

Minutes of the 85th meeting of the Advisory Committee for England, connected meeting at the University of Bradford and via Teams on 5 October 2023

Present

Paula Carter	Chair
Aaqil Ahmed	Member
Matthew Littleford	Member (via Teams)
Caroline Gardner	Member
Alan Nunn	Member (via Teams)
Mark Smith	Member (via Teams)

In attendance

Dekan Apajee	Content Board member for England (via Teams) (mins 10 - 12)
Angela Dean	Ofcom Board Member for England (via Teams)
Lina Ding	NextGenNEDs observer (via Teams)
Emma McFadyen	Director, England (via Teams)
Richard Spencer	Consumer Panel Member for England
David Edwards	Committee Secretary
Other Ofcom colleagues	

Introduction

1. The Chair welcomed Members and attendees to the 85th meeting of the Committee, at the University of Bradford and via Teams. Dekan Apajee would join for item 6, having recently taken on the role of Content Board Member for England.
2. Tracy Brabin, directly elected Mayor of West Yorkshire¹, and her Chief of Staff, Mike Hawking, had planned to meet the Committee, as the first item on the agenda, to discuss communications issues affecting West Yorkshire. Unfortunately a more pressing engagement that morning prevented their participation and apologies had been received. The Chair would write to Tracy Brabin to elicit her views on communications issues of mutual interest.

Declaration of Members' Interests

3. Matthew Littleford had been appointed as Managing Director of Jist, a small, social-first production company, based in Manchester and London. Jist was engaged in video production, produces stills and branded content, for social and live events and for a variety of clients.
4. Aaqil Ahmed had been appointed as broadcasting consultant to advise Bradford 2025 (UK City of Culture). The declaration was made also in light of a later agenda item, which would be a discussion with Shanaz Gulzar, Creative Director of Bradford 2025.

¹ The Mayor chairs and leads the West Yorkshire Combined Authority and holds the office and powers of the West Yorkshire Police and Crime Commissioner.

5. Mark Smith had been appointed Chair of the IBC Council. The IBC (International Broadcasting Conference) is a major annual industry conference/exhibitor event and the Council's role is to advise IBC on key strategic issues.

Minutes of the meeting held on 8 June 2023 and matters arising – Minutes 84(23)

6. Subject to minor amendment, the minutes of the meeting held on 8 June 2023 were **APPROVED** for signature by the Chair as an accurate record. There were no outstanding actions.

[Note: At the June meeting the Chair had requested data on take-up of social tariffs in England. Enquiries revealed that Ofcom does not collect data at Nation/ region level and only has UK-wide data, last published in April. UK data would be updated in December in Ofcom's Pricing trends report.]

Ofcom Board update - oral

7. Angela Dean reported on recent topics considered by the Board (minutes and notes of meetings being available on the Ofcom website). The Board had met three times since the last Committee meeting, in June, July and September 2023.

8. Matters discussed during that period had included Generative AI, in a workshop held in June; and Ofcom's readiness to regulate online safety. The OS Bill completed its final debate in Parliament on 19 September and awaited Royal Assent. In addition, the NAO had published a positive report on Ofcom's preparations. Other topics discussed by the Board had included social tariffs and the resilience of communications networks.

9. In relation to social tariffs, the Committee continued to have concerns about low take-up. Shining a light on communications providers that failed to offer social tariffs could be effective, for example in Ofcom's Connected Nations 2023 report due for publication in December.

Content Board update - oral

10. Dekan Apajee reported on recent topics considered by the Content Board (minutes being available on the Ofcom website). The Content Board had met twice since the last Committee meeting, in May 2023 and earlier in the week.

11. Matters discussed had included the progress of the draft Media Bill, a Bill expected to be included in the King's Speech in November and which, amongst other things, could bring changes to regulation of audio services/ commercial radio; Ofcom's programme of work related to the BBC, with a focus on Ofcom's BBC Annual Report and its BBC Audiences Review; and Ofcom standards decision-making processes.

12. The Chair flagged that the Committee would be concerned if changes proposed by the BBC in relation to local radio resulted in a diminution of local news and a Member raised the issue of impartiality/ balance when, for example, clips were shared on social media and whether there was confusion amongst audiences about the difference between news and current affairs.

Public Policy update – ACE 15(23)

13. A range of issues were flagged. Members noted that the Government was consulting to seek views on whether economic regulators (including Ofcom, Ofgem and

Ofwat) should be added to the scope of the growth duty² provided for in the 2015 Deregulation Act; and that the coming period would be crucial for Ofcom as it gained its new OS powers, in a context of high public expectations. In discussion a query was raised as to whether a growth duty for Ofcom might apply to the communications sector or to the UK economy as a whole.

