



Department for
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Delyth Jewell MS

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16 May 2024

Dear Delyth,

Thank you for your letter of 19 February 2024, my apologies for my delayed response. However, I am pleased to advise that during this time, my Department has been in close communication with Welsh Government Officials to reach an agreed position on the Data Protection and Digital Information ('DPDI') Bill. This dialogue remains on-going.

The Data Protection and Digital Information Bill is an essential piece of legislation that will make the UK's data laws among the most effective in the world, by maintaining high data protection standards and making common sense changes to put in place a pro-growth, innovation friendly data protection framework. Since the introduction of the DPDI Bill, we have added a number of amendments to the Bill. Whilst many of the Government's amendments are technical in nature, others are key to unlocking the immense possibilities of data use to improve the lives of everyone in the UK.

National Underground Asset Register

The National Underground Asset Register (NUAR), as you are aware, is a new digital map built in partnership with Welsh and NI government officials to improve the way we install, maintain, operate and repair the pipes and cables buried beneath our feet. Approximately 1 in every 65 holes dug results in an accidental asset strike (c. 60,000 a year), which is far too high, causing around £2.4 billion worth of economic cost, putting workers' lives at risk and disrupting our day-to-day lives. We estimate NUAR will generate in excess of £400m in total benefits per annum through increased efficiency, reduced accidental damage and reduced disruptions for citizens and businesses. Immediate access to data in a digital, standardized format will also help improve worker safety.

The Geospatial Commission, part of the Department for Science, Innovation & Technology, has been working closely with Welsh Government officials to develop the NUAR platform from the onset in 2021, which is why Wales was one of the first areas to benefit from the new services in 2022. Officials have and continue to actively contribute to the platform's development, ensuring that it aligns with the specific needs and requirements of Welsh Government, asset owners and excavators. They have played a crucial role in getting asset owners across Wales involved with the NUAR, facilitating the inclusion of data related to underground pipes and cables in the register. Additionally, Welsh Government are actively sharing relevant data through the NUAR, ensuring that workers can access this through the new register. Most recently, officials participated in a discovery project to explore the technical feasibility of sharing data between NUAR and DataMapWales, a digital platform that provides access to public sector data in Wales, including through a map interface. Furthermore, officials have been informed about legislative reforms related to operationalizing the NUAR service, which will ensure the benefits are realized across all areas of operation. However, these benefits can only be achieved with the proposed legislative provisions.



The majority of respondents to a 2022 public consultation on the future of NUAR stated new legislative reforms would be required to ensure workers have access to all the data they need, when they need it, through the new service. The requirement for legislation has been further reinforced in the current development phase of NUAR, where it has become increasingly clear that whilst a number of asset owners will voluntarily share their asset data, a proportion of asset owners will not do so in a timely manner, or keep it up to date, without new legislation being in place.

New reforms are required to establish NUAR as a statutory register for the sharing of buried utility data, to allow government to specify the data that is to be shared, who can access the data and the terms under which access may be granted, and to grant powers to charge fees to ensure the service is operationally viable and financially self-sustaining in future years without requiring use of public funds, as well as criminal offences for non-compliance.

Careful consideration was given as to the most appropriate legislative approach for bringing forward the necessary reforms to fully operationalise the digital service and realise the estimated benefits. It is our view that the best approach for introducing these new reforms is by updating existing data sharing obligations, rather than creating them afresh. Individual apparatus owners in England and Wales are already required to record information, maintain their own records and share information from those records with others as per the New Roads and Street Works Act 1991. With NUAR now live across England and Wales, it is appropriate to update these obligations to require the sharing of data through NUAR among other things.

We have adopted this approach after careful consideration and for important practical reasons; for NUAR to operate efficiently it is crucial that the legislative framework underpinning it is consistent in its approach across England and Wales. For example, for NUAR to be as effective and useful as possible, the information entered into it and then shared with others, must be consistent in content and format in respect of all apparatus. This also supports asset owners who operate across both nations, such as Virgin Media O2, Welsh and West Utilities and Openreach. Of course, we recognise the very keen interest that Welsh Ministers and the people of Wales will have in the content of any regulations made by the Secretary of State in relation to the devolved matter of street works, hence the inclusion of a clear requirement, prior to making such regulations, for the Secretary of State to have to consult Welsh Ministers.

Lastly, we have also taken care to ensure the provisions that are being taken forward do not prevent the Senedd from taking forward similar legislation in the future; for example, should Welsh Government wish to create their own version of NUAR, these provisions do not restrict the competency of the Senedd to do so.

We look forward to continuing our engagement with Welsh Ministers as we work to fully operationalise this high value service to improve worker safety and the resiliency of our critical services.

With best wishes,



Julia Lopez MP

Minister for Data and Digital Infrastructure



