

## **Kent County Council Submission**

### **Award of the 700MHz and the 3.6-3.8 GHz Spectrum Bands Ofcom Consultation - March 2019**

Kent County Council has a long-standing interest in improving the County's digital connectivity. We share Ofcom's ambition to see comprehensive mobile coverage as there are still too many issues with the geography availability and/or quality of mobile services across Kent. We also believe that, where there is adequate coverage and capacity, that this keeps pace with consumer needs.

As a result, we are supportive of the measures proposed in this consultation that could improve the coverage and quality of mobile services and welcome the opportunity to comment on the following areas:

#### **Question 1 (section 4): Do you agree with our proposals on the coverage obligations as set out in this section? Please give evidence for your views.**

We often receive feedback from concerned residents and businesses about the quality and geographic availability of mobile services across the County. As a result, we support Ofcom's proposals to use the award of the 700 MHz and 3.6-3.8 GHz spectrum bands to improve the level and quality of mobile coverage, by introducing coverage obligations.

In particular:

- We agree with Ofcom's assessment that improving mobile connectivity can deliver a range of social and economic benefits, particularly in poorly served rural areas.
- We support the proposals to introduce coverage obligations requiring each holder of a spectrum licence to deploy a minimum additional 500 new wide area macro sites and provide new coverage in areas where at least 140,000 premises are located.
- We support the proposal requiring the new wide area macro sites to be located in rural areas and welcome Ofcom's proposal to specify minimum requirements for these sites.
- We would want to ensure that any additional coverage provided under this spectrum award addresses an appropriate ratio of not-spot and partial not-spot locations.

We would also ask that Ofcom introduces safeguards to ensure that mobile services to any new housing developments and schemes are excluded from the 140,000 new premises coverage obligation to ensure that this investment benefits existing poorly-served areas.

Whilst we would have liked to see a more ambitious coverage obligation which goes beyond requiring 'the delivery of good quality 4G mobile coverage to at least 90% of the UK landmass', we recognise that this mechanism cannot fully address the coverage deficit due to the costs involved. Nevertheless, we would urge Ofcom, when

finalising these coverage obligations, to maximise the coverage improvements that can be achieved through these awards.

We are also supportive of Ofcom's position that two geographic obligations would deliver significantly more benefits than a single obligation by delivering benefits to a larger pool of consumers as the customers of the second obligated operator would also benefit.

Finally, we agree that it is important that Ofcom adopts a robust approach to measuring and monitoring the delivery of these coverage obligations. We are supportive of the proposals requiring operators to provide Ofcom with the necessary data to monitor this and believe that it is important that Ofcom undertake their own independent assessments and data collection to ensure that the operators have complied with these coverage obligation requirements.

**Question 2 (Section 5): Do you agree that we have identified the correct competition concerns?**

Yes – we agree with competition concerns identified and outlined by Ofcom.

**Question 3 (Section 5): Do you agree with our assessment of these competition concerns, and our proposed measure for addressing them?**

We share Ofcom's concerns about the impact on competition should the auction result in very asymmetric shares of spectrum amongst the mobile operators. We are therefore supportive of the proposal to introduce a 416 MHz 'safeguard cap' on overall spectrum so that no single mobile operator can hold more than 37% of the proportion of spectrum designated for mobile services.

**Question 12 (Section 10): Do you agree with the non-technical conditions that we propose to include in the licences to be issued after the award of the 700Hz and 3.6-3.8 GHz bands?**

We are supportive of the following proposals set out in the consultation, which we believe could help deliver additional coverage improvements:

- Introducing measures to make the award licences tradable;
- enabling future spectrum sharing by not guaranteeing the exclusive use of the spectrum awarded; and
- creating an option within the licences to introduce future roaming.

We are particularly supportive of measures that will encourage and enable roaming agreements between operators given that this would improve coverage in partial not-spot areas. As a result, we would like to see rural roaming offered to mobile consumers at the earliest opportunity and believe that this should be mandated by Government if satisfactory voluntary roaming agreements cannot be agreed with mobile network operators.