Public Review Superfast and Gigabit Broadband Infrastructure in Scotland

Request for Information (RFI)

Scottish Government
Riaghaltas na h-Alba

Contents

1. Introduction and Background

The Scottish Government wants Scotland to be a fully digitally inclusive nation in which our digital and data infrastructure is recognised as critical national infrastructure and the benefits of technology are available to everyone.

Scotland's Infrastructure Investment Plan adopts a wide, encompassing definition of infrastructure. It extends beyond the fibre, masts and small cells needed to meet our connectivity needs, to encompass digital platforms, online public services and data architecture. Future capital investment decisions will be driven by this understanding of the role that data and digital play in ensuring the economic and societal resilience of all our communities and our ability to trade with the world. They will also support our transition to a net zero society by enabling us to replace unnecessary journeys and make more efficient, environmentally friendly use of the more traditional infrastructure of transport and buildings.

Over £1 billion of public funding has already been invested to transform Scotland's digital connectivity via our Digital Scotland Superfast Broadband Programme and our ongoing Scottish 4G Infill and Reaching 100% (**R100**) programmes.

In March 2021, the UK Government announced an ambition to deliver nationwide gigabit-capable broadband as soon as possible, recognising that there is a need for government intervention in the parts of the country that are not commercially viable. They have committed a total of £5bn to ensure 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[1], with an initial intervention of £1.2bn targeting at least 85% gigabit coverage of the UK by 2025.

The Scottish Government works closely with suppliers delivering broadband infrastructure and regularly receives updates on delivered and planned build at individual property (premises) level. Suppliers submit data returns on a four-monthly basis (February, June and October). The purpose of this rolling Open Market Review (**OMR**) is to ensure that we have the most up to date information about suppliers' existing and planned build over the next 3-year period.

Our February 2022 OMR was updated to include the collection of ultrafast[2] and gigabit-capable broadband infrastructure, where previously it focussed only on superfast.

This Public Review (**PR**) is being launched using supplier data collected up to and including the October 2022 OMR.

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[1] Project Gigabit - Programme Information
[2] Ultrafast is defined as at least 300 Mbps download and 60 Mbps upload

The PR process aims to validate the outcome of the OMR and our 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 government investment. Data collected from this PR will be used to inform eligibility for possible future procurements via Project Gigabit and support the development of other potential public interventions. It may also be used to determine eligibility for the current UK-wide GigaHubs and Gigabit Voucher programmes.

In line with our OMR process, we are also gathering information on superfast and ultrafast broadband infrastructure to inform Policy and our ongoing programmes, including the R100 Programme.

Highlands and Islands Enterprise (**HIE**) is currently carrying out a Project Gigabit procurement on behalf of the Inverness and Highland City Region Deal (**IHCRD**). Until such times as the HIE procurement concludes, we will not classify, evaluate or consider those premises within the IHCRD procurement area from a gigabit perspective. Further information on the IHCRD is available on the HIE website[3].

We invite stakeholders (including the public, businesses, internet service providers and broadband infrastructure operators) to provide us with feedback about the proposed eligible area for government investment set out in this document.

Suppliers who missed contributing to the preceding OMR, had no definitive plans and/or evidence base on which to substantiate claims at that earlier stage, or have subsequently updated their plans, now have a final opportunity to notify the Scottish Government before a Subsidy Control classification is defined for each property in Scotland (outwith the IHCRD area). The premises identified by the Scottish Government as eligible for future publicly funded interventions may be grouped into one or more appropriately sized Intervention Areas (**IAs**). The IAs will be issued to the market so that suppliers can bid for funding to support delivery to those areas.

2. **Key eligibility requirements for subsidy**

This section should be read in conjunction with Project Gigabit UK subsidy advice[4].

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

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[3] HIE IHCRD Gigabit Procurement
[4] Project Gigabit: UK Subsidy Advice

- **White** - indicates premises with no gigabit network infrastructure and none is likely to be developed within 3 years. Annex C provides information on the technology 'qualifying' as gigabit capable
- **Black** - indicates premises with two or more qualifying gigabit infrastructures from different suppliers being available, or will be deployed within the coming 3 years
- **Grey** - indicates premises with a single qualifying gigabit infrastructure from a single supplier is available, or is to be deployed within the coming 3 years
- **Under Review** - indicates premises where suppliers have reported current or planned commercial broadband coverage, but where claimed current gigabit coverage has not been verified, or, in respect of planned build, where evaluators are confident that gigabit infrastructure will be delivered, but some risks to delivery remain, or there are some gaps in evidence

Premises categorised as Under Review will be subject to continued monitoring and verification of supplier plans within the three-year period by the Scottish Government. We may request commitment 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 the proposed IA and so eligible for intervention via this aid measure. We request that suppliers inform us regarding all plans, including plans beyond the initial three-year period.

