

Committee Name and Date of Committee Meeting

Cabinet – 20 September 2021

Report Title

Proposal by BT to permanently remove 18 public phone boxes throughout the borough

Is this a Key Decision and has it been included on the Forward Plan?

No, but it has been included on the Forward Plan

Strategic Director Approving Submission of the Report

Paul Woodcock, Strategic Director of Regeneration and Environment

Report Author(s)

Rachel Overfield, Planning Officer

01709 254746 or rachel.overfield@rotherham.gov.uk

Ward(s) Affected

Boston Castle Ward

Greasbrough Ward

Maltby East Ward

Rawmarsh East Ward

Rotherham West

Swinton Rockingham Ward

Wales Ward

Wath Ward

Report Summary

BT proposed to close 18 pay phones around the borough. Upon Council consent to the removal of the telephony service, BT would remove the phone equipment and the phone service would cease.

Ofcom guidance on the removal of public phone boxes required a final decision on phone removal to be made by the Council (this is set out in the Final Notification at Appendix 4) and the Secretary of State to be notified. Following assessment, and having regard to consultation comments, it was decided to:

- Support telephony service closure and the removal of 9 of the 18 payphones.
- Apply the local veto to 9 of the 18 payphones, which BT are required to keep these in use.

Recommendation

1. That Cabinet note the decision consenting to the closure and removal of 9 BT phone boxes, but to retain 9 BT phone boxes under the local veto.

List of Appendices Included

Appendix 1 Equality Part A – Screening
Appendix 2 Equality Part B – Analysis
Appendix 3 Carbon Impact Assessment
Appendix 4 Final Notification and Schedule

Background Papers

Officer Delegated Decision Report

<http://modgov-p-db/ieDecisionDetails.aspx?ID=1195>

Communications Act 2003

<http://www.legislation.gov.uk/ukpga/2003/21/contents>

Guidance on procedures for the removal of public call boxes

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

Consideration by any other Council Committee, Scrutiny or Advisory Panel

N/A

Council Approval Required

No

Exempt from the Press and Public

No

Proposal by BT to permanently remove 18 public phone boxes throughout the borough

1. Background

- 1.1 BT notified the Council of their proposal to close the telephony service and remove the kiosk at 18 public phone boxes throughout the borough. Following public consultation in line with Ofcom requirements, a final decision was taken to consent to BT's proposal to close the telephony service and remove 9 phone boxes and apply the local veto to 9 phone boxes, whereby BT are required to keep these pay phones in use.

2. Key Issues

- 2.1 That the contents of the report are noted.

3. Options considered and recommended proposal

- 3.1 Due to the constraints of the statutory consultation procedure, the process of responding to the proposal by BT to close the telephone services at 18 public phone boxes throughout the borough has now been completed.

4. Consultation on proposal

- 4.1 In line with Ofcom guidance the Council has consulted on the proposals by BT. A first public consultation was carried out from 30 April to 19 May 2021, prior to a draft decision being made. A second public consultation was carried out from 28 May to 28 June 2021. Notifications of the public consultation were sent to BT, relevant Ward Members, the local MPs, the emergency services, and the Council's Neighbourhoods Team. Consultations were carried out through the Council's website.
- 4.2 In the first consultation period, six comments were received regarding three payphones as follows:
- Ward Member and two public objections to the closure of the phone box at the junction of High Street and Muglet Lane, Maltby
 - Ward Member and one public objection to the closure of the phone box outside Nature World High Street, Maltby
 - One public response supported closure of the phone box at the junction of Norrels Croft and Broom Valley Road, Rotherham
- 4.3 No responses through the Council's website were received in the second consultation. The Keppel and Greasbrough Wards Neighbourhood Coordinator reported a meeting on 10 June 2021 between Ward Members and the South Yorkshire Police. At this meeting support was given to closure of three payphones (due to drug related activity) located at:
- The junction of Lapwater Road and Ochre Dike Walk

- The junction of Robinets Road and Wingfield Road
- The junction of Ochre Dyke Walk

4.4 The final decision was taken by the Assistant Director – Planning, Regeneration and Transport, under the Council’s Scheme of Delegation. The schedule showing the decision on each of the 18 phone boxes proposed for removal by BT is included at Appendix 4 and summarised below. BT and the Secretary of State were informed of the Council’s decision within the 90 day deadline.

4.5

	Telephone Number	Location	Decision (Agree/Object/Adopt)	Reasons
1	01709812838	JCN HIGH STREET PCO1 MUGLET LANE MALTBY ROTHERHAM	Object – phone box retained	52 or more calls in 12 months, area of highways injury incident concern, Ward Member and two public objections
2	01709815052	O/S NATUREWORLD PCO1 HIGH STREET MALTBY ROTHERHAM	Object – phone box retained	52 or more calls in 12 months, area of highways injury incident concern, Ward Member and one public objection
3	01909770313	JCN UNION STREET PCO1 WOODALL LANE HARTHILL SHEFFIELD	Agree – phone box removed	No objection was raised
4	01909770316	JCN ALMOND TREE ROAD PCO1 SCHOOL ROAD WALES SHEFFIELD	Agree – phone box removed	No objection was raised
5	01709365460	PCO PCO1 SHEFFIELD ROAD ROTHERHAM	Agree – phone box removed	No objection was raised
6	01709372150	JCN NORRELS CROFT PCO1 BROOM VALLEY ROAD ROTHERHAM	Object – phone box retained	52 or more calls in 12 months although one public response supported closure

