



Department for
Digital, Culture,
Media & Sport

Barrier Busting Task Force: Next Steps



Project Gigabit - building fast reliable broadband for everyone in the UK

Barrier Busting Task Force: Next Steps

Introduction

The government's Barrier Busting Task Force (BBTF) was set up towards the end of 2017. Its key objective is to **identify and address the barriers preventing the fast, efficient and cost-effective deployment of gigabit-capable broadband and improved mobile coverage, including next generation 5G technology.**

The Task Force is a key part of the government's strategy for delivering national gigabit broadband as soon as possible and ensuring that the majority of the UK population have access to 5G by 2027, as we know that the investment cases for these technologies are sensitive to build costs.

Since the Task Force was established, it has had four priority areas of focus:

- **access to land**
- **street works**
- **new build connectivity**
- **supporting mobile deployment**

More detailed information about each of these areas can be found below.

The team works in collaboration with local authorities, site providers (e.g. landowners) and operators, and has intervened in a number of situations across the country where deployments - for various reasons - have stalled. These interventions give the team a detailed understanding of the real-world operating environment, including the day-to-day challenges faced by telecoms providers and the underlying problems that need to be resolved through strategic policy change.

The role of the team is to:

- **Educate** stakeholders (e.g. local authorities, operators and site providers) to better understand each others' motivations, restrictions and desired outcomes;
- **Collaborate with** and **influence** other government departments who have the power to enact change (legislative, regulatory or attitude) in local authorities, street works or access to land;
- **Legislate** to remove barriers that are unlikely to be overcome by the market alone;
- **Mediate** between stakeholders where disputes arise, so that resolutions may be reached faster; and
- **Facilitate** direct dialogue between telecoms operators and their stakeholders, encouraging better relationships and the adoption of best working practices.

Key Successes

In the year that the Barrier Busting Task Force was established, Ofcom's Connected Nations 2017 report found that only 840,000 UK premises (or around 3% of premises) had access to gigabit-capable broadband. The deployment of 5G mobile technology had not started.

By contrast, Ofcom's Connected Nations 2020 report found that nearly 8 million UK premises (or around 27%) have access to gigabit-capable broadband. Think Broadband estimates that gigabit broadband coverage has increased further since Ofcom's report was published and is now available to nearly 12 million premises (or nearly 39% of UK premises). The number of mobile base stations carrying 5G has increased ten-fold in the past year to reach 3,000.

There are a number of reasons for these large increases in the deployment of next generation digital infrastructure, including private sector investment and activity, supported by the positive policy environment that the government has set through its Statement of Strategic Priorities and the regulatory environment set by Ofcom.

However, the work of the government's Barrier Busting Taskforce has also played a key role in improving the environment for digital infrastructure investment and deployment. The Task Force has already delivered a number of key changes to help remove the barriers to digital infrastructure deployment, including:

- ✓ Launching the [Digital Connectivity Portal](#), to provide guidance to both operators, local authorities, landowners as well as other stakeholders, on core issues including best practice guides to street works, the Electronic Communications Code and how to engage with operators.
- ✓ Working closely with the Department for Transport (DfT) to make it easier for operators to access roads for digital infrastructure deployment. This has included delivering the new **Street Manager** service, which Street Works UK described as bringing "the coordination of street works into the digital age".
- ✓ Passing the **Telecommunications Infrastructure (Leasehold Property) Act** to address the issue of unresponsive landlords holding up digital infrastructure deployment and support the 10 million people living in blocks of flats in the UK.
- ✓ Exploring further barriers in relation to access to land through a consultation on potential **reforms to the Electronic Communications Code**.
- ✓ Coordinating a **series of workshops for Code users**, focused on delivering better ways of working in key areas such as identifying commonly agreed positions for fixed and mobile template agreements, ensuring compliance with the Ofcom Code of Practice and an agreed approach to communications.
- ✓ Working with property developers and across Whitehall to create a comprehensive solution which will ensure **new build developments** are built with fast, reliable, resilient, gigabit-capable connections.

