

Minutes of the 77th meeting of the Communications Consumer Panel

on 11 May 2011 at 9.30 hours

Riverside House, 2A Southwark Bridge Road, London SE1 9HA

Present

Consumer Panel

Bob Warner (Acting Chair)

Fiona Ballantyne

Kim Brook (ex-officio member)

Colin Browne

Roger Darlington

In attendance

Alistair Bridge (item 12)

David Edwards

Siân Evans

Fiona Lennox

Ofcom colleagues (items 2 and 3)

Apologies

Maureen Edmondson

1. Panel consideration of mobile coverage

1.1 The Panel considered mobile coverage issues raised in a paper and annexes provided by Ofcom. Members **NOTED**:

- that current 2G coverage was at its economic limit and was unlikely to be significantly extended and that 3G and 4G services were unlikely to extend significantly beyond the current 2G footprint; none of which was satisfactory to the Panel and members felt that steps needed to be taken to address this.
- that Fiona Lennox had tendered for a consultant to assist the Panel to assess what steps could be taken to increase mobile coverage;
- a number of questions to be raised with the Ofcom team later in the meeting concerning the 4G auction and coverage issues; and
- that Ofcom should be encouraged to reflect its coverage research in its infrastructure report to DCMS, due later in the year.

2. Consumer Group quarterly update

2.1 An Ofcom colleague joined the meeting. He spoke about the structure of the new Ofcom Consumer Group and the current activities of the Consumer Policy Team. The team had a forward looking and strategic function. There was also discussion of ongoing formal engagement between the Panel and the Consumer Group and it was **AGREED** that this would continue to involve quarterly attendance by a senior member of the Group at Panel meetings.

2.2 Current activities included projects on consumer switching, consumer empowerment, including provision of information, a review of relay services

and contributing to Ofcom's thinking on a new Communications Bill.

2.3 Members **NOTED** that Ofcom had recently published data on consumer complaints and this was welcomed by the Panel. Members felt that ADR schemes should follow Ofcom's lead and publish data on the complaints that they received.

2.4 Related to a new Communications Bill, DCMS was about to publish an open letter as the first stage in consultation to inform a future Bill. Fiona Lennox would ensure that the DCMS communication would be copied to Panel members. Members also **NOTED** that BIS was planning to publish the consumer advocacy landscape consultation shortly.

2.5 Concerning future Ofcom work, one element was expected to be a project on tariffs, looking at such issues as minimum call charges, per minute billing and charge time-bands. Ofcom would also be responding to the Government's forthcoming consultation on the future of consumer advocacy and the Panel confirmed its intention to respond also.

3. Mobile coverage update and 4G auction consultation

3.1 Ofcom colleagues joined the meeting and Panel members made a number of comments:

- consumers needed coverage information and but also to understand how to make good use of it;
- postcode checkers could be beneficial but, when thinking about coverage, consumers needed to take into account that at times they would be on the move, away from home etc;
- coverage targets needed to be set for each Nation;
- regional roaming could be mandated.

3.2 In response to issues and questions raised with the Ofcom team, members **NOTED** that:

- increased 2G coverage would require licence changes, perhaps of the kind that offered reduced licence fees in exchange for greater coverage and Ofcom was scoping this idea.
- Ofcom believed it to be proportionate to insert a 95% UK coverage obligation in one of the licenses to be awarded through auction of 800MHz and 2.6GHz spectrum; it is possible that the market would also respond such that other 4G providers may attain 95% coverage.
- a 95% UK coverage obligation was based on Ofcom modelling making use of existing mast sites and so allowing costs to be controlled and was at a level broadly comparable with current 2G coverage;
- improvements on the railways would involve coordination between a number of organisations which could take significant time; rail re-franchising could be used to press for coverage improvements.
- in considering mandated roaming, there would be operator costs to allow roaming to be set against the consumer benefits and consequences for wider network investment decisions;
- the Ofcom team agreed to report back to the Panel on the London Underground mobile coverage issue (including the possibility of follow-up with the Mayor's office) and feedback to the relevant team the recommendation to include coverage research in Ofcom's infrastructure report to DCMS.

