



Client story



Bespoke wayleave training empowers altnet's full fibre deployment in MDUs

When it comes to full fibre deployments in multi-dwelling units (MDUs), Lightning Fibre has achieved a commendable throughput of wayleaves. However, the firm faced challenges in effectively utilising the powers granted to them when dealing with unresponsive landlords. Seeking a solution, Lightning Fibre engaged with Trenches Law to receive bespoke training, allowing them to harness the full potential of their code powers and ease the wayleave process, to result in an accelerated network expansion and improved services across South East England.

About Lightning Fibre

Lightning Fibre is a cutting-edge alternative network (altnet) provider based in Eastbourne, East Sussex. As well as delivering full fibre connectivity across South East England, the organisation is committed to making a positive impact within the communities it serves – boosting local employment, sponsoring grassroots sports and supporting nearby events, as well as donating to charitable causes.

The challenge

Obtaining wayleaves from managing agents and freeholders of MDUs is crucial for accelerating the full fibre roll out. These agreements grant access to install and maintain fibre infrastructure within MDUs, unlocking the potential to reach a larger customer base and provide high-speed, reliable connectivity to residents. Without wayleaves, the process becomes significantly hindered, slowing down progress in achieving widespread full fibre coverage in locations that already lag behind single residency counterparts.

Despite achieving a high throughput of wayleaves, Lightning Fibre faced hurdles in dealing with unresponsive landlords who were either not residing in the local area or lacked engagement with local companies. As a result, the organisation aimed to enhance its understanding of the specific provisions of the Electronic Communications Code (ECC) and other key Acts, as well as improve their correspondence documents, to overcome common rejection terms and navigate challenges of unresponsiveness effectively.

Engaged by the altnet to provide crucial wayleave training and general legal counsel to enhance their negotiations, Trenches Law's proven expertise and renowned experience in industry were the key 'selling points' that set the firm apart from other key players.

The solution

Following a collaborative, in-depth discussion with Anthony Matthews, head of wayleaves at Lightning Fibre, and our business partner Phill Stockdale-Woodhead, a bespoke plan was put together, where we reviewed and refined existing documentation, and formulated a flexible, tailored training programme based on the clients' unique requirements.

The session on the day was headed up by Alex Lawrence, Trenches' paralegal, and Phill Stockdale-Woodhead, and incorporated real-life scenarios from Lightning Fibre's operations and interactions, lasted approximately two hours, and was conducted remotely, with both teams participating from their respective offices.

Utilising an interactive training session, which afforded real-time communication throughout the presentation, Phill was able to adapt the session to meet the 'of the moment' questions held by course participants. Despite the geographical barrier, this ensured Lightning Fibre felt actively engaged in the wayleave training throughout and received advice that met their organisation's unique needs and objectives.

Applying discussion techniques in line with relevant legislation – including the Electronic Communications Code 2003 and The Digital Economies Act 2017 – the training fostered open discussions about obstacles encountered in obtaining wayleave agreements, common objections, and strategies to overcome them. It also covered Code rights held by Lightning Fibre as a Code operator – such as termination, statutory notices, and Section 134 of the Communications Act 2003 – examined the benefits and implications of using Statutory Notices, and gained an understanding of the court's test for imposing wayleave agreements and its applicability.

The results

By addressing these aims and objectives, Trenches Law equipped Lightning Fibre with the necessary knowledge and strategies to confidently approach unresponsive landowners and reach agreements in line with their business policies. With this, the team is empowered with the tools needed to overcome obstacles surrounding

co-operation, accelerate the full fibre roll out, and deliver improved services to its customers across South East England.

Based on feedback from course participants, the average score of the training was 4.8 out of five stars, in relation to both the programme and the trainers.

Testimonial

"The wayleave training provided by Trenches was a game-changer for the team, equipping us with invaluable skills for long-term success in just two hours. The interactive approach and real-life scenarios sparked thought-provoking discussions and problem-solving that truly resonated with attendees. In addition, the knowledge gained can be passed on to future employees, ensuring sustained growth. This course not only accelerated our full fibre roll out but also positioned us to overcome legal hurdles. It's a transformative investment with lasting impact."

Anthony Matthews, head of wayleaves, Lightning Fibre

Get in touch, to discover more about our wayleave training:



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