

Voluntary Best Practice Charter

March 2024



Introduction

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Voluntary Charter

Working with local authorities, MPs, communities, and other fibre builders, this voluntary charter is designed to ensure best practice when constructing fibre networks in Hull and surrounding areas.

The Purpose

The purpose of this voluntary charter is to show a commitment to best practice by fibre builders to provide awareness to communities and to minimise disruption.

Competition brings choice. It drives better quality of service and improved prices for consumers. To enable competition in the broadband market the Government has put in place legislation to ensure that competing providers are able to move more swiftly to establish the networks that will provide competitive offers for residents. This may cause minimal disruption for the communities affected in terms of the arrival of the poles, ducts and wires that will deliver our services.

In Hull today, there are at least four competing networks. Each has its approach to offering the services it believes will support its business model and benefit the community. In some areas, the way in which our companies operate, always within the law and governed by current telecoms regulations, means that new poles will need to be put up across our community. Occasionally new ducts will need to be dug too. And there will be more wires. We have committed to work towards sharing each other's infrastructure to limit the requirement for new poles, ducts, and wires as much as possible.

All of us operate within the rules and under the laws as they stand. This Voluntary Charter, which we have all signed up to, aims to help residents and their representatives - MPs, councillors and community organisations - better understand what we are allowed to do, how we will communicate our plans and our actions and how you can contact us more easily to check on our progress and call us to account if you believe we have done something wrong.

Under this Voluntary Charter we will ensure we follow the same best practice and make the processes we use as clear and simple as we possibly can for everyone. We also aim to make it easier for residents and their representatives to direct their complaints to the right people if you feel things have gone wrong.

The law and the telecoms regulations that support it gives the broadband network operator permission to move forward and build faster networks with care and consideration to the community. We are not required to consult on our plans and there are limits to the types of objections we must act on.

We wish to be clear on the rights residents have and the routes that can be taken, or not, to object to the new infrastructure which enables competition. Without the protection of the law, it would not be possible to raise the funds for businesses like ours to invest in new networks to deliver faster, cheaper broadband services.

Guy Miller, CEO, MS3 Networks
Tim Shaw, CEO, KCOM
Richard Cameron, CEO, Grain
Furqan Alamgir, CEO, Connexin

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"MS3, along with others, are bringing additional full fibre networks to the city, we believe a voluntary charter that is adopted by all will show a real commitment to best practice."

**Guy Miller, CEO
MS3 Networks**

01

Mandatory Requirements



Example signage template:

PUBLICITY FOR PROPOSED TELECOMMUNICATIONS DEVELOPMENT

Town and Country Planning (General Permitted Development) Order 2016 (amended) (England) and The Electronic Communications Code (conditions and restrictions) Regulations 2003 (as amended).

Proposed Installation consisting of a telegraph pole located in this vicinity.

[Fibre Telecoms Provider Name] hereby gives notice that it is intending to notify the Local Authority Planning Department of the intention to install a pole(s) pursuant to the Town and Country Planning (General Permitted Development) Order 2016 (amended) (England) and the Electronic Communications Code (conditions and restrictions) Regulations 2003 (as amended).

Contact in respect of this notice should be directed to:

[Fibre Telecoms Business Name]
[Address]
[Email Address]

+ Signage

Signage displayed in prominent locations. This may include lamp posts, safety barriers or similar in visible locations around the build area.

+ Health & Safety

All build works to be conducted within standard, and consistent with the safety conditions under NRSWA 1991.

“KCOM is dedicated to the delivery of full fibre connectivity for all residents, building a network that is fit to face future demands and the responsibility we all share for undertaking the building of networks in an ethical manner that gives local residents a voice.”

**Tim Shaw, CEO
KCOM**

02

Stakeholder Engagement



- Early engagement with key local authority stakeholders is paramount to ensuring a positive collaboration.
- Prior to building, companies agree to communicate with affected residents, the Local Authority, local councillors, and local MP's, enabling all to answer any queries or concerns they may have.
- Build companies commit to the communicating of build plans with residents and stakeholders and build method. Be this underground fibre, the deployment of poles or the sharing of existing infrastructure. Along with the sharing of any build issues that may cause concern.
- Provide contact details of named personnel within the build partners business, to key stakeholders within the Local Authority, and MPs to ensure quick response rates are provided.



"Grain is bringing a low-cost full fibre network to residents in Hull, bringing real choice to the city. We are working to do so in a way which limits the impact on local residents during the construction phase."

**Richard Cameron, CEO
Grain**

03

Community and Residents Engagement



WE AGREED TO:

A highlighted focus on sharing information with communities and Local Authorities in advance of build works.

Communications would include, proposed build dates, duration of build and build methodology, be this the laying of underground fibre, the placing of poles or the sharing of other infrastructure (PIA).

