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Date: Thu, 13 Dec 2018 at 05:06

Subject: Response to Ensuring Tenants' Access to gigabit-capable connections Consultation

To: <tenantconnectivity@culture.gov.uk>

Consultation response

(10 years experience of living in private rental accommodation sector)

Answers to the questions follow the same numbering used in the Consultation document:

1. Yes, I believe amending the Code to place an obligation on landlords to engage with operators and respond to requests will undoubtedly improve and encourage more landlords to engage with the problem. It is absolutely essential digital communications are improved for those in the rental sector for the reasons given in the report and that it is currently far too easy for landlords (including absentee) to shy away from what should be a statutory duty to engage, so as to provide and facilitate the very best in digital infrastructure. I support the measured proposals for greater engagement as set out in the Consultation.
2. Placing an obligation for engagement would complement the Code. It would clearly help to avoid the situation of landlords refusing to engage and help to correct a clear example of market failure.
3. Yes, it is absolutely reasonable to use the Courts network, to grant access for operators, if a landlord is failing to engage. Investment in digital infrastructure is one of the absolute key components necessary to deliver economic growth and better living standards in the UK.
4. Two months is too long a period in order to deem a landlord absent. My submission would be that 1 month is a sufficient period for a landlord to be deemed absent and for an Operator to be able to gain entry via the Courts.
5. Evidence that should be required to be provided by operators should be the number of attempts to make contact with landlords. A reasonable number of attempts would be 3.
6. There is no need to define what constitutes a request made by a tenant for a communication service. The UK should be aiming for blanket full fibre FTTP connectivity and so this question/definition is redundant.
7. The Access granted by a Court should be prima facie the permitted access unless an Agreement can be reached to the acceptance of the operator. The proposals must be such that the landlord is heavily incentivised to engage when initial contact is made by the operator. The landlord must not be "let off the hook" after a Court access permit is granted by engaging with the operator only them to obstruct or hinder progress.
8. Yes, access granted by a Court should encourage engagement by the majority (but certainly not all) landlords.
9. Landlords should not have the right to demand removal of digital infrastructure if installed in pursuance of the Governments digital telecommunications strategy/policy. It is absolutely essential that digital communications are on the same standard/level as other utilities such as gas and electricity. Landlords may seek to remove equipment if it requires maintenance by

Operators or if Tenants make demands upon landlords for access to higher performance connectivity - this should be guarded against and prohibited in any future legislation in response to this Consultation.

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