

Re: Your request made under the Freedom of Information Act 2000

Please can I request (under the FOIA 2000):

Please provide me with all documents and electronic communications relating to the rooftop and greenfield mobile mast site agreements that your trust may have entered into with any of the following organisations (Code Operators) since 28 December 2017. The information should include internal emails and minutes of discussions relating to the site agreements.

- a. EE Limited
- b. Hutchison 3G UK Limited
- c. Arqiva Services Limited
- d. On Tower UK Limited
- e. Cornerstone Telecommunications Infrastructure Limited (CTIL)
- f. Airwave Solutions Limited
- g. Vodafone Limited; and
- h. Telefonica O2 UK Limited

Please provide the following information in respect of those agreements:

1. The number of agreements with any of the Code Operators that were renewals of existing agreements and the number of agreements relating to new sites.
2. In respect of those agreements which were renewals, the number of renewals completed before the contractual expiry of the existing agreement.
3. Where the agreements were renewals, the rent paid under the previous agreement and the consideration paid under the renewed agreement; and
4. Any legal costs incurred by the trust in dealing with these agreements and not paid by the Code Operators.

While I appreciate some of this information may be classed as confidential, I would highlight the government guidance https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/911940/Annex-3-Agreeing-Financial-Terms.pdf put in place as part of the digital toolkit for local authorities, which confirms that transparency is vital in developing what is currently an embryonic market.

Our Ref: 252/2022

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This request would necessitate the collation of a significant amount of data from multiple sources both internal and external to the organisation. As a result, we estimate that the staff resource required would exceed the threshold that we are required to expend under the FOIA 2000 (18 staff hours). We also believe that the disclosure of this data may affect future competitive tender exercises and contract negotiations, which would have an adverse impact on our organisation therefore this exempt under section 43