

15 JULY 2008

Subject: Proposed Public Payphone Removals
Lead Officer: Colin Staves
Contact on 01789 260333
**Lead Member/
Portfolio Holder: Councillor S Beese**

Summary

The Council has been notified by BT of its intention to remove 51 public payphones across the District which it describes as being 'little used by consumers'. The purpose of this report is to seek the views of the Joint Areas Committees in order to inform the Council's final decision in response to BT's notification.

Recommendation

That the views of the Committee on the proposed closure of 51 public payphones as set out in Appendix 1 are requested.

1 Background/Information

1.1 Notification has been received from BT Payphones of its intention to remove 51 public payphones across Stratford-on-Avon District. A copy of the notification letter and the schedule of payphones to be removed is attached as Appendix 1. The letter indicates that notices will be posted on the payphones affected on or before 8 June 2008, which is the start date for a 90 day consultation period ending on 6 September 2008.

1.2 Consultation Process

1.2.1 OFCOM is the governing body on the removals procedure and sets out the following process which BT and the local authority (LA) should follow:

- BT writes to the LA notifying them of the payphone(s) they intend to remove.
- BT displays a notice in each phone box stating its intent to remove it.
- The LA consults parish and community councils.
- After 42 days from receipt of the notification the LA publishes a draft decision having regard to any representations received.
- The draft decision is made public for at least one month and a copy is also sent to the Secretary of State.
- The LA considers any representations made on the draft decision.
- A final decision is then forwarded to BT within 90 days of the notification.

1.2.2 Having regard to the OFCOM requirements it is proposed that the following process be followed in response to the notification:

- Initial consultation up to July 24 – includes internal consultation with officers dealing with community services, social inclusion and conservation, consultation with parish councils, and with the Joint Area Committees.
-

- Draft Decision (or First Notification) published by 29 July, and sent to members and parish councils with a deadline for any further comments of 29 August.
- Final Decision (or Final Notification) to be approved by Executive on 1 September, having regard to any representations received on the draft decision, and forwarded to BT by 6 September.

2 Options available to the Committee

2.1 The Council has the option to agree or object to the removal of each of the 51 payphones. Reasons to justify the objection must be included. The Council has the power of 'local veto' and would prevent BT from removing any payphone to which the Council has raised objection. BT can appeal against the Council's decision to the Competition Appeals Tribunal.

2.2 The majority of payphones within this consultation are in rural village locations. Public payphones provide an important local service and are often regarded as key features in many villages. At the same time it is apparent that changes in communications technology and cultures has seen a marked decline in the use of payphones. BT point out that 99% of households have home phones, and 90% have mobile phones. Out of the 61,792 payphones in the country 60% of these no longer cover their costs.

2.3 OFCOM research indicates that 33% of adults use phone boxes from time to time, while 7% use them regularly. They are especially important in areas where mobiles don't work and in any community where there are disadvantaged people.

2.4 OFCOM recommend that our considerations should include the following issues:

The housing type in the area. Areas of lower income housing, predominantly social rented housing, are less likely to have access to a home phone or mobile phone

The number of households on the area. The catchment area for a payphone can be considered as the households within 400 metres. This, however, will not take into account, passing traffic on a busy road and therefore each phone box needs to be considered on a site by site basis.

Public call revenue. BT have not supplied and figures regarding the usage of the payphones. This information has been requested as it is essential to our consideration of the proposals.

Emergency use. Data is not available for emergency calls, but we should consider the availability of alternatives for making emergency calls in the area. Payphones in locations that have potential to be close to accidents, such as busy road junctions, may justify retention on this basis.

Mobile phone coverage. Poor or sporadic mobile network coverage can be an important factor in our consideration.

2.5 Although not one of OFCOM's recommended considerations, the visual and heritage value of phone boxes is a key feature in many of our villages. A number of the traditional red boxes within in the District are 'listed as being of architectural or historic importance'. None of the listed phone boxes are proposed for removal. A number of the boxes are however of the traditional design, and whilst not listed, are still valued by the local community.

- 2.6 An assessment of the proposals is ongoing and it is anticipated that a draft schedule will be available at the meeting for the Committees consideration.

3 Members' Comments

- 3.1 Members' comments will be included in a schedule to be circulated at the meeting.

4 Implications of the proposal

4.1 *Legal/Human Rights Implications*

- 4.1.1 The process set out in this report accords with OFCOM guidance. The Council has a responsibility to initiate a public consultation and respond to BTs proposals.

