

From: **Jack Douglass** <[REDACTED]>  
Date: Thu, 20 Dec 2018 at 11:08  
Subject: Response to consultation on Tenants' Access to Gigabit Broadband  
To: tenantconnectivity@culture.gov.uk <tenantconnectivity@culture.gov.uk>

Good morning,

Please find below a response to the government's consultation on New Build Developments. This response has been sent on behalf of Buckinghamshire's Digital Infrastructure Group, a dedicated cross-sector group which brings together the County and District Councils, Buckinghamshire Thames Valley Local Enterprise Partnership, the local growth hub Buckinghamshire Business First, and local businesses.

- Question 1
  - Would the placing of an obligation on landlords in the manner proposed encourage more landlords to respond to requests sent by operators?
    - Yes, the acknowledgement of broadband as a utility will ensure that tenants will have a legal right to challenge any lack of communication from their landlords
- Question 2
  - To what extent would placing an obligation on landlords complement or underline the facilitation within the Electronic Communications Code of negotiated agreements between landlords and operators?
    - It is unknown the extent of the impact of these proposals, but the large amounts of descoped properties nationally due to a lack of a response suggests that this will help to reinforce the ECC
- Question 3
  - Do you consider that the use of the courts for the purpose of granting entry to operators where they have been unable to contact a landlord is reasonable? If not, why not?
    - Yes although this should only be done in order to secure a temporary allowance to provide the broadband infrastructure, which can then be followed by a permanent agreement with the landlord for ongoing provision to their property
- Question 4

- DO you agree that two months is an appropriate amount of time to pass before a landlord is considered absent and an operator can seek entry via the courts? If not, how much time would be appropriate?
    - Yes
- Question 5
  - What evidence should an operator be reasonably be expected to provide to the courts of their need to enter a property and their inability to contact a landlord?
    - Logs of emails, calls, letters and visits in person to the correct registered address, as well as an attempt to contact tenants in order to ensure that they have the correct address for the landlords
- Question 6
  - Is there a need to define what constitutes a request by a tenant for a communications service?
    - Yes, this should always be done in writing so that there is a record of the request which can be used as evidence in court if necessary
- Question 7
  - Do you agree the temporary access granted by the court should be valid until such a time as a negotiated agreement, underpinned by the Code, is signed between an operator and landlord?
    - There should be a limit to the temporary access period for operators, after which further legal action can be taken for by the operator against the landlord for permanent access.
- Question 8
  - Would temporary access granted by the court provide an incentive for landlords to re-engage?
    - Unknown
- Question 9
  - Do you foresee any issues with operator/landlord negotiations which take place after installation has taken place?
    - None foreseen

Thanks,

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