**STATUTORY NOTICE**

**COUNTER-NOTICE REGARDING THE [*LOPPING OF A TREE / CUTTING BACK OF VEGETATION*] UNDER THE ELECTRONIC COMMUNICATIONS CODE**

**Paragraph 82(4) of Part 13 of Schedule 3A of the Communications Act 2003**

1. This is a statutory notice pursuant to paragraph 82(4) of the electronic communications code, set out in Schedule 3A to the Communications Act 2003 (the “**Code**”).[[1]](#footnote-1) **[see note (a)]**
2. [*I / We*], [*Insert name*], have received a notice from you, [*Insert name of Code operator*], under paragraph 82(3) of the Code requiring us to [*lop a tree / cut back vegetation*] at [*Insert address*].
3. The purpose of this notice is to inform you that [*I / we*] object to the [*lopping of the tree / cutting back of the vegetation*] required by your notice. This is because [*insert details of why you object*]. **[see note (b)]**

[*INSERT DATE OF NOTICE*]

*NOTES FOR COMPLETING THIS NOTICE*

*You may wish to obtain independent legal advice before completing this notice.*

1. *This notice should be* ***delivered by hand*** *or sent by* ***registered post*** *or* ***recorded delivery*** *to the operator at:*

* *the address for service that the operator has given to you for the purposes of the Code; or*
* *if no such address has been given to you, at the address given by section 394 of the Communications Act 2003 (available online at* [*www.legislation.gov.uk*](http://www.legislation.gov.uk)*).*

*To be effective, this notice must be given to the operator within the period of 28 days beginning with the day on which the operator gave you a notice under paragraph 82(3) of the Code. If it is given by this deadline, the Code operator will not be able to require you to lop the tree or cut back the vegetation (or carry out these works itself) unless it has an order of the court to this effect.*

1. *You should explain as clearly as possible why you object to the works required by the Code operator. For example, do you require more time to complete the works? Do you think that the extent of the works requested by the Code operator is not necessary to ensure that the interference/obstruction to that operators’ electronic communications apparatus is prevented (and, if so, why)?*

1. A copy of the Communications Act 2003 is available online at [www.legislation.gov.uk](http://www.legislation.gov.uk). [↑](#footnote-ref-1)