

Your response

Question	Your response
<p>Q1. Do you have any comments on our proposals relating to improving the clarity of the Code of Practice?</p>	<p>Confidential? – N</p> <p>The CAAV chaired the NCA working group, made up of industry stakeholders with representation from site providers, professionals acting for site providers, operators and professionals acting for operators. All stakeholders in the NCA working group saw the benefit of improving clarity of the Code of Practice. The CAAV support improvements to the Code of Practice which reflects the real-life experience of professionals acting in this area.</p>
<p>Q2. Do you have any comments on our proposals relating to including legislative changes in the Code of Practice?</p>	<p>Confidential? – N</p> <p>We support the proposals to update the Code of Practice with the latest legislation.</p>
<p>Q3. Do you have any comments on our proposals relating to the definition of ‘Site Provider’ in the Code of Practice?</p>	<p>Confidential? – N</p> <p>We support the adoption of the term ‘Site Provider’ and this aligns with the construction of the Code and what many professionals use as a terminology. The previous definition of Landowner was potentially misleading.</p>
<p>Q4. Do you have any comments on our proposals relating to contact information in the Code of Practice?</p>	<p>Confidential? – N</p> <p>We support this proposal.</p>
<p>Q5. Do you have any comments on our proposals relating to professional fees in the Code of Practice?</p>	<p>Confidential? – N</p> <p>We support this proposal. Although more detail cannot be included in the Code of Practice, the NCA should develop more detailed guidance on the issue of professional fees as this is an area which continues to be contentious.</p> <p>We would wish to see the footnote at the bottom of page 19, listing sources of professional organisations, reinstated.</p>
<p>Q6. Do you have any comments on our proposals relating to responding to a request for access in the Code of Practice?</p>	<p>Confidential? – N</p> <p>We support this proposal.</p>

<p>Q7. Do you have any comments on our proposals relating to electromagnetic fields exposure in the Code of Practice?</p>	<p>Confidential? – N</p> <p>We support this proposal. One of the key barriers to successful negotiations between parties has been caused by a lack of trust. Operators have sometimes withheld or being</p>
	<p>unwilling to discuss design detail / address Site Provider concerns. If consensual agreement is to be reached, it is in everyone’s benefit for upfront information on issues such as EMF to be shared and discussed.</p>
<p>Q8. Do you have any comments on our proposals relating to the sharing and upgrading of apparatus in the Code of Practice?</p>	<p>Confidential? – N</p> <p>We support this proposal.</p> <p>In the interests of clarity and to aid the lay person (a Site Provider), paragraph A2.58 would benefit with making it clear that the Code right to share is that of apparatus and therefore not rights over land. This fact is currently obscure and could easily be missed / mis-read by a Site Provider who has not obtained professional advice. The position has been made clearer for underground apparatus and so we would like to see such clarity in the earlier paragraph of A2.58.</p>
<p>Q9. Do you have any comments on our proposals relating to ADR in the Code of Practice?</p>	<p>Confidential? – N</p> <p>We support this proposal.</p>
<p>Q10. Do you have any overarching comments on our proposals for the Code of Practice (included in its entirety in Annex 2 above)?</p>	<p>Confidential? – N</p> <p>For the Code of Practice to have real practical impact, it is important that:</p> <ol style="list-style-type: none"> 1) the NCA continues its work to develop detailed guidance notes. Ofcom has a role in supporting this work – the Code of Practice can only ever be an overarching, high-level principles document. 2) The complaints handling process is effective, seeing parties who do not follow the principles of the Code of Practice held to account.

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