



Managing Northern Ireland telephone numbers

Implementation of number conservation measures in
the 028 area code and additional local numbers for Belfast
and Derry/Londonderry

(✂ Redacted for publication)

Statement

Publication date:

8 July 2014

About this document

This document is about how we will ensure that phone companies have sufficient geographic telephone number blocks for new landlines in the 028 area code, which covers the whole of Northern Ireland.

We explain the measures that we have decided to introduce following a consultation in April 2014, which involve the allocation of smaller blocks of numbers to phone companies and making additional numbers available for Belfast and Derry/Londonderry.

We are not changing any telephone numbers or affecting existing numbers in any other way.

Contents

Section		Page
1	Summary	1
2	Introduction and background	4
3	Responses to the April 2014 consultation	10
4	Ofcom's decision and next steps	14

Annex		Page
1	Consultation respondents	22
2	Number block availability in the 028 Northern Ireland area code	23
3	Legal Framework	25
4	Notification of a modification to the provisions of the Numbering Plan under section 60(3) of the Act	28

Section 1

Summary

- 1.1 This document sets out how we will manage the supply of geographic telephone numbers to communications providers (CPs) in the 028 Northern Ireland area code. It explains the measures that we have decided to adopt, following consultation, to ensure that we have sufficient supply of 028 number blocks to allocate to CPs for the foreseeable future.
- 1.2 In summary, we have decided to:
- conserve our existing supplies of 028 geographic numbers by allocating them to CPs in blocks of 1,000, rather than in the current size of 10,000;
 - expand the supply of numbers for Belfast, where numbers currently start with either 028 90 or 028 95, by allocating to CPs numbers which start with 028 96 for new Belfast landlines; and
 - expand the supply of numbers for Londonderry,¹ where numbers currently start with 028 71, by allocating to CPs numbers which start with 028 72 for new Londonderry landlines.
- 1.3 These measures do not require existing phone numbers to change. Consumers will need to be made aware that the 028 96 and 028 72 number ranges refer to Belfast and Londonderry respectively. The changes will not affect consumers in any other way.

Background

- 1.4 It is Ofcom's duty to ensure that the best use is made of the UK's telephone numbers and to encourage efficiency in the way that numbers are used. To fulfil this duty, we must ensure that we can make sufficient and appropriate telephone numbers available to allocate to CPs so that they can supply services to consumers and businesses, and thereby support competition, consumer choice and innovation in service provision.
- 1.5 Competition in fixed-line voice services has been developing strongly for many years, and there are now over 100 CPs to whom we have allocated Northern Ireland numbers. This has led to more choice for consumers, and also to an increase in demand from CPs for geographic numbers.
- 1.6 We allocate numbers to CPs in large blocks. The number-block size is determined by routing constraints in some long-established telephone networks that use equipment designed many years ago to analyse the phone number's digits to route the call. One consequence of the large block size is that many CPs only use a small fraction of the numbers allocated to them. Since our stock of geographic numbers is finite, the resulting low utilisation challenges our ability to ensure that we have a sufficient supply of number blocks to allocate to new and existing CPs, which they need to provide a choice of services to consumers.

¹ 'Londonderry' is the area name as designated in the National Telephone Numbering Plan and covers the Derry/Londonderry area.

- 1.7 Importantly, the current challenges do not present a risk to the availability of numbers to meet consumers' demand, because sufficient numbers have already been allocated to CPs to ensure that consumers could obtain new fixed-line voice services. However, if we were to do nothing, consumers' choice of provider would be restricted only to those CPs who happen to have geographic numbers available in the relevant area from previous allocations. Consumers could then be constrained in their choice of supplier and denied the benefits of competition and potentially innovative services.
- 1.8 We must therefore ensure that there remains an adequate supply of number blocks to allocate to CPs across the UK.

The 028 Northern Ireland area code

- 1.9 Geographic numbers in Northern Ireland start with the 028 area code followed by eight-digit local telephone numbers. The 028 area code is further divided across 34 specific areas in Northern Ireland, and the first two digits of the local number provide the additional location significance denoting the specific area (for example, 028 20XXXXXX for Ballycastle numbers and 028 25XXXXXX for Ballymena numbers). The digits and area names are set out in Appendix A of the National Telephone Numbering Plan ('the Numbering Plan').²
- 1.10 We are currently forecasting shortages of number blocks to allocate to CPs in the 34 Northern Ireland areas, with shortages most pronounced in Belfast and Londonderry.
- 1.11 On 1 April 2014 we published a consultation *Managing Northern Ireland telephone numbers: Proposals for number conservation measures in the 028 area code and additional local numbers for Belfast and Londonderry* ('the April 2014 consultation')³ proposing measures to address the forecast number block shortages.

Consultation proposals

- 1.12 The April 2014 consultation asked for stakeholders' comments on our preferred approach of ensuring a sufficient supply of numbers across Northern Ireland, which was to:
- adopt 'conservation measures' in the 028 area code, meaning that we would allocate numbers to CPs in blocks of 1,000 rather than 10,000; and
 - in Belfast and Londonderry, in addition to adopting conservation measures, we would increase the supply of number blocks by adding a further two-digit range for local numbers in each area: 028 96 for Belfast in addition to the existing 028 90 and 028 95 ranges, and 028 72 for Londonderry in addition to the existing 028 71 range.

We proposed this additional measure for Belfast and Londonderry because there are insufficient number blocks remaining for conservation measures alone to ensure a sufficient supply to meet CPs' needs in those cities in the foreseeable future.

² Ofcom is responsible for the publication of the Numbering Plan, which sets out numbers available for allocation and any restrictions on their adoption or use. *The National Telephone Numbering Plan* is available on our website at:

http://stakeholders.ofcom.org.uk/binaries/telecoms/numbering/Numbering_Plan_Dec_2013.pdf.

³ http://stakeholders.ofcom.org.uk/binaries/consultations/ni-tel-nos/summary/Numbering_for_Northern_Ireland.pdf.

- 1.13 While the conservation measures would have no impact on consumers, the allocation of numbers in smaller blocks can present CPs with practical difficulties. In the April 2014 consultation we therefore also considered an alternative to conservation measures, in which we would increase the supply of numbers by adding an additional two-digit range for local numbers in each of the 34 Northern Ireland areas, while continuing to allocate numbers to CPs in blocks of 10,000. This alternative approach would have little impact on CPs, but consumers would need to recognise that at least two different two-digit ranges correspond to each of the 34 Northern Ireland areas.

Consultation responses

- 1.14 The majority of respondents (four out of five) supported our proposals and agreed that they were in accordance with our overarching strategy for addressing number block shortage. These included three CPs (BT, Gamma and Vodafone) who confirmed that their networks could accommodate the proposed allocation of smaller number blocks in Northern Ireland.
- 1.15 Virgin did not consider that the case for adopting conservation measures to Northern Ireland numbers was compelling, given the practical difficulties that CPs would face in handling smaller number block allocations and the opportunity of an alternative measure that would have less impact on CPs (i.e. increasing the supply of numbers by adding an additional range for local numbers in each of the 34 Northern Ireland areas). However, Virgin has indicated that, if implemented, its network could likely accommodate the effects of conservation measures being introduced for Northern Ireland numbers.

