

Area North Committee – 24<sup>th</sup> September 2008

### 13. British Telecom Consultation on the proposal to remove payphones in Area North

*Head of Service:* Charlotte Jones, Head of Area Development (North)  
*Lead Officer:* Tim Cook, Community Development Officer (East)  
*Contact Details:* tim.cook@southsomerset.gov.uk or (01963) 435088

#### **Purpose of the Report**

For the Area Committee to consider the draft decision notice set out in Appendix A, published by South Somerset District Council, on the proposed removal of 22 public payphones in Area North by British Telecom (BT).

#### **Recommendations:**

Members are asked to:-

- (1) Comment on the draft decision to object to or support the proposed removal of a payphone as set out in Appendix A, as part of the public consultation arranged by this Council.
- (2) Note that the final decision/response be delegated to the Head of Area Development (North) in consultation with the four Area Chairmen and Leader of Council.

#### **Background**

Members will already be aware that BT (British Telecom) has proposed to remove a total of 77 payphones from locations across South Somerset.

This proposal was first received by SSSDC in April, with an end date for response of early July. However, due to problems encountered with the consultation process, and as a result of representations made by the South Somerset District Council, parish councils and the local MPs, BT agreed to re-issue its proposal. The new 90 day period for SSSDC to make a final decision runs until 12<sup>th</sup> October 2008.

#### **Report**

As part of BT's Universal Service Obligation, BT is required to provide adequate coverage of public payphones and removing individual facilities is carried out under guidance issued by Ofcom. This current programme is described by BT as a 're-alignment of payphone provision'.

The Local Authority plays a critical role in BT's re-alignment proposals, having the power to prevent a planned removal, based on criteria included within the guidance. BT has a right of appeal to the Competition Appeals Tribunal.

BT's rationale for their proposals is based on the declining use of payphones, largely due to mobile phone take-up. BT's own figures show that the number of calls made from BT payphones have halved in the last three years. 99% of UK homes now have a phone at home, and 85% have a mobile phone.

The process which the Local Authority must follow to make the decision to support or object to the planned removals includes the issue of a draft decision notice, arranging suitable local consultation and the issuing of a final decision notice to BT and the Secretary of State.

This report forms part of this process, and a copy of the draft decision notice, published on 1<sup>st</sup> September is included within Appendix A. A map showing the whole district, planned removals and existing payphones is attached as Appendix B.

Members will note that a number of local objections have been received, which fit the Ofcom criteria and accordingly, the draft decision is to object to the planned removal.

The draft decision has been compiled by the Community Development Officer (East), from comments and representations already made by Parish Councils and residents (from the first, suspended consultation process), together with consideration of local mobile phone coverage, and annual usage figures supplied by BT. In one or two cases (including Ilton and Bower Hinton) the annual calls figures are very low, and clarification has been sought from BT, to help explain why local objections have been received.

Members should be aware that the draft decision has been submitted to Parish Councils and issued to the local media. It is also available on the SSDC website ([www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)), or from the lead officer. Comments can be made up until the 3<sup>rd</sup> October 2008.

The final decision will be compiled based on any further comments received, which relate to the relevant factors set by Ofcom. These include:

- Housing type
- Number of households
- Revenue / usage
- Emergency call facilities
- Mobile phone coverage

Further details on BT's obligations with regard to the removal of payphone services and the role of the Local Authority can be found at:

[http://www.ofcom.org.uk/condocs/uso/uso\\_statement/removals.pdf](http://www.ofcom.org.uk/condocs/uso/uso_statement/removals.pdf)

**Members are asked to consider the proposed decision for each payphone, and comment on the draft decision, having regard to the factors listed above.**

Appendix A lists each payphone under review, together with annual call figures provided by BT. Due to the first round of consultation, which was suspended and restarted, and good media coverage, a number of responses have already been received. The comment 'local opposition' in Appendix A relates to the comments already received. Listed below are some examples of comments that have been received:

- The phone box would be used more if properly maintained in working order.
- Young people use the payphone to contact friends in areas where their mobile phones don't work.
- Accident blackspot – vital in an emergency.
- Has value even to a small community for walkers, runners and riders passing by.
- Many elderly residents don't have mobile phones.

It has been proposed by the Democratic Services Manager, that at the end of the public consultation period (3<sup>rd</sup> October) the final decision on each telephone box be delegated to the Head of Area Development (North) in consultation with each Area Chairman for their respective Area and Leader of Council. The Head of Area Development will then submit SSDC's decision to BT by the due date of 12<sup>th</sup> October 2008.

### **Adopt a kiosk programme**

Members may be aware of the recent opportunity promoted by BT for local authorities to 'adopt' a traditional red phone box, to retain the structure. This may be agreed with BT if a decision is made to remove the phone apparatus. Concern has been expressed (and endorsed at the recent meeting of the Area East Committee) that the process set out by BT lacks clarity. The deadline for applications to adopt a red kiosk is 1<sup>st</sup> October, which is in advance of the final decision being issued by SSDC (12<sup>th</sup> October), and any subsequent appeal by BT.

SSDC has objected to this process, and an update will be provided to the meeting.

### **Financial Implications**

None as a direct result of this report.

### **Implications for Corporate Priorities**

Maintain above 75% the people satisfied with the way the council runs the district.

Increase the 65% the people who feel engaged in and can influence the decisions that affect their communities.

### **Other Implications**

None

**Background Papers:** *Letters from BT, Ofcom guidance, consultation responses.*

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