

**Minutes of the 84th meeting of
the Advisory Committee for Northern Ireland
held hybrid (in Landmark House, Belfast and via Microsoft Teams)
on 21 June 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
Judith Carville	Regulatory Affairs Manager
Bimpe Archer	Regulatory Affairs Associate
Lisa Faulkner	Regulatory Affairs Advisor
Paula Hothersall	Next Generation NED observer
Nigel Robbins	Department for the Economy
Trevor Forsythe	Department for the Economy

Agenda Items
Introduction <ol style="list-style-type: none">1. The Chair welcomed members and attendees to the meeting, with a particular welcome to Karen Baxter and Lisa Faulkner on their first meeting.2. Brief introductions were made by the Members.
Declaration of Members' Interests <ol style="list-style-type: none">3. Rick Hill declared that he had joined the Civil Aviation Authority Panel.4. Alan Meban declared that he was undertaking more freelance broadcasting work and offered to recuse himself from relevant future Committee discussions.5. Carrie Matchett declared that she was a director of the Orchardville Society.
Minutes of the 83rd meeting held on 1st March 2022 and Matters Arising <ol style="list-style-type: none">6. The Committee AGREED to amend the draft Minutes to note the Committee's disappointment that UTV had not appointed a Northern Ireland correspondent to

contribute to the extended ITV early evening news programme, unlike other ITV regions.

7. Subject to that amendment, the minutes of the 83rd meeting, held on 1 March 2022, were **APPROVED**.
8. An Ofcom colleague shared the Actions update, and **NOTED** all were complete with the exception of two updates:
 - The Public Policy Team (PPT) to establish what engagement the Home Office taskforce on fraud has had with the devolved administrations.
 - An Ofcom colleague to confirm if NI postcodes were included in UK-wide postal performance research carried out during the early stages of the Covid pandemic.

Interim Committee Business since last formal meeting

9. The Chair updated the Committee on interim business, specifically:
 - Three Committee subgroups covering the main areas of Ofcom's policy work had been established and leaders assigned.
 - All members had completed their Annual Contribution Review meetings with the Chair.
 - 4 April: The Committee had held its annual planning session, based on Ofcom's Plan of Work, to set its priorities for the coming financial year.
 - 26 April: A Member had attended the NI Consumer Hub meeting and provided a brief summary note.
 - 7 June: A Member had attended Ofcom's Online Nations event and provided a brief summary.
 - 9 June: A Member had attended the Telecoms Stakeholder Forum & Openreach Regulatory Compliance Committee and Product Forum meeting and gave a brief summary.
 - 17 June: Members had attended Ofcom's Making Sense of Media Event, and they congratulated the Ofcom team on a very beneficial event which was well organised and attended.
 - The Chair had met new Board member, Karen Baxter. The Chair had also met Melissa Tatton, Director of Corporate Affairs, on a visit to Belfast and discussed key issues for the Advisory Committee, including recruitment to key non-executive roles.

Subgroups Update

10. The Committee's subgroup leaders reported on matters under active consideration.
11. For the Broadcasting subgroup, Michael Wilson noted:
 - Ofcom's forthcoming consultation on the BBC Operating Licence, to which the Committee plans to respond.
 - The BBC's Digital First strategy, as well as BBC investment in Northern Ireland.
 - The Committee **NOTED** that DCMS wishes to engage with the ACNI (and Ofcom's other national Advisory Committees) as part of the Government's Mid Charter Review of the BBC. The Committee expects to submit a written response to questions provided over the summer.

- The anticipated Media Bill and its impact on the relicensing of Channels 3 & 5, as well as the proposed sale of Channel 4 and the future prominence of the Public Service Broadcasters.
12. For the Consumer and Post subgroup, Angelina Fusco noted:
- Continued focus on consumer issues such as VOIP and scams.
 - The value that broader research, where affordability of communications services is understood within the wider context of household needs and financial pressures, could bring, especially for more vulnerable consumers.
 - The Committee **AGREED** that Ofcom’s work on Fairness for Customers be put on the agenda for future discussion.
13. For the Connectivity subgroup, John Ellison noted:
- Affordability issues, the return of roaming charges and subsequent bill shock, and the low awareness and uptake of social tariffs.
 - Reflecting the earlier discussion of Interim Committee Business, the Committee discussed the necessity of good connectivity, and the challenge for small providers to introduce one-touch-switching.
14. A member **NOTED** the Ofcom announcement regarding Channel 4 subtitling and outage and said Ofcom was to be congratulated for the BSL video which summarised the report.
15. A brief discussion was held regarding locally-made programmes. The Committee was concerned that spend on NI network productions be retained within NI and noted an example of ‘outsourcing’ elements of production to other parts of the UK. The Committee also **NOTED** the lack of engagement with, and accountability to, the audience. The Committee encouraged Ofcom to monitor and raise these issues with the broadcasters.

Committee Discussion on Agenda items:

16. The Committee discussed the likelihood of retail competition on the open access Fibrus network in rural areas and the potential impact on consumers in terms of the limited choice of retail providers and the potential for higher retail prices. The Committee **AGREED** to raise this matter with the Department for the Economy.
17. The Committee **AGREED** to invite Mobile UK to a future meeting and **AGREED** to request an update on Ofcom’s work on mobile roaming regulations.

