

Ymateb gan: Openreach | Evidence from: Openreach

Senedd Cymru | Welsh Parliament

[Y Pwyllgor Llywodraeth Leol a Thai](#) | [Local Government and Housing Committee](#)

[Bil Diogelwch Adeiladau \(Cymru\)](#) | [Building Safety \(Wales\) Bill](#)

Response on behalf of Openreach to the consultation on the Building Safety (Wales) Bill

Introduction

Openreach is responsible for building and maintaining the UK's largest telecommunications network, used by hundreds of service providers to deliver essential broadband and phone services to homes and businesses. We are committed to supporting the rollout of high-speed digital infrastructure across Wales.

We welcome the principles behind the Building Safety (Wales) Bill and support its primary objective of improving the safety of residents in their homes.

Fast and reliable broadband is no longer merely a convenience but is foundational to modern life: essential for work, education, healthcare, access to vital – increasingly digitised - public services and social inclusion. Faster, more reliable connections will play an increasingly important role as essential services move online, with the real risk of digital exclusion for those without access.

In this context, full fibre connectivity is an essential amenity for modern life and why in 2025 the regulations were changed so it became mandatory to install gigabit broadband in almost all new residential buildings in Wales.

Openreach's ambitious roll-out provides the backbone of the UK's digital revolution. Having now built to almost 20 million premises with full fibre, we are laying the foundation for a more connected, productive, and prosperous future.

Against this backdrop, it is essential that the rollout can continue at pace with network builders able to finish the job as quickly as possible with proportionate safety.

Our comments below are offered from the perspective of a statutory undertaker that requires access to multi-occupied residential buildings to install and maintain essential public infrastructure. Our focus is on ensuring the Bill's provisions are workable in a way that enhances safety without creating unintended barriers to the delivery of critical digital services to residents.

1. What are your views on the general principles of the Bill, and whether there is a need for legislation to deliver the stated policy intention?

Openreach fully recognises the pivotal and necessary importance of this legislation and its intention to strengthen building safety standards in Wales. We fully support the aim of ensuring residents feel safe and reassured in their homes and the commitment to accountability and transparency across the built environment, especially with regards to higher risk buildings.

However, we wish to highlight the importance of proportionality in its implementation and the need to mitigate unpredictable and extended timelines in approvals which have already had a severe impact in England. While safety must be paramount, the Bill as it is currently framed, does risk unintended consequences for the rollout of critical digital infrastructure. The wide scope of the Bill – covering all apartment blocks with more than two units – risks unnecessary delays and increased costs for full fibre deployment. This could also have a detrimental impact on Welsh Government's ambitions for digital connectivity and inclusion.

2. What are your views on the provisions set out in Part 1 of the Bill – Safety of buildings containing two or more residential units?

The inclusion of all apartment blocks with more than two units is a wide scope. We fully understand its intention to provide reassurance for residents. For Openreach, the practical question is how this could impact the rollout of full fibre broadband.

In England, we have seen systemic problems with Gateway 2 requirements that have resulted in significant time delays, and operational challenges as permissions are needed before fibre installation can proceed.

According to data from the Building Safety Regulator, as of July 16, 2025, 102, 257 residential units in England are currently on hold awaiting approval while applications face an average duration delay of 17.8 weeks, far exceeding the statutory 12-week timeframe. The rejection rate for building assessment certificates is currently at 75%.

We would welcome a re-assessment of proportionate, risk-based processes which enable both safety and connectivity to be delivered effectively to streamline the approval process without compromising safety.

The creation of an Accountable Person (AP) provides a single point of accountability. However, the workability of this system is entirely dependent on the accessibility of this information. To avoid the delays, it is imperative that the register of APs is made publicly and easily accessible to statutory undertakers. Without this, identifying the correct person to contact for thousands of buildings will create a significant administrative barrier to our work.

The Bill provides mechanisms for the AP to gain access to residential units for safety purposes. However, it does not specify a clear process for third parties performing essential work. The situation in England has shown that without explicit guidance,

building owners become overly cautious. We are concerned a similar situation could arise in Wales, where our requests for access are unnecessarily delayed while the AP considers their new legal liabilities.

3. What are your views on the provisions set out in Part 2 of the Bill – Fire safety in certain houses in multiple occupation?

From an operational perspective, our requirements remain the same: a clear and efficient way to identify and communicate with the responsible duty holder to arrange access and ensure our work does not compromise any fire safety measures for which they are responsible.

4. What are your views on the provisions set out in Part 3 of the Bill – Enforcement and investigatory powers?

We recognise the need for effective enforcement to ensure the new regime is taken seriously. From a delivery perspective, it may be useful to consider how local authorities are resourced and supported with the expertise needed in areas such as digital infrastructure, where specialist knowledge is essential to ensure consistency and build confidence.

