

#### RPEC4

# **Electronic Communications Code:** Response to a notice of reference

This form is to be used by an owner, occupier of land or any person with an interest in land in response to an application made by an electronic communications network provider or provider of systems of infrastructure seeking rights to install and maintain apparatus on land in England and Wales.

This form can also be used in response to an application made by a site owner under the Electronic Communications Code.

Proceedings under the Electronic Communications Code are complex. If you have not already done so you are advised to take specialist independent advice.

Before you apply

If the person making the reference has attached a statement of case to their notice of reference (form RPEC3) you must file and serve a statement of your case, including the particulars of fact you rely on.

No fee is payable for this application.

Our case officers are available to discuss your case with you and will be able to help you with the tribunal process. However, we cannot give you legal advice.

Phone: 0121 600 7888

## 1. Details of respondent

1.1	Details of respondent
	First name
	Last name
	Last name
	Company name
1.1	Address
•••	First line of address
	That the or address
	Second line of address
	Town or city
	Town of city
	County (optional)
	Postcode
1.2	DX number for correspondence
	DATIGNISE TO CONTESPONDENCE
1.3	Reference number for correspondence
1.4	Contact details
	Phone number
	Mobile number
	riodic number
	Email address

	First name
	Last name
	Company name
	Professional capacity in which the representative acts
1.6	Address First line of address
	Second line of address
	Town or city
	County (optional)
	Postcode
1.7	DX number for correspondence
1.8	Reference number for correspondence
1.9	Contact details
	Phone number
	Mobile number
	Email address

**1.5** Details of respondent's representative

## 2. Expert evidence and procedure

2.1	Do you intend to call an expert witness?	
	Yes	
	No	
	Unsure	
2.2	Do you wish to call more than one expert witr	ness?
	Yes. Give details in the table below.	
	No	
	Unsure	
	Give the name (if known) and field of expertis witness whose evidence you wish to rely on:	se of each expert
	Name of expert	Field of expertise
2.3	Does the respondent seek a stay to allow par- negotiate?	ties further time to
	Yes. Give further details in the box below	w.
	No	

2.5	Should this reference be listed for determination of a Preliminary Issue?	
	Yes. Give further details in the box below.	
	No	
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**2.4** Does the respondent seek transfer to the Upper Tribunal?

Yes. Give further details in the box below.

No

	No			
2.7	Is an urgent hearing requested?			
	Yes. Give further details in the box belo	ow.		
	No			
			Page	6

**2.6** Should this reference be consolidated or heard together with

Yes. Give further details in the box below.

other proceedings?

	Yes. Give further details in the box below.
	No
Sta	tement of truth
	I believe that the facts stated in this form and any continuation pages are true.
	Signature
	Date
	Day Month Year
	Full name
	Tate name
	Name of firm or company
	If signing on behalf of firm or company give position or office held

**2.8** Is this matter suitable for determination without a hearing?

#### **Checklist**

#### Documents that need to be included with this response.

Attach each enclosure as a separate document when emailing the response.

<b>A.</b> Authority to act

Yes

No

Not applicable

#### B. Statement of case

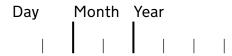
Yes

No

Please tick to confirm that you have;

served a copy of this response, authority to act and statement of case upon the claimant(s).

Date service made



Address where service made

No fee is payable for this application.

#### After you have completed this form

If the party has appointed a professional representative all forms and documents must be submitted by email to

<u>TelecommsFTT@justice.gov.uk</u>

If you do not have a professional representative you can post your forms and documents to:

**HM Courts and Tribunals Service** 

First-tier Tribunal (Property Chamber) Residential Property

**Centre City Tower** 

5-7 Hill Street

Birmingham

**B5 4UU** 

Phone: 0121 600 7888

#### Guidance on digital statements and bundles.

The tribunal will only consider submissions and evidence served in accordance with directions. The tribunal will not accept multiple emails. You must comply with directions by sending a single email with submissions and evidence as a single attachment. Evidence and submissions sent piecemeal or in separate emails will not be considered by the tribunal.

All emails, applications and documents sent to the tribunal must also be sent at the same time to the other parties(s)

## Order 1 – Application and Request for Case Management or Other Interim Order.

If you wish to make a case management application (e.g. extension of time, postponement of hearing, joining a party, strike out, barring or further directions) you must complete Order 1 – Application and Request for Case Management or Other Interim Order. Order 1 must be completed and signed. In addition, the party making the application must confirm that a copy has been sent to the opposing party. Email requests for case management orders will not be considered by the Tribunal unless accompanied by Order 1.

#### Failure to comply with directions.

If the claimant fails to comply with directions the tribunal may strike out all or part of their case pursuant to Rule 9 of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013.

If the respondent fails to comply with directions the tribunal may bar the respondent from taking any further part in all or part of these proceedings and may determine all issues against the respondent pursuant to Rules 9(7) and (8).