

Three UK Limited (030004157) - a Brief

The language used herein is plain English.

Facts: with a few comments

- Three UK Ltd was incorporated in 1994 with Company Registration Number (CRN) 03004157 and dissolved in 2015.

Details on Companies House	
The sole director for both is shown as: LLEWELLYN, Timothy Michael	
THREE UK LIMITED 03004157	3 UK LIMITED 04294208
Registered address: Unit 2 Crompton Road Mill, Crompton Road, Macclesfield, Cheshire, SK11 8DX	Registered address 38 High Street, Macclesfield, Cheshire, United Kingdom, SK11 8BR
Company status Dissolved	Company status Dissolved (compulsory)
Dissolved on 27 October 2015	Dissolved on 1 May 2012
Company type Private limited Company	Company type Private limited Company
Incorporated on 21 December 1994	Incorporated on 26 September 2001
SIC 4525 - Other special trades construction	SIC 7499 - Non-trading company

- The sole director for the duration was Mr Tim Llewellyn, who is still recorded on Companies House (CH) as the (former) director.
(Note: I am in communication with Mr Llewellyn.)
- it was never involved in telecoms.
- It had **no** links with other companies involved in telecoms.
- it was created before the existence of a company with the trading name of "Three", or "Three UK". I have seen both written.
- Mr Llewellyn has advised me that permission to use the company name, which he owned and was registered to him, was never sought nor given.
- Mr Llewellyn has also advised me that when he was dissolving the company, he offered the name or company to Hutchison. He had no response to his letters.
- The company with a trading name of "Three" began with the introduction of the 3G mobile technology, hence the desire to use the name. This was during the time that Three UK Ltd (03004157) existed and was trading.
When Hutchison was looking for a name it would undoubtedly have come across "Three UK Ltd" as a registered name of a trading company and CH, within its remit, would (or should) have prevented it from using anything similar.
- The **Hutchison** (note spelling) group is an international conglomerate with several

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of its subsidiary companies involved in telecoms, including (not 'limited to' as I simply do not know) those in the following table. I will use "Hutchison" to represent all the group companies as the CRN is mostly omitted in documents and emails.

		Incorporated / Dissolved or Renamed
Three UK Ltd (comparison)	03004157	21 December 1994 / 27 October 2015
Hutchison 3g UK Limited	03885486	29 Nov 1999 as Glanastar Ltd Renamed 04 Jan 2000 to TIW UMTS UK Ltd Renamed 21 Jul 2000
CK Hutchison (UK) Limited	10515733	7 December 2016 / still active
CK Hutchison Networks (UK) Limited	12985914	30 October 2020 / 16 November 2022 when renamed as -
Cignal Infrastructure (UK) Limited	ditto	Incorporated on 30 October 2020 Renamed on 16 November 2022
in Filings, Cellnex UK Limited	05153745	became an RLE* for Cignal Infrastructure (UK) Limited wef 10/11/2022 Relevant Legal Entity

- Note also that the CRN is the only unique identifier for a company and under the **Companies (Trading Disclosures) Regulations 2008*** must be included on any document issued by the company. This includes emails and other electronic documents. According to other documents it is the only way to be certain of the company with which you are dealing or contracting.
* These regulations change from time to time, as in 2015, though most companies still adhere to that 2008 regulation.
For a simple explanation see <https://www.registeredaddress.co.uk/blog/company-registration-number>
- Whilst Three UK Ltd 03004157 was trading, Hutchison and its agents began using the name "Three UK Ltd" on the **ICNIRP Declaration** (self-certificate) (see below Note 1).
- Whilst Three UK Ltd 03004157 was trading, Hutchison and its agents began using the name "Three UK Ltd as the **Applicant**." (see below Note 2)
- This usage continues to the present day (as of January 2025) with new applications.

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- There are two different addresses given by Hutchison for Three UK Ltd
 - Star House, 20 Grenfell Rd, Maidenhead, Berkshire, UK, SL6 1EH
 - 450 Longwater Avenue, Green Park, Reading, Berkshire, England, RG2 6GF

Three UK Ltd 03004157 has never occupied either building. Hutchison occupied Star House until the end of March 2021 since when the building was taken over by Legal and General Insurance, renamed as "Tempo" and is being remodelled. In May 2024 I went to Maidenhead and took some pictures and video and it was still very much a building site fully draped in plastic sheeting with the Legal and General name emblazoned. The address continues to be used for Three UK Ltd (As of August 2024).

Note: Google street view has not been updated, ie it still shows an entrance with the Three logo.

