



Department for
Communities and
Local Government

Part R of the Building Regulations: Physical Infrastructure for High Speed Electronic Communications Networks

Government response and summary of responses to the
consultation



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Introduction

1. The Government has made a Manifesto commitment to ensure that, from 2017, 95% of the UK has access to superfast broadband¹. The Government is committed to making sure that the benefits of improved broadband services are felt by as many homes and businesses in the UK as possible. Improved superfast broadband availability will serve to reinforce the UK's position as a leading digital economy.
2. The European Commission is also committed to extending access to superfast broadband². The ambition is that by 2020 all Europeans have access to much higher internet speeds of 30 Mbps and 50 % or more of households subscribe to internet connections above 100 Mbps. The 2014 Broadband Cost Reduction Directive³ sets specific infrastructure requirements with the aim of reducing the cost of extending superfast broadband provision across the European Union.⁴
3. Article 8 of this Directive requires that all new buildings, and major renovations, have the necessary in-building physical infrastructure to enable connections to superfast broadband. This high-speed-ready in-building physical infrastructure must also be technologically neutral to maintain effective competition. The requirements of Article 8 aim to support a reduction of the costs and obstacles to the quick and extensive deployment of high-speed electronic communications networks.
4. The Government has proposed that Building Regulations are used in England to meet the requirements of the Broadband Cost Reduction Directive and to issue technical guidance in a new statutory Approved Document.
5. This report provides a summary of the responses to the consultation *Part R of the Building Regulations: Physical Infrastructure for High Speed Electronic Communications Networks* and is structured around the questions set out in the consultation. We have carefully considered the responses to the consultation in finalising plans to implement this policy.

¹ Superfast is defined by the Government as speeds in excess of 24 Mbps.

² Digital Agenda for Europe: <https://ec.europa.eu/digital-agenda/en>

³ Directive 2014/61/EU of the European Parliament and of the Council of 15 May 2014 on measures to reduce the cost of deploying high-speed electronic communications networks: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32014L0061>

⁴ The Commission defines a 'high-speed' network as being capable of delivering access speeds of at least 30 Mbps.

About the consultation

6. The Department for Communities and Local Government (DCLG) issued the consultation *Part R of the Building Regulations: Physical Infrastructure for High Speed Electronic Communications Networks* on 30 November 2015. The consultation closed on 11 January 2016.
7. The scope of the consultation was to seek views and gather further evidence on proposals to use the Building Regulations to set new requirements for in-building physical infrastructure to support superfast broadband.
8. A draft Approved Document was published to set out the proposed functional requirements and guidance for a new Part R to the Regulations. The consultation sought views on whether the draft guidance was sufficiently clear and suitable to support the sector in complying with the new regulations. The consultation stage Impact Assessment was also published and further evidence was sought to inform a final stage Impact Assessment to ensure that it accurately reflects the financial and other impacts on developers and building control bodies.

Overview of consultation responses

9. The consultation was divided into 15 questions. The first 7 questions in the survey were designed to gather information about each respondent. Questions 8 to 14 explored respondents' views on the draft Regulations, Approved Document and consultation stage Impact Assessment. Question 15 provided an opportunity for respondents to submit any additional comments. The question numbers used in this report are consistent with the question numbers on the Survey Monkey form.
10. The consultation received a total of 39 responses.
11. Respondents were asked to assign themselves to one of 14 organisation categories. Table 1 below provides a breakdown of the 39 responses by organisation type.

