

Broadband Cost Reduction Directive

Department for Culture, Media and Sport

RPC rating: not confirmed

Description of proposal

The proposal would implement elements of the EU Broadband Cost Reduction Directive, including requiring infrastructure owners to give high-speed internet providers access to and information about physical infrastructure at a 'fair and reasonable price', and to provide information about, and co-ordinate, planned civil works.

One element of the directive, relating to in-building infrastructure requirements, was the subject of a previous Department for Communities and Local Government fast track submission.

Impacts of proposal

The triage assessment does not provide any information on the number of businesses likely to be affected by the proposal or the potential gross costs associated with the different elements, including those incurred offering the necessary services and as a result of any disputes or dispute resolution processes.

The RPC is unable to confirm that the proposal will have gross costs of under £1 million in any year.

Quality of submission

Red-rated issues

Costs of the proposal – the submission does not provide any indication of the likely scale of the gross costs of the proposal. Suitability for the fast track for low cost regulatory proposals is based on the gross costs business being under £1 million in every year. However, the Department's submission does not address this. Instead, the Department states that the "*key rationale for a low-cost regulation triage rating is due to the fact that all requirements imposed on businesses by the Directive are to be provided at a fair and reasonable price*". The submission also states that "*we believe this Directive to be at worst cost neutral for businesses*". Neither statement addresses gross costs. Without this information, it is not possible to confirm that gross costs are likely to be less than £1 million.

The Department will also need to take account of any need for familiarisation with the legislative requirements, for example infrastructure owners understanding how they need to respond or provide information.

Other comments

As this proposal and the element relating to the installation of in-building infrastructure implement the same directive, it is not clear why it was appropriate to submit two separate fast track applications.

The Department has provided a triage assessment of 28 pages, longer than many full impact assessments. The Committee feels that this is not appropriate and is not in keeping with the rules for the fast track. Taken together with the points highlighted elsewhere in this opinion, the submission is not just unnecessarily long, but also fails to provide the information required when considering suitability for the fast track.

Initial departmental assessment

Classification	Out of scope
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RPC assessment

Classification	Not confirmed
Small and micro business assessment	Not required (European origin)



Michael Gibbons CBE, Chairman