



# Rutland County Council



**digitalrutland**  
Superfast broadband across Rutland

8<sup>th</sup> April 2016

**DIGITAL RUTLAND  
STATE AID PUBLIC CONSULTATION**

**To further extend coverage of Superfast Broadband across the county of Rutland**

## 1. Introduction

The Rutland County Council (The County Council) Project is aiming to extend the availability of Superfast Broadband across Rutland.

The County Council conducted its most recent public consultation between 04 December 2014 and 05 January 2015. The purpose of this consultation was to agree a revised coverage area for the project to enable a change control to be agreed under the terms of the existing contract with British Telecommunications (BT). This original contract was awarded by the County Council on the 16<sup>th</sup> May 2012, under the Broadband Delivery UK (BDUK) programme to deliver Superfast Broadband to the defined intervention area with State aid approved public funding of £ 2.2m. The revisions and extensions to coverage under change control to the revised intervention areas were agreed between the County Council and BT on 30 June 2015.

The contract with BT included provision to ensure that the full amount of the public funding is deployed, and that in the event that take-up of superfast broadband services exceeds forecasts in the contracts, then the amount of public subsidy required would subsequently be reduced to reflect this. Any funds released are then available to be reinvested into further coverage of Superfast Broadband under the terms of the contract.

In August 2015, BT announced that take-up across the UK was likely to exceed the forecast level of 20%. To date, BT has made available up to £129m across the UK to meet the contractual obligations outlined above. The County Council has received an initial allocation of £0.6m and intends to reinvest this in further coverage as part of the current contracts.

The purpose of this public consultation is to confirm the areas which do not have Next Generation Access (NGA) broadband infrastructure delivering at least 30Mbps, or where there are no plans to provide such infrastructure over the next three years. These are described as “white NGA areas”. This is to enable all interested stakeholders - the public, businesses and telecommunications providers - to comment on the proposed white NGA areas before further coverage is committed.

The County Council will then submit its final proposals for the NGA white area, taking account of the outcome of the public consultation, to BDUK’s National Competence Centre for clearance.

## 2. Timescales

This State Aid public consultation will be open and run for one calendar month until: **8<sup>th</sup> May 2016.**

Once the State aid public consultation is complete and the white NGA areas have been finalised by the County Council, a change will be agreed by the local body and BT to deliver the extended Superfast Broadband coverage.

### **3. NGA mapping**

This section provides a brief overview of NGA mapping for the purpose of informing responses to this State Aid public consultation. NGA and basic maps for Digital Rutland can be found at Annex A of this document.

The European Union State Aid rules are designed to ensure that any use of public funding ('State Aid') is targeted at areas of market failure and produces positive market outcomes while minimising any distortion to competition.

The State Aid rules require public interventions to be targeted so as to limit the risk of crowding-out or dis-incentivising existing and/or concrete planned private sector investments that would otherwise meet the desired policy objectives. In the context of broadband, the 2012 State Aid Decision permits the use of public funding only to extend broadband coverage in geographic areas where there is no provision of Superfast Broadband and it is unlikely to be developed in the near future (within the next three years).

The '*EU Guidelines for the application of State aid rules in relation to the rapid deployment of broadband networks*' (2013/C 25/01) can be found at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2013:025:0001:0026:EN:PDF>. The objective of the further investment is to provide access to NGA infrastructure which is capable of delivering access line speeds of at least 30Mbps.

The objective of this intervention is to target the reinvestment funding at areas that were designated as white NGA areas through the previous public consultation (carried out by the County Council between 04 December 2014 and 05 January 2015) and where there have subsequently been no plans to deploy as part of the existing contract between the County Council and BT. These areas are identified as [white] on the map at Annex [A] to this document.

The County Council has changed its definition of NGA white areas from that used in its previous consultation between 04 December 2014 and 05 January 2015. In Annex [A], areas with speeds below 30Mbps are identified as "NGA white areas", whereas they had previously only been identified as NGA white areas where they had speeds below 15Mbps.

Nevertheless, the area that is the target of this intervention is identified as NGA white under both approaches.

### **4. Responding to this State Aid Public Consultation**

The information requested is specified in the following section (Section 5). When responding to this request, the County Council would be grateful if you could provide the following:

- Your organisation's name
- Your organisation's address
- Your name
- Position

- Contact telephone number
- Email address

We also request confirmation from an authorised signatory that the information provided is suitably accurate and up-to-date.

**Please send your response to arrive no later than 17:00 on 09<sup>th</sup> May 2016:**

Via email to [DigitalRutland@Rutland.gov.uk](mailto:DigitalRutland@Rutland.gov.uk) (marked "Rutland County Council Public Consultation Response").

Or by post to:

Digital Rutland  
Public Consultation Response  
Rutland County Council  
Catmose  
Oakham  
Rutland  
LE15 6HP

Please note that any information you provide in your response will be treated as commercially confidential to your organisation. However, it may be necessary to share some or all of your response with our professional advisors and/or DCMS/BDUK, Ofcom, the National Competence Centre, and the European Commission, in the course of seeking State Aid approval. The County Council is also subject to certain legal obligations to disclose information in certain other limited circumstances.

