National Infrastructure Commission Wales:
Call for Evidence

Response from Mobile UK

09 April 2020

About Mobile UK

1. Mobile UK is the trade association for the UK's Mobile Network Operators (MNO) - EE, Telefonica UK (O2), Three and Vodafone. Our goal is to realise the power of mobile to improve the lives of our customers and the prosperity of the UK.

2. As mobile increasingly becomes the device of choice for running daily life both at home and at work, customers want improved coverage and greater capacity. Mobile UK's role is to identify the barriers to progress and work with all relevant parties to bring about change, be they government, regulators, industry, consumers or citizens more generally.

Introduction

3. Mobile UK welcomes the opportunity to respond to the National Infrastructure Commission for Wales' Call for Evidence relating to digital communications and its assertion that infrastructure will be an essential enabler of change.

4. Mobile UK and its members support the desire to extend superfast broadband to as many households as possible across Wales and a focus from the National Infrastructure Commission to explore a technology-agnostic approach including both fixed, wireless and mobile technologies. 4G and 5G technologies must be considered strong candidates for domestic broadband and public funds allocated accordingly. Equally, it is just as important that in addition to funding, policy development in Wales considers mobile technologies at the same priority level it does fixed technologies.

5. Further, an essential element for delivering on this ambition is an urgent reform of the planning regulations, both for the roll-out of 5G in Wales but also for the deployment of rural coverage through the Shared Rural Network (SRN) programme, which is designed to bring a 4G signal to some of the remotest parts of the country. Also, Mobile UK has outlined in this response key policy reforms that could also benefit wider mobile infrastructure roll-out.

6. The SRN programme will be coordinated through a joint venture that is owned by all four Mobile Network Operators (MNOs), working with the UK Government to deliver significantly improved 4G coverage to the most rural parts of the United Kingdom. The SRN will take all four operators 4G geographic coverage individually to 90% providing aggregate coverage across the UK of 95%. In Wales, coverage will be extended from 58% to 80%. Under current proposals, the SRN is expected to be completed by 2025.[1]

Mobile UK Response Overview

7. Digital connectivity benefits from the availability of both fixed and mobile networks.

8. While the focus of this Call for Evidence has been on whether fixed broadband or mobile technologies should be prioritised for public funding, there must be a broader consideration of other policy areas that are also very important to consider These policy reforms include:

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[1] Ofcom

- Reform of Permitted Development Rights Planning Legislation

- Reform of TAN 19 Planning Guidance

- Access to Public Assets

- Business Rates Relief for new mobile infrastructure development

- Facilitation of Engagement with Highways Authorities and Network Rail

9. In light of the Shared Rural Network agreement with the UK Government and the ongoing collaboration with the Welsh Government, Mobile Actions Zones should be reconsidered on an all-Wales basis and refocussed to support and enhance roll-out of the SRN, so that they concentrate on the matters raised in the bullet points above

Mobile Communications – context

10. Mobile communication is now part of Wales' critical infrastructure and is integral to people's personal and working lives. In summary:

- 95% of adults use a mobile phone, using 84m devices (i.e. 1.3 devices per head).

- Usage of mobile data across a broad range of applications is proliferating (each customer consumes an average of 2.9Gb per month – up from 500Mb in 2013).

- This is expected to grow a further seven times in the next five years.

- Eight million 'things' are now connected to mobile networks. This number is also set to grow very rapidly with the roll-out of smart meters and other connected items (such as cars).

- Mobile operators are responding by investing £2 billion per annum in new capacity, coverage and capability.

Mobile UK Response

Digital Communications

11. **Issue 1:** **Our provisional view is that, while a significant number of premises in Wales still don't have access to superfast broadband, the primary focus for public funds should be on extending superfast broadband to as many households as possible using the lowest cost technology and that the public funds that would be required to extend fibre to every home in Wales by 2033 should be assessed against other possible uses. We seek evidence on whether the UK Government's focus on extending more expensive fibre to the home, gigabit technology to every household in the UK will best serve the interests of Welsh citizens, including those who still lack access to superfast broadband.**

12. The continued extension of superfast broadband is beneficial. Also, it should be noted that mobile technologies require a robust fibre network which serves as a backhaul to and from mobile base stations and mobile masts.

13. Mobile technologies such as Fixed Wireless Access (FWA) also have a role in delivering superfast mobile broadband across a wider area from a sufficiently fibre connected base station and thus negating the need in some circumstances to provide fibre to every premise in a rural location. Mobile broadband technologies in rural areas bring with them the benefit of minimal construction disruption as they would not require the need to lay fibre cables to every premise.

14. **Issue 2:** **Our provisional view is that: 4G and 5G mobile broadband may be the lowest cost technology to provide superfast connections to some Welsh households; that mobile connectivity delivers significant additional economic and social benefits in rural communities; and that, therefore, a greater proportion of public funds should be allocated to mobile as**

opposed to fixed broadband infrastructure or other infrastructure objectives. We seek evidence on whether and what additional measures the Welsh Government or local authorities could take (independently of Ofcom, the operators themselves, or the UK Government) to significantly improve mobile broadband coverage, including 5G, in Wales. What should our objectives for mobile coverage be?

