

WAYLEAVE FAQ



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WHAT IS WAYLEAVE?

A Wayleave is a form of licence, a contract between two parties that provides for one party's rights across land/building of the other party. The parties are sometimes referred to as the "grantee" (in this case the carrier) and the "grantor" (the Landlord/Owner or Solicitor of the building).

Wayleave Agreements are usually written in simple language to set out what the grantee is permitted to do, and provides the grantor's rights in the event of any damage or things going wrong.

Commonly, Wayleave's require a payment to be made, (between Grantor and Grantee) sometimes annually but in other cases, such as in the case of small annual sums, the payment can be commuted to a single, one-off payment payable when the Wayleave is granted.



WHY AND WHEN IS A WAYLEAVE REQUIRED?

The carrier requires a Wayleave to access a third party's property; this is all detailed in the Electronics Communication Code. Without a Wayleave being completed the carrier may not be able to provide the service. Some examples of Wayleave are given below:

- Access issues to the building.
- Digging to the exterior of the property.
- Digging to the interior of the property.
- Potential changes to the interior or exterior of the property.
- Traffic Management resource needed.
- Local Authority resource or regulations needed.



TIMESCALES & UPDATES

How long does a wayleave last?

Unless circumstances dictate otherwise, a wayleave is an on-going agreement which continues to apply to the apparatus it covers, even if the ownership of the property subsequently changes hands.

What kind of updates can I expect when in wayleave?

Unfortunately, our updates are very limited. Wayleave is a legally binding process between the Grantor and the Grantee (carrier and Landlord/Managing Agent owner/solicitor). This means we are not privy to many of the discussions between the two parties.

WHAT HAPPENS WHEN WAYLEAVE IS SIGNED OFF?

Once the documents have been signed by the Landlord/Owner/Solicitor, it will usually take about 14 days to advance your order to the next stage.

During this time the signed documents need to be returned to the carriers planning departments and if required, the local authority. We then receive an acknowledgement of receipt from said parties, which is required for us to progress the order further.

