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Consultation Document

Part R of the Building Regulations (Broadband)

2015 consultation on changes to the Building Regulations in Wales

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

Date of issue: 1 December 2015

Action required: Responses by 12 January 2016

Overview

The Building Regulations and the associated statutory guidance set out in Approved Documents seek to ensure buildings meet certain standards for minimum health, safety, welfare, convenience and sustainability.

This document covers proposals for changes to Building Regulations relating to:

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

This consultation relates to Building Regulations for Wales only. The previous application of Building Regulations to England and Wales ceased on 31st December 2011 when powers for making Building Regulations in relation to Wales were devolved to the Welsh Ministers.

This consultation is aimed primarily at firms, individuals within construction and construction-related industries and their representative bodies and the building control bodies that enable the building control system to operate. Specific elements may be of interest to members of the public.

How to respond

A response form is provided at Annex D of this document.

Consultees are invited to email responses to: enquiries.brconstruction@wales.gsi.gov.uk

Those who prefer to submit a paper copy of their response should send these to:

Building Regulations Consultation
Building Regulations Policy
Planning Directorate
Welsh Government
Rhyd y Car Offices
Merthyr Tydfil
CF48 1UZ

The Welsh Government will continue to engage with external partners throughout the consultation period and beyond on the range of consultation proposals. In particular, it will seek out opportunities presented by our partners to engage with relevant sectors on specific issues at relevant industry events around the country.

The views of the public are also welcomed.

Further information and related documents

Section 2 - Proposed draft Approved Document R

www.wales.gov.uk/buildingregulations / www.cymru.gov.uk/rheoliadauadeiladu.

Contact details

For further information:

Welsh Government
Rhyd y Car Offices
Merthyr Tydfil
CF48 1UZ

Telephone: 0300 062 8141

enquiries.brconstruction@wales.gsi.gov.uk

Data protection

How the views and information you give us will be used:

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations. The Welsh Government may also use contractors to assist in the analysis and interpretation

of the responses.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Contents

Background

1. The Welsh Government Programme for Government has a commitment to seek to ensure that all premises in Wales should have access to next generation broadband by 2015. Super-fast is defined by the Welsh Government as speeds in excess of 30 Mbit/s.

2. The European Commission also sets broadband targets for all Member States. In the 2014 Broadband Cost Reduction Directive[1] the Commission sets out specific infrastructure requirements aimed at increasing broadband speeds and provision across the European Union. The Commission defines a 'high-speed' network as being capable of delivering access speeds of at least 30 Mbps.

3. The Directive requires implementation of a range of measures that aim to reduce the cost of rolling out networks, by promoting deployment over existing physical infrastructures (both telecoms and a range of other infrastructure sectors), and requiring coordination of civil works that use public funding (Articles 3 and 5). There are complementary requirements to share certain minimum information about existing physical infrastructure and about planned civil engineering works (Articles 4 and 6).

4. The Directive also requires a four month deadline for certain permits (Article 7) and creation of a 'single information point' to provide information on permits and direct users to minimum information provided under Article 6. New buildings and major renovations must include a minimum standard of in-building physical infrastructure (Article 8) and providers of high-speed networks must have certain rights to access this infrastructure (Article 9). Most of these measures require dispute resolution functions and appeal to a court (Article 10).

Purpose of consultation

5. This consultation is concerned with the implementation in Wales of Article 8 of the Directive.

6. Article 8 requires that all new buildings, and major renovations, have the necessary in-building physical infrastructure in place to enable connections to super-fast broadband. The full text of Article 8 is set out in Annex B.

7. Article 8 does not require buildings are connected to broadband services. The requirement is to provide in built physical infrastructure (e.g. ducts and distribution), to enable broadband services to be easily connected to the

[1] http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32014L0061

building. The purpose of Article 8 is that buildings should be equipped to receive broadband (an access point) and in larger multi-dwelling buildings to provide ducting to allow cables carrying the broadband signal to be fed to the individual units of the building. The provision of the cables in the ducting is not a matter for the transposition of Article 8.

