



Welsh Government  
Consultation Document

# Public Review 2022 - Broadband

## Request for Information

Date of issue: 8 April 2022  
Action required: Responses by 6 May 2022

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.  
This document is also available in Welsh.

## Overview

The purpose of this Public Review is to confirm the premises in Wales which do not have Next Generation Access (NGA) broadband infrastructure – i.e. capable of delivering at least 30Mbps to premises and/or Gigabit services delivering at least 1,000Mbps, or where there are no plans to provide such infrastructure over the next three years.

This process enables all interested parties to comment on the classification and mapping of premises produced by the 2021 Open Market Review (OMR), in which suppliers provided information on their existing and / or planned NGA and gigabit capable network coverage.

The primary reason for carrying out this Public Review is to allow the Welsh Government to update its existing intervention area which was procured under the BDUK 2016 National Broadband Scheme (NBS). In addition, the Welsh Government is also looking to validate the outcome of the OMR in order to inform the UK Government's Project Gigabit programme and potential future Welsh Government and Building Digital UK (BDUK) interventions under this programme.

In addition to this Public Review including all premises within Wales it also includes a small number of premises which are on the border with Shropshire. These UPRNs in Shropshire will **not** form part of any forthcoming procurement led by the Welsh Government. However, BDUK is seeking information from suppliers regarding any existing and / or planned coverage they may have regarding these specific Shropshire UPRNs.

## How to respond

Please email [BandEang.Broadband2021@gov.wales](mailto:BandEang.Broadband2021@gov.wales) marked 'Public Review Response' as described in Section 6.

## Further information and related documents

**Large print, Braille and alternative language versions of this document are available on request.**

A dataset of premises in Wales will be made available to those suppliers registering to respond, upon signing the related licensing terms as outlined in Section 6 below.

Information on the Public Review process can also be found on the Welsh Government Consultation Portal at the following web address:

<https://gov.wales/broadband-public-review-2022>

**Contact details**

If you have any questions about this Public Review process, please contact the OMR team by email at:

[BandEang.Broadband2021@gov.wales](mailto:BandEang.Broadband2021@gov.wales)

**This document is also available in Welsh**

<https://llyw.cymru/band-eang-adolygiad-cyhoeddus-2022>

## General Data Protection Regulation (GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

## Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data held about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection.

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:  
Welsh Government  
Cathays Park  
CARDIFF  
CF10 3NQ

e-mail:

[Data.ProtectionOfficer@gov.wales](mailto:Data.ProtectionOfficer@gov.wales)

The contact details for the Information Commissioner's Office are:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 01625 545 745 or  
0303 123 1113

Website: <https://ico.org.uk/>

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# Welsh Government Public Review

## 1. Introduction

The Welsh Government is progressing with its rollout of Fibre-to-the-Premises (FTTP) gigabit-capable connectivity to an intervention area across Wales consisting of circa 39,000 premises in Lot 1 (North Wales), Lot 2 (East Wales) and Lot 3 (South West and the Valleys) using £56m of public subsidy from the Welsh Government, European Union funding and with some additional funding from the UK Government.

The current intervention area was originally informed by an Open Market Review (OMR) conducted in 2017 plus a subsequent re-fresh exercise conducted in 2019 and was procured under the BDUK 2016 National Broadband Scheme (NBS). The three-year validity period for the previously held OMR data has now lapsed and therefore the Welsh Government conducted the 2021 OMR to establish whether the data provided previously by suppliers in 2017 and 2019 has materially changed. This will enable the Welsh Government to understand if any adjustments are required to the intervention area and premises being targeted within it.

In addition to supporting the above intervention area update, the Welsh Government is also supporting the UK Government's ambition to deliver nationwide gigabit-capable broadband as soon as possible. The UK Government has committed £5bn for the hardest to reach parts of the country, ensuring that all areas of the UK can benefit. This will be spent through a package of coordinated and mutually supportive interventions, collectively known as Project Gigabit. Therefore, to achieve this, the Welsh Government and Building Digital UK (BDUK) intend to procure further coverage in the future to target Gigabit 'White' areas across Wales.

The Welsh Government conducted the Open Market Review (OMR) from the 24<sup>th</sup> August 2021 until the 8<sup>th</sup> October 2021 to understand from suppliers if there were any current or planned investment over the next three years (and beyond, if available) in broadband infrastructure (Next Generation Access broadband, ultrafast and gigabit-capable) across Wales.

Therefore, this Public Review process aims to validate the outcome of the OMR and the Welsh Government's mapping to ensure that it correctly represents the information provided by suppliers in the course of the OMR and to ensure that the right areas are targeted for any future Welsh Government investment.

### **Inclusion of Shropshire Premises**

Suppliers should note that the specific Lot / country boundaries (and intervention areas) currently in place for Project Gigabit may flex during the OMR, Public Review and Pre-Procurement Market Engagement processes to enable an optimum procurement to be put to the market. Where this occurs then the UK and Welsh Government will ensure that it is communicated in a transparent manner in order to remain consistent with the principles of the

Gigabit Infrastructure Scheme (GIS). Since the Wales OMR closed on the 8<sup>th</sup> October 2021 a small number of premises which were not included in the Shropshire (Lot 25) Project Gigabit OMR and Public Review have now been included in the scope of the Wales Public Review.

These new UPRNs on the border with Shropshire were not originally included as part of the 2021 Wales OMR baseline release. This is because BDUK's approach to consultations about gigabit-capable infrastructure across the UK is based around existing communications network Exchange Areas (EA), and these EAs straddle the border between English and Welsh counties. While all UPRNs within Wales have been included in the Welsh Government-led OMR and Public Review process, this has meant there are EAs in Wales that extend into Shropshire which were not in the BDUK-led Shropshire OMR or Public Review.

For information these UPRNs in Shropshire will **not** form part of any forthcoming procurement led by the Welsh Government. However, BDUK is seeking information from all suppliers regarding any existing and / or planned coverage they may have regarding these specific premises in Shropshire and therefore these have been included as a separate UPRN list as part of the Wales Public Review RFI.

These additional UPRNs in Shropshire, have also been included within the tables in Section 3 and within the intervention areas maps shown in Annex D (indicated as orange).

## 2. Key Eligibility Requirements for Subsidy<sup>1</sup>

The outcome of this Public Review and the preceding OMR is shown in terms of 'White', 'Grey', 'Black' and 'Under Review' premises. The Welsh Government and BDUK will only subsidise build to premises which have been designated as 'White'.

- **White** – for Project Gigabit this indicates premises with no gigabit network infrastructure, and none is likely to be developed within three years. Annex C within the PR RFI provides information on the technology 'qualifying' as gigabit capable. For the existing Welsh Government intervention area procured under the 2016 NBS this indicates premises where no qualifying NGA network infrastructure i.e., capable of delivering download speeds of at least 30 Mbps exists, and none is likely to be built within three years.
- **Black** - premises with two or more qualifying NGA or gigabit infrastructures from different suppliers being available, or will be deployed in the coming three years
- **Grey** - premises with a single qualifying NGA or gigabit infrastructure from a single supplier is available, or is to be deployed within the coming three years
- **Under Review** - premises where suppliers have reported planned commercial broadband coverage, but where **those** plans have been judged through the OMR as potentially being at risk of not being completed.

Premises categorised as Under Review will be subject to continued monitoring and verification of supplier plans within the three-year period. The Welsh Government may request commitment

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<sup>1</sup> <https://www.gov.uk/government/publications/project-gigabit-uk-subsidy-advice>

from the supplier that significant progress is made within three years. In the event that these commercial plans fall away, these premises will be mapped as eligible and form part of any future proposed intervention area and so eligible for intervention via this aid measure.

The Welsh Government classifies premises on the basis of their existing or planned broadband infrastructure, as set out in the Annex B: Supporting Evidence Template, Annex C: Technical Definition and for the purpose of updating the existing 2017 intervention area within Wales the NBS 2016 Technology Guidelines<sup>2</sup>. The OMR and Public Review data analysis of supplier's broadband coverage claims is undertaken at UPRN (premises) level.

Once the Public Review has closed, if additional information or clarifications are required, the Welsh Government will raise Clarification Questions with suppliers before deciding on the final White / Grey / Black or Under Review classification for the premises within Wales. For the additional UPRNs within Shropshire and included as part of the Wales Public Review RFI then BDUK will raise Clarification Questions with suppliers regarding any coverage claims relating to these UPRNs and will make the final White / Grey / Black or Under Review classification.

### **What are “step change” requirements?**

The Welsh Government and BDUK also requires that public intervention should be able to ensure a ‘step change’ in broadband availability from that currently available as well as credible planned networks. This is demonstrated by:

- Generally, download speeds must be at least doubled and upload speeds substantially higher as a result of the intervention when compared with existing download and upload speeds
- Significant new investments in the broadband network are undertaken (i.e. investments that must include civil works and installation of new passive elements)
- The new infrastructure brings significant new capabilities to the market in terms of broadband service availability, capacity and speeds and or competition.

The ‘step change’ in broadband availability shall be compared to that of existing as well as credible planned networks.

## **3. Outcome of the Wales 2021 Open Market Review (OMR)**

The Welsh Government initiated an OMR for Wales on the 24<sup>th</sup> August 2021. You can view the OMR publication here:

[Broadband Open Market Review 2021 | GOV.WALES](#)

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<sup>2</sup> [2016 NBS Tech Guidelines - GOV.UK \(www.gov.uk\)](#)

The OMR indicated that planned commercial coverage for NGA-capable broadband would reach approximately **1,431,309** premises within the next 3 years and would therefore leave the remaining **117,833** premises without access to NGA-capable broadband and a further **117,564** premises as Under Review.

For gigabit-capable broadband, the OMR indicated that planned commercial coverage would reach approximately **681,950** premises within the next 3 years and would therefore leave the remaining **327,174** premises without access to gigabit-capable broadband and a further **657,632** premises as Under Review

The outcome of the Wales OMR is shown within the following NGA and gigabit interactive maps which can be found at the following links below:

<https://datamap.gov.wales/maps/open-market-review-2021-next-generation-access-bro/>

<https://datamap.gov.wales/maps/open-market-review-2021-gigabit-capable-broadband/>

The interactive maps can be displayed to show either NGA or gigabit White premises or postcodes (shown as red on the interactive maps) or non-white premises or postcodes i.e. those classified as either Under Review (shown as blue on the interactive maps), Grey or Black.

Where postcode level data has been used for the purpose of mapping only, they have been classified as follows:

- A postcode is **White** if any 'White' premises are present (these are shown as red on the interactive maps); else
- A postcode is **Under Review** if any 'Under Review' premises are present (these are shown as blue on the interactive maps); else
- A postcode is **Black** if all premises in the postcode are classified 'Black'; else
- A postcode is **Grey** if all premises are 'Grey' or there is a mixture of 'Grey' and 'Black' premises
- A postcode is orange if no data is available

For presentational purposes only and in addition to the NGA and gigabit interactive maps, postcode-level maps of the draft NGA and gigabit intervention areas for Wales can be found in **Annex D**. (NB The Welsh Government and BDUK will only subsidise build to premises which have been designated as White - postcodes are not used to determine intervention areas for subsidy).

In addition, the proposed eligible intervention areas for the additional Shropshire UPRNs are also shown in a separate map within Annex D. These new UPRNs are indicated in orange within the maps.

Finally, an associated postcode list has also been published alongside this document shows the Subsidy classifications (either NGA or Gigabit) determined for each postcode within Wales. A

separate postcode list has also been published as part of this Public Review for those premises within Shropshire.

Supplier data submitted during the OMR has been incorporated into the OMR outputs using a methodology that protects commercially sensitive supplier data.

The outcome of the OMR is summarised in terms of NGA and Gigabit 'White', 'Grey', 'Black', 'Orange' and 'Under Review' postcodes and premises as shown in the tables below.

Table 1: Gigabit Classification

Postcode Classification	Number of Postcodes	Number of Gigabit Black Premises	Number of Gigabit Grey Premises	Number of Gigabit Under Review Premises	Number of Gigabit White Premises	Number of Gigabit Orange Premises
White	37,191	28,170	121,232	188,841	327,174	69
Under Review	33,145	11,050	113,757	468,791	0	82
Grey	19,140	35,177	330,182	0	0	67
Black	1,975	42,382	0	0	0	0
Orange	349	0	0	0	0	3,494
<b>Total</b>	<b>91,800</b>	<b>116,779</b>	<b>565,171</b>	<b>657,632</b>	<b>327,174</b>	<b>3,712</b>

Table 2: NGA Classification

Postcode Classification	Number of Postcodes	Number of NGA Black Premises	Number of NGA Grey Premises	Number of NGA Under Review Premises	Number of NGA White Premises	Number of NGA Orange premises
White	21,680	44,879	196,143	41,329	117,883	65
Under Review	12,663	14,322	133,269	76,235	0	75
Grey	47,526	125,646	710,854	0	0	73
Black	9,582	206,196	0	0	0	5
Orange	349	0	0	0	0	3,494
<b>Total</b>	<b>91,451</b>	<b>391,043</b>	<b>1,040,266</b>	<b>117,564</b>	<b>117,883</b>	<b>3,712</b>

It is possible to provide suppliers (upon request and subject to the relevant data sharing agreements being in place) a UPRN list, showing the premises which have been designated as 'White' and 'Under Review' following the OMR.

Please contact BandEang.Broadband2021@gov.wales to request this information.

## 4. Purpose of this Public Review Request for Information

**This Public Review defines the proposed eligible areas, as determined during the OMR, to enable all interested stakeholders (including the public, businesses, internet service providers and broadband infrastructure operators) to comment on those proposals.**

The outcome of the OMR is shown within the interactive maps which can be found at the following links below:

<https://datamap.gov.wales/maps/open-market-review-2021-next-generation-access-bro/>

<https://datamap.gov.wales/maps/open-market-review-2021-gigabit-capable-broadband/>

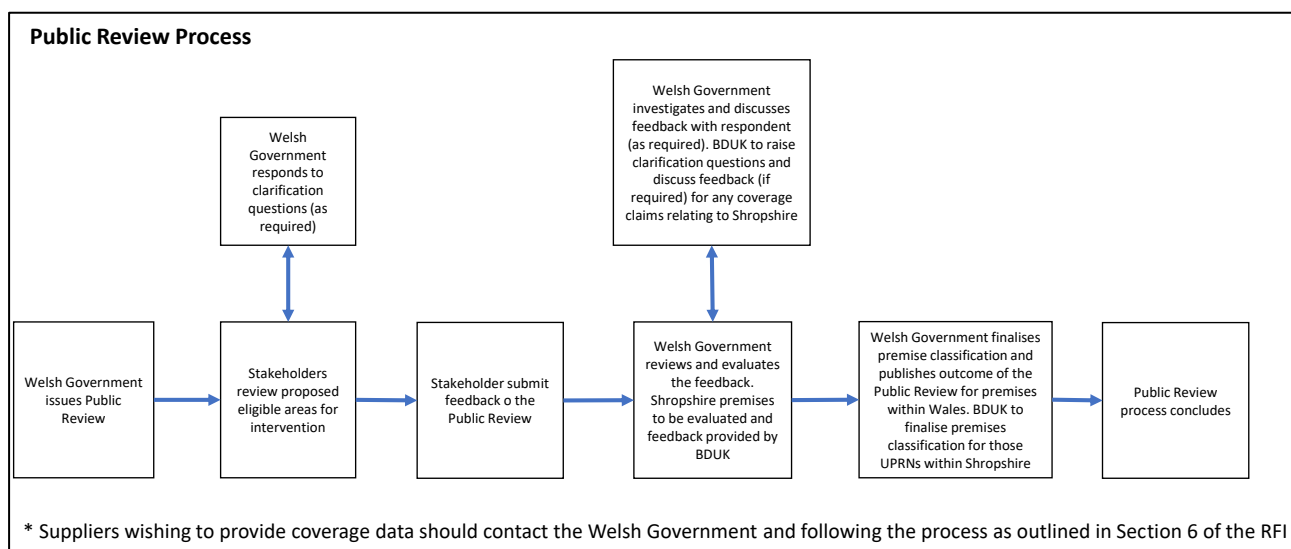
In addition to the above interactive NGA and gigabit maps, the associated postcode lists for both Wales and Shropshire have also been published alongside this RFI document here:

[Broadband: public review 2022](#)