Our decision

- 1.16 Having considered stakeholders' responses, we have decided to introduce the approach we proposed in the April 2014 consultation and set out in paragraph 1.12 above as:
- while we recognise that adding a two-digit range for local numbers may dilute the location significance that consumers value, our approach limits this impact to Belfast and Londonderry only;
 - the measures will ensure more efficient use of existing numbers as smaller blocks can more closely align the size of allocation to CPs' level of demand;
 - the measures will ensure a sufficient supply of number blocks to meet forecast demand for the foreseeable future throughout Northern Ireland; and
 - the implementation of conservation measures is expected to be manageable by CPs, including those operating legacy fixed networks, based on responses to the April 2014 consultation.
- 1.17 The Numbering Plan has been modified to reflect our decision. The notification of the modification is set out in Annex 4 and an explanation of how the modification meets the necessary legal tests is provided in Section 4.

Section 2

Introduction and background

Introduction

- 2.1 Ofcom manages the UK's telephone numbers under the Communications Act 2003 ('the Act'). It is our duty, as set out in section 63 of the Act, to ensure that best use is made of the UK's numbering resource and to encourage efficiency and innovation for that purpose. To fulfil this duty we must ensure that sufficient and appropriate telephone numbers are available to meet demand and it is our responsibility to set the policy on how numbers may be used. We allocate blocks of numbers to CPs so that they can use those numbers to deliver services to their customers. We are responsible for the publication of the Numbering Plan, which sets out numbers available for allocation and any restrictions in their adoption or use.
- 2.2 Competition in fixed-line voice services has been developing strongly for many years. This has led to more choice for consumers. It has also generated an increase in demand from CPs for geographic numbers.
- 2.3 Our stock of geographic numbers is finite. We face challenges in ensuring the ongoing availability of sufficient number blocks to fulfil CPs' requirements. If we do not meet this challenge successfully, scarcity of numbers may constrain CPs' ability to compete for customers.
- 2.4 Importantly, the current challenges do not present a risk to the availability of numbers for consumers' use. This is because if, hypothetically, our stocks of geographic number blocks available for allocation were to run out, there would still be sufficient numbers already allocated to CPs to ensure that consumers could obtain new fixed-line voice services. However, their choice of provider would be restricted only to those who happen to have geographic numbers available in the relevant area from previous allocations.
- 2.5 Therefore, where the supply of blocks of numbers required for the provision of communications services is limited, Ofcom's duty under section 63 of the Act requires us to consider if there are ways to make better use of numbers and if so to take action to rectify the situation. This is because a lack of available numbers would hinder competition, consumer choice and innovation in the provision of networks and services. Currently, the supply of blocks of geographic numbers for allocation to CPs is limited in the 028 area code for Northern Ireland.

Background

Ofcom's policy for managing geographic numbers

- 2.6 In 2006 we carried out a strategic review of the UK's telephone numbers ('the 2006 numbering policy review'), with a view to safeguarding the future of numbers and providing a framework to address numbering concerns. Our concluding statement

*Telephone Numbering*⁴ set out the following policy principles to guide our strategic decisions on how telephone numbers are managed:

- the numbers consumers want are available when they are needed;
- the numbers consumers currently use are not changed if this is avoidable;
- the meaning which numbers provide to consumers is protected;
- number allocation processes support competition and innovation; and
- consumers are not avoidably exposed to abuse.

2.7 The review included our general policy for managing demand for geographic numbers. We recognised that consumers value highly the ability to keep their geographic numbers and that action was required to avoid the need for changes to numbers or the way they are used in the future.

2.8 Based on our policy principles, we decided to manage geographic numbers in the following way:

- we will take steps to ensure the availability of geographic numbers for consumers in a manner that maintains their continuity and meaning, and causes consumers the least disruption and cost;
- we will ensure that sufficient numbers are available so that scarcity of numbering resource does not create barriers to entry or service provision;
- our management of numbers will be neutral in the treatment of CPs; it will take account of the link between numbering and routing and the consequential impact that numbering policy has on the markets for routing and number portability;
- tariff transparency should be retained, so that a caller pays what he/she expects to pay for a call to a geographic number; and
- our policy approach will not hasten the erosion of location significance but will recognise (and not stifle) the effect of network and service evolution on that significance.

2.9 Guided by these policy principles, we plan for the actions required to increase the supply of number blocks when and where needed. We recognise that all options for increasing the supply of numbers cause some disruption to consumers and businesses and we look for ways to minimise this by taking measures to drive efficiency in number use.

Allocation of number blocks: Conservation Areas and Standard Areas

2.10 The general risk in meeting demand for new geographic numbers in certain area codes is a shortage of number blocks to allocate to CPs, rather than a shortage of numbers to meet consumers' needs.

⁴ *Telephone Numbering: Safeguarding the Future of Numbers*, 27 July 2006 available at <http://stakeholders.ofcom.org.uk/binaries/consultations/numberingreview/statement/statement.pdf>.

2.11 We allocate contiguous blocks of geographic numbers to CPs by area code. The number block size is determined by routing constraints in some long-established networks. Telephone networks analyse the digits of dialled phone numbers to decode the necessary information for routing and tariffing of calls. Some older networks use equipment designed many years ago to perform this function. The limited capacity of that equipment restricts the number of digits of each dialled phone number that those networks can decode into routing information. This means that the minimum size of block that we can allocate to any CP must be sufficiently large to accommodate these restrictions, otherwise calls could not be routed successfully by the older networks.

Conservation Areas

2.12 One consequence of the large block size is that many CPs only use a small fraction of the numbers allocated to them. Since our stock of geographic numbers is finite, the resulting low utilisation challenges our ability to ensure that we have a sufficient supply of number blocks to allocate to CPs, which they need in order to continue to provide a choice of services to consumers.

2.13 We have sought to address this challenge by allocating numbers in smaller blocks, while recognising the decoding constraints in older networks, described in paragraph 2.11.

2.14 Originally we allocated all geographic numbers in blocks of 10,000. In 2002, we reduced the block size to 1,000 numbers in nine areas that we forecast would run out of available blocks to allocate to CPs within two years. This decision introduced the concept of 'Conservation Area'. Between 2005 and 2008 we introduced conservation measures in a further 246 area codes. In 2010 we made all remaining area codes in the form '0' plus four-digits⁵ (except for Jersey 01534 and Guernsey 01481) into conservation areas, with numbers allocated in blocks of 1,000. Currently, conservation measures are in place in the vast majority of geographic area codes, i.e. in 591 out of the 610 UK area codes.

2.15 Paragraphs B3.1.7 and B3.1.8 of the Numbering Plan set out the restrictions on the adoption and use of numbers in conservation areas. In summary, these restrictions are that:

- numbers will be allocated in blocks of 1,000 following Conservation Area status being given to an area code; and
- numbers previously allocated at the 10,000 block level before conservation measures were introduced should be treated as ten units of 1,000 numbers for the purpose of assigning numbers to customers. CPs may not assign a number from a different unit until a substantial proportion of the numbers in the first unit have been assigned.

2.16 It is necessary to reduce the block size for allocations while there is still a sufficient supply of 10,000 number blocks available to divide into 1,000 number blocks, otherwise areas will run out of numbers before conservation can have an effect. In taking this action, conservation measures have been successful in prolonging number block availability by aligning the size of allocation more closely to the local demand for numbers and extending the life of the remaining numbers by reducing the

⁵ Area codes in the format 01XXX followed by a six-digit local number. The majority of area codes are in this format.

rate at which they are allocated. On average, we have seen an 85 per cent decrease in the annual number allocation rate in an area following the introduction of conservation measures.

