

Millions set to benefit from faster broadband with new plans to tackle rogue landlords

A new law will ensure the nine million people in the UK living in blocks of flats aren't left behind in the Government's nationwide upgrade to gigabit speed broadband, Digital Secretary Nicky Morgan announces today.

The measures will make it easier to install faster internet connections in blocks of flats where landlords repeatedly ignore requests for access from broadband firms. It is estimated that an extra 3,000 residential buildings a year will be connected as a result.

Gigabit speed broadband is classed as a thousand megabits per second and is around 30 times the speed of superfast broadband. It will be the equivalent of downloading an HD film in less than 45 seconds.

This follows the government announcing £5 billion of new funding to bring gigabit-capable broadband to the hardest-to-reach parts of the UK earlier this month. It is the latest Government action to bust the barriers to faster broadband rollout and enable the private sector to get the job done.

The legislation is part of the Prime Minister's plan to level up the country through new infrastructure, and deliver nationwide coverage of gigabit speed broadband as soon as possible.

Digital Secretary Nicky Morgan, who will today visit a block of flats in Coventry being connected to gigabit-capable broadband, said:

We're pushing ahead with delivering the digital infrastructure that will underpin the UK's future growth and boost our productivity.

We've just announced £5 billion so that people in rural communities will get gigabit speed internet at the same time as everyone else.

And we're now making sure people living in blocks of flats and apartments are not left behind either, and can reap the huge benefits of the fastest and most resilient internet connections.

To install gigabit-capable broadband in the UK's estimated 480,000 blocks of flats or apartments, broadband companies must get permission from the building's owner to enter the property and undertake the necessary works. One of the biggest obstacles preventing operators deploying new networks to residential blocks is the landlord's failure to respond in any way to requests for access.

Operators say that 40 per cent of their requests for access receive no

response. While they already have an option available to push for access via the courts, there is considerable cost, time and uncertainty involved.

This means a significant amount of tenants are missing out on the chance to benefit from gigabit-capable broadband. The same problem does not exist for individual houses, where it is much easier to get permission to access the property.

To solve this, the Government is going to create a cheaper and faster process for telecoms companies to get access rights. It will apply when a landlord has repeatedly failed to respond to requests for access to install a connection that a tenant within the building has asked for. It will give operators a cheaper and more streamlined route via the existing Upper Tribunal (Lands Chamber) to connect the property, lowering the timescale to enter a property from six months to a matter of weeks, and at a drastically reduced cost.

Simon Clarke, Exchequer Secretary to the Treasury, said:

Faster broadband boosts productivity and makes people's lives easier at home and at work.

That is why we are connecting more residential buildings to the fastest internet, while also ensuring the most rural areas benefit from this technology through our £5.5bn high-speed broadband funding.

Lutz Schüler, CEO of Virgin Media, said:

This new law is something Virgin Media has long called for – it breaks through a major broadband barrier as we invest to bring gigabit speeds to our entire, ever-growing network. Giving broadband builders clear and efficient access rights will mean the many forgotten flats across the country can get the next-generation connectivity they deserve.

Greg Mesch, Chief Executive Officer of CityFibre, said:

We are pleased to see the Government supporting competitive builders of digital infrastructure as they build momentum to deliver the target of national full fibre coverage by 2025. As a company committed to rolling out more than 20% of the target, CityFibre welcomes all barrier busting initiatives that help to accelerate the rate of build.

David Smith, Policy Director for the Residential Landlords Association said:

We recognise how important it is that tenants should have access to high speed broadband. It is in a landlord's interests to be able to offer it as it makes their properties more attractive to prospective tenants.

The RLA will work constructively with the Government to ensure that any difficulties in implementing enhanced access rights are addressed such as broadband companies ensuring they have the right contact details for a landlord.

ENDS

Notes to Editors

- The Government has today published its response to the consultation: [Ensuring tenants' access to gigabit-capable connections](#). It has decided it will introduce new legislation to amend the Electronic Communications Code to provide operators with a faster, cheaper route to gain interim rights under the existing Electronic Communications Code via the Upper Tribunal (Lands Chamber) and its equivalent in devolved administrations. This route will apply only in circumstances where a tenant has requested a service, the landlord's permission is required for that service to be delivered, and the landlord fails to respond to repeated requests from an operator for access.
- Part 4 of the existing Code allows operators to apply to a tribunal for provisional rights to enter a property and install infrastructure. But operators have not done so – citing the cost, time and uncertainty of eventual result. The Government will instead legislate so that: (i) where a landlord fails to respond to repeated requests for rights to install infrastructure, including access; (ii) a tenant within the building has requested a service; and (iii) an operator has complied with other statutory duties (for example they have made a specified number of requests which haven't been responded to). This will allow an operator to apply for an order which will give them interim code rights to deploy in the building.
- Currently an operator may use the pre-existing process under the Electronic Communications Code to make an application to the tribunal after 28 days. That application is then put to the court and they have to wait an estimated 2-3 months for a decision. The Government is proposing under the new system that operators will only have to wait 42 days before making an application (to ensure they have sent a sufficient number of notices and made serious attempts to gain access) but then will then be able to use the faster process to gain the right to access which will speed up the time it takes to access a building from an estimated six months to what we envisage will be between 6-7 weeks and lower the cost to the operator (from an estimated £14,000 to around £300). The Government will set out a clear process operators will need to follow to demonstrate their repeated attempts at engagement with a landlord; before being able to apply for those rights. We also intend to legislate so that – once such rights are ordered by the Upper Tribunal or equivalent in devolved administrations – landlords will also be able

to challenge the making of such an order.