

# CONSULTATION RESPONSE



## Part R of the Building Regulations: Physical Infrastructure for High Speed Electronic Communications Networks

January 2016

*The HBF is the principal trade association for private sector home builders in England and Wales and our members produce about 80% of the new homes built each year.*

### **Introduction**

The Home Builders Federation welcomes the opportunity to respond to the Department for Communities and Local Government's consultation 'Part R of the Building Regulations: Physical Infrastructure for High Speed Electronic Communications Networks'.

Digital communications have become an indispensable part of daily life and with more and more individuals working from home, a reliable and well performing service to residential addresses is important for the country's households and businesses alike. For several months, together with colleagues in Government and BT Openreach, HBF has been in discussions about how to avail occupiers of new homes with the very best in modern communications to ensure that new homes built today can operate as the fully functioning smart homes of tomorrow. With BT Openreach now working through the problems which led to extensive backlogs in connecting new build purchasers with broadband services, we are eager to continue to work with them and Government to look ahead to the next challenge; providing the infrastructure necessary to make superfast connections feasible for purchasers of new homes.

The recent announcement by the Prime Minister that the Universal Service Obligation under which BT Openreach operates will be upgraded to give all households the right to a 10Mbps broadband connection supports the overall view that access to broadband connectivity is 'absolutely fundamental to life in the 21<sup>st</sup> Century'. This is even truer for buyers of new build properties who rightly expect that a brand new 21<sup>st</sup> Century home should come equipped with the latest in connectivity. We also recognise that in building tomorrow's communities, house builders have an opportunity to 'future proof' new homes and ultimately reduce the costs of rolling out new services and infrastructure as and when they become available.

HBF is broadly supportive of the principles underpinning the new Part R being consulted on.

The installation as prescribed within this consultation allows for the ductwork to be installed at the appropriate time even if broadband is not available. Whilst this future proofs the property and allows for the minimum disturbance once broadband is available it does not place any incentive on the utility provider to get the broadband to the property in the appropriate time. Indeed, one could argue that this merely serves to provide the broadband provider with greater leeway in terms of timescales which could ultimately

Although outwith this consultation our members have reported that some local planning authorities are introducing planning conditions that involve a requirement for the availability of super-fast broadband. This will in cases where superfast services are not available in good time put a delay in the delivery of new homes. This is something that house builders have no influence over.

As we will now be future-proofing under the new Part R we believe that there is merit in LPAs desisting from attaching such conditions to planning approvals.

We would also like to see the DCLG publication 'Better Connected' strengthened to provide a more realistic set of service targets in relation to the provision of broadband.

### **Detailed answers**

**Q1. Do you agree with the Government's view that the Building Regulations are the most appropriate mechanism for delivering European requirements for providing in-building physical infrastructure for superfast broadband?**

Yes, we agree. Building Regulations provide a useful and robust mechanism for achieving the Government's aims of effectively implementing the European Directive.

**Q2. Is the proposed guidance in the Approved Document clear and fit for purpose?**

Yes, we believe that the proposed guidance is sufficiently clear.

**Q3. The diagrams in the draft Approved Document are illustrative only. Are they accurate and do they provide sufficient detail?**

No, not in all cases. Ducts through the floor are very contentious and not what Openreach will allow in their recently revised details. There is a potential problem of the ingress of gas, water or vermin if the duct through the floor is not sealed properly and should be avoided or clearly indicated what is required.

**Q4. Some of the definitions of key terms in Appendix A of the draft Approved Document – for example of 'major renovation works' – are abridged versions of those in the Directive. Are the definitions accurate and clear?**

Yes. We believe this definitions to be sufficiently clear and accurate for the purposes intended.

**Q5. Do you agree with the proposed exemptions to the requirement for providing in-building physical infrastructure for superfast broadband set out in paragraph 1.1 of the Approved Document?**

Yes, we agree.

**Q6. Are there additional exemptions that you feel should be considered?**

We believe that in keeping with Government's wider supply aspirations and policy efforts to support small and medium-sized developers, we would welcome an explicit exemption for premises involving a change to residential use. In such cases it would not be as simple to install the necessary enabling infrastructure.

**Q7. Do you agree with the assumptions, costs and impacts set out in the Impact Assessment?**

Not entirely. We are unsure how the projected costings have been calculated and can only assume that the cost of offsite network reinforcement has been excluded. These wider costs need addressing along with the commercial/competitive model for network provision as without it, uptake of fibre broadband could be slower than required by Government. However, the cost impact of Part R of the Building Regulations alone appears to nominal/nil.

**Q8. Please set out any additional comments you have below.**

N/A