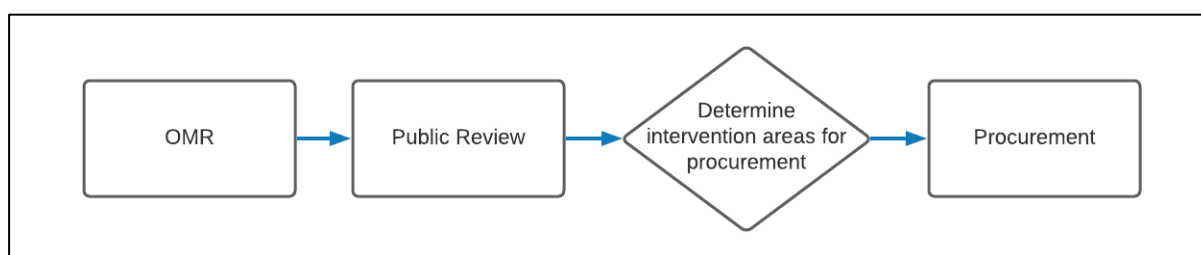
As part of this Public Review, the Welsh Government will request and then evaluate any further responses in order to validate the eligibility of the premises for public subsidy. During the evaluation exercise, the Welsh Government may engage with suppliers further to discuss and confirm their coverage claims. However, it should be noted that as part of this Public Review, the Welsh Government will **only** assess supplier's coverage claims relating to coverage **within the boundary of Wales**. Suppliers who have coverage claims (either existing or planned) within Shropshire will be processed and evaluated by BDUK. Consequently, if suppliers have coverage claims solely within Shropshire, then any further information or additional supporting evidence required will be requested by BDUK. If suppliers have coverage claims within both Wales and Shropshire, then it may be the case that suppliers will be issued clarification questions from the Welsh Government relating to their network coverage within Wales and separate clarification questions issued from BDUK concerning any Shropshire coverage.

Following the evaluation, the Welsh Government and BDUK will be able to determine the premises to be included in any future Project Gigabit procurements. The flowchart below shows a summary of how the PR process works. In addition to this the Welsh Government will also be able to determine if any adjustments are required to the premises targeted within the existing intervention area procured under the BDUK 2016 National Broadband Scheme (NBS)

The flowchart below shows a summary of how the PR process works.



This Public Review will take place over the period of at least one month, and once concluded will enable the Welsh Government to update their existing intervention area and confirm the eligibility of potential premises for future Project Gigabit procurements. Further details of the Project Gigabit procurements specific to Wales will be provided following the conclusion of this Public Review. However, the flowchart below shows the generic order of processes, from OMR through to procurement which will be adopted by the Welsh Government.



All meaningful responses to the Public Review will be carefully considered and where necessary, utilised to target the existing intervention area within Wales as well as determining future eligible premises for Project Gigabit procurements within Wales. It should be noted that while the Welsh Government has included a subset of UPRNs for Shropshire within this Public Review these premises will **not** be part of any future Project Gigabit procurements or contracts managed by the Welsh Government.

The final eligible area maps and a summary report confirming details of any changes will be published on the Welsh Government website after the closure of the Public Review. The final eligible area maps and a summary report confirming details of the changes regarding the subset of premises within Shropshire will be published by BDUK on the gov.uk website after the close of the review period.

After that, the final eligible premises for both Wales and the subset of premises within Shropshire will then be submitted to BDUK's National Competence Centre (NCC) for approval against the UK Subsidy Control Regime. The responses and output from the Public Review will therefore help the Welsh Government and BDUK gain further confidence that any future proposed gigabit interventions are in areas that are eligible for subsidy, i.e., areas which are not commercially viable and require government intervention to address market failure.

## 5. Project Gigabit Procurement and Commercial Approach

The UK Government has undertaken extensive early market engagement in relation to procurement for interventions. This engagement has included consultation on the programme design, different potential target areas, technical specification (including wholesale access), procurement types and contractual terms. Feedback from broadband suppliers and other stakeholders has been taken into account in all of these areas.

Procurements will be carried out in accordance with the [Public Contracts Regulations 2015](#) (PCR 2015). The procurement approaches are designed to address the scale of the individual procurements. The procurements will be conducted in a transparent and non-discriminatory manner.

### Forthcoming Gigabit Procurement for Wales

The Welsh Government will budget an appropriate amount of public funding from the Project Gigabit Programme, based on the final number of eligible premises requiring subsidy at the procurement stage.

The budget will be specified within the Project Gigabit Invitation to Tender (ITT) documentation, following the Public Review. Details of any restrictions on the use of public subsidy will be explained in the tender documentation. It is the Welsh Government's intention to procure gigabit-capable solutions in Wales – capable of achieving a minimum of 1Gbps download speed – to the premises identified as in scope for subsidy i.e. those premises identified as Gigabit White. **Please note, the final list of premises in scope for subsidy will be issued with the ITT and is not finalised at this stage.** The final Project Gigabit intervention areas may be a subset of the premises classified as Gigabit White in the subsidy assessment and will be subject to overlays, including other active/planned interventions (e.g. Superfast).

Once the Public Review is closed and the Welsh Government has finalised the Project Gigabit intervention area, an ITT will be issued within approximately 6 months via a procurement portal, for suppliers to bid for the opportunity to deliver extended gigabit-capable broadband coverage.

## 6. Participating / Responding to this Public Review

The Welsh Government's goal is to ensure the parts of Wales that need government investment are accurately targeted. Each contributor to this Public Review will help to optimise the use of public subsidy to premises across Wales by enabling any updates to be made to the existing intervention area within Wales as well as identify those premises which may be part of future Project Gigabit procurements. Therefore, please respond to this Public Review if you have information or can provide evidence regarding the accuracy of the proposed NGA and gigabit intervention areas or information regarding the premises classification as shown in the Wales interactive maps here:

<https://datamap.gov.wales/maps/open-market-review-2021-next-generation-access-bro/>

<https://datamap.gov.wales/maps/open-market-review-2021-gigabit-capable-broadband/>

If you are a supplier and did not respond to the recent Wales 2021 OMR and have existing and / or planned network coverage either within Wales or the subset of premises within Shropshire also

included as part of this Public Review exercise, then please submit your coverage claims so that public subsidy can be targeted more accurately, and over-building commercial infrastructure can be avoided. Details of how suppliers should submit a response to this Public Review are outlined within 'Response from Suppliers' as well as Section 7 below. Where suppliers have credible plans that extend beyond the three-year horizon then these should also be included in your submission to the Welsh Government. For suppliers, all existing and planned build should be supported with detailed evidence as set out in the Submission Requirements within Section 8 of this RFI.

Please note that the information you provide in your response to this Public Review will be treated as confidential, albeit that it may be necessary to share some/all of your response with our professional advisors and/or DCMS/BDUK, Ofcom, and BEIS Subsidy Control Branch. We will use this information to define the intervention areas (only) following the Public Review.

For information regarding what to expect when you contact the Welsh Government and provide us with your personal information, please read the Welsh Government's [privacy notice](#).

## **Responses from residents, businesses and other stakeholders**

The Welsh Government has asked suppliers to share with us their NGA and gigabit broadband coverage including any planned coverage for the next three years and beyond. We have now analysed and mapped this data through the OMR process outlined in Section 3 and are now inviting residents and businesses within Wales to check the availability of NGA or gigabit broadband to their premises.

You will only need to respond to this Public Review if you can see any errors in the data regarding your premise. If you would like to respond we have outlined the process below.

### **Step 1 – What broadband service can I already get?**

Firstly, check to see if what type of broadband you already have access to such as NGA, ultrafast or gigabit. You can confirm the broadband availability at your premise by using the [Ofcom broadband checker](#).

