
Local Access Licence

Guidance document

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1. Overview

- 1.1 On 25 July 2019, Ofcom published a Statement, *Enabling wireless innovation through local licensing*, which sets out two new licence products we are introducing to make it easier for a wider range of users in the UK to access radio spectrum on a shared basis.¹
- 1.2 These are:
- a) **the Shared Access licence**, which gives access to four spectrum bands which support mobile technology; and
 - b) **the Local Access licence**, which provides a way for other users to access spectrum which has already been licensed to the UK's Mobile Network Operators (MNOs), in locations where an MNO is not using their spectrum.
- 1.3 This document is about the **Local Access licence**, and is intended to outline everything that new users (who might not be familiar with obtaining licences from Ofcom or be aware of what spectrum options are available) need to know about the new Local Access licence product. It includes information on how much the licence costs, how you can apply for a licence, and what terms and conditions you have to adhere to if you have a licence.
- 1.4 You can find the separate guidance document for the **Shared Access licence** on the Ofcom website.²

What is a Local Access licence?

- 1.5 A Local Access licence is a mechanism that enables the shared use of spectrum which is already licensed on a national basis to mobile network operators (MNOs), in locations where a particular frequency is not being used.
- 1.6 The Local Access licence will sit alongside our existing spectrum trading framework. The trading framework already makes it possible for people to gain access to currently licensed mobile spectrum. Spectrum trading is based on a commercial agreement between the parties with very little Ofcom involvement.
- 1.7 However, our experience has shown that this process is used mainly to enable the transfer of rights to spectrum from one user to another, rather than to share access rights. We have therefore introduced this simple process to ensure spectrum can be shared in instances where spectrum trading is not likely to work.
- 1.8 Given the nature and extent of the existing use of licensed mobile spectrum we anticipate that spectrum is only likely to be available to share in remote areas to support, for example, private networks or wireless broadband services. There may also be other

¹ Ofcom, *Enabling wireless innovation through local licensing*, 25 July 2019,

https://www.ofcom.org.uk/data/assets/pdf_file/0033/157884/enabling-wireless-innovation-through-local-licensing.pdf

² Ofcom, *Shared Access licence: Guidance document*, 25 July 2019,

https://www.ofcom.org.uk/data/assets/pdf_file/0035/157886/shared-access-licence-guidance.pdf

specific locations that are not served by the existing mobile networks, for example underground mining operations, where mobile technology to support a private network could be used without impacting MNOs' current deployments or future plans.

- 1.9 We will consider applications for short term access to licensed mobile bands in specified locations. We will then engage with the relevant MNO. Unless the operator raises a reasonable objection (e.g. they are using the spectrum at that location, or they are planning to do so within the time period requested, or the transmitter would cause interference to nearby deployments), Ofcom will issue a licence.
- 1.10 The default licence period will be three years, though we would also consider applications for periods shorter than the default period of three years. However, in some cases, it may be desirable, and possible, to negotiate (through agreement with the existing licensee) a longer-term licence. In those cases, we would issue the licence for the agreed period.
- 1.11 If the application is successful, we will grant the licence on receipt of a one-off licence fee of **£950**.
- 1.12 Incumbent users' rights to deploy services will not be diluted by our granting of a Local Access licence. The Local Access licensing approach is to allow spectrum that is not going to be used in the foreseeable future to be put to use. However, where Ofcom has granted a licence all parties will be required to cooperate and not cause interference to each other's networks as this is a condition included in both parties' licences.
- 1.13 For some mobile technologies to work, they may require the mobile network to be identified by a Mobile Network Code (MNC) and may require the use of telephone numbers. It is Ofcom's duty to administer the UK's National Telephone Numbering Plan,³ including MNCs and telephone numbers. Guidance information is contained in this document.