- ✓ Publishing consultations on **reforms to planning regulations** for mobile network development, to support the deployment of 5G infrastructure and extend existing mobile coverage.
- ✓ With Ofcom, publishing a **5G technology guide** to support councils and counter misinformation about 5G.
- ✓ Engaging with local authorities to promote best practice and help facilitate deployment, including the appointment of **designated Digital Champions**, publication of **guidance on land access and valuation**, and **resolution of operator performance issues**.
- ✓ **Resolving dozens of small-scale real-world barriers** to deployment.

The Task Force continues to work with stakeholders to identify further barriers to deployment and deliver an investment and deployment environment that supports digital infrastructure providers to quickly and efficiently deploy their networks, and allows more homes and businesses to benefit from gigabit-capable connections and better mobile connectivity.

Key Next Steps

The team will be taking forward a number of legislative and non-legislative measures in the coming months, including:

- ✓ Publishing a technical consultation on implementing **reforms to permitted development rights**, in order to better support 5G deployment and extend mobile coverage.
- ✓ Analysing responses to the open consultation on potential **reform of the Electronic Communications Code** and considering any necessary legislative changes.
- ✓ Publishing a technical consultation to ensure that **new build homes** will have gigabit broadband as standard, and introducing that legislation as soon thereafter as Parliamentary time allows.
- ✓ Supporting the Department for Transport consultation on the use of **flexible permits**, with the government response to follow in Summer 2021. The consultation will include other **regulatory improvements to simplify the process**.
- ✓ Further technical consultation on the detail of the **Telecommunications Infrastructure (Leasehold Property) Act** and making regulations that will bring the policy into force.

More detail about each of these can be found in the sections below.

Spotlight on: Access to Land

Obtaining fast and cost-effective access to land is a key factor in enabling telecoms operators to install, maintain and upgrade their equipment to deliver the telecoms network that we all need. The **Electronic Communications Code ('the Code')** is the statutory framework underpinning the rights needed to carry out these activities. These rights are usually obtained through agreements between operators and landowners, and the Code provides a regulatory backdrop against which these agreements are negotiated and take effect.

The Code was substantially reformed in 2017, including changes to reduce the prices paid by operators to site providers, and the introduction of some automatic rights for operators to upgrade and share apparatus. These were significant changes and we anticipated the market would need time to adjust before their impact could be assessed and for the courts to hear cases on key points of legal interpretation, particularly around pricing.

We allowed a four year implementation period for this to happen, throughout which we engaged with stakeholders, providing support and seeking ongoing feedback. **Government is now consulting on whether further reforms are needed** to address specific issues and ensure the aims of the 2017 reforms are achieved. The consultation was published on 27 January 2021 and will close on 24 March.

In advance of this, however, operators raised more specific concerns about access to blocks of flats in circumstances where there is a non-responsive landowner. This led to the reforms in the **Telecommunications Infrastructure (Leasehold Property) Act**, which will come into force this year. These provisions provide telecoms operators with a quicker and cheaper route through the courts to obtain interim access rights when a landowner repeatedly fails to respond to requests for access. This will support the 10 million people in blocks of flats to get access to better broadband.

The use of existing infrastructure also remains an important consideration. The government published a Call for Evidence regarding the **Access to Infrastructure Regulations** in June 2020, to explore whether reforms could be made to the regulations to improve infrastructure sharing. We are currently considering the responses received and appropriate next steps.

Successes	Next Steps
<p data-bbox="209 1585 625 1621"><u>Broadband Connectivity in Flats</u></p> <ul data-bbox="209 1659 759 1720" style="list-style-type: none"><li data-bbox="209 1659 759 1720">● Passed the Telecommunications Infrastructure (Leasehold Property) Act.	<ul data-bbox="833 1599 1394 1883" style="list-style-type: none"><li data-bbox="833 1599 1394 1720">● Spring 2021: Consultation on the rights and terms accompanying Part 4A access rights under the Telecommunications Infrastructure (Leasehold Property) Act.<li data-bbox="833 1765 1394 1883">● Autumn 2021: Government response to the consultation and making regulations under the Telecommunications Infrastructure (Leasehold Property) Act.