The Scottish Government classifies premises on the basis of their existing or planned broadband infrastructure, as set out in Annexes B and C. The OMR and PR data analysis of supplier's broadband coverage claims is undertaken at Unique Property Reference Number (**UPRN**) or premises level.

Once the PR has closed, if additional information or clarifications are required, we will raise Clarification Questions with suppliers before deciding on a classification.

Treatment Of vouchers data – Scottish Broadband Voucher Scheme and Gigabit Voucher Schemes

Coverage claims received from suppliers using vouchers funding will be evaluated in accordance with the Subsidy Control evaluation process. This means that suppliers' claims will be assessed against the technology solution being gigabit-capable for existing infrastructure.

Typically, vouchers premises will be categorised as follows:

- Projects, or before voucher is issued - White
- Voucher issued - Under Review
- Voucher claimed - Grey

In the case of the Scottish Broadband Voucher Scheme, the above only applies where a gigabit-capable solution is provided.

Further information on the Subsidy Control evaluation process, including treatment of other publicly-funded intervention data can be found within the Open Market Review and Public Review Subsidy Control Classification Guidance[5]. Other intervention data includes, but is not limited to:

- Scottish Broadband Voucher Scheme (**SBVS**)
- Gigabit Broadband Voucher Scheme (**GBVS**), including top-ups
- Digital Scotland Superfast Broadband Programme (**DSSB**)
- Digital Scotland Reaching 100% Programme (**R100**)
- Gigabit Infrastructure Subsidy (**GIS**)
- Local Full Fibre Networks Programme (**LFFN**)
- Rural Gigabit Connectivity (**RGC**) programme
- GigaHubs
- Other publicly-funded broadband infrastructure projects

3. Outcome of the Open Market Review (OMR) – Scotland

This Public Review is being launched using supplier data collected through the Scottish Government's Rolling Open Market Review (**OMR**), updated in February 2022 to include Gigabit infrastructure coverage[6]. The most recent rolling OMR data is from October 2022.

The OMR indicated that commercial coverage for gigabit-capable broadband would reach approximately **1,642,928** premises (classified Black or Grey) and would therefore leave the remaining **1,281,434** (classified under review or White) premises without access to gigabit-capable broadband. These figures cover all of Scotland with the exception of the IHCRD procurement area referred to above and in terms of gigabit capability.

Note that following changes to the UK Government Subsidy Control advice since our February 2022 OMR, our treatment of data will be amended in line with that advice for gigabit assessment under this PR.

The outcome of the OMR is shown within the map (**Annex D**) and associated postcode list published alongside this document and shows the Subsidy classifications determined for each postcode within Scotland (apart from the IHCRD procurement area). Supplier data submitted during the OMR has been incorporated into the OMR outputs using a methodology that protects commercially sensitive supplier data.

For presentational purposes only, postcodes have been used when mapping the proposed eligible areas for this Public Review (note we will only subsidise build to premises which have been designated as White - postcodes are not used to determine intervention areas for subsidy).

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[5] OMR & PR Subsidy Control Classification Guidance
[6] Superfast & Gigabit Broadband Infrastructure in Scotland OMR

For the purpose of mapping only, postcodes have been classified as follows:

1. A postcode is White if any 'White' premises are present; else
2. A postcode is Under Review if any 'Under Review' premises are present; else
3. A postcode is Black if all premises in the postcode are classified 'Black'; else
4. A postcode is Grey if all premises are 'Grey' or there is a mixture of 'Grey' and 'Black' premises

The outcome of the OMR is summarised in terms of 'White', 'Grey', 'Black' and 'Under Review' postcodes and premises in the table below.