Organisation type	Total responses received	Percentage of total responses (%)
Approved Inspector	6	15.38
Builder / Developer	5	12.82
Designer / Architect / Engineer / Surveyor	4	10.26
Energy Sector	0	0.00
Fire and Rescue Authority	0	0.00
Government Department	1	2.56
Housing Association / Registered Social Landlord	0	0.00
Local Authority	10	25.64
Manufacturer / Supply Chain	1	2.56
Private Individual	2	5.13
Property Management	0	0.00
Telecommunications Company / Service Provider	2	5.13
Trade Body or Association	8	20.51
TOTAL	39	100%

Table 1: Breakdown of respondents by organisation type

12. Builders/Developers were asked to assign themselves to a further sub-category. Of the 4 respondents that answered this question, the majority (75% - 3/4) were house builders, with 25% (1/4) being trade bodies or associations.
13. Respondents were asked to assign themselves to one of 5 organisation sizes listed on the survey, including an option for individual views. Table 2 below provides a breakdown of the 39 responses by size of organisation.

Size of organisation	Total responses received	Percentage of total responses (%)
These are my own views	5	12.82%
Micro - 0-9 full time or equivalent employees	4	10.26%
Small - 10-49 full time or equivalent employees	4	10.26%
Medium – typically 50-249 full time or equivalent employees	4	10.26%
Large – 250+ full time or equivalent employees	22	56.41%
TOTAL	39	100%

Table 2: Breakdown of respondents by organisation size

14. The rest of this report provides a summary of responses to the consultation and is structured around questions 8 to 14 in the survey. It includes a summary qualitative analysis of the views and comments submitted for each consultation question as well as tables showing how the different organisation types responded to each question. Questions 8 to 14 all received a 100% response rate. Responses to the final question asking for additional comments have been considered throughout the analysis where most relevant.

Overview of consultation responses

Use of the Building Regulations

15. Question 8 of the consultation sought respondents' views on the suitability of the Building Regulations to meet the requirements of the European Directive.

Question 8: Do you agree with the Government's view that the Building Regulations are the most appropriate mechanism for delivering European requirements for providing in-building physical infrastructure for superfast broadband?

16. Table 3 below provides the quantitative analysis of the responses to question 8. The majority of respondents, 28 out of 39 (72%), agreed that the Building Regulations were the most appropriate means by which to transpose the requirements of the Directive. 11 respondents (28%) disagreed.
17. Of those who disagreed 8% (3/39) suggested that the requirements could be met through the planning process, for example through a planning condition. An additional 8% (3/39) proposed that requirements for broadband infrastructure could be controlled by mirroring arrangements in place with utilities for broadband services or that the requirement could be enforced as part of the Universal Service Obligation with BT Openreach.
18. Of those who supported the use of the Building Regulations, there was recognition that although new regulations were welcome to support the readiness of access to high speed electronic communications networks, this would not guarantee the availability of superfast broadband provision.

Question 8 – Do you agree with the Government’s view that the Building Regulations are the most appropriate mechanism for delivering European requirements for providing in-building physical infrastructure for superfast broadband?				
Organisation type	Yes	No	Yes (%)	No (%)
Approved Inspector	4	2	10.26	5.13
Builder / Developer	3	2	7.69	5.13
Designer / Architect / Engineer / Surveyor	3	1	7.69	2.56
Energy Sector	0	0	0	0
Fire and Rescue Authority	0	0	0	0
Government Department	1	0	2.56	0
Housing Association / Registered Social Landlord	0	0	0	0
Local Authority	5	5	12.82	12.82
Manufacturer / Supply Chain	1	0	2.56	0
Private Individual	2	0	5.13	0
Property Management	0	0	0	0
Telecommunications Company / Service Provider	2	0	5.13	0
Representative Body or Trade Body	7	1	17.95	2.56
TOTAL	28	11	71.79	28.21

Table 3: Breakdown of responses to question 8

19. The Government has considered the responses and, in England, will continue to implement requirements for in-building physical infrastructure through the Building Regulations. The European Directive states that requirements have to be implemented by “laws, regulations and administrative provisions”. Non-regulatory approaches are considered unlikely to satisfy the European Commission of suitable transposition. The primary powers in the Building Act 1984 enable technical requirements relating to superfast broadband to be included in the Building Regulations.
20. We agree with views put forward that the Building Regulations offer an established route for setting requirements for buildings and will ensure enforcement or compliance checking will be undertaken by Building Control Bodies.
21. Delivery of the requirement through the planning system, as suggested by some respondents, would be less effective and possibly less consistent with the principle of the Housing Standards Review, which has established that where technical requirements are imposed on housing development, as far as possible, this should be done through the Building Regulations. A planning condition could not be used for effective transposition, as the requirement for in-building physical infrastructure is not conditional and will apply to all new buildings.
22. We disagree with suggestions put forward by some respondents that to meet the requirement we should either regulate broadband service providers by mirroring arrangements in place with utilities or enforce action through the Universal Service Obligation with BT Openreach. The requirement of Article 8 specifically focuses on controlling the building and its internal infrastructure, and does not impose requirements on broadband service providers.

23. The Government recognises concerns made by some respondents about the availability of superfast broadband when meeting this requirement. However, this consultation was only concerned with the specific requirements of the Directive to ensure that all new buildings are equipped adequately with the necessary infrastructure to support a connection to superfast broadband.

Guidance in the Approved Document

24. Consultation questions 9, 10 and 11 sought views on the quality of guidance, accuracy of diagrams and clarity of definitions within the draft Approved Document. The Approved Document offers statutory guidance and advice on demonstrating compliance with regulatory requirements for in-building physical infrastructure.

Question 9: Is the proposed guidance in the Approved Document clear and fit for purpose?

25. This question sought overarching views on the quality of guidance within the Approved Document. Table 4 below provides the quantitative analysis of the responses to question 9. 25 out of 39 respondents (64%) agreed that the guidance in the Approved Document is clear and fit for purpose. 14 respondents (36%) disagreed.
26. A number of the comments made by respondents relate to specific aspects of the Approved Document, for example the diagrams or definitions. Comments will therefore be considered where appropriate in the analysis of the following two questions.

Question 9 – Is the proposed guidance in the Approved Document clear and fit for purpose?				
Organisation type	Yes	No	Yes (%)	No (%)
Approved Inspector	3	3	7.69	7.69
Builder / Developer	4	1	10.26	2.56
Designer / Architect / Engineer / Surveyor	3	1	7.69	2.56
Energy Sector	0	0	0	0
Fire and Rescue Authority	0	0	0	0
Government Department	1	0	2.56	0
Housing Association / Registered Social Landlord	0	0	0	0
Local Authority	6	4	15.38	10.26
Manufacturer / Supply Chain	0	1	0	2.56
Private Individual	2	0	5.13	0
Property Management	0	0	0	0
Telecommunications Company / Service Provider	1	1	2.56	2.56
Representative Body or Trade Body	5	3	12.82	7.69
TOTAL	25	14	64.10	35.90

Table 4: Breakdown of responses to question 9

27. Following feedback from the consultation, we have decided to remove Diagram 1b from the Approved Document. Although this diagram still represents an acceptable solution for the requirement for in-building physical infrastructure, this will no longer form part of the guidance. Comments from a number of respondents suggested that there is a greater likelihood of issues relating to the ingress of water, gas, vermin or potential risks around the building structure / fabric with this solution.
28. As identified by a number of respondents, no explicit references have been made to other relevant parts of the Building Regulations within the Approved Document. Our current approach to drafting guidance is to reduce the amount of cross referencing to other requirements. In meeting this new requirement it is expected that there will be compliance with all other relevant parts of the Building Regulations as set out on page 9 of the draft approved document.
29. Some respondents wished to see more detail on site-wide requirements for infrastructure. However, the diagrams provided are only intended to demonstrate the possible arrangements for the internal physical infrastructure required for the building, and not any infrastructure that may be placed within the site curtilage or boundary, as this is outside of the scope of the Directive. Any site-wide infrastructure that may be required should be installed by the developer in consultation with their preferred telecoms provider.
30. A number of respondents suggested there should be more detailed technical guidance in the Approved Document. There are a number of technologies suitable for providing superfast broadband, for example fibre, copper, coaxial cable or wireless. However, Building Regulations are not intended to favour specific technologies and therefore, the diagrams provided are intended to assist only with the explanation of the functional requirement. As referenced in the Approved Document, service providers should be consulted for guidance on any specific duct dimensions, bending radii, etc. required.
31. There were a number of comments about the definition of major renovation works and the circumstances in which the Part R requirement would apply. This definition has been taken from the Broadband Cost Reduction Directive. Further signposting to the appendix of key terms has been added into the guidance to make it clearer that Part R requirements only apply where the existing in-building physical infrastructure is being renovated, either wholly or across a significant part. These requirements will therefore only apply to change of use projects and extensions where building work (i.e. work requiring a building regulations application) encompasses modifications to a significant part of the existing in-building physical infrastructure.