³ Ofcom, *The National Telephone Numbering Plan*, 1 July 2019, https://www.ofcom.org.uk/_data/assets/pdf_file/0013/102613/national-numbering-plan.pdf

2. Licence terms & conditions

- 2.1 The terms and conditions of the Local Access licence are set out in this section.
- 2.2 As each request will be dealt with on a case by case basis, the technical transmission parameters will be unique to each licence as these will reflect the agreed transmission parameters (including location/service area, frequency, power, etc...) and any other requirements that may be needed to prevent the incumbent operator from suffering from interference.
- 2.3 The Local Access licence:
- is available for any frequency band covered by the Mobile Trading Regulations;⁴
 - will be time limited (the default period is three years but other durations are available);
 - is for a single location or area;
 - is not restricted to the same technology as the incumbent licensee;
 - can be transferred on a total outright or total concurrent basis to another party;
 - requires licensees to notify any customers of the time limits on the authorisation;
 - will include Ofcom's standard terms on access, inspection, and other standard terms; and
 - will incur a cost-based one-off fee of £950 per licence.
- 2.4 The equipment must be used at all times in accordance with the terms of the licence. Failure to comply with the terms may result in revocation of the licence, and may lead to prosecution of the offender.
- 2.5 If you wish to make any changes that would impact on the spectrum rights set out in the licence (e.g. equipment details, location, usage etc.) this can only be done with Ofcom's approval. A change from the details shown in the licence made without prior approval from Ofcom may mean that operation of the equipment would be illegal.

What frequencies are available

- 2.6 The licence will be available within any frequency band covered by the Mobile Trading Regulations. Currently, these are:
- 791-821 MHz paired with 832-862 MHz ("800 MHz band");
 - 880-915 MHz and 925-960 MHz ("900 MHz band");
 - 1452-1492 MHz ("1400 MHz band");
 - 1710-1781.7 MHz and 1805-1876.7 MHz ("1800 MHz band");
 - 1900-1920 MHz ("1900 MHz band");
 - 1920-1980 MHz and 2110-2170 MHz ("2100 MHz band");
 - 2350-2390 MHz ("2300 MHz band");
 - 2500-2690 MHz ("2600 MHz band"); and

⁴ The Wireless Telegraphy (Mobile Spectrum Trading) Regulations 2011, as amended, <http://www.legislation.gov.uk/uksi/2011/1507/contents>

- 3410-3600 MHz (“3.4 GHz band”).
- 2.7 As new bands are introduced into the Mobile Trading Regulations, we will also include these in the list of frequency bands covered by the Local Access licence. However, we would not expect access to newly awarded bands to be possible straight away (and possibly not for some considerable time), as the licensees will need time to decide where they intend to use the frequencies themselves.

How long is the licence for, and can it be renewed at the end of the term?

- 2.8 The default licence period will be three years, but requests for shorter or longer periods will also be considered. Applicants wishing to have access for longer than three years will require the support of the incumbent licensee.
- 2.9 Licences cannot be renewed. If you wish to apply for continued access you would need to apply for a new licence. However, there is no guarantee that a further licence can be granted, as the incumbent MNO’s circumstances may have changed. If you are applying for a new licence, then you need to consider the time to process such an application request. If your original licence ends before this process has completed, you will need to stop transmitting.

Licence location/area

- 2.10 The licence will cover the deployment of transmitters only at the defined location, or in an area defined in the licence. Depending on the request received we may authorise a single base station, multiple base stations or a local area. Each request will be dealt with on a case by case basis with the licence reflecting the agreed transmission location or service area details.
- 2.11 Licences will be granted for locations within the United Kingdom, including the UK’s territorial waters. Authorisation in the Channel Islands and Isle of Man may be possible, but this would be subject to the new user discussing any request with the relevant competition authorities that are responsible for the issuing of telecommunications licences on the islands.⁵
- 2.12 Access to spectrum in areas outside of territorial waters (i.e. further than 12 nautical miles from shore) is already available. Those interested in deploying services outside of this limit should apply for a Spectrum Access Offshore Mobile licence.⁶ Please also note that deployment of services on board a vessel will require a Ship Radio licence and will need to comply with a number of provisions concerning where it can be used.

