



LONDON HQ

uk

Programme Officer  
Charnwood Borough Council  
Southfield Road  
Loughborough  
Leicestershire  
LE11 2TX

7 November 2023

By email only to [idkemp@icloud.com](mailto:idkemp@icloud.com)  
Delivery & Read Receipts Requested

Dear Sir/Madam

**Response to Consultation in relation to Charnwood Local Plan 2021-2037**

We, Zayo Group UK Limited (“Zayo”), are writing in relation to your letter dated September 2023 addressed to Viatel Infrastructure (UK ) Limited (now Zayo) and subsequent email correspondence dated 12th and 13<sup>th</sup> October 2023. Please address future correspondence in this matter to the undersigned at the address in this letter and via email to [REDACTED].

Zayo has reviewed the contents of the September 2023 letter and the documentation available at [https://www.charnwood.gov.uk/pages/examination\\_documents](https://www.charnwood.gov.uk/pages/examination_documents). Whilst we have been able to establish that our electronic communications network is located within the areas being generally referenced in the documentation, the information provided to date is not sufficient to allow Zayo to fully assess what effect the future plans of Charnwood Borough Council have on Zayo’s fibre optic network in the potentially affected areas.

Please be aware that Zayo is an operator with code powers pursuant to the Electronic Communications Code contained in Schedule 3A to the Communications Act 2003 (the “Code”). Without limiting the generality of Zayo’s reservation of rights set forth below, Zayo does not view the Consultation as a “notice of proposed works” under Part 10 of the Code.

Given that the locations generally referenced in the proposed plans appear to potentially directly impact our major backbone electronic communications network, we have no choice but to protect our statutory interests under the Code and hereby object to what is being proposed insofar as it may affect Zayo’s electronic communications network. This letter and email thus constitutes a formal objection to the plans put forward by Charnwood Borough Council in the Charnwood Local Plan 2021-2037.

As further detailed plans become available, Zayo would welcome the opportunity to review and collaborate with you to better identify the potentially affected Zayo locations and to come to an amicable agreement on this matter.

In the meantime, if you would like to discuss this further, please do not hesitate to contact me.

Zayo Group UK Limited is a company registered in England.

[REDACTED]



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This email is sent without prejudice to Zayo's rights and remedies at law (which includes but is not limited to Zayo's rights under the Code, the Communications Act 2003 and the New Roads and Street Works Act 1991) and/or in equity and under any applicable contract, and Zayo reserves all rights and remedies in relation to same.

Yours faithfully

Gaetan Martens  
Director Facilities & Real Estate  
Zayo Group UK Limited