

Alex Norris MP
Parliamentary Under-Secretary of State (Building Safety, Fire and Local Growth)
Ministry for Housing, Communities and Local Government
2 Marsham Street
London
SW1P 4DF

Sir Chris Bryant MP
Minister of State for Data Protection and Telecoms
Department for Science, Innovation and Technology
100 Parliament Street
London
SW1A 2BQ

22nd May 2025

Dear Ministers,

Re: clarification required on Higher-Risk Building Regulations for digital connectivity

I am writing to you on behalf of the telecommunications (broadband) sector with urgent concerns regarding the impact of the Building (Higher-Risk Buildings Procedures) (England) Regulations 2023 (HRB Regulations) on the rollout of full-fibre and gigabit-capable broadband infrastructure.

Following the introduction of the new regulations, which are intended to improve fire safety and regulate works carried out on buildings deemed “higher risk”, building owners are required to refer any “building works” deemed to be a “material alteration” to the Building Safety Regulator (BSR). However, due to ambiguity in the definition of “material alteration”, building owners — particularly local authorities and managing agents — are increasingly interpreting the regulations conservatively, and requiring formal approval from the BSR for routine fibre and telecoms installation works when this was not previously the case¹.

We fully support the Government’s intent to improve building safety following the Grenfell tragedy. Rightly, operators have existing, robust safety practices in place, including same-day firestopping by competent persons, to ensure that any penetrations for cables are immediately sealed to prevent the risk of fire spread. However, the HRB Regulations were not drafted with routine

¹ To note, the HRB Regulations did not alter or propose a new definition for what constitutes “building work”; the definition under Regulation 3 of the Building Regulations 2010 still applies.

telecoms works in mind, and these works are now being brought into scope for the first time, despite this never before being an issue.

The current application of the regulations is already leading to significant disruption to the planned rollout programmes. Early feedback from our members suggest that they have already had to put tens of thousands of households on hold, but we expect this number to increase significantly with a rise to 500k in the near future. The issue is exacerbated by the BSR already facing a backlog of cases of six months and approval times for new cases reaching a minimum of 16 to 20 weeks.

Urgent action is required. The economic conditions for broadband rollout have already become more challenging and without urgent action from government, there is a real risk that households in high-risk buildings will be descoped from rollout, thereby threatening to create a new digital divide.

Therefore, we are calling for urgent collaboration between DSIT and MHCLG to address this issue, including:

- **Immediate:** Clear, formal guidance clarifying which types of telecoms installation and maintenance activities require formal approach from the BSR, alongside an increase in funding for specialist expertise and standardised processes within the BSR to expedite telecoms applications.
- **Short-term:** Amend the regulations to explicitly remove telecoms installations and maintenance from the scope of the high-risk buildings obligations. This would bring the regulations in line with the Building Safety Act.

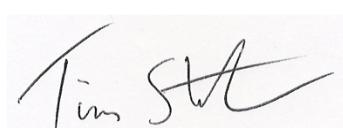
We stand ready to work with you in a collaborative manner to help bring a solution for this problem and look forward to constructive discussions.

Thank you for your time and attention to this critical matter.

Yours sincerely,



Steve Leighton
Chair of the ISPA Council



Tim Stranack
Chair of INCA