Successes	Next Steps
<p><u>Operator Access to Land</u></p> <ul style="list-style-type: none"> ● The Electronic Communications Code was reformed in 2017 by the Digital Economy Act. ● A consultation on further potential updates to the Code is running from 27 January to 24 March. ● The Task Force has organised stakeholder workshops between operators and site providers to encourage collaborative working. ● The Task Force has also arranged a series of Ministerial meetings with representatives from the telecoms sector and the site provider community (i.e. landowners) to understand key barriers from all perspectives. 	<ul style="list-style-type: none"> ● Summer 2021: Government response to the Electronic Communications Code consultation. Further steps (including any legislative changes) will depend on the consultation responses. ● Ongoing: Continued stakeholder engagement on operation of the current Electronic Communications Code.
<p><u>Guidance for central and local government</u></p> <ul style="list-style-type: none"> ● Published updated guidance in August 2020 for local authorities and government departments on valuation, site access and commercial models under the Code on our Digital Connectivity Portal. ● Collaborated with the Cabinet Office to encourage central government, local government and arms-length bodies to open up their land property to fixed and mobile operators. 	<ul style="list-style-type: none"> ● Continued engagement with local authorities and other public sector bodies to encourage deployment.
<p><u>Access to Infrastructure Regulations</u></p> <ul style="list-style-type: none"> ● Published a call for evidence in June 2020 and held a series of stakeholder engagement sessions on the need for reforms to the Access to Infrastructure Regulations. 	<ul style="list-style-type: none"> ● Spring 2021: Publish response, setting out conclusions from the call for evidence and next steps.

Spotlight on: Street works and working with local authorities

Street works involves the excavation and reinstatement of the public highway when deploying digital infrastructure, and accounts for approximately **70% of the cost of broadband roll out**. The Department for Transport (DfT) sets and manages the regulatory framework for street works in England, and issues a range of statutory guidance that highways authorities must have regard to. This has resulted in **a range of different approaches** to street works across the country.

Working with DfT, the Barrier Busting Task Force's aims have been to:

- **Simplify** and **standardise** approaches taken by highway authorities.
- Deliver **greater performance** through use of technology and best practice.
- Ensuring the legislative and regulatory framework **facilitates deployment**.

FLEXI-PERMIT TRIAL

Collaboration between the government, councils and industry

The way in which permits currently operate in England does not always facilitate fast, efficient broadband build. With street works activity set to increase considerably (>30%) over the next few years, the demands on local authority highways teams will be exacerbated.

Building upon an idea by the Barrier Busting Task Force, Openreach and Sheffield City Council are currently trialling a new 'flexi-permit' system, whereby permits are granted for an area, rather than a fixed, specific location. This new approach has the potential to revolutionise street works, particularly for broadband builders, by:

- Reducing administrative costs and red tape for both authorities and industry.
- Improving planning through greater collaboration between parties.
- Increasing productivity and network build rate.
- Strengthening the working relationship between authorities and industry.

Highway excavation is well underway in Sheffield, following unprecedented collaboration between Openreach and the City Council. Whilst the trial is ongoing, the approach has been lauded by both the Joint Authorities Group and Openreach, and has the capability to deliver a major uplift in terms of fibre build. Negotiations are now underway to extend the trial with other local authority areas.

"Flexi-permits have the potential to transform how utilities co-ordinate, interact and collaborate to deliver regionally based civils delivery programmes – a potentially game-changing platform for broadband rollout."

Mark Wrightson, Head of Street Works, Openreach

In 2020, the government introduced **regulatory changes** to **works classification** and **section 58 durations**,¹ alongside the launch of the new **Street Manager** digital service - the single largest change in street works for a generation. This was in addition to the introduction of the 4th version of the **Specification for the Reinstatement of Openings in Highways**,

¹ Section 58s place a restriction on works that can take place on a highway that has recently been fully repaved. Recent reforms have reduced the duration of these restrictions from five years to two or three, depending on the circumstance.

which enables greater use of the latest technology and materials when excavating and reinstating highways. The Task Force has also worked with key stakeholders to ensure telecommunications work, including new deployment, was classified as essential as part of the government’s **COVID-19 street works guidance**.

More generally, the team has worked with highways authorities throughout the country to promote best practice, for example through the launch of the **Street Works toolkit** - a joint initiative between government, local government and industry - and to **resolve operator performance issues** with a number of local authorities.

These reforms, together with successful DfT initiatives to drive consistency, have delivered improvements to the street works environment in England, but work still needs to be done to further simplify and standardise processes.

