

Wireless Telegraphy Act 2006

Licence for the transmission of digital terrestrial television multiplex broadcasting services for Local TV

Date of Issue	29 July 2013
Licensee	Comux UK Ltd
Company number (if a company)	07967418
Registered address of Licensee	Innovation Birmingham Campus Faraday Wharf Holt Street Birmingham, B7 4BB
Licence number	MUX-L000001/WT
Name, address and telephone number of person having authority to close down station if necessary	Michael Lever Innovation Birmingham Campus Faraday Wharf Holt Street Birmingham, B7 4BB 0121 250 5700
Commencement date	26 November 2013
Termination date	25 November 2026
Relevant Broadcasting Act 1996 licence reference	Multiplex L, issued to Comux UK Ltd issued under the Broadcasting Act 1996 (as amended by The Local Digital Television Programme Services Order 2012 (S.I. 2012/292)) and dated 26 July 2013
Fee payment date	Anniversary of the Commencement date

Signed for and on behalf of Ofcom by

Kathleen Stewart
Manager, Television Broadcast Licensing

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1. General terms

This Licence is granted under section 8(1) of the Wireless Telegraphy Act 2006 (the “Act”) by the Office of Communications (“Ofcom”) and authorises the Licensee to establish, install and use the radio transmitting stations and/or radio apparatus described in the Schedule(s) to this licence (hereinafter together called the “Radio Equipment”) subject to the terms set out below and in the Schedule(s) to this licence.

This Licence is issued to the Licensee for transmission of the digital terrestrial television multiplex service authorised by the relevant Broadcasting Act 1996 licence (Multiplex L).

2. Licence term

This Licence shall enter into force on the Commencement Date and, subject to earlier revocation by Ofcom in accordance with Condition 3 below, shall continue in force only until the earlier of:

- (a) the Termination Date;
- (b) the termination, however caused, of the Relevant Broadcasting Act 1996 licence; or
- (c) the surrender of this Licence by the Licensee.

3. Licence variation and revocation

Pursuant to section 10 and Schedule 1 paragraph 8 of the Act, Ofcom may not revoke this Licence before the Termination Date above under section 10 and Schedule 1 paragraph 6 of the Act except:

- (a) at the request of, or with the consent of, the Licensee;
- (b) in accordance with Condition 5;
- (c) if there has been a breach of any of the conditions of this Licence;
- (d) in accordance with Schedule 1 paragraph 8(5) of the Act;
- (e) in accordance with section 241(7) of the Communications Act 2003;
- (f) if it appears to Ofcom to be necessary or expedient to revoke this Licence for the purposes of complying with a direction by the Secretary of State given to Ofcom under section 5 of the Act or under section 5 of the Communications Act 2003;
- (g) for reasons related to the management of the radio spectrum, provided that in such case the power to revoke may only be exercised after five (5) year’s notice is given in writing to the Licensee.

Where Ofcom exercises its power to revoke or vary the Licence, in accordance with Schedule 1 paragraph 6 of the Act, the Licensee shall be notified in writing or by a general notice.

4. Transfer and changes

This Licence may not be transferred.

The Licensee must give prior or immediate notice to Ofcom in writing of any change of the Licensee's name or address from that recorded on the Licence.

5. Fees

The Licensee shall pay to Ofcom the relevant sums as provided in section 12 of the Act and the regulations made thereunder:

- (a) on or before the date of issue of the Licence; and
- (b) on or before the payment date indicated in the table on the first page of this Licence for subsequent payments or such other date or dates as shall be notified in writing to the Licensee,

in accordance with those regulations and any relevant terms, provisions and limitations of the Licence, failing which Ofcom may revoke this Licence.

6. Radio equipment use

The Licensee shall use the Radio Equipment for the purpose of providing the digital terrestrial television multiplex service authorised by the Relevant Broadcasting Act 1996 licence.

The Licensee must ensure that the Radio Equipment relevant to the Licence is constructed, established, installed and used only in accordance with the provisions specified in the Schedule(s) to the Licence.

Any proposal to amend any detail specified in the Schedule(s) must be agreed with Ofcom in advance and implemented only after the Licence has been varied or reissued accordingly.

The Licensee must ensure that the Radio Equipment is used only by persons who have been authorised by the Licensee to do so, and that such persons are made aware of the requirement to comply with, the terms of the Licence.

7. Access and inspection

The Licensee shall permit any person authorised by Ofcom:

- (a) to have access to the Radio Equipment; and
- (b) to inspect this Licence and the Radio Equipment at any and all reasonable times or, when in the opinion of that person an urgent situation exists, at any time, to ensure the Radio Equipment is being used in accordance with the terms of this Licence.