4.2 *Financial*

- 4.2.1 No direct financial implications.

4.3 *Environmental*

- 4.3.1 The loss of phone boxes which are of local visual / heritage value may be a consideration.

4.4 *Corporate Strategy*

- 4.4.1 Payphones are seen by many as an important public service and the provision of local services is a key issue within the Corporate Strategy. In submitting its response the Council should be aware of its role in providing a strong voice for the local community.

4.5 *Equality Impact Assessment*

- 4.5.1 The assessment of these proposals will include an analysis of how they will impact disadvantaged people.

5 Risk Assessment

- 5.1 The Council has a power of veto on these proposals, and as such any objections need to be well founded and carefully considered.

6 Conclusion

- 6.1 The views of the Joint Area Committee will be an important part of the initial consultation on BT's proposals. The Committee is asked to provide its views on the proposed removal of payphones, having regard to the information set out in this report and an assessment schedule which will be circulated prior to the meeting

Pat Reid

HEAD OF PLANNING SERVICES

Background papers:

Letter from British Telecommunications plc

OFCOM Guidance on procedures for the removal of public call boxes.

REPORT INFORMATION SHEET

Please complete and submit to Committee Services with draft report

Committee/Date	Joint Committees – July 2008	
Item No/Title of report	Proposed Public Payphone Removals	
Consultations undertaken		
Consultee	✓	Details / Date of consultation / comments received
Ward Members		
Committee Chairman/ Portfolioholder * <i>*Required</i>	✓	Councillor Beese
Financial Services * <i>*Required</i>	✓	Sarah Pittaway
Legal Services * <i>*Required</i>	✓	Richard Hood
Other Services	✓	Pat Reid Dave Nash- comments incorporated.
Other organisations	✓	Joint Committee Chairmen
Final decision by this Committee or recommendation to another committee/Council ?		RECOMMENDATION TO : EXECUTIVE
Does this report contain exempt information? If so, under which paragraph(s) ?		No
Does this report relate to a key decision (referred to in the Executive Forward Plan)		Yes, Forward Plan item – scheduled for 1 September 2008

BT Payphones,
PP 05A23,
Delta Point,
Wellesley Road,
CROYDON,
CR9 2YZ.



Chief Planning Officer
Stratford on Avon District Council
Elizabeth House
Church Street
Stratford upon Avon
CV37 6HX



12 May 2008

TIME SENSITIVE - 90 Day Consultation period end date: 06 September 2008

Dear Chief Planning Officer

BT's proposal to re-align payphone provision to meet consumer demand.

As part of BT's Universal Service Obligation it is required to provide adequate coverage of public payphones. In recent years the needs of consumers have changed drastically with the increase in mobile phone ownership leading to a complete change in the communications culture throughout the UK - the number of calls made from BT payphones has more than halved in the last three years. Ninety nine per cent of UK homes now have a phone at home and 90 per cent have a mobile phone. There are currently 61,792 public payphones in Great Britain and 60% of these no longer cover their costs.

Striking a balance between the growing commercial pressures and providing an effective payphone service is vital, and BT has managed to keep its payphone business viable by careful management of costs. However, this challenge is becoming ever more demanding, so BT constantly needs to review payphone usage and on occasions looks to re-align the public payphone provision more closely to the reducing demand that still exists.

On the 14th March 2006 the Office of Communications (Ofcom) published a statement following their 2005 review of universal service in the Telecommunications market. Part of that statement (which can be viewed at www.ofcom.org.uk/consult/condocs/uso/uso_statement/) amended BT's obligations with regard to the removal of payphone service.

In compliance with those revised obligations BT is writing to you as part of a formal consultation process regarding BT's current programme of proposed public payphone removals.

One of the changes introduced following the review is that there is no longer a requirement for BT to consult on the removal of a public payphone which has another payphone within 400m. Out of courtesy we are advising you that there are a number of these payphones within Stratford-on-Avon District which we will be addressing over the forthcoming months. Additionally there are currently 51 public payphones which are little used by consumers and are therefore proposed by BT for removal under full consultation. Details of these boxes are shown on the enclosed sheets which include telephone number and address on a box by box basis.



Notices will be posted on or before 8th June 2008, on which date the formal consultation period will start.

What you need to do next

The enclosed list details the payphones which BT wishes to consult on within Stratford-on-Avon District.