8. The remainder of Directive 2014/61/EU will be implemented at a UK level, with a consultation intended in due course by the Department of Culture Media and Sport. **In responding to this Welsh consultation (questions below) please restrict your comments to those that concern Article 8 only.**

Implementation through the Building Regulations

9. In Wales, the Welsh Government proposes to implement European requirements for broadband in-building physical infrastructure through the Building Regulations. The Regulations offer an established route for setting requirements for buildings. The intention is to transpose European requirements into the Building Regulations as closely as possible.

10. Once requirements are set in the Building Regulations, developers will be required to ensure that all new buildings (subject to exemptions – see Paragraphs 21 - 23 below) have the necessary in-building broadband infrastructure to enable those buildings to be connected to super-fast broadband services.

11. It will fall to Building Control Bodies to ensure that the requirements of the Regulations have been met.

12. The Regulations will set functional requirements for in-building physical infrastructure for broadband. Developers will be free to decide the most appropriate way of meeting the regulatory requirements for all new buildings.

The proposed requirement is below:

Part R PHYSICAL INFRASTRUCTURE FOR HIGH SPEED ELECTRONIC COMMUNICATIONS NETWORKS	
In-building physical infrastructure **R1** (1) Building work must be carried out so as to ensure that the building is equipped with a high-speed ready in-building physical infrastructure, up to a network termination point for high-speed electronic communications networks. (2) Where the work concerns a building containing more than one dwelling, the work must be carried out so as ensure that the building is equipped in addition with a common access point for high-speed electronic communications	Requirement R1 applies to building work that consists of— (a) the erection of a building; or (b) major renovation works to a building.

Approved Document

13. The Welsh Government is publishing a draft version of an Approved Document (AD) alongside this consultation paper. The guidance in the AD is aimed at giving developers, particularly smaller developers, advice on demonstrating compliance with regulatory requirements for in-building physical infrastructure.

14. In particular, the AD includes schematic diagrams demonstrating how single and multi-dwelling buildings can comply through the provision of an access point, ducting and network termination points.

15. The Approved Document also includes an appendix of key terms.

16. Feedback has been sought from the Building Regulations Advisory Committee for Wales (BRACW) on the intention to use the Building Regulations to implement requirements for in-building broadband infrastructure.

17. BRACW are a statutory body that the Welsh Government is required to consult whenever it is proposing changes to the Building Regulations. It is made up of industry experts appointed by Welsh Ministers who are able to give impartial views on how policy proposals would impact on the domestic and commercial development sectors, construction products and Building Control Bodies.

18. We welcome views on the Approved Document – particularly whether it would be helpful to include any other information to support developers.

Single Dwellings

17. Single buildings should have an access point linked by ducting to a network termination point. Diagrams 1(a) and 1(b) in the Approved Document show schematics of two possible arrangements for the physical infrastructure:

    a. Where the access point is on an outside wall and connected by a through-wall duct to the network termination point;
    b. Where the access point is below ground and remote from the building, inside or outside the curtilage, and connected by a below-ground duct to the network termination point.

Multiple-dwelling buildings

18. In multiple-dwelling buildings, each dwelling should have a network termination point. In addition, there should be a main access point for the whole building, and dedicated, enclosed, vertical and horizontal service routes so that service providers can make connections from the main access point to the network termination point in each dwelling.

Major renovations

19. Under the Directive's requirements, where a major renovation of a building or multi-dwelling building takes place, then the developer will be required to meet Article 8 requirements (subject to exemptions, see 'exemptions' in paragraphs 21-23 below).

20. Major renovation works are defined as '*works at the end-user's location encompassing structural modifications of the entire in-building physical infrastructure or a significant part thereof*'.

Exemptions from requirements

21. The European Directive allows for exemptions from requirements to provide the necessary in-building physical infrastructure for broadband.

22. The Welsh Government wants to consider the case for exemptions and is using this consultation to ask for further evidence on any other categories of development that may require an exemption from requirements.

23. The Welsh Government are proposing that the following categories of building and work are exempt from requirement R1:

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. single dwellings occupied by the Ministry of Defence or the armed services of the Crown, or otherwise occupied for purposes connected to national security

d. buildings 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.