Successes	Next Steps
<p><u>Street Works Reform</u></p> <ul style="list-style-type: none"> ● Reformed the Specification for Reinstatement of Openings in Highways (SROH), enabling the use of new technology and materials (including micro-trenching). ● Task Force and DfT have also delivered over £20m/year of industry savings through the new SROH guarantee period policy. ● Launched the new, digital Street Manager service in July 2020. This is driving consistency across highways authorities. ● Also delivered relaxation of section 58 restrictions and major works classifications,² enabling quicker access to the highway for necessary works. ● Published the Street Works toolkit and delivered greater flexibility for broadband deployment in COVID-19 street works guidance. 	<ul style="list-style-type: none"> ● Continue to facilitate the trial of a new flexi-permit system between Openreach and Sheffield City Council. New policy that could reduce permit workloads by 10-40%. ● Spring 2021: Department for Transport consultation on the use of flexible permits, with the government response to follow in Summer 2021. This will include other regulatory improvements to simplify the process. ● Summer 2021: Department for Transport consultation on reforms to traffic management, with the government response to follow in Autumn 2021.
<p><u>Local Authority Engagement</u></p> <ul style="list-style-type: none"> ● Issued a joint letter with MHCLG to local authorities encouraging greater collaboration with operators to deliver digital connectivity. 	<ul style="list-style-type: none"> ● Pending regulatory and legislative change: Updating the Street Works toolkit.

² Works classification refers to how much notice the highways authority must be given before works commence.

Successes	Next Steps
<ul style="list-style-type: none">● Supported the appointment of Digital Champions in each local authority.● Provided comprehensive guidance to local authorities across a range of issues, including through the establishment of the Digital Connectivity Portal.	

Spotlight on: New Build Connectivity

Ensuring that new homes are built with the future in mind remains vitally important and is a priority for the government. We will be amending building regulations to make sure new homes will have gigabit broadband as standard.

Approximately 20% of newly built premises in 2019 did not have access to a full fibre connection. We have identified issues relating to this remaining proportion of new builds that are not being built with gigabit-capable connections, and have developed a policy that ensures this is addressed. Balancing burdens on housebuilders and operators, we have secured commitments from key network operators to financially contribute towards ensuring new build homes are built with gigabit-capable connections.

We will publish a technical consultation in the spring. This will set out our finalised approach, demonstrating how we will amend legislation to achieve our connectivity aims. **We will then introduce final legislation to enact our new build connectivity policy as soon as possible this year.**

Successes	Next Steps
<ul style="list-style-type: none">● Published a consultation in October 2018 (closed December 2018) on delivering gigabit-capable connections to new build developments.● Published a government response to the consultation in March 2020, confirming our intention to legislate.	<ul style="list-style-type: none">● Spring 2021: Technical consultation including draft approved documents.● Autumn 2021: Government response to the consultation.● Autumn/Winter 2021: Lay regulations in Parliament.● Spring 2022: Legislation to come into force.

Spotlight on: Wider Investment Environment

In 2017, the government introduced 100% business rate relief for new fibre deployed from April 2017 until March 2022. In July 2020, the government published a call for evidence as part of a fundamental review of the business rates system considering improvements across all elements of the system. The government has heard from telecoms operators as part of that review and is considering stakeholder responses. HM Treasury will soon publish an Interim Report setting out a summary of responses received and is due to conclude the fundamental review in the autumn.

Budget 2021 announced a new super-deduction, allowing companies to cut their tax bill by up to 25p for every £1 they invest in qualifying new plant and machinery assets, ensuring the UK capital allowances regime is amongst the world's most competitive. This will give companies a strong incentive to make additional investments, including gigabit network build.

Action to date	Future Activity
<ul style="list-style-type: none"> ● Introduced 100% rates relief for new fibre deployed from April 2017 to March 2022. ● Published a call for evidence on a fundamental review of business rates. ● Budget 2021 introduced a new super-deduction in capital allowances from April 2021 to the end of March 2023. 	<ul style="list-style-type: none"> ● Spring 2021: Publish an Interim Report, setting out a summary of the responses received to the call for evidence. ● Autumn 2021: Conclusion of the fundamental review.