Question 10: The diagrams in the draft Approved Document are illustrative only. Are they accurate and do they provide sufficient detail?

32. This question sought views on the accuracy and clarity of the diagrams in the Approved Document. Table 5 below provides the quantitative analysis of the responses to question 10. 24 out of 39 respondents (62%) agreed that the diagrams in the Approved Document are accurate and provide sufficient detail. 15 respondents (38%) disagreed.
33. Of those who disagreed 8% (3/39) suggested that additional diagrams could be useful, for instance to indicate any site-wide infrastructure required from the building to the curtilage of the site.

34. Of those who disagreed 5% (2/39) requested more detail on the minimum cable type to be catered for, specifications of the ducts, bend radii, location of the network termination point and size of access chambers.
35. There was also concern from 10% (4/39) of respondents that without appropriate guidance on penetration requirements for the building there could be an impact on the foundations / fabric of the building envelope, issues with the ingress of gas, water or vermin or compliance with fire safety requirements in Part B of the Building Regulations. This was considered a particular risk for the solution set out in Diagram 1b.

Question10 – The diagrams in the draft Approved Document are illustrative only. Are they accurate and do they provide sufficient detail?				
Organisation type	Yes	No	Yes (%)	No (%)
Approved Inspector	4	2	10.26	5.13
Builder / Developer	2	3	5.13	7.69
Designer / Architect / Engineer / Surveyor	3	1	7.69	2.56
Energy Sector	0	0	0	0
Fire and Rescue Authority	0	0	0	0
Government Department	1	0	2.56	0
Housing Association / Registered Social Landlord	0	0	0	0
Local Authority	3	7	7.69	17.95
Manufacturer / Supply Chain	1	0	2.56	0
Private Individual	2	0	5.13	0
Property Management	0	0	0	0
Telecommunications Company / Service Provider	1	1	2.56	2.56
Representative Body or Trade Body	7	1	17.95	2.56
TOTAL	24	15	61.54	38.46

Table 5: Breakdown of responses to question 10

Question 11: Some of the definitions of key terms in Appendix A of the draft Approved Document – for example of ‘major renovation works’ – are abridged versions of those in the Directive. Are the definitions accurate and clear?

36. This question sought to confirm whether the definitions provided in the Approved document were acceptable. Table 6 below provides the quantitative analysis of the responses to question 11. 28 out of 39 respondents (72%) agreed that the definition of key terms in the Approved Document is accurate and clear. 11 respondents (28%) disagreed.
37. Of those who disagreed 21% (8/39) were unclear about the definition of ‘major renovation works’. It was not apparent to some respondents whether the definition meant that the requirement only applied where the in-building physical infrastructure was to be renovated or in all instances of renovation work.

38. There was also uncertainty on whether the requirements applied to change of use projects or extensions. In addition, some respondents felt that more detail could be given on what is meant by renovation of a 'significant part' of the in-building physical infrastructure.
39. From those who understood and agreed with the definition it was recognised as reasonable to expect Part R requirements to be carried out if major renovation work is taking place, for instance the re-wiring of a building.