14. Whilst noting that Ofcom had shared information about 2G/ 3G switch off with several telecare industry associations and had made it clear that telecare providers were ultimately responsible for securing the continuous service of their devices, the Chair queried Ofcom's role in relation to change initiatives of this kind.

15. It was further noted that Ofcom had responded to follow up questions raised as part of DSIT's Public Bodies Review, having previously responded to the self-assessment model (SAM) which had been part of the initial stage of the Review.

Consumer Panel update - ACE 14(23)

16. The Committee noted recent Consumer Panel activity and current priorities (minutes of meetings being available on the Panel's website). The update focussed on issues including qualitative research the Panel had commissioned on social tariffs and, separately, to explore and understand how younger consumers, aged 16-24, navigate the communications market. Whilst young people were often described as being 'tech savvy', they might be less so when it came to overpaying for services and affordability. Postal issues had also been a focus, including quality of service and access to an affordable and reliable service.

Shanaz Gulzar, Creative Director, Bradford 2025 – Oral

17. Members were joined by Shanaz Gulzar to discuss her vision for Bradford 2025, a year in which the city was looking to deliver 1000+ new performances and events including 365 artist commissions, a series of major arts festivals as well as national and international collaborations. Shanaz spoke about the city, its size and make-up, its dynamic and do-it-yourself attitude/ creative culture, the potential of its young population, and ambitions to raise aspirations and to grow skills.

18. Other issues flagged included opportunities in the media sector and whether the presence of Channel 4's new national HQ in Leeds had actually made a difference (Bradford's 10-mile proximity was considered to have been a factor in the broadcaster's location decision), and *Born in Bradford*, one of the largest research studies in the World, tracking the lives of over 30,000 Bradfordians to find out what influences the health and wellbeing of families.

BBC Annual Report and BBC Audiences Review – ACE 16(23)

19. Members were briefed on Ofcom's work on its BBC Annual Report and BBC Audiences Review. The former would reflect changes in regulation of the BBC, in particular the move to a new licence. In the report Ofcom would review how the BBC has delivered the public purposes and how it has met requirements in relation to editorial standards and competition. There would be a focus on changes the BBC was making

² The Growth Duty requires designated regulators to have regard to the desirability of promoting economic growth when exercising their regulatory functions and ensuring regulatory action is only taken when it is needed and proportionate.

particularly in relation to news and impartiality; commissioning in the Nations and regions and changes to local radio services. This Annual Report would be the last to report on performance against the old operating licence.

20. The Audiences Review involved research across the UK to better understand why people from D and E socio-economic groups are less satisfied than others about the BBC's performance. Early themes from the research included concerns about accurate representation and portrayal; lack of personalisation and recommendations compared to streaming services and platforms; and concerns about the BBC's content offer being too dry – lots of repeats and outdated formats.

21. In the Annual Report each Nation would have its own section on key developments. The Chair suggested that a sense of dynamics could be helpful for the infographics, i.e. where there had been changes in each nation and comparisons. It was further suggested that granularity could provide greater insights, a 60% positive impression in the BBC audience figure for England could mask disparities/ dissatisfaction amongst certain communities.

22. At the previous meeting a Member had flagged the importance of careful consideration of cultural diversity/ issues of religion/ and the geographic location in the make-up focus groups in the Audiences Review to ensure representation of a broad range of communities. The Executive took the same view and confirmed that for the Audiences Review steps had been taken to include harder to reach groups.

Future of TV Distribution – Call for Evidence (CFE) – ACE 17(23)

23. The future of TV distribution had been identified as a cross-cutting priority in Ofcom's Three-Year Plan. The project would assess all the major commercial and policy issues that will determine the future of TV distribution and identify tensions and trade-offs. A particular focus would be on free TV platforms which underpin delivery of public service media, as identified in earlier 'Small Screen: Big Debate' work. A CFE document had been published on the day of the Committee meeting, the aim being to provide advice to the Government in Spring 2024.

24. Members made a number of comments, including whether the market should be left to decide, or whether there should be trigger points for change, e.g. when DTT became uneconomic or the take-up of broadband. It was noted that there was still a significant divide in superfast broadband coverage between urban and rural premises in England and there could also be take-up issues to consider, one of which could be lack of interest and result in a remaindered group, reliant on legacy services, and likely to be older people. It was suggested that a possible solution could be a BBC broadband product.

