

New Build Developments: Delivering gigabit-capable connections

POS response to consulta- tion

Context

This response is submitted by the Planning Officers Society (POS). POS represents the most senior professionals and managers of planning functions in the English Local Authorities. We set out to:

- Act as an advocate and promoter of Local Government planning
- Assist and advise the Government and the Local Government Association on planning matters and related issues
- Act as a centre of excellence, undertake research and promote best practice in planning matters
- Promote all aspects of the built and green environment by working closely with other organisations and profession

The Society's aim is to ensure that planning makes a major contribution to achieving sustainable developments, from national to local level, in ways, which are fair and equitable and achieve the social economic and environmental aspirations of all sectors of the community.

We hope you find the enclosed responses useful and please do not hesitate to contact us if you require any further information.

Sara Whelan

Policy Manager



Q1 – Do you have any further evidence on the state of New Build Development connectivity in the UK?

POS does not hold any additional information relating to this. It might be that County Councils hold some of this information we would suggest contracting <https://www.-countycouncilsnetwork.org.uk> who may be able to help further.

Q2 – 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, POS does not have any information on this. We would suggest contacting the House Builders Federation, <https://www.hbf.co.uk>

Q3 – 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?

POS does not object to this proposal and supports the idea of gigabit-capable connections to new builds. However we are concerned about the resources required with Local Authorities. Would there be any new burdens payment to go with this? Would there be a presumption that Local Authorities would be responsible for enforcing this? We would suggest that this responsibility becomes part of Building Regulations, rather than a stand alone piece of legislation.

Q4 (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?

Yes.

Q4 (b) - What technical specifications should the physical infrastructure (ducts etc) have?

It would be more appropriate for the provider to clarify the technical specifications.

Q4 (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?

We would query whether this should be the edge of the development or should it be to the connection in the road, if adopted, as is the case with other utilities. This will need to be viability tested in a rural area and assess the costs relating to the connections to the site boundary or road.

Q5 (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?

No. There may be circumstances where larger developers have a relationship with providers already and engaging with at least two operators may make a procedure more complex than need be. On smaller or complex developments, this may be more relevant. Perhaps a rule that they should engage with at least two providers if they do not have one.

Q5 (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?

Availability of data as to where the fibre connections are currently located may provide developers with an early indication of this aspect of site viability. Maps will be an early indicator as to the potential difficulties in connecting a site. Providers should be statutory undertakers like a utility provider and should be required to show where cables are already. This would not be something a Local Authority could influence.

Q6 – Taking £3,000 as a suggested aggregated cost cap per premise, how should costs be divided between developer and operator?

This is for the developers and operators to ask.

Q7 -What information and evidence can you provide to help refine the ‘in scope sites’ policy design choice - aggregated cost cap or number of premises?

None.

Q8 (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).

Yes.

Q8 (b) - How would this policy affect small housebuilders?

(b) Small house builders may be more affected by this change. They may not have the same relationships with providers. Every house would cost at least £3k more to complete and this would be passed on to buyers.

Q9 – 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 agree that this legislative approach is the right one and this should be addressed within Building Regulations – Part R. This cannot be self-regulating. To address resourcing and monitoring of this addition - a significant fine, with no time limit, for non-compliance could be incorporated to mitigate Local Authority resource issues in checking compliance. Issues relating to the cost of completing the checks will also need to be addressed be it with an annual grant or other means.