

Title: **Consultation process on British Telecom's plans to remove 36 phone boxes in West Wiltshire**

Portfolio Holder: **Cllr Chris March**

Reporting Officer: **Diana Jones – Policy Officer**

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### **Purpose**

The purpose of this report is to explain the consultation procedure this Council must enact concerning British Telecom's (BT's) plans to remove 36 phone boxes in our district.

### **Background**

BT has written outlining its plans to remove 36 phone boxes in the district (see Appendix 1 for a list of these phone boxes). Under Ofcom rules, BT must do this before removing the only local phone box in an area (within 400 metres). Ofcom then requires the relevant council to carry out the public consultation according to a set procedure and timetable.

- As part of its Universal Service Obligation, BT is required to provide adequate coverage of public payphones, which means it must provide a reasonable number of working phone boxes where they are most needed.
- Increasing use of mobile phones has drastically reduced the number of calls made from phone boxes, which has dropped to less than half in the last three years. More than half of BT's 61,792 phone boxes no longer cover their costs.
- Ofcom research shows that over one-third of adults use phone boxes from time to time, while 7% use them regularly. They are especially important in areas where mobiles do not work and in any community where there are disadvantaged people. Phone boxes are most used by:
  - Young people
  - People on low incomes
  - People with mobiles but no home phones
  - People who have no phone at all
- In addition, BT plans to close a further six phone boxes in West Wiltshire, but does not have to consult the public about these because there is another phone box within 400 metres.

## Key Issues

The Ofcom procedure for consultation on removal of the only phone box in an area is described in its on-line booklet [Removing Public Call Boxes: a guide to the rules](#). A flow-chart from this booklet is included in Appendix 2. The procedure is covered by the Electronic Communications (Universal Service) Regulations 2003.

After putting up notices on phone boxes, BT should write to this Council initiating the 90-day consultation period, stating:

- Which call boxes it wishes to remove
- When the notice was posted on each box
- Why it is reasonable to remove the box, providing back-up information

BT first wrote to this Council on 2 April, but did not provide all the correct information, and only gave an approximate date for when notices would be put up on phone boxes. This would not have allowed time for the full consultation process.

Ofcom was contacted and legal advice sought. BT has now agreed to re-start the process, with the consultation period ending on 8 August.

The main points Members need to be aware of are that:

- BT says that notices were put up in the affected phone boxes by 4 May, giving the public six weeks to respond to the 'Chief Planning Officer' at this Council. (These responses will be forwarded to the Policy Officer dealing with this issue.) This period would finish by the latest, on 15 June.
- This Council has written to town and parish councils, Community Area Partnerships and the highways authority, to inform them of the proposed phone box removals, asking for their comments by 30 May.
- When these comments are received, this Committee will consider them at its meeting on 11 June. Any further comments received from the public by the closing date (15 June at the latest), will also need to be taken into account. This Council will then publish the **First Notice**, saying whether we agree or object to BT's plans to remove particular phone boxes and giving reasons.
- Ofcom advises that in doing so, we take into account factors such as:
  - the **type of local housing** around a phone box (whether residents are likely to have home or mobile phones) and **number of households** within 400 metres of the box (where there are few, it may be difficult to access another telephone)
  - how much it is used by passing traffic on a **busy road**, or by

bus or train passengers at a **busy terminus**

- how likely the box is to be used for **calls to emergency services** (for instance if near a known accident blackspot)
  - what the **phone box's takings** are (BT has provided the number of calls made from each over the last year and named three where 'excessive history of vandalism' has increased maintenance costs – see attached list)
  - whether there is poor or sporadic **mobile network coverage** in the area.
- Once this First Notice is published, organisations and the public will again be consulted.
  - This Council must then consider these responses and publish our second and '**Final Notice**', again giving reasons.
  - At this point, if this Council objects to any phone boxes being removed it is exercising its **local veto**, and those boxes are not then removed unless a Competition Appeals Tribunal decides they should be.

In addition, BT is to remove a further six call-boxes which are within 400 metres of an existing box. BT does **not** need to consult local people before removing these. They are:

- opposite Newtown County Junior School, Trowbridge
- outside the Post Office in Roundstone Street, Trowbridge
- in Bath Road, Bradford-on-Avon
- outside 1 Oldfield Park, Westbury
- in the forecourt of the Parish Hall, Alfred Street, Coulston
- at the junction of Highbury Park and Boreham Road, Warminster

#### **Effect on strategies and codes**

The Corporate Plan vision states that the Council's role includes being a community leader and working in partnership to achieve high quality services and improve the place in which we live and work. The removal of some BT phone boxes works against this vision.

#### **Finance and performance implications**

None

#### **Risk management implications**

If BT had not been asked to re-start the consultation process and follow it closely, this Council would not have had sufficient time to carry out the required consultations with the public and local organisations. As it is, the time-scale is tight.

The Council's role is primarily to co-ordinate public consultation on BT's plans for removing phone boxes, rather than being able to directly change the plans in West Wiltshire.

### **Legal and human rights implications**

The removal of some phone boxes could have a detrimental impact on local communities, both in terms of the loss of a community facility and in respect of safety at accident blackspots.

### **Next steps**

The officer dealing with this issue will be the Policy Officer serving the Scrutiny Committee, Diana Jones.

- Scrutiny Committee will consider comments from the public and local organisations on **11 June**. Any remaining public responses received by 15 June will also need to be taken into account.
- The First Notice will then be drawn up, published on the Council's website, sent to the required organisations, and a press release will be issued.
- Consideration of any further comments and consequent drawing up of the Final Notice would be the responsibility of the Cabinet if this is judged to be a key decision, or the portfolio holder, if not.