Question 11 – Some of the definitions of key terms in Appendix A of the draft Approved Document – for example of 'major renovation works' – are abridged versions of those in the Directive. Are the definitions accurate and clear				
Organisation type	Yes	No	Yes (%)	No (%)
Approved Inspector	2	4	5.13	10.26
Builder / Developer	4	1	10.26	2.56
Designer / Architect / Engineer / Surveyor	4	0	10.26	0
Energy Sector	0	0	0	0
Fire and Rescue Authority	0	0	0	0
Government Department	1	0	2.56	0
Housing Association / Registered Social Landlord	0	0	0	0
Local Authority	7	3	17.95	7.69
Manufacturer / Supply Chain	1	0	2.56	0
Private Individual	0	2	0	5.13
Property Management	0	0	0	0
Telecommunications Company / Service Provider	1	1	2.56	2.56
Representative Body or Trade Body	8	0	20.51	0
TOTAL	28	11	71.79	28.21

Table 6: Breakdown of responses to question 11

Exemptions to the Regulations

40. The European Directive allows for exemptions from the requirement to provide in-building physical infrastructure for superfast broadband.
41. The Government proposed that the following categories of building and work are exempt from requirement:
- 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*

Question 12: Do you agree with the proposed exemptions to the requirement for providing in-building physical infrastructure for superfast broadband set out in paragraph 1.1 of the Approved Document?

42. This question sought views on the proposed set of exemptions to the new Part R of the Building Regulations. Table 7 below provides the quantitative analysis of the responses to question 12. 23 out of 39 respondents (59%) agreed with the proposed exemptions to the requirement. 16 respondents (41%) disagreed with the proposed exemptions.
43. Of those who disagreed 13% (5/39) considered the definition of exemption 1.1b too generous. It was suggested that in most cases in-building physical infrastructure could be provided in a sensitive manner, even within a listed building.
44. There was also a request from some respondents for a definition of what would 'unacceptably alter' the appearance of these buildings, as this definition was felt to form an important part of the grounds for the exemption from the requirement.
45. There was concern about the potential exclusion of isolated single dwellings outlined in exemption 1.1d, given the context of the Government's wider commitment to extend access to superfast broadband across the UK.
46. Of those who disagreed 23% (9/39) did not agree with the definition of the exemption 1.1e relating to major renovation works. Respondents were concerned that this exemption would be inappropriately cited to avoid the costs associated with meeting the requirement of the Directive. There were questions raised about how the cost of

compliance could be assessed as 'disproportionate to the benefit gained', and who would evaluate whether costs were disproportionate.

Question 12 – Do you agree with the proposed exemptions to the requirement for providing in-building physical infrastructure for superfast broadband set out in paragraph 1.1 of the Approved Document?				
Organisation type	Yes	No	Yes (%)	No (%)
Approved Inspector	3	3	7.69	7.69
Builder / Developer	4	1	10.26	2.56
Designer / Architect / Engineer / Surveyor	3	1	7.69	2.56
Energy Sector	0	0	0	0
Fire and Rescue Authority	0	0	0	0
Government Department	0	1	0	2.56
Housing Association / Registered Social Landlord	0	0	0	0
Local Authority	5	5	12.82	12.82
Manufacturer / Supply Chain	0	1	0	2.56
Private Individual	0	2	0	5.13
Property Management	0	0	0	0
Telecommunications Company / Service Provider	2	0	5.13	0
Representative Body or Trade Body	6	2	15.38	5.13
TOTAL	23	16	58.97	41.03