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
White	46,684	20,374	205,173	207,325	447,170
Under Review	49,699	31,564	243,418	626,939	0
Grey	47,219	115,204	835,615	0	0
Black	11,058	191,580	0	0	0
Total	154,660	358,722	1,284,206	834,264	447,170

Reminder: Figures above are for the whole of Scotland, apart from the IHCRD procurement area.
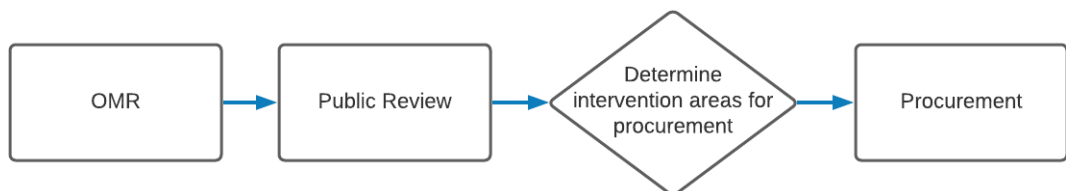
It is possible to provide Suppliers (upon request and subject to the relevant data sharing agreements being in place) a UPRN list, showing the Premises which have been designated as 'White' & 'Under Review' following the OMR. Please contact gigabitomr@gov.scot to request this information.

4. Purpose of this Public Review Request For Information

This PR 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.

As part of this PR, we will request and then evaluate any further responses in order to validate the eligibility of the premises for public subsidy. During the evaluation exercise, we may engage with suppliers further to discuss and confirm their coverage claims. Following this, we will be able to determine the premises to be included in procurements.

This PR will take place over the period of at least one calendar month, and once concluded will confirm the eligibility of premises for potential future procurements. The full details of any such procurements will follow the conclusion of this Public Review.

All meaningful responses to the PR will be carefully considered and where necessary, used to determine eligible premises. The final eligible area maps and a summary report confirming details of the changes will be published on the Scottish Government website after the close of the review period. The finalised eligible premises and proposed IA(s) will then be submitted to the UK Government's National Competence Centre (**NCC**) for approval against the UK Subsidy Control Regime. The responses and output from the PR will therefore help us gain further confidence that any proposed 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. Data collected from the PR may be used to inform other publicly-funded programmes, including the Reaching 100% Programme, GigaHubs and UK Gigabit Voucher eligibility as well as support the development of other potential publicly-funded interventions. Supplier submissions may be used to inform eligibility across Project Gigabit[7].

5. In-scope Area

Note that the in-scope area for this PR covers all of Scotland. As explained above, we will not classify premises within the IHCRD procurement area until

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[7] UK Government - Project Gigabit Information

that procurement has concluded. A very small number of premises within Scotland have already been included in the scope of neighbouring procurement areas in England and this overlap will be accounted for. Suppliers should also note that the specific in-scope area boundaries (and IAs) may flex during the OMR, PR and Pre-Procurement Market Engagement processes to enable an optimum procurement to be put to the market. Where this occurs, we will ensure that it is communicated in a transparent manner in order to remain consistent with the principles of the Gigabit Infrastructure Scheme. Therefore if you have existing network coverage, or plan to build infrastructure in neighbouring areas, then please provide details in your response to this PR.

Please refer to the postcode map in Annex D for a visualisation of the boundary for this PR.

6. Procurement and Commercial Approach

The Scottish Government in collaboration with the UK Government has undertaken early market engagement in relation to procurement for potential 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.

Any future procurements led by the Scottish Government will be carried out in accordance with the Public Contracts (Scotland) Regulations 2015 (PCSR 2015). Scottish Government procurement approaches are designed to address the scale of the individual procurements. Any such procurements will be conducted in a transparent and non-discriminatory manner.

Potential forthcoming procurement - Scotland

The Scottish Government is committed to working collaboratively with the UK Government to ensure an appropriate amount of public funding is available for Project Gigabit in Scotland, based on the final number of premises requiring subsidy for a defined area or areas, at the procurement stage.

The budget for any future procurements will be specified within the relevant Invitation to Tender (ITT) documentation, following the PR. Details of any restrictions on the use of public subsidy will be explained in the tender documentation. It is the intention to procure gigabit-capable solutions – capable of achieving a minimum of 1Gbps download speed - to the majority of premises identified as in scope for subsidy. Note that the final list of premises in scope for subsidy will be issued with the ITT and is not finalised at this stage. Final IA's may be a subset of the premises classified as White in the subsidy assessment and will be subject to overlays, including other active/planned publicly-funded interventions (e.g. the Reaching 100% Programme).

Once the review is closed and we have finalised the IA, it is anticipated that the first ITT in a likely series of ITTs will be issued within approximately 6 months via an appropriate procurement portal, for suppliers to bid for the opportunity to deliver extended gigabit-capable broadband coverage.

7. Participating / Responding to this Public Review

The Scottish Government's goal is to ensure the parts of the country that need public investment are accurately targeted. Each contributor to this PR will help to optimise the use of public subsidy in helping to provide faster and better connectivity across all parts of Scotland.