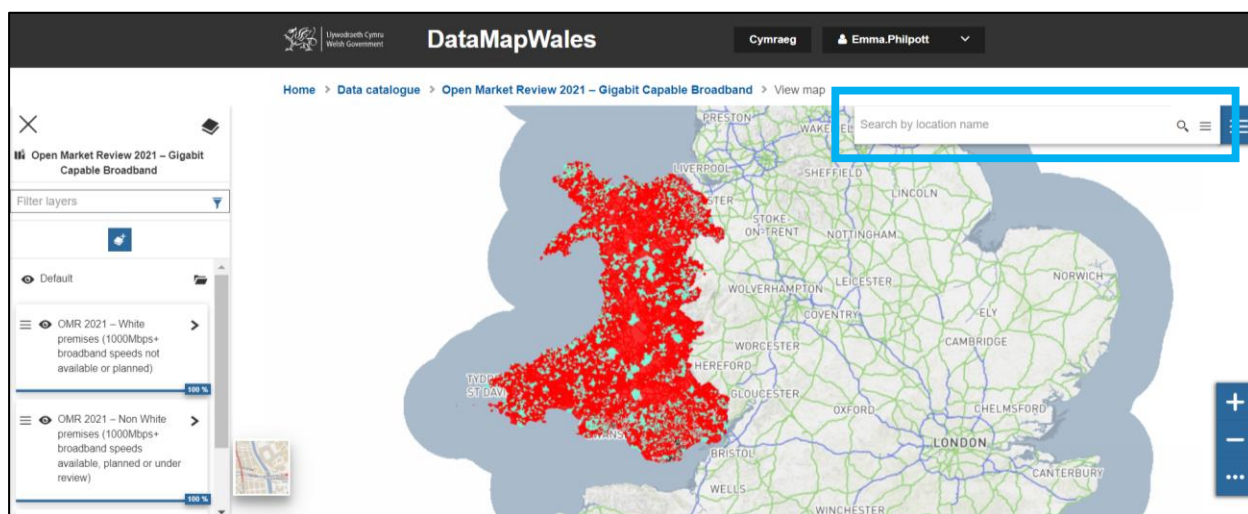
### **Step 2 – How can I check that the data for my premises is correct?**

Using the data received from suppliers during the OMR each premise in Wales has been classified based on its ability to access either NGA or gigabit broadband. These classifications are outlined in Section 2. The Welsh Government has plotted this data on interactive maps – one showing NGA coverage and the other showing gigabit-capable broadband coverage.

<https://datamap.gov.wales/maps/open-market-review-2021-next-generation-access-bro/>

<https://datamap.gov.wales/maps/open-market-review-2021-gigabit-capable-broadband/>

Once you have clicked on either the NGA or gigabit interactive map link you may need to select 'display in map viewer'. Then each of the maps should load as in the image below:



To the left-hand side within each of the maps the various layers are displayed. In the NGA interactive map, the layers shown are as follows:

- White premises – where 30Mbps+ broadband speeds are not available or planned to be available within the next 3 years. Please note that White premises have been marked in the colour red to make it easier to view them on the interactive map.
- Non-white premises – where 30Mbps+ broadband speeds are available or are planned to be available within the next 3 years and premises have been categorised as either Black or Grey or premises have been classified as Under Review. Please note that Under Review premises i.e. those premises where suppliers have reported planned commercial broadband coverage, but where those plans have been judged through the OMR as potentially being at risk of not being completed are marked in the colour blue on the interactive map.

In the gigabit interactive map, the layers shown are as follows:

- White premises – where 1,000Mbps+ broadband speeds are not available or planned to be available within the next 3 years. Please note that White premises have been marked in the colour red to make it easier to view them on the interactive map.
- Non-white premises – where 1,000Mbps+ broadband speeds are available or are planned to be available within the next 3 years and premises have been categorised as either Black or Grey or premises have been classified as Under Review. Please note that Under Review premises i.e. those premises where suppliers have reported planned commercial broadband coverage, but where those plans have been judged through the OMR as potentially being at risk of not being completed are marked in the colour blue on the interactive map.

To the right of the NGA and gigabit maps there is a search bar (see marked in blue in the above image). Insert your postcode or street address here and press 'enter'. You will now be taken to a zoomed in view of the map where your premise is located. Click on your premise on the map to get the full data. A box will appear to the right showing the following information:

- UPRN – this is the 'unique premises reference number' for your premises. Please take a note of this if you are planning to respond to this Public Review;

- Address – this will include the street number or name of your premise, the street that your premise is located on, the town that your premises is located in and the postcode of your property
- Local Authority – this will give details of the Local Authority where your premise is located
- Status – the classification for your premises, e.g White, Grey, Black or Under Review.

Check that the status of your premise is correct. If anything is incorrect or your address can not be found continue to step 3 to respond to the Public Review.

### **Step 3 – How can I respond to the consultation to report an issue with the data for my premise?**

For submissions from residents or businesses within Wales the Welsh Government would be grateful if you could confirm the following:

- Your organisation's name (if applicable)
- Your organisation's, or residential address including the UPRN. Your UPRN can be found on the interactive map and can be copied by highlighting it, right clicking and then selecting copy into your email response.
- Your name
- Position (if applicable)
- Contact telephone number
- Email Address
- Outline description of the issue with the premises data and / or any other pertinent information you have that you believe will be useful to the Public Review process. Please note that responses to the Public Review should only be made to report issues with the proposed premise level classification. Alternatively, if you have any general questions about broadband access in Wales then please use our '[contact us](#)' facility for further information.

Any responses to this Public Review should then be emailed to:

BandEang.Broadband2021@gov.wales and marked 'Public Review Response'

## **Responses from Local Authorities and Public Bodies**

The Welsh Government is requesting Local Authorities and public bodies within Wales provide input into this Public Review - in relation to the way in which publicly funded broadband schemes with which they are involved (or any which they are aware) may affect the findings outlined in Section 3. Local Authorities and public bodies are therefore invited to examine the information within the interactive map provided. The Welsh Government is also able to provide premise level data for Local Authorities within Wales for the purposes of responding to this Public Review however in order to receive the data you will need to populate, sign and return the Public Sector Geospatial Agreement (PSGA) End User Licence Agreement which can be downloaded from the Welsh Government consultation website:

<https://gov.wales/broadband-public-review-2022>

Following the provision of the premises-level data, we ask that Local Authorities provide the following answers if responding to the Public Review:

1. Are you involved with, or aware of, any existing or planned infrastructure investment in NGA and/or Gigabit broadband which may not have been included within the proposed intervention areas?
2. If so, can you provide evidence of the existing or planned network infrastructure, including (but not limited to):
  - UPRN level data relating to the existing and / or planned network
  - Evidence to substantiate any broadband coverage claims as outlined within the Annex B: Supporting Evidence Template such as a description of the technology solution deployed (or planned to be deployed), and evidence of available funding to enable plans to be fulfilled;
  - Proposed calendar deployment plan or roll-out dates or when any proposed broadband infrastructure build will be completed and premises Ready for Service

Any Local Authority responses to this Public Review should then be emailed to:

BandEang.Broadband2021@gov.wales, marked 'Public Review Response' and should include the following:

- Local Authority name;
- Local Authority address;
- Your name;
- Position (if applicable);
- Contact telephone number; and
- Email Address.

The Welsh Government also requests confirmation from an authorised signatory that the information provided as part of the Public Review is suitably accurate and up to date.

## Responses from suppliers

The Welsh Government is inviting suppliers to examine the information provided within Section 3 along with the Wales interactive map, the intervention areas maps in Annex D and the associated postcode lists for Wales and Shropshire, in order to provide any additional evidence or information which may affect the proposed intervention areas such as: –

- Existing NGA and / or Gigabit Broadband infrastructure;
- Plans for developing / upgrading existing broadband infrastructure;
- Plans for further expansion of broadband infrastructure within Wales or for the subset of UPRNs within Shropshire also included as part of this Public Review RFI
- Interest in bidding for potential Project Gigabit procurements and capability to scale and deliver.

For suppliers wishing to provide a coverage response to this Public Review please see Section 7 and Section 8 below.

## 7. Making a Data Response

Please provide information at premise (UPRN) level only, along with supporting evidence for, any of your existing or planned investment in broadband infrastructure across Wales (or the subset of UPRNs within Shropshire) using the templates provided.

