Reforms to permitted development rights in Scotland for Digital Communications

Business Regulatory Impact Assessment
Response from Mobile UK

1. Mobile UK welcomes the opportunity to provide comments on the Scottish Government's Business Regulatory Impact Assessment for the proposals to reform permitted development rights (PDRs) for digital infrastructure.

2. Mobile UK's submission represents the collective view of the UK's mobile network operators (EE, Three, O2 UK and Vodafone) as well as their respective joint ventures Cornerstone (who acquire and build for O2 and Vodafone) and MBNL (who acquire and build for EE and Three).

Costs

It is expected that the proposed changes will result in savings for both planning authorities by removing the need to determine applications and to applicants in them not requiring to pay for the submission of a full planning application.

3. Yes. Mobile UK agrees that streamlining the planning system by introducing more permitted development rights for digital infrastructure will save resources both within planning authorities and operators.

4. We estimate that approximately £2k-£2.5k is saved per new site if all that is required is a simple notification, rather than a full planning application or a prior approval. While these savings are very welcome (and reflect fewer, scarce local authority resource being taken up), the really meaningful prize is the increased speed and certainty with which network rollout can proceed.

5. Scotland's 5G strategy estimates that "5G has the potential to add £17 billion to GDP by 2035, to create 160,000 new jobs and to increase productivity by £1,600 per worker. 5G could play a part in creating 3,100 new businesses and a £3.3 billion growth in export volumes." Mobile UK concurs with this assessment as do many other studies[1] making comparable forecasts for the UK more broadly.

6. If these benefits are to be realised, though, it is essential that the underpinning 5G

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[1] Future Communications Challenge Group 2017, Vodafone 5G Report 2020, CPS Upwardly Mobile 2020

network can be rolled out efficiently and effectively.

Scottish Firms Impact Test

7. Mobile UK has limited information about the impact on Scottish Firms. Mobile operators use Scotland based firms in many aspects of network rollout, and so more network investment will have a postive impact.

8. The additional network coverage and capacity has a positive impact mostly in the immediate vicinity in which it takes place – the towers and radio access network. Thus we would expect that any extra coverage or capacity rolled out in Scotland would have a direclty positive impact on the Scottish economy too.

Consumer Assessment

9. Mobile UK agrees that the proposed changes will have a positive impact on consumers in terms of the availability of goods and services. This covers both mobile operators' services and also goods and services consumed as a consequence of there being improved coverage and capacity.

10. However, we feel strongly that consumers/citizens will be affected negatively by that which is not proposed, specifically the lack of proposals to extend permitted development rights for new masts (and access tracks) in designated areas. The further delay of plans to consider Permitted Development Rights on these items goes completely against the SG's broader policies for reducing the digital divide between Scotland's urban and remoter rural areas.

11. The SG carried out an extensive Sustainability Impact Assessment. In summary, it concluded there would be social and economic benefits to rolling out networks in designated areas such as national parks and national scenic areas and that any potential environmental impact could be mitigated and would be reversible.

12. The upcoming Shared Rural Network programme in Scotland will involve approximately 300 new sites being built, around half of which, we estimate, will be sited in designated areas. All of the new sites in designated areas will need access tracks. The programme will roll out over a period of six years. It is trully a once in a generation chance to bridge the digital divide in Scotland, and any sites that can't get through planning in the six year timeframe will be at considerable risk of being abandoned altogether, with little prospect of being built at a later date.

Digital Infrastructure

In 2019-20 there were 261 applications which were for telecommunications infrastructure. Of these it is not clear how many would be removed from the planning application process as a direct result of the proposals.

13. Mobile UK does not make forward statements about commercial operational matters. Data will be provided by the operators' joint venture partners Cornerstone and MBNL.

The need for improved and effective connectivity has become even more important given the nation's reliability on the use of digital communications in the Covid-19 pandemic

The benefits of enhanced digital connectivity also result in less travel which contributes significantly towards climate change measures by reducing carbon footprint.

14. Mobile UK agrees. There is a growing body of data and commentary to back up this statement.

15. For our part, we worked on a survey with the British Chambers of Commerce (BCC), which represents 75,000 UK businesses. The survey established that nearly 80 per cent of respondents expect, over the next 12 months, to either maintain or increase the already higher levels of mobile network usage experienced during the national lockdown period.

By decreasing planning controls in certain areas this will also reduce the burden on planning authorities and, therefore, speed up deployment of such infrastructure

16. Please see our comments in paragraphs 3-6.