Impact Assessment

24. The Welsh Government is publishing a consultation stage Impact Assessment which can be found in Annex A of this consultation paper. The Impact Assessment is based upon three principal assumptions:

- all the main ways of delivering broadband to buildings (copper or fibre solutions) are capable of delivering in excess of 30 Mbps, when linked to appropriate (external) infrastructure;
- the regulatory costs associated with the implementation of the Directive are extremely low, as there will be very few occasions when the necessary in-building infrastructure to enable connections to super-fast broadband is not already intended to be provided in new buildings and major renovations;
- that the main impact of setting Building Regulations requirements could be on self-build or small scale development, but even then the impacts would be limited.

25. The Welsh Government welcomes further evidence to inform a final stage impact assessment. In particular, we welcome views from self-build and smaller developers as it may be on this sector that the impact of regulation is felt.

Timing and next steps

26. Following consideration of the consultation responses the Welsh Government intends to make Regulations implementing the Directive which will apply to Building Regulation applications made/submitted after 31 December 2016.

Timetable for introduction of the changes:

The proposed timetable for the introduction of changes is set out below.

1 December 2015	Consultation commences (6 weeks)
12 January 2016	Consultation closes
July 2016	Publication of Approved Document

1 January 2017	Approved Document takes effect

Annex A

Building Regulations

Broadband – In building physical infrastructure

Regulatory Impact Assessment

Rationale for intervention and policy objective

The Welsh Government Programme for Government has a commitment to seek to ensure that all premises in Wales should have access to next generation broadband by 2015. Super-fast is defined by the Government as speeds in excess of 30 Mbit/s. In parallel, the European Commission has introduced a legally binding Directive requiring Member States to ensure that new buildings and major renovations are constructed with the necessary in-building infrastructure to enable connection to broadband speeds of no less than 30 Mbit/s. This requirement is in Article 8 of the Directive at http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32014L0061

The policy objective is to transpose the European requirement for in-building infrastructure into the Welsh system of Building Regulations. The European requirement is triggered by the submission of a "building permit", which is already a feature of Wales' approach under Building Regulations in the form of a full plans submission or building notice made to a Building Control Body.

The effect will be that potentially all new single tenant and multi-tenanted buildings, and major renovations of those buildings, will be caught by the requirements to install in-building infrastructure. So all new housing developments, commercial buildings, schools, retail and other buildings will be required to have in-building infrastructure to enable connections to broadband speeds in excess of 30 Mbit/s.

Policy options

The requirements of the Directive have to be implemented by "*laws, regulations and administrative provisions*".

Our view, and that of the UK government, is that this is best achieved through the Building Regulations, as enforcement or compliance checking will be undertaken by Building Control Bodies as part of their normal functions. No additional primary powers will be needed as the Building Act 1984 can be used to set Regulations that relate to broadband. The Regulations can be used to transpose the Directive requirements. Statutory guidance can then be issued (via an Approved Document) that sets out some of the approaches that developers could take to meet the

regulatory requirements.

Description of options considered (including do nothing)

Option 1: To do nothing, not implement the EU Directive and risk infraction proceedings.

Option 2: To set Building Regulations, through the Building Act 1984, which will require new buildings and major renovations to be constructed with the necessary in-building infrastructure to enable connection to broadband speeds of no less than 30 Mbit/s.

Costs and benefits of each option (including administrative burden)

Benefits

Option 1

There are no benefits associated with option 1 as it is the baseline which option 2 is compared against.

Option 2

The small minority of new build properties that do not have planned super-fast broadband connection would now be required to have one. Affected builders would likely pass on this extra cost.

There will be non-monetised benefits as the implementation of the EU Directive on broadband would mean the country will become even better connected to the internet.

Costs

Option 1

There are no direct costs associated with option 1 as there would be no changes to the current requirements. However, there is the risk of infraction with a significant penalty fine. Option 1 is also the baseline against which option 2 is compared.

Option 2

Summary of impact

There are several ways of delivering fixed network technology for residential and small commercial buildings, they include;

- broadband provided over networks originally deployed for cable television – via a combination of fibre and coaxial cable. These can deliver speeds of up to 152 Mbit/s.

