

**Minutes of the 85th meeting of
the Advisory Committee for Northern Ireland
held hybrid (in Landmark House, Belfast and via Microsoft Teams)
on 22nd September 2022**

Present

Carrie Matchett	ACNI Chair
John Ellison	ACNI Member
Angelina Fusco	ACNI Member
Alan Meban	ACNI Member
Michael Wilson	ACNI Member
Karen Baxter	Ofcom Board member for Northern Ireland
Rick Hill	Chair & NI Member of Communications Consumer Panel

In attendance

Jonathan Rose	Northern Ireland Director
James Stinson	Regulatory Affairs Manager
Bimpe Archer	Regulatory Affairs Associate
Lisa Faulkner	Regulatory Affairs Advisor
Paula Hothersall	Next Generation NED observer
Satya Kudupudi	Next Generation NED observer
Richard Orpin	Principal Policy Manager, Networks & Communications
John Woods	Corporate Strategy Manager
Lee Parfitt	Project Director
Hosna Fallah	Associate, Strategy and Research Group
Fatima Diallo	Policy Apprentice, Networks & Communications
Martyn Hannant	Head of Media, Market Development
Caroline Gobena	Senior Associate, Content Policy
Caroline Longman	Policy Manager, Competition
Kirsty Johnson	Senior Associate, Content Policy
Emma Wren	Senior Associate, Strategy & Research
Anne-Marie Murphy	Consumer Council
Michael Legg	Consumer Council

Item 1: Welcome, Apologies and Declaration of Members' Interests

1. The Committee noted that Alan Meban's freelance radio production work had reduced significantly since the summer and therefore he would no longer be required to recuse himself from the Committee's broadcasting policy discussions.

Item 2: Minutes of the 84th meeting held on 21 June 2022 and Matters Arising

2. The minutes of the 84th meeting held on 21 June 2022 were **APPROVED**.
3. A summary of progress against action points had been circulated. Status updates against each of the actions, as set out in the summary were **NOTED**. In addition:
 - the Committee **AGREED** to amend a reference in the March meeting's Minutes to UTV's contribution to the ITV evening news programme.
 - Regarding the spend on NI network productions and 'outsourcing' elements of production to other parts of the UK, it was **AGREED** this matter would be raised with Ofcom's Made Out of London Register team.
 - Regarding battery back-up and VOIP migration, the Committee **NOTED** ComReg's intention to run a consumer awareness campaign and asked to be kept informed.

Item 3: Interim Committee Business & Issues since last meeting

4. The Chair updated the Committee on interim business, specifically:
 - In June, the Chair attended a CCP meeting with the other National Advisory Committee Chairs and the National Members of the Communications Consumer Panel to discuss affordability and debt;
 - In September, the Chair met informally with the other National Advisory Committee Chairs where common issues of interest were shared and some initial thought was given to issues to be raised at the Chairs' annual meeting with the Ofcom Chair and Chief Executive in November. The Chair noted she would seek the Committee's views on topics to bring to the annual meeting.
 - The Committee **NOTED** the next CCP Consumer Hub meeting would be held on 18 October 2022, focusing on affordability and debt. Some members indicated an interest in joining this meeting and, with the CCP Chair's agreement, the Chair agreed to circulate the invitation.
5. The Committee **NOTED** this would be Angelina Fusco's last ACNI meeting, following her recent resignation. The Chair thanked Angelina for her valued contribution, and for the depth of knowledge and active engagement she had brought to the Committee's advisory work, not just on broadcasting but also on numerous other matters.
6. It was **NOTED** that recommendations had gone to the Ofcom Board for two new appointments to the ACNI, and it was hoped to have the new Members in post for the December meeting.
7. The Committee's subgroup leaders reported on matters under active consideration.
8. For the Broadcasting subgroup, Michael Wilson noted:
 - The Committee's written submissions to the DCMS Mid-Term BBC Charter Review and the Ofcom BBC Operating Licence consultation.
 - The Broadcasting subgroup had met with DCMS officials on 21st September to discuss the Mid-term Review of the BBC's Charter,

following the Committee's written submission. Members had reflected the Committee's concerns in four themes: (1) effective BBC governance in NI; (2) representing and serving the audiences in NI; (3) audience engagement to give licence fee payers a voice in BBC decision-making; and (4) improving transparency in plans, performance and decisions relating to the BBC in NI. DCMS officials were expected to revert with any further questions or points of clarification.