To submit a data response, please follow the steps below, as well as referring to the guidance provided in Annex A:

- Populate with your company details and sign the Public Sector Geospatial Agreement (PSGA) End User Licence Agreement, which will be required before the Welsh Government will provide the Annex A: Data Submission template, the Annex B Supporting Evidence Template and guidance documents. The PSGA End User Licence Agreement can be downloaded from the Welsh Government consultation website:

<https://gov.wales/broadband-public-review-2022>

- As well as returning the signed PSGA End User Licence Agreement please also identify the geographic area of Wales you are interested in – either all of Wales (including the subset of UPRNs in Shropshire) or a specific Local Authority Area/s. The Welsh Government will then email a version of the Annex A: Data Submission Template tailored to these specific areas as well as the Annex B: Supporting Evidence Template.
- If you have already signed the PSGA agreement with the Welsh Government following the 2021 OMR, then there is **no need** to send this through again. Simply email the Welsh Government letting us know if you wish to update your previous OMR coverage claims and we will email you a version of the Annex A: Data Submission Template
- Please do not assume that we will use a previous submission for this Public Review RFI. If you wish for a previous submission to be treated as your return for this RFI, please email the Welsh Government to confirm this.
- Please include all existing and planned premises coverage within your Annex A: Data Submission Template
- Please also include within your Annex A: Data Submission Template any existing or planned infrastructure you have gained with assistance from public subsidy for example, Vouchers, Superfast (NBS 2012 or NBS 2016) and Hubs (Local Full Fibre Networks and Rural Gigabit Connectivity Programmes).
- You may seek clarification, on making a response to the Public Review RFI, at any time from the 8<sup>th</sup> April 2022 to the 6<sup>th</sup> May 2022. Please send these questions to us at:  
[BandEang.Broadband2021@gov.wales](mailto:BandEang.Broadband2021@gov.wales)
- You should submit your completed Annex A: Data Submission Template and Annex B: Supporting Evidence Template to the Welsh Government using the following email address:

[BandEang.Broadband2021@gov.wales](mailto:BandEang.Broadband2021@gov.wales).

- The final deadline for OMR responses is **17:00** on the **6<sup>th</sup> May 2022**.

Please ensure that you engage with the Welsh Government as soon as possible to confirm whether you would require a Non-Disclosure Statement of Assurance to enable you to share your data with the Welsh Government as part of this OMR process. If so, a copy of the Welsh Government's standard Non-Disclosure Statement of Assurance will be emailed to you for completion and your signature.

It should also be noted that it is a requirement to use this information to produce maps to define 'White', 'Grey', 'Black' and 'Under Review' areas for NGA and gigabit-capable broadband. However, the published maps will show the aggregated 'White', 'Grey', 'Black' and 'Under Review' broadband areas, not the data provided on a per-operator basis. The final maps and UPRNs that will be used for procurement purposes will be published shortly after the conclusion of this Public Review and once approved by the National Competence Centre.

If you have any questions about any of the above, please contact:

[BandEang.Broadband2021@gov.wales](mailto:BandEang.Broadband2021@gov.wales)

## 8. Submission Requirements

Supplier responses to this Public Review RFI must include the following:

1. A data submission that should cover your existing and planned premise coverage i.e. premises served by your network, or planned to be served by your network as per the format outlined in the **Annex A: Data Submission Template**. Full guidance on how to complete and submit the Annex A: Data Submission Template will be provided to you following the return of a signed PSGA End User Licence Agreement. For information the required data fields contained within the Annex A: Data Submission Template are shown as an example in **Annex A** below.
2. Please note that where your coverage claims are for gigabit-capable networks, then your response detailing your proposed network design and architecture must consider the technical definition as outlined in **Annex C: Technical Definition**. If your coverage claims are using NGA technology, then your network must meet the technology requirements as outlined in the NBS 2016<sup>3</sup>
3. In addition to your data submission suppliers must also provide a completed **Annex B: Supporting Evidence Template**
4. The Welsh Government would also like to hear from suppliers their views as to the types of wholesale access products they would like to see offered on any newly created subsidised network infrastructure. This information may inform the intervention design. Please note that we are not obliged to include these products in the ITT.

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<sup>3</sup> [2016 NBS Tech Guidelines - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/national-broadband-standard-2016)

## Evidence to demonstrate how planned investments are viable

There are three essential areas against which the Welsh Government will evaluate your planned coverage claims against to ensure the overall viability of your planned investment. Our assessment will be based on the suite of evidence you provide the Welsh Government in the Annex B: Supporting Evidence Template and will include:

- whether the technology you intend to deploy is gigabit capable and meets the technical criteria as outlined in Annex C: Technical Definition (or if deploying NGA technology that it meets the technology requirements as outlined in the NBS 2016);
- deliverability, and whether your deployment plans are in line with the phases / premises passed outlined in your business plan, with the key build stages and processes outlined; and
- commercial viability - whether you have viable commercial plans such as sufficient access to capital and whether the drawdown of your funds aligns with your deployment plan and build programme.

The information you provide should be consistent across all the above areas to enable and support a consolidated evaluation of your Public Review submission.

**Further information is included in the Annex B: Supporting Evidence Template.**

## 9. Date for Return

Please submit responses to this Public Review by the closing date of **17:00** on the **6<sup>th</sup> May 2022**. The Welsh Government plan to publish the final maps showing the finalised intervention area for Wales, following the close of the assessment and evaluation period. Similarly, BDUK will publish the final maps showing the finalised intervention area for the subset of premises within Shropshire after the close of the Public Review and following the review period.

Thank you

The Welsh Government

## Annex A: Data Submission Format

### Introduction

The Welsh Government requires certain fields of data for each pertinent UK address as identified by the Unique Property Reference Number (UPRN) in order to monitor the current and future delivery of Gigabit broadband capable services. This is done by requesting data on current and future connections from relevant suppliers. The below describes the format of the

Welsh Government request file and how to format the data to return to us. If you require any additional support, guidance or clarification with this, please get in touch with us at

[BandEang.Broadband2021@gov.wales](mailto:BandEang.Broadband2021@gov.wales)

## File formats

The Welsh Government will supply blank templates for the Public Review, showing the UPRNs across the nation that we consider relevant to the process as well as the standard columns that we require<sup>4</sup>.

These UPRNs have been sourced from Address Base Premium Epoch 85, from Ordnance Survey published February 2021 and complemented with data from OS OpenUPRN 2022-3 .

If you are using the template files as the starting point for your return, please remove any UPRN rows which are not part of your current or planned network.

The information that we provide against each property / premises is as follows:

Field Name	Description	Format
<b>strUPRN</b>	The UPRN (see below) prepended with “STR”, this is a mitigation against certain spreadsheet tools treating the UPRN as a large number and removing significant digits	Text
<b>UPRN</b>	The unique property reference number	Number

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<sup>4</sup> The Response template will be released to providers once the Welsh Government has received the signed Ordnance Survey Public Sector Contractor Licence form which can be downloaded from the Welsh Government’s website <https://gov.wales/broadband-public-review-2022>

<b>Single_Line_Addresses</b>	Comma delimited single line addresses eg 1, Acacia Avenue, Anytown	Text
<b>Postcode</b>	Standard postcode	Text
<b>Local_Authority_District</b>	The local authority district	Text
<b>Longitude</b>	Longitude in the decimal degree format	Number
<b>Latitude</b>	Latitude in the decimal degree format	Number

The information that we ask for against each property/premises is as follows:

Field Name	Description	Format
<b>Current_Technology</b>	The technology you use for supplying that particular premises, examples of this could be ADSL, FTTP, FTTC etc	Text
<b>Current_Max_Download_Speed</b>	The maximum download speed in Mbit/s that you are able to supply to this property.	Number
<b>Current_Max_Upload_Speed</b>	The maximum upload speed in Mbit/s that you are able to supply to this property.	Number

