



WAYLEAVE
LONDON

THE DEFINITIVE GUIDE TO THE WAYLEAVE PROCESS

WHAT IS A WAYLEAVE
WHY YOU NEED A WAYLEAVE
THE PROCESS EXPLAINED
HOW TO DO IT YOURSELF

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WHAT IS A WAYLEAVE

When a fixed or wireless Digital Infrastructure Communications Operator (your Internet Provider) wishes to connect to and install their equipment and cabling (the internet) within a privately-owned building, it must obtain the right to do so from the building owner. This right usually takes the form of a Wayleave.

A Wayleave is an agreement whereby a building owner essentially grants a licence to a Communications Operator for the right to install, access and maintain telecommunications cables and other associated equipment within the building.

MULTI-OCCUPIED BUILDINGS

In an owner occupied building the process is usually relatively straightforward where the agreement is essentially between two parties - the Communications Operator and their Client, the Building Owner.

The situation becomes much more complicated in multi-occupied commercial office buildings, where the Wayleave is a requirement of the Landlord to allow Operators the access and space they need to provide a service to their ultimate Client, the Tenant.

The lack of a commonly used 'standardised Wayleave' document is a major barrier to the timely deployment of fixed line or wireless telecommunications and digital data network services infrastructure. Landlords and communications operators each use their own format of Wayleave and must negotiate from scratch in each case, with long delays very common. This problem is more acute in the larger cities where there are numerous communications operators' networks and a significant concentration of multi-occupied commercial buildings.

WHY YOU NEED A WAYLEAVE

When considering installing telecommunications services at a property, tenants may well assume that the process is as simple as signing up with their chosen provider(s) and arranging for the connection to be made.

There is a generally accepted, informal, principle that no tenant should be unreasonably denied access to telecommunication services. The initial expectation may be of a smooth and uncomplicated process. However, the reality is often very different as many tenants will have discovered when, for example, trying to make access arrangements with their landlord only to find themselves faced with unforeseen costs and delays.

Although a tenant will usually have the right under their lease to connect into an external data network outside of the building, and to run cabling through the landlord's risers and other common part areas, this right is subject to the consent of the landlord by licence.

Even if the lease does not refer to consent being required for cabling as such, a landlord will consider that such works require permission for alterations covering the works being carried out in the tenant's demise, if any, and the areas of the building not demised to the tenant (shared intake chambers, communal telecommunication rooms, basement areas and risers etc.) or both.

Landlords need to keep track of what has been installed in the building and where it is located for estate management and good housekeeping purposes. Landlords usually work on the basis that at the end of a tenant's lease they want the areas a tenant has occupied or used under licence to be returned to them in the original (or agreed) condition as free of equipment and cables as possible (dilaps).