- The delay in the Media Bill and the impact that may have on any sale of C4 and the renewal of the C3/C5 licences
- Concerns that plans to bring BBC News in the UK and World News together into a single TV channel called BBC News, could impact coverage of Northern Ireland. The Committee AGREED to ask for the opportunity to consider the BBC's proposals and provide advice as necessary.

9. The Committee NOTED there were no significant developments from the Connectivity subgroup and from the Consumer and Post subgroup since the last Committee meeting.

Item 4: Committee Discussion on Agenda items:

Paula Hothersall and Satya Kudupudi joined the meeting at 10am.

10. The Committee welcomed the extensive consumer engagement undertaken by the NI Consumer Council. The Committee also NOTED that Ofcom's Chief Executive, Melanie Dawes, was due to meet the Chief Executive of the Consumer Council, Noyona Chunder, in Belfast at the start of October, and today's discussion with the Consumer Council officials would help set the agenda for that meeting.

Item 5: Board update from Northern Ireland Member

11. The Board member noted that the Committee's concerns regarding the BBC's governance, transparency and operating licence in Northern Ireland had been raised and discussed at the recent meetings of the Ofcom Board and of the Content Board, which she had attended. A member highlighted the BBC's annual NI Management Review, produced under the previous Charter period, and it was AGREED to share the last version of this report with the Committee and with DCMS officials, for information.
12. The Board and Content Board had also considered the upcoming report on the first year of Ofcom's regulation of Video-Sharing Platforms, which would provide learnings for Ofcom's impending Online safe duties. The Board member thanked the Ofcom team in Northern Ireland for their successful engagement with local Online Safety stakeholders.

Item 6: Public Policy update

13. The Chair welcomed Richard Orpin to the meeting and the Committee NOTED the paper which had been submitted, giving an update on Public Policy developments since the June meeting.

14. The Committee also NOTED the relevant Ministerial appointments at DCMS in recent days, and the uncertainty surrounding the legislative process, especially in relation to the Media Bill and the Online Safety Bill.

Item 7: Director's Report

15. The Northern Ireland Director highlighted a number of items from his report on developments since the June meeting. These included the annual north-south meeting with ComReg's Commissioners which took place in August and has produced a number of follow-up workstreams.
16. The Committee also NOTED Ofcom's consultation on spectrum allocation to the Police Service of Northern Ireland, intended to allow the PSNI to upgrade the emergency services' mobile network in Northern Ireland to make it more data-capable.
17. The Committee NOTED the excellent media coverage of the Media Nations NI report.
18. The Committee AGREED to seek further information on the fibre rollout plans of Netomnia in Northern Ireland; and also requested an update on the progress of the NI Executive's Mobile Action Plan which had been published in June.

Item 8: Communications Consumer Panel update

19. The Chair thanked Rick Hill for providing a comprehensive update paper to the Committee prior to the meeting.
20. Rick Hill highlighted the forthcoming CCP research report on VOIP migration which will be shared once available, and he stressed the importance of good consumer communications to support the migration.
21. The Committee discussed changes to contracts made by mobile service providers, particularly in relation to the recent reintroduction of mobile roaming charges. The Committee AGREED to encourage Ofcom to keep a close eye on developments and to report on progress to sustain consumer protections on inadvertent roaming.

Item 9: Ofcom's Plan of Work for 2023/2024

22. The Chair welcomed members of the Strategy team who introduced their paper on this year's Plan of Work. The team noted that the 2023/24 Plan of Work would reflect the themes of Ofcom's first ever 3-year plan which is due to be communicated externally in December.
23. The Committee discussed the planned approach to the Plan of Work document, and NOTED the importance of the following issues:
- Treating the Nations' equitably in the Plan of Work

- Focusing on *keeping* people connected, given the upcoming challenges of VOIP migration and 2G/3G switch-off
- Making postal regulation visible
- Protections for converged consumers

24. The Committee looked forward to advising on the proposed Northern Ireland-specific objectives. The Committee also discussed plans to engage local stakeholders once the draft Plan of Work was published, and they encouraged Ofcom to host a face-to-face event and to consider holding it outside Belfast.

Item 10: Ofcom's Annual Report on the BBC

25. The Chair welcomed the Policy Team to the meeting and thanked the team for the paper and slide pack provided to the Committee prior to the meeting.