Please respond if you have information to contribute to this data validation process or can provide your views about the accuracy of data and mapped areas by reporting where premises have existing or planned gigabit-capable broadband coverage. If you are a supplier and did not respond to the recent rolling OMR and have existing or planned network coverage, please submit your plans so that public subsidy can be targeted more accurately and over-building commercial infrastructure can be avoided. Where suppliers have credible plans that extend beyond the three-year horizon then these should be included in your submission. All planned build should be supported with detailed evidence as set out in the Submission Requirements section of this RFI.

Please note that the information you provide in your response will be treated as confidential, albeit that it may be necessary to share some/all of your response with our professional advisors and/or UK Government agencies, Ofcom and UK Government Subsidy Control team.

Responses from residents, businesses and other stakeholders

For residents and businesses, responses should relate to whether you have, or expect to have gigabit-capable broadband service coverage in the next three years (and beyond). Any information provided in response to this PR should as a minimum include (but need not be limited to) the UPRN, or the area (i.e. Postcode) that the submission relates to and the nature of the concern.

For all submissions, we would be grateful if you could confirm the following:

- Your organisation's name (if applicable)
- Your organisation, or residential address (if applicable)
- Your name
- Position
- Contact telephone number
- Email Address

Members of the public and other respondents should follow the above format and email their submissions to gigabitomr@gov.scot

Responses from suppliers

The Scottish Government requests information and supporting evidence from suppliers in relation to the presence of broadband infrastructure within the project area. We wish to hear from all internet service providers and broadband infrastructure operators - particularly in relation to the proposed mapped eligible areas shown with the Annex D map and associated postcode list.

Please tell us about your:

- Broadband infrastructure - existing;
- Plans for developing / improving broadband infrastructure;
- Interest in bidding for projects and capability to scale.

For suppliers wishing to provide a coverage response to this PR please see the below sections, 'Making a Data Response' and 'Submission Requirements'.

Specific feedback on the procurement approaches can be supplied to the procurement team via gigabitomr@gov.scot where you may, for example, want to tell us separately about your capacity to make a bid.

8. **Making a Data Response**

Please provide information at premises (**UPRN**) level on any of your current or planned investment in broadband infrastructure in Scotland using the templates issued.

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

- Sign the Public Sector Geospatial Agreement (**PSGA**) Contractor Licence Agreement, which will be required before downloading the data. Please return this, as soon as possible to gigabitomr@gov.scot. If you have already signed a PSGA agreement with us through previous OMRs/PRs, there is no need to send this through again.
- Once you have done this, we will provide you with a link to our secure file transfer portal where you will be able to download the response templates.
- You may seek clarification, on making a data response, at any time during the PR period. Please send these questions to us at gigabitomr@gov.scot.

- You should make your data submission to us via the secure file transfer portal. Please upload the data response template and any further supporting evidence you feel you should send.
- Please do not assume that we will use a previous submission for this RFI. If you wish for a previous submission to be treated as your return for this RFI, you must confirm this.
- Please include all current and planned premises coverage, including premises that are outside of the geographic areas, and/or outside of the premises base provided in the template files in Annex A.
- Please include any existing or planned infrastructure you have gained with assistance from Government subsidy for example, Vouchers, Superfast (NBS 2012 or NBS 2016) GIS and GigaHubs (Local Full Fibre Networks and Rural Gigabit Connectivity Programmes).

Please note that the data you provide in your response will be treated as commercially confidential, albeit that it may be necessary to share some/all of your response data with our professional advisors, UK Government agencies, Ofcom and UK Government Subsidy Control.

Please ensure that you engage with us as soon as possible to confirm whether you would require us to put in place a non-disclosure agreement (**NDA**) enabling us to share data between each other as part of this PR process. (If you have already signed an NDA with Scottish Government through previous OMR's/PR's, this is not required again).

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 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 PR and once approved by the National Competence Centre.

If you have any questions about any of the above, please contact gigabitomr@gov.scot

9. **Submission Requirements**

Responses to this PR RFI must include the following:

1. A data submission that should cover your current and planned premises coverage (i.e. premises served by your network, or planned to be served by your network) at UPRN level as per the format outlined in Annex A:
   - Please include all current and planned premises coverage, including premises that are outside of the geographic areas, and/or outside of the premises base provided in the template files.

