

New law changes to bring better connectivity to the UK

The move is part of the plan to give the UK the telecoms infrastructure it needs to meet the growing demands of consumers and businesses and to take advantage of future technologies that will be vital for the economy.

The telecoms regulator Ofcom will be granted new powers so it can share with the government information from broadband companies about where they plan to build gigabit-capable broadband networks, and to publish data about areas where gigabit broadband rollout is not currently planned.

These powers will help encourage the commercial rollout of gigabit broadband in locations where it is not yet earmarked. The government will also be able to take into account this information when deciding where it will spend £5 billion of funding to give the public access to the fastest broadband, capable of one gigabit per second download speeds.

This funding has been pledged to make sure hard-to-reach areas receive these much faster internet connections at the same time as towns and cities.

Separately, the government has confirmed it will push ahead with its plans to reform planning laws to make it easier for industry to share and upgrade mobile phone masts. This will speed up the rollout of 5G and improve 4G coverage in rural areas.

Matt Warman, Minister for Digital Infrastructure, said:

We're investing billions so no part of the UK is left behind by the opportunities and economic benefits that faster, more reliable and more secure digital connectivity brings.

These changes will help target public funding in hard to reach areas most in need of better broadband. It will also help mobile companies banish rural not-spots by upgrading and sharing their masts.

European Electronic Communications Code

The government has today set out how it will bring the [European Electronic Communications Code](#) into UK law. The UK played a leading role in the negotiations for the Code, which updates the telecoms regulatory framework for the EU. A number of its provisions are influenced and inspired by existing UK objectives and best practice.

While the Code largely consists of minor changes to the existing legal framework, the government will bring in some new pro-investment measures from the Code that are in the UK's national interest and support its plans for

nationwide gigabit broadband. Other measures will give people and businesses greater consumer protection and ensure Ofcom's regulatory powers are up to date.

They include, but are not limited to:

- Network forecasting – New powers for Ofcom to gather information on operators' planned network rollout. Ofcom will share this information with the government to allow better targeting of public investment in poorly-connected areas. It will also publish non-confidential data about where rollout is not planned to help inform industry investment.
- A focus on gigabit-capable networks – A new broad duty for Ofcom to promote connectivity, access to, and take-up of gigabit-capable networks to help the UK realise its full digital potential.
- Promoting cooperation and competition in hard to reach places – In areas where it is costly or difficult to install new networks, such as urban blocks of flats and rural locations, Ofcom will have the power to impose obligations on operators already present to offer network access or to share equipment such as mobile masts with other operators.
- Pro-investment regulation – Ofcom's market review period will be increased from three to five years which will give a longer period of regulatory stability to the telecoms market and more certainty for investors in gigabit broadband.
- Easier switching for consumers – Currently, when switching broadband providers, consumers need to liaise with their old and their new provider and juggle the relevant old service end dates and the start dates for new services. Under these changes, they will be able to contact their new provider, who will lead and co-ordinate the switching process so it is as smooth as possible and with minimal loss of service.
- Better regulation of bundles – Consumers on bundled contracts, which include mobile and broadband but also other services such as video and music streaming, will be able switch providers more easily. This means they will avoid being locked into bundled contracts if, for example, providers make changes to their contracts, or something goes wrong with just one service in the bundle.

Mobile infrastructure planning reforms

In another [response to a public consultation published today](#), the government has announced it is taking forward proposals to simplify planning rules to speed up 5G rollout and improve rural mobile coverage.

Reforming planning laws in England will allow mobile network providers to put more equipment than they currently can on phone masts, making it easier to share masts and increase mobile coverage areas. This will help maximise the use of existing mast sites and minimise the need to build more infrastructure.

The reforms will allow:

- New masts to be built taller, subject to prior approval by the planning authority, to deliver better coverage and allow more mobile operators to place equipment on them
- Existing phone masts to be strengthened without prior approval, so that they can be upgraded for 5G and shared between mobile operators
- Building-based masts to be placed nearer to highways to support better mobile coverage of the UK's road networks, subject to prior approval
- Cabinets containing radio equipment to be deployed alongside masts, without prior approval, to support new 5G networks

Before amending the existing legislation, the government will carry out a technical consultation on the detail of the proposals, including the appropriate environmental protections and other safeguards, and the specific limits to be put on the widths and heights of phone masts.

