

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No. 7

meeting date: THURSDAY, 12 JANUARY 2017
title: BT PAYPHONE REMOVAL CONSULTATION
submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE
principal author: JOSEPH HILDRED – PARTNERSHIPS OFFICER

1 PURPOSE

1.1 To consider the proposed removal of 50 out of the Borough's total of 60 payphones by BT and to endorse actions taken to protect the community's interests and to confirm the proposed response.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – in considering our response to BT's proposals, we are obliged by Ofcom regulations to consider the needs of our community in relation to communication. We must ensure that any of the payphones proposed for removal are not needed for communications and that residents have an alternative option before consenting to its removal. The Ribble Valley is very rural with many isolated areas. Therefore the availability of fixed line communications such as a payphone is a valuable asset.
- Corporate Priorities – the council is obliged to consult on these proposals, to ensure the needs of its communities will continue to be met.
- Other Considerations – none identified.

2 BACKGROUND

2.1 Ofcom ensures that a basic fixed line service is available at an affordable price to all citizen-customers across the UK. This is known as "Universal Service". The vast majority of the UK's payphones are operated by British Telecommunications PLC (BT). This applies to all payphones in the Ribble Valley.

2.2 Under Ofcom regulations, if BT wishes to remove a payphone, where there isn't another one within 400m, they must consult the 'Relevant Public Body', which is the District Council in a two-tier area. The District Council must then ensure through consultation that there is "adequate provision of public call boxes to meet the reasonable needs of end-users in terms of numbers, geographical coverage and quality of services". The District Council should only consent to removal if it finds it is not needed.

3 ISSUES

3.1 In line with Ofcom's "Guidance on procedures for the removal of public call boxes" the Council, as the "Relevant Public Body" is required to consult on these proposals and subsequently make a decision on whether to consent or object to these proposals on an individual payphone basis. The timeframes for consultation (set out below) are fixed by these regulations.

- 3.2 BT also provides a further option for communities to 'adopt' the phone box (without the phone and service). They will then be responsible for the maintenance of the box. A number of parishes have opted to pursue this where the traditional red "K6" boxes are in situ. Details are included in the notification schedule.
- 3.3 The Council is required to initially consult for a minimum period of 42 days from receipt of BT's notice regarding proposed payphone removal. This consultation ran from 14/10/16 when a letter was circulated to all parish councils for consideration. A report was also taken to Parish Council Liaison Committee on 27/10/16. Members of this committee held an extensive debate and were subsequently invited to form a task group to support the Council in responding to BT's proposals.
- 3.4 Following the end of this consultation period on 30/11/16, the task group met at the earliest opportunity and helped formulate a draft decision on whether to consent to, object to or adopt each individual payphone. This task group was made up of individuals invited from each parish council. The group considered relevant information, including responses to the Council's initial consultation, mobile phone signal, rural isolation, mobile phone signal, immediate population levels, distance to an alternative payphone, usage data (provided by BT) and whether the payphone was operational.
- 3.5 To meet the requirements of the regulations within the timeframes, the Chief Executive submitted a draft decision to the Secretary of State on 13/12/16, to protect the interests of the Council. This draft decision is subject to a further consultation period of one month (ending at 12pm 13/01/17). Copies of the notice has been published on the Council's website and in the local press. The deadline for the notification of the final decision is 14/01/17.
- 3.6 A copy of the draft decision is available via the link in the Background Papers section below, which includes the schedule of phone boxes and the proposed response for each.

4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications:
- Resources – Officer time has been spent on preparing data in order for an informed decision to be made on whether to accept BT's proposals. Following the completion of this project, there will be no further impact on resources.
 - Technical, Environmental and Legal – Some phone boxes in the borough are in a poor state and could be considered a risk to health. Following completion of this project, payphones that are retained will be reported to BT if they are in a poor state/not working to ensure they are brought to an acceptable standard.
 - Political – It is the Council's obligation to ensure "adequate provision of public call boxes to meet the reasonable needs of end-users in terms of numbers, geographical coverage and quality of services".
 - Reputation – It is a statutory requirement for the Council to consult with the public on BT's proposals.
 - Equality and Diversity – We are required to ensure all communities have reasonable access to payphone services where required.

5 RECOMMENDED THAT COMMITTEE

- 5.1 Endorse the action taken by the Chief Executive, to protect the Council's interests and agree the proposals made in the 'First notification'.
- 5.2 Subject to the receipt of any further consultation responses instruct the Chief Executive in consultation with the Chair of this Committee to submit a final notification in accordance with the regulations.

JOSEPH HILDRED
PARTNERSHIPS OFFICER

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

First notification (draft decision) submitted to the Secretary of State on 13/12/16.

https://www.ribblevalley.gov.uk/download/downloads/id/10909/notification_under_section_49_4_of_the_communications_act_2003.pdf

Ofcom "Guidance on procedures for the removal of public call boxes"

https://www.ofcom.org.uk/data/assets/pdf_file/0022/28507/removals.pdf