



**To: MPs invited to the Telegraph Poles  
Roundtable**

10 April 2024

Dear Colleagues,

Thank you to those who were able to attend my roundtable on the deployment of telegraph poles on 25 March and for raising your constituents' concerns with me. It was very helpful in better understanding the extent to which this issue is confined to particular areas of the country or specific companies, and the next steps that are most appropriate for us to take.

The Secretary of State and I have considered a range of options to address concerns about poles, and we have asked officials to take a number of actions which will have the greatest impact and are most deliverable in the short term.

First, our officials are working with their counterparts in Ofcom in order to explore ways DSIT and Ofcom can raise awareness of statutory roles and responsibilities. As you will know, one of the current requirements is for operators to notify the local planning authority at least 28 days in advance of their intention to deploy certain infrastructure. The local planning authority can then suggest conditions to which they wish the operator to adhere in relation to the installation of apparatus, which the operator is obliged to comply with to the extent those conditions are reasonable.

My officials are working with the Department for Levelling Up, Housing and Communities in order to provide further guidance to local planning authorities on the current regulations, including the ability to suggest conditions as outlined above. They are also going to strengthen understanding of how and when local planning authorities can refer suspected breaches to Ofcom under the Electronic Communications Code (Conditions and Restrictions) Regulations 2003. Taken together, this will empower local planning authorities to manage complaints from communities.

Ofcom have stated that they would investigate any cases where poles are sited in a way which is not consistent with the requirements and guidelines in place – such as the relevant regulations and codes of practice – including where they block residents' drives or where operators systematically fail to engage with local planning authorities' suggestions. If you are aware of such cases in your constituency, I strongly encourage you to engage with your local planning authority so that they may raise these cases with Ofcom.

As I stated at the roundtable, we think that the Cabinet Siting and Pole Siting Code of Practice should be revised to promote better working practices. While this work will be primarily driven by industry with input from local planning authorities, I will be chairing a roundtable for operators later this month in order to make clear my concerns and to impress upon them the importance of this work. Based on previous experience, I anticipate we will have a new code of practice agreed by this time next year.

I will also use this roundtable to impress on operators the importance Government attaches to infrastructure sharing, highlighting the work we have done to enable this, including new laws in the Product Security and Telecommunications Infrastructure Act 2022. I will make clear my expectations to operators that they should work collaboratively to increase the use of existing infrastructure. I am aware of the promising work the Independent Networks Cooperative Association is doing to facilitate greater infrastructure sharing, and I will encourage operators to engage with it fully.

We have considered forcing all operators to share their infrastructure. This would likely require legislative changes. However, this can take many months and changes to the existing regime could potentially impact the rollout of connectivity and the Government's ability to meet its connectivity targets. For the time being, we will therefore focus our efforts on delivering better working practices through the non-legislative interventions outlined above.

In July 2019, only 8% of premises could access gigabit-capable broadband, but due to our programme, this has now increased to 81%. This progress means that hundreds of thousands more people across the country are getting access to the quality connectivity that can transform businesses and residents' access to key services and economic and social opportunities. However, our ultimate target is nationwide gigabit-capable broadband coverage by 2030, and for this, it is important to ensure that people across the country can get the connectivity they need at pace, while striking the right balance of engagement with the local community.

We feel that by working with local planning authorities and operators, we can tackle the bulk of challenges faced by residents while ensuring connectivity targets can be delivered. To this end, I have also previously flagged with specific operators some of the case examples you provided at our meeting and asked for direct engagement with you as MPs. However, I want to reassure you that we are open to revisiting our options, should it become clear that current steps are insufficient in allaying residents' concerns. This is a message I will be sharing with the industry when I meet them.

During the meeting, we discussed a point that had been raised in a recent Westminster Hall debate by Jim McMahon MP about the potential for redundant equipment to be left behind should a telecommunications firm cease operating. Existing regulations require providers to have a bond or other guarantee of funds that can be used for specified liabilities such as the removal of electronic communications apparatus including if the provider were to go out of business. I have been informed by Ofcom that providers are required to submit evidence of sufficient funds for liabilities to Ofcom each year, and Ofcom can take enforcement action should a provider not do so. I hope this reassures you that operators are required to safeguard funds to cover the costs of removing electronic communications apparatus by highway authorities from their land.

At the roundtable, you also raised constituents' concerns about the use of creosote on telegraph poles. I have asked my officials to confirm with the Health and Safety Executive (HSE) their latest position on this. HSE have confirmed that under the Great Britain Biocidal Products Regulation (GB BPR), biocides such as creosote undergo rigorous evaluations for safety to human health, animal health and the environment and for efficacy before they can be supplied and used to ensure they meet strict regulatory criteria. Creosote is approved as a biocidal active substance under GB BPR for use as a wood preservative. It is only approved for use by professionals for restricted uses, which include the preservation of telegraph poles. If you have any further queries regarding the approval of creosote, then you would be able to contact the HSE at [Chief.Executive@hse.gov.uk](mailto:Chief.Executive@hse.gov.uk).

With best wishes,



Julia Lopez MP  
**Minister for Data and Digital Infrastructure**