



# Telecoms Property Law

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**Our dedicated Telecoms Team has unrivalled experience in the telecoms sector.**

We have extensive experience in all aspects of telecommunications property law dealing with both transactional and litigation work. Our team deals with property legal agreements for both fixed line and mobile/WiFi, so whatever your requirements are we will be able to assist.

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## Quality legal advice

The team comprises of 14 lawyers, including 3 partners, giving us the resource and the competence to offer the highest levels of service to our clients.

In addition to our extensive knowledge of the law relating to electronic communications, we also have an in depth understanding of the commercial issues, objectives and practicalities affecting both landlords and operators. This allows us to provide our clients with practical solutions to problems as well as summarising the legal position.

### **Our experience in the telecoms sector includes:**

- Leases/agreements for new sites
- Equipment upgrades on existing sites
- Property legal issues on existing sites
- Lease renewals
- Forced Site Moves
- Site share
- Wayleaves and deeds of easement
- Distributed Antenna System Agreements
- Detailed Stamp Duty Land Tax advice
- Precedent drafting
- Code Powers advice, service of notices/counter-notices and court proceedings
- Dealing with Landlord and Tenant Act 1954 s.25 and s.26 notices
- Access issues and disputes
- Network consolidation and network integration
- Provision of seminars on telecoms specific issues

## RICS Telecoms Forum Board

Catherine Haslam, Head of our Telecoms Team, sits on the Board of RICS Telecoms Forum.

## Our experience

Key examples include:

### **Mobile Broadband Network Limited**

We currently act for MBNL providing legal services in connection with their management of the networks for both EE and 3, dealing with all elements of estate management including network consolidation activities, lease renewals, site acquisitions, forced site moves and site disputes.

### **Orange / EE**

We have acted for Orange/EE for over 20 years in relation to the full range of property legal services required for the rollout, ongoing management and consolidation of their mast site portfolio. The work we have dealt with during that time has ranged from completing single site agreements to multi-site agreements, and documenting site shares and drafting precedent documents. We currently advise EE on their special projects sites, which includes infrastructure agreements for airports, sports stadia and other high profile venues such as Sellafeld and Silverstone.

### **Wayleaves**

We act for one of the UK's leading superfast broadband providers. We have also acted for a number of developer and property investment clients in relation to the grant of telecoms and other wayleaves across their land where building protection into the legal documents has been paramount to enable them to redevelop their properties in the future.

We were involved in the Central London Forward initiative, which produced a standardised wayleave and toolkit to help deliver digital infrastructure in a faster and more effective way.

### **WiFi Hotspots and Small Cells**

We have acted for an electronic communications company in relation to their agreement with a City Council to provide free WiFi for citizens and visitors to the City, which covered the installation of both WiFi and small cell technologies.



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## Distributed Antenna Systems

We have extensive experience of dealing with agreements for the installation of distributed antenna systems within buildings - including public buildings (such as hospitals and local authority buildings), sports stadia (including the Principality Stadium), arenas (including the Liverpool Echo Arena and the Manchester Arena), airports and shopping malls - for the installation of both mobile infrastructure and WiFi "hotspots".

## Landlords

We provide strategic advice to our landlord clients in relation to the removal of telecommunications equipment installed on their properties where they need to secure vacant possession in order to carry out a redevelopment. Our litigation team deal with the service of the requisite notices on operators and the agreement of Tomlin Orders. One such notable client that we have assisted in the last year has been United Utilities.

## Pipex Wireless / Freedom4 / Internexus

We drafted the full suite of property legal precedents for the roll-out of Freedom4's WiMAX network. We dealt with the acquisition of all their sites and subsequent decommissioning of sites that were no longer required (including the transfer of assets to third parties to avoid decommissioning costs). More recently we have drafted the precedent documentation for Internexus in connection with their WiFi roll-out including 'killing' the precedent documents so that they can be used in Scotland.

## Hutchison 3G UK Limited ('3')

We acted for '3' on the property due diligence exercise in respect of their network consolidation with T-Mobile. The exercise involved reviewing and reporting on the legal documentation for approximately 10% of T-Mobile's mast site portfolio together with all their multi-site agreements with institutional landlords. We assembled a team of 20 lawyers to deliver the project in a very tight timescale.

## Code Powers

We have acted in proceedings brought under paragraphs 20, 21 and 5 of the Electronic Communications Code and understand the interaction of these provisions with the statutory protection that tenants enjoy under the Landlord and Tenant Act 1954.

We have also been heavily involved with the proposed reform of the existing Code over the last few years, including taking part in the consultation process, commenting on the draft legislation, and advising clients on the changes to the regime that will occur when this part of the Digital Economy Act 2017 comes into force at the end of 2017.

## Seminars

We are regular speakers at regional and national events run by the RICS, including the RICS Telecoms Forum, and we provide client-specific training on issues affecting the telecoms sector.

## Contacts

To find out more about how we can help you, please contact a member of our team.



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## Beyond borders, sectors and expectations

DWF is a global legal business, connecting expert services with innovative thinkers across diverse sectors. Like us, our clients recognise that the world is changing fast and the old rules no longer apply. That's why we're always finding agile ways to tackle new challenges together. But we don't simply claim to be different. We prove it through every detail of our work, across every level. We go beyond conventions and expectations.

Join us on the journey.

