



# Proposed Amendments to the Building Regulations Part R

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## Background

1. The Government has a Manifesto commitment to ensure that, from 2017, 95% of the United Kingdom should have access to super-fast broadband. Super-fast is defined by the Government as speeds in excess of 24 Mbps.
2. The European Commission also sets broadband targets for all Member States. In the 2014 Broadband Cost Reduction Directive<sup>1</sup> the Commission set out specific infrastructure requirements aimed at increasing broadband speeds and provision across the European Union. The Commission defines a 'high-speed' network as being capable of delivering access speeds of at least 30 Mbps.
3. The Directive requires implementation of a range of measures that aim to reduce the cost of rolling out networks, by promoting deployment over existing physical infrastructures (both telecoms and a range of other infrastructure sectors), and requiring coordination of civil works that use public funding (Articles 3 and 5). There are complementary requirements to share certain minimum information about existing physical infrastructure and about planned civil engineering works (Articles 4 and 6).
4. The Directive also requires a four month deadline for certain permits (Article 7) and creation of a 'single information point' to provide information on permits and direct users to minimum information provided under Article 6. New buildings and major renovations must include a minimum standard of in-building physical infrastructure (Article 8) and providers of high-speed networks must have certain rights to access this infrastructure (Article 9). Most of these measures require dispute resolution functions and appeal to a court (Article 10).

# Annex B – Article 8 of 2014 Broadband Cost Reduction Directive

## *Article 8*

### **In-building physical infrastructure**

1. Member States shall ensure that all newly constructed buildings at the end-user's location, including elements thereof under joint ownership, for which applications for building permits have been submitted after 31 December 2016, are equipped with a high-speed-ready in-building physical infrastructure, up to the network termination points. The same obligation applies in the event of major renovation works for which applications for building permits have been submitted after 31 December 2016.
2. Member States shall ensure that all newly constructed multi-dwelling buildings, for which applications for building permits have been submitted after 31 December 2016, are equipped with an access point. The same obligation applies in the event of major renovation works concerning multi-dwelling buildings for which applications for building permits have been submitted after 31 December 2016.
3. Buildings equipped in accordance with this Article shall be eligible to receive the voluntary 'broadband-ready' label in Member States that have chosen to introduce such a label.
4. Member States may provide for exemptions from the obligations provided for in paragraph 1 and 2 for categories of buildings, in particular single dwellings, or major renovation works in cases in which the fulfilment of those obligations is disproportionate, such as in terms of costs for individual or joint owners or in terms of type of building, such as specific categories of monuments, historic buildings, holiday homes, military buildings or other buildings used for national security purposes. Such exemptions shall be duly reasoned. The interested parties shall be given the opportunity to comment on the draft exemptions within a reasonable period. Any such exemption shall be notified to the Commission.

**Duration:**

The consultation will run from 30 November 2015 to 11 January 2016.

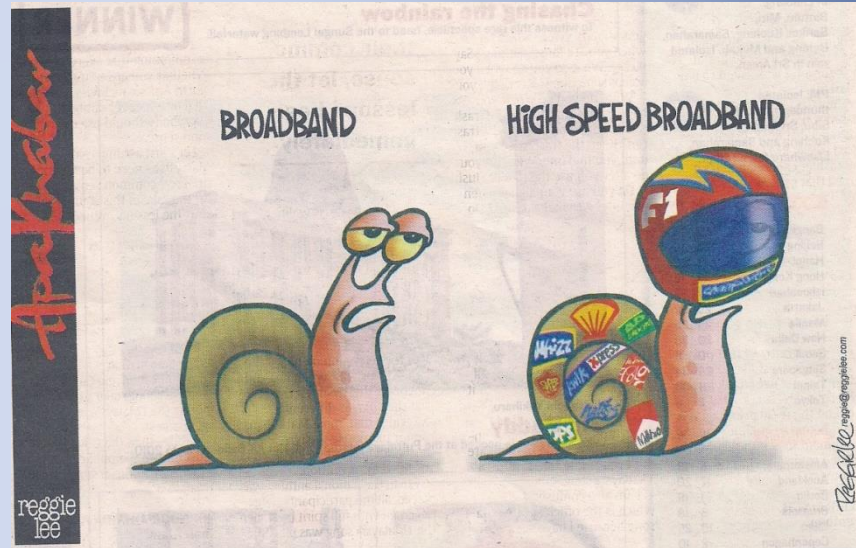


The Building Regulations 2010

Physical infrastructure for  
high-speed electronic  
communications networks  
Draft Approved Document