Visible branding on street safety barriers, and workwear where reasonably possible (branded workwear is at the discretion of the build partner) to additionally inform residents of the build, along with permit information and contact details of the build partner displayed on street furniture.

Additional support for residents with mobility concerns who contact the build partner to bring this to their attention. This is to ensure access to their properties is not compromised in any way.

Community led initiatives, covering events and similar to raise additional awareness that fibre builds are taking place.

Conduct leaflet drops as works commence giving residents clear details on intended works, including dates of works and estimated duration, along with build partner contact details allowing them to raise any concerns they may have.

Dedicated pre, during, and post build customer service teams to support residents with any queries they may have regarding the build process.

“Hull needs faster broadband at fairer prices with minimal disruption. We are happy to support this charter to champion and drive infrastructure sharing to minimise duplication of networks across Hull and the East Riding of Yorkshire.”

**Furqan Alamgir, CEO
Connexin**

It's recognised that each fibre builder will have its own individual community engagement plan, however the objective remains the same and that is to raise awareness and enhance communication between the operator and the public.

It is accepted that at time to time, announced build schedules may need to be changed. This could be down to adverse weather, or emergency works being undertaken by utility companies. Build partners will do their utmost to communicate any changes to those affected where is reasonably practical.

04 Integrity



+ Trust

In order for this voluntary charter to succeed, it's essential that an element of trust is shared between all parties.

+ Confidentiality

Due to commercial articles being discussed, all parties to hold any data shared in confidence.

+ Communication

Regular communication is essential to guarantee the success of this voluntary charter.

+ Responsibility

Each party holds responsibility in the implementation and on-going impact this charter will hold.

+ Transparency

Openness and accountability will be key to avoid any potential future concerns for all involved parties.

+ Commitment

Build partners are committed to this charter and to prioritising the interests of residents.



05

FAQs



Here are some of the Frequently Asked Questions and Answers to provide background to each network's approach to developing its infrastructure.

Approach by each business to Network Build and Management in Hull and the East Riding of Yorkshire.

Q. Does each of the four signatories have similar / overlapping plans for new network infrastructure?

A. Each network has its own business model and therefore its own way of delivering its services. Grain focuses on serving higher and lower density areas of housing and business premises across the community and only uses underground ducting as its method of distribution. KCOM has an established network of ducts and poles reaching most of Hull and communities in the East Riding of Yorkshire. Connexin and MS3 are serving both higher and lower density areas of housing and business premises across the community so use a mix of ducting and poles. Where they are unable to share infrastructure owned by KCOM, or Openreach, MS3 and Connexin will erect new poles, or dig new ducts, as long as they don't interfere with any other underground utilities already in place.

Q. Do the companies have to consult the communities where they plan to build?

A. Current legislation, aimed at speeding up the delivery of broadband competition, means that there is no obligation to consult with communities on build plans. Each operator works closely with the planning and environment departments, who provide permits to build, but these are approved based on safety and access considerations. There is no statutory consultation process. Once a permit is approved by the local authority the company has 28 days to complete the work, or it must re-apply.

Q. Are all operators genuinely working to share infrastructure?

A. Yes, this charter is underpinned by the parties' commitment to develop specific processes and methods under which infrastructure sharing will genuinely happen in a reasonable timeframe. As of January 2024, this development work is underway.

The Law and the Telecommunications Code

Q. What does permitted development mean?

A. In the context of broadband network development, permitted development means that each network has been given the right, under telecommunications legislation, to build and maintain its network without having to gain planning permission. This also means that there is no requirement to consult the communities where the build activity is to take place.

Q. Can I appeal/object to a pole, duct, or cabinet location?

A. While operators do have the right to place a pole pretty much anywhere, on public land, they do have to prove that there is a true need for the pole and that it is in the best location to fulfil its purpose.

Operators have specific duties and obligations which they must adhere to when deploying apparatus, such as the avoidance of other utilities and placing the pole in a location which avoids - as much as possible - the interruption of views from a property. For example, if a pole is to be placed in front of two adjacent properties, it should be placed vertically at the boundary between the two.

There are also specific provisions in Part 12 of the Electronic Communications Code, which include rights for individuals to object to and seek the removal of certain apparatus.

Paragraph 77 gives a person the ability to object to a pole installed on neighboring land, where the apparatus is of a height of 3 metres or more, where they are an occupier of or have an interest in that land and their enjoyment of or interest in the land is capable of being prejudiced by the apparatus - subject to certain conditions. Paragraphs 78 to 81 set out the process for raising an objection - which involves taking an operator to court - and the factors which the court will consider, when deciding whether the apparatus should be altered, or removed.