Part of Ofcom's review in 2005 states that it is the responsibility of the local authority to initiate its own consultation process to canvas the views of the local community, and that they would normally expect these consultations to involve other public organisations such as the parish or community councils.

Notifications of your final decision should include all justifications as BT may wish to challenge any unreasonable objections within the provisions of the appeals process.

Full guidance on the removal process can be viewed at the following URL:

http://www.ofcom.org.uk/consult/condocs/uso/uso_statement/removals.pdf

and a plain English version is available at:

http://www.ofcom.org.uk/consult/condocs/uso/uso_statement/uso_plain_english/removing_callboxes.pdf

The consultation period will close on 06 September 2008 and responses received after this date will not be accepted. Please allow at least two days for postal delivery, and kindly note that proof of postage may be required in instances of dispute. If you are responding by email, please retain proof of despatch or apply a read receipt. Payphones will normally be removed as soon as practicable after the consultation period has ended.

We recognise that there may be concerns about our plans and that you may wish to discuss the content of this notification. Should your comments relate to a particular phone box, please clearly show the telephone number of the kiosk on your correspondence. This will ensure that we are able to deal with your enquiry efficiently.

All correspondence should be addressed to us at BT Payphones, PP 05A23, Delta Point, Wellesley Road, Croydon, CR9 2YZ or via email to **btp.authorisation.team@bt.com**. Please note that all responses should be collated and channelled via a single point of contact for your authority.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Rick Thompson'.

RICK THOMPSON

Project Liaison Office, BT Payphones

Stratford-on-Avon District

Telephone Number	Address	Post Code	Agree/ Object	Comments
01295670210	Payphone 2, Pco, Arlescote, Banbury	OX17 1DQ		
01295670221	Payphone 2, Pco, Edgehill, Banbury	OX15 6DG		
01295680273	Payphone 2, Pco, Whatcote, Shipston On Stour	CV36 5EQ		
01295690207	Payphone 2, Pco, Avon Dassett, Southam	CV47 2AR		
01295730360	Payphone 2, Pco, Shotteswell, Banbury	OX17 1HU		
01295770231	Payphone 2, Pco, The Wharf, Fenny Compton, Southam	CV47 2XF		
01327702302	Kiosk 702302 Main Rd, Park Lane, Lower Shuckburgh, Daventry	NN11 6DU		
01386870234	1pco, Irons Cross, Salford Priors, Evesham	WR11 8SH		
01564702211	1pco, Umberslade Rd, Earlswood, Solihull	B94 5QA		
01564702429	Kiosk 05646 2429, 1pco, Malthouse Lane, Earlswood, Solihull	B94 5RZ		
01564742348	Kiosk 0564 42348, 1pco, Broad Lane, Tanworth In Arden, Solihull	B94 5DY		
01564792696	Pco1, Stratford Rd, Henley In Arden	B95 6AF		
01608661474	Payphone 2, Pco, Honington, Shipston On Stour	CV36 5AA		
01608661550	Phonecard, Pco, Tredington, Shipston On Stour	CV36 4NJ		
01608661574	Payphone 2, Pco, Idlicote, Shipston On Stour	CV36 5DT		
01608674227	1pco, Post Office, Barton On The Heath, Moreton In Marsh	GL56 0PW		

Signature:

Area: Stratford-on-Avon District

Job Title:

Please return this to:

BT Payphones, PP 05A23, Delta Point, Wellesley Road, CROYDON, CR9 2YZ
by **06 September 2008**