<b>Future_Technology</b>	The technology you intend to use for supplying that particular premises, examples of this could be FTTP, FTTC etc	Text
<b>Future_Max_Download_Speed</b>	The maximum download speed in Mbit/s that you intend to be able to supply to this property.	Number
<b>Future_Max_Upload_Speed</b>	The maximum upload speed in Mbit/s that you intend to be able to supply to this property.	Number
<b>Date_of_Future_Rollout</b>	This should be the Ready for Service date for the premises. The date at which RSPs can offer products or services to the individual premises. This should not be the date that build commences.	DD/MM/YYYY
<b>Delivery_Phase</b>	<p>The planned phase for any future rollout which each UPRN shall form part of, e.g. Phase 1/Phase 2 etc, Tranche 1/Tranche 2 etc., Region 1/Region 2 etc.</p> <p>These phases should align to your Calendar Deployment Plan and should correlate and be consistent with the information contained in your Annex B: Supporting Evidence Template. Please include context regarding each delivery phase in your supporting evidence such as the risks and dependencies for the successful delivery of each phase and the mitigations/arrangements that you have in place to address these risks; a description regarding your resourcing plan for each phase; key milestones within each phase</p>	Text

	and the subsequent activities/timeframes to achieve RFS.	
<b>Design_Stage</b>	<p>The current phase of your future coverage such as:</p> <p><b>'1. Awaiting HLD'</b> - High Level Design (HLD) has not yet been completed.</p> <p><b>'2. HLD complete'</b> - HLD/area level plan has been completed. However, Low Level Design (LLD) work has not yet been completed or is in progress.</p> <p><b>'3. LLD complete'</b> - Low Level Design (LLD) and survey work has been completed, however, subcontractors/build partners, or in-house resources to complete the network build, are still to be appointed.</p> <p><b>'4. Build team appointed'</b> - Subcontractors / build partners or if applicable in-house civil resource has been appointed and commissioned to start the network build in accordance with the LLDs. All the necessary planning, acquisitions and wayleave agreements are finalised to allow the network to be constructed.</p> <p><b>'5. In build'</b> - Network build is in progress, however premises are not yet able to take up a service.</p> <p><b>'6. RFS'</b> - Network build and end-to-end testing is complete and premises are Ready for Service (RFS) i.e. RSPs are able to offer products or services to the individual premises</p> <p><b>Note:</b> If you are intending to use different descriptions to those above, please include full explanations of each field entry in your supporting evidence submission to accompany this data submission.</p>	Text

<b>Funding_Stage</b>	<p>The current status of funding allocated to the UPRN. If your funding allocation is linked to your Delivery_Phase please reflect that in your data and explain that in your supporting evidence. Please be aware that the Welsh Government's assessment of supplier returns will be based, in full, on the evidence requested in Annex B. As such, we cannot guarantee that we will accept how suppliers have categorised the status of their funding position. Field entries to use:</p> <p><b>‘1. No funding planned or committed’</b> - While you may be planning to deliver to this UPRN, the funding is not yet in place to do so and/or you are seeking funding.</p> <p><b>‘2. Funding planned, but not committed’</b> - You have in principle funding agreed to deliver to this UPRN, but the funding is not immediately available, requires further decisions such as Board approval, or is dependent on (for example) performance metrics.</p> <p><b>‘3. Funding committed’</b> - Funding has been identified and has been allocated to delivery of this UPRN. There are no further conditions around drawing down or using funding and the funding is ring-fenced solely for the delivery of associated premises. This should be explained clearly in your financial plan, which should be provided as part of your Annex B: Supporting Evidence Template.</p>	Text
<b>Public_Intervention</b>	<p>Please define if coverage is based on public intervention. ‘Yes’ will be marked when a planned premises is dependent on funding from the UK Government’s Vouchers, Superfast, LFFN or RGC Programmes. However, other public interventions (such as Devolved Government or Local Authority schemes) should also be acknowledged</p>	Yes / No

	<p>and marked as a 'Yes' here. Further explanation should be provided in your Annex B: Supporting Evidence Template.</p> <p>An entry of 'No' would indicate that the premises is planned to be built entirely through commercial funding with no dependency on public intervention. Evidence of this funding should be provided in your supporting evidence.</p>	
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Field Name	Description	Format
<b>Additional_UPRN</b>	<p>Indication if the UPRN has been added due to an updated filtering methodology</p> <p>YES = a premises that would have been filtered out under previous (more restrictive) filtering rules. None of these premises were present in the OMR template files.</p> <p>NO = a premises that would not be filtered out based on previous (more restrictive) filtering rules.</p>	Yes/No

### Additional columns

Aside from the standard columns above, you may wish to add additional columns to provide further additional information about your network. If this is the case, please add

additional column(s) at the end of your data return and provide clear explanation in your supporting evidence of what these columns indicate.

## Annex B: Supporting Evidence

Please provide details and additional supporting evidence of any current or planned investment in broadband infrastructure (Next Generation Access broadband, ultrafast and gigabit-capable) in the identified geography using the Supporting Evidence Template provided.

Any information provided in response to this request should include but not be limited to:

- An appropriate demonstration/explanation as to how your broadband infrastructure or suppliers' service(s) meets with minimum standards where these claim to be Next Generation Access, ultrafast or gigabit.
- For information only, capability definition is consistent with the definitions set out in Ofcom Connected Nations Reports, eg;
  - decent (10 Mbps and above),
  - superfast (30 Mbps and above),
  - ultrafast (300 Mbps and above) and
  - gigabit-capable broadband, which can offer speeds of 1 Gbps and above.
- *Note:* where a supplier's service offer is limited to passive services only (e.g. dark fibre, duct access, mast access), this would not generally be considered to be an Next Generation Access, ultrafast or gigabit-capable broadband network, unless the supplier provides a description of how an active services provider is technically and commercially able to support Next Generation Access, ultrafast or gigabit-capable services over the infrastructure.
- Nevertheless, if a passive infrastructure supplier is offering access to infrastructure in the identified geography, it is encouraged to provide further details of its location in order that bidders for any future procurement process might consider its use in designing their solutions.
- Within each broadband category (Next Generation Access, ultrafast or gigabit-capable) please indicate: (i) what level of take-up is expected in total; and (ii) what level of take-up can be sustained by the network design and dimensioning.
  - For example, a fixed wireless supplier may only be expecting 10% take-up of premises covered by its superfast network, and only be able to support a total of 20% of all premises passed converting to customers without significant capacity upgrades to the network.
- Please indicate the "normally available" and "minimum" speeds for the customers of each service e.g.

Service	Download "normally available"	Download "minimum"	Upload "normally available"
100Mbps	100Mbps	40Mbps	20Mbps
330Mbps	300Mbps	120Mbps	60Mbps

1Gbps	980Mbps	330Mbps	200Mbps
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Please refer to the full text of the Ofcom's [Voluntary Code of Practice](#) for Better Broadband Speeds (March 2019), however, these definitions can be summarised as follows (summary extract from Ofcom Voluntary Code of Practice):

*“Normally available” speed is defined as the speed a customer could expect to receive during peak times - measured as 8-10pm for residential services and 12-2pm for business services and reflecting when customers are most likely to use the service.*

*“Minimum speed” is defined as the minimum guaranteed speed a customer should expect from the service, which would trigger the customers right to exit the contract if speeds fall below this minimum level and are unable to be resolved within a 30-day period.*

- Appropriate indicators of quality of the service e.g., contention ratio and/or bandwidth allocation per end user, together with a technical explanation of how these will support the achievement of the normally available and minimum speeds for all users.
- A description of the technical architectures that demonstrate how the claimed data speeds and performance will be maintained end-to-end across the deployed infrastructure. This could include, for example, network connectivity diagrams, deployment/coverage maps, design/dimensioning rules for network elements, backhaul capacity information, types and quantities of equipment, technical specifications, network performance measurements etc.
- Description of all services/products offered over the infrastructure including any wholesale provision to any retail service providers currently offered and any planned extension to these services within the next 3 years. Please indicate which retail service providers are using these services and what services are being taken?
- Installation and rental tariffs for those services/products clearly identifying whether they are inclusive or exclusive of VAT.
- Confirmation from an authorised signatory that all information provided is of suitable accuracy.

**In order for the Welsh Government to evaluate any planned investment and coverage claims provided as part of the Public Review process, please ensure you complete all of ‘Part D: Planned Investments’ Annex B: Supporting Evidence Template.**

**You should as a minimum include an outline Business Plan, a calendar deployment plan and evidence of adequate financing for your proposed build.**

We would also like information about company structure (for example parent company), evidence of adequate capital (or your plans to raise capital), dependencies and assumptions associated with financing (for example revenue from an existing network or assumptions on GBVS voucher revenue) and other financial and commercial information to enable the Welsh Government to understand the viability of your planned investment.