⁵ For the Isle of Man, this is the Isle of Man Communications Commission (<https://www.iomcc.im/>). For the Channel Islands, this is the Channel Islands Competition and Regulatory Authorities (<https://www.cicra.gg/>)

⁶ You can find out more about this type of licence, and an application form, on the Ofcom website: <https://www.ofcom.org.uk/manage-your-licence/radiocommunication-licences>

Technical conditions

- 2.13 The technical conditions for the Local Access licence will be considered on a case by case basis and be dependent on the requests received. We expect that in most use cases the parties will wish to take advantage of being able to use existing mobile technologies and deploy equipment that is of a similar nature to the incumbent licensee. However, there may be cases where a user may wish to deploy an alternative technology and our licence will generally permit this.
- 2.14 As the initial coordination request with the incumbent licensee would have been based on a specific technology and technical parameters, the Local Access licence would reflect this. Licensees wishing to change these details will need to request a variation to their licence. This will require us to liaise with the incumbent licensee to ensure that any change does not impact on their spectrum use.

Coordination and interference management

- 2.15 To minimise the risks of interference the Local Access licence will include the following provisions:
- our standard requirements for the licensee to abide by any coordination procedures, both national and international, as notified by Ofcom;
 - the provision that the licensee must liaise and co-operate with other holders of licences in the same frequency band(s). This may require adjusting transmission power and other technical parameters of transmission in such a way that harmful interference is not caused by one network deployment to that of another licensee within the band (this condition is also included in the Shared Access licences); and
 - where a licensee is deploying a mobile service, we will expect them to follow the appropriate in block and out of block power limits. The licence could also include, when deploying TDD systems outdoors or in a shared indoor location, the requirement to synchronise with other users in the band or use a restrictive transmission mask. In such cases these provisions will likely mirror those in the incumbent licensee's authorisation.
- 2.16 The incumbent operator's rights to deploy, even after a new user is issued with a licence, will not be affected. In practice we expect parties to agree coordination terms between themselves in line with their licence obligations to avoid interference. We believe that the measures outlined above should be sufficient to avoid any harmful interference from occurring.

Trading the licence to someone else

- 2.17 Users are allowed to transfer their rights to access spectrum (and their obligations to pay the associated fees, and comply with the licence conditions) to another party by trading them. This might be especially relevant if one company is acquired or bought out by another.
- 2.18 We will allow two kinds of trade in respect of Local Access licences:

- a) **Outright total trades**, where all the rights and obligations of the licence are completely transferred to one user; or
 - b) **Concurrent total trades**, where all the rights and obligations of the licence are completely transferred to two or more users.
- 2.19 Any trade of these licences will require Ofcom's consent as they are covered by the Mobile Trading Regulations 2011.⁷ In certain cases, this may include Ofcom carrying out a competition assessment before granting the transfer.
- 2.20 In line with Ofcom's current policy for mobile spectrum, holders of a Local Access licence will not be able to lease their spectrum to another user.

Accessing, modifying and shutting down your equipment if something goes wrong

- 2.21 The Local Access licence includes terms that allow Ofcom to instruct you to provide access to, modify or shut down your equipment – but we will only do this if there is a problem of some sort that we consider warrants such action.
- 2.22 For example, we could need to do this if an emergency meant that equipment for public safety needed to be deployed, and your equipment would interfere with this.
- 2.23 Another example might be if your equipment was causing interference to another user. We might request that you modify your equipment parameters and change the way it transmits so that both you and the other user can transmit without interference. For instance, if we were to require users to synchronise their transmissions this provision allows us to do that.