Standard Areas

2.17 The remaining area codes where conservation measures have not been introduced cover larger cities and have '0' plus two-digit or '0' plus three-digit area codes (this included the Northern Ireland 028 area code). These areas are characterised as 'Standard Areas' in the Numbering Plan and geographic numbers continue to be allocated in blocks of 10,000. CPs are required to use numbers in units of 1,000 to ensure efficient use.⁶

Geographic number management review - 2010 to 2012

2.18 Despite the effect of conservation measures and a number of administrative processes applied (i.e. periodic audits of allocated number block use, unused number block withdrawal, strengthening the number allocation process), our forecasts demonstrated that in a number of area codes there was still a risk of running out of geographic numbers to meet CPs' demand. For that reason, we reviewed our management of geographic numbers during 2010 to 2012 ('the geographic number management review').⁷

2.19 The geographic number management review confirmed our policy principles and approach to managing geographic numbers as set out in paragraphs 2.6 and 2.8 above, including that conservation measures are central to our approach to managing geographic numbers.

2.20 The geographic number management review also considered the appropriate action to take where conservation measures are insufficient to manage demand. We decided that, where a '0' plus four-digit area code needs more local numbers, we would increase the supply of numbers by closing local dialling. This means that fixed-line phone users in those areas will need to dial the area code when making local calls. This change to local dialling enables us to release new numbers for use without requiring any changes to existing phone numbers. If, in the future, more numbers are needed in that area, we would introduce an overlay code – which would mean that two area codes cover the same geographic area.

2.21 Action to increase the supply of numbers in an area code inevitably results in some cost and disruption to consumers, CPs and Ofcom. We therefore consulted on how to promote CPs' efficient use of the existing supply of numbers to reduce or avoid the need for such measures and the resulting impacts. We decided to introduce number charging on 1 April 2013 in a pilot scheme covering 30 area codes with the fewest number blocks remaining available for allocation. We also introduced the limited rollout of 100-number block allocations in 11 rural areas with '0' plus five-digit area codes (i.e. in the format 01XXXX) in response to a particular scarcity created by the code and number structure in those areas.

⁶ Paragraph B3.1.6 of the Numbering Plan.

⁷ *Geographic telephone numbers: Safeguarding the future of geographic numbers*: three documents published on 25 November 2010, 7 September 2011 and 20 March 2012, and *Promoting efficient use of geographic telephone numbers*, published on 18 July 2012. All documents can be found at: <http://stakeholders.ofcom.org.uk/consultations/geographic-telephone-numbers/>.

The 028 Northern Ireland area code

- 2.22 The structure of geographic numbers differs slightly in Northern Ireland from most of the rest of the UK. In 2000, the geographic numbering scheme in Northern Ireland was changed, migrating from a number of '0' plus four- and five-digit area codes to one '0' plus two-digit area code (028) for the whole of Northern Ireland.
- 2.23 The 028 area code is followed by eight-digit local numbers. Numbers in the 028 area code are divided across 34 specific areas in Northern Ireland. The first two digits of the local number provide additional location significance and denote the specific area (for example, 028 **20**XXXXXX for Ballycastle numbers and 028 **25**XXXXXX for Ballymena numbers). The digits and area names are set out in Appendix A of the Numbering Plan.
- 2.24 Belfast aside, each of the 34 Northern Ireland areas has been assigned one two-digit range for local numbers. This provides 100 blocks of 10,000 numbers for allocation to CPs. Belfast, where number demand is higher, was assigned a second two-digit range in 2007⁸ (028 95 in addition to 028 90) and therefore 200 blocks of 10,000 numbers are available for allocation to CPs.

The April 2014 consultation

- 2.25 We have identified a shortage of geographic number blocks available for allocation to CPs in Northern Ireland and a realistic expectation of running out in all 34 Northern Ireland areas within the next five years unless we take action. This forecast is based on number block availability and allocation rate in each area – see Annex 2 for further detail and figures.
- 2.26 Taking into account that:
- the issue identified in Northern Ireland is that of number block shortage in the foreseeable future;
 - we need to ensure that sufficient numbers are available so that scarcity does not create barriers to entry or service provision;
 - it is our duty, as set out in section 63 of the Act, to ensure that best use is made of the UK's numbering resource and to encourage efficiency and innovation for that purpose; and
 - we need to take steps now to ensure the availability of geographic numbers in a manner that maintains their continuity and meaning, and causes consumers the least disruption and cost;

we published a consultation on 1 April 2014 on options for addressing the shortage of number blocks for allocation to CPs in the 028 Northern Ireland area code.

- 2.27 In the April 2014 consultation, we considered two options:
- Option 1: conserving numbers by allocating them to CPs in blocks of 1,000 rather than 10,000; and

⁸ *Availability of Numbering Resource*, Ofcom statement, published 3 May 2007, <http://stakeholders.ofcom.org.uk/binaries/consultations/numresource/statement/statement.pdf>.

- Option 2: increasing the supply of numbers by adding an additional two-digit range for local numbers in each of the 34 Northern Ireland areas (i.e. in the form 028 XXyyyyyy). Allocation of numbers would remain at the 10,000 block level.

2.28 Having assessed the two options, our initial view was that Option 1 (conservation measures) is likely to be the most appropriate policy approach to ensuring the ongoing supply of number blocks across Northern Ireland. We also proposed that in Belfast and Londonderry, where there is a greater demand for numbers and more imminent scarcity, we increase the supply of number blocks by adding a further two-digit range for local numbers in each area: 028 96 for Belfast in addition to 028 90 and 95, and 028 72 for Londonderry in addition to 028 71.

2.29 Our preferred approach was based on our view that:

- while we recognise that adding a two-digit range for local numbers may dilute the location significance that consumers value, our approach limits this impact to Belfast and Londonderry only;
- the measures will ensure more efficient use of existing numbers as smaller blocks can more closely align the size of allocation to CPs' level of demand;
- the measures will ensure a sufficient supply of number blocks to meet forecast demand for the foreseeable future throughout Northern Ireland; and
- the implementation of conservation measures is expected to be manageable by CPs, including those operating legacy fixed networks, based on responses to the April 2014 consultation.

2.30 The April 2014 consultation sought stakeholders' views on our proposed approach to managing the supply of Northern Ireland telephone numbers. Stakeholders' comments and Ofcom's responses are set out in Section 3.

Section 3

Responses to the April 2014 consultation

Introduction

- 3.1 In Section 2 we set out our duty to ensure the supply of sufficient and appropriate telephone numbers across the UK. We explained that we had forecast that Northern Ireland would need an increased supply of geographic number blocks to allocate to CPs in the near future. In April 2014 we consulted on options for addressing the identified shortage and explained why we preferred the introduction of conservation measures for numbers in the 028 area code, plus an additional two-digit range each for Belfast and Londonderry.
- 3.2 We received five submissions to the April 2014 consultation. These were from four CPs (BT, Gamma, Virgin and Vodafone) and one consumer (Mr M Radford). The non-confidential versions of responses are available on our website.⁹
- 3.3 In this section we summarise the submissions received and provide Ofcom's responses.