In assessing whether planned investments are viable, the Welsh Government may:

- review the business plans and calendar deployment plans to ensure these are consistent and in sufficient detail for each phase of the planned build.
- require evidence to demonstrate credible and plausible character of the planned investment which as a minimum should include a business plan, a detailed calendar deployment plan, proof of adequate financing and proposed technical architecture.
- ensure calendar deployment plans include the key build stages and when suppliers expect to undertake significant activities within their build programme such as design, surveying, acquisition, network build, network installation etc or the key processes involved in your build plan approach for design phase, survey phase, road notices/ wayleaves etc.
- test that funding availability is sufficient for each phase of the planned build and that the capital allocated for the specific OMR area is sufficient and is consistent with the deployment plan.
- review the terms of any financing arrangements and any dependencies and assumptions associated with the financing including assumptions and dependencies around public subsidy such as GBVS vouchers or regional schemes.
- ensure that the network design and dimensioning information provided is in line with the projections made in the Business Plan regarding customer connections and growth expectations.

Please supplement the attached Supporting Evidence Template with other documentation as you consider appropriate (e.g. public websites, published reports, etc). If you require any additional support, guidance or clarification with any of this, please get in touch with us at [BandEang.Broadband2021@gov.wales](mailto:BandEang.Broadband2021@gov.wales)

## Annex C: Technology Definition

The UK will review the criteria for gigabit-capable networks within three months of the launch of infrastructure procurement, based upon the consultation with industry, and the UK regulator, around the criteria below. In the meantime, the Welsh Government will work with the following technical definition:

Infrastructure that can support gigabit-capable services directly or via third-party providers without restriction, as set out below:

- a) Connections that are gigabit-capable (capable of delivering 1000Mbps or more download speeds) at the time of delivery of the connection without the need for future hardware upgrades or modification<sup>5</sup> i.e. gigabit capability to be available from day one and if the consumer takes a slower speed it must be soft upgradeable without undue delay.
- b) At least one product with a download speed capability of at least 1Gbps and an upload speed of at least 200Mbps with busy hour performance as laid out below.
- c) Products with a clear and comprehensible explanation of the minimum, normally available<sup>6</sup> and maximum advertised download and upload speeds<sup>7</sup>.
- d) Low data latency in accordance with Ofcom regime or codes of practice, recent industry norms and Industry Standards for the requirements of real-time services (or otherwise, in the absence of prevailing standards 10 ms and below for 95% of the time).
- e) Support for real-time services (e.g. voice/video calling, telematics, telemedicine etc.) with performance indicators (e.g. jitter, packet loss etc.) in line with recent industry standards, or in the absence of industry standards: 2ms for jitter, 0.1% for packet loss for 95% of the time.
- f) Actual data speeds and performance during the busiest hours of the day (not more than 4 out of every 24), that do not degrade below 33% of the headline download speed and an upload speed equivalent to 20% of the minimum download speed (note: for performance where lower values are better, such as latency, jitter and packet loss, then a factor of 100% above would apply instead).
- g) Actual data speeds and performance that do not degrade outside of the busiest hours below 95% of the higher of the download and upload speeds set out above.

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<sup>5</sup> This principally applies to CPE but also backhaul/other network upgrades.

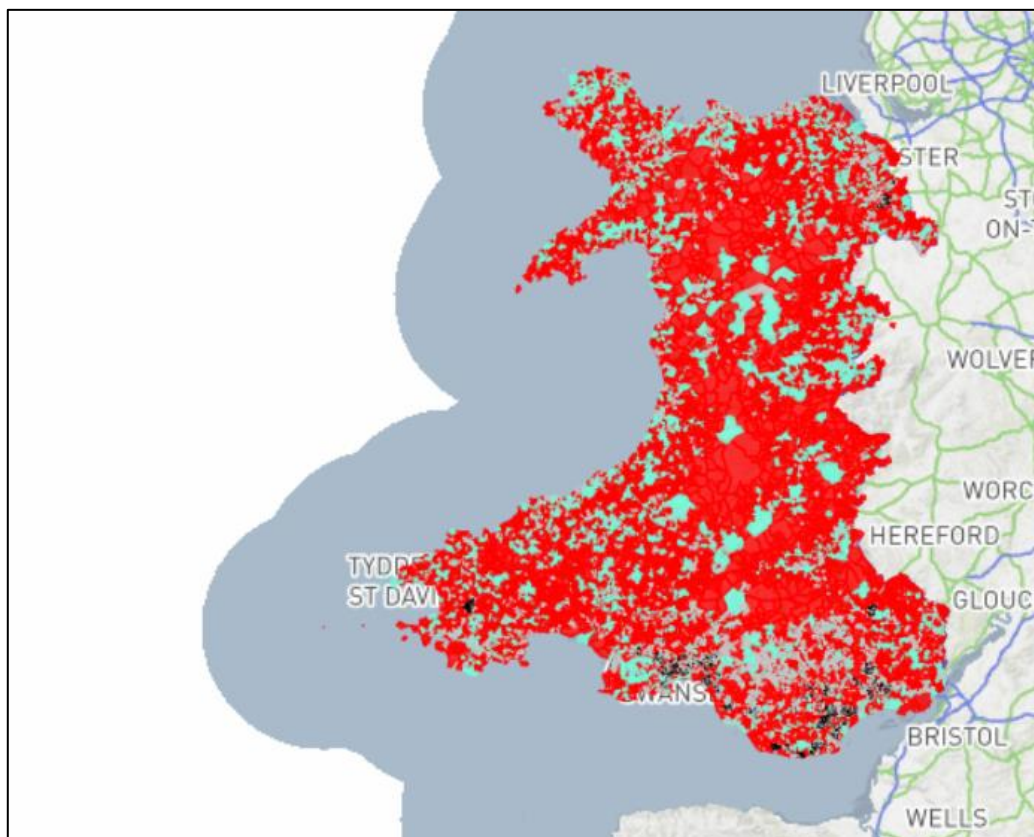
<sup>6</sup> Normally available and minimum download speeds may include the usual framing and packet overheads of the technologies used, provided that they amount to no more than a few percent of the total traffic i.e. data speed is defined as (user data traffic + overheads) / time.

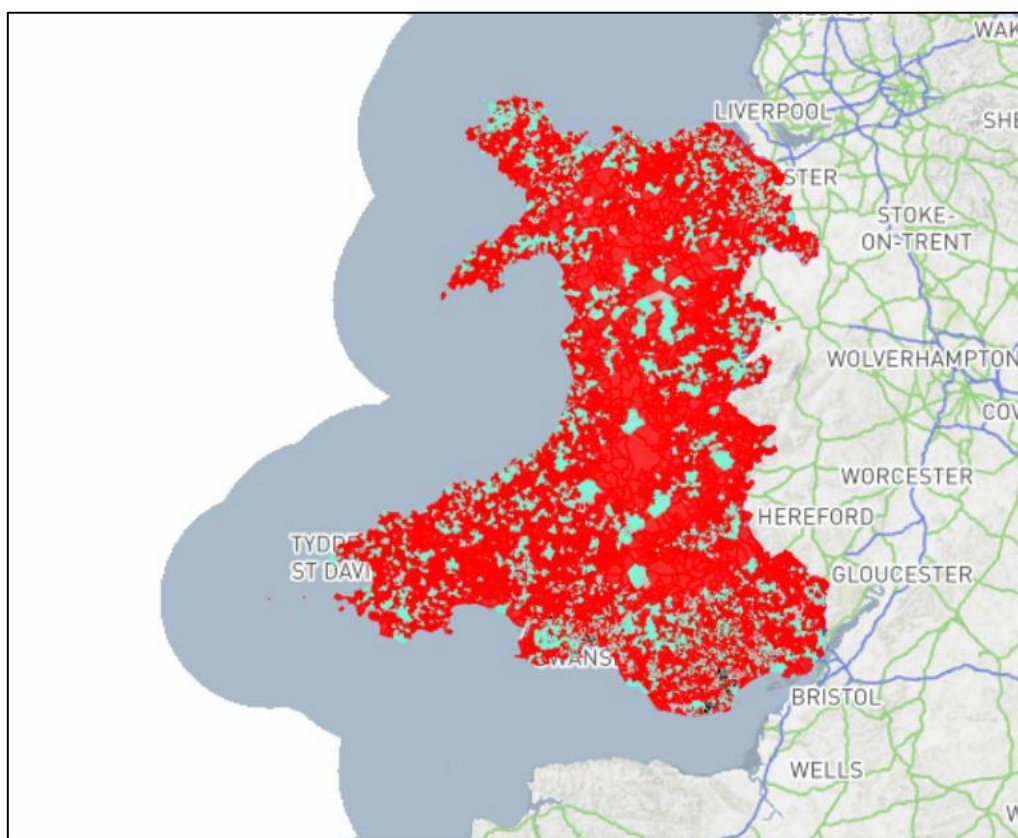
<sup>7</sup> As defined by Ofcom.