Stratford-on-Avon District

Telephone Number	Address	Post Code	Agree/ Object	Comments
01608682371	Payphone 2, Pco, Darlingscott, Shipston On Stour	CV36 4PN		
01608684657	Payphone 2, Pco, Butlers Rd, Long Compton, Shipston On Stour	CV36 5JZ		
01608685272	Payphone 2, Pco1, Winderton, Banbury	OX15 5JG		
01608686247	Payphone 2, Pco, Whatcote, Shipston On Stour	CV36 5EQ		
01789267149	Kiosk 267149, 1pco, Main St, Tiddington, Stratford Upon Avon	CV37 7AZ		
01789268721	Kiosk 268721, 1pco, Alveston, Stratford Upon Avon	CV37 7RA		
01789450211	Kiosk (alderminster) 211, 1pco, Admington, Admington, Shipston On Stour	CV36 4JN		
01789450311	Kiosk Alderminster 311, 1pco, Crimscote, Crimscote, Stratford Upon Avon, Warks	CV37 8UE		
01789450334	Kiosk Alderminster 334, 1pco, Wimpstone, Stratford Upon Avon	CV37 8NS		
01789488283	Kiosk 488283, 1pco, Haselor, Alcester	B49 6LX		
01789488347	Kiosk 488347, 1pco, School Rd, Great Alne, Alcester	B49 6HQ		
01789720310	Kiosk 720310, 1pco, St. Swithins Drive, Lower Quinton, Stratford Upon Avon	CV37 8SB		
01789720331	0789 720331, 1pco, Upper Quinton, Upper Quinton, Stratford Upon Avon	CV37 8SX		
01789731239	Kiosk 0789731239, 1pco, Snitterfield Rd, Bearley, Stratford Upon Avon	CV37 0SJ		
01789740205	0789740205, 1pco, Pillerton Hersey, Warwick	CV35 0QJ		
01789740344	Pco1, Churchill Close, Ettington, Stratford Upon Avon	CV37 7SP		

Signature:

Area: Stratford-on-Avon District

Job Title:

Please return this to:

BT Payphones, PP 05A23, Delta Point, Wellesley Road, CROYDON, CRO 3SZ
by **06 September 2008**

British Telecommunications plc
Registered Office
81 Newgate Street, London EC1A 7AJ
Registered in England no. 1800000
BT is an ISO 9001 Registered Company

www.bt.com

Stratford-on-Avon District

Telephone Number	Address	Post Code	Agree/ Object	Comments/ Reasons
01789762550	Kiosk 762550, 1pco, Stratford Rd, Oversley Green, Alcester	B49 6PG		
01789772207	Kiosk 772207, 1pco, Temple Grafton, Alcester	B49 6NS		
01789772379	Kiosk 772379, 1pco, Exhall, Alcester	B49 6EA		
01789840446	Kiosk 840446, 1pco, Loxley, Warwick	CV35 9JS		
01926612186	Kiosk 612186, 1pco, Deppers Bridge, Southam, Warks	CV47 2SX		
01926640212	Kiosk 640212, 1pco, The Green, Little Kineton, Warwick, Warks	CV35 0DJ		
01926640325	Kiosk 640325, 1pco, Butlers Marston, Warwick	CV35 0NE		
01926640443	Kiosk 640443, 1pco, Church Lane, Gaydon, Warwick	CV35 0EY		
01926640524	Kiosk 640524, 1pco, Combrook, Combrook, Warwick	CV35 9HP		
01926651211	Kiosk 651211, 1pco, Newbold Pacey, Warwick	CV35 9DP		
01926651213	Kiosk 651213, 1pco, Ashorne, Warwick	CV35 9DT		
01926651254	Kiosk 0926 651254, 1pco, Brook Lane, Moreton Morrell, Warwick	CV35 9AT		
01926651280	Kiosk 651280, 1pco, Lighthorne, Warwick	CV35 0AR		
01926812211	The Doles, Priors Marston, Southam	CV47 7SS		
01926812330	Kiosk 0926 812330, 1pco, Long Itchington, Southam, Warks	CV47 9PL		
01926812384	Kiosk 0926 812384, 1pco, Mayfield Rd, Southam	CV47 0JX		

Signature:

Area: Stratford-on-Avon District

Job Title:

Please return this to:

BT Payphones, PP 05A23, Delta Point, Wellesley Road, CROYDON, CR9 2XZ
by **06 September 2008**

British Telecommunications plc
Registered Office
81 Newgate Street, London EC1A 7AJ
Registered in England no. 1800000
BT is an ISO 9001 Registered Company
www.bt.com

Stratford-on-Avon District

Telephone Number	Address	Post Code	Agree/ Object	Comments/ Responses
01926812637	Kiosk 0926 812637, 1pc, Westfield Rd, Kineton Road Industrial Estate, Southam	CV47 0JH		
01926813124	Kiosk 0926813124, 1pc, Ladbroke, Southam	CV47 2BY		
01926842225	Kiosk 0926842225, 1pc, Ford Lane, Langley, Stratford Upon Avon	CV37 0HN		

Signature:

Area: Stratford-on-Avon District

Job Title:

Please return this to:

BT Payphones, PP 05A23, Delta Point, Wellesley Road, CROYDON, CR9 2YZ
by **06 September 2008**