Responses to the consultation

Question 1: *Do you agree with Ofcom's proposal for the 34 Northern Ireland areas listed in Figure 1 in the April 2014 consultation to be determined as Conservation Areas? Are there any areas which you think should not have been included in the proposal? If so, please state which areas and for what reasons.*

Stakeholders' comments

- 3.4 The majority of respondents¹⁰ agreed with our proposal to introduce conservation measures for 028 Northern Ireland numbers.
- 3.5 BT, Gamma and Vodafone considered the proposal to be consistent with our strategy for managing demand for geographic numbers.¹¹ Mr Radford agreed that the proposal was appropriate given the structure of numbers in the 028 area code. Similar constraints existed to those experienced in '0' plus four-digit area codes, meaning that similar action should be taken in the form of number conservation measures.
- 3.6 Vodafone commented that conservation measures are not pain free for CPs with an extensive footprint and connectivity, due to the need to build smaller number blocks on the network to route calls correctly. However, it acknowledged that strategically conservation measures were the correct solution and were, it considered, the lesser of a series of evils that could be implemented to manage number demand. On that basis Vodafone supported the proposals.
- 3.7 Vodafone suggested ways that we could mitigate the impact of conservation measures on CPs' decode resources by minimising the quantity of 10,000-number

⁹ <http://stakeholders.ofcom.org.uk/consultations/ni-tel-nos/?showResponses=true>.

¹⁰ Those respondents were BT, Gamma, Vodafone and Mr Radford.

¹¹ See Section 2 for the background on our policy for managing geographic numbers.

blocks split between multiple CPs. These included allocation of new 1,000-number blocks rather than reallocating unused 1,000-number block units withdrawn from existing 10,000-number block allocations. A further suggestion was that, where practicable, we ‘reserve’ remaining 1,000-number block units within a 10,000-number block for future allocation to the same CP if it has indicated a potential need for more blocks in the future (likely to be CPs with network infrastructure in the area). CPs that only wanted a presence with demand likely to be met by a single 1,000-number block allocation in an area would receive allocations from the same 10,000-number blocks.

- 3.8 Virgin acknowledged that the introduction of conservation measures could theoretically be regarded as a logical response to the shortage of number blocks for allocation in Northern Ireland. However, it strongly preferred that Northern Ireland is not designated a Conservation Area. Virgin considered there to be “*significant economic and technical reasons*” for not using its limited network decoding resource on routing smaller blocks of Northern Ireland numbers. It did not consider the case compelling, given the practical difficulties that CPs would face and the opportunity of an alternative measure for Northern Ireland that would have less impact on CPs.
- 3.9 Specifically, Virgin claimed that [redacted].
- 3.10 We requested that Virgin further clarified the extent of the likely impact on its network of conservation measures. It was unable to quantify further, but emphasised that its objections lay in placing additional pressure on its transit layer switches. Virgin conceded that this was not an issue particular to the Northern Ireland proposal and that it could likely accommodate conservation measures for Northern Ireland numbers if implemented.

Ofcom’s response

- 3.11 We welcome the support received for our proposal from the majority of respondents. We note that two of the three largest CPs operating legacy networks in Northern Ireland (i.e. BT and Vodafone) agree that conservation measures are the appropriate approach to take in ensuring a sufficient supply of number blocks in Northern Ireland and have confirmed their own network’s ability to accommodate smaller number blocks.
- 3.12 We have considered Virgin’s preference for an alternative approach that would not impact legacy networks’ decoding resources, i.e. increasing the supply of numbers by adding an additional range for local numbers in each of the 34 Northern Ireland areas. We understand the impact of conservation measures on some long-established networks and we have sought to limit this over the years by introducing conservation measures in a phased manner and only where necessary. However, we favour conservation measures as they extend number block availability without affecting consumers.
- 3.13 We note that while Virgin is concerned about the additional impact on its network, it does acknowledge that the introduction of conservation measures would be a logical approach to the need to increase number block availability. We also understand that Virgin is likely to be able to accommodate conservation measures in Northern Ireland if implemented. While the impact of building smaller number blocks on networks is localised and difficult to predict, and we cannot be certain that CPs will not experience implementation difficulties, we note that conservation measures have been implemented successfully in all 591 area codes on which we have previously consulted.

- 3.14 We agree with Vodafone that there are ways of implementing conservation measures that could help to reduce the impact on CPs' networks. We understand that a greater impact on older networks arises if we withdraw unused 1,000-number block units from allocated blocks of 10,000 numbers. We have undertaken this measure in conservation areas in the past to increase the supply of number blocks available for allocation and to promote efficient number use. However, as we stated in the April 2014 consultation, we consider that the supply of number blocks available for allocation after implementing conservation measures in Northern Ireland should be sufficient to meet demand for many years without the need to withdraw unused 1,000-number block units and increase the impact on CPs. We are not, therefore, planning such an exercise for Northern Ireland numbers. We also note Vodafone's suggestion of allocating blocks to different CPs based on predicted further requirement and we will consider the practicalities of this approach when allocating numbers.

Question 2: *Do you agree with Ofcom's proposal to assign an additional two-digit range for local numbers in each of Belfast and Londonderry (028 96 for Belfast and 028 72 for Londonderry) to meet greater demand for numbers in those areas? If not, please explain why?*

Stakeholders' comments

- 3.15 BT, Gamma, Vodafone and Mr Radford agreed with our proposal to assign an additional two-digit range for local numbers in each of Belfast and Londonderry.
- 3.16 Mr Radford suggested that we stop allocating from the existing two-digit ranges in Belfast and Londonderry and allocate from the new ranges immediately so that the new numbers are brought into service sooner. This would further consumers' recognition. Mr Radford also suggested that we reserve the last remaining '028 9X' two-digit range (028 98) for future expansion in Belfast, so that all Belfast area codes would be in the form 028 9X.

Ofcom's response

- 3.17 We welcome the support for our proposal to increase the number supply in Belfast and Londonderry by assigning an additional two-digit range for each area.
- 3.18 We have very few number blocks remaining available for allocation in the existing two-digit ranges for Belfast and Londonderry. Therefore, we would open the new two-digit ranges for allocation upon designation in the Numbering Plan in order to increase the supply and provide CPs with a choice of number blocks for allocation in those areas.
- 3.19 In Belfast, we forecast that our proposal to introduce conservation measures and add an additional two-digit range for local numbers would provide sufficient 1,000-number blocks to meet CPs' demand beyond the foreseeable future. Nevertheless, we have notionally reserved 028 98 to meet future demand in Belfast, if such a need occurs.

Question 3: *Do you have any comments on the proposed modifications to the Numbering Plan set out in Annex 3 of the April 2014 consultation?*

- 3.20 BT and Vodafone considered the proposed changes to the Numbering Plan to be appropriate. Gamma, Virgin and Mr Radford did not comment.

Other issues raised: pilot scheme to charge CPs for geographic numbers

Stakeholders' comments

- 3.21 Virgin referred to Ofcom's pilot scheme to charge CPs for geographic numbers allocated to them in certain area codes. Virgin highlighted its concerns over the efficacy of charging CPs for numbers in conservation areas regardless of whether the CP had used its allocated numbers efficiently. It considered that this approach was unlikely to create the right incentives or result in better use of numbers.

Ofcom's response

- 3.22 Virgin's response suggests that it has made a link between conservation measures being in place and the likelihood of charging being introduced in that area code. This is not the case.
- 3.23 The pilot scheme was introduced on 1 April 2013. It includes 30 UK area codes with the fewest number blocks remaining available for allocation. We intend to begin a review of the pilot scheme after approximately two years of operation. Following the review we will consult on the role of number charging going forward, and we anticipate that we will consider a range of options including, if appropriate, removing number charging altogether, continuing to charge in a specified number of area codes and rolling out charging to all '0' plus four-digit area codes (i.e. area codes in the form 01XXX).

