Rialtas na hÉireann
Government of Ireland

Mobile Phone & Broadband Taskforce

Meeting Minutes

November 2023

Prepared by the Department of the Environment, Climate and Communications
and the Department of Rural and Community Development
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Minutes of the Mobile and Broadband Taskforce

Date: Wednesday 15th November 2023

Venue: The Davenport Hotel, Dublin 2

Time: 3pm

Attendees: Minister of State Ossian Smyth, T.D. (Co-Chair), Patrick Neary (D/ECC), Fintan O'Brien (D/RCD), Eamonn Confrey (D/ECC), Brendan Whelan (D/RCD), Michael Lee (ASAI), Barbara Delaney (ComReg), Garrett Blaney (ComReg), Leonie Allen (ComReg), Brian Loughlin (D/HLGH), Peter Burke (CCMA), Fergal Mulligan (D/ECC), Andrew Sullivan (D/ECC), Stephen Flynn (RMO), Torlach Denihan (Ibec), Aoife Doyle (Ibec)

Dept. Officials: Timothy Ollry (D/RCD), Eamonn Parkes (D/ECC), Jacqueline Barron (D/ECC)

Secretariat: Eoin Kenny (D/ECC), Etain Hobson (D/RCD), Amy O'Sullivan (D/RCD)

Apologies: Minister Heather Humphreys T.D., Antonia Martin (D/ECC), Ronan Lupton (ALTO)

First Session – State Stakeholders

1. Opening remarks for State Stakeholder Session – Minister of State Ossian Smyth

- Minister of State Smyth opened the meeting, extending his thanks to all the participants for providing timely updates on their progress in relation to their allocated actions on the Taskforce Work Programme.
- The Minister gave a brief review of the work of the Taskforce to date and outlined his priorities going forward including:
    - Urban and suburban broadband blackspots
    - The Gigabit Infrastructure Act
    - Rural mobile blackspots
- The Minister stated that it has been agreed that in future Industry will join for the full meeting. The format of future meetings will be agreed by DECC, DRCD and Industry before the next formal meeting of the Taskforce in April 2024.

2. Progress updates from State Stakeholders

All of the action holders were requested to provide an update on the status of the actions assigned to them.

Action 1:

Ensure appropriate enforcement of Article 8 of the BCRD, by promoting the installation of ducting at new builds which specifically supports fibre broadband rollout, made accessible at all locations within the new build. (**Short Term, Owner DHLGH**)

November 2023 Update:

European Union (In-Building Physical Infrastructure for High-Speed Electronic Communications) Regulations 2023 (S.I. No. 520 of 2023) were signed by the Minister for Housing, Local Government and Heritage on 25 October 2023 and apply from that date.

DHLGH confirm this action is now complete.

Action 2:

Update the Taskforce on the progress of the review of the Planning and Development Act with regard to issues relevant to telecommunications deployments, taking into account sectoral developments and the need to adapt to emerging technologies. (**Medium Term, Owner DHLGH**)

November 2023 Update:

There are no specific substantive changes regarding telecoms in the draft Planning & Development Bill. However, the general changes regarding plan making, statutory timelines and non-material contravention of lower order with higher order plans should enhance confidence and consistency with regards to the delivery of telecommunications infrastructure.

Supporting regulations will be prepared to commence in tandem with the enacted provisions of the new Bill and it is currently envisaged that exemptions in relation to telecommunications will be maintained subject to Oireachtas scrutiny.

The Bill was approved for publication by Cabinet on 3 October. The Bill is expected to be enacted on a phased basis in 2024.

Note: State bodies can engage with DHLGH with suggested planning exemptions to be included in the Planning and Development Bill to take account of new technologies/specifications etc.

Action 3:

Update the Taskforce on measures to address the issues of ownership of ducting and chambers. (**Long Term, Owner DHLGH and D/Transport**)

November 2023 Update:

DECC to establish group to consider if this action should be removed or re-assigned as DHLGH has no role in privately installed infrastructure.

