



Northamptonshire County Council

New Build Development Connectivity consultation
Digital Infrastructure Directorate
The Department for Digital, Culture, Media and
Sport
100 Parliament Street
London
SW1A 2BQ

Please ask for: Sarah Naylor
Tel:
Our ref:
Your ref:
Date: 20 December 2018

By E-mail
newbuildconnectivity2018@culture.gov.uk

Northamptonshire County Council is pleased to see that the Government is considering legislative steps to support the provision of fibre to new build developments. We see this as critical if government is to realise its goal to see full fibre across the UK by 2033.

Consultation Response

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

In November 2017, Northamptonshire County Council (NCC) undertook a simple review of New Build Development connectivity in the county. This was only based on a very small but random sample of 10 developments ranging in size from 15 to 376 dwellings. Of these 10 developments, 6 had been upgraded through the Superfast Northamptonshire project following confirmation of market failure locally (FTTC), 3 had been upgraded commercially, two of which were large developments of 376 and 166 dwellings. Only that latter involved an FTTP solution. One is still unserved which is surprisingly a large development of 135 premises of which only half a dozen premises have been served commercially and the rest appear to be EO lines.

ThinkBroadband have also released some analysis on this issue recently which may be of interest.

<https://www.thinkbroadband.com/news/8255-latest-broadband-stats-for-new-build-premises-across-uk>

Development Infrastructure and Funding Service
Directorate for Place Commissioning
One Angel Square
Northampton NN1 1ED
w. www.northamptonshire.gov.uk

t.
e.



Northamptonshire
County Council

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?

We do not have specific evidence. However, on the basis of the proposals put forward in the consultation and further to experience on S106 negotiations, we do not believe the costs involved would be prohibitive. Moreover, we believe it will become increasingly difficult in the future for builders to sell properties which do not have access to good broadband speeds, as buyers become more savvy to enquire before they buy. At the moment it can be a selling point which adds value to a development. Potential impacts on the building of affordable homes where the margins may be tighter should be considered, whilst it is no less important for such properties to benefit from fibre broadband.

New arrangements would need to ensure effective join up between developers and fibre network providers to ensure the design and build of the fibre network on site meets the timescales and rate of build of the development. Delays to the latter could result in additional cost to the developer. Clarity and agreement on lead in times would be essential.

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

We support the idea that developers would need to provide a connectivity plan. This should be a Condition of the planning permission process to ensure that the requirement is met and given due consideration by the developer.

See Question 5 for comments on number of network providers.

4. 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? What technical specifications should the physical infrastructure (ducts etc.) have? 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?

The County Council believes it is critical that gigabit capable networks are secured when a site is being planned and built. This will be the most efficient time to design and build the network and be the most cost effective time to deploy. It will also ensure that residents have access to full fibre broadband when they move in. Trying to retrofit developments creates additional

costs, issues and delays due to un-adopted road considerations, wayleave negotiations and disruption for residents whilst fibre is laid. These risk connectivity not being delivered. We had to de-scope over 100 premises from a full fibre retrospective deployment for Superfast Northamptonshire as wayleaves couldn't be agreed with the home builder for works on un-adopted highways and private land. The development resorted to an FTTC Community Fibre Partnership solution.

We agree that developers should deploy, and pay for, the necessary infrastructure from the in-building connections to the boundary edge of the development, on the basis of proposals in the consultation. However, in instances where there is no viable solution at the time of the development to connect the new development to a fibre network beyond the site, there should still be a requirement on the developer to provide for in-building and on site ducting to enable the properties to be served via blown fibre in the future, without the need for expensive and disruptive civil engineering / dig. We would expect such instances to reduce over time as the full fibre network reaches more areas.

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

We believe that consulting with only 2 telecoms providers would be insufficient – developers may just approach the two largest incumbents. Either one or both may not be active in the area. Evidence that at least three telecoms providers, operating locally, had been approached would mitigate this risk (whilst not requiring 3 responses as this may not always be feasible). This should help ensure developers get a more competitive response. Capacity to deliver is also important. Consulting at least 3 should avoid problems in terms of capacity to deliver to a specific development at the required time.

We believe it is important that the approach also helps to drive choice in the consumer market, particularly in rural areas. The legislation should support an open access requirement in rural areas where only a single fibre provider is operating.

More needs to be done to support this requirement to enable developers to better engage with the telecoms sector. This could be in the form of a portal, either where Telecoms providers could register or where developers could advertise their requirements and seek expressions of interest. Consideration would need to be given to who would manage the

portal e.g. government, HBF or whether this should be locality based and managed by the Local Authority as part of their Planning Portals or local Broadband projects

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

The figures proposed in the consultation appear reasonable. However, perhaps further analysis could be undertaken to determine the likely percentage of developments which could breach this threshold and run the risk of no connectivity. Such sites will simply continue to contribute towards the gap in reaching the government's aim to see universal full fibre coverage by 2033. Retrospective connectivity of such sites could be unviable or require aid to bridge the funding gap. The Government should consider a further stream of the superfast/full fibre programme to facilitate fibre connections for new build developments which are proven to be unviable to serve at the point of build. The extent of gap funding at this point could be less than a retrofit solution requiring on site civils. Such a scheme could particularly target rural developments which may be less viable depending on existing networks in the area. NCC would be happy to be part of a pilot for this and/or help develop such a scheme.

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?

The County Council does not agree that there should be a cap on the number of premises. Given the Government's 2033 ambition, and as fast connectivity becomes increasingly essential for business and households, any exclusion of smaller developments will only create problems for the future. This would likely more so impact smaller developments in rural areas. As noted above, we believe the Government should consider new aid intervention measures to support the introduction of new legislation and ensure particularly rural small scale developments are not disadvantaged.

8. 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)?

Yes we agree with this approach alongside the duty to connect. How well telecoms providers work with developers to deploy and meet developer build timescales may need to be monitored to ensure that practice does not undermine the viability of sites by increasing developer costs due to delay.

How would this policy affect small housebuilders?

The impact on small housebuilders will need to be monitored but we believe it is important not to exclude small developments from the legislative requirement. This should not be viewed as a 'burden' as gigabit connectivity increases the value of the development so should have a net positive financial impact for small housebuilders. As noted above, a new Government aid measure could support difficult viability issues for small rural developers and support the Governments 2033 full fibre agenda.

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?

We support a legislative approach given the importance of this agenda. It would be helpful to understand how this approach will be managed alongside the Universal Service Obligation in due course.

Final comments concern monitoring and enforcement. It is important that there are measures in place to ensure that Connectivity Plans are delivered within the correct timescales. If this does not happen, appropriate enforcement measures and penalty regimes need to be in place to ensure compliance. This will also help to inform a post-implementation evaluation of the proposed approach and its effectiveness.

Yours sincerely



Ian Achurch
Head of Development, Infrastructure and Funding