Reaching our decision

- 3.24 We have taken account of all stakeholders' comments on the proposals put forward in the April 2014 consultation and have set out our responses above.
- 3.25 In the next section, we update our analysis of the options for addressing the identified shortage of number blocks to allocate to CPs across Northern Ireland, set out our decision and the action that we need to take in order for it to be implemented, and explain how we consider that our approach complies with the relevant legal tests and duties in the Act.

Section 4

Ofcom's decision and next steps

- 4.1 We have explained, in the preceding sections of this document, that we need to take action now to ensure the ongoing availability of geographic number blocks to meet CPs' requirements across Northern Ireland. If we do nothing, we risk running out of number blocks to allocate to CPs.
- 4.2 We have looked at options for intervention and sought stakeholders' comments on our preferred approach. In this section we assess the options in light of the views expressed and reach a decision on our approach.

Assessment of options

- 4.3 In the April 2014 consultation, we considered two options:
- Option 1: conserving numbers by allocating them to CPs in blocks of 1,000 rather than 10,000; and
 - Option 2: increasing the supply of numbers by adding an additional two-digit range for local numbers in each of the 34 Northern Ireland areas (i.e. in the form 028 XXyyyyyy). Allocation of numbers would remain at the 10,000 block level.

Impact assessment

- 4.4 Impact assessments form a key part of the policy-making process and provide a transparent way of considering different options for regulation, including not regulating. We expect to carry out impact assessments for the majority of our policy decisions.
- 4.5 The analysis set out in this document comprises Ofcom's impact assessment as defined in section 7 of the Act.

Equality impact assessment

- 4.6 We assess the effect of functions, policies, projects and practices on equality in accordance with the Equality Act 2010 and Section 75 of the Northern Ireland Act 1998.
- 4.7 Our Section 75 duties require us to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations in Northern Ireland. Our revised Northern Ireland Equality Scheme sets out how we fulfil our equality duties in Northern Ireland, including how we carry out Equality Impact Assessments (EIAs).
- 4.8 EIAs also assist us in making sure that we are meeting our principal duty of furthering the interests of citizens and consumers. We have therefore also considered what (if any) impact the issues under consideration in this document may have on equality. Where relevant, we have highlighted our consideration of equality issues in the document.
- 4.9 The conclusion of our EIA is that we do not believe our proposal will have an impact on the promotion of equality of opportunity and good relations in Northern Ireland.

This conclusion is based on the policy affecting CPs rather than citizens or consumers directly, and the benefits of the policy applying equally across Northern Ireland. As such, we do not propose to carry out a more in-depth EIA.

Impact on consumers

- 4.10 In accordance with our policy principles, we recognise that consumers value the location significance provided by geographic numbers and that our policy approach should not hasten its erosion.
- 4.11 **Option 1** (conservation measures) would be unseen by consumers and would have no adverse effect on consumers' interests. On the contrary, conservation measures are designed to extend the availability of current numbers and thereby delay the need to increase supply. All measures to increase number supply have some degree of impact on consumers.
- 4.12 **Option 2** (increase the supply of numbers) would require adding additional two-digit ranges for local numbers in all Northern Ireland areas. This increases the number of ranges associated with an area, which may dilute consumers' understanding of location significance. Until the new local numbers become well-known, consumers may be confused and not associate them with the local area. Consumers may consider it a disadvantage to be given a number from the new range for their service and businesses may be concerned that it gives the impression that they are not established or recognised as being local.

Impact on CPs

- 4.13 **Option 1** (conservation measures) involves the allocation of numbers to CPs in smaller blocks, which has an impact on certain CPs with older networks. As described in paragraph 2.11 older networks have limited capacity to analyse the digits in a dialled telephone number for routing purposes. In Northern Ireland, we anticipate that this would affect a limited number of CPs. However, these would be the largest providers in Northern Ireland in terms of the size of their networks, the level of call traffic handled and the quantity of customers.
- 4.14 The impact of conservation measures on long-established networks is well documented and accepted by Ofcom. The need for networks to analyse more digits to route calls may result in an administrative and operational impact on CPs. There are also infrastructure limitations on older networks' ability to route at the 1,000-number block level, which is why we introduce conservation measures in a phased manner and only where necessary.
- 4.15 In the 2006 numbering policy review, we acknowledged that conservation measures would have some implications for CPs, particularly those with older networks. We commissioned a consultancy study by Intercai Mondiale to look into the feasibility of increasing the number of Conservation Areas. The study concluded that there was no overarching technical reason why CPs could not support conservation measures in additional geographic areas.¹² Taking the study's conclusions into account, we considered that any impact on CPs' networks of conservation measures was likely to be outweighed by the benefits for competition and consumer interests delivered by maintaining the availability of geographic number blocks without the need for increasing the supply. This led to our ongoing commitment to conservation measures

¹² *Finer digit analysis of telephone numbers for routing purposes*, published 23 February 2006, <http://stakeholders.ofcom.org.uk/binaries/consultations/numberingreview/annexes/digitanalysis.pdf>.

as the most appropriate means of meeting CPs' demand for geographic number blocks.

- 4.16 The Intercai Mondiale study was general in nature and did not look at any area specifically (i.e. it did not address whether conservation measures could be supported in Northern Ireland, for instance). We have sought to establish the extent of likely impact on CPs' that operate legacy networks in Northern Ireland, specifically BT, Virgin and Vodafone. Those CPs confirmed that the introduction of further conservation measures would place additional requirements on their networks' finite decoding capacity, which was already under strain. Nevertheless, BT, Virgin and Vodafone indicated that the impact could be accommodated and that conservation measures for Northern Ireland numbers were likely to be manageable.
- 4.17 **Option 2** (increase the supply of numbers) involves making additional two-digit ranges available for allocation in each Northern Ireland area. CPs would need to make some adjustments in their networks to recognise the new ranges and route calls accordingly. However, we anticipate these to be minor and would not have an ongoing impact once the new ranges were implemented.
- 4.18 CPs would need to educate their customers on the location significance of the new ranges until they become established and recognised. This may take some time, and is difficult to estimate, as there will be varying timespans between Ofcom making the new ranges available, allocating blocks of new numbers to CPs and those numbers being put into service and used by customers. This makes it difficult to inform consumers and can result in some confusion.
- 4.19 CPs may face competition issues under this option. Until the new local numbers become well-known, consumers may not associate them with the local area. They may actively seek service from a CP with an available stock of numbers from the established range and avoid CPs with numbers from the new range.

Impact on number block supply

- 4.20 **Option 1** (conservation measures) is a well-established means of extending the supply of number blocks by reducing the block size for allocation and increasing efficient number use. This option is forecast (see Figure 1 below) to provide sufficient number blocks to meet demand for the foreseeable future in most areas (i.e. for between 19 and 57 years depending on the area, and for over 40 years on average).
- 4.21 In Belfast and Londonderry, however, the remaining stock of 10,000-number blocks for allocation is very low, which means that conservation measures alone would have a limited effect. As only three 10,000-number blocks remain available for allocation in Belfast and four blocks in Londonderry, conservation measures applied to those blocks are forecast only to increase number supply to 2016 in Belfast and 2018 in Londonderry. Therefore, in Belfast and Londonderry, conservation measures would not be sufficient on their own and would need to be combined with another measure to ensure number blocks are available for allocation for the foreseeable future.
- 4.22 We consider that the most appropriate additional measure to combine with conservation measures would be the introduction of a further two-digit number range each for Belfast and Londonderry. This would be consistent with our policy principles for managing geographic numbers in that it would ensure sufficient numbers would be available for allocation and is a measure used previously to increase number supply in Belfast.

