



# Electronic Communications Code: Proposed amendments to Paragraph 20 and 33 Template Notices

## Cellnex UK Response

October 2023



# Overview of Cellnex UK

## Cellnex Group

This response is submitted by Cellnex UK ([link](#)), part of Cellnex Group ([link](#)) which:

- Supports over 420 million mobile connections across Europe
- Operates >70,000 mobile sites today, which will grow to >130,000 by 2030
- Is Europe's leading neutral host mobile infrastructure provider, covering 12 countries: Austria, Denmark, France, Ireland, Italy, Netherlands, Poland, Portugal, Spain, Sweden, Switzerland and the UK
- Provides mobile infrastructure services, private and mission-critical networks, distributed antenna systems and small cells, and smart/IoT and innovative services
- Operates sixteen mission critical networks in Spain for emergency bodies to ensure public safety
- Has deployed forty private networks across Europe for enterprise applications
- Had an annual turnover of €3.5bn in 2022
- Is listed on the main sustainability indices, and evaluated by highly reputable international analysts such as CDP, Sustainalytics, FTSE4Good, MSCI and Standard Ethics

Where possible, we have sought to provide international examples from the wider Cellnex Group in our response.

## Cellnex UK

We are the trusted partner of all the major UK mobile network operators, hundreds of private businesses, the emergency services, as well as the UK Government, specifically Cellnex UK:

- Is the UK's leading independent wireless connectivity infrastructure company
- Operates >9,000 mobile sites today, which will grow to >13,000 by 2031
- Has deployed over 1,000 small cells to date
- Is a provider of private networks in campus and indoor environments
- Is an indoor mobile coverage provider, most notably in the Etihad stadium in Manchester
- Is deploying contiguous mobile coverage and capacity along the 81km Brighton to London Mainline and three major stations
- Has won three DCMS 5G competitions, working collaboratively with universities and start-ups to deliver 5G innovation
- Employs around 300 people across four major UK locations – Reading, Manchester, Scotland and Leamington Spa
- Has invested £6.1bn in the UK since 2016

## Basis of Response

We have reviewed and commented on this consultation on the basis of Cellnex UK as an operator.

## 1. Do you have any comments on the proposed changes to the template notice set out in Annex 1?

Cellnex UK welcomes the proposed changes highlighting the availability of ADR when an operator and site provider are unable to reach an agreement.

We suggest the following points are included in the Supplementary Information to the amended P20 Notice:

- ADR should not be used as a delaying tactic and ADR should seek to resolve genuine issues between an operator and site provider;
- An explanation that the Court may require a party to provide evidence that ADR has been considered and the costs implications of an unreasonable refusal by a party to engage in ADR;
- A reminder that ADR is available at any time even after proceedings have started;
- Details for site providers of the different forms of ADR available (which the CPR rules contains) as a starting point for consideration, including but not limited to:
  - a. Without prejudice discussions;
  - b. On site meetings;
  - c. Expert determination;
  - d. Mediation;
  - e. Arbitration.

## **2. Do you have any comments on the proposed changes to the template notice set out in Annex 2?**

None, save for applicable points mentioned in our response to Q1.

### **3. Do you have any comments on the proposed changes to the template notice set out in Annex 3?**

None, save for applicable points mentioned in our response to Q1.