

# **Open Market Review**

**Scottish Government  
Reaching 100% programme**

**December 2016**



**Scottish Government**  
Riaghaltas na h-Alba  
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## **Open Market Review**

### **Scottish Government Reaching 100% programme**

#### **REQUEST FOR INFORMATION**

##### **1. INTRODUCTION**

The Reaching 100% programme aims to make superfast broadband available to all premises in Scotland by 2021. It will achieve this by developing multiple strands for delivery, this OMR will help us define an intervention area for an initial investment phase in support of our 100% ambition.

##### **2. GEOGRAPHICAL SCOPE**

As described above, our area encompasses the number and distribution of premises that are defined within the supporting document - Geographic Scope: Postcodes & premises count<sup>1</sup>, which details the post codes and associated premises count in Scotland. The postcode and premises data has been sourced from AddressBase Plus, from Ordnance Survey taken at October 2016. A map of this area is shown at the foot of this document, and the geographic scope is also available in a GIS format upon request.

##### **3. PROGRESS TO DATE**

The programme builds on the superfast broadband coverage created by the two previous Digital Scotland Superfast Broadband programmes (HIE and ROS) which are both still in delivery, covering an Intervention Area of some 750,000 premises that were assessed as being outside the scope for normal commercial NGA investment through a previous open market review process in 2012.

The phase 1 contracts signed in 2013 aim to deliver at least 95% fibre broadband coverage to the Programme Area by 2017 and in line with the Scottish Government's targets, we are seeking to substantially contribute to our objective of 100% superfast coverage nationally by the end of 2021.

The Scottish Government has prioritised digital infrastructure and plans to make resources available from future budgets. We have also agreed to match the £20.9m additional public funding from the Department for Culture, Media and Sport Broadband Delivery UK

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<sup>1</sup> OMR Response template will be released to providers once the Scottish Government have received a contractor completed OSMA Standard Form Contractor Licence which can be found at the end of this document

Programme to help towards this challenge and we have secured funding to at least match this value. The total pot could include additional, substantial contributions from Scottish Government resources, Local authorities, EU funds and Local Economic Partnership. Details of these and any restrictions on their usage will be explained in our forthcoming tender documentation. It is therefore the Scottish Government's intention to procure Next Generation Access (NGA) solutions – those capable of achieving a minimum of 30 Mbps download speed - for the remaining area in scope for NGA deployment.

#### **4. PURPOSE OF THIS OMR**

Ahead of this new phase of public investment, we are now commencing an Open Market Review (OMR) to establish existing and planned (next 3 years) commercial coverage of broadband services across Scotland by all existing and any prospective, NGA broadband infrastructure providers.

This OMR is intended as a precursor to a formal public consultation document. The UK applies a best practice process that promotes the use of both an OMR and a Public Consultation, the latter being conducted in a manner consistent with the requirements of the Broadband Guidelines.<sup>2</sup> We consider that early market engagement at this stage is an essential and extremely important part of our early market research. The results of the OMR will assist us with understanding the broadband infrastructure (NGA) already in place and where there are plans for investment in such infrastructure in the coming three years and a significant step in the design of the intervention area to be targeted by the new contract.

Once we have defined these Intervention Areas from the OMR, we will be conducting a minimum one month State aid public consultation on our proposed Intervention Areas. We propose to launch our ITT in the financial year 2017/18.

#### **5. YOUR RESPONSE REQUIRED**

We are sending this OMR to all recognised broadband infrastructure and internet providers in our area. In addition, we are publishing this OMR document on our website.

We require responses by 16<sup>th</sup> January 2017 to the questions set out in Annex A. A full response template incorporating a spreadsheet of our Intervention Area premises relevant to supplier areas of coverage will be provided on request – please see below for details about how to gain access to this spreadsheet/response template. When responding, we would be grateful if you could confirm your organisation's name and address, as well as the name, position and contact details of the person responding on behalf of the organisation.

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<sup>2</sup> Community Guidelines for the application of State aid rules in relation to rapid deployment of broadband networks <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2013:025:0001:0026:EN:PDF>

## 6. ACCESS to DATA

We request responses to this OMR at individual premise level, based on reference to Unique Property Reference Numbers (UPRNs). Respondees to the OMR are asked to provide an initial list of postcodes covered by the scope of their network and a completed OSMA standard form contractor licence to [R100@gov.scot](mailto:R100@gov.scot). An extract of the OMR response template detailing specific premise addresses and related UPRNs within the relevant postcodes will be released via email once a completed OSMA Contractor Licence, which can be found at the end of this document, has been returned to [R100@gov.scot](mailto:R100@gov.scot). Please ensure that the contractor details on pages 1 and 7 (Organisation name, address, contractor witness and authorised signatory details) are completed prior to returning the licence.

Please note that the data you provide in your response will be treated as commercially confidential to the Scottish Government, albeit that it may be necessary to share some/all of your response data with our partner agencies leading work under the Scottish Government's Infrastructure Action Plan, professional advisors and/or DCMS/BDUK, Ofcom, BIS State Aid Branch and the European Commission in the course of seeking State Aid . It should also be noted that it is a State Aid requirement to utilise this information to produce State Aid maps to define white, grey and black areas for basic and NGA broadband. These maps will be published as part of the Public Consultation process and will be utilised to define the intervention area. However, please note that these published maps will be assimilated utilising data from all relevant operators and will not be directly attributed to a single source.

If you have any questions about access to data, please contact the R100 Mailbox and the query will be routed to the Scottish Government Digital Connectivity Information Management Team:  
[R100@gov.scot](mailto:R100@gov.scot)

## ANNEX A

**Please provide details and supporting evidence of any current or planned investment in broadband infrastructure (basic broadband and NGA broadband) in Scotland. In the case of planned investment, we are particularly interested in plans for the coming three years (to 2019). Beyond completion of the OMR spreadsheet template (or instead of the spreadsheet if you are not able to provide the information in the required template form), any information provided in response to this request should include but not be limited to:**

- Premises detail for basic broadband and NGA broadband showing the existing coverage and separately maps detailing the planned investment in the basic broadband and NGA infrastructure networks for at least the next three years;
- Exact detail of premises passed or covered, including information on the number of premises passed (in the case of a fixed network) or covered and able to receive services (in the case of a wireless/satellite network);
- Details of the technology and where these claim to be NGA, demonstrate how they meet the minimum standards as set-out in the BDUK Technology Guidelines<sup>3</sup>.
- Description of the services/ products currently offered and separately those to be offered within the next 3 years;
- Installation and rental tariffs for those services/products clearly identifying whether they are inclusive or exclusive of VAT;
- Upload and download speeds typically experienced by end users;
- Appropriate indicators of quality of the service e.g. contention ratio or bandwidth allocation per end user;
- Evidence to substantiate actual or planned coverage claims including business cases and evidence of available funding to enable plans to be fulfilled.
- Details and timing of roll-out for future investment; and
- Confirmation from an authorised signatory that all information provided is of suitable accuracy.

Please supplement with supporting evidence as you consider appropriate e.g. public websites.

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<sup>3</sup> <https://www.gov.uk/government/publications/2016-nbs-tech-guidelines>



[Geographic Scope: Postcodes & premises count](#)

[OSMA Standard Form Contractor Licence](#)

[Example of indicative premise level OMR response template](#)



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