Q. Is there a code of practice on siting and installing telecoms network infrastructure?

A. Yes. There is a nationally agreed code, which covers best practice for the siting of cabinets and poles. You can find a copy here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/692124/Revised_Cabinet_and_Pole_Siting_COP_Nov_16.pdf

Communication of Network Build Plans

Q. How do you work with local authorities on your build plans?

A. While the operators are not required to seek planning permission, or consult on the installation of network infrastructure, they do work closely with each of the local authorities in the region to support coordination of street works and to ensure that permits are approved for any build activities in a timely manner. They will work closely with and seek guidance from local authority conservation officers to ensure that conservation areas, listed

buildings, and trees in close proximity to any infrastructure are not affected by their network build activity.

Q. What communications do you provide to enable residents to know that activity is going to be carried out in their area?

A. When entering a new area, each operator commits to contact each local authority directly, and via the relevant ward councillor. They will also notify the office of the relevant MP, so that all are prepared for any questions, concerns, or complaints about the upcoming network build activity.

When build activity has been approved by the local authority, signage is displayed in prominent locations near to where the activity will take place. This is normally on the closest lamp post, or street furniture, such as a safety barrier, in a visible location close to the build area.

Q. Are you obliged to communicate with affected residents?

A. Before a pole is installed, each company has committed to communicate with affected residents. This normally means a letter delivered to each household expected to be in close proximity to the pole, or underground infrastructure work.

Q. Do you hold advance meetings in the communities to brief them on your plans?

A. Each community is different and so are the build plans. We work closely with community representatives to agree on the best course of action. We are not obliged to consult but, in some instances, we do find it best to hold public events to help the community understand the extent of our plans and where, when, and how work will take place.

Q. What specific warning do you have to give before work takes place?

A. Network operators are required to apply for a permit for each pole location before work can begin. This is to ensure that the local authority is able to monitor progress and ensure that other utilities and utility works do not conflict with the plans set out by each operator. Once a permit is approved operators must place warning signage close to the location for the pole they are planning to erect. They must also give advance warning to the residents of any properties directly affected by the installation. Each communication must provide contacts for anyone wishing to inquire, complain, or object to the installation of the pole at that specific location.

Q. How do I contact an operator to inquire, complain, or object about your plans, or about a specific pole location?

A. Contacts for each of the four operators who are signatories to this Voluntary Charter are included at the end of this document. Each issue is reviewed by the business concerned with a commitment to respond within a specific time period.

Working Practices

Q. How do I know you will work in a safe way for me, my family, and my property?

A. All building works are carried out within clear safety standards governed under the Department of Transport national code of practice for the management and coordination of street works. The operators work closely with the local authority concerned to ensure that work is coordinated. Each operator is responsible for ensuring that all work carried out by its own teams, or its contractors, fully complies with health and safety regulations.

06

Execution



WE AGREE TO:

Priorities the health and safety of the public and employees at all times. Including, but not exclusive to, the use of safety barriers at build locations.

Commit to excellent communication with all key stakeholders and provide email and telephone details, along with relevant company contacts, to discuss any concerns surrounding build plans.

Adopt a best in industry, community & corporate engagement initiative, over & above those that are mandatory permit conditions.

Act with the upmost integrity at all times towards stakeholders and each other.

Commit to the voluntary charter to allow Hull, The East Riding Of Yorkshire, and any other build area Local Authorities to lead on best practice.

Leave all build areas in a good state of repair post build and in line with the Specification For The Reinstatement Of Openings In Highways (SROH).

Reference to SROH can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/977196/specification-for-the-reinstatement-of-openings-in-highways-fourth-edition.pdf

Be considerate if access to residents' properties could be hindered during the deployment of poles, or in laying underground fibre, and to ensure effected residents are engaged with prior to the build schedule to allow the resident to make provisions for this.

That poles, or underground works, will not encroach on residents' private land unless a clear explanation is given for this, and prior permission is granted from the resident to the

build partner. All build partners work within the Code Of Practice relating to Electronic Communication Code and the Electronic Communication Code (conditions and restrictions) Regulations 2003 and Part 16 of the schedule 2 to the Town and Country (General Permitted development) (England) Order 2015 (GDPO).

Actively engage with residents with mobility concerns and consider occasional re-designs.

Promote the use of sharing infrastructure (a form of PIA), where commercially viable, to reduce any potential build disruption to residents.

Accept that in order for this charter to succeed, it will require all fibre network build companies to commit to it.

Operator Contacts:

Contacts at each operator for build enquiries, complaints, or objections:

MS3 Networks: community-engagement@ms-3.co.uk

Connexin: build-enquiries@connexin.co.uk

KCOM: buildenquiries@kcom.com

Grain: streetworks@grainconnect.com

The following hereby pledge that they will, in all regards, work within the parameters of the Telecommunications Voluntary Charter and communicate, in good faith, with all fibre builders in each area in order to undertake best practice when it comes to undertaking works:

Guy Miller, CEO, MS3 Networks

Tim Shaw, CEO, KCOM

Richard Cameron, CEO, Grain

Furqan Alamgir, CEO, Connexin