It should also be noted that it is a State Aid requirement to utilise the information provided in response to this consultation to refine our State Aid maps to define White/Grey/Black areas for NGA and Basic Broadband. However, the published maps will show the aggregated White/Grey/Black NGA and Basic Broadband areas, not the data provided on a per-operator basis.

If you have any questions about this State Aid public consultation process, please contact the Digital Rutland Team by email at: [DigitalRutland@Rutland.gov.uk](mailto:DigitalRutland@Rutland.gov.uk)

## **5. Information Requested**

If you are a telecommunications provider, this section specifies the information you are requested to provide in response to this State Aid public consultation.

The County Council is requesting information on, and supporting evidence for, any current broadband infrastructure or planned investment (within the next 3 years) in broadband infrastructure in the County of Rutland, where these may not already be included within the proposed NGA and Basic Broadband Intervention Area maps attached.

For the avoidance of doubt, if you are content with our proposed State Aid Intervention Areas, no further response is required.

For any current or planned coverage not included within the proposed State Aid Intervention Areas shown on the attached maps, the County Council is requesting information on the premises covered (or planned to be covered) by your broadband infrastructure investment. The County Council is asking for information on coverage of Basic Broadband and NGA Broadband coverage separately (to enable us to map the Basic Broadband and NGA White/Grey/Black maps required for State Aid purposes). By 'covered' (or 'passed') the County Council means that fixed network infrastructure is or will be available to the premises, potentially subject to a final drop connection, or that the premises are able to receive a suitable quality radio signal over the air interface (in the case of wireless or satellite coverage), potentially subject to the installation of a suitable antenna. Where an operator is responding with current or planned coverage for NGA, it must respond to confirm those premises that it is able to provide a broadband service with an access line speed (or equivalent) of at least 30Mbps.

Any information provided in response to this State Aid public consultation should include, but need not be limited to:

- Detailed maps for NGA and Basic Broadband showing the existing coverage, and separately maps detailing the planned investment in NGA and Basic Broadband for at least the next 3 years.
- Details of the actual premises covered or passed (within postcodes (at 7-digit postcode level), and confirmation that fixed network infrastructure is available to the premises, potentially subject to a final drop connection, or that the premises are able to receive a suitable quality radio signal over the air interface (in the case of wireless or satellite coverage), potentially subject to the installation of a suitable antenna.

A detailed description of the technology solution(s) deployed (or to be deployed) in your broadband infrastructure, and where these claim to be NGA, demonstrate how they meet the minimum standards as set out in the [BDUK NGA Technology Guidelines](#)<sup>1</sup>.

- A description of the services/products currently offered, and separately those services/products to be offered within the next 3 years.
- Installation, annual/monthly subscription, and additional volume or per-service tariffs for those services/products (identifying whether such tariffs are inclusive or exclusive of VAT).
- Upload and download speeds typically experienced by end-users, and how these

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<sup>1</sup> <https://www.gov.uk/government/publications/state-aid-guidance-technology-guidelines>

may vary by factors such as distance, increased take-up or demand, contention, etc.

- Appropriate indicators of the quality of services (e.g. contention ratios, bandwidth allocation per user, etc), including any characteristics (e.g. latency, jitter) that are required to support advanced services such as video conferencing or HD video streaming.
- Evidence to substantiate actual or planned coverage claims, including business cases and evidence of available funding to enable plans to be fulfilled.
- Details and planned timing of roll-out of any future investments, including further investments required to cope with future increases in take-up and demand.

Please supplement the required information above with any supporting evidence as you consider appropriate (e.g. links to public websites, etc).

## Annex A

### *List of NGA White postcodes*

POSTCODE	Residential	Non Residential	Superfast White	
LE157ER		10	1	11
LE157EX		12	0	12
LE157FX		10	0	10
LE157GB		6	0	6
LE157GJ		7	0	7
LE157GP		10	0	10
LE157GQ		9	0	9
LE157GR		4	0	4
PE94AF		4	0	2
PE94AG		8	0	7
LE156AA		12	16	4
LE156AF		50	5	3
LE156AL		11	27	9
LE156AS		3	7	8
LE156AU		19	2	3
LE156BB		40	1	14
LE156BH		9	3	2
LE156BQ		32	5	13
LE156DT		11	21	17
LE156DX		0	1	3
LE156DY		8	8	6
LE156EA		13	42	18
LE156EZ		14	0	7
LE156FT		8	0	8
LE156GA		62	1	8
LE156GE		43	0	43
LE156GH		63	2	62
LE156GJ		10	0	10
LE156HW		6	7	8
LE156HX		0	1	1
LE156HY		14	4	5
LE156HZ		22	0	2
LE156JA		36	0	2
LE156LD		20	2	7
LE156LG		12	2	3
LE156LN		15	9	15
LE156NG		15	0	15
LE156NR		18	10	3
LE156NU		40	6	3
LE156QL		9	3	10