Keeping records and providing information to Ofcom

- 2.24 As part of Ofcom's duty to manage spectrum efficiently, our standard licence terms and conditions include a provision which says that licensees are required to provide information to us if we request it. The Local Access licence includes this condition, and you'll therefore need to keep records of your deployments in case we ask you for them.
- 2.25 Recording this information is important because if somebody has a problem with interference, it will help us narrow down the source if we need to investigate it.
- 2.26 Any commercially sensitive information which you give to us is subject to a number of different legal provisions which govern how we keep and use it. These provisions include Section 111 of the Wireless Telegraphy Act 2006, the Data Protection Act 2018, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

⁷ The Wireless Telegraphy (Mobile Spectrum Trading) Regulations 2011, as amended, <http://www.legislation.gov.uk/uksi/2011/1507/contents>

Making customers aware of the duration of access

- 2.27 As these licences are time limited, the licensee will be required to inform any customers of the service provided over the frequencies authorised by the Local Access licence when access to the frequency band will end. This is to ensure that there is no expectation of a continuation of service after the licence period has come to an end.

Licence fee

- 2.28 The licence will be subject to a single one-off fee of **£950**.

3. Licence application process

How do I apply for a Local Access licence?

- 3.1 You can make an application by completing the form on our website (available here: https://www.ofcom.org.uk/__data/assets/pdf_file/0021/158232/local-access-licence-application.pdf) and sending it by email to innovation.licensing@ofcom.org.uk or posting it to:

Innovation and Trial Licences

Ofcom Riverside House

2a Southwark Bridge Road

LONDON

SE1 9HA

How long does it take to issue a licence?

- 3.2 The length of time from the date of application to the issue of a licence is closely linked to the nature and complexity of the proposals and the frequencies the applicant wishes to use. Where prior agreement has been reached with the incumbent MNO the time needed to process such requests will be shorter.

What information do I need to provide?

- 3.3 We will need a full description of the proposed deployment, including any relevant technical information and the reasons why you believe the spectrum is not being used at that location. We will need information on the proposed start date and if you are not requesting the standard three years, the time period you wish to have access for. Applications for periods longer than three years will not be accepted unless they have the incumbent operator's support.

How is my application assessed?

- 3.4 Under this licensing approach, prospective new users wishing to access specific mobile frequencies that are not being used in a given location (this can be an individual location with a single base station or across a local area) can apply to Ofcom for a licence. Ofcom will assess the likely impact of introducing a new user in that location and will discuss with the relevant MNO(s) before deciding whether to issue a new licence.
- 3.5 We acknowledge that as this is a new approach to authorisation it may need to be slightly adapted in light of experience gained of processing these licence requests. We also intend to monitor the reasoning behind and volumes of any objections raised by the MNOs to ensure that the process is being used in good faith. If we see evidence of widespread rejections of what in our view appear to be reasonable applications, then we may decide to make further changes to this process.

Completing the application form

- 3.6 Applicants will need to complete a form that will request details of the proposed deployment. These will include the technical details and the reasons why the applicant believes that the spectrum is not being used in that area. Applicants will also be able to provide any additional information that they believe could help when considering such a request.

Ofcom initial assessment

- 3.7 Before we discuss the application with the incumbent licensee, we will carry out a number of checks to see whether the request could be successful. This may include an assessment of the amount of spectrum requested, the proposed location and requested technical parameters. As part of this process we may require the applicant to provide additional information. At this stage some applications may be declined.