8. Modification, restriction and closedown

A person authorised by Ofcom may require the Radio Equipment, or any part thereof, to be modified or restricted in use, or temporarily or permanently closed down immediately if in the opinion of the person authorised by Ofcom:

- (a) a breach of the Licence has occurred; and/or
- (b) the use of the Radio Equipment is causing or contributing to Undue Interference to the authorised use of other radio equipment.

Ofcom may also require the Radio Equipment to be modified or restricted in use, or temporarily closed down either immediately or on the expiry of such period as may be specified in the event of a national or local state of emergency being declared. Ofcom may only exercise this power after a written notice is served on the Licensee or a general notice applicable to holders of a named class of Licence is published.

9. Technical requirements

Subject to the requirements of any notice given by Ofcom under Condition 8 of this Licence, the Licensee shall comply with the UK Radio Interface Requirements notified under Directive 1998/34/EEC.

10. Interface requirements for the Radio Equipment use

Use of the radio equipment shall be in accordance with the following Interface Requirements:

IR 2022 Broadcasting transmitters operating in frequency bands administered by Ofcom (98/34/EC Notification number: 2007/as4/UK)

In addition, spurious emissions shall comply with the limits defined in EPT/ERC/REC 74-01 Unwanted Emissions in the Spurious Domain.

11. Interpretation

In this Licence (including the Schedule(s)):

- (a) the establishment, installation and use of the Radio Equipment shall be interpreted as establishment and use of stations and installation and use of apparatus for wireless telegraphy as specified in section 8(1) of the Wireless Telegraphy Act 2006;
- (b) the term “Undue Interference” shall have the meaning given by Section 115 of the Wireless Telegraphy Act 2006;
- (c) the expression “inspect” includes examine and test;
- (d) the term “Relevant Broadcasting Act 1996 licence” means the licence granted by Ofcom under Part I of the Broadcasting Act 1996 (as amended by The Local Digital Television Programme Services Order 2012 (S.I. 2012/292)) to the Licensee with the reference number indicated in the table on page 1 of this Licence;
- (e) the “Commencement Date” means the date indicated in the table on the first page of this Licence;
- (f) the “Technical Plan” means the technical plan published by Ofcom on 26 July 2013 and revised from time to time as set out in the Table of Digital Broadcasting Stations for Multiplex L and published on Ofcom’s website.

- (g) the “Termination Date” means the date indicated in the table on the first page of this Licence;

The Schedule(s) to this Licence shall form part of this Licence together with any subsequent variations to this Licence and the Schedule(s).

The Interpretation Act 1978 shall apply to the Licence as it applies to an Act of Parliament.

Annex 1

1. The Radio Equipment

The transmitting radio apparatus which are authorised by this Licence are the transmission arrangements at the sites described in Column B and identified in Column D of, the Technical Plan, for the delivery of local TV services (the “Radio Equipment”).

2. Purpose of Use

The Licensee shall use the Radio Equipment for the purpose of providing the Multiplex L digital terrestrial television multiplex service.

3. Technical Requirements

The Licensee shall comply with the following technical requirements:

- a) the Radio Equipment may only be used for wireless telegraphy on the frequency assignments which relate to the channel numbers indicated for those transmitter stations in Column E of the Technical Plan which have the centre frequency indicated in Column F of the Technical Plan;
- b) the recognised transmitter stations from which the assignments are available to be used are set out in Column B of the Technical Plan;
- c) the Licensee shall operate the transmitter stations as set out in Column B of the Technical Plan from the dates set out in Column C of the Technical Plan;
- d) the co-ordinates of the transmitter locations from which the service is to be radiated are specified in Column D of the Technical Plan;
- e) the radiating elements of the antennas used in connection with the Radio Equipment shall be at the heights specified in Column G of the Technical Plan;
- f) the transmitting antennas used shall be arranged such that their polarisation is as shown in Column H of the Technical Plan;
- g) the maximum effective radiated power (relative to a half-wave dipole) shall not exceed that specified in Column I of the Technical Plan; and
- h) transmitting antennas shall comply with the templates set out in column J of the Technical Plan.

Licensees are also expected to comply in full with the requirements in the relevant Broadcasting Act 1996 licence. That licence also requires compliance with the Code of Practice on Changes to Existing Transmission and Reception Arrangements, the Guidance Note on Test Transmissions and the technical arrangement described in the Reference Parameters for Digital Terrestrial Television Transmissions in the United Kingdom.