**R**

R1 In-building physical infrastructure



This approved document supports requirement R1 of Schedule 1 to the Building Regulations 2010. It takes effect on 1 January 2017 for use in England\*. It does not apply to work started before 1 January 2017, or work subject to a building notice, full plans application or initial notice submitted before that date.



## **Part R Physical infrastructure for high-speed electronic communications networks**

### *Requirement*

### *Limits on application*

#### **In-building physical infrastructure**

##### **R1**

(1) Building work must be carried out so as to ensure that the building is equipped with a high-speed-ready in-building physical infrastructure, up to a network termination point for high-speed electronic communications networks.

(2) Where the work concerns a building containing more than one dwelling, the work must be carried out so as to ensure that the building is equipped in addition with a common access point for high-speed electronic communications networks.

Requirement R1 applies to building work that consists of–

- (a) the erection of a building; or
- (b) major renovation works to a building.

## Application

- 1.1 Requirement R1 does not apply to the following types of building or building work:
- a. buildings and work described in Classes 2 to 7 of Schedule 2 (exempt buildings and work) to the Building Regulations

– *for example, sheds, domestic greenhouses, garages, conservatories and other small detached buildings with no sleeping accommodation*
  - b. buildings where compliance with Requirement R1 would unacceptably alter their character or appearance, and which are:
    - (i) listed in accordance with section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990, or
    - (ii) in a conservation area designated in accordance with section 69 of that Act, or
    - (iii) included in the schedule of monuments maintained under section 1 of the Ancient Monuments and Archaeological areas Act 1979
  - c. buildings occupied by the Ministry of Defence or the armed services of the Crown, or otherwise occupied for purposes connected to national security
  - d. single dwellings situated in isolated areas where the prospect of high-speed connection is considered too remote to justify equipping the building with **high-speed-ready in-building physical infrastructure** or an **access point**

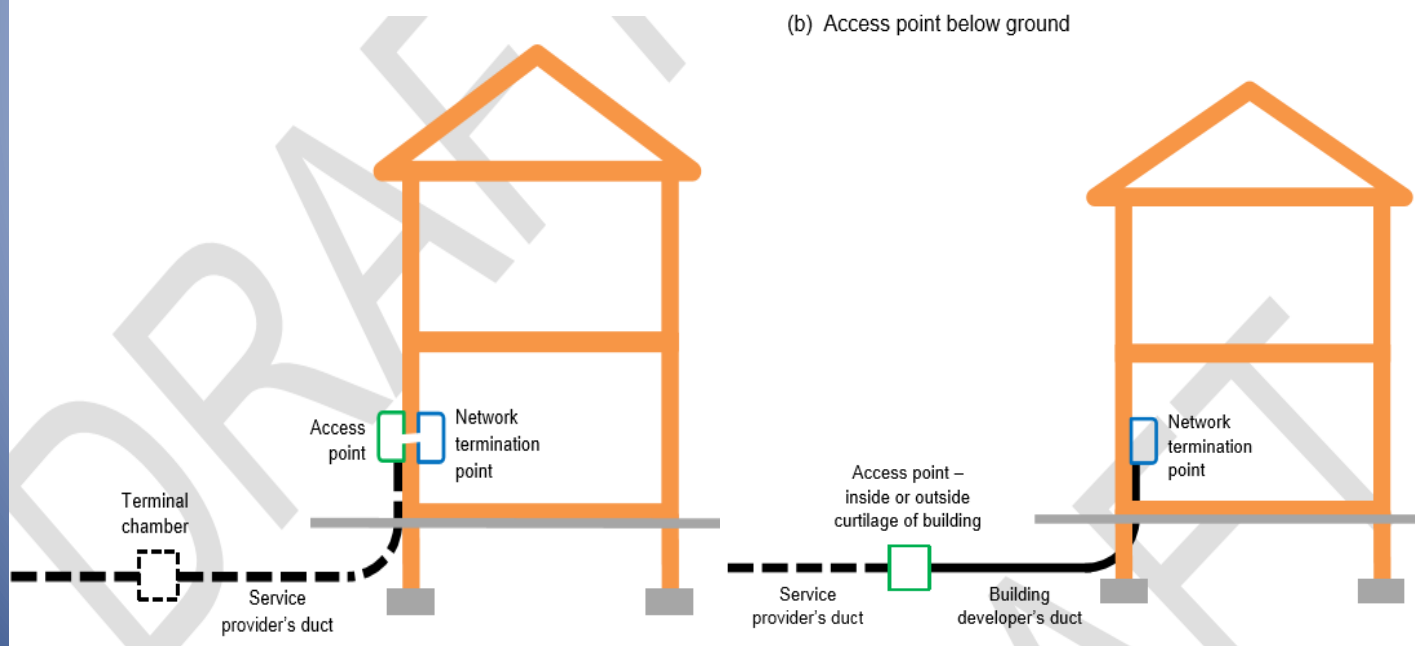
– *for example, areas that are so isolated that no duty is placed on a communications provider to meet the cost of installing a telephone line to the dwelling*
  - e. **major renovation works** in cases in which the cost of compliance with Requirement R1 would be disproportionate to the benefit gained

