

MINUTES OF THE SIXTY-FIFTH MEETING OF THE OFCOM ADVISORY COMMITTEE FOR ENGLAND HELD AT RIVERSIDE HOUSE ON 11th SEPTEMBER 2018

Present

John Varney	Chair
Graham Creelman	Member
Emma Davison	Member (by video from Warrington)
Alan Nunn	Member
Caroline Roberts-Cherry	Member
Mark Smith	Member

In Attendance

Tim Suter	Ofcom Board Member (items 1 to 6)
Monisha Shah	Content Board member for England
Craig Tillotson	Communications Consumer Panel member for England
Emma McFadyen	Director, England (items 1 to 6)
David Edwards	Assistant Corporation Secretary
Other Ofcom Colleagues	

1.	<p><u>Introduction and declarations of interest</u></p> <p>The Chairman welcomed all present to the sixty-fifth meeting. Chris Holland usually attended as an observer from the Communications Consumer Panel, on this occasion he had sent apologies and Panel member Craig Tillotson was present in his place. Monisha Shah was attending her first meeting as observer from Ofcom's Content Board.</p> <p>There were no interests to declare.</p>
2.	<p><u>Minutes of the meeting held on 12th June 2018 and matters arising</u></p> <p>The minutes of the meeting held on 12th June 2018 were approved.</p>
3.	<p><u>Update on Advisory Committee reform</u></p> <p>Members had received a paper outlining common themes from discussions with Ofcom's four national Advisory Committees, as part of a review of how the Committees operated in providing advice to Ofcom.</p> <p>The themes related to strategy and prioritisation; member training; engagement with Ofcom policy teams and with external stakeholders; and the sharing of expertise across the Committees. The Executive expected to be able to take recommendations to the Ofcom Board later in the year and to implement a new way of Committee working in the next calendar year.</p> <p>The Chairman commented that there would be a need for alignment across the Committees and that some cultural/ behavioural changes would be required. It was noted that Ofcom's Annual Plan would be a mechanism to ensure alignment. Other comments confirmed the value of collective dialogue, 3-4 meetings a year being suggested and an option of virtual meetings, plus engagement between meetings, including attendance at stakeholder events.</p>

4.	<p><u>Government and Parliament update</u></p> <p>An Ofcom colleague 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"> • Online regulation (a White Paper was expected between December 2018 and April 2019) and Ofcom was due to give evidence to the Lords Communications Committee in October as part of its inquiry into internet regulation; • Ofcom’s Chief Executive would be speaking at a Royal Television Society event on 18 September, that would coincide with publication of an Ofcom discussion document on tackling online harm. A link to the document would be copied to members; • DCMS had published its <i>Future Telecoms Infrastructure Review</i> in July; members discussed future spectrum auctions and related issues of network sharing and national roaming; • and Broadband USO, Ofcom had issued a request for expressions of interest in becoming the Universal Service Provider and was in the process of analysing the responses received. <p>The Chairman commented that he received weekly publication email updates from Ofcom. Members could sign up for this and other Ofcom updates and would be emailed a link to do so.</p>
5.	<p><u>Communications Market Report 2018</u></p> <p>An Ofcom colleague joined the meeting and members had received a paper to share the key findings from Ofcom’s CMR 2018 report, published in August. Issues noted or discussed by members included:</p> <ul style="list-style-type: none"> • TV and AV analysis in the report focused on four key genres: drama, soaps, sport and entertainment (news and current affairs were covered in separate Ofcom media nations and news consumption research reports); • DAB digital radio take-up appeared to have flattened over the last two years; • Developments in live streaming, eg sporting events streamed by Amazon and Facebook; • and TV rights ownership and whether Terms of Trade were being respected.
6.	<p><u>Annual Plan 2018/19</u></p> <p>Ofcom was at the planning stage and seeking early input from members about areas of Ofcom’s work in relation to England that should be highlighted the 2019/20 Annual Plan. Ofcom colleagues joined the meeting and members had received a paper. Areas flagged as important for members included:</p> <ul style="list-style-type: none"> • Portrayal of UK society on TV, one issue being the social make-up of programme commissioners; accuracy of representation; monitoring/benchmarking and measures of success; and digital education/ media literacy;

