

Date: Tuesday, 12th July 2022
Our Ref: MB/SH FOI 5260

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Re: Freedom of Information Request FOI 5260

We are writing in response to your request submitted under the Freedom of Information Act, received in this office on 12th July 2022.

Your request was as follows:

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

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.

I can confirm in accordance with Section 1 of the Freedom of Information Act 2000 (FOIA) that we do not hold this information. However, Section 16 of the FOIA places a duty on us to provide help and assistance where possible and I am able to advise you that: this information can be sourced from Aintree University Hospitals.

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.

N/A

2. In respect of those agreements which were renewals, the number of renewals completed before the contractual expiry of the existing agreement.

N/A

3. Where the agreements were renewals, the rent paid under the previous agreement and the consideration paid under the renewed agreement.

N/A

4. Any legal costs incurred by the trust in dealing with these agreements and not paid by the Code Operators.

N/A

Please see our response above in [blue](#).

Re-Use of Public Sector Information

All information supplied by the Trust in answering a request for information (RFI) under the Freedom of Information Act 2000 will be subject to the terms of the Re-use of Public Sector Information Regulations 2005, Statutory Instrument 2005 No. 1515 which came into effect on 1st July 2005.

Under the terms of the Regulations, the Trust will licence the re-use of any or all information supplied if being used in a form and for the purpose other than which it was originally supplied. This license for re-use will be in line with the requirements of the Regulations and the licensing terms and fees as laid down by the Office of Public Sector Information (OPSI). Most licenses will be free; however the Trust reserves the right, in certain circumstances, to charge a fee for the re-use of some information which it deems to be of commercial value.

Further information can be found at www.opsi.gov.uk where a sample license terms and fees can be found with guidance on copyright and publishing notes and a Guide to Best Practice and regulated advice and case studies, at www.opsi.gov.uk/advice/psi-regulations/index.htm

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Freedom of Information Office at the address above.

Please remember to quote the reference number, FOI 5260 in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Mike Burns

Mr. Mike Burns, Executive Lead for Freedom of Information