3.3 Following discussion with the Ofcom team the Panel **NOTED** that:

<ul style="list-style-type: none"> • there would be operational and technical issues to consider in consulting on and in making spectrum awards but consumer issues needed to be kept to the fore; • there were issues of value to consider, particularly related to consumers with a mobile phone but without a fixed line; • there seemed to be an assumption that 3G would achieve 2G coverage levels but there were limited signs of this in some parts of the UK; and • the Panel could consider working with a partner on coverage issues, eg with the Ofcom national Advisory Committees; <p>3.4 The Panel AGREED to respond to Ofcom's <i>Consultation on assessment of future mobile competition and proposals for the award of 800 MHz and 2.6 GHz spectrum and related issues</i>; that it would give consideration to copying the Panel's response to a targeted number of MPs/ AMs/ MSPs; to submit a separate advice note to Ofcom; to continue dialogue with mobile network operators; and that Bob Warner would signal that mobile coverage was an important work area for the Panel at his next round of catch-up meetings with senior Ofcom colleagues.</p>
<p>4. Declaration of members' interests</p> <p>4.1 Members declared no additional interests.</p>
<p>5. Minutes of the meeting on 6 April 2011, matters arising and progress on actions</p> <p>5.1 Members APPROVED the draft minutes for signature by the Chair.</p> <p>5.2 Members had received an updated actions list and there were no matters arising not already on the meeting agenda.</p> <p>5.3 Members NOTED the information in the latest Panel schedule document, providing a summary and strategic overview of Panel activities.</p>
<p>6. National reports</p> <p>6.1 There was brief discussion of the value of a standing agenda item to allow Panel members for the Nations to provide feedback on their interactions with Ofcom's national Advisory Committees. Instead it was AGREED that, when appropriate, feedback could be provided to Fiona Lennox for inclusion in the regular email updates sent to members covering relevant communications issues. Any important issues or themes could be discussed at Panel meetings as the need arose.</p>
<p>7. Update on Panel transition</p> <p>7.1 It was NOTED that confirmation of Bob Warner's appointment as Chairman and Kim Brook's re-appointment as the Panel member for Wales was awaited from BIS. Bob Warner would raise this at his next meeting with Ofcom's Secretary to the Corporation.</p> <p>7.2 Bob Warner reported that he had met Sarah Chambers at BIS, one of a series of meetings being held with different bodies and senior officials to put the case for a continuing and independent consumer voice in the communications sector. A meeting with Gillian Guy, Chief Executive of</p>

<p>Citizens' Advice, was being arranged. The Panel remained concerned to avoid a potential advocacy gap arising.</p>
<p>8. Panel work Plan 2011/12</p> <p>8.1 The Panel discussed and reviewed a revised version of its draft work plan 2011/12 and members made some final comments. The draft work plan would be published on the Panel website shortly and there would be a short consultation. A link to the draft work plan would also be emailed to relevant stakeholders for comment. Ongoing issues would be the Panel's ability to deliver on its work plan, in the context of its reduced resources, and the balance of proactive work and periodic review of issues.</p>
<p>9. Communications strategy</p> <p>9.1 Siân Evans had provided members with a paper outlining a targeted media and communications strategy. Members ENDORSED the strategy and NOTED that:</p> <ul style="list-style-type: none"> • the Panel would need to focus on a small number of major issues during the course of the year, identifying in each case what it was seeking to achieve and then decide on any related communications activity; • there were internal Ofcom channels to consider eg contact with the Ofcom Board and forthcoming appointment of two new Board members; • media issues should continue to be channeled through Siân Evans and Fiona Lennox. <p>9.2 It was AGREED that the Panel should have a twitter account.</p>
<p>10. Future of Advocacy</p> <p>10.1 Members considered an updated version of the Panel's <i>Future of Advocacy</i> paper that took into account comments made at the previous meeting. Members now made a small number of additional comments and it was AGREED that: the paper would be revised to reflect these comments; the new revised version would be copied to members; it would be used at relevant meetings, eg the planned meeting with Citizens' Advice; it would be posted on the Panel website to coincide with publication of the Government's impending consultation on the future of consumer advocacy and/or used in a related Panel news release.</p>
<p>11. Panel Philosophy paper</p> <p>11.1 Members had been copied the Panel's first draft philosophy paper, written by former Panel member Damian Tambini. The draft was favourably received by members and it was AGREED that Bob Warner would feed further comments back to Damian Tambini.</p>
<p>12. Panel Annual Report</p> <p>12.1 The Panel CONSIDERED the revised draft of the Panel's Annual Report 2010/11, that reflected comments made at the previous meeting. Alistair Bridge would make minor changes and hand the draft over to Fiona Lennox for</p>

<p>publication.</p>
<p>13. Competition framework</p> <p>13.1 An Ofcom colleague had been due to attend to brief members on the BIS consultation on the competition landscape: <i>A Competition Regime for Growth: A Consultation on Options for Reform</i>. As he was unable to attend, a short briefing note would be requested.</p>
<p>14. Ofcom research update</p> <p>14.1 Members had received a paper and annexes from Ofcom to provide an update on its market research plans for 2011/12. The paper highlighted and explained changes that had been made as a result of Ofcom's Expenditure Review Project. Members raised a small number of queries and Fiona Lennox would pursue these and report back to members. The Panel wished to have the opportunity to engage with Ofcom's survey on switching and Fiona Lennox would inform Ofcom colleagues.</p>
<p>15. Monetisation of data report</p> <p>15.1 Members were provided with a revised version of the Panel's <i>Online personal data: the consumer perspective</i> research report. The content and structure of the report had been updated to take into account comments made at the previous Panel meeting. It was AGREED that: the report would be published shortly; the Panel news release should mention the conditions required to empower consumers and contained in the report; the news release would include relevant quotes from consumers, with the location and age of the interviewees included; and that Fiona Ballantyne would undertake a final check of the report prior to publication.</p>
<p>16. Any Other Business</p> <p>16.1 The terms of appointment for remaining Panel members would end in November 2011. It was expected that terms would be extended, at least until the end of March 2012. Bob Warner would raise this at his next meeting with Ofcom to request that this be dealt with in a timely manner.</p> <p>16.2 It was AGREED that members' photographs would be posted on the Panel website.</p> <p>16.3 A change of meeting date was AGREED and the Panel would hold its October meeting on 11 October.</p>

.....ChairmanDate