

Minutes of the 89th meeting of
The Advisory Committee for Wales
Hybrid meeting on 13th June 2023

Present

Hywel Wiliam	Chair
Robert Andrews	Member
Tom Crick	Member
Angharad Evans	Member

In attendance

Sian Phipps	Communications Consumer Panel Member, Wales
Eleanor Marks	Director, Ofcom Wales
Elinor Williams	Regulatory Affairs Principal, Wales, Ofcom
Meleri Evans	Regulatory Affairs Manager, Wales, Ofcom
Maeve MacRory	NED

Other Ofcom colleagues

Apologies

David Jones	Ofcom Board Member for Wales
Ruth McElroy	Content Board Member for Wales
Aled Eirug	Member

Agenda items	Action
<p>1. Introduction</p> <p>The Chairman welcomed attendees to the 89th meeting of the Advisory Committee for Wales. Apologies received from David Jones, Ofcom Board Member for Wales; Ruth McElroy, Content Board Member for Wales and Aled Eirug, Member ACW.</p> <p>The Chair also welcomed Maeve MacRory from the Next Generation NED scheme.</p>	
<p>2. Declaration of Members' Interests – verbal</p> <p>No new declarations were received from members.</p>	
<p>3. Minutes of the meeting held on February 2023 and matters arising</p> <p>Item 7 - Members asked for an update on developments with the Welsh Language Commissioner's decisions on current investigations.</p>	
<p>4. Chairman's Report – verbal</p>	

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<p>The Chairman noted that this was his last ACW meeting as Chair and thanked all committee members and members of the Ofcom Wales team for their support.</p> <p>The Chair noted that he was aware that there has been a process to select a new Chair and wished his successor the very best of luck in running the ACW in the future. He added that he was confident that the committee would continue to play an important role in influencing policy decisions by Ofcom and serve the interests of citizens and consumers in Wales.</p> <p>The Chairman outlined the events he had attended recently:</p> <ul style="list-style-type: none"> • Celebration of Sgil Cymru, apprenticeship scheme, based at Seren Studios, Cardiff. • It's My Shout - Screening of documentary films, Cardiff and Vale College • RTS Cymru Wales Awards 2023, Royal Welsh College of Music and Drama • Screening of the film Y Swm, about the events that led up to the creation of S4C in a Joint RTS and S4C screening at the Soho Hotel, London 	
<p>5. Update: Ofcom Board Member for Wales – apologies received</p> <p>Apologies were received and Members noted that it would be useful to receive a paper in advance of the formal meeting.</p>	
<p>6. Update - Communications Consumer Panel Member for Wales</p> <p>The Panel Member had submitted a paper in advance and drew attention to the following issues:</p> <p>Affordability of communications services and debt: The Panel has commissioned research to explore and understand the requirements of younger consumers in navigating their way around the communications market and establishing if there are any barriers in which they face, for example affordability.</p> <p>Migration to VoIP: We remain significantly concerned about the migration to VoIP and the potential impacts on consumers with specific support requirements such as telecare users and those living in rural and remote areas who may not be able to contact emergency services during a power cut.</p> <p>2G and 3G switch-off: The Panel has highlighted the importance of making consumers aware of the impending changes using a variety of communications channels and identifying consumers who could be impacted by the switch-off early-on to help mitigate potential harm.</p>	
<p>7. Update: Ofcom Content Board Member for Wales – apologies received</p> <p>A written report from the Content Board Member for Wales was received and circulated beforehand.</p>	
<p>8. Update - Public Policy</p> <p>Committee Members were updated on a number of Parliamentary developments and policy areas including:</p>	