15. Mobile UK's has split out the issues raised and responded accordingly below:

16. **4G and 5G mobile broadband may be the lowest cost technology to provide superfast connections?**

17. As outlined above, mobile technologies do have certain benefits over other technologies due to their wireless nature. For instance, mobile connectivity can be provided with a more limited need to dig up roads and lanes to lay cables. Also, mobile networks can deliver connectivity over a much wider area rather than to a single premise. However, as outlined, this does not negate the need for fibre connectivity which forms a key component of our backhaul network capability.

18. **Should a greater proportion of public funds be allocated to mobile rather than fixed broadband?**

19. Delivering connectivity benefits from the availability of competing technologies, including both fixed and mobile broadband, remains important to mobile networks. Indeed fixed broadband provides an important part of the mobile networks' backhaul. It is therefore essential that in developing policy mobile technologies, fixed wireless and mobile, are considered on a level par.

20. There are also several other areas where action must be taken to assist with the roll-out of mobile networks. These have been outlined in the following answer.

21. **Additional measures that Mobile UK believes the Welsh Government or local authorities could take to improve mobile broadband coverage in Wales significantly.**

22. Reform of Permitted Development Rights Planning Legislation

    The highest priority should be focussed on reforming the permitted development rights for telecommunications equipment in Wales. While the industry understands that recent changes to PDR legislation were passed in 2019, the regime will continue to put Wales at a disadvantage compared to other nations of the UK, particularly when changes in the pipeline for Scotland and England are enacted.

    The key requirements of planning legislation must be to make network deployment cost-effective, certain and timely to enable the industry to deliver world-class connectivity. Additionally, the roll-out of 5G networks and the Shared Rural Network, alongside policies that demand greater network sharing have all brought about a renewed focus on the current planning regulations and the need for further reform.

23. Reform of TAN 19 Planning Guidance

    While it is acknowledged that reforms to planning legislation have not been static, it remains a strong concern of the industry that the associated guidance has not been updated for many years, to take into account changes. It is of critical importance that the guidance is updated urgently so that changes are taken account of and that where reform is enacted there are measures in place to ensure the guidance is also updated in line with those changes as and when they happen.

24. Access to Public Assets

    Using public buildings, structures and open land to install mobile infrastructure has supported widespread improvements to connectivity. This should be expanded across all local authorities and national government. The charge for the use of these assets should be set on the basis set out in the Electronic Communications Code, and not at rates that disincentivise investment. Local authorities' top priority should be driving economy growth through better connectivity, not raising

revenue from mast rents. Equally, standard template agreements should be adopted to provide assurance throughout the stages of a legal agreement and to minimise the complications and bureaucratic costs to the Local Authorities.

25. Business Rates Relief for new mobile infrastructure development

The introduction of business rates relief for new mobile infrastructure, especially in harder to reach areas and to provide parity with fixed fibre infrastructure would be welcome and remove unnecessary disincentives to invest. Providing this to mobile would help make the installation of mobile infrastructure more economically viable, particularly in harder to reach areas, allowing operators to expand coverage and reduce not-spots.

26. Facilitation of Engagement with Highways Authorities to:

Mobile UK believes that the Welsh Government could seek to work towards engaging with Highways Authorities with the aim to:

a. Help improving response times from requests from the industry, particularly where from a safety perspective (i.e. satisfaction with visibility splays, footpath width, siting of poles/cabinets concerning dangerous roads, opening notices and potential collision etc.). Where potential issues do arise, the industry would like improved engagement and response times to find reasonable solutions to ensure mobile connectivity can be maintained, and the roads returned to use.

b. Facilitating quicker confirmation of adoption status (without an excessive fee requirement).

c. Working with industry providers to rapidly approve traffic management and opening notice requests.

d. Remove the Christmas embargo for telecoms proposals that need opening notice or traffic management. During the Christmas period telecoms services are at peak demand yet if there is an issue with a site it is difficult to get it fixed/maintained or upgraded (or a site built) due to the embargo and so it has a negative local impact just when demand and dependence are highest.

27. Facilitation of Engagement with Network Rail to:

a. Help improve the time it takes to gain access to trackside and improvements in engagement with Asset Protection Teams (Aspro). Currently, response times, although automated to within five days, often pan out to 20-28 days and some recorded cases are still open from 2016.

Evidence provided by the industry for average waiting times:

   a. The average length of time taken to get onto a site for grounds maintenance is 70 working days.
   b. The average length of time to get onto a site to maintain at height is 78 working days.
   c. Times for build/decommission or upgrade is longer.

b. Mobile UK would like to raise its concern about recent updates to Network Rail property department's new approvals processes and charges which equate to a 280% increase compared to legacy costs. Also, Network Rail's Property department has introduced the same testing to be completed on sites less than 100 metres to the track including sites on third party land. Industry providers believe that there is no statutory basis for this and that it is having a detrimental impact on the ability of infrastructure providers to roll-out and upgrade sites both in time and cost.

c. Mobile UK would like the Welsh Government to assist on progressing and fast-tracking engagement with Network Rail regarding the Electronic Communications Code towards reaching agreement on sites.