

Communications Consumer Panel and ACOD response to DCMS' consultation on ensuring tenants' access to gigabit-capable connections

The Communications Consumer Panel, established by the Communications Act 2003, is a group of independent experts with direct sectoral experience. We ensure the citizen and consumer voice is represented in communications policy development.

The Panel's job is to ensure that the sector works for consumers, citizens and micro businesses - and in particular people who may be in a more vulnerable position in society. We carry out research, provide advice and encourage Ofcom, governments, the EU, industry and others to look at issues through the eyes of consumers, citizens and micro businesses.

The Panel pays particular attention to the needs of older people and people with disabilities, the needs of people in rural areas and people on low incomes, and the needs of micro businesses, which have many of the same problems as individual consumers.

Four members of the Panel also represent the interests of consumers in England, Northern Ireland, Scotland and Wales respectively. They liaise with the key stakeholders in the Nations to understand the perspectives of consumers in all parts of the UK and input these perspectives to the Panel's consideration of issues. Following the alignment of ACOD (the Advisory Committee for Older and Disabled people) with the Panel, the Panel is more alert than ever to the interests of older and disabled consumers and citizens.

Response

The Panel believes that all consumers in the UK have a right to expect consistent and high-quality internet connectivity in their home. Availability and access to the internet should be treated as essential - given its importance to consumers, citizens and businesses (especially micro businesses). We're therefore supportive of the action being considered by the Government to allow infrastructure changes to enable high speed internet to be made available to households across the country; and we welcome moves to create a legislative and regulatory environment which encourages investment and militates against barriers to deployment.

The evidence suggests that a lack of responses to requests for access to tenanted properties is one such barrier, so the Panel is in favour of moves to ensure that elusive or obstructive landlords cannot simply ignore these requests to grant wayleave or other access agreements. We therefore support moves to compel landlords to consider the connectivity of their tenants and to allow operators to install digital infrastructure.

The Panel does however consider that the ownership rights of landlords must be balanced against the needs of consumers across the country to gain access to an internet connection; therefore, any regulatory intervention in this area should only be used where commercial agreements cannot be settled. But, in line with other utilities, we agree with the proposal to use magistrates' courts to obtain warrants of entry where it is appropriate

to do so. We also consider that there is a need to define what constitutes a request by a tenant for a communications service to ensure clarity for all parties.

In summary, barriers to connectivity - whether they take the form of obstructing deployment or discouraging investment by operators - need to be addressed. There is otherwise a high social and economic risk. Absent or elusive landlords should not be able to frustrate the process of equipping the UK as a whole for a new generation of infrastructure to support the growing needs of consumers to be connected to robust and effective internet connections. We therefore support the proposals in the consultation.