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<ul style="list-style-type: none"> • GB News: Publication of “in breach” decision against GB News. This is for an edition of the Mark Steyn programme, which first aired on 4 October 2022 and received 422 complaints. It was also mentioned that senior members of the Green Party had published a letter on Twitter addressed to us outlining a complaint about an episode of State of the Nation which aired on GB News on 9 May and requesting we revoke the broadcaster’s licence. We have responded stating we will treat this as a broadcasting standards complaint. • Migration to VoiP: Engagement has continued with DSIT on the PSTN switch off and migration to VoiP. Minister Lopez had been working with the Communications Consumer Panel to encourage industry to run a nationwide consumer communications campaign about the switch-off and Ofcom will be sharing survey results from other regulators regarding communications plans with working level DSIT colleagues. It was noted that BT had restarted its migrations. • Online Safety Bill: It was noted that the Public Policy team had been closely engaging with DSIT throughout the passage of the Bill. We have also engaged with a number of key peers to understand their concerns and to provide technical expertise and advice. This has included a teach-in on AA/AV technologies and a letter outlining our preparations to implement the Online Safety regime. 	
<p>9. Report – Wales Recent Developments</p> <p>Eleanor Marks, Director Wales, highlighted the following from her written report that had been circulated to members ahead of the meeting:</p> <ul style="list-style-type: none"> • Successful recruitment process completed with the appointment of a new Welsh language Advisor and a Social Media Associate • Building relationship with the new Welsh Language Commissioner, including discussion on our social media activity in the Welsh language and our policy making decision around Small Scale DAB, both of which are subject to an investigation by the Commissioner. Members discussed the ongoing risks associated with Ofcom being in breach of its Welsh Language Standards. • Members also discussed the news that broadband provider Broadband Partners had gone into administration and considered the impact this might have on its customers who are mainly in rural, hard to reach areas in Pembrokeshire, Carmarthenshire and Ceredigion. The Communications Consumer Panel member pledged to raise the issue at the Panel’s next meeting. • Eleanor Marks noted that this was the last meeting of both the Chair and the Communications Consumer Panel member as their fixed terms were finishing at the end of June. She thanked them for their contributions. 	
<p>10. BBC Programmatic Update and Audience Review</p> <p>Colleagues gave an update on our ongoing work regulating the BBC and our Audience Review which was launched earlier this year.</p> <p>The programmatic update will include five areas of work: Review of the Annual Plan and the BBC Report; Monitoring performance and measurement; Performance measurement</p>	

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<p>performance; Monitoring and responding to BBC changes; and Ofcom’s Annual Report on the BBC.</p> <p>Turning to the Audience Review, colleagues explained that it would examine the DE socio-economic groups, who are persistently less satisfied with the BBC, to try and better understand this groups habits and how the BBC is delivering for them.</p> <p>As part of the review, we have commissioned an independent research agency to carry out interviews and focus groups. In Wales the focus group will be held in the suburb of St Mellons on the outskirts of Cardiff. We will also engage with older and disabled stakeholders.</p> <p>In response to questions from Members, colleagues confirmed that the focus group in St Mellons was a pilot and that others may follow in more urban and rural areas and include areas where the Welsh language was predominant in the community. Members noted that they would be keen to engage with the Review and to be kept informed of the findings.</p>	
<p>11. Radio update</p> <p>Colleagues gave a verbal update on our work in Radio, noting that our radio licensing activity is focussed on Small-scale (SSDAB). SSDAB is an innovative technology which provides a low-cost route for local commercial, community and specialist music services to broadcast on terrestrial digital radio to a relatively small geographical area.</p> <p>In Wales, SSDAB awards have already been licenced in Cardiff, Wrexham, Swansea, Newport and Chepstow, south and north Pembrokeshire, with further awards expected later this year. Members noted that the sale of traditional radio sets has fallen due to the change in listeners habits, the in-car experience of finding the station on the dashboard and the growth of smart speakers.</p> <p>Members also discussed the provision of radio and audio contained in the draft Media Bill and the intention to overhaul the current framework. Members noted that he location of transmitters and the topography or Wales, especially mid-Wales impacts on the availability of services. Finally, Members discussed the provision of local news, especially on commercial stations.</p>	
<p>12. Media Nation 2023</p> <p>Colleagues started the session by acknowledging the great significance that the Media Nation Report has in Wales and to Welsh stakeholders. The team explained that this year’s version will be published earlier than last year and that it would be more concise. Colleagues then gave an early flavour of the key themes that were emerging in the Welsh report.</p> <p>Members discussed the trends in how viewers were consuming both linear TV and Video on Demand services along with viewers satisfaction with their services. Members noted the increase in viewers turning to other platforms to view content such as Tik Tok and You Tube.</p>	
<p>13. Political Landscape in Wales</p> <p>Members were given an update on the political developments in Wales, almost two years on from the last Senedd elections in May 2022</p>	

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<p>14. Channel 4 Licence Renewal and Media Bill Update</p> <p>The team gave a joint update on the draft Media Bill and the Channel 4 Licence.</p> <p>The draft Media Bill published in March and is a significant milestone. It contains provisions for reform and builds on our recommendations as set out in our Small Screen: Big Debate on the legislative changes that could support PSBs in their digital transformation. Parliament’s Culture Media and Sport committee will shortly begin its pre-legislative scrutiny of the draft Bill, and we have submitted our written evidence, ahead of giving oral evidence in June and July.</p> <p>The Channel 4 licence was renewed in 2014 for a period of 10 years and expires at the end of 2024. Ofcom has the power to renew the licence for a further period and impose some obligations as part of the licence, such as quota, volume of news and spend outside the M25.</p> <p>Members discussed the need for securing prominence for the PSBs in the draft Media Bill, including the need for making nations content more visible, including nations-specific news. They also discussed the importance of the independence sector in Wales in relation to Channel 4.</p>	
<p>Any Other Business and future agenda items</p> <p>None</p> <p>Future meeting dates confirmed as:</p> <p>4th October 2023</p>	

Date: _____

Chair
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