	<ul style="list-style-type: none"> • Potential impacts from Brexit, generally for players in the communications sector; for investment decisions; and for consumers; • Implementation of a fixed broadband USO and consumer expectations of 5G; benefits for rural consumers being a particular issue; • And steps to Improve mobile coverage along transport routes. <p>Ofcom colleagues working on Ofcom’s thematic review of portrayal and representation would be invited to update the Committee. Members would be copied a link to this year’s James MacTaggart Lecture, delivered at the Edinburgh TV Festival 2018.</p>
<p>7.</p>	<p><u>Localness on Commercial Radio</u></p> <p>Ofcom colleagues joined the meeting and members had received a paper highlighting issues arising from responses to a consultation on proposals to amend guidelines relating to localness on analogue commercial radio. The responses had been published on the Ofcom website, one having been submitted by the Committee. Issues raised by members included:</p> <ul style="list-style-type: none"> • Definitions of local areas; ‘approved areas’; communities of interest; and areas determined by transmitter patterns; • Economic pressures on analogue commercial radio; • The continuing importance of localness to reflect the interests and concerns of listeners living in the area; • and the value of local production in developing new talent and in training. <p>In conclusion, the Committee suggested that community radio be strengthened and enhanced as an important strand of localness.</p>
<p>8.</p>	<p><u>Postal update</u></p> <p>Ofcom colleagues joined the meeting and members had been provided with a paper to update them on current postal issues.</p> <p>Members noted that Ofcom had opened an investigation into Royal Mail’s compliance with its Quality of Service targets, following its inability to achieve targets for 2017/18. The team leading the investigation would be invited to meet the Committee.</p> <p>A member suggested that consumers’ views be taken into account, as part of the investigation, but the investigation would be narrow in scope. It would seek to determine whether there were reasonable grounds, or otherwise, for Royal Mail’s failure to meet its targets. Consumers’ views would not form part of the investigation but would be considered in Ofcom’s next review of postal users’ needs.</p> <p>Members were briefed on Ofcom’s review of Second Class safeguard caps, due to expire in March 2019, and noted that Ofcom was consulting currently on its proposal to retain the caps.</p>
<p>9.</p>	<p><u>Communications Consumer Panel update</u></p>

	<p>Members had been provided with a summary note on the recent activity of the Panel. Craig Tillotson highlighted issues including the Panel's recent publications: <i>Still Going Round in Circles: complaints handling in telecoms</i>, a research study; and the Annual Report 2017/18; responses to Ofcom proposals related to guidance on protecting access to emergency organisations via VoIP in the event of power cuts and to a proposed cap on the cost of calls to DQ services.</p> <p>The Committee welcomed the Panel research and its focus on consumers in more vulnerable circumstances.</p>
<p>10.</p>	<p><u>Briefing on 700 MHz/3.6-3.8 GHz Spectrum Award</u></p> <p>Ofcom colleagues joined the meeting and members had been provided with a paper to brief the Committee on forthcoming spectrum awards/auctions and proposed mobile geographic coverage and premises obligations.</p> <p>The Chairman commented that the Committee had kept abreast of Ofcom's work in this area and thanked the team for the briefing and for taking into account a number of concerns previously raised by members.</p>
<p>11.</p>	<p><u>Content Board update</u></p> <p>Monisha Shah updated members on recent topics of interest to/discussion by the Ofcom Content Board. These included new Content Board Terms of Reference; content and media policy updates, one being on Ofcom's first Opinion on a BBC online complaint; issues related to the process for handling standards cases; the Made outside London (MOL) Guidance Review; and Ofcom's Media Nations Report.</p> <p>Members noted that targets were a concern for indies and that the "Indie Club" had launched itself, on the previous day, as a trade body with a key focus on addressing content production/quotas outside London.</p> <p>There was a view that there were still some programme commissioners who were failing to ensure that MOL achieved all that it had been set up to deliver, ie a wider spread of production outside London. The discussion would be fed back to Ofcom's MOL team.</p>
<p>12.</p>	<p><u>AOB</u></p> <p>Members noted the contents of an information paper on proposed changes to Ofcom's short-term restricted service licensing regime.</p> <p>The next meeting would be the last for the Chairman and for Graham Creelman and their appointments would conclude at the end of the year. A new appointment process would take place shortly.</p>