LE156QN	4	0	4
LE156QS	25	6	17
LE156QU	24	7	29
LE156QX	0	2	2
LE156RA	0	12	6
LE156RR	0	9	4
LE156SX	49	0	1
LE157AB	3	0	3
LE157BL	1	6	5
LE157BN	0	2	2
LE157DD	3	0	3
LE157DJ	19	6	4
LE157FH	14	0	14
LE157HD	9	0	1
LE157HG	14	2	4
LE157HQ	1	0	1
LE157HY	29	5	2
LE157HZ	12	1	7
LE157JB	1	10	11
LE157JD	1	0	1
LE157JE	66	1	2
LE157JG	27	0	1
LE157LG	43	0	1
LE157QJ	2	11	13
LE157QN	6	11	17
LE157QS	9	0	1
LE157QT	7	8	11
LE157QU	3	0	3
LE157QW	4	0	4
LE157QY	2	1	2
LE157RH	2	0	2
LE157SN	3	14	17
LE157SQ	4	0	4
LE157SX	11	2	13
LE157TA	7	1	8
LE157TJ	14	0	14
LE157TL	11	0	11
LE157TW	0	1	1
LE157TX	3	1	4
LE157TZ	8	0	8
LE158AB	7	5	12
LE158AD	14	1	15
LE158AF	10	0	10
LE158AH	11	20	31
LE158AN	12	3	8
LE158AX	11	0	1



LE158BA	6	2	6
LE158BE	12	2	14
LE158BL	5	9	3
LE158BP	2	3	5
LE158BT	0	1	1
LE158DA	8	3	9
LE158DB	6	1	7
LE158DD	3	0	3
LE158DE	8	0	8
LE158DF	0	2	2
LE158DG	7	1	8
LE158EN	8	0	1
LE158HB	2	7	6
LE158HW	1	0	1
LE158JA	49	1	1
LE158JG	6	0	6
LE158LQ	20	0	20
LE158NF	0	7	7
LE158PH	30	1	4
LE158PX	18	0	2
LE158QA	2	1	3
LE158QD	3	3	5
LE158QL	0	2	2
LE158QN	9	0	9
LE158QP	26	0	26
LE158QQ	5	1	5
LE158QR	27	2	29
LE158QS	17	3	20
LE158QT	34	0	34
LE158QU	30	1	31
LE158QW	2	0	2
LE158QX	29	1	30
LE158QY	5	1	6
LE158QZ	10	1	11
LE158RE	10	2	12
LE158RN	4	2	4
LE158RP	11	6	10
LE158RQ	12	3	4
LE158RW	13	0	13
LE158RY	7	0	7
LE158SA	28	3	1
LE158TU	24	2	9
LE158UJ	4	2	6
LE159AF	5	2	4
LE159AH	4	1	4
LE159AJ	2	4	4

LE159AS	2	1	2
LE159AT	3	0	3
LE159AZ	14	0	14
LE159BN	20	0	1
LE159BX	11	13	12
LE159DA	0	1	1
LE159DL	5	5	2
LE159DW	7	0	2
LE159DX	14	1	11
LE159EG	0	1	1
LE159EH	4	0	4
LE159EJ	5	0	5
LE159EL	11	0	11
LE159EN	15	0	13
LE159EP	21	1	22
LE159EQ	6	0	6
LE159ER	9	0	9
LE159ES	16	1	15
LE159ET	1	0	1
LE159EW	11	1	12
LE159EX	5	0	5
LE159HJ	4	1	5
LE159HL	2	0	2
LE159HN	8	0	8
LE159HW	1	0	1
LE159HX	4	2	6
LE159HZ	1	3	4
LE159JW	1	1	2
LE159NR	3	0	3
LE159NS	1	0	1
LE159NT	4	0	4
LE159PA	9	1	10
LE159QB	9	7	5
LE159QD	35	7	8
LE159QE	3	16	19
LE159QT	0	1	1
LE159UD	45	10	12
LE168FJ	6	0	6
LE168RY	4	0	3
PE93QL	14	0	2
PE93QN	52	0	52
PE93QR	11	0	11
PE93RJ	30	0	5
PE93RN	30	2	4
PE93RY	1	0	1
PE93SZ	16	19	7

PE93TP	9	0	1
PE93UD	41	4	32
PE93UF	9	10	19
PE93UJ	1	0	1
PE93UL	5	1	6
PE93UN	3	0	3
PE93UP	6	1	2
PE93UQ	15	1	16
PE93UT	5	6	2
PE94AE	29	1	30
PE94AH	3	0	3
PE94AL	2	0	2
PE94BE	33	1	34
PE94BH	6	1	7
PE94BJ	1	0	1
PE94BN	2	0	2
PE94DB	2	0	1
PE94DF	1	1	2
PE94DH	5	1	6
PE94DJ	18	2	20
PE94DL	1	0	1
PE94DR	5	0	5
PE94DW	1	0	1
PE94EE	1	0	1
PE94EF	5	0	5
PE94EG	1	0	1
PE94HE	18	5	13
PE94JA	21	0	17
PE94JF	2	2	4
PE94JJ	6	4	5
PE94JR	8	0	8
PE94LL	1	0	1
PE94NJ	4	1	5
PE94QD	2	0	2
PE94SA	2	0	1