- 4.23 Our forecast of the effect of conservation measures on number block availability is based on our expectation that a block of 1,000 numbers would be sufficient to meet most CPs' demand in any given area. Looking at Northern Ireland number allocations to date, the majority of CPs with numbers across Northern Ireland (currently 64 CPs) have been allocated only one block per area. Only four CPs (BT, TalkTalk, Virgin and Vodafone) have more than two number blocks allocated in a 028 area. Therefore, we anticipate that most CPs want a presence in all Northern Ireland areas but do not require more than one allocation to meet demand (i.e. a block of 1,000 numbers would meet most CPs' requirements). CPs who have a justified need for more than 1,000 numbers in an area can be accommodated by multiple block allocations.
- 4.24 **Option 2** (increase the supply of numbers) is forecast to provide us with sufficient number blocks to meet CPs' demand for the next 11 to 22 years depending on the area (see Figure 1 below). Due to the higher demand for number blocks in Belfast, we forecast that one additional range for local numbers would last only eight years. Therefore, in Belfast, Option 2 would require a further range to be added to the Numbering Plan (making a total of four ranges for Belfast) to ensure number blocks were available for allocation for the foreseeable future across Northern Ireland. We forecast that the addition of two ranges for Belfast would extend 10,000-number block availability to 2030.
- 4.25 In Figure 1 below, we set out the forecast exhaustion for Northern Ireland areas under Options 1 and 2. Forecasts, by their nature, are subject to uncertainties, particularly when as long-term as those below. Therefore, the forecast years for number block exhaustion should be taken only as relative indications of availability and not realistic expectations of when number blocks would run out.

Figure 1: Forecast exhaustion for Northern Ireland areas under Options 1 and 2

Area Code	Geographic Area	Current forecast exhaustion	Option 1 forecast exhaustion - includes one additional range for Belfast and Londonderry ^{note 1}	Option 2 forecast exhaustion - includes two additional ranges for Belfast ^{note 2}
028	Antrim (94)	2017	2057	2030
	Armagh (37)	2017	2049	2030
	Ballycastle (20)	2017	2055	2033
	Ballyclare (93)	2018	2057	2033
	Ballygawley (85)	2018	2067	2036
	Ballymena (25)	2016	2044	2036
	Ballymoney (27)	2018	2063	2033
	Banbridge (40)	2018	2059	2033
	Bangor (Co. Down) (91)	2015	2035	2030
	Belfast (90 and 95)	2014	(2016) >2070	(2022) 2030
	Carrickmore (80)	2018	2067	2036
	Coleraine (70)	2017	2052	2034
	Cookstown (86)	2017	2055	2034
	Downpatrick (44)	2017	2052	2033
	Dungannon (87)	2017	2057	2036
Enniskillen (66)	2018	2058	2036	

Area Code	Geographic Area	Current forecast exhaustion	Option 1 forecast exhaustion - includes one additional range for Belfast and Londonderry ^{note 1}	Option 2 forecast exhaustion - includes two additional ranges for Belfast ^{note 2}
	Fivemiletown (89)	2018	2064	2034
	Kesh (68)	2018	2062	2034
	Kilrea (29)	2019	2071	2036
	Kircubbin (42)	2018	2063	2032
	Larne (28)	2018	2059	2036
	Limavady (77)	2017	2056	2034
	Lisburn (92)	2016	2040	2034
	Lisnaskea (67)	2018	2066	2034
	Londonderry (71)	2014	(2018) >2070	2032
	Magherafelt (79)	2017	2048	2034
	Martinstown (21)	2018	2060	2032
	Newcastle (Co. Down) (43)	2017	2054	2035
	Newry (30)	2015	2033	2025
	Newtownstewart (81)	2018	2065	2031
	Omagh (82)	2017	2048	2028
	Portadown (38)	2015	2035	2027
	Rostrevor (41)	2018	2063	2034
	Saintfield (97)	2018	2065	2034

Table notes

note 1 - Option 1 forecast exhaustion includes one additional range for Belfast and Londonderry. The forecast exhaustion for Option 1 without an additional range each for Belfast and Londonderry is provided in brackets.

note 2 - Option 2 forecast exhaustion includes two additional ranges for Belfast. The forecast exhaustion for Option 2 with one additional range for Belfast is provided in brackets.

Ofcom's decision

4.26 Taking into account our assessment of the options and the five responses to the April 2014 consultation, we have decided to:

- introduce conservation measures in all 34 Northern Ireland areas in the 028 area code; and
- increase the supply of number blocks in Belfast and Londonderry by adding a further two-digit range for local numbers in each area (i.e. 028 96 for Belfast and 028 72 for Londonderry).

4.27 In order to implement our decision, we need to modify the Numbering Plan. We consider that the modifications to the Numbering Plan meet all the required legal tests in the Act for the reasons set out below. The modifications are unchanged from those on which we consulted in Annex 3 of the April 2014 consultation.

How the modifications meet the legal tests

- 4.28 We must ensure that, when modifying the Numbering Plan, the modifications comply with our legal tests and duties in the Act (see Annex 3 for further information on the legal framework).
- 4.29 The effect of the modifications to the Numbering Plan is to give conservation status to all 34 areas in the 028 area code and to assign an additional two-digit range for local numbers in each of Belfast and Londonderry.
- 4.30 We are satisfied that the modifications to the provisions of the Numbering Plan meet the tests set out in sections 60(2) and 49(2) of the Act being:

- **objectively justifiable**, it is Ofcom's general duty in administering numbers to ensure their best use. We have identified a scarcity of number blocks to allocate to CPs across Northern Ireland and the modifications are necessary to address this situation. We therefore consider that the modifications would further the best use of numbers by ensuring the long-term availability of sufficient number blocks across Northern Ireland to meet CPs' needs, so that they can provide services to consumers, and to further competition, consumer choice and innovation;

In addition, the modifications to introduce conservation measures in the 028 area code more closely align allocated block size to likely demand, and thereby improve utilisation of geographic numbers across Northern Ireland.

- **not unduly discriminatory**, for the following reasons:

i) all CPs eligible to apply for telephone numbers are subject to the modifications to the Numbering Plan;

ii) with respect to conservation measures, CPs are not unduly constrained by the introduction of 1,000-number blocks. The allocation of multiple blocks of 1,000 numbers is available for CPs demonstrating a justified demand for more numbers;

iii) we acknowledge that CPs operating older fixed networks are likely to experience a greater impact from conservation measures. We have sought to establish the extent of this with the CPs likely to be affected. Vodafone confirmed that the introduction of further conservation measures would place additional requirements on its network's finite decoding capacity, which was not readily expandable for legacy equipment. Virgin stated that its transit layer switches were already under strain and that it would prefer to retain its decoding capacity for areas where it considered the case for conservation measures to be more compelling. Nevertheless, BT, Virgin and Vodafone indicated that the impact could be accommodated and that conservation measures for Northern Ireland numbers were likely to be manageable; and

iv) with respect to the introduction of an additional range for local numbers in Belfast and Londonderry, we have recognised the potential impact on CPs holding allocations of numbers from the new ranges (and not the established range(s)) until those ranges become recognised as 'local' by consumers. However, this impact will reduce over time. We consider that increasing the supply of numbers in Belfast and Londonderry by the addition of a two-digit range in each of these areas is the most appropriate to supplement conservation measures in those areas.

