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Ymateb gan: Internet Services Providers Association (ISPA UK), on behalf of the telecoms (broadband) sector in the UK. | Evidence from: Internet Services Providers Association (ISPA UK), on behalf of the telecoms (broadband) sector in the UK.

Senedd Cymru | Welsh Parliament

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

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

You do not need to answer every question, only those on which you wish to share information or have a view.

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

Overview

In its present form, this Bill would delay or even stop rollout of telecoms (broadband) infrastructure to residents in high-risk buildings (HRBs) in Wales. Preventing HRBs from gaining access to gigabit-capable broadband will ultimately result in digital exclusion in the long-term.

Digital connectivity is an essential feature of modern day life, allowing individuals to be socially connected, access essential services such as healthcare and education, and participate in the modern economy. This is particularly important to individuals as well as businesses, and ensuring all regions have the ability to foster sustainable growth in existing and emerging sectors. Further, with technological advances, a lack of access to fast and reliable broadband will have a significant impact on people's ability to access emergency services in the future.

It is for these reasons that the Welsh government has recently, as of this year, made gigabit-capable connectivity [mandatory](#) in new builds, and [supported](#) the Extending High Speed Broadband project, both of which are essential to ensuring Wales has access to future-proof digital connectivity.

The telecoms sector is keenly aware and highly supportive of building safety. However, this Bill would increase requirements on broadband operators rolling out to HRBs in a way which is not proportionate to the works being carried out, nor conducive to current regulations nor national – UK-wide and Welsh – connectivity targets.

Therefore, we urge the Senedd to engage with the telecoms sector to find a proportionate and workable solution to ensure HRBs are not left behind as an unintended consequence of this Bill.

Background

In England, the new high-risk buildings (HRB) Regulations ("the Regulations"), which sit under the Building Safety Act (BSA) 2022, are slowing down network deployment in a way which is completely contrary to government policy and disproportionate to the impact on firestopping in these buildings.

Works to install and maintain broadband ducts and fibre cables are extremely short-duration and low-impact. Operators go through a complex process to gain access to buildings, and already have robust safety practices in place, including same-day firestopping by competent persons, to ensure that any penetrations for cables are immediately sealed to prevent the risk of fire spread.

The current proposals in the Building Safety (Wales) Bill – particularly its wide scope, covering all apartment blocks with more than two units – would expand the definition of high-risk buildings, and associated reporting requirements, having the effect of slowing, if not pausing entirely, rollout of broadband infrastructure in these buildings.

Under the Regulations in England, any building work which breaks firestopping is considered to be a “material alteration”, regardless of its size or overall impact, and requires an application to the newly established Building Safety Regulator (BSR). At present, estimated delays within the BSR for application decisions are nearly 20 weeks – and many applications are reportedly being rejected. While we fully support the intention behind the Regulations, there are numerous questions around the practicality of this timeline, particularly for sectors such as broadband.

Unlike traditional utilities, the rollout of fibre broadband is private sector funded and led. If there are excessive or unforeseen delays to accessing a building, operators’ build teams are likely to be forced to move onto other areas with fewer HRBs. The added time for approval, in addition to the supplementary cost of application, makes rollout unviable for operators to connect HRBs.

Essentially, these regulations were not developed with the routine requirements of telecoms works in mind, and the telecommunications sector was not included in consultations and legislative reviews, such as the Hackitt Review and the BSA, including its associated Impact Assessment.

The telecoms sector takes building safety extremely seriously, and works are carried out under strict firestopping regulations, and in the rollout and upgrade of fixed networks, certain works do not breach firestopping. However, requiring applications to be submitted for every break in firestopping is not proportionate to the works being carried out, and will have a significant impact on digital infrastructure rollout.

Gigabit-capable broadband rollout in Wales is slightly behind the national (UK) average¹, particularly in hard-to-reach rural areas², leading to difficulties for residents and businesses, with a particular impact on those on low or no income. The telecommunications industry is concerned that the impact of this new Bill would be to slow the rollout of broadband infrastructure completely, turning HRBs into urban “not-spots”³ which are challenging and costly to rectify, resulting in Wales being left behind in terms of digital connectivity for the next decade, and requiring a significant additional cost from the government.

