



MS3 Networks

Frequently Asked Questions

Telegraph Poles

Legislation for the installation of telegraph poles

MS3 is an operator under the Electronic Communications Code, Schedule 3A Communications Act 2003 (“Code”). As such, MS3 is a statutory undertaker for the purposes of carrying out street works in the public highway under the New Roads and Street Works Act 1991, in much the same way as other utility providers such as gas, electricity and water.

Code operators are afforded Permitted Development rights under Part 16 of The Town and Country Planning (General Permitted Development) (England) Order 2015, and therefore no planning permission is required for the types of poles that MS3 is installing. Further information can be found here: <https://www.ofcom.org.uk/phones-telecoms-and-internet/information-for-industry/policy/electronic-comm-code>

Do you need to obtain planning permission?

MS3 Networks work in line with the Electronic Communications Code (ECC) meaning we are authorised to deploy poles under Permitted Development Rights without the need to obtain planning permission. Permitted Development rights were awarded to telecommunications providers to support the UK governments initiative on connecting 99% of the UK with full fibre by 2030 without added bureaucracy.

How do I find out where a pole is scheduled to be installed on my street?

For any queries relating to the location of telecommunication poles in your street you can email us at community-engagement@ms-3.co.uk for further information and a member of the team be happy to help.

I live in a conservation area; can you install poles here?

Yes, we do deploy poles in conservation areas or design a hybrid approach where it is reasonably practical. However, to enable us to do this, in the first instance we provide the Local Authority with a clear proposal explaining why the use of poles has been preferred to

an underground build. We only submit a permit application once this has been assessed and approved by the local planning department. Whereas the preferred default build method for conservation areas would be underground, this is not always possible due to factors that may include old tree trunks, very narrow highways or similar.

Why poles, and not underground?

To enable MS3 Networks to roll out an alternative network for residents it is much more cost effective, quicker, and more accessible to use telegraph poles. MS3 are offering residents significant cost savings on their current broadband bills, so by keeping our build costs low, we can pass more of these savings on. The pole build process is also much quicker, meaning we are in and out of your street within a matter of days with no requirement to excavate or reinstate highways. Poles are also much easier to maintain as if there is a need for repairs or maintenance, we don't need to dig up footpaths or roads and can quickly resolve any issues for residents. Lastly the final installation process for those customers wanting to connect is much less intrusive, as it's a case of connecting a cable to the property rather than having to dig a trench through the garden or drive.

What criteria must be met for MS3 to consider the relocation of a telecommunications pole?

Any objections must meet at least one of the following criteria to be considered and be submitted to us via our Pole Objection Policy which can be accessed here via our website.

- The location of a telegraph impacts upon a person with a disability (we may request proof of disability).
- The location of a telegraph impacts upon access to a resident's driveway.
- A resident has applied for a dropped kerb with the local council and can provide evidence.
- A telegraph pole is blocking a road sign.
- A telegraph pole is located adjacent to or obstructing a monument.
- A pole is planned or installed on private land without a wayleave.

Why are you placing a pole outside my house and not my neighbours?

During our design process, we take many factors into account to establish where a pole is to be installed. Our preference is to install poles in grass verges, if a grass verge is not possible, we will aim to install at a setback location on the footpath, ideally between premise boundaries. To ensure we allow sufficient access for pedestrians, including those with prams or mobility vehicles. We also aim to ensure a minimum of 500mm separation from edge of kerbs to reduce potential impact on parking adjacent to the poles. We also take into consideration the line of sight to connect a property from the pole and avoid any traffic or similar signs that could deem them a hazard, and that their location does not impact on any other utility. During our engagement with residents and via notices that will be displayed prior, and during the build, residents will be provided with information on how to contact MS3 Networks if you have a real concern.

Will you try to access my private land to put a pole up?

Once we have established via the land registry that this is private land, we are only able to gain access with the landowner's permission, which would be managed by our wayleaves team. We do from time to time hear from residents who are under the understanding that they own a piece of land that they may have maintained, or similar, a service strip. In these scenarios under our permitted development rights, we are authorised to install a pole, however, we will be as considerate as we can be and assess these on a case-by-case basis.

We have access concerns due to disability or similar.

For residents who have access concerns due to disability or similar, please complete our Pole Objection Form which can be accessed via our website. For access during the build, there is always a member of the team on site.

We are thinking of applying for a drop kerb or have applied for a drop kerb already.

For residents who inform us via the contact details which will be displayed on street furniture prior to the build, or the letters they will receive to your house who have applied to the Local Authority for a drop kerb, we ask that you notify us as soon as possible and to provide us with the approved application number and date that this was approved. Please note these must be approved works to be considered for a redesign.

What if we don't want another broadband provider?

