

MINUTES OF THE SIXTIETH MEETING OF THE OFCOM ADVISORY COMMITTEE FOR ENGLAND HELD AT PHOENIX HOUSE AND RIVERSIDE HOUSE ON 29TH JUNE 2017

Present

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| John Varney | Chairman |
| Caroline Roberts-Cherry | Member |
| Emma Davison | Member |
| Becky Hogg | Member |
| Graham Creelman | Member |

In Attendance

Steve Gettings, Corporation Secretary and Director – England
 Catriona Lawrence, Ofcom Secretariat
 Other Ofcom Colleagues

Apologies

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| Andrew Chitty | Member |
| Barnie Choudhury | Member |
| Chris Holland | Communications Consumer Panel observer |

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| 1. | <p><u>Introduction and declarations of interest</u></p> <p>The Chairman welcomed all present to the sixtieth meeting. Apologies were received from Barnie Choudhury and Andrew Chitty.</p> |
| 2. | <p><u>Minutes of the meeting on 10 February 2017 and matters arising</u></p> <p>The minutes of the meeting held on 10th February 2017 were approved. The Committee raised the outstanding action on Garden Villages and it was agreed a member of the Connected Nations team should be invited to a future meeting to provide an update.</p> <p>There were no other matters arising that were not already on the agenda.</p> |
| 3. | <p><u>Regulatory Political Update</u></p> <p>Members had received a paper and an Ofcom colleague joined the meeting to update them on recent and current Government and legislative issues.</p> <p>Members were updated on 21st Century Fox's proposed acquisition of Sky, with Ofcom findings published on the day of the meeting; and discussed the impact the Queen's speech of 21st June would have on the communications sector. Areas of interest to the Committee included press deregulation, the Digital Charter, and Audio Visual Media Service.</p> |

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| <p>4.</p> | <p><u>5G update</u></p> <p>Members had received a paper and Ofcom colleagues joined the meeting to update them on progress towards 5G mobile services.</p> <p>Members noted that a Call for Inputs on 5G spectrum access would be published in July and discussed issues including the risks of stifling innovation; new models of cost; and the worry associated with 5G being used as a ‘marketing gambit’ potentially giving consumers a false understanding of its early capabilities.</p> <p>There was a discussion on whether this would address rural connection poverty; how the UK’s 5G plans aligned with European and global plans; the way 5G interacts with net neutrality regulations; and data protection concerns.</p> |
| <p>5.</p> | <p><u>Duct and Pole Access</u></p> <p>Members had been provided with a paper and an Ofcom colleague joined the meeting to provide an update on the current strategy to allow providers access to BT’s ducts and poles.</p> <p>The Committee noted that improvements to existing D&P access were expected to lead to competitor deployments. There was discussion on the long-term vision for the project and how private land may affect the process.</p> |
| <p>6.</p> | <p><u>Communications Market Report</u></p> <p>Members had been provided with a paper and were joined by Ofcom colleagues. There was positive recognition from the Committee of the CMR team’s work.</p> <p>The Committee noted that the report would need to address two audiences: those with a ‘top level’ interest and those with an interest in the granular data. There was a discussion on the shift in public consumption of both internet and linear television content.</p> <p>Ofcom colleagues will look into expanding further on parcel services and how delivery options are changing.</p> |
| <p>7.</p> | <p><u>Comparing Service Quality Report</u></p> <p>Members had been provided with a paper and were joined by an Ofcom colleague.</p> <p>The report had been published in April with the intention of publishing on an annual basis. It was noted that the passing of the Digital Economy Bill meant that Ofcom could now require providers to measure data in specific ways, ensuring</p> |

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| | <p>compatibility and allowing for the future publication of useful metrics such as provisioning and repairs performance.</p> <p>There was discussion on ensuring metrics were given context to prevent skewed views of the data. Ofcom was also encouraged to examine service quality and regulation of the energy market for comparative purposes.</p> <p>The Ofcom colleague would explore whether switching experience on mobile could be added to future reports and let the Committee know.</p> |
| 8. | <p><u>Diversity in Broadcasting</u></p> <p>Members were joined by Ofcom colleagues and had been provided with a paper and a copy of a questionnaire sent to stakeholders.</p> <p>There was discussion on the number/proportion of 'no-data' responses from stakeholders, meaning broadcasters were either failing to collect this information, or failing to get their workforce to answer questions on diversity.</p> <p>Colleagues noted that the existence of Diamond, the new industry monitoring system, showed the industry was starting to understand both the need for monitoring and that it was a constant process that needed to be led from the top of each organisation.</p> <p>The Committee noted that Diamond's first report would be launched in Edinburgh in August.</p> <p>It was recommended by the Committee that there should also be a focus on diversity within production companies that supply programmes to broadcasters. It was noted that there is currently work on creating an industry data base to examine this.</p> <p>The Committee offered further help if Ofcom colleagues required it.</p> |
| 9. | <p><u>Communications Consumer Panel/ACOD update</u></p> <p>Members had been provided with a summary note on the recent activity of the Panel/ACOD. Jenny Borritt, covering for Chris Holland, joined the meeting. Members expressed interest in Chris Holland's attendance at the <i>Voice of the Listener and Viewer</i> annual conference. An update from the conference could be provided.</p> <p>It was suggested Ofcom or the Panel could work on a pamphlet to address the previously stated worry of consumers' expectations of the capabilities of 5G.</p> |

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| | <p>When discussing the Comparing Service Quality Report, Members were interested in making sure there was a clearer definition of a complaint than ‘expression of dissatisfaction’. Members also questioned the reason for such large differences between satisfaction with Tesco Mobile customer service and with other providers.</p> <p>Members also expressed interest in Mobile Switching and the difficulties it posed for vulnerable consumers. It was noted that the Panel was responding to an Ofcom consultation on the issue.</p> |
| <p>10.</p> | <p><u>BBC update</u></p> <p>Members had been provided with a paper and Ofcom colleagues joined the meeting to discuss the proposed performance measures for the BBC, now that it had come under Ofcom regulation.</p> <p>There was discussion about ensuring that the conditions set for the BBC were both comprehensive and easily assessable, and that Ofcom could justify its future decisions concerning the BBC.</p> <p>It was noted that the Committee’s response to the draft Operating Licence would be submitted shortly. Ofcom colleagues were asked to return to the Committee to answer the questions posed in the response.</p> |
| <p>11.</p> | <p><u>Any other business</u></p> <p><i>Audio-visual framework Europe</i> There was a question as to whether there was any interest in looking into the framework in greater depth. It was agreed that it would be good to keep awareness of progress with the framework and it was noted that Ofcom colleagues were working on the framework.</p> <p><i>BBC Stakeholder Event</i> It was noted that the number of stakeholders coming to Warrington for the Ofcom event that day was low and that it was important to make sure stakeholders were aware of non-London events. It was agreed that Steve Gettings would speak to the team to assess the number of non-London based stakeholders invited.</p> |

Chairman.....

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