

For each of the broadband network builder companies installing telegraph poles in your council area as permitted development, please answer the following:

- 1) The name of each network builder (code operator) operating in your area.  
BT Openreach  
BRSK Utilities  
City Fibre  
Freedom Fibre  
Grain Utilities  
Virgin Media
- 2) When was the first permit for a permitted development telegraph pole issued by the council (date)?  
Information Not Held
- 3) Up until 22nd November 2023 how many telegraph poles have been deployed in the the council boundary area by each company? And/or how many permits for telegraph poles have been granted to each network builder?  
Information Not Held
- 4) Since the deployment of telegraph poles started, how many complaints, whether written, emailed or by phone have been received by the council referencing telegraph poles and/or permitted development? The total number of complaints raised against each network builder company if possible to do so, please.  
17 Cllr/MP enquiries 3 web complaints
- 5) How many petitions have been raised by residents related to this issue?  
Having checked records of petitions submitted (e-petitions since 2011 and paper petitions since 2017), there is no record of any petition being submitted to the Council in relation to telegraph poles.
- 6) How many permit violations have been recorded against each network builder company?  
H&NMG – Data Provided is for permit violations under Regulation 19 (Working without a valid permit) and Regulation 20 (Breach of permit conditions)  
BT Openreach - 30  
BRSK Utilities - 0  
City Fibre - 0  
Freedom Fibre - 2  
Grain Utilities - 0  
Virgin Media - 6

7) How many fines/penalty notices have been served on each network builder company and what are the value of such i.e. the total number of all fines and the cost of a typical fine against each?

H&NMG – Data provided is all fines/penalty notices issued. Not just in relation to telegraph pole installation works.

A typical fine is £120 for breaching permit conditions and £500 for working without a valid permit.

BT Openreach - 576  
BRSK Utilities - 0  
City Fibre - 6  
Freedom Fibre - 35  
Grain Utilities - 0  
Virgin Media - 145

8) The Minister of State Julia Lopez wrote to all local planning authorities (LPAs) on 13 April 2023 and encouraged them to "let Ofcom know and provide them with evidence of any instances where operators are not adhering to their statutory obligations so that appropriate investigations can be made and action taken."

The Council did not write to OFCOM on this basis.

- a) Did the council report an operator to Ofcom?
- b) If so, what was the outcome of such investigations?

9) In the same letter, the Minister informed LPAs that following 28 day notices issued by network builders, the LPA could set conditions with which you wish the operator to comply.

The Council are aware of the ability to request conditions for operators and will do so if appropriate. Conditions generally relate to the external finish of the equipment. The Council also request that in cases where PD Telcom installations are not considered appropriate, that the equipment is not installed in this location.

- a) Did you set conditions on operators?
- b) If so, what conditions did you set?

10) Has the council formally objected to the current permitted development legislation in any manner or form?

Following a Council meeting on the 28 September 2022, at which a motion that the Council write to a telecoms operator in the Borough to demonstrate the Council's disappointment and concern with the practice of installing fibre broadband poles above ground, and that they consult fully with residents and the LA before installing these poles, ideally using underground infrastructure instead. A letter was sent from Cllr Paul Prescott (attached) to this specific telecoms operator.

The motion which was passed by the Council also included a requirement to write to the Government to review the legislation that currently requires limited or no consultation regarding the installation of telecommunications equipment in communities. A copy of this letter is also attached.

In addition, the Council produced a report for its Planning Committee on Telecommunications infrastructure and planning processes that can be viewed online at the following link:

[\(Public Pack\)Agenda Document for Planning Committee, 11/04/2023 14:00 \(wigan.gov.uk\)](#)