

Reference: 01704280

Information Requests  
[information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

27 October 2023

### Freedom of Information request: Right to know request

Thank you for your request for information concerning enforcement action taken against broadband installation providers. Your request was received on 20 October 2023 and we have considered it under the Freedom of Information Act 2000.

#### Your request

*All the enforcement action against Broadband providers as a result of their work to install cabling in streets*

You later expanded on your request by stating that you were actually asking about:

*enforcement action taken against broadband installation providers and are querying specifically about installation in the street and providers making a mess about it and the enforcement action taken against that*

#### Our response

Details of current and past enforcement activity can be found on our [Enforcement Bulletin](#). However, Ofcom has not taken enforcement action concerning installation works undertaken by broadband providers in streets.

Street works associated with the deployment of broadband services by telecoms operators are governed by the street works provisions of relevant highways legislation.<sup>1</sup> These specify requirements regarding the execution of works (such as safety measures and avoidance of unnecessary delay and obstruction) and reinstatement of pavements and roads. Enforcement of these obligations is a matter for the highways authority responsible for the highway in which the works are undertaken.

Ofcom is however responsible for enforcing restrictions or conditions imposed under the Electronic Communications Code (Conditions and Restrictions) Regulations 2003, and one of these conditions

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<sup>1</sup> The New Roads and Street Works Act 1991 (England, Wales and Scotland) and The Street Works (Northern Ireland) Order 1995 (Northern Ireland).

and restrictions relates to the the code of practice concerning the siting of cabinets and poles in streets.<sup>2</sup>

If you have any further queries, then please send them to [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk) quoting the reference number above in any future communications.

Yours sincerely

## Information Requests

If you are unhappy with the response you have received in relation to your request for information and/or consider that your request was refused without a reason valid under the law, you may ask for an internal review. If you ask us for an internal review of our decision, it will be subject to an independent review within Ofcom.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

### Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for responding to internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Further information about this, and the internal review process can be found on the Information Commissioner's Office [here](#). Alternatively, the Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

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<sup>2</sup> [Cabinet and Pole Siting Code of Practice](#), Issue 2, Nov 2016.