### **Recommendations**

The Scrutiny Committee is asked to:

- Consider the public and organisations' comments on BT's plans to remove 36 phone boxes at its meeting on 11 June, and arrive at provisional decisions to object or agree to each of the planned removals.
- Delegate to the Chair powers to amend these decisions on the basis of any further responses from the public received by the closing date. The First Notice will then be drawn up, sent to BT and the Secretary of State, and distributed and publicised as required.
- Ask the Cabinet or Portfolio Holder for Communities (depending on whether it is a key decision or not) to consider responses to the second consultation round and amend decisions as appropriate. The Final Notice will then be drawn up, distributed and publicised as required.

### **Background papers**

Removing Public Call Boxes: a guide to the rules The Plain English version is available from Ofcom's website -

[http://www.ofcom.org.uk/consult/condocs/uso/uso\\_statement/uso\\_plain\\_english/removing\\_callboxes.pdf](http://www.ofcom.org.uk/consult/condocs/uso/uso_statement/uso_plain_english/removing_callboxes.pdf)

## Appendices

Appendix 1 – Public Call Boxes BT plans to remove from West Wiltshire

Appendix 2 – The process for removing – or keeping – a public call box (phone box) Flow-chart from Ofcom booklet ‘Removing Public Call Boxes: a guide to the rules’

### Appendix 1 – Public Call Boxes BT plans to remove from West Wiltshire

Telephone Number	Address	Post Code	Calls for the past 12 months
01225 722201	Near The Post Office, Middle Stoke, <b>Limpley Stoke</b> , Bath	BA2 7GE	0
01225 752325	Outside St Quentin, Hawkeridge Rd, <b>Yarnbrook</b> , Trowbridge	BA14 6AD	0
01225 752924	Bradford Rd, <b>Trowbridge</b>	BA14 9AR	0
01225 761375	Outside No 2, Greenhill Gardens, <b>Hilperton</b> , Trowbridge	BA14 7RT	168
01225 763380	Junction of Silver St & Kingsdown Rd, <b>Trowbridge</b>	BA14 0LB	556
01225 763917	At The Crossroads, Wingfield Rd, <b>Trowbridge</b>	BA14 9EE	1
01225 782229	Opposite The Three Lions, The Street, <b>Holt</b> , Trowbridge	BA14 6QH	842
01225 782466	Centre of Village, <b>Broughton Gifford</b> , Melksham	SN12 8NR	98
01225 790691	Junction of Forest Rd, <b>Lowbourne</b> , Melksham	SN12 7DZ	8
01225 791079	Norrington Common, <b>Broughton Gifford</b> , Melksham	SN12 8LR	33
01225 791086	Outside Atworth Post Office, Bath Rd, <b>Atworth</b> , Melksham	SN12 8JT	186
01225 791102	Corsham Rd, <b>Whitley</b> , Melksham	SN12 8QD	2
01225 791657	Outside Nos 50/51, Addison Rd, <b>Melksham</b>	SN12 8DR	2
01225 791992	Longford Rd, <b>Melksham</b>	SN12 6AR	0
01225 858343	Opposite 39 Farleigh Rise, Farleigh Rise, Monkton <b>Farleigh</b> , Bradford On Avon	BA15 2QP	73

Telephone Number	Address	Post Code	Calls for the past 12 months
01225 862291	Centre of village, <b>Lower South Wraxall</b> , Bradford On Avon	BA15 2RR	17
01225 863243	<b>South Wraxall</b> , Bradford On Avon	BA15 2RL	22
01373 822377	<b>Hawkeridge</b> , Westbury	BA13 4LA	0
01373 822535	Stormore, <b>Dilton Marsh</b> , Westbury	BA13 4BH	6
01373 823285	Junction of Eden Vale Rd & Oldfield Park, <b>Westbury</b>	BA13 3LH	'Excessive history of vandalism' 1198
01373 832419	Lane End, <b>Corsley</b> , Warminster	BA12 7PE	0
01380 828208	High Street, <b>Bulkington</b> , Devizes	SN10 1SJ	0
01380 830450	Melbourne St, <b>Bratton</b> , Westbury (two boxes)	BA13 4RW	512
01380 870226	Great Hinton, <b>Trowbridge</b> , Wilts	BA14 6BS	10
01380 871042	A350 Layby Nr West Ashton, West Ashton Road, <b>West Ashton</b> , Trowbridge	BA14 6DQ	0
01985 218706	Woodcock Rd, <b>Warminster</b>	BA12 9DQ	'Excessive history of vandalism' 1261
01985 219005	Corner Wilson Sq (barracks), Imber Rd, <b>Warminster</b>	BA12 0BN	79
01985 219405	Sambourne Rd, <b>Warminster</b> , Wilts	BA12 8LF	'Excessive history of vandalism' 933
01985 840211	At The Green, <b>Tytherington</b> , Warminster	BA12 7AB	2
01985 840261	High St, <b>Heytesbury</b> , Warminster	BA12 0EA	279
01985 840346	<b>Norton Bavant</b> , Warminster	BA12 7BB	0
01985 844310	Gentle St, Horningsham, Warminster	BA12 7LD	0
01985 844416	Outside The Post Office, <b>Kingston Deverill</b> , Warminster	BA12 7HE	44
01985 850242	<b>Stockton</b> , Warminster	BA12 0SE	16
01985 850377	<b>Corton</b> , Warminster	BA12 0SZ	34
01985 850642	Outside Happy Eater, Hillside, <b>Codford</b> , Warminster	BA12 0JZ	55

**Appendix 2 - The process for removing – or keeping – a public call box**  
www.ofcom.org.uk