- a combination of fibre and copper technology. This is where fibre is provided between an exchange and a cabinet, and then the existing copper phone line is used to deliver higher speeds of up to 76 Mbit/s.

- fibre only technology. These networks rely entirely on fibre to connect buildings to the exchange. This delivers speeds of up to 1 Gbit/s.

Based on these solutions, and following discussions with the house building industry our view is that the market is already meeting the requirements of the Directive for new dwellings, as even the most basic in-building infrastructure designed for copper technology would be capable of transmitting broadband speeds of up to 76 Mbit/s. It is the existence of wider infrastructure beyond the building that determines the actual speeds.

One of these main solutions would be provided for in the vast majority of new homes. It is estimated up to 5% (see parallel Department for Communities and Local Government consultation document[2]) of all new housing developments may not be intending to provide any in-building infrastructure. It is envisaged that there will be some single build homes (particularly in rural areas), where even the most basic copper telephone technology to enable broadband may not be part of the development.

For larger commercial buildings it is considered that the necessary in-building infrastructure required by the Directive to deliver speeds of at least 30 Mbit/s is universally provided for in new commercial buildings. There would simply not be a market for any kind of commercial building without access to broadband, and therefore there would always be the necessary in-building infrastructure in place to enable super-fast speeds if the wider infrastructure is in place locally.

The European Regulation imposes specific requirements for multi-dwelling buildings (i.e. blocks of flats). Under the Directive, developers of flats are required to provide an access point and ducting to each individual dwelling, up to the network termination points. It is unlikely there will be any additional costs. Modern blocks of flats will already make provision for the technological requirements in the Directive, and have to include vertical and horizontal distribution space for utilities such as water, electricity and gas which can easily accommodate telecom provision. The alternative would be to have wires running externally, which would make those properties difficult to market.

For major renovations, our interpretation of the Directive is that in-building physical infrastructure to enable connections to super-fast broadband will only be a requirement where there is existing infrastructure related to the provision of broadband within the building, and where the major renovation involves the removal or alteration of those elements. Where no such infrastructure exists, the regulation will not apply. Most major renovations, even where there is no broadband infrastructure, will automatically exceed directive requirements where they meet industry basic specifications. This will be particularly true of older commercial buildings and for major renovations of historic buildings, for example, there will be no regulatory requirement.

[2] https://www.gov.uk/government/consultations/new-part-r-of-the-building-regulations

Cost Analysis:

Build Costs

It is believed that regulation in this area will not impose any additional costs on the majority of new commercial buildings, major-renovations and flats developments in Wales, as it is considered that in-building physical infrastructure that enables a connection to super-fast broadband will already be provided. The in-building infrastructure costs outlined below are therefore already being met in the vast majority of cases.

These types of buildings do not feature in the following analysis which has therefore focussed on housing development.

In assessing the likely cost of the EU Regulation to business in Wales, we have based housing completion projections on a number of scenarios set out below, they do not show projections for flats as they will not be built without the necessary infrastructure for super-fast broadband, even in the absence of this EU Directive. Analysis of costs is based on projected completions 2016- 2026 given that Article 8 the directive applies to building permits (Building Regulation applications) made/submitted after 31st December 2016.

Table 1 – New House Completions in Wales

Scenario	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
1	5604	5922	6256	6606	6924	6924	6924	6924	6924	6924
2	5303	5450	5596	5751	5906	6069	6232	6403	6574	6753
3	5596	5881	6166	6452	6737	7022	7307	7592	7877	8162

- based on flats representing 18.50% of total completions (2014/15)

The first two scenarios are based on average 'pre-downturn' (2000-01 to 2007-08) house-building activity in Wales, with **Scenario 1** assuming that the number of completions continues to increase at the most recent rate (5.6%) until the pre-downturn average of 8,500 homes is reached, after which point the number of completions levels off. In contrast, **Scenario 2** assumes that the rate of increase in completions will slow and that the pre-downturn average of 8,500 homes is only reached at the end of your appraisal period (this gives a 2.7% per annum increase in the number of completions in the period to 2026-27).

The Welsh Government statistics show that the number of completions recorded has increased by between 300 and 400 in the last 2-years and **Scenario 3** assumes that this continues throughout the appraisal period as a result the number of completions,

by 2026-27, exceeds the pre-downturn average.

