24 NOVEMBER 2023

PR12-23 | DIGITAL CONNECTIVITY

Introduction

We are writing in response to the government's consultation on improving broadband for the very hard to reach.

The National Association of Local Councils (NALC) is the national membership body that works with the 43 county associations of local councils to represent and support England's 10,000 local (parish and town) councils.

Local councils and their 100,000 councillors are the first tier of local government, closest to the people, and play an essential part in delivering hyper local services, building strong communities, and strengthening social fabric.

Local councils cover two thirds of England and a third of the population and invest over £3 billion per year to improve and strengthen communities.

Summary

- We support the UK Government's ambition is to deliver nationwide gigabit-capable broadband as soon as possible and think that in the period to 2025, it is about right that the government is targeting a minimum of 85% gigabit-capable coverage and is working with the industry to accelerate delivery to get as close to 100% coverage as soon as possible. However, we also think the government should be working with local government stakeholders such as NALC and others as many of their members represent rural areas.

- We are asking as a related issue that new build houses and businesses need to be provided with in-built infrastructure to enable connection to fibre-optic broadband.
- We support the Rural Coalition's call for infrastructure which reaches rural areas, so the rural economy can grow and create quality jobs.
- We also firmly believe that landscape impacts are a planning issue. The visual impacts of any rollout of broadband to remote rural areas need to be kept to a minimum.
- Rural broadband is critical to residents in all parished rural communities across England – as is the need for a strong, reliable, affordable and sustainable connection. We therefore think that the government should

direct the Office of Communications (OFCOM) to conduct an urgent review of the universal service obligation (USO), focusing on what minimum commitment would be needed to sustain and support rural businesses and communities.

- "Not spots" that still do not have any/very poor broadband connections also need to be given top priority before further 5G connections are introduced. The current infrastructure for broadband connectivity is broken and lack of adequate basic broadband provision is the problem in many rural areas as many such areas are not commercially attractive to broadband providers. The problem is complex and layered and is not simply a two-dimensional point about certain locations being very hard to reach.

- Local councils should be given the legal power to promote, contribute towards and/or run electronic communications networks and services for the benefit of their local communities.
- The Department for the Environment, Food and Rural Affairs (DEFRA), Action for Communities in Rural England (ACRE), and Building Digital UK (BDUK) and other partners in principle should offer support to local councils who are seeking to develop broadband improvements in their communities.
- We are aware that British Telecom (BT) plans to have all landline telephones operating but WiFi and make analogue phones redundant. This will apparently be compulsory in 2025. The concern is that many local council emergency plans, especially in rural areas, take account of using analogue telephones when the power is down. Other options are being pursued in East Sussex as some of the choices being offered by BT are just not workable.

Consultation questions

NALC's responses to the main consultation questions applicable to local councils in the consultation document are below:

2 Policy Position

Question 2.1 Do you agree with our reasoning for why we believe interventions are required for very hard to reach premises?

Yes. We agree that good digital connectivity will play an essential role in levelling up rural communities. Improved broadband helps businesses and households

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unlock their ambition, increase productivity, and expand opportunities for flexible working, online education, and leisure activities. This is why the government should consult and work closely with local councils and county associations of local councils in very hard to reach areas to optimise outcomes.

Question 2.2 Do you agree that very hard to reach premises are likely to require an alternative approach to premises able to receive a gigabit-capable connection?

Yes. We agree that delivering improved broadband services for very hard to reach premises, which are typically located in much more sparsely populated areas, is challenging for market-based delivery models. Priority should be given to providing adequate broadband connectivity to very hard to reach premises in a targeted, local way before a wider approach to improve still further the broadband connections in properties where they already exist.

Question 2.3 Do you agree with the government's position that very hard to reach premises should be delivered alongside Project Gigabit procurements?

Yes. We think very hard to reach residents in parished rural areas would fully expect to be given adequate connection to the internet rather than wait for Project Gigabit to conclude first.

Question 2.4 Do you agree that the broadband Universal Service Obligation should remain a 'digital safety net' (nationwide scope) while the very hard to reach policy focuses on delivering the 'best available' connection for a given premise (specific scope)?

Yes. We also think that the government should direct OFCOM to conduct an urgent review of the USO, focusing on what minimum commitment would be needed to sustain and support rural businesses and communities.

Question 2.5 Do you foresee any specific issues with the government's approach and rationale for delivering improved connectivity for Very Hard to Reach premises that are not addressed in this chapter?

No. However, as mentioned above the government is best advised to work with and liaise with local councils and county associations of local councils to both locate relevant not-spots and confirm the best approaches for delivery of relevant broadband connections, factoring in issues of rural population and sparsity.

4 Service parameters

Question 4.3 Do you agree with the government's view that including an 'escalator' within any minimum speed requirements would have merit?

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Yes. We agree with the government that an escalator (speed accelerator) would see broadband speeds increase at a given download to upload speed ratio over time, according to pre-defined terms established by the government – but these terms should be based on consultation with residents in parished very hard to reach areas.

Question 4.4 Should the government set different quality parameters for residential and business consumers reliant on very hard to reach interventions?

No. We do not believe that there should be different quality parameters between residential and business customers. A number of recent trends mean that the line between what is a residential and business use has become blurred and we believe that there should be no differentiation between residential and business customers. The expanding practice of people working from home for parts of the week could be inhibited by this differentiation. Other issues such as the frequent need for young people to have access to the best available broadband for education reinforce the need to not differentiate between residential and business consumers.

The government is right that consumers in very hard to reach areas should be receiving a service which is of a reasonably comparable level of service reliability and resilience to consumers in less challenging areas to deliver to.

Question 4.5 Do you think that the suggested quality parameters are set at a suitable level?

Yes, we also believe that reaching a reasonable standard of reliability or resilience could also be an onerous requirement for smaller providers, so needs to be factored in.

Question 4.7 Do you have any additional quality parameters that you believe should be included for connections that are determined to be very hard to reach interventions?

No.

Question 4.13 Do you believe that price and affordability should be taken into account when considering policy options for very hard to reach premises?

Yes. We know that some of the poorest areas of England are also the most rurally sparsely populated so it would be churlish for the government to ignore this.

5 Barriers to delivery

Question 5.2 Will the policies put in place by the government through the PSTI Act 2022 make it easier to deploy digital infrastructure in rural and remote areas?

Yes, we hope so, though we do not have detailed evidence to back this up. But we support the measures the government has taken to make it easier for disputes arising between telecoms operators and landowners to be resolved.

Question 5.6 What further measures, if any, could the government introduce to help reduce the barriers to delivery caused by wayleaves or other planning issues in very hard to reach areas?

The government could require telecoms operators to consult and liaise with all local councils in whose boundaries very hard to reach areas are located to arrive at the best solutions for how faster, more reliable broadband connections are delivered, factoring in their neighbourhood plans.

Question 5.8 What further measures, if any, should policy makers consider to help reduce the barriers to delivery caused by spectrum availability in very hard to reach areas?

Local councils should be given the legal power to promote, contribute towards and/or run electronic communications networks and services for the benefit of their local communities (we believe that Section 142 (1AA) of the Local Government Act 1972 needs amending to achieve this). This would create some additional flexibility rural communities need where big operators cannot provide sufficiently strong broadband connections in very hard to reach areas, for local councils to work with other networks to seek to secure some form of grassroots solution in these remote not-spots.

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