- Please include any existing or planned infrastructure you have gained with assistance from public subsidy for example Vouchers, Superfast (including DSSB), R100, Gigahubs or GIS etc.
- Additional guidance can be provided to suppliers if required, please contact gigabitomr@gov.scot for support.
2. An up to date Supporting Evidence Pack.
3. We would also like to hear from operators 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.

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.

Evidence to demonstrate how planned investments are credible

There are three essential areas against which we will evaluate to ensure overall credibility of your planned investment. Our assessment will be based on the suite of evidence you provide in the Annex B: Supporting Evidence Pack and will include:

technology - whether the technology you have deployed and intend to deploy is gigabit-capable and meets the technical criteria as outlined in Annex C: Technical definition;

deliverability - 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;

commercial/financial viability - whether you have credible 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 these elements to support a joined-up evaluation of your responses.

In assessing whether planned investments are credible, we 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, evidence of adequate financing, consideration of risk 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 repayment terms, KPIs, expected ROI, dependency on public subsidy such as vouchers or other subsidy 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.

Further information is included in Annex B and the Supporting Evidence Pack.

If your future network plans are entirely reliant on public subsidy/interventions (e.g. Vouchers) it may not be necessary to provide a complete set of supporting evidence alongside your data submission. As set out within the Subsidy Control classification guidance[8], planned voucher build will be classified as 'White' unless a voucher has been 'issued' or 'claimed' in which case it will be classified as 'Under Review' and 'Grey' respectively. Classification of voucher build will be based on Building Digital UK[9] (**BDUK**) supplied data of GBVS voucher status and Scottish Government held data for SBVS.

In all cases please do provide us with a full data submission.

10. **Date for Return**

Please submit responses to this PR by the closing date of 5pm Monday 24th April 2023. The Scottish Government plans to publish the final maps showing the finalised IA's, following the close of the assessment and evaluation period.

This will be followed by the launch of the ITT to suppliers, enabling them to bid for the opportunity to fulfil a new contract/s to deliver extended coverage.

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[8] OMR & PR Subsidy Control Classification Guidance
[9] Note that following a recent Machinery of Government change, BDUK has moved from the Department of Culture, Media and Sport to the Department for Science, Innovation and Technology.

Annex A: Data Submission Format

Introduction
The Scottish Government requires certain fields of data for each pertinent Scottish 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 our 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 gigabitomr@gov.scot

UPRN List Files
We have supplied a blank template showing the UPRNs across Scotland that we consider relevant to the OMR/PR process. The purpose of providing this information to you is to present the UPRNs that we recognise and the format of the submission you should provide to us. Your response does not need to align with this baseline however any premises in your submission which do not align to will be filtered out in analysis. If you are likely to re-use your submission for future OMR/PRs we would actively encourage you not to align with our baseline as it may change over time.

These UPRNs have been sourced from Address Base Premium Epoch 98, from Ordnance Survey published 6th January 2023 using the following high level logic:

- Addressbase_postal must be 'D', 'C' or' L' values. 'N' records, not a postal address, are excluded.
- Country has to be 'S', explicitly Scottish addresses, or 'J' where premises is outwith the Scottish mean high-water mark.
- Address is in AddressBase Plus, i.e. not historic.
- Address is not a PO Box.
- Address has an eligible classification.
- Address is not an OR04/Custodian code 7655 premises i.e. only accept addresses that originate from a Local Authority, rather than records inserted by Geoplace that reproduce unmatched Royal Mail records.

Even though we are, at this stage, specifically focussing on data for the area listed above, for the purposes of our broadband planning we would be grateful for your full broadband plans, including premises that are outside of these geographic areas, and/or outside of the premises base provided in the template files.

Please do not pre-filter your data based on the template files, instead please provide us with your entire UPRN dataset.

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.

Please note that final UPRN datasets generated during intervention area design and issued as part of the invitation to tender for procurements are further filtered, and

deprioritised where necessary subject to factors such as UPRN proximity, type and location.