– *for example, major renovation works to buildings which incur a significant cost and where high-speed broadband would bring no business benefits, or where most of the occupants have no use or need for high-speed broadband*



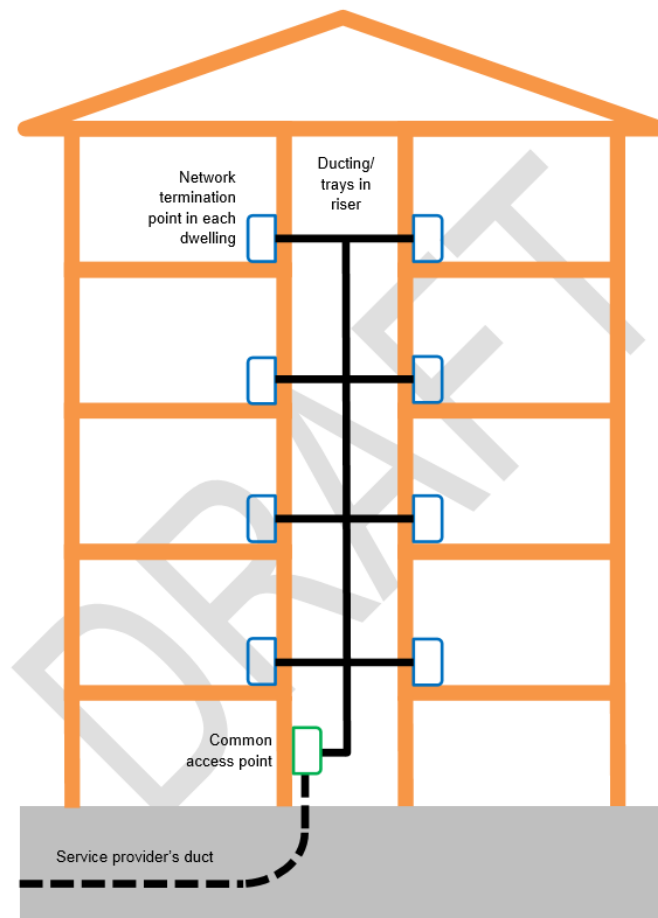
## Single buildings

- 1.2** A single building should have an **access point** linked by ducting to a **network termination point**. Diagrams 1(a) and 1(b) show schematics of two possible arrangements for the physical infrastructure<sup>1</sup>:
- a. where the **access point** is on an outside wall and connected by a through-wall duct<sup>2</sup> to the **network termination point**
  - b. where the **access point** is below ground and remote from the building, inside or outside the curtilage, and connected by a below-ground duct to the **network termination point**