Engagement with the incumbent MNO

- 3.8 If the application passes these initial checks, we will engage with the relevant MNO. We would hope that, where possible, applicants would have discussed their proposed request with the incumbent licensee(s) prior to submitting the application. We note that this may not always be possible so it is not a prerequisite of this process, unless the requested licence is for a period longer than three years. Requests for longer duration licences will likely require a prior agreement with the incumbent operator to be in place in order for us to proceed with the application.
- 3.9 The incumbent licensee will then consider the application. If they raise a reasonable objection (e.g. they have deployments in the area requested, plans to deploy in that area or the proposed application would cause harmful interference to existing local deployments) then the application would be declined. If they agree this does not adversely impact their planned use of the spectrum, then a Local Access licence would be issued.
- 3.10 It should be noted that we would not expect access to newly awarded bands to be possible straight away (and possibly not for some considerable time), as the licensees will need time to decide where they intend to use the frequencies themselves.
- 3.11 If an objection is received, we will try to work with parties to see if a compromise solution can be found. As part of this process, the incumbent licensee and third party may be able to reach commercial terms to enable access. Such an arrangement might involve an MNO deciding to forgo deployment in that area or make changes to its network to accommodate the third party user. Alternatively, the third party may offer to extend the MNO's coverage at that location or agree to a shorter licence period. These negotiations will be between the applicant and incumbent MNO and Ofcom will not impose such terms.

Ofcom decision to grant a licence

- 3.12 Before Ofcom makes a final decision on whether to issue a licence we will make known our provisional decision to the parties. We will allow a period of time for representations to be

made before making our final decision. Throughout this process we will look at the evidence provided and our analysis of it to inform our decision.

4. Mobile Network Codes and telephone numbers

Introduction

- 4.1 For some mobile technologies to work, they may require the mobile network to be identified by a Mobile Network Code (MNC) and may require the use of telephone numbers.
- 4.2 It is Ofcom's duty to administer the UK's National Telephone Numbering Plan, including MNCs and telephone numbers. Allocations of numbers to communications providers for public network use is carried out via Ofcom's Number Management System (NMS).⁸ Our policy is not to allocate an exclusive MNC or telephone numbers for use in private networks.

MNCs

- 4.3 Licensees wishing to deploy a public network and in need of an MNC should apply for allocation via NMS. Any questions may be directed to Ofcom's Numbering Team directly by emailing numbering@ofcom.org.uk.
- 4.4 For private networks needing to input an MNC, the International Telecommunications Union (ITU) has made available the Mobile Country Code (MCC) 999 for internal use within a private network.⁹ Users are able to select any two- or three-digit code for their network. No interaction with ITU or Ofcom is required for using an MNC under this MCC for internal use within a private network. However, please note that as they are not subject to assignment, they are not unique.

Telephone numbers

- 4.5 Ofcom's NMS allows communications providers to apply for the allocation of numbers and to manage their existing resource. Communications providers are required to provide certain information when applying for numbers. Ofcom will only allocate numbers to communications providers and only for use in public networks.
- 4.6 For those companies wanting to provide telephony services using VoIP and/or WiFi, and for interconnection with other networks, various number ranges are available. We encourage providers to consider the number types available for allocation, including, for example, 056 Location Independent ECS numbers. We also allocate National Signalling Point Codes (NSPCs), if required. Further information is available on Ofcom's website.¹⁰

⁸ https://ofcom.force.com/NMS_LoginPage

⁹ Appendix III ITU-T E.212 https://www.itu.int/rec/dologin_pub.asp?lang=e&id=T-REC-E.212-201807-I!Amd1!PDF-E&type=items

¹⁰ <https://www.ofcom.org.uk/phones-telecoms-and-internet/information-for-industry/numbering>

5. Contact details

Ofcom, Riverside House, 2a Southwark Bridge Road, London, SE1 9HA

Tel: 020 7981 3000

Fax: 020 7981 3333

Website: [Ofcom | Spectrum](#)

Technical enquiries to **Shared Spectrum Access Team**

Email: shedspectrumaccess@ofcom.org.uk

Licensing enquiries to **Spectrum Licensing Team**

Email: spectrum.licensing@ofcom.org.uk

6. Document history

6.1 This is a live document, and we may change it from time to time to update it with new information. Any changes that have been made on the document history is outlined at the table below.

Version	Date	Changes
1.0	July 2019	First published