Whilst we recognise a certain percentage of residents are happy with their current service provisions, this does not apply to all, and thousands of residents are already using the network. Hull and The East Riding are unique areas in that they have relied solely on one provider since 1904. This creates a lack of network diversity restricting those who rely on full fibre internet for educational, medical and employability needs, or to aide social inclusivity. MS3 Networks offer a true wholesale only model which not only creates competition in the area but will also allow residents to choose packages via our wholesale partners which are aligned to their individual household needs and budgets. We are building a network which will last for the next 100 years, benefiting generations to come, whilst investing heavily in providing our residents with real choice

Are telegraph poles bad for the environment?

MS3 Networks recently announced a partnership with Carbon Neutral Britain, a renowned organisation that allows individuals and businesses to offset their carbon footprints. Through this initiative, MS3 Networks has successfully measured and offset its carbon footprint, earning certification as a Carbon Neutral Business.

As part of this partnership, we continuously measure the environmental outputs throughout our business, including telegraph poles, and recognise that by reducing the excavation work required to build underground, which has a negative effect on both wildlife habitats and

vegetation, and the fact that carbon emissions are much lower without the need to use heavy machinery, which release carbon dioxide and other greenhouse gases, that telegraph poles are in fact environmentally friendly. We continuously look at ways to reduce any environmental risks and are always open to feedback on this.

What could this do to house prices?

Lack of network diversity may in fact have a negative impact on house prices and rental options and limit their market appeal. With the increasing reliance in today's digital age for reliable high-speed internet, having an alternative provider could only make properties more desirable to a potential buyer. There is no evidence to show that by having a telegraph pole in your street would reduce the value of your home.

Will you send me a letter and inform us of when you will be coming?

We aim to send a letter to all residents prior to the build commencement date informing you that we will be in your area soon. We also work closely with local councils, parish councils and community groups, to provide information and answer questions before building work commences. The letters, along with the notices that you will see on street furniture, placed 28 days prior to the build, will give you the details required to contact us. If on occasions our build schedule is brought forward for reasons out of our control, our letter drops may not arrive as early as we would like, however we do our utmost to mitigate against this.

Why can't you use existing KCOM infrastructure?

Throughout the UK, the sharing of infrastructure is normal practice, and MS3 Networks continue to work with KCOM on a commercial agreement to allow the sharing of infrastructure in Hull and The East Riding too. Due to commercial sensitivities, we are unable to disclose where we are at with this process but can reassure residents that once an agreement is made that is viable for both parties, this would be our preferred build method. Until an agreement is in place, MS3 will continue with its network deployment.

I live on a new build estate and there isn't a public pathway to install the telegraph pole.

Once a new build estate has been adopted by the Local Authority, it falls under permitted development, meaning that we are able to build in this location if we adhere to all regulations set out to us. Our design team will create build plans ensuring property boundaries are determined and that utility access points are avoided. If an area is designed prior to it becoming adopted as a public highway, the location will then be placed in lock until it has been released to the Local Authority.

Will I be able to access my property during the build?

We don't envisage any access problems to your property but if this is ever found to be the case, we will do our utmost to inform you prior. We ask that if you do experience access issues during the build, that in the first instance you raise this with our site supervisors who will be able to assist you. We aim to complete our builds with minimal disruption for residents.

If you put a pole or a cabinet outside my house, can I move it?

No, it is an offence to move or interfere with any telecommunications equipment or provider and in doing so, you could find yourself liable for prosecution.

I wish to complain about a pole that you have already installed near my home.

If a pole has already been deployed and you wish to complain, we ask that in the first instance you complete our Pole Objection Form, which can be accessed here: (ADD)

Your complaint will be assessed within 2 working days, and a response will be issued to you via email within 10 working days. If you are not satisfied with the outcome of your complaint, you are in your rights to apply to the courts to have this heard formally under the: NOTICE OF OBJECTION TO ELECTRONIC COMMUNICATIONS APPARATUS KEPT ON OR OVER LAND UNDER THE ELECTRONIC COMMUNICATIONS CODE.

A link to this can be found here:

https://www.ofcom.org.uk/_data/assets/word_doc/0027/108765/Template-Notice-under-paragraph-781-objection-under-para-775.docx

What are the benefits of the MS3 Network?

MS3 Networks are the only telecommunications provider operating in The Hull and East Riding area who offer a true wholesale model. We often hear from our own family and friends living out of the area who benefit from multiple choices of internet providers and who pay significantly less than we do here. In fact, our packages can save households on average £200 per year. Residents can access our price comparison site and find a package that meets their family's needs and budgets and are able to compare packages as each contract ends. We have listened to people in the area for many years asking for an alternative provider and have access to fairer pricing and ultimately, choice. We see full fibre internet as a main utility and one that can only benefit all now, and for future generations.