Spotlight on: Supporting Mobile Deployment

Widespread, reliable mobile connectivity is essential for people and businesses. We have committed to **extending mobile geographical coverage across the UK** with uninterrupted mobile signal on all major roads, and for **the majority of the population to have access to a 5G signal by 2027**.

It is essential that the planning system can effectively support the delivery of the mobile infrastructure that we need. That is why in 2019 we published an **in-principle consultation on proposed reforms to permitted development rights to support 5G deployment and extend mobile coverage**. We concluded that the proposed reforms would have a positive impact on the government’s ambitions for the deployment of 5G and extending mobile coverage.

We are now developing a **technical consultation on implementing these reforms** and we will publish the consultation in the Spring of 2021. Subject to the consultation responses, the government will prepare regulations to amend planning legislation.

We have also taken action to prevent **misleading claims about 5G becoming a barrier to rollout**. With Ofcom, we have developed a guide to 5G technology to help councils and local politicians deal with queries from the public, counter misinformation and explain the facts about 5G.

Successes	Next Steps
<p><u>Planning Reforms</u></p> <ul style="list-style-type: none"> ● In August 2019, the government consulted on reforms to permitted development rights to support the deployment of 5G and extend mobile coverage. ● In July 2020, the government published its response, confirming that it would take forward these reforms, subject to a technical consultation. 	<ul style="list-style-type: none"> ● Spring 2021: Technical consultation on implementing reforms to permitted development rights. ● Summer 2021 and onwards: Government response to the technical consultation. Subject to the consultation responses, preparation of regulations.
<p><u>5G Small Cells</u></p> <ul style="list-style-type: none"> ● Supported by the government’s Shared Outcomes Fund, we are spearheading work to facilitate the densification of mobile networks through deployment of 5G small cells by making it easier for operators to access street furniture. 	<ul style="list-style-type: none"> ● Spring 2021: Develop specification for digital mapping platform for street furniture. ● Spring 2021: Consider the merits of multi-function “smart” street furniture.
<p><u>5G Safety Concerns</u></p> <ul style="list-style-type: none"> ● In collaboration with Ofcom, published a Guide to 5G Technology to support local authorities and address unfounded claims. 	<ul style="list-style-type: none"> ● Providing further guidance and advice to local authorities as necessary.

Spotlight on: Labour Supply

The government understands the importance of sufficient labour to delivering nationwide gigabit broadband. The **rollout of gigabit connectivity in the UK is expected to create thousands of new high-quality engineering jobs**, a once in a lifetime opportunity to provide training and employment for British workers as we Build Back Better from the COVID-19 pandemic. As a result of the government’s gigabit ambitions, **over 19,000 new jobs have been announced in the last year alone** by CityFibre, Openreach and Virgin Media.

The government will continue to incentivise the training and employment of workers in Britain through interventions such as the Chancellor’s **Plan for Jobs**, the **Apprenticeship Levy** and the recently announced **£43 million** expansion of Digital and Technical Skills Bootcamps. Budget 2021 saw a **doubling of the funding available to firms taking on new apprenticeships**, as well as an ambition to create **40,000 additional traineeships** next year. This opportunity is particularly important given the impact of Covid-19 on the UK labour market.

The Barrier Busting Task Force will continue to work with the Department for Education, Department for Work & Pensions and HM Treasury to ensure that employers of all sizes across the telecoms sector are able to take maximum advantage of the government’s significant skills and retraining offer.

Successes	Next Steps
<ul style="list-style-type: none"> ● In July 2020 the Chancellor launched the government’s “Plan for Jobs”. ● In September 2020 the government launched the “Kickstart” scheme, providing fully-funded work placements of up to £1,500 to 18-24 year olds at risk of long-term unemployment. ● £43 million announced at the Spending Review to further expand the delivery of Digital & Technical Skills Bootcamps, including £5 million for the Construction Industry Training Board. ● Budget 2021 doubled the funding available for companies taking on apprentices to £3,000 per apprentice. ● Budget 2021 also announced funding of £1,000 per trainee with an aim of creating an additional 40,000 traineeships next year. 	<ul style="list-style-type: none"> ● Further industry engagement to raise awareness of government skills and retraining schemes. ● Further work across government to ensure all schemes are optimised for the requirements of telecoms companies and their subcontractors.