Further information: DHLGH have identified the following issues regarding the ownership of ducting and chambers from a planning perspective:

1. Exemptions: Underground telecoms infrastructure and inbuilding infrastructure is exempt from planning permission and therefore there is no role for planning authorities.

2. Building Regulations: These do not consider the matter of ownership of ducting or chambers.

3. Private Property: Location of ducting and chambers on private property is a civil matter.

4. Public Road: This is a function of the local authorities through the RMO under the Roads Act. This falls under the remit of the D/Transport.

Action: DECC to takeaway and review this action. The Minister suggested review of possible EU examples and what other Member States have done to resolve similar issues.

Action 4:

Review and update planning guidelines from a telecommunications policy perspective, taking into account sectoral developments and the need to adapt to emerging technologies. (**Long Term, Owner DHLGH**)

November 2023 Update:

DHLGH previously requested details of all policy updates which may be of relevance to the updating of the Telecommunications guidelines from DECC. In response DECC provided a draft scoping document to support the delivery of this Action.

DGLGH has reviewed the scoping document provided and acknowledges that it is a good starting point for the review.

It is expected that input from the local authority perspective will be required and in this regard, at the appropriate time, DHLGH will form a working group in conjunction with the County and City Management Association (CCMA) comprised of representatives from local Authorities in early 2024.

This will inform the next steps for the review at which time further engagement with DECC will likely be required.

It should also be noted that the publication of any revised guidelines will need to await the introduction of the new Planning and Development Bill as the guidance will need to adhere to the requirements of any new legislation.

Action 5:

Bring all elements of the planning permission application and determination process fully online across all Local Authorities, via establishment and full implementation of the ePlanning system. (**Medium Term, Owner DHLGH and CCMA**)

November 2023 Update:

ePlanning is rolled out fully in 23 local authorities. Partial launch in 1 further local authority.

Five of the remaining seven local authorities should be fully integrated by end of Q1 2024. The remaining two local authorities [Cork County and Cork City] will be integrated with ePlanning in 2024 following completion of updating of local authority back-office systems to APAS – timeline to be confirmed in early 2024.

Action 6:

Continue to refine and enhance the Broadband Officer (BBO) role across all Local Authorities in alignment with the implementation of the EU Connectivity Toolbox and development of EU Smart Community policies. (**Medium Term, Owner DRCD**)

November 2023 Update:

The Broadband Officer role has been a notably successful output of the previous iteration of the Taskforce. There is scope to develop and leverage this role further, in particular in relation to running pilot programmes and testing innovative projects and to support implementation of the EU's Connectivity Toolbox and further the Commission's Smart (City, Town, Village, Community) agenda.

This action is now closed.
DRCD have taken on a new action to replace the completed action, this can be found at action 16.

Action 7:

Support the local government sector to drive efficiencies in the planning and licencing of telecoms infrastructure. (**Medium Term, DECC**)

November 2023 Update:

Applications have been received from all 31 local authorities and the Road Management Office (RMO) for year 2 of the Local Authority Funding Scheme (LAFS).

The second round of local authority regional meetings for the southern, north western, and eastern and midlands regions took place in Q2 of 2023, with good levels of engagement from all stakeholders. The third round of meetings commenced in Q4, the last of which will take place in the eastern and midlands region on Friday, 24th November, 2023.

Action 8:

Make fixed radio links information publicly available and in a downloadable format via the Siteviewer resource, to provide greater overall transparency to relevant stakeholders regarding services deployed in certain areas. (**Short Term, ComReg**)

November 2023 Update:

IT solution currently under development.

Action 9:

Develop a standard approach and associated guidance document in relation to ducting and chamber deployments to support a 'dig once' policy. (**Medium Term, CCMA and D/Transport**)

November 2023 Update:

CCMA engagement with Ibec to develop an agreed national approach/buy-in from industry in Q1 2024. Targets to be set and agreed with industry in addition to protocol and Code of Practice.