The issue in detail

From our interpretation, the Bill is intended to capture all or any apartment block that has more than two (2) units (regardless of the height of said building), which makes it much wider in scope than the BSA.

¹ Gigabit coverage UK: 88.63% ; gigabit coverage Wales: 82.76%. Source: [thinkbroadband, 2025](#)

² However, industry is working hard to ensure these areas are connected, with new funding recently [signed](#) via Project Gigabit.

³ See: [Broadband in flats: The urban digital divide](#), House of Commons Library, 2024

Additionally, the Bill imposes stricter compliance requirements than the BSA, in mandating duty holders actively demonstrate they have all necessary approvals and maintain updated fire risk assessments with obligations tailored according to the building's categorisation (Categories 1 to 3).

However, unlike the BSA, the Bill places the responsibility for regulating all aspects of compliance on local authorities ("LAs"), rather than the BSR or HSE. Although LAs will have the interests and safety of their residents at heart, this raises questions around whether they would have the capacity to manage the scale and complexity of this role effectively. A decentralised model may create inconsistencies in process across different areas of Wales, posing a challenge for organisations – therefore, we would encourage policymakers to create a framework or code of practice to ensure a consistent approach.

Further, the Bill places greater responsibilities on the Accountable Person (AP) and Principal Accountable Person to engage with residents, take feedback seriously, and respond accordingly. When combined with the extension of criminal liability (which includes potential prosecution of senior officers and duty holders) this raises significant practical challenges. Evidence from England indicates that, in the absence of explicit guidance, building owners will often adopt a risk-averse position that creates operational delays as they contend with their new responsibilities, causing delays. Therefore, the Bill should include specific supplementary guidance for APs on which works are and are not in scope, in order to avoid confusion.

Additionally, in order to avoid further delays, a register of APs should be made easily accessible to operators, to allow them to efficiently identify the correct person to contact for carrying out works. Otherwise, this would create a significant administrative barrier.

Finally, the Bill's financial assessment does not include the long-term financial impact on companies and other statutory bodies who will need to adapt their processes to this new regime. For sectors such as broadband, providers must adhere to strict financial parameters, in order to return value for investors, and to the government for taxpayer-funded schemes such as Project Gigabit.

Policy options

ISPA is currently working with its members, wider industry and the UK government to find a proportionate and workable solution to this issue in England. However, in Wales, as the legislation is still being developed, we believe this presents a valuable opportunity to get the policy right. The sector is keen to work with the Senedd to ensure the same unintended consequences do not happen in Wales.

Potential policy options that we would urge the Senedd to consider include:

- **A legal exception for telecoms (broadband):** operators would be exempt from requiring pre-approval from the relevant to carry out broadband installations and maintenance.
 - **A competent person scheme (CPS):** broadband works could be conducted without prior approval from the BSR, as long as a "competent person" checks the work and is present at the site at the time of installation.
 - The precedent for this comes from [current UK guidance](#).
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Note: We note that the installation of telecoms (mobile) installations differ in terms of impact on the building, and therefore encourage the Senedd to engage with mobile operators to find a workable policy solution.

10. Are there any other issues you would like to raise about the Bill and the Explanatory Memorandum or any related matters?

Without a proportionate, risk-based approach, the Bill risks unintentionally slowing or halting fibre upgrades to multi-occupied homes, deepening digital exclusion and undermining Wales's connectivity ambitions.

Evidence from England shows that unclear thresholds and extended approvals have created systemic delays – applications taking many weeks, high rejection rates, and highly risk-averse behaviours from building owners – resulting in routine broadband works being paused. As fibre deployment is privately funded, it must adhere to tightly constrained build budgets; added requirements on time, cost and process will reduce the commercial viability of connecting high-risk and lower-income buildings, and chill private investment.

Legislators in Wales now have the opportunity to balance safety with delivery, and consider how best to practically enable fibre rollout alongside the strong resident protections. The Bill should be supported by secondary legislation and guidance which clarifies which types of routine installation and maintenance works fall outside the scope; otherwise, LAs in Wales will be overwhelmed with unnecessary queries, ultimately stalling rollout and creating greater digital exclusion.