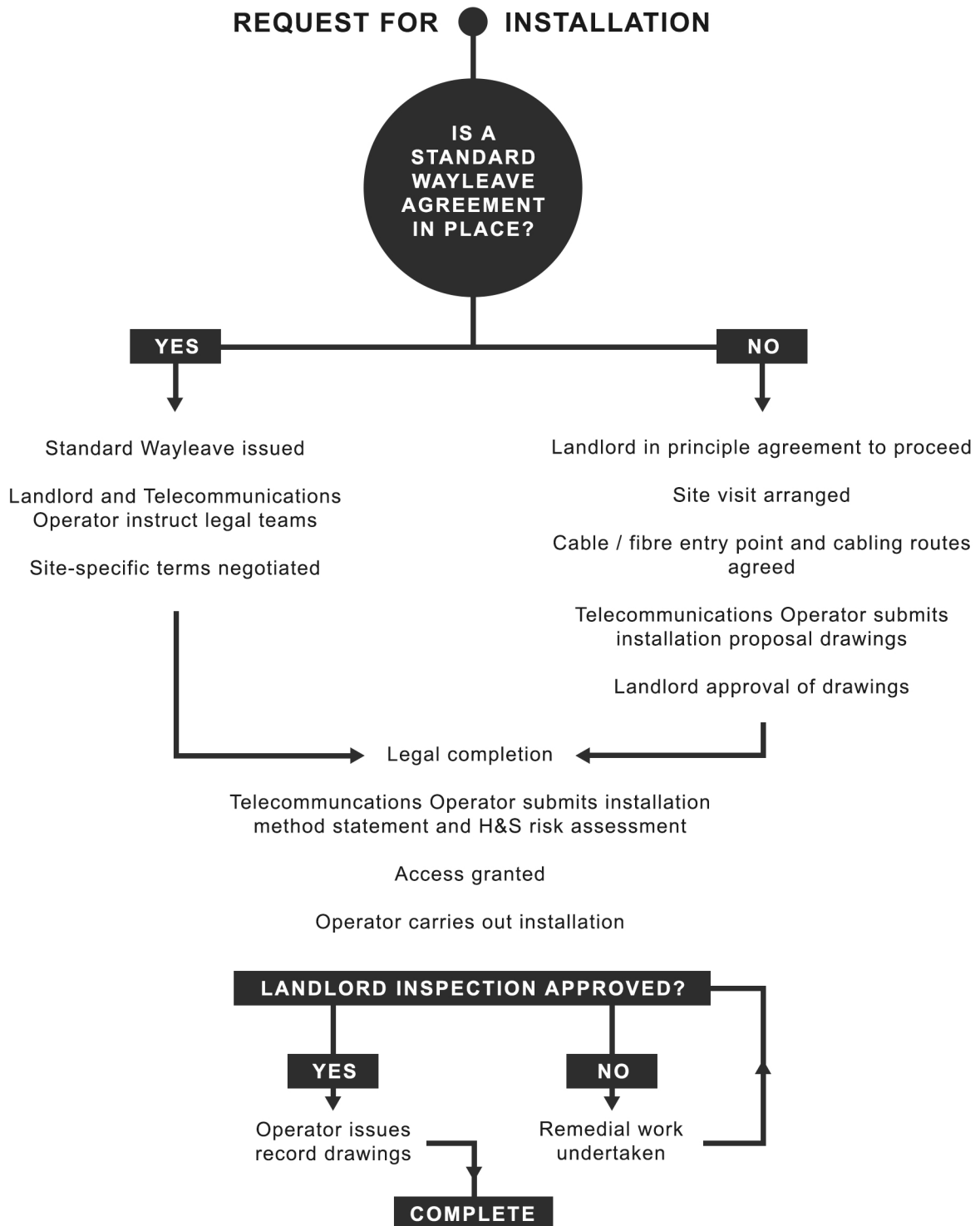
Therefore, clear provisions for removal and reinstatement will be a key part of the granting of consent to tenant installations.

The process of obtaining landlord consent and the production of a Wayleave agreement will result in all parties incurring costs.

Under a lease agreement the tenant will usually be liable for the landlord's legal and management costs, as well as its own, and possibly also those of the telecommunication service provider.

So, it is important to establish at the outset the likely level of cost involved and how it will be allocated. The central function of a Wayleave is to establish the basis of the relationship between the landlord and the communications operator for the telecommunications equipment and cabling to be installed and to remain in the building to provide service to a tenant or customer, together with ongoing access rights for operation, repair and maintenance.

THE PROCESS



HOW TO DO IT YOURSELF

1

Use WAYLEAVE.LONDON to do some initial research on your target building

2

Check for standardised agreements

3

Choose a selection of Telecoms Providers to understand costs and time-frames

4

Select a Telecoms Provider

5

Provide details requested ASAP – don't be the hold up in the process

6

Respond to requests for further information ASAP

7

Ensure access when requested - bear in mind that you might be required to escort Engineers and Surveyors to guarantee the installation is undertaken as required

8

Keep on top of the process and the deadlines, as well as who is responsible at each stage


OR

Engage a Connectivity Consultant to provide a detailed analysis of your building and to manage the entire process for you.

WAYLEAVE
LONDON

LET'S TALK
AND WE CAN
PUT YOU IN
TOUCH
WITH
SOMEONE
TO ASSIST YOU

INFO@WAYLEAVE.LONDON

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With thanks to: <https://www.cityoflondon.gov.uk/business/commercial-property/telecommunications-and-utilities-infrastructure/Pages/wayleaves.aspx>