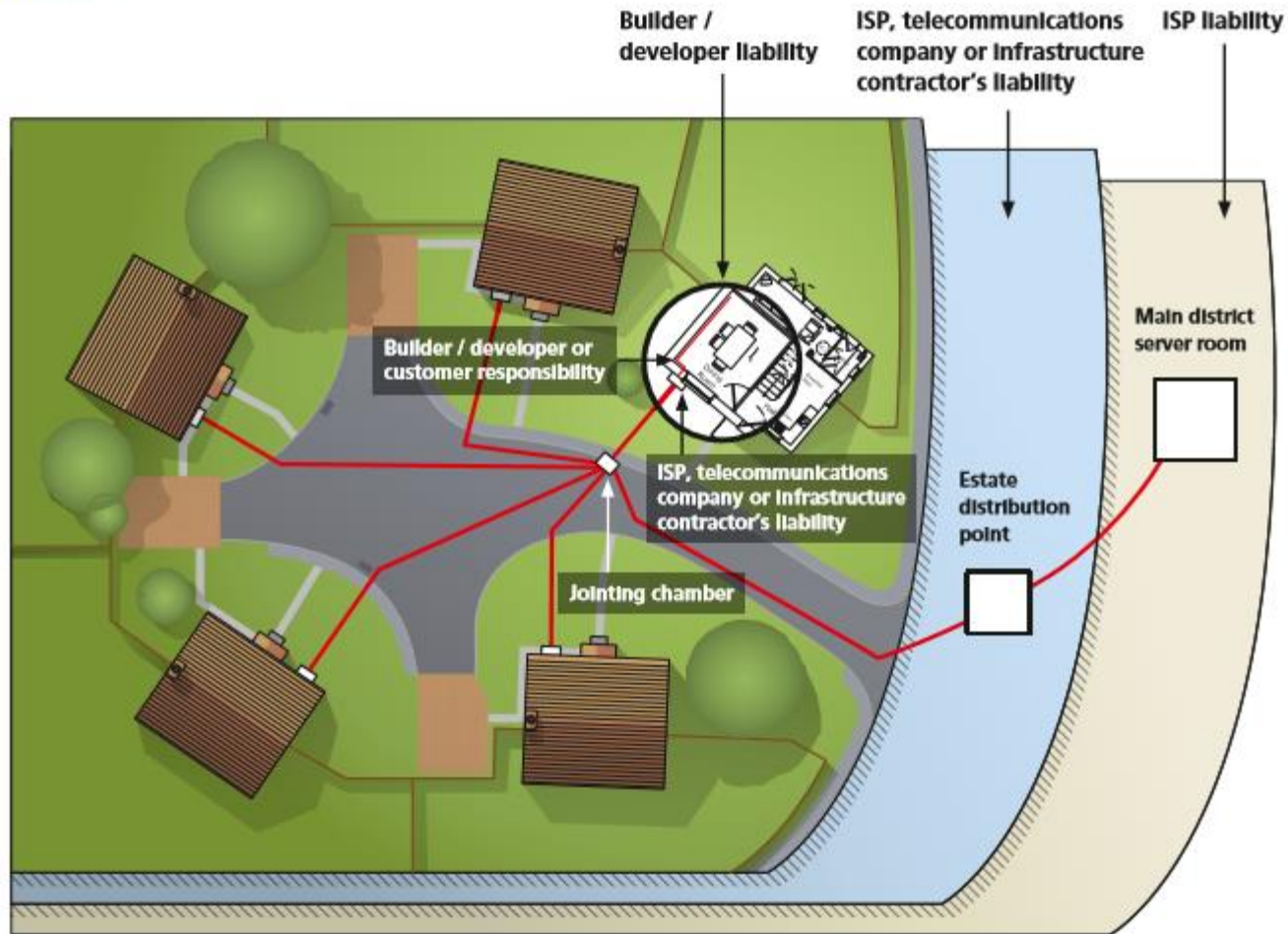


## Multi-dwelling buildings

- 1.3 A multi-dwelling building should have a common **access point**, and dedicated vertical and horizontal service routes, so that service providers can make connections from the **access point** to the **network termination point** in each dwelling. Diagram 2 shows a schematic of a possible arrangement for the physical infrastructure for a multi-dwelling building.



**Figure 2 – Generic zones of liability**



# Any Questions