Ofcom Plan of Work 2024/25 – ACE 18(23)

25. The Committee was requested to note the proposed content and update on preparations for Ofcom's Plan of Work 2024/25 and invited to provide input on its development with any views on last year's document and the drafting/ engagement process from an England perspective.

26. In discussion Members flagged the issues that they felt should be areas of focus in the PoW, these included broadband rollout and take-up; 2G/ 3G switchoff; OS and vulnerable citizens in particular; cyber security, awareness and scams; communications inequalities and scenarios/ pockets of England where people could experience simultaneously poor media, broadband and postal delivery services and impact on local

democracy and business opportunities; accelerating convergence and experiential and immersive media technologies; and the need to match ambition and resources, priorities and budget.

27. A draft PoW would be published in December and consultation events would take place in January. The Committee suggested that to best elicit views about England it would be useful to direct/ focus discussion, e.g. rural vs. urban views. England data at a granular level would be required to be able to respond to questions on the day.

Connected Nations 2023: England report – ACE 19(23)

28. Ofcom’s annual Connected Nations report seeks to chart the UK’s evolving communications infrastructure and progress towards becoming a genuinely connected nation. Publication in December would include a UK report, four Nations reports, and interactive dashboards with a suite of data products. The UK report would follow broadly the structure as in previous years, with the addition of a new short section on climate change and telecoms networks. A continued focus would be on deployment and take-up of full-fibre networks and 5G. There would also be reporting on new analysis on fixed wireless access (FWA) and satellite services, comparisons of reliability between different fixed broadband technology types, and adoption of cloud solutions by telco networks. The Executive was seeking feedback to inform the final structure and narrative of the England report, to ensure that it was relevant to, and insightful for, interested English stakeholders.

29. A range of issues were flagged by Members including poor take-up of social tariffs, whether poor advertising was a factor; with respect to full-fibre networks it would be useful to identify where more than one provider was available and what this meant for take-up; 3G switch-off could result in reduced coverage where 4G coverage was inferior and this could be highlighted; and England north/ south data to identify any real differences would be useful also.

30. Referring to the Connected Nations Summer Update 2023, published in September, the Chair acknowledged that this was a ‘snapshot’ but suggested that more commentary could be useful, e.g. an indication of where depolyments were on track or where there were red flags. Issues of that kind could then be reported more fully in the annual report. It was further suggested that averages could mask disparities and being able to drill down to local areas, worst and best, and mapping against socio-economic data could provide extra insights.

31. In response, the Executive said other forthcoming Ofcom reports on planned network deployment and social tariffs would address some of the points raised, and there would be cross-links in the annual Connected Nations report. An aim was also to provide more insights on full-fibre take-up including on how it varies at local authority level and extent of network-level competition.

Discussion with University of Bradford students – Oral

32. The Committee engaged in an informal dialogue with a group of undergraduate students studying film and TV production at the University. Almost all the students had grown up in Bradford. They shared their views on the opportunities to enter the creative industries for those who lived outside London and/ or had not had access to advantages like a private education. To a degree they expressed a sense of resignation about limited opportunities. The students felt that Channel 4’s presence in Leeds and an increase in production outside London, for example, had not had a significant impact on the

opportunities available to them in the local area. They did not feel that platforms like YouTube and TikTok had levelled the playing field for entry to the creative industries, with much content that was superficial. Most felt they would rather work for an organisation like the BBC rather than a streaming service like Netflix, the latter perceived as driven by purely commercial imperatives.

Members' open session - Oral

33. Issues flagged included leadership changes at TalkTalk; Ofcom involvement/ whether the Cloud market/ infrastructure was within remit, or whether this was more an area for the CMA and about computing and equipment supply; BT's temporary pre-digital phone line product developed as part of transition from PSTN to VoIP to maintain connectivity for some customers; and reports about a Lyca Mobile data breach that had resulted from a cyber attack.

Future agendas - Oral

34. There was brief discussion about future meeting agendas and agreement that the next meeting be held at Ofcom's office at Riverside House. It was proposed that Deloitte be invited to talk about audience/ consumer trends in England and techUK to discuss developments in communications markets. A report back from the Public Policy team on any communications themes at recent party conferences was suggested. The November agenda would also include a post item and the annual session with Channel 4. Looking ahead to future meetings outside London, the south west, Bristol or Southampton could be considered.

Information items

35. Broadcast, Postal and Telecoms data (England) – ACE 20(23): The paper was noted.

Any Other Business

36. There was no other business.

Date of the Next Meeting

37. The next scheduled Committee meeting would be held on 30 November 2023.