Table 7: Breakdown of responses to question 12

47. Following feedback from the consultation, we wish to clarify the scope of the exemption for buildings where compliance with the requirement would unacceptably alter their character or appearance. It is our intention that this exemption will only apply in a limited number of cases. As suggested by one respondent, it is expected that in-building physical infrastructure can be introduced with no significant effects on the character or appearance of, for example, a listed building already undergoing major renovation works.
48. We acknowledge the concern of those respondents who commented that, given the UK Government's objectives for superfast broadband, there should not necessarily be an exemption for single dwellings in isolated areas. The intent of exemption 1.1d was to make allowance for a limited number of cases in isolated areas where there is no duty placed on the communications provider to meet the costs of installing a telephone line under the Universal Service Obligation, and therefore no means for even the most basic broadband to be provided to the dwelling. The intention is that all other eligible buildings are made ready to receive a superfast broadband connection.
49. The guiding principle of the Directive is to consider the future landscape for high-speed electronic communications networks and to contribute to a reduction of the costs and obstacles to deploy superfast broadband. Therefore, in most instances buildings should be provided with the necessary in-building physical infrastructure, even if superfast connectivity is not immediately available, to reduce any future connection costs.

50. We recognise that there is concern with the potential for exemption 1.1e (regarding major renovation works) to be applied inappropriately or for there to be uncertainty about when disproportionate cost would trigger the exemption. It is anticipated that there would be very few instances where this exemption would be acceptable. Building Control Bodies should make a case by case assessment as to whether costs in meeting the requirement are disproportionate to the benefits of enabling superfast access to broadband.
51. Respondents put forward a number of proposals for additional exemptions. Where exemptions are being proposed to the European Commission, these need to be 'duly reasoned'. The Government therefore only intends to put forward exemptions that it feels can be suitably justified.
52. There was a proposal for a specific exemption for rural locations. However, the Government considers that exemption 1.1d already provides sufficient consideration of rural or remote locations.
53. There was also a proposed exemption for holiday homes. However, these cannot be included in the list of exemptions, as holiday homes have the potential to be converted into a residence in the future and one of the main aims of the Directive is to ensure that all buildings are made ready to connect to superfast broadband.
54. The entirety of Class 1 of Schedule 2⁵ was also put forward for an exemption. There is already an exemption outlined in 1.1b iii of the Approved Document for buildings included in the schedule of monuments maintained under section 1 of the Ancient Monuments and Archaeological areas Act 1979. Government considers there to be no reasonable grounds to exempt the remaining buildings of Class 1 of Schedule 2 as it is expected that these buildings would require access to superfast broadband and therefore the necessary in-building physical infrastructure.

Question 13: Are there additional exemptions that you feel should be considered?

55. This question gave respondents the opportunity to propose additional exemptions to complying with Part R. Table 8 below provides the quantitative analysis of the responses to question 13. 29 out of 39 respondents (74%) agreed that there were no additional exemptions that required consideration. 10 respondents (26%) disagreed and some of these respondents outlined proposals for additional exemptions.

56. Proposals for additional exemptions included:
-

⁵ The Building Regulations 2010 set out the kinds of work that are exempt from the Regulations. Class 1 Exemptions (Buildings Controlled under Other Legislation) include the following:

- Any building in which explosives are manufactured or stored under a licence granted under the Manufacture and Storage of Explosives Regulations 2005.
- Any building (other than a building containing a dwelling or a building used for office or canteen accommodation) erected on a site in respect of which a licence under the Nuclear Installations Act 1965 is for the time being in force.
- A building included in the schedule of monuments maintained under section 1 of the Ancient Monuments and Archaeological Areas Act 1979.

- rural or remote locations;
- holiday homes;

57. There was also concern that some categories of farm buildings in rural locations that are subject to the Building Regulations, may be required to make connections to high speed broadband at a prohibitive cost.

Question 13 – Are there additional exemptions that you feel should be considered?				
Organisation type	Yes	No	Yes (%)	No (%)
Approved Inspector	2	4	5.13	10.26
Builder / Developer	1	4	2.56	10.26
Designer / Architect / Engineer / Surveyor	2	2	5.13	5.13
Energy Sector	0	0	0	0
Fire and Rescue Authority	0	0	0	0
Government Department	0	1	0	2.56
Housing Association / Registered Social Landlord	0	0	0	0
Local Authority	0	10	0	25.64
Manufacturer / Supply Chain	0	1	0	2.56
Private Individual	0	2	0	5.13
Property Management	0	0	0	0
Telecommunications Company / Service Provider	1	1	2.56	2.56
Representative Body or Trade Body	4	4	10.26	10.26
TOTAL	10	29	25.64	74.36

Table 8: Breakdown of responses to question 13

Impact Assessment

58. The Government sought views on the assumptions, costs and impacts set out in the consultation stage Impact Assessment. Views and further evidence were welcomed to inform the final Impact Assessment.