Explanation of Required Fields

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

Field Name	Description	Format
strUPRN	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
UPRN	The unique property reference number	Number
Address	Comma delimited single line address eg 1, Acacia Avenue, Anytown	Text
Postcode	Standard postcode	Text
Easting	(x coordinate) in British National Grid	Number
Northing	(y coordinate) in British National Grid	Number
Longitude	Longitude in the decimal degree format	Number
Latitude	Latitude in the decimal degree format	Number

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

Field Name	Description	Format
Current Technology	Complete this field for UPRNs which are Ready for Service (**RFS**) only. The technology you use for supplying that particular premises, examples of this could be ADSL, FTTP, FTTC etc Applicable to UPRNs with current service only from your own infrastructure.	Text
Current Maximum Download Speed (Mbps)	Complete this field for all UPRNs with Current Technology. Available maximum download speed at premise level that you are able to supply to the property.	Number
Current Maximum Upload Speed (Mbps)	Complete this field for all UPRNs with Current Technology. Available maximum upload speed at premise level that you are able to supply to the property.	Number
Future Technology	Complete this field for UPRNs that you plan to connect and/or upgrade only. The technology you intend to use for supplying that particular premises, examples of this could be FTTP, FTTC etc Applicable to UPRNs you plan to connect/upgrade in the next 3 years.	Text
Future Maximum Download Speed (Mbps)	Complete this field for all UPRNs with Future Technology. The maximum proposed download speed that you intend to be able to supply to this property under a future build plan.	Number
Future Maximum Upload Speed (Mbps)	Complete this field for all UPRNs with Future Technology. The maximum proposed upload speed that you intend to be able to supply to this property under a future build plan.	Number

Date of Future Rollout	Complete this field for all UPRNs with Future Technology. This should be the RFS 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.	Date - DD/MM/YYYY
Notes	This column can be used to record any additional information deemed useful by the supplier.	Free form text
Delivery Phase	The planned phase for any future rollout which each UPRN shall form part of, e.g. Phase 1/Phase 2 etc, in line with your deployment plan and supporting evidence. (Complete this field for all UPRNs with 'Future_Technology') These phases should align to your Calendar Deployment Plan and should correlate and be consistent with the information contained in your Supporting Evidence Pack. 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 and the subsequent activities/timeframes to achieve RFS.	Text
Design Stage	Complete this field for all UPRNs with Current Technology or Future Technology. The current phase of your future coverage such as: **'1. Awaiting HLD'** - High Level Design (HLD) has not yet been completed.	Text

	'2. HLD complete' - HLD/area level plan has been completed. However, Low Level Design (LLD) work has not yet been completed or is in progress. **'3. LLD complete'** - 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. **'4. Build team appointed'** - 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. **'5. In build'** - Network build is in progress, however premises are not yet able to take up a service. **'6. RFS'** - Network build and end-to-end testing is complete and premises are Ready for Service (RFS) ie RSPs are able to offer products or services to the individual premises **Note**: If you are intending to use different descriptions to those above, or if you have different interpretations of the above categories, please include full explanations of each field entry in your supporting evidence submission to accompany this data submission.	
Funding Stage	Complete this field for all UPRNs with Future Technology. 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	Text

	our 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: **'1. No funding planned or committed'** - 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. **'2. Funding planned, but not committed'** - 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. **'3. Funding committed'** - 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 Supporting Evidence Pack.	
Public Intervention	Complete this field for all UPRNs with Current Technology or Future Technology. Please define if coverage has been or is planned to be connected using a public intervention. 'Yes' will be marked when a premises is dependent on funding from Vouchers (GBVS and SBVS), Gigahubs, Superfast (DSSB and R100), LFFN ,RGC or Gigabit Infrastructure Subsidy (GIS) Programmes, or when an existing service was built with funding from one of those Programmes. Other public interventions (such as Local Authority schemes) should also be acknowledged and marked as a	Yes/No

	'Yes' here. Further explanation should be provided in your Supporting Evidence Pack. An entry of 'No' would indicate that the premises is planned to be built, or already has been built, entirely through commercial funding with no dependency on public intervention. Evidence of this funding should be provided in your supporting evidence. Please also note that where you have indicated that a UPRN is entirely dependent on public intervention by providing a 'Yes' in the 'Public Intervention' column within your data coverage response, our approach is to provide a default 'Gigabit White' determination and to supersede this determination with intervention data as described in the OMR/PR - Subsidy Control Classification Guidance[10].	

Extra 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.

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[10] OMR & PR Subsidy Control Classification Guidance

Annex B: Supporting Evidence

In order to substantiate your existing and planned commercial coverage we require a complete and up to date supporting evidence pack alongside your submission.

There are three essential areas against which we will evaluate to ensure overall credibility of your planned investment;

> **technology** - whether the technology you have deployed and intend to deploy is gigabit-capable and meets the technical criteria as outlined in Annex C: Technical definition;

> **deliverability** - 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;

> **commercial/financial viability** - whether you have credible commercial plans such as sufficient access to capital and whether the drawdown of your funds aligns with your deployment plan and build programme.

