



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

Company name

1.1 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

| | | | | |

1.2 DX number for correspondence

1.3 Reference number for correspondence

1.4 Contact details

Phone number

Mobile number

Email address

1.5 Details of respondent's representative

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

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1.7 DX number for correspondence

1.8 Reference number for correspondence

1.9 Contact details

Phone number

Mobile number

Email address

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 witness?

Yes. **Give details in the table below.**

No

Unsure

Give the name (if known) and field of expertise of each expert witness whose evidence you wish to rely on:

Name of expert	Field of expertise

2.3 Does the respondent seek a stay to allow parties further time to negotiate?

Yes. **Give further details in the box below.**

No

2.4 Does the respondent seek transfer to the Upper Tribunal?

Yes. **Give further details in the box below.**

No

2.5 Should this reference be listed for determination of a Preliminary Issue?

Yes. **Give further details in the box below.**

No

2.6 Should this reference be consolidated or heard together with other proceedings?

Yes. **Give further details in the box below.**

No

2.7 Is an urgent hearing requested?

Yes. **Give further details in the box below.**

No

2.8 Is this matter suitable for determination without a hearing?

Yes. **Give further details in the box below.**

No

Statement of truth

I believe that the facts stated in this form and any continuation pages are true.

Signature

Date

Day	Month	Year

Full name

Name of firm or company

If signing on behalf of firm or company give position or office held

Checklist

Documents that need to be included with this response.

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

A. 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

Day Month Year

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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

TelecommsFTT@justice.gov.uk

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).