
STATUTORY INSTRUMENTS

2003 No. 2553

**The Electronic Communications Code
(Conditions and Restrictions) Regulations 2003**

General conditions

3.—(1) A code operator shall consult—

- (a) highway authorities or, in Scotland, roads authorities to ensure that any works involving the breaking up of maintainable highways or public roads do not undermine or unduly disturb the highway authorities' or roads authorities' work;
- (b) planning authorities in relation to the installation of electronic communications apparatus, including installation in a local nature reserve; and
- (c) relevant undertakers with a view to avoiding the disruption of the services provided by those undertakers.

(2) A code operator shall ensure that any electronic communications apparatus installed underground is installed at such a depth that it will not interfere with the use of the land (as at the date of the installation), unless the occupier and any other person having a legal interest in that land have consented.

(3) A code operator, when installing any electronic communications apparatus, shall, so far as reasonably practicable, minimise—

- (a) the impact on the visual amenity of properties, in particular buildings on the statutory list of buildings;
- (b) any potential hazards posed by work carried out in installing the apparatus or by apparatus once installed; and
- (c) interference with traffic.

(4) A code operator, where practicable, shall share the use of electronic communications apparatus.

(5) A code operator shall install the minimum practicable number of items of electronic communications apparatus consistent with the intended provision of electronic communications services and allowing for an estimate of growth in demand for such services.