- h) Actual data speeds and performance that do not degrade as take-up of services approaches 100% of the addressable market (including any part arising from switch-off of legacy networks), to be demonstrated by firm commercial and technical (including capacity upgrade) plans based upon forecasts of up to 7 years.
- i) Where service offerings and performance vary by locality e.g. as a result of subscribers' distances from infrastructure, gigabit capability to be maintained for all potential customers.
- j) Order fulfilment and rectification within typical industry timescales, supported by demonstrably efficient service management processes.
- k) Maintenance of customer service levels and network availability in line with industry norms, ideally supported by Service Level Agreements.
- l) Service provision that does not unfairly discriminate against particular types of services, providers, subscribers or third parties (e.g. via traffic shaping or Quality of Service measures).
- m) For subsidised networks only; offering of wholesale access products on open and non-discriminatory terms in line with the principle of technological neutrality, to enable the interconnection to the subsidised network of any technology which other communications providers and/or retail providers may reasonably consider appropriate in accordance with the wholesale access requirements.

## Annex D: Maps to show intervention area

The maps below show the images of the current draft NGA and gigabit intervention areas for Wales.



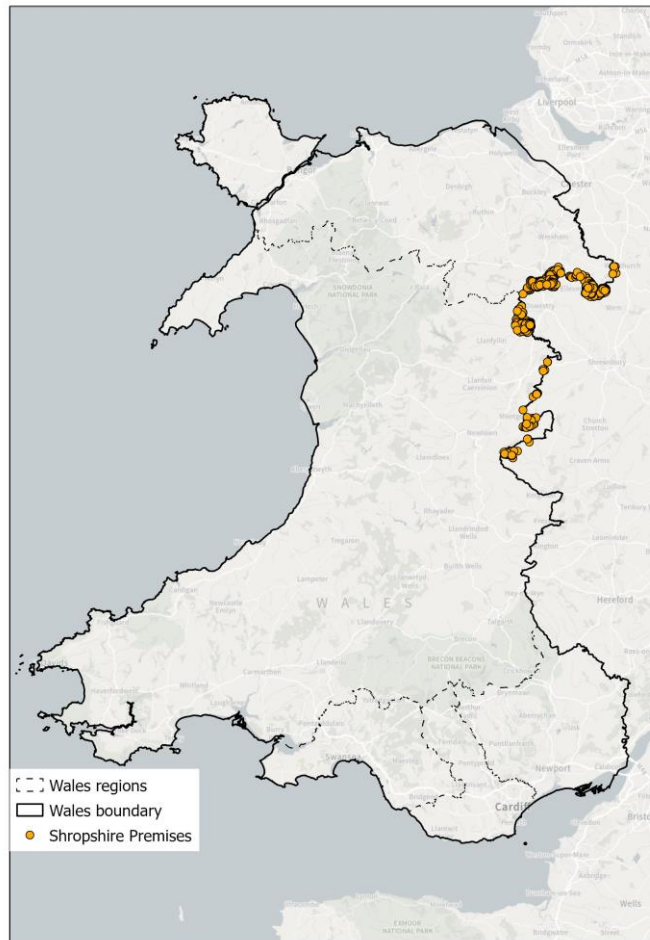


Please note that the detailed interactive map providing more detail can be found here:

<https://datamap.gov.wales/maps/open-market-review-2021-next-generation-access-bro/>

<https://datamap.gov.wales/maps/open-market-review-2021-gigabit-capable-broadband/>

The additional subset of UPRNs included for Shropshire are also shown on the map below and indicated in orange.



The postcode level data has also been published alongside this Public Review RFI document.

<https://gov.wales/broadband-public-review-2022>

## Annex E: Subsidy Control

Following the UK's departure from the European Union on the 31<sup>st</sup> January 2020, the award of public subsidy needs to take account of World Trade Organisation rules and any international commitments made in free trade agreements. The Welsh Government considers that this proposed subsidy falls under the subsidy control principles in [Section 3 of the Trade and Cooperation Agreement](#) (TCA) agreed between the European Union and UK Government on the 24th December 2020. The TCA places an obligation on both the UK and EU to have an effective system of subsidy control with independent oversight.

The Welsh Government will ensure that it meets these subsidy principles in awarding public subsidy for gigabit-capable broadband infrastructure, for example, by ensuring subsidy is designed to target failure in the market to achieve full UK coverage while minimising negative effects on competition. Public subsidy will be targeted to limit the risks of crowding out private investment, altering commercial investment incentives and ultimately distorting competition. Projects will continue to be procured under the Public Contracts Regulations (2020), to help meet our subsidy control requirements.

Suppliers have the opportunity during the OMR and Public Review stages, to share with the Welsh Government any firm and credible investment plans that may mean that public subsidy will not be warranted.

### **Requesting a review of a subsidy award**

Under UK subsidy control requirements, anyone can request for a review about the award of subsidy. Requests must be submitted no later than one month from the date of the award of the subsidy. The award of subsidy will follow the procurement and contract award and BDUK's National Competency Centre will consider requests submitted within the one month timescale, under the terms of the TCA.

This proposed award will be published by the Department of Business Energy Industrial Strategy (BEIS). The process for making such a request will be published here too.

Information about the UK's Subsidy Control regime may be found on the UK Government website: <https://www.gov.uk/government/news/government-sets-out-plans-for-new-approach-to-subsidy-control>

## Annex F: Glossary of Terms

Term	Definition
Building Digital UK (BDUK)	Part of the Department for Digital, Culture, Media and Sport, is responsible for UK government public funding to support the delivery of better broadband and mobile connectivity to the UK.
Black	Black areas (or premises) are those where at least two networks of different operators exist or will be deployed in the coming three years.
Fibre to the Cabinet (FTTC)	Fibre optic cables run from the telephone exchange to a nearby street cabinet before using the existing copper telephone wires to connect the remaining distance to each premises.
Fibre to the Premises (FTTP)	This is where optical fibre is run directly to each premises, allowing for a fully future proofed internet connection. Speeds offered over FTTP are typically up to 1 gigabit per second (1,000Mbps).
Gbps	Gigabits per second.
Gigabit Capable	Gigabit download speeds of at least gigabit per second (1,000Mbps) delivered across the network as defined in Annex C.
Grey	Grey areas (or premises) are those where only one network is present or is to be deployed within the coming three years.
Mbps	Megabits per second.
National Competence Centre (NCC)	means Broadband Delivery UK (BDUK) acting in its capacity as national competence centre (NCC) with responsibilities including the central coordination of subsidy control aspects of broadband infrastructure subsidy
Next Generation Access (NGA)	Networks that have the following characteristics: (i) deliver services reliably at a very high speed per subscriber through optical (or equivalent technology) backhaul sufficiently close to user premises to guarantee the actual delivery of the very high speed; (ii) support a variety of advanced digital services including converged all-IP services; and (iii) have substantially higher upload speeds (compared to basic broadband networks). In this context NGA broadband networks must be capable of delivering access line speeds of at least 30Mbps.
Ofcom	the national regulatory authority for the telecommunication industries in the United Kingdom.
Open Market Review (OMR)	An exercise carried out with the market to determine expected private sector deployment of broadband infrastructure in order to identify those areas which have no qualifying broadband infrastructure or where there are no plans to provide such infrastructure over the next three years exists.
Ultrafast	Ultrafast download speeds of at least 300Mbps delivered across the network.
Under Review	Areas where suppliers have reported planned broadband coverage, but those plans have been judged through the OMR process as potentially being at risk of not being completed and

	will therefore be subject to continued monitoring and verification of a supplier build plans during a three year period to ensure significant progress is being made with the network deployment. In the event that a supplier's build plans fall away, any premises classified as 'under review' would be mapped as white and may therefore form part of any future proposed Intervention Area.
Unique Property Reference Number (UPRN)	A unique identifier for every spatial address in Great Britain. It provides a comprehensive, complete, and consistent identifier throughout a property's life cycle – from planning permission through to demolition.
White	White areas (or premises) are those in which there is no qualifying broadband infrastructure, and none is likely to be developed within three years.