

Court of Appeal confirms that telecoms operators can obtain Code rights to carry out site visits

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Keeping It Real Estate

A second case has been decided by the Court of Appeal under the 2017 Electronic Communications Code (the “Code“). The Court upheld the decision of the Upper Tribunal that an approved operator under the Code has a right to access and carry out investigations on a site’s suitability for installation of electronic communications equipment (known as a “multi-skilled visit” or MSV). The Court also confirmed that the operator may apply under paragraph 26 of the Code for the imposition of an interim right solely to do a MSV. An operator is not required to link this application to an application for permanent Code rights to install the equipment.

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