

CWU NW Safety Forum

Question	Your response
<p>Question 3.1: Do you agree with our proposed market definitions? Please set out your reasons and supporting evidence for your response.</p>	<p>We have no issue(s) with the single product market for the supply of wholesale access to telecoms physical infrastructure nor with the four geographic markets.</p>
<p>Question 3.2: Do you agree with our proposed SMP assessment? Please set out your reasons and supporting evidence for your response.</p>	
<p>Question 4.1: Do you agree with our proposed general remedies? Please set out your reasons and supporting evidence for your response.</p>	<p>Whilst we understand the rationale for the proposals to give unrestricted access to Openreach's network of underground cable ducts and poles we have extreme concern over the health, safety and environmental issues that will arise from such free access.</p> <p>We accept that there will be competition and that it is central to Ofcom means of stimulating investment among different networks but that must not lead to a dangerous workplace for those who follow or a damaged environment for the general public. If such access is not managed or controlled from the beginning it will lead to a cut-and-run approach and then this will become unrecoverable.</p> <p>The Construction (Design and Management) Regulations 2015 (CDM 2015) design in health, safety and environmental management from the outset and this approach should be encouraged. When preparing or modifying network access it is important in ensuring construction is carried out in a way that avoids clearly foreseeable health, safety and environmental concerns. A strong auditing procedure predetermined during the very early planning and design stages of the access will support the health and safety of not only those carrying out work, but those who use, maintain, repair etc. as well as the general public.</p>
<p>Question 5.1: Do you agree with our proposed specific remedies? Please set out your reasons and supporting evidence for your response.</p>	<p>Whilst users of the network will have to be licenced and accredited to be at the same, or better than, Openreach standards we have</p>

	<p>seen precious work by some, not all, contractors severely lacking leaving the said equipment almost near unworkable for the following Openreach engineer. If this is applied to poles it will be further exacerbated by being unsafe for the following engineer(s) and the general public.</p> <p>Therefore we would want to see a complete and thorough auditing mechanism funded pro-rata by all those who use the network provided by the Openreach as owner of the network. The auditors must be able to demonstrate they have the health and safety skills, knowledge and experience, the organisational capability, to carry out the audit to which they are appointed to undertake with skills proportionate to foresee the complexity of the work and the range and nature of the risks involved.</p>
<p>Question 5.2: Do you agree with our assessment not to impose a dark fibre backstop remedy in this review period? Please set out your reasons and supporting evidence for your response.</p>	
<p>Question 6.1: Do you agree with our proposed approach to the recovery of network adjustment costs? Please set out your reasons and supporting evidence for your response.</p>	
<p>Question 6.2: Do you agree with our proposal regarding the level of the financial limit? Please set out your reasons and supporting evidence for your response.</p>	
<p>Question 6.3: Do you agree with our proposed approach to the recovery of productisation costs? Please set out your reasons and supporting evidence for your response.</p>	
<p>Question 7.1: Do you agree with our proposed approach to regulation of PIA charges? Please set out your reasons and supporting evidence for your response.</p>	