We have then considered how many self-builds are provided as a proportion of the overall projected housing delivery total.

Self-builds are single dwellings that are led by an individual who would contract out certain areas of the development. Custom build is a different approach, where larger housing developers offer a standard build but individuals have an input to the design and operation of the property.

For self-build it is the individual who is deciding whether to install in-building infrastructure for broadband. It is less likely that custom build developers would offer this kind of decision to the purchaser but there may be some occasions. Under both types of development there might be customers who would not opt for the necessary infrastructure for super-fast broadband in the absence of the EU Directive.

Within the Department for Communities and Local Government parallel consultation[2] for England they made an indicative estimate for projected numbers of self build properties. In this estimate, self build represents between 7% and 10% of total new houses in the UK [5].

There were 25 million UK residential fixed landlines in 2014[3], compared to 26.7 million households in the UK in 2014[4]. This means that 94% of homes in the UK have a landline. It has already been established that a basic copper phone line is capable of receiving super-fast broadband.

They have assumed it is reasonable to assume that the same proportion (94%, of self and custom build homes in England) would be constructed with the necessary in-building infrastructure for at least a basic phone line.

This would leave the following projected number of houses that may not be built with the necessary in-building infrastructure, but that may be required to under the EU requirements. This represents less than 1% of total housing delivered for England.

Table 3 – Projected number of single dwellings to be affected in England

2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
673	727	785	847	915	988	1,068	1,153	1,245	1,345

[3] http://media.ofcom.org.uk/facts/
[4] http://www.ons.gov.uk/ons/rel/family-demography/families-and-households/2014/families-and-households-in-the-uk--2014.html
[5] http://researchbriefings.files.parliament.uk/documents/SN06784/SN06784.pdf

National data on self build dwellings in Wales is not regularly collected. New housing completions for Wales were 6170 in 2014/15[5] of which 81.50% were houses compared with 65% for England. English total completions were 125,110 for the same period[6]. Using the new house completions in Scenario 2 (see Table 1 above) and assuming a) the same proportion of self-builds relative to total house completions as England and b) the same proportion of homes currently constructed without the necessary in-building infrastructure as England, this suggests that the number of new houses built in Wales without the necessary in-building infrastructure would range from 44 in 2016 to 72 in 2025.

To understand the potential costs to business, at this point it is necessary to look at the infrastructure costs for in-building infrastructure.

On the unit cost side, a European Commission report[7] to support the preparation of impact assessments for Member States provides such industry estimates. Figure 7.3 of the report estimates that ducting and wiring together will cost €250 per flat. This is about £181. But the EU Directive only necessitates the ducting, not the wiring. For Spain, it is approximated that ducting costs are about 75% of total cost of ducting and wiring. Applying that cost-split to the case in England, the unit cost for flats would be about £139.

For single dwellings, the ducting is not a necessary part of the in-building infrastructure. Instead, a hole in the wall connecting an external access point to the network termination point inside the house is required. As such the unit cost for houses will be much lower, potentially half of that for flats, or £70.

Applying that cost to the number of single dwellings we consider under scenario 2 will be affected by the EU Directive in Wales would produce annual costs of £3,060 to £5,020 over the 10 year review period. This represents an average annual cost of £3,970 and a present value of £32,500 over the period.

Familiarisation costs

There will be a familiarisation cost with implementing the EU Directive. The know-how of installing the necessary infrastructure is well-established knowledge in the building industry. The only familiarisation cost is to know about the requirement and related guidance within the Approved Document. This will be learned through the Welsh Governments updated website, seminars run by various industry bodies, articles in trade magazines, and the Building Control Bodies.

Architects, building control surveyors and building surveyors are the main professions that would have to be aware of this new part of the Building Regulations. We consider

[5] https://statswales.wales.gov.uk/Catalogue/Housing/New-House-Building/newdwellingscompleted-by-period-tenure
[6] https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/428601/House_Building_Release_-_Mar_Qtr_2015.pdf

[7] Support for the preparation of an impact assessment to accompany an EU initiative on reducing the costs of high-speed broadband infrastructure deployment – Final Report. Available from here.

that this is a simple requirement and would take about 5 minutes for each profession to familiarise. Therefore we have concluded that the familiarisation costs will be negligible.