- **proportionate**, it is our duty to ensure that sufficient geographic numbers are available to support competition in fixed-line voice services across the UK for the foreseeable future. The policy principles that guide how we should meet this duty are that:
 - i) the numbers consumers want are available when they are needed;
 - ii) the numbers consumers currently use are not changed if this is avoidable;
 - iii) the meaning which numbers provide to consumers is protected; and
 - iv) number allocation processes support competition and innovation.

The modifications to the Numbering Plan increase the supply of number blocks available for allocation and, thus, contribute to the meeting of our objectives set out above by ensuring that geographic numbers are available to meet CPs' needs across Northern Ireland, that location significance is preserved as far as possible and that number blocks are available to support competition and innovation; and

- **transparent**, in that the Notification proposing the modifications to the Numbering Plan, and its effects, was set out in the April 2014 consultation and the final Notification is provided in Annex 4 of this document.

4.31 We consider that we are fulfilling our general duty as to telephone number functions as set out in section 63 of the Act in making the modifications by:

- **securing the best use of appropriate numbers**, the modifications seek to ensure that optimal use is made of the currently available geographic numbers for Northern Ireland, thus helping to ensure that appropriate numbers are available for allocation to CPs.

The introduction of an additional range for local numbers in each of Belfast and Londonderry to rectify the scarcity that would remain post implementation of conservation measures would make best use of two unused ranges within the 028 area code (i.e. 028 96 for Belfast and 028 72 for Londonderry); and

- **encouraging efficiency and innovation**, the implementation of conservation measures and therefore the allocation of smaller number blocks would more efficiently meet the numbering requirements of most CPs across Northern Ireland.

The combined modifications to introduce conservation measures in the 028 area code and additional ranges for Belfast and Londonderry would ensure that sufficient and appropriate numbers are available to meet CPs' needs across Northern Ireland, thereby supporting competition and innovation.

4.32 We consider that the modifications to the Numbering Plan are consistent with our general duties in carrying out our functions as set out in section 3 of the Act. In particular, we consider that the modifications would further the interests of citizens in relation to communications matters and consumers in relevant markets by ensuring that the supply of telephone numbers across Northern Ireland is maintained.

4.33 In deciding to modify the Numbering Plan, we have also considered the Community obligations set out in section 4 of the Act, particularly the requirement to promote the interests of all persons who are citizens of the European Union. Taking measures to conserve geographic numbers benefits citizens as more efficient use is made of the limited resource, thus offsetting the need for more disruptive measures to ensure

availability. The combined modifications to introduce conservation measures in the 028 area code and additional ranges for Belfast and Londonderry would ensure the ongoing supply of numbers to allocate to CPs across Northern Ireland, and thereby promote competition, choice and innovation, which is in the interests of all citizens.

Next steps

- 4.34 We have modified the Numbering Plan as set out in Annex 4 of this document in order to give effect to our decision. The modifications are unchanged from those on which we consulted in Annex 3 of the April 2014 consultation.
- 4.35 Conservation measures have now been introduced in the 028 Northern Ireland area code, meaning that 028 numbers will be allocated in blocks of 1,000. Numbers from the new two-digit ranges for Belfast and Londonderry are also available for allocation.

Annex 1

Consultation respondents

A1.1 We received five responses to the April 2014 consultation. These were submitted by:

- BT;
- Gamma Telecom Limited;
- Mr Martin Radford;
- Virgin; and
- Vodafone.

A1.2 The non-confidential versions of the responses are available at:
<http://stakeholders.ofcom.org.uk/consultations/ni-tel-nos/?showResponses=true>.

Annex 2

Number block availability in the 028 Northern Ireland area code

- A2.1 Each of the 34 Northern Ireland areas has been assigned a two-digit range for local numbers. This provides 100 blocks of 10,000 numbers for allocation to CPs. Belfast, where number demand is higher, has two ranges assigned and therefore 200 blocks of 10,000 numbers.
- A2.2 Figure 2 below sets out the number of blocks remaining available for allocation (as at 9 January 2014), the rate at which we allocate blocks per year and when we forecast running out of the existing supply. Currently, each of the Northern Ireland areas has between three and 38 blocks of 10,000 numbers remaining available for allocation. Our average annual allocation rate is 12 blocks in Belfast, and between seven and eight blocks in the other areas. Shortage is most pronounced in Belfast (three blocks remaining) and Londonderry (four blocks). Other areas have at least 16 blocks available, with the majority over 30 blocks remaining.
- A2.3 Taking into account the current number block availability and allocation rate, we forecast that, without intervention, Belfast and Londonderry will run out of available number blocks for allocation this year and that the rest of the Northern Ireland areas have a realistic expectation of running out of number blocks within the next five years.

Figure 2: Number block availability and forecast exhaustion for the 34 Northern Ireland areas (as at 09/01/2014)

Area Code	Geographic Area	Total of free 10,000-number blocks	Allocation rate (blocks per year) ¹³	Forecast exhaustion
028	Antrim (94)	31	7.1	2017
	Armagh (37)	27	7.4	2017
	Ballycastle (20)	32	7.6	2017
	Ballyclare (93)	31	7.0	2018
	Ballygawley (85)	37	6.9	2018
	Ballymena (25)	22	7.0	2016
	Ballymoney (27)	34	6.9	2018
	Banbridge (40)	33	7.1	2018
	Bangor (Co. Down) (91)	17	7.7	2015
	Belfast (90 and 95)	3	12.0	2014
	Carrickmore (80)	37	6.9	2018
	Coleraine (70)	28	7.1	2017
	Cookstown (86)	31	7.4	2017
	Downpatrick (44)	29	7.4	2017

¹³ The allocation rate is calculated by averaging the quantity of annual number block allocations in the last seven years (2007-2013).

Area Code	Geographic Area	Total of free 10,000-number blocks	Allocation rate (blocks per year) ¹³	Forecast exhaustion
	Dungannon (87)	31	7.0	2017
	Enniskillen (66)	33	7.3	2018
	Fivemiletown (89)	35	6.9	2018
	Kesh (68)	35	7.1	2018
	Kilrea (29)	38	6.6	2019
	Kircubbin (42)	35	7.0	2018
	Larne (28)	32	7.0	2018
	Limavady (77)	32	7.4	2017
	Lisburn (92)	20	7.4	2016
	Lisnaskea (67)	36	6.9	2018
	Londonderry (71)	4	8.3	2014
	Magherafelt (79)	26	7.4	2017
	Martinstown (21)	34	7.3	2018
	Newcastle (Co. Down) (43)	31	7.6	2017
	Newry (30)	16	8.1	2015
	Newtownstewart (81)	36	6.9	2018
	Omagh (82)	27	7.7	2017
	Portadown (38)	17	7.7	2015
	Rostrevor (41)	35	7.0	2018
	Saintfield (97)	36	7.0	2018

Annex 3

Legal Framework

A3.1 Ofcom regulates the communications sector under the framework established by the Communications Act 2003 (the “Act”). The Act provides, amongst other things in relation to numbering, for the publication of the Numbering Plan and the setting of General Conditions of Entitlement relating to Telephone Numbers (“Numbering Conditions”). It also sets out statutory procedures governing the modification of the Numbering Plan and the giving of directions under conditions such as the Numbering Conditions.

