

## Your response

Question	Your response
<p><b>Question 1: Please provide feedback on the additions, amendments and clarifications we have made to the wording of the licence condition to implement our decisions on the scope of the licence condition in our October 2020 Statement, giving reasons for your response.</b></p>	<p>Confidential? – N</p> <p>Ofcom have answered most of the points we raised in response to the first consultation, for which we thank them, but the following are the ones they have not really addressed:</p> <p>On the question of our concern about administrative workload: Some of the changes to the proposed licence condition do help to reduce the admin, e.g. by helping to define cases which can be excluded from assessment. However, a high volume of enquiries requiring answers within a short time could still cause problems for us. It would be helpful to have a stated limit on the volume and timescale for enquiries that we can expect.</p> <p>We think the transitional period of six months, while welcome, is a little short and we would ask for it to be nine months, please.</p> <p>On our question about how the 10 W EIRP threshold applies if several services share an antenna: See Measures ... p 69 – Ofcom have not really answered this, they seem to be accepting that if each of the sharers is at less than 10 W EIRP then nobody has to do an assessment even though the total could be above 10 W.</p> <p>On the question about definition of “site”: There are many examples where there are several towers, or rooftops, or towers and rooftops, close together, each with one or more radio systems. The real requirement is to consider the combined effect of contributions from all sources at each location, and concepts like definition of “site” should help to facilitate that. Each licensee might define the “site” in their own way. Ofcom has decided to define “the site” as a physical structure, building, vehicle or moving platform. They are then not taking account of contributions from outside the site so defined, but are expecting licensees</p>

	<p>to co-operate. This will probably work to some extent but is likely to fail in some cases.</p> <p>On the question about which licence is deemed to be the “last one on” in a case where several of them start at the same time: Ofcom say they don’t believe multiple licensees do start at the same time. But it can happen, for example in the case of some shared broadcast antennas, and cellular antennas shared by two operators.</p> <p>The rules are written as if a shared site will be developed after the new licence condition first applied, which is what will happen in the longer term, with new sites. But the new licence condition will apply to a large number of existing sites for the first time on the date when it comes into force. Is it Ofcom's intention that the "last one on" test would have to be applied to all those existing systems at that time?</p> <p>New points to raise (extra to those raised by Arqiva on the first consultation): The industry refers to 1999/519/EC, rather than directly to the ICNIRP guidelines for public exposure, in policy documents and on “ICNIRP” certificates. Might it be appropriate for Ofcom to do the same? The European Council is now thinking about whether to update the Recommendation in the light of ICNIRP changes since 1998, though has not done so yet.</p>
<p><b>Question 2: Please provide feedback on the additions and clarifications to our ‘Guidance on EMF Compliance and Enforcement’, giving reasons for your response.</b></p>	<p>Confidential? – N</p> <p>In the Guidance on EMF Compliance and Enforcement Ofcom still refers to Tables 4 and 5.</p> <p>Broadly, the content of Guidance on EMF Compliance and Enforcement is reasonable.</p>
<p><b>Question 3: Please provide feedback on the trial version of our EMF calculator, giving reasons for your response.</b></p>	<p>Confidential? – N</p> <p>The calculator ignores radiation patterns and assumes maximum EIRP in all directions. This will give over-evaluation at steep elevation angles at close distances. Although the additional notes do say that the tool doesn’t take account of height or patterns, a non-specialist user will just apply the tool as it is and</p>

get wrongly high results. It's possible that the public, e.g. neighbours of sites, might do this and be unnecessarily alarmed. Although the calculator is addressed to licensees rather than the public, the public might see it on the Ofcom website, and they might research typical EIRPs and frequencies and so be able to use the tool.

Although the calculator includes a lookup of the applicable reference levels at any frequency, it only handles one frequency band at a time (meaning a band in which the reference level is assumed constant so the EIRP can be totalled). The tool is not really suitable in its current form for the "shared site" situation but some users will try to apply it.

The spherical far-field model is not adequate in the reactive near-field region, where, in some parts of the spectrum, the reference levels are not a reliable guide to compliance with the basic restriction. Admittedly, this will not be relevant for public exposure at the distances that apply for many installations, but it will be relevant for some equipment in some situations. The additional notes do say that the tool is for the far-field region, but a non-specialist user will not understand that.

Perhaps the additional notes could be expanded to include explanation of all of the points above, and help the less specialised user make the judgement about where they can properly use the calculator.