- The Code of practice for wireless network development in England in Annex C advises, via a template, that the ICNIRP declaration should be declared by the "Lead Operator" How can a company be the "Lead Operator" when it is not involved in telecoms and especially when it no longer exists legally.
- **In August 2023, Sarah Key, a solicitor acting for Hutchison wrote an email which advised, "the entity Three UK Ltd does not exist".** She no longer works for Hutchison.
- The issue is twofold:
 - the deception of one legal company using the identity of another active legal entity (as if it were its own) without permission from the director of that legal entity.
 - the deception of an (active) legal company using the identity of a dissolved, ie non-existing, entity within a statutory instrument.
- In responses to challenges on these matters, Hutchison has claimed several times that it was "an innocent error" that someone wrote "Three UK Ltd" instead of "Hutchison 3G UK Ltd". (see below Note 3)
It is an "innocent error" that has been made hundreds of times (maybe thousands).
- The Hutchison group has at least two legal companies that could have been used all this time both as Applicant and Declarant.
- Most declarations are in breach of the Companies Act 2006 and the Companies (Trading Disclosures) Regulations 2008 regarding company disclosure information. The requirement is defined in the Act and the minimum information required listed.
- In many cases there can be 3, 4 and occasionally more company names used within the 2/3 pages of the ICNIRP declaration many times with not a single CRN mentioned.
Legal firm Harrison Grant Ring has commented (regarding an application in Lewes) that this type of action can lead to confusion and not knowing which company has ultimate responsibility.

In addition, it's not the only example, there are companies where something similar has been done and dissolved company names have been used whilst others may be invented or trading names made to seem like the legal name.

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Notes and Explanations plus a few Opinions

It's worth pointing out that Hutchison and others have had sufficient notice since August 2023 to correct all this. The one thing they did correct was to register Cignal Infrastructure UK Ltd (12985914) on the Ofcom *Register of persons with powers under the Electronic Communications Code** appearing for the first time in the 4/10/2023 issue (see Note 2) which meant it could then apply under Prior Approval.

* This register does not include the CRN of the companies listed.

Note 1:

1. Although not mandated, the CoP, as mentioned, does guide that the declarant should be the "Lead Operator". As Three UK Ltd 03004157 never engaged in telecoms it is unlikely to be the "Lead Operator" nor in any way a suitable candidate.
2. After 27/10/2015 it did not even exist, as the solicitor succinctly phrased it, so how could it be acceptable to a LPA, even were it an "innocent error"?
There has to be consistency of decisions. Would a LPA be so lenient with me if I submitted (say) a safety declaration for an electrical system signed by a dead painter?
3. It may be worth adding that the UK is the **only** country that uses this system and that ICNIRP notes (loudly, strongly and proudly!) on its site that it does **not** issue certificates. All evidence has to be weighted partly on its source - this may be unreliable evidence from an unreliable source.
see: <https://www.icnirp.org/en/activities/news/news-article/certificate.html>

Note 2:

Mobile Network Operators (MNOs) have certain rights within the Planning System to apply for adjudication under the Prior Approval system of the General Permitted Development Order (GDPO), a sort of 'fast track' system.

However, to qualify, any person or company must have Electronic Communications Code (ECC) rights.

To become an 'ECC operator', a company must apply to Ofcom and be granted that right. It is then placed on the Ofcom *Register of persons with powers under the Electronic Communications Code*. It follows then, that any company not on that Register **cannot** apply under those aforementioned rules and thus **should never be allowed to proceed** as a Prior Approval application.

To allow that would be negligent.

Three UK Ltd, 03004157, has never been on that register, and, since 27/10/2015 could not be, as it didn't exist. Despite that, it has been cited as the Applicant on Application Forms and given prior approval rights by LPAs.

Note 3:

Nicola Davies (an employee of 'Hutchison') wrote the "innocent error" claim when asked about it in relation to a base station application in Bedford in late 2023 in which both the Applicant and Declarant were "Three UK Ltd". Does an innocent error repeated many times remain as an innocent error?

A very similar claim was made by her in Chester and I have it by hearsay in several other cases. Now it has been repeated to both Wirral and Colchester LPAs as we have seen in a recent letter from Mr Paul Martin of Wirral Council legal team and Mr Andrew Weavers similarly in Colchester.

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By now (January 2025) I have at least 600 examples from a relatively small sample (20 and growing) of LPAs, given that there are over 300, of the use of the name on the ICNIRP declaration forms, in many designs, from different Agent companies and Applicants, forms where it was probably typed and forms where it was selected from a drop-down list clearly from a database. That's a lot of "innocent errors".

I have not focused so much on it being the Applicant but there are many of those as well though not quite so many.

In the early 2000s Three UK Ltd was often a joint Declarant with EE, EE Ltd, EE UK Ltd, Everything Everywhere Ltd and variations. None disclosing a CRN so it could be checked.

The largest number by far are where the Applicant is one of the 'Hutchison' companies and the Agent Dot Surveying Ltd (CRN 12401570). As this issue was emerging in late 2023 that company rapidly changed its company structure as was reported in a local Edinburgh newspaper and you can see by a sudden plethora of CH filings. It disappeared from this work for several months but re-emerged into telecoms planning around August 2024.

ian R Jarvis B.Sc. (computing science)

24 January 2025

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