Media Nations Update:

18. Ofcom colleagues outlined the structure and format of this year’s NI Media Nations report and noted differences in approach from previous years. The report is due to be published in late August together with an Interactive Data set online.
19. The Committee made a number of observations:
- Sample sizes for some of the data points presented in the report were discussed, especially around audience satisfaction with channels and platforms.
 - The Committee cautioned against comparing audience satisfaction with paid-for streaming services against PSB online players, highlighting that opt-in paid-for

services such as Netflix are likely to garner higher satisfaction ratings because users had chosen to pay for them in the first place.

- The Committee commented on the demographic split in viewing habits and the preference of younger viewers for global streaming services like Netflix and the challenge this poses for PSBs.
- It was suggested that increased representation of NI on-screen had led to increased satisfaction among audiences in NI. The Committee also **NOTED** the importance of Ofcom research in highlighting the success of policy interventions that led to increased commissioning.
- The Committee **NOTED** how useful the report was in highlighting the importance of local content on TV and radio to audiences in Northern Ireland.
- The Committee **NOTED** the importance of gathering information on the viewing of Republic of Ireland TV channels for the report.

Disability Action Plan for Northern Ireland:

20. The Committee **NOTED** Ofcom's responses to the public consultation at the start of this year on the proposed Disability Action Plan, including the consideration of the views of the ACNI and the CCP.
21. The Committee **NOTED** Ofcom's intention to publish the final Disability Action Plan in the coming weeks.

Ofcom Board and Content Board update

22. Karen Baxter updated Members on the Ofcom Board's recent business, including Ofcom's three-year plan and the Online Safety Bill.
23. Carrie Matchett was congratulated on her reappointment by the Board as Chair of the Advisory Committee for a two-year term.
24. Karen welcomed Members' input ahead of the Board's strategic planning day to be held in November.
25. In relation to Content Board, there was a discussion on diversity in broadcasting and how that applied in Northern Ireland. It was **AGREED** to provide the Committee with relevant statistics for BBC NI.

Public Policy update

26. The Chair welcomed Chia Seiler to the meeting who gave an update on Ofcom's Public Policy work.
27. The Committee **NOTED** progress on the Online Safety Bill and the expected Media Bill.
28. There was a discussion regarding the Digital Regulation Cooperation Forum and the Committee **NOTED** that all four regulatory members now had a presence in Northern Ireland, which could create joint engagement opportunities.

29. A member advised that Storm Arwen had highlighted the problem of mobile phone masts in rural areas not having sufficient back-up power. The Committee **AGREED** that this point required further consideration by Ofcom.

30. The Committee discussed the BBC's Digital First strategy and what that might mean for Northern Ireland audiences, taken alongside reduced investment, reduced audience engagement and changes to the commissioning process. The Committee **NOTED** the opportunity to raise these issues in forthcoming consultations on the BBC, as discussed earlier.

Director's Report

31. An Ofcom colleague highlighted relevant developments in Northern Ireland since the last formal Committee meeting.

32. The Committee **NOTED** the recent announcement by BBC NI that it would no longer provide live coverage of the 12th July Orange Order Parades.

33. The Committee also **NOTED** the expectation that Ofcom would not be subject to the language obligations likely to be introduced for public bodies by the Identity and Language (Northern Ireland) Bill currently passing through Westminster.

34. The Committee **AGREED** that a forthcoming Online Safety 'roadmap to regulation' paper provided Ofcom with an opportunity to engage government stakeholders in Northern Ireland.

Communications Consumer Panel Update

35. Rick Hill updated the Committee on the CCP's recent work.

36. The Panel continued to express concern at the process for the migration from PSTN to VOIP networks. The Committee **NOTED** BT's pause to their VOIP migration and the low public awareness of the process to date.

37. The Committee **AGREED** with the Panel's concern over the low public awareness of the introduction of bar-coded stamps, intended to reduce fraud, and the impact on consumers who had to replace old stamps already purchased.

Department for the Economy (DfE)

38. The Chair welcomed DfE colleagues to the meeting. A presentation was given to the Committee regarding Project Stratum and the forthcoming Project Gigabit in Northern Ireland. The presentation slides would be shared with Members.

39. Following the presentation the Committee discussed a number of topics with the DfE colleagues:

- **Eligibility of premises** – The Committee **NOTED** DfE's plans to consult on additional premises that were 'under review' and could be included in Project Stratum. Previously they had been part of commercial rollout plans or served by fixed wireless providers. The Committee was also interested in how residents could check their premises' eligibility for connection, and how to appeal if they aren't eligible.

DfE explained that a dedicated website – hyperfastni.com – provided postcode data on eligibility. Appeals for non-eligibility would be handled through the ‘under review’ process.

- **Retail competition** – There was a discussion regarding competition on the Fibrus open access network and the potential impact on rural consumers. DfE said that Fibrus was currently in discussion with a number of retail providers regarding access to its wholesale network, but that it would take time for the network to properly mature and a competitive market to develop. DfE will continue to monitor this issue.
- **Take-up of fibre services** – The Committee was keen to understand if any research was being done on take-up of fibre services under Project Stratum. DfE said that information through local authorities, their own research, and other sources (like Ofcom) would help give a picture of how the network is developing over time. DfE also pointed out that Fibrus has appointed ‘fibre ambassadors’ in intervention areas to help inform residents of what’s available and the benefits of fibre connectivity.
- **Social tariffs** – A member also asked whether Fibrus offered a social tariff on the network. They do not currently offer such a tariff.

AOB and papers for noting

40. A Member requested that Diligent be used for capturing subgroup information and activity.

Date of the Next Meeting

41. The next scheduled Committee meeting will be held on 22 September 2022.

Approved:



Date: 17.10.22

Chair