

Reference: 01578808

Information Requests  
[information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

4 April 2023

### Freedom of Information request: Right to know request

Thank you for your request for information concerning ICNIRP Exclusion Zone information re. Fixed Wireless Access. Your request was received on 9 March 2023 and we have considered it under the Freedom of Information Act 2000 (the “FOI Act”) and the Environmental Information Regulations 2004 (the “EIR”).

#### Your request

*Some broadband companies, such as IX Wireless Ltd., are rolling out Fixed Wireless Access (FWA) infrastructure in parts on the UK. This involves, among other things, the installation of radiofrequency-emitting masts, which are often located close to homes, and to other buildings, such as schools.*

- 1. Please can you confirm whether or not ICNIRP 'exclusion zones' (also known as Compliance Limit Distances) are required to be calculated for these structures.*
- 2. If they are calculated, please can you provide any details held by Ofcom concerning the derivation of these zones / compliance limit distances, or provide a link to where this information is available on the Ofcom website.*

#### Our response

It may be helpful for me to first provide some background on our role in relation to radio spectrum and electromagnetic fields (EMF).

Ofcom’s role is to authorise and manage the use of the radio spectrum in the UK, including the spectrum used to deliver 5G services. We issue licences and set conditions for the use of spectrum without a licence. Further information on our role in relation to EMF is available on our [website](#) (see also our [General EMF queries](#)).

In recent years, some people have raised concerns around the safety of EMF emissions, particularly from new technologies such as 5G. In 2021, following public consultation, Ofcom decided to include [a new condition in spectrum licences](#), requiring licensees to ensure that their use of equipment (operating above a certain power) complies with the internationally agreed EMF levels in [the ICNIRP](#)

[Guidelines](#) for the protection of the general public (the ICNIRP general public limits). This is consistent with advice from [the UK Health Security Agency](#) (UKHSA).

This means that licensees that operate equipment transmitting above a certain power need to check that their antenna is sufficiently far away from areas where members of the general public may be present in order not to breach the ICNIRP general public limits. Further information on this EMF licence condition is set out in our [EMF guidance](#). Ofcom also carries out checks to ensure that licensees are complying with this licence condition., and can take [enforcement action](#) in the event of non-compliance

Separately, we are aware that ICNIRP Certificates are required to be submitted as part of planning applications for some radio masts (although we do not hold information on whether this requirement applies specifically to IX Wireless's FWA masts). However, Ofcom has no involvement in the planning process for physical structures such as masts, buildings etc that may host radio equipment, or in the enforcement of planning law. Ofcom also has no role in assessing ICNIRP Certificates provided as part of a planning application. These are matters for local planning authorities that administer the planning laws locally and issue permission to build through the normal planning process. If you have any views or questions about planning applications for any specific site, you can address those to the [relevant local planning authority](#).

The responsibility for planning policy falls to the DLUHC – [Department for Levelling Up, Housing and Communities](#). In particular, Section 10 (paragraphs 114–118) of DLUHC's [National Planning Policy Framework](#) (July 2021) outlines the planning criteria for communications infrastructure in England.

Further information on [masts and planning](#) is available on our website and in paragraphs 4.37 – 4.43 of our [Statement on EMF compliance](#).

In response to your specific questions:

1. *Please can you confirm whether or not ICNIRP 'exclusion zones' (also known as Compliance Limit Distances) are required to be calculated for these structures.*

As explained above, spectrum licensees are required to ensure that their use of equipment (operating above a certain power) complies with the internationally agreed EMF levels in the ICNIRP Guidelines for the protection of the general public. Where Fixed Wireless Access use is authorised via a spectrum licence issued by Ofcom, and the licence authorises power levels above 10 Watts EIRP, licensees will need to comply with the EMF licence condition. Some low power FWA may be authorised via licence exemption regulations but such equipment is unlikely to raise any concerns about EMF.

2. *If they are calculated, please can you provide any details held by Ofcom concerning the derivation of these zones / compliance limit distances, or provide a link to where this information is available on the Ofcom website.*

Information on calculating compliance distances is available in Section 6 of Ofcom's [EMF Guidance on EMF Compliance and Enforcement](#). As indicated in this Guidance, Ofcom has provided a [calculator](#) to assist licensees in calculating the compliance distance that they should maintain between their antenna and members of the public. In most cases the calculator provides conservative separation distances. Distances that are smaller than the compliance distances produced by the calculator do not necessarily indicate that a smaller distance would not be

compliant. Please also see the “[Important Notes](#)” provided with the calculator which explain the purpose of the calculator and when it is not appropriate to use it.

If you have any further queries, then please send them to [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk) quoting the reference number above in any future communications.

Yours sincerely

## Information Requests

If you are unhappy with the response you have received in relation to your request for information and/or consider that your request was refused without a reason valid under the law, you may ask for an internal review. If you ask us for an internal review of our decision, it will be subject to an independent review within Ofcom.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

### Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for responding to internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

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. Further information about this, and the internal review process can be found on the Information Commissioner’s Office [here](#). Alternatively, the Information Commissioner can be contacted at:

Information Commissioner’s Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF