

## **FAREHAM BOROUGH COUNCIL'S RESPONSE TO THE GOVERNMENT'S CONSULTATION DOCUMENT 'NEW BUILD DEVELOPMENTS: DELIVERING GIGABIT-CAPABLE CONNECTIONS':**

---

### **Consultation Question 1. Do you have any further evidence on the state of New Build Development connectivity in the UK?**

No specific comment, however it is evident that many smaller new build developments in particular are developed without modern internet connectivity.

### **Consultation Question 2. Do you have any information or evidence to suggest that the costs developers would incur under the proposed policy would prevent homes being built?**

No comment in relation to information or evidence that developers would incur costs that would prevent homes from being built. As later comments expand upon, the Council are of the opinion that the Government should legislate to ensure that gigabit-capable connections are provided to new build developments.

### **Consultation Question 3. We propose that developers would be obliged to provide a simple connectivity plan for their developments to LAs. This plan would demonstrate that developers had consulted with at least two network providers to provide gigabit-capable networks and inform LAs when a site is connected. Do you have any comments on this proposal for a connectivity plan?**

The consultation is not completely clear about how this ambition will be implemented in reality. Whilst Fareham Borough Council are extremely supportive of the principle of ensuring the most advanced internet connections are provided to new build developments, as well as existing communities, the nature of the Government's proposals needs to be seriously reconsidered in order to facilitate a practical implementation. Rather than shoehorning obligations of both operators and developers largely into Building Regulations, or the planning system, the Council strongly believe this is of such importance both to the economy and people's lives the Government should legislate to ensure that modern gigabit connectivity and future advances in technology are provided as the norm. For example, by legislating so no new build can be sold to a prospective owner/s, without such provision and that funds are secured from both the operator and developer and held in bonds at the earliest stage. The Government could secure these bonds when land is purchased for development. In the event of an operator or developer going into receivership (i.e. collapses), this would ensure that works could be carried out in any event. The bonds would be at more cost, than what developers or operators would pay for advanced works, as it may require retrospective installation. This would act as an incentive for developers and operators to deliver this necessary infrastructure upfront within all new developments. It is vital that the burden should lay with operators and developers, as they both benefit from this legislation in terms of user sales and house sales.

### **Consultation Question 4. (a) Do you agree with the assumption that deploying the necessary infrastructure to deliver gigabit-capable networks is best achieved when the site is being built? (b) What technical specifications should**

**the physical infrastructure (ducts etc) have? (c) Do you agree that developers should deploy, and pay for, the necessary infrastructure from the in-building connections to the boundary edge of the development?**

Please see answer to Consultation Question 3.

**Question 5. (a) Do you agree that developers should have to engage with at least two network operators who can provide gigabit-capable connections to the development? (b) What further measures could we consider to promote the availability of networks from multiple providers at an early stage to minimise costs and disruption?**

Please see answer to Consultation Question 3.

**Question 6. Taking £3,000 as a suggested aggregated cost cap per premise, how should costs be divided between developer and operator?**

Costs should be based on a cost-benefit analysis for both the operator and developers. Clearly, the developer benefits mostly from house sales, the number of homes are clearly established when the planning permission is implemented, however the land sales should take account of this. On this basis the developer should pay these costs upfront in their land transactions, compliant with future legislation.

**Question 7. What information and evidence can you provide to help refine the 'in scope sites' policy design choice - aggregated cost cap or number of premises?**

No comment.

**Question 8. (a) Do you agree that developers should have the overall responsibility to ensure Gigabit connectivity for their developments (allowing for the fact that developers can oblige operators to connect using the 'duty to connect' provision). (b) How would this policy affect small housebuilders?**

(a) Yes.

(b) No comment, please see answer to Consultation Question 3.

**Question 9. Do you have any comments on the proposed legislative approach? Do you have an alternative solution that would deliver gigabit-capable connections to NBDs?**

To reiterate the Council's answer to Question 3, the consultation is not completely clear about how this ambition will be implemented in reality. Whilst Fareham Borough Council are extremely supportive of the principle of ensuring the most advanced internet connections are provided to new build developments, as well as existing communities, the nature of the Government's proposals needs to be seriously reconsidered in order to facilitate a practical implementation. Rather than shoehorning obligations of both operators and developers largely into Building Regulations, or the planning system, the Council strongly believe this is of such importance both to the economy and people's lives the Government should legislate to ensure that modern gigabit connectivity and future advances in technology are provided as the norm. For example, by legislating so no new build can be sold to a prospective owner/s, without such provision and that funds are secured from both the

operator and developer and held in bonds at the earliest stage. The Government could secure these bonds when land is purchased for development. In the event of an operator or developer going into receivership (i.e. collapses), this would ensure that works could be carried out in any event. The bonds would be at more cost, than what developers or operators would pay for advanced works, as it may require retrospective installation. This would act as an incentive for developers and operators to deliver this necessary infrastructure upfront within all new developments. It is vital that the burden should lay with operators and developers, as they both benefit from this legislation in terms of user sales and house sales.