Action 10:

Conduct a data analysis exercise to examine the main areas of telecoms advertising that generate consumer complaints and provide guidance and / or directions to the sector to address any failings. (**Short Term, Owner ASAI**)

November 2023 Update:

Review of previous submissions from stakeholders. Consideration of different options that may bring about resolution to issues. Working version of new Guidance drafted.

Use of phrase "Unlimited" to be no longer allowed in advertising. Guidance to be finalised before end 2023. Lead time required for implementation. Normal lead time is 6 months.

Action 11:

ComReg will continue to enhance its national outdoor mobile coverage map, incorporating data updates on a regular basis and additionally the mapping of 5G outdoor mobile coverage, which will significantly enhance information available to consumers. (**Short Term, Owner**

November 2023 Update:

ComReg continues to update its outdoor coverage map web application and App (iOS and Android) data and functionality. There were updates recently to the application to address 3G retirement. The map will represent 3G retirement as it occurs. A number of user experience improvements are also due to go live this quarter.

ComReg has also published updated data from the mobile operators in Q2 2023.

Https://coveragemap.comreg.ie/map

Action 12:

Launch a consumer information campaign aiming to improve awareness of the basics of new technologies available. (**Medium Term, ComReg**)

November 2023 Update:

Following a tender process, ComReg has appointed an agency in Q3. The strategic and creative development of a public information campaign is currently underway. This campaign will include messaging around relevant developments (such as 3G retirement and Copper Switch Off). Finalisation of the approach for phase 1 is due by Q1 2024.

Action 13:

Following the MBSA II Awards, ComReg will assist the State in subsequent steps taken to further improve geographic mobile coverage. Such initiatives may include, for example, procuring for additional coverage beyond market-driven levels, in respect of which ComReg may provide advice in advance of and during. (**Long Term, Owner ComReg**)

November 2023 Update:

In January 2023, the MBSA2 auction was completed and MBSA2 licences issued. The MBSA2 licences include a suite of obligations for the 700 MHz band to expand mobile coverage over a period of 3 to 7 years and, among other things, will oblige existing licensees to expand their current networks to provide and maintain:

- a 3 Mbit/s service to 99% of the population and 92% of the geographic area of Ireland;
- a 30 Mbit/s service to 95% of the population, 90% of motorways, and 80% of primary roads; and
- a 30 Mbit/s service to 345 specific locations, consisting of 40 business and technology parks (including “strategic sites”), 65 hospitals, 24 higher education campuses, 14 air and seaports, 160 train and bus stations, and 42 top visitor attraction information points.

ComReg remains prepared to assist the State in any subsequent step it may wish to pursue by which to procure coverage outcomes beyond market-driven levels.

3. Progress Updates from Industry

Action 14:

A dedicated point of contact in telecoms companies will be established to provide up to date and accurate information to Broadband Officers and consumers regarding the deployment and upgrading of commercial services in their respective geographic areas. This dedicated point of contact in telecoms companies will liaise with Broadband Officers on a regular basis (at least quarterly) on any issues arising regarding telecoms infrastructure rollout. (**Medium Term, Owner Ibec**)

November 2023 Update:

A list of dedicated points of contact in the telecoms companies was provided for the Taskforce to circulate to Broadband Officers regarding the deployment, upgrading and availability of commercial services (commercially confidential information excluded), and any related issues. This list was updated in March 2023.

On 27 January 2023 a delegation of 9 Telecommunications Industry Ireland member companies attended the Telecommunications Action Group (TAG), the national meeting of Broadband Officers coordinated by the Department of Rural and Community Development in Galway. The delegation consisted of companies providing mobile phone services and fibre to the home, and also companies building and operating mobile phone masts. Each company gave an overview of its relevant activities in series of presentations. This was followed by a question and answer session.