The Numbering Plan

A3.2 Section 56(1) of the Act states that:

"It shall be the duty of OFCOM to publish a document (to be known as "the National Telephone Numbering Plan") setting out-

- a) the numbers that they have determined to be available for allocation by them as telephone numbers;
- b) such restrictions as they consider appropriate on the adoption of numbers available for allocation in accordance with the plan; and
- c) such restrictions as they consider appropriate on the other uses to which numbers available for allocation in accordance with the plan may be put."

A3.3 The Act provides for Ofcom to review and revise the Numbering Plan. Section 56(2) states that:

"It shall be OFCOM's duty –

- a) from time to time to review the National Telephone Numbering Plan; and
- b) to make any modification of that plan that they think fit in consequence of such a review; but this duty must be performed in compliance with the requirements, so far as applicable, of section 60."

A3.4 Section 60 of the Act provides for the modification of documents referred to in the Numbering Conditions (which includes the Numbering Plan) and explains the procedures to be followed in order to conduct this review. Section 60(2) of the Act provides that:

"OFCOM must not revise or otherwise modify the relevant provisions unless they are satisfied that the revision or modification is –

- a) objectively justifiable in relation to the matters to which it relates;
- b) not such as to discriminate unduly against particular persons or against a particular description of persons;

- c) proportionate to what the modification is intended to achieve; and
- d) in relation to what it is intended to achieve, transparent."

A3.5 Section 60(3) further provides that:

"Before revising or otherwise modifying the relevant provisions, OFCOM must publish a notification –

- a) stating that they are proposing to do so;
- b) specifying the Plan or other document that they are proposing to revise or modify;
- c) setting out the effect of their proposed revisions or modifications;
- d) giving their reasons for making the proposal; and
- e) specifying the period within which representations may be made to OFCOM about their proposal."

Ofcom's general duty as to telephone numbering functions

A3.6 Ofcom has a general duty under section 63(1) of the Act in carrying out its numbering functions:

- "a) to secure that what appears to them to be the best use is made of the numbers that are appropriate for use as telephone numbers; and
- b) to encourage efficiency and innovation for that purpose."

General duties of Ofcom

A3.7 The principal duty of Ofcom to be observed in the carrying out of its functions is set out in section 3(1) of the Act as the duty:

- "a) to further the interests of citizens in relation to communications matters; and
- b) to further the interests of consumers in relevant markets, where appropriate by promoting competition."

A3.8 As part of the fulfilment of these principal duties, it is Ofcom's responsibility to secure the availability throughout the UK of a wide range of numbering arrangements, having regard to the interests of consumers in respect to choice, price awareness, and consumer protection.

Duties for the purpose of fulfilling Community obligations

A3.9 In addition to its general duties as to telephone numbers, when considering revisions to the Numbering Plan, Ofcom must also take into account the six Community requirements in carrying out its functions as set out in section 4 of the Act. These include the requirement to promote competition in the provision of electronic communications networks and services, and the requirement not to

favour one form of network, service or associated facility or one means of providing or making available such network, service or associated facility over another, as well as the requirement to promote the interests of European citizens.

Annex 4

Notification of a modification to the provisions of the Numbering Plan under section 60(3) of the Act

WHEREAS:

- A. Section 56(2) of the Act provides that it shall be Ofcom's duty from time to time to review the Numbering Plan and make such revisions that they think fit, provided such revisions are made, so far as applicable, in accordance with section 60 of the Act;
- B. Section 60 of the Act applies whereby General Condition 17 is a numbering condition for the time being having effect by reference to provisions of the Numbering Plan;
- C. Ofcom issued a notification pursuant to section 60(3) of the Act of proposals to make a modification to Appendix A of the Numbering Plan on 1 April 2014 ("the Notification");
- D. For the reasons set out in the statement accompanying this modification Ofcom are satisfied that, in accordance with section 60(2) of the Act, this modification is:
- (i) objectively justifiable in relation to the matter to which it relates;
 - (ii) not such as to discriminate unduly against particular persons or against a particular description of persons;
 - (iii) proportionate to what it is intended to achieve; and
 - (iv) in relation to what is intended to achieve, transparent.
- E. For the reasons set out in the statement accompanying this modification Ofcom are satisfied that they acted in accordance with the six Community requirements in section 4 of the Act as well as performed their general duties under section 3 of the Act and their duty as to telephone numbering in section 63 of the Act;
- F. A copy of the Notification was sent to the Secretary of State;
- G. In the Notification and the accompanying consultation document Ofcom invited representations about any of the proposals therein by 9 May 2014;
- H. By virtue of section 60(5) of the Act, Ofcom may give effect to the proposals set out in the Notification, with or without modification, only if:
- they have considered every representation about the proposal that is made to them within the period specified in the notification; and
 - they have had regard to every international obligation of the United Kingdom (if any) which has been notified to them for this purpose by the Secretary of State;

- I. Ofcom received five responses to the Notification and have considered every such representation made to them in respect of the proposals set out in the Notification and the accompanying consultation document and the Secretary of State has not notified Ofcom of any international obligation of the United Kingdom for this purpose;
- J. In considering whether to make the modification proposed in the Notification Ofcom have complied with all relevant requirements set out in section 60 of the Act.

NOW, THEREFORE, OFCOM, PURSUANT TO SECTION 56(2) HEREBY MAKE THE FOLLOWING MODIFICATION:

- 1. Ofcom in accordance with section 56(2) of the Act hereby makes the following modification to the Numbering Plan to take effect on the date of publication of this Notification:
 - a) In Appendix A of the Numbering Plan, the following modifications set out in bold shall be made:

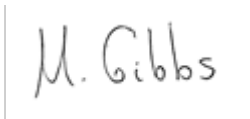
Geographic Area Code	Geographic Area	Conser vation Area	100- Number Block Area
028	Ballycastle (20)	Y	
	Martinstown (21)	Y	
	Ballymena (25)	Y	
	Ballymoney (27)	Y	
	Larne (28)	Y	
	Kilrea (29)	Y	
	Newry (30)	Y	
	Armagh (37)	Y	
	Portadown (38)	Y	
	Banbridge (40)	Y	
	Rostrevor (41)	Y	
	Kircubbin (42)	Y	
	Newcastle (Co. Down)(43)	Y	
	Downpatrick (44)	Y	
	Enniskillen (66)	Y	
	Lisnaskea (67)	Y	
	Kesh (68)	Y	
	Coleraine (70)	Y	
	Londonderry (71 and 72)	Y	
	Limavady (77)	Y	
	Magherafelt (79)	Y	
	Carrickmore (80)	Y	
	Newtownstewart (81)	Y	
	Omagh (82)	Y	
	Ballygawley (85)	Y	
	Cookstown (86)	Y	
	Dungannon (87)	Y	
	Fivemiletown (89)	Y	
	Belfast (90, 95 and 96)	Y	
	Bangor (Co.		

	Down)(91)	Y	
	Lisburn (92)	Y	
	Ballyclare (93)	Y	
	Antrim (94)	Y	
	Saintfield (97)	Y	

2. In this Notification-

- 'Act' means the Communications Act 2003;
- 'Condition' means General Condition 17 of the General Conditions of Entitlement set by the Director by way of publication of a Notification on 22 July 2003;
- 'Ofcom' means the Office of Communications; and
- 'Numbering Plan' means the National Telephone Numbering Plan published from time to time by Ofcom.

Signed by



Marina Gibbs
 Competition Policy Director

A person authorised by Ofcom under paragraph 18 of the Schedule to the Office of Communications Act 2002.

8 July 2014