Please note - we do not expect you to produce additional tailored material to support your response. We believe you should have sufficient documentation readily available that can enable us to make a determination of credibility. Suppliers should provide supporting evidence in two ways;

1. A completed supporting evidence pack (template provided) containing responses to each evidence request. Your responses may refer us directly to supplementary documentation (described below).
2. Supplementary documentation to substantiate your coverage claims such as network diagrams, business plan, deployment plans etc.

The supporting evidence you provide should correlate with your data coverage submission (Annex A).

An area to store supporting documentation, alongside your supporting evidence pack, will be provided within the Scottish Government secure file portal when making your submission. Please contact gigabitomr@gov.scot to confirm your intent to respond to this PR and we will provide you with access to the secure file portal.

Once evaluated, your supporting evidence pack will be baselined and can be used for subsequent responses to Open Market Reviews and/or Public Reviews. For future submissions, suppliers should review and refresh the information provided in their pack but do not need to submit a new pack to support their claims. The document is a live document which can be updated for each submission in line with any changes to a supplier's corresponding data submission (Annex A).

Please see below an outline of the process;

1. Supplier confirms intent to respond to OMR and/or PR and the Scottish Government sets up a secure file portal.
2. Supplier uploads their data coverage file alongside a completed supporting evidence pack and full suite of information. This is required for all suppliers who have not completed the supporting evidence pack previously.
3. Scottish Government assesses the evidence provided and raises clarification questions where necessary. Following the determination of supplier's treatment, the supporting evidence pack for that submission is 'baselined'.
4. Scottish Government archives the baselined version of your supporting evidence.
5. When responding to a subsequent OMR and or PR the supplier provides a new data coverage file and reviews the baselined evidence pack. The supplier will either;
   a) Verify that the supporting evidence pack remains valid and no changes have been made to the information within; or
   b) Amend some or all of the responses in line with any updates to coverage plans and refresh supporting documentation which is no longer valid. Any changes to the supporting evidence pack must be recorded accordingly.

Please note that the process outlined above is in effect as of 5th September 2022. The supporting evidence pack referenced in this Annex supersedes the previously issued Annex: Supporting Evidence Template. Prior to September 2022, suppliers were asked to provide a fresh set of supporting information and a completed supporting evidence template for each new submission. This new process aims to reduce the effort required for suppliers to provide updates to their submission on a regular basis.

Please note that suppliers who responded to OMRs or PRs prior to September 2022 using the previously issued supporting evidence template are still required to complete the new supporting evidence pack. While we do understand this may represent some duplication of work we hope that by moving across to this new format it will reduce supplier burden in the long run. This is in line with the approach adopted at a UK level.

Additional guidance on how to complete the supporting evidence pack will be provided when setting up the secure file portal.

If you require any additional support, guidance or clarification with any of this, please get in touch with us at gigabitomr@gov.scot

If your future network plans are entirely reliant on public subsidy/interventions (e.g. vouchers) it may not be necessary to provide a complete set of supporting evidence

alongside your data submission. Please contact gigabitomr@gov.scot if you are unsure.

