments in relation to the investigation of a complaint from Virgin Media against the Football Association Premier League about the selling of Premier League television rights. The Board was also updated on the judicial review of Ofcom's decision of 24 September 2015 to revise annual licence fees for 900 MHz and 1800 MHz.

**Spectrum Strategy and Priorities – Board Paper 75(16)**

9. The Board discussed an update on Ofcom's spectrum strategy and priorities and welcomed a proposal that in future the update should be provided on a six monthly basis.

**BBC Charter Review Update – Board Paper 74(16)**

10. The Board was updated on discussions with the BBC and DCMS in relation to the new draft BBC Charter and Agreement, both now expected to be published in early September 2016. The Board was also updated on Ofcom's preparations for taking on new responsibilities for the regulation of the BBC.

**Net Neutrality Update – Board Paper 82(16)**

11. On 30 April 2016 an EU Regulation introducing pan-European "net neutrality" rules came into force in the UK. The Board discussed an update on the new EU framework and Ofcom's approach to implementation and enforcement in the UK.

<p><b><u>Ofcom Board Forward Plan 2016 – Board Paper 45(16)</u></b></p> <p>12. The Board discussed the Board forward plan and comments were noted.</p>
<p><b><u>Information Papers</u></b></p> <p>13. The Board noted the following information papers.</p> <ul style="list-style-type: none"> <li>• Public Service Broadcasting Briefing: UK PSB in a Global Context – Board Paper 81(16)</li> <li>• Ofcom/DCMS Framework Agreement – Board Paper 83(16)</li> <li>• Strategic Risk Register – Board Paper 84(16)</li> <li>• Management Information Report – Board Paper 85(16).</li> </ul>
<p><b><u>Minutes of other Boards/Panels/Committees</u></b></p> <p>14. The Board noted without comment the minutes of the following meetings:</p> <ul style="list-style-type: none"> <li>• Advisory Committee for Northern Ireland (14 April 2016)</li> <li>• Advisory Committee for Wales (27 April 2016)</li> <li>• Communications Consumer Panel (19 May 2016)</li> <li>• Content Board (17 May 2016).</li> </ul>
<p><b><u>Any other business</u></b></p> <p>15. <u>Appointment of Channel 4 Corporation Non-Executive Directors – Board Paper 87(16)</u>: Four positions on the Channel 4 Board would soon become vacant. An assessment panel had been assembled comprising the Chairman of Ofcom, the Chairman of Channel 4 and an independent assessor. Interviews had been held on 18 July 2016 with a view to filling two of the vacancies by focusing first on candidates with recent Chief Executive/Chief Operating Officer experience and/or those that represented a diverse voice. The Board discussed and <b>ENDORSED</b> the recommendations of the appointments panel as reported orally by the Chairman. Two candidates would be recommended to the Secretary of State for Culture, Media and Sport for appointment.</p>
<p><b><u>Date of the next meeting</u></b></p> <p>16. The next Board meeting will be held in 20 September 2016.</p>