

Government reviews law on access to land for digital infrastructure

A government [consultation has been launched](#) on whether to make changes to the law around digital infrastructure, such as phone masts and broadband cabinets, with a view to providing more homes with improved internet and mobile coverage.

Announced by Digital Minister Matt Warman, the consultation will review the legal framework for building and maintaining these structures on private and public land.

While progress has been made since the UK's Electronic Communications Code was reformed in 2017, stakeholders have reported that negotiations do not always progress smoothly and agreements can take a long time to complete. This is holding back homes and businesses from accessing better mobile coverage and much faster gigabit broadband.

The consultation will explore whether changes to the Code are required to encourage faster and more collaborative negotiations between landowners and telecoms providers. It will also examine whether there are ways that the use of existing infrastructure can be improved.

Matt Warman, Minister for Digital Infrastructure, said:

As part of our vision to level up the UK with better connectivity and faster broadband speeds, we're looking at reforming the law so people can get the benefits of better connectivity as soon as possible.

We're also investing £5.5 billion to roll out nationwide gigabit broadband and improve poor mobile coverage.

The consultation seeks views on: issues that have arisen relating to obtaining and using Code agreements; rights to upgrade and share infrastructure; and difficulties relating to the renewal of expired agreements.

The consultation proposes reviewing automatic rights which can be used when a phone mast needs to be upgraded from 4G to 5G or shared among operators to remove coverage blackspots, to make clear when these rights should be available.

Views are also being sought on whether greater certainty is needed for operators and landowners about what will happen when their land agreements come to an end and how they can be renewed.

The 2017 reforms to the Electronic Communications Code were made to support

faster and easier rollout in rural areas, balancing the need for digital infrastructure with the rights of landowners and other site providers.

Hamish MacLeod, Director at Mobile UK, said:

The Government has set ambitious targets on extending coverage and capacity and getting the regulatory framework right to enable operators to deploy their networks is essential. We welcome the consultation on the Electronic Communications Code as a vital part of this strategy.

ENDS

Notes to Editors

- The consultation will provide all interested parties with the opportunity to comment on the scale and scope of potential reforms. The deadline for responses is 24 March 2021.
- The Electronic Communications Code is the legal framework underpinning agreements between landowners and communications operators in the UK. The Code was substantially reformed in 2017 to make it cheaper and easier for electronic communications apparatus to be deployed, maintained, shared and upgraded. Now, more than ever, it is important that operators are able to do this at pace.
- The purpose of this consultation is to understand whether changes to the Code are needed. Whether changes are introduced will depend on our findings from this consultation. A full response to the consultation will be published in due course, and will provide further information on any changes to be made and, if so, the timescales for that. Should the government decide that reforms to the Electronic Communications Code are needed, this would require primary legislation.