59. Table 9 below provides the quantitative analysis of the responses to question 14. 18 out of 39 respondents (46%) agreed with the assumptions, costs and impacts set out in the impact assessment. 18 respondents (46%) disagreed with the impact assessment. Although no option was provided for 'do not know', 3 respondents (8%) indicated through the comments accompanying their answers that they did not know and wished their answers to reflect this.

60. Of those who disagreed with the impact assessment, 15% (6/39) were concerned that the number of Building Control Bodies used for modelling familiarisation time was incorrect.

61. Of those who disagreed 13% (5/39) challenged the amount of familiarisation time provided. There were several comments indicating that it would take longer than the 5 minutes used for modelling purposes for Building Control Bodies to read the guidance in sufficient detail. There were also comments from Building Control Bodies suggesting that there would be costs in distributing and embedding the new regulation and in checking plans and conducting site assessments in relation to the new requirements of Part R.
62. Those who agreed with the impact assessment concurred that the cost impact of the new Part R would be minimal. Indeed, one respondent from the housing development sector commented that they had already designed their new range of homes to be fibre ready.
63. One respondent, who agreed with the impact assessment, commented that the wider costs to developers of ensuring a high speed broadband connection (for example for network reinforcement) should be considered.

Question 14 – Do you agree with the assumptions, costs and impacts set out in the Impact Assessment?						
Organisation type	Yes	No	Do not know	Yes (%)	No (%)	Do not know (%)
Approved Inspector	2	4	0	5.13	10.26	0
Builder / Developer	1	3	1	2.56	7.69	2.56
Designer / Architect / Engineer / Surveyor	2	2	0	5.13	5.13	0
Energy Sector	0	0	0	0	0	0
Fire and Rescue Authority	0	0	0	0	0	0
Government Department	1	0	0	2.56	0	0
Housing Association / Registered Social Landlord	0	0	0	0	0	0
Local Authority	4	5	1	10.26	12.82	2.56
Manufacturer / Supply Chain	1	0	0	2.56	0	0
Private Individual	2	0	0	5.13	0	0
Property Management	0	0	0	0	0	0
Telecommunications Company / Service Provider	2	0	0	5.13	0	0
Representative Body or Trade Body	3	4	1	7.69	10.26	2.56
TOTAL	18	18	3	46.15	46.15	7.69

Table 9: Breakdown of responses to question 14

64. We agree with views put forward suggesting that the amount of familiarisation time used for modelling purposes should be increased. The initial allocation in the impact assessment was deemed an appropriate length of time for Building Control Bodies to review Approved Document R and to become familiar with the requirements, given that in-building physical infrastructure is increasingly becoming an industry norm.
65. We have now revised the familiarisation time in the final impact assessment to 30 minutes per Building Control Officer and also factored in time for updating internal

procedures, with one person assumed to spend one hour to do this per building control body and architect firm engaged in residential work. We have also included some time for plan checking and site inspections relating to the requirements of Part R.

66. A number of respondents queried the number of Building Control Bodies used for modelling purposes. The estimate was based on an external evidence report. We have updated the assumption based on the average number of professionally qualified and directly employed staff at each Building Control Body
67. Some respondents suggested that the wider costs to developers of connecting new buildings to superfast broadband be factored into the impact assessment. However, the financial impact for developers in the impact assessment is limited to the cost of providing in-building physical infrastructure. The impact assessment could not capture the wider costs of ensuring a superfast broadband connection as this is not a requirement within the scope of the new regulation.