

From: "Bage, Steven" via New Build Connectivity Consultation"
 To: "newbuildconnectivity2018@culture.gov.uk"
 Date: Fri Dec 21 2018 09:47:57 GMT-0000 (GMT)
 Subject: City of London response to "DCMS consultation - New Build Developments: Delivering gigabit-capable connections".

Dear Sir / Madam,

I enclose the City of London Corporation's response to the above consultation:

1.	Do you have any further evidence on the state of New Build Development connectivity in the UK?
	No. The City of London Local Plan requires early engagement between developers and network providers to ensure appropriate connectivity, but delivery of connectivity is not monitored.
2.	Do you have any information or evidence to suggest that the costs developers would incur under the proposed policy would prevent homes from being built?
	No
3.	We propose that developers would be obliged to provide a simple connectivity plan for their developers 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?
	<ul style="list-style-type: none"> The City of London Corporation (COLC) agrees with the principle of a "connectivity plan" to be sent to Local Authorities to demonstrate engagement with operators. It is understood that this would be received by Planning Departments to inform planning applications, however given that the new process would form part of Building Regulations the plan would need to be signed off ultimately by building inspectors. Clarification of the submission and approval process is needed. This proposal raises the question of whether the resident / businesses (occupying the new development) will be limited to one service delivered over the infrastructure installed or whether the infrastructure will support several service providers offering different price points / services and fostering competition and better value for customers.
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.
	<p>a. Yes, otherwise likely that new paving / road surfaces will need to be excavated.</p> <p>b. Ducts must be large enough to incorporate other / new providers in future, given that new Electronic Communications Code states that fibre should not be removed once initial services cease. Where possible the proposals should insist on installation of fibre and not Cat 5 / Cat 6 cables to reduce space taken in ducts. For commercial office space diverse entry points and ducts should be installed for resilience, along with communal entry chambers in dense urban areas.</p> <p>c. Developers should pay for in building ducts and other enabling infrastructure, but this should happen in consultation with the expected operators so that ducts are aligned with network nearby. Operators should install their network up to the curtilage of the building or development site if it incorporates areas of private land i.e. public realm or car parks. Developers may not necessarily own and manage buildings going forward and therefore any access agreements / wayleaves need to be agreed. Operators would need to install ducts in the street whether in private or public highway. If private footway a wayleave should be entered into with operator so that operator has a right to excavate should they need to fix and there will be no impact on the resident should problems arise once the development is complete and the designation of the land passed over to the homeowner / office owner.</p>
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 provider
	<p>a. Yes but potential for a pinch point in delivery if operators do not / cannot agree on costs / delivery routes and other variables, and possible that there could be third party land issues if private ownerships nearby. It is possible that ransom positions could emerge if developers held to tight timescales under the new proposals and operator is not cooperating. This needs to be considered and adequate notification periods agreed. In dense urban areas where there are known to be more than two operators, developers should ensure that there is the capacity in ducts for new fibre to be installed from other operators.</p> <p>b. DCMS should consider sponsoring a resource / portal to advise of nearby networks and contacts which developers would benefit from.</p>
6.	Taking £3000 as a suggested aggregated cost cap per premise how should costs be divided between developer and operator?

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
8.	Do you agree that developers should have the overall responsibility to ensure gigabit connectivity for the developments (allowing for the fact that developers can oblige operators to connect using the “duty to connect” provision).
	<ul style="list-style-type: none"> • Yes. In the same way that it is incumbent on the developer to ensure connections to utilities networks, it is also reasonable for developers to have a duty to provide fast connectivity to new developments. • The duty to connect is unlikely to be practical in some circumstances given that some fibre operators insist on a threshold of minimum units before investing.
9.	Do you have any comments on the proposed legislative approach? Do you have any alternative solution that would deliver gigabit capable connections to NBDs?
	<ul style="list-style-type: none"> • Use of Planning policy, as promoted by Ashford would be an alternative legislative approach.
	General comments
	<ul style="list-style-type: none"> • The consultation is largely based around new build residential properties. If Building Regulations is to be amended to include these proposals then it is assumed that they would also apply to commercial office property. • Some building owners / landlords may not be comfortable in installing new fibre infrastructure in areas like the City of London where there are 9 networks as tenants may decide to use alternative providers which could mean that fibre goes unused. This could be a particular problem in larger, multi-tenanted buildings.

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