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

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**Summary**

The Council has been notified by British Telecommunications (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 approve the Council’s final decision in response to BT’s notification.

**Recommendation**

That, subject to any changes required in response to consultation, the schedule attached as Appendix 1 be approved as the Council’s final decision in response to BT’s notification.

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**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. The notification sets out the procedure for a 90 day consultation during which the Council must consider BT’s proposals and decide whether to object or accept the removal of each payphone specified in the notification. Due to delays in the posting of notices by BT in the affected phone boxes the consultation now expires on 24 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.
1.2.2 Having regard to the OFCOM requirements the following process has been followed in response to the notification:

- Initial consultation up to July 24 – which included internal consultation with officers dealing with community services, social inclusion and conservation, consultation with parish councils, with the Joint Committees, and the local community.
- A Draft Decision (or First Notification) approved by the District Council’s Planning Portfolio Holder and published by 29 July. This was sent to Members and Parish Councils and published on the Council’s web-site with a deadline for any further comments of 29 August (see schedule attached as Appendix 1).
- A Final Decision (or Final Notification) to be approved by Executive, having regard to any representations received on the draft decision, and forwarded to BT by 24 September. As the consultation on the draft decision expires on 29 August. Executive will receive a written update to be circulated at the meeting.

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 in the area. The catchment area for a phone box 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 has 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 is the visual and heritage value of phone boxes it is a key feature in many of our villages. A number of the traditional red boxes within the District are ‘listed as being of architectural or historic importance’. None of the District’s ‘listed’ phone boxes are proposed for removal. A number of the boxes proposed for removal are however of the same traditional design, and whilst not listed, are still valued by the local community.

2.6 An assessment of the proposals is set out in the schedule attached as Appendix 1. This schedule considers each of the proposals and having regard to the representations received recommends whether to object or accept the proposed removal of each payphone. The recommendations are to object to 29 of the proposed removals and to agree to 22. As far as possible the recommendations reflect the views of Parish Councils and other respondents. In a few cases however call volumes are too low to justify retention.

2.7 As the consultation on the draft decision does not end until 29 August, any comments received will be the subject of a verbal and written update to be circulated at the Executive meeting.

3 **Members’ Comments**

3.1 Comments received from Members are set out in the schedule at Appendix 1.

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 BT’s 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 on 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 recommended responses set out in the attached schedule have been made after careful consideration of the responses received. All of the phone boxes have been visited by an officer from Planning Services, which has provided a good understanding of the location of the payphones and their value to the local communities.

6.2 The majority of the proposed removals to which there are objections relate to phone boxes which have a record of significant use e.g over 100 calls/year.

6.3 Many of the phone boxes are the original red K6 design, but none of these are listed. Whilst there is no planning control over their removal a number of parishes have requested that the box be retained even though the phone would be removed. All such requests have been forwarded to BT, and it is anticipated that this will be a matter for negotiation between BT and the Parish Council concerned.

Pat Reid
HEAD OF PLANNING SERVICES

Background papers:

*Letter and schedule from BT on proposal to re-align payphone provision to meet consumer demand.*

*OFCOM – Guidance on procedures for the removal of public payphones.*