Clear and consistent guidance for authorities would help ensure that safety is prioritised while also allowing important utilities like fibre broadband to be rolled out efficiently across Wales.

While these enforcement powers do not apply directly to Openreach, their indirect effect cannot be overstated. The threat of compliance notices, fines, and prosecution will rightly make APs highly risk averse.

In England, this exact caution, driven by ambiguity in regulations, has led building owners to halt routine telecoms installations and refer them unnecessarily to the Building Safety Regulator. This is the direct outcome we predict in Wales if the Bill is not supported by clear, practical guidance that helps APs differentiate between routine, low-risk utility work and major structural alterations.

5. What are your views on the provisions set out in Part 4 of the Bill – Supplementary and general?

The designation of local councils as the "Building Safety Authority" for their area creates a decentralised model. This may create inconsistencies in process across different areas of Wales, posing a challenge for organisations with a national footprint like Openreach. We would encourage the development of a national framework or code of practice to ensure a consistent approach.

6. What are the potential barriers to the implementation of the Bill's provisions and how does the Bill take account of them?

A potential barrier relates to how Gateway 2-style approval processes may affect the ability to deliver fibre at scale. Given the large number of multi-unit dwellings in

Wales, any requirement for case-by-case approval could slow down rollout – whether that is the approval for each unit or on a block-by-block basis.

We believe there is an opportunity to design processes that safeguard residents while also giving utilities confidence to invest and deliver at pace. This would ensure residents benefit from both improved safety and improved digital connectivity.

From our perspective, two primary barriers are:

Information Accessibility: As stated, the inability to easily identify the AP for every building will be a major barrier.

Regulatory Uncertainty: The ambiguity around what constitutes a "material alteration" is the root cause of the issues in England. The Welsh Bill must be supported by subordinate legislation and guidance that provides absolute clarity on which types of routine installation and maintenance work fall outside the scope of major safety reviews. Without this, the local authorities in Wales will be overwhelmed with unnecessary queries, and digital rollout will stall.

7. How appropriate are the powers in the Bill for Welsh Ministers to make subordinate legislation?

The powers are appropriate and necessary for the regime to remain agile. However, the situation in England underscores why it is critical that industry stakeholders, including telecommunications providers, are statutory consultees on any subordinate legislation that could impact our ability to work within buildings. Had the practical implications for digital infrastructure been fully considered in England, the current issues around delay and digital exclusion could likely have been averted.

8. Are there any unintended consequences likely to arise from the Bill?

We fully support the Bill's aims. The main risk we would highlight, and the purpose of this submission, is that if approval processes are too complex, this could unintentionally delay the delivery of full fibre broadband. That would mean residents might wait longer for better connectivity, despite the wider ambitions of the Welsh Government to accelerate digital inclusion.

A proportionate, risk-based approach could help avoid this, ensuring that safety measures work hand in hand with wider infrastructure delivery. Openreach is committed to working collaboratively and constructively with all relevant authorities and stakeholders in Wales to ensure this regulatory framework is reliable and robust.

One possible solution could be to introduce a streamlined approval pathway for essential utilities such as broadband, with clear criteria and service standards for local authorities. This would maintain safety oversight while giving operators confidence that permissions will be handled consistently and efficiently.

Delays to Digital Connectivity: If the barriers identified above are not addressed, the process of installing and upgrading digital infrastructure could be significantly slowed. This could hinder the achievement of Welsh Government targets for fibre broadband rollout including the recently announced Welsh Government £70m Extended High Speed Broadband project.

Overburdening of New Authorities: The BSR in England is projected to face "significant capacity challenges" and could face up-to 16–20-week delays. The local authorities in Wales will inevitably face the same deluge of queries about routine work if the scope of their remit is not tightly and clearly defined.

9. What are your views on the Welsh Government's assessment of the financial implications of the Bill?

The Regulatory Impact Assessment focuses on the costs to Welsh Government, local authorities, fire and rescue authorities, and the "industry," which is defined as those with compliance duties. The assessment does not appear to quantify the downstream financial impact on utility companies and other statutory bodies who will need to adapt their processes to this new regime.

Openreach does not wish to comment on the overall costings of the Bill, but we note that the way new processes are implemented could affect the cost and pace of fibre rollout. This is not about questioning safety but about recognising that additional steps in the process can have knock-on effects.

We would encourage consideration of how implementation can be designed to keep Wales an attractive place for digital investment while delivering the vital safety improvements.

10. Are there any other issues you would like to raise about the Bill?

We see building safety and digital connectivity as complementary goals – both are vital to residents' wellbeing, security, and opportunities. With the right balance, the Bill can strengthen safety while also supporting Wales's ambition for connectivity and growth.

Openreach would be pleased to work with officials on practical guidance to help achieve both outcomes.