Annex C: Technology Definition

The Technical Definition is given in the Subsidy Control Guidance Section of the BDUK Website: Project Gigabit Subsidy Advice
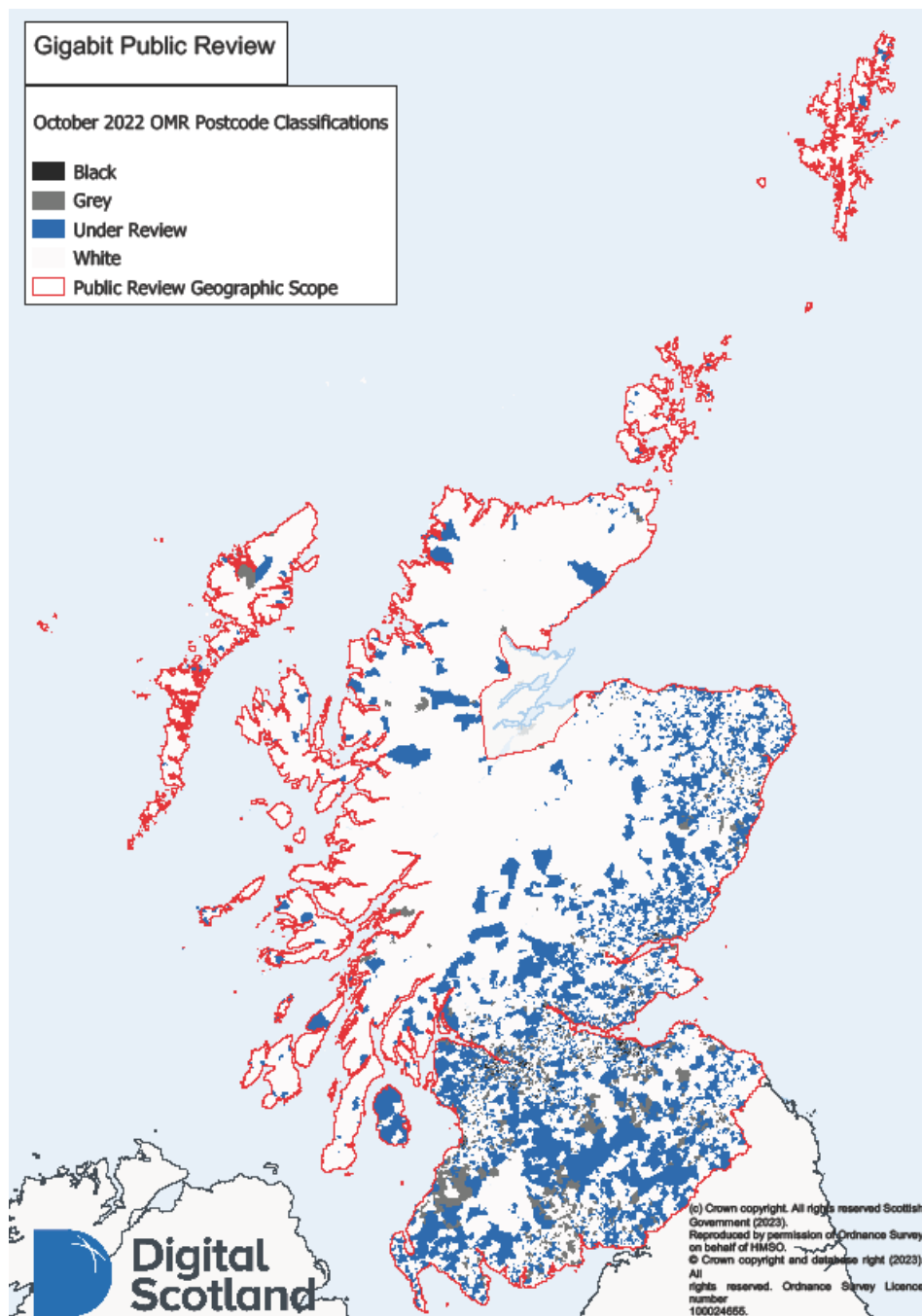
The key areas are:
- Section 10.6 of the Detailed overview of the Gigabit Infrastructure Subsidy scheme: Detailed Overview of the Gigabit Infrastructure Subsidy Scheme
- the GIS Worked Example - Assessment Form for Gigabit Capable Solutions. Please note, this worked example shall be used principally for ITT evaluation purposes, but may be used for other purposes (e.g. market review) and therefore may be of use when responding to this market review: GIS Worked Example - Assessment Form for Gigabit Capable Solutions

Even if you are familiar with the definition, you should re-check it for each return, as it may change from time to time.

Annex D: Map to show intervention area

The map below is an image of our current draft intervention map, taking account of the IHCRD area. The postcode level data has also been published alongside this document.

Please note, following closure of the PR, a new version of this map and postcode lists will be produced and published based on the latest dataset issued with this PR (please see Annex A for details) and market feedback gathered during the PR process this is known as a PR Closure Notice.

Annex E: Subsidy Control

Following the UK's departure from the European Union on the 31 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. BDUK considers that this proposed subsidy falls under the subsidy control principles in Section 3 of the Trade and Cooperation Agreement (TCA)[11] 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 Scottish 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 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. Any future procurements led by the Scottish Government will be procured under the Public Contracts (Scotland) Regulations 2015, to help meet our subsidy control requirements.

Suppliers have the opportunity during the OMR and PR stages, to share with the Scottish 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 for Scotland. The award of subsidy will follow the procurement and contract award and BDUK's NCC will consider requests submitted within the one month timescale, under the terms of the TCA.

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

More information about the UK's Subsidy Control regime[12] can be found on the UK Government website.

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[11] EU & UK Trade and Cooperation Agreement
[12] Statutory guidance on the Subsidy Control Act 2022

Scottish Government
Riaghaltas na h-Alba