The government also expects the mobile phone industry to commit to further measures and assurances to ensure that the impact of new mobile deployment is minimised.

Housing Minister Rt Hon Christopher Pincher MP said:

Delivering much-needed new homes is at the heart of this Government's mission to support people in every part of the country, and this means delivering the modern infrastructure needed to go with them.

We're taking forward plans to extend mobile coverage, particularly for those in rural areas, so everyone can benefit from the latest technology and the jobs, opportunities and growth that comes with this.

These reforms will aid the delivery of the £1 billion deal the government made in March with the mobile network operators to build a Shared Rural Network which will mean poor mobile coverage becomes a thing of the past. It has seen the four main mobile operators undertake legally binding commitments to collectively increase mobile phone coverage throughout the UK to 95% by

the end of 2025, by investing in a network of new and existing phone masts that they would all share.

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Notes to Editors:

European Electronic Communications Code:

- The European Electronic Communications Code Directive revises the EU telecoms regulatory framework, which has underpinned UK telecoms law since 2003. The UK played a leading role in the negotiations for the Directive, which largely reflects UK best practice. Its core objectives are to: drive investment in very high capacity networks and services through sustainable competition; support efficient and effective use of radio spectrum; maintain the security of networks and services; and provide a high level of consumer protection.
- The UK's approach to implementation of the Directive is in line with the UK's commitments under the EU Withdrawal Agreement to transpose EU legislation before the end of the transition period and to provide flexibility for future domestic policy. It meets the minimum requirements of the Directive, and minimises additional costs to businesses.
- The public consultation on the Code, published in July 2019, sought views on its implementation, focusing on provisions affording flexibility at the national level, including those supporting accelerated commercial roll-out of gigabit-capable and 5G networks.
- Provisions where we have departed from the preferred approach outlined in the consultation represent areas where the UK legal regime is already flexible enough to cater for the specific EECC provision or a degree of discretion exists in the Directive to allow the UK (along with other EU member states) to take account of market conditions and characteristics existing in national markets.
- Some articles are either already addressed by existing UK legislation, or are being transposed by Ofcom through their existing powers in the case of consumer measures, or by other Departments, such as a provision on car radio interoperability that is being transposed through Department for Transport's Road Vehicles (Approval) Regulation legislation.
- In recognition of the limited time between publication and the date when these measures will come into force and the impact of COVID-19, working with Ofcom, the government has sought to ensure that measures that

directly bite upon industry including consumer protection measures will only be enforced at the appropriate time. The government is supportive of Ofcom's statement, published on its website on 7 May, outlining that industry will be given at least 12 months to implement proposed changes to their regulatory rules allowing industry flexibility it needs during this challenging period.

Mobile infrastructure planning reforms for England:

- The consultation ran for 10 weeks, from 27 August 2019, closing on 4 November 2019. Planning law is a devolved matter. These proposals and any future legislative changes apply to England only. The technical consultation will seek views on the detail of the proposals, including the appropriate environmental protections and other safeguards to mitigate the impact of new mobile infrastructure.
- In developing the technical consultation, we will also work with industry and local planning authority representatives, and other government Departments and relevant regulators, including Ofcom, to strengthen the Code of Best Practice on Mobile Network Development in England

Electronic Communications Code – intention to consult on possible reforms:

- The Electronic Communications Code, which is separate from the European Electronic Communications Code, is the domestic legal framework underpinning agreements between landowners and communications operators in the UK. The Code was substantially reformed in 2017 to make it cheaper and easier for electronic communications apparatus to be deployed, maintained, shared and upgraded. Now, more than ever, it is important that operators are able to do this at pace. Therefore the government intends to consult in due course on changes to the Code that may be needed to achieve this.