

**MINUTES OF THE SIXTY-THIRD MEETING OF THE OFCOM ADVISORY COMMITTEE FOR ENGLAND HELD AT RIVERSIDE HOUSE ON 25<sup>th</sup> APRIL 2018**

**Present**

John Varney	Chair
Emma Davison	Member (via video conference from Warrington)
Alan Nunn	Member
Caroline Roberts-Cherry	Member (via video conference from Warrington)
Mark Smith	Member

**Apologies**

Graham Creelman	Member
Monisha Shah	Content Board member for England

**In Attendance**

Jenny Borritt, Coordinator, Communications Consumer Panel/ACOD  
 Tony Close, Director. Content Standards, Licensing & Enforcement  
 David Edwards, Assistant Corporation Secretary  
 Chris Holland, Communications Consumer Panel member  
 Emma McFadyen, Director - England  
 Other Ofcom Colleagues

<b>1.</b>	<p><b><u>Introduction and declarations of interest</u></b></p> <p>The Chair welcomed all present to the sixty-third meeting and Alan Nunn and Mark Smith in particular, both were attending their first meeting of the Committee. Monisha Shah would attend future meetings.</p> <p>There were no interests to declare.</p>
<b>2.</b>	<p><b><u>Minutes of the meeting held on 22<sup>nd</sup> November 2017 and matters arising</u></b></p> <p>The minutes of the meeting held on 22<sup>nd</sup> November 2017 were approved.</p>
<b>3.</b>	<p><b><u>Regulatory political update</u></b></p> <p>Ofcom colleagues joined the meeting and members had received a paper to brief the Committee on recent and current Government and legislative issues. Issues noted included:</p> <ul style="list-style-type: none"> <li>• Ofcom’s recent publication of its <i>Wholesale local access market review</i> statement. DCMS and Ofcom would be hosting a conference the following day on building a UK full fibre network, with industry players in attendance.</li> <li>• The Government had laid the Universal Service Order before Parliament. Ofcom would now be responsible for putting in place a broadband USO with a minimum 10 Mbit/s download speed. A number of recent</li> </ul>

	<p>Parliamentary Questions had been referred to Ofcom for input, including some concerning connectivity, broadband and mobile.</p> <ul style="list-style-type: none"> <li>• Ofcom had given evidence to the Joint Committee on National Security, as part of the latter's ongoing inquiry into cyber security and Critical National Infrastructure.</li> <li>• DCMS was in the process of considering the responses to its recent <i>Future Telecoms Infrastructure Review: Call for Evidence</i>.</li> </ul>
4.	<p><b><u>Brexit</u></b></p> <p>Ofcom colleagues joined the meeting and updated the Committee on Ofcom's work with DCMS to ensure continued and effective communications regulation post Brexit. This included providing technical advice, the primary focus being the European Union (Withdrawal) Bill. Other issues discussed included implications for the process of future market reviews; for UK-based broadcasters with international-facing licences; and for mobile roaming in the EU.</p>
5.	<p><b><u>Made outside London guidance review</u></b></p> <p>Ofcom colleagues joined the meeting. Members had been provided with a paper and Ofcom's <i>Review of Regional TV production and Programming Guidance – Call for Evidence</i> document, published in March.</p> <p>Topics discussed included disparity between the salaries of programme makers located in London and elsewhere in the UK, ie a "geography pay gap"; the need to engender local off-screen talent bases; issues of sustainability; viewing levels for regional productions, local and network, in the region of production; ripple effects, eg positive impact on out of London communities like Salford; and the importance of reliable data and its verification.</p> <p>The Committee agreed to submit a response to the Call for Evidence.</p>
6.	<p><b><u>PSB futures</u></b></p> <p>Members had been provided with a paper, the text of a recent speech delivered by Ofcom's Chief Executive, on the future of PSB, and an accompanying Ofcom publication, setting out the challenges facing the PSB system in the context of greater online media consumption and competition from new global players. Both the speech and the publication were intended as the start of a "conversation" about the future of PSB. Ofcom colleagues joined the meeting.</p>

	<p>There was discussion of topics including the significance of 2024, the time at which ITV and Channel 5 licences come up for renewal, review of the BBC Charter and the future for free-to-air TV on the DDT platform; PSB delivery over broadband/IP; the plurality, diversity, representation and regional news provided by PSB; consumption of PSB by young audiences; and PSB funding challenges, such as advertising spend and in the context of the budgets available for original production of companies like Netflix and Amazon.</p>
7.	<p><b><u>Fake news and misinformation</u></b></p> <p>Ofcom colleagues joined the meeting and members had been provided with a paper covering issues including how the terms ‘fake news’ and misinformation may be applied, dissemination and potential harms; Ofcom’s remit in news; relevant research; and stakeholder reactions and initiatives to tackle fake news.</p> <p>There was discussion of the related issues of undue impartiality and challenge, eg in TV interviews, debates and discussion; the impact of technology in the speed and volume of dissemination of news and information; and difficulties establishing provenance.</p>
8.	<p><b><u>Cyber security update</u></b></p> <p>An Ofcom colleague joined the meeting to brief members on matters related to cyber security. It was noted that there was specific guidance for the sector from the Government’s National Cyber Security Centre (NCSC) and that Ofcom would have new responsibilities, with the UK’s implementation of the EU directive on the security of Networks and Information Systems (known as the NIS Directive) and due to be transposed into domestic legislation in May this year.</p> <p>There was discussion of issues including NCSC and Ofcom powers; actions by foreign states, vulnerabilities, related to servers, IP networks and smartphones, and network resilience.</p>
9.	<p><b><u>Local TV: update on annual returns for 2017</u></b></p> <p>Ofcom colleagues joined the meeting and members had been provided with a paper on findings from annual returns completed by local TV licensees for their services in England. Data would be published later in the year in Ofcom’s planned Media Nations report.</p> <p>Issues discussed by members included the presence of local TV on the Sky and Virgin platforms; change in ownership of licences; setting expectations about the time taken for Ofcom</p>

	<p>to review and agree programming change requests; and funding and commercial challenges.</p> <p>It was noted that Ofcom had just published a consultation setting out its provisional decision not to advertise or re-advertise licences in 13 specific areas, or their substitutes, identified for local TV services but where no licence had been awarded.</p>
10.	<p><b><u>Communications Consumer Panel update and research presentation</u></b></p> <p>Members had been provided with a summary note on the recent activity of the Panel/ACOD and Chris Holland provided additional context. He highlighted the Panel's research plans for 2018/19, on digital accessibility and usability in the communications sector, ie an evaluation of the digital presence of the key communications providers and accessibility for users who might have access needs. The Panel's current research on effective complaints handling was expected to be published in June/July.</p> <p>Members were given a presentation on the findings in the Panel's <i>Access to broadcast and on-demand content: Time to catch up!</i> research report, published in October 2017. There were awareness and quality issues to resolve and the Panel planned to engage with stakeholders to look at ways to address them. A member suggested that good practice guidelines for access services would be of value.</p>
11.	<p><b><u>Content Board update</u></b></p> <p>Members were updated on recent topics of interest to the Ofcom Content Board. These included the BBC Scotland Competition Assessment; requirements on the BBC in relation to the transparency of its complaint handling, data and outcomes; diversity in TV broadcasting, portrayal and representation; Ofcom's children's programming review; EPG prominence; and advertising policy.</p> <p>In relation to diversity in broadcasting, Ofcom would be publishing a radio report and the Ofcom team would be available to present findings to the Committee.</p>
12.	<p><b><u>AOB</u></b></p> <p>There was no other business.</p>