

Briefing: Telecommunications Infrastructure (Leasehold Property) Bill

1. The Bill is laser-focused and a key building block of the UK's broadband rollout strategy

Throughout the COVID-19 crisis, the Internet has become an even more integral part of our lives, enabling families, businesses, our public services, governments and more to remain connected during this unprecedented period. The UK broadband's network has coped well during Covid-19, navigating the shift to widespread remote working and online living. However, both the industry and Government have ambitious targets to achieve nationwide rollout gigabit-capable networks. This will make networks faster and more resilient and it will deliver real benefits to communities up and down the country.

The Telecommunications Infrastructure (Leasehold Property) Bill is a key building block of the nationwide rollout strategy. It will help to unlock and speed-up the rollout of gigabit broadband to multi-dwelling units, i.e. to blocks of flats that often (although not exclusively) are occupied by families and individuals who would benefit most from gigabit capable connections.

The Bill is laser-focused on tackling a specific issue that our members encounter frequently – unresponsive landlords who fail to engage with offers from broadband providers to connect their properties. As rollout plans are intensified over the coming years, properties with unresponsive landlords risk being left behind as providers simply cannot wait for a response. This would create pockets of communities who will not be able to access the latest technologies, even though they would benefit from it most.

2. The Impact of amendment 5 and operators' ability to use the Telecommunications Infrastructure (Leasehold Property) Bill

Following the tabling of the amendment, we have spoken with our members that build and operate infrastructure who stressed their full compliance with existing human rights obligations.

However, in its current wording, amendment 5 would introduce legal uncertainties and as drafted could open network operators to unforeseeable legal challenges. As a result, we believe it would be less likely that operators would seek to make use of the powers in the Bill. This would reduce the effectiveness of the Bill and obstruct the delivery of gigabit connectivity across the UK.

We recognise that Parliament has genuine concerns about High Risk Vendors and the respect of human rights across the globe, which will be targeted in forthcoming legislation with appropriate debate and scrutiny. We therefore believe that the Telecommunications Infrastructure (Leasehold Property) Bill is not the right legislative vehicle to express these concerns.

The Telecommunications Infrastructure (Leasehold Property) Bill is laser-focused on tackling one of the key barriers that providers face in the UK when rolling out broadband. Amendment 5 jeopardises the effectiveness of the Bill which would ultimately lead to tenants missing out on the next wave of gigabit-capable broadband rollout at a time when industry is set to significantly upgrade the country's infrastructure.