Exemptions from the policy

The Directive allows for each Member State to put forward the case for exemptions from the regulatory requirements. The justification would need to be whether there are disproportionate costs involved. The consultation document explores the case for exemptions. We consider that there may well be a particular case for some isolated dwellings with no realistic prospect of receiving broadband. Any exemptions from the policy have not been considered as part of our analysis. If they were sought, it would reduce the overall cost to business outlined in bold above.

Summary

The Welsh Government therefore proposes to proceed with Option 2, to implement the EU Directive through the Building Regulations so that all new builds and buildings with major renovation would be required to have super-fast broadband infrastructure at an average annual cost to business of **£3,970.**

We propose to make Regulations implementing the Directive which will apply to Building Regulation applications made/submitted after 31 December 2016.

We will publish Approved Documents to coincide with the EU Directive coming into force.

Annex B

Summary of Consultation Questions

Q1. Do you agree with the Welsh Government's view that the Building Regulations are the most appropriate mechanism for delivering European requirements for providing in-building physical infrastructure for broadband?

Yes

No

If you do not agree, is there another approach that you consider to be more suitable?

Q2. Is the proposed guidance in the Approved Document clear and fit for purpose?

Yes

No

If you think the guidance could be improved, please suggest how.

Q3. The diagrams in the draft Approved Document are illustrative only. Are they accurate and do they provide sufficient detail?

Yes

No

If you think the diagrams could be improved, please suggest how.

Q4. 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?

Yes

No

If you think the definitions could be improved please suggest how.

Q5. Do you agree with the proposed exemptions to the requirement for providing in-building physical infrastructure for broadband in paragraph 1.1 of the Approved Document?

Yes

No

If you do not agree, please provide your reasons.

Q6. Are there additional exemptions that you feel should be considered?

Yes

No

If you have further suggestions for exemptions, please provide evidence.

Q7. Do you agree with the assumptions, costs and impacts set out in the Impact Assessment?

Yes

No

If you do not agree, please provide supporting evidence.

Q8. Please set out any additional comments you have below.

Annex C

Article 8

In-building physical infrastructure

1. Member States shall ensure that all newly constructed buildings at the end-user's location, including elements thereof under joint ownership, for which applications for building permits have been submitted after 31 December 2016, are equipped with a high-speed-ready in-building physical infrastructure, up to the network termination points. The same obligation applies in the event of major renovation works for which applications for building permits have been submitted after 31 December 2016.

2. Member States shall ensure that all newly constructed multi-dwelling buildings, for which applications for building permits have been submitted after 31 December 2016, are equipped with an access point. The same obligation applies in the event of major renovation works concerning multi-dwelling buildings for which applications for building permits have been submitted after 31 December 2016.

3. Buildings equipped in accordance with this Article shall be eligible to receive the voluntary ‘broadband-ready’ label in Member States that have chosen to introduce such a label.

4. Member States may provide for exemptions from the obligations provided for in paragraph 1 and 2 for categories of buildings, in particular single dwellings, or major renovation works in cases in which the fulfilment of those obligations is disproportionate, such as in terms of costs for individual or joint owners or in terms of type of building, such as specific categories of monuments, historic buildings, holiday homes, military buildings or other buildings used for national security purposes. Such exemptions shall be duly reasoned. The interested parties shall be given the opportunity to comment on the draft exemptions within a reasonable period. Any such exemption shall be notified to the Commission

Annex D

Building Regulations Advisory Committee for Wales

Chairman

Professor Phillip Jones	Welsh School of Architecture

Members

James Chambers	Powell Dobson Architects
Andrew Sutton	Building Research Establishment for Wales
James Player	Castleoak
Nigel Smith	Redrow Homes
Mathew Evans	Arup
Heather Jones	Powys County Council Building Control
Christopher Lynn	Troup Bywaters + Anders
Alan Hunt	Pembrokeshire County Council

Government Observers

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- Welsh Government consultants Building Research Establishment