26. The team noted that this year's Annual Report was happening in the context of the Government's Mid-term Charter Review and Ofcom's review of the BBC's Operating Licence.

27. The Committee discussed the emerging themes and topics for this year's annual report and highlighted a number of issues for the policy team to consider:

- The growth in network production from Northern Ireland over recent years showed that 'what gets measured gets done', and the Committee expressed concern at Ofcom's plans to remove some local programming quotas without a viable alternative metric. The Committee also noted that Covid was no longer a valid explanation for the BBC missing existing quotas.
- The Committee noted that the BBC's Across The UK strategy does not serve Northern Ireland well and, combined with the new commissioning approach, would impact negatively on the local indie sector which would in turn affect representation and portrayal.
- The Committee noted that Northern Ireland has a high number of DE households – a section of the audience shown to be less satisfied with the BBC.
- The Committee repeated its concern at the lack of a BBC Board member for Northern Ireland, which meant there was no Northern Ireland voice at the Board table. Nor was there a mechanism for the audience's voice to be heard.
- Members noted examples of news stories still being inaccurately labelled as UK-wide when they only related to Great Britain.
- The Committee expressed concern at the invisibility of local programming on iPlayer and questioned how the BBC would be held to account for the delivery of its 'digital first' strategy.

Item 11: Connected Nations 2022 Northern Ireland Report

28. The Chair welcomed Elizabeth Gannon to the meeting and thanked James Stinson and Elizabeth for their paper which outlined the key themes and measures to be included in this year's Connected Nations report.
29. Discussing mobile coverage, the Committee asked for an assessment on the impact of the Shared Rural Network in Northern Ireland to date, noting that the NI rollout was focussed exclusively on filling partial coverage not-spots.
30. The Committee asked whether consumers would notice changes in coverage levels as the mobile networks moved away from 2G and 3G and towards 4G and 5G, and how Ofcom would present these coverage levels. The team noted that mobile operators are expecting to match existing coverage levels. The Committee AGREED to look at the topic of 2G/3G switch-off in more detail.
31. Discussing full-fibre broadband, the Committee asked whether the cost-of-living crisis might affect the take-up of full-fibre broadband. The team noted that this would be considered under Ofcom's work on affordability rather than in the Connected Nations report.

Information items

Item 12: Ofcom's SME Research

32. The Committee NOTED the SME research slide pack provided prior to the meeting, and the findings for Northern Ireland which overall compared favourably with other nations. The Committee expressed surprise that satisfaction levels did not vary between urban and rural SMEs.
33. The Committee NOTED that many SMEs used residential packages, and they asked if further information was available on SMEs' awareness of business-specific packages.

Item 13: Online Safety NI update

44. The Chair thanked Bimpe Archer for the paper provided to the Committee prior to the meeting. The Committee briefly discussed Ofcom's upcoming report on the regulation of Video-Sharing Platforms.

Item 15: NI Consumer Council – presentation and discussion

45. The Chair welcomed Anne-Marie Murphy and Michael Legg from the Consumer Council to the meeting. Anne-Marie and Michael presented an overview of the Consumer Council's work. This highlighted: the Consumer Council's latest Household Expenditure Tracker; the Consumer Council's work with the Office of National Statistics to develop a Regional Price Index for Northern Ireland; and an overview of their postal consumer advocacy work.

46. The Committee discussed a number of issues relevant to the cost-of-living crisis facing consumers in Northern Ireland. It was NOTED that financial pressure was moving up the income chain and affecting a wider range of households.
47. The Consumer Council is keen for affordability to be considered in Ofcom's postal regulation, especially in regard to the price cap safeguards.
48. On telecoms, it was NOTED that the Consumer Council will publish a research report shortly on the consumer costs of mobile roaming, as part of a wider study on the impact of Brexit.
49. The Chair thanked Anne-Marie and Michael for their presentation and the chance to discuss topics of mutual interest. The Committee welcomed the chance to stay in touch on these topics and encouraged Ofcom to work closely with the Consumer Council to consumers' benefit.

Item 14: Any other Business

50. There was a brief discussion regarding the ongoing issues for the postal service following Brexit/NI Protocol and the costs implications for consumers with particular emphasis on non-delivery and surcharges for consumers.

Date and Time of Next Meeting

51. The next scheduled Committee meeting would be held on Tuesday 6 December 2022.

Approved:



Date: 06.12.22