The following delegations of companies subsequently attended meetings of the Telecommunications Action Group to provide updates on plans for the deployment, upgrading and availability of commercial services (commercially confidential information excluded) and to have detailed discussions with Broadband Officers:

• Companies specializing in building and operating mobile phone masts – TAG meeting, Rathdowney, 31 March 2023

• Companies building FTTH networks –TAG meeting, Adare, 26 May

• companies operating mobile networks – TAG meeting, Glendalough, 15 September 2023

On 3 March 2023 Telecommunications Industry Ireland hosted a meeting with Dublin City Council's Telecoms Unit attended by 21 industry personnel. The objective of the meeting was to discuss how industry can work with the Unit so that telecommunications can help enhance Dublin's future connectivity and economic competitiveness. A subsequent well attended meeting between companies and the Telecoms Unit took place on 15 September 2023 in Ibec and it has been agreed that a further such meeting will take place by January 2024. To progress the series of common issues that have been identified a follow up meeting took place on 17 October 2023 between the Telecoms Unit and the Telecommunications Industry Ireland secretariat.

To build on the important work done by Broadband Officers, Telecommunications Industry Ireland's Budget 2024 submission recommended that funding be made available for the establishment of a dedicated telecoms unit within each local authority. Such units could accelerate the improvement of telecoms coverage and service by reducing obstacles to and enabling telecoms network investment. They could leverage the ground-breaking work of Dublin City Council's Telecoms Unit, which was established to improve telecoms coverage and service.

Industry also engages with the local authorities through the Joint Utility Local Authority User Group, which the local authorities and industry co-chair. During 2023 this Group met on 2 February, 18 May, 14 September, and 9 November and has a particular focus on issues connected with road opening.

Action 15:

Industry will examine its processes regarding non-standard orders for a fibre broadband connection with a view to identifying and implementing actions it will take to provide information more effectively and consistently to customers who are currently unable to receive high speed broadband. (**Medium Term, Owner Ibec**)

November 2023 Update:

During the year to date all wholesale service providers have briefed their retail service providers regarding non-standard orders for fibre broadband connections at one of the regular bilateral meetings held with each provider. Processes regarding non-standard orders for fibre broadband connections and associated escalation process were outlined, and any questions answered. In their briefing sessions wholesalers addressed the themes raised by the case studies provided by the Department of Environment, Climate and Communications regarding non-standard orders for such connections and used these cases as an input in preparing for the briefing sessions.

Note: DECC is not satisfied that the situation is improving and have requested clearer information be provided to consumers. DECC has requested that Industry proactively share information on premises they cannot connect despite their best efforts, so DECC has accurate data on sites in commercial area that are not able to receive connection from a commercial provider.

Action 16:

Deliver pilot and proof-of-concept digital innovation programmes in rural and under-served communities. **(Short Term, Owner DRCD)**

November 2023 Update:

In 2023 DRCD has been focused on concluding previous Digital Innovation Programmes (DIP) supported by the Department. In 2024 DRCD have committed to delivering a DIP specific to islands under Our Living Island – National Islands Policy 2023-2033 using digital technologies for the public benefit.

4. Presentation on European Electronic Communications Code

Leonie Allen from ComReg gave a presentation on the enactment of the Code and its impact on consumers.

5. Presentation on the Gigabit Infrastructure Act

Fergal Mulligan from DECC gave an update on the negotiations and implications for implementation of the GIA.

Action: DECC will set up a steering group for those impacted by the GIA and invites requests to join before membership is finalised.

6. AOB

Industry raised a concern that there is lack of consistency on issuing of 254 licences.

Action: Industry will make a submission to the Taskforce for the issue to be considered.

A suggestion was put forward that an action relating to the demystification of 5G be included in the next work programme.

7. Closing Remarks

Minister of State Smyth closed the meeting by thanking all those who attended and provided updates. He invited all attendees to begin to think about new actions for the next work programme.

Action: A letter will issue from DECC to all stakeholders seeking their suggestions for new actions.