7	01709700841	JCN BRECKS LANE PCO1 WICKERSLEY ROAD ROTHERHAM	Agree – phone box removed	No objection was raised.
8	01709560001	JCN CHURCH ST PCO1 MEADOWHALL ROAD ROTHERHAM	Object – phone box retained	52 or more calls in 12 months
9	01709560080	OPP JCN DROPPINGWELL RD PCO1 UPPER WORTLEY ROAD ROTHERHAM	Object – phone box retained	52 or more calls in 12 months
10	01709551308	NR JCN LAPWATER RD PCO1 OCHRE DIKE WALK ROTHERHAM	Agree – phone box removed	Although 52 or more calls in 12 months, Ward Members and the Police supported removal on grounds of anti-social behaviour
11	01709551178	JCN ROBINETS RD PCO1 WINGFIELD ROAD ROTHERHAM	Agree – phone box removed	Although 52 or more calls in 12 months, Ward Members and the Police supported removal on grounds of anti-social behaviour
12	01709551402	NR JCN OCHRE DYKE WALK PCO1 GOODWIN WAY ROTHERHAM	Agree – phone box removed	Although 52 or more calls in 12 months, Ward Members and the Police supported removal on grounds of anti-social behaviour
13	01709522682	JCN GREASBROUGH RD PCO1 BROAD STREET PARKGATE ROTHERHAM	Object – phone box retained	52 or more calls in 12 months
14	01709522608	JCN	Agree – phone box	No objection

		WILLOWGARTH PCO1 CLAYPIT LANE RAWMARSH ROTHERHAM	removed	was raised
15	01709872077	JCN QUARRY HILL RD PCO1 WATH WOOD ROAD WATH-UPON- DEARNE ROTHERHAM	Object – phone box retained	52 or more calls in 12 months
16	01709872471	JCN CEMETERY RD PCO1 GRANGE ROAD WATH- UPON-DEARNE ROTHERHAM	Agree – phone box removed	No objection was raised
17	01709875028	O/S NO 10 PCO1 SANDYGATE WATH-UPON- DEARNE ROTHERHAM	Object – phone box retained	52 or more calls in 12 months
18	01709583455	JCN QUEEN ST PCO1 BOWER ROAD SWINTON MEXBOROUGH	Object – phone box retained	52 or more calls in 12 months

5. Timetable and Accountability for Implementing this Decision

- 5.1 Ofcom guidance advises on the role of the local planning authority in objecting or consenting to public phone box removal within a time frame of 90 days of the initial notice being received. The table below sets out the key dates relating to this process.

Receipt of notice from BT	07 April 2021
First consultation	30 April to 19 May 2021
Consultation on First Notification	28 May to 28 June 2021
Decision by Assistant Director on Final Notification	2 July 2021
Response to BT and Secretary of State	5 July 2021

6. Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)

- 6.1 The consultation and associated administration costs of the public phone box removal proposals have been met within existing approved revenue budgets. Should an inspection identify any safety concerns following the phone box removal, then the Council will serve a notice on BT to make good any reinstatement and recover costs.

6.2 Procurement are satisfied with the approach set out. Any chargeable goods or services required by the Council should be sought in accordance with section 52 of the Financial and Procurement Procedure Rules.

7. Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)

7.1 The process set out in this report, and which has been followed in respect of these proposed public phone box removals is compliant with the Communications Act 2003 as required, as well as the relevant guidance issued by Ofcom.

8. Human Resources Advice and Implications

8.1 There are no human resources implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

9.1 Not everyone has their own landline or mobile phone and therefore internal criteria has been used to consider this request for phone box removal.

10. Equalities and Human Rights Advice and Implications

10.1 Equalities screening and analysis forms have been completed and included as appendices.

11. Implications for CO₂ Emissions and Climate Change

11.1 Climate change poses a significant threat to environments, individuals, communities, and economies on local, national, and international scales. In recognition of this the Council has aimed to be net carbon neutral as an organisation by 2030, and for Rotherham as a whole to achieve the same position by 2040.

11.2 The final decision regarding the proposal by BT is to consent to the removal of 9 of the pay phones and therefore these phone box emissions will cease. There is also potentially a very slight reduction in transport emissions from BT operations, as the phone box will no longer need to be maintained by BT. It is unknown if pay phone users will now travel to alternative public pay phones owned by BT or use other private phones to make their calls.

11.3 The final decision regarding the proposal by BT is to retain 9 of the pay phones. BT advise that their public phone boxes are supplied by 100%, REGO certified, renewable electricity. However, there are carbon emissions related to the transmission and distribution of that electricity. As a result, one public phone box will emit, annually, 5kg of CO₂. However, if this phone service was not provided other phones may be needed and all telephone systems and infrastructure have a carbon footprint (including landlines, mobile phones and public phone boxes). Overall, the decision on the

proposal by BT to permanently remove 18 public phone boxes throughout the borough is not considered to have a significant effect on the Council's carbon reduction ambitions. A Carbon Impact Assessment has been completed and attached as an appendix.

12. Implications for Partners

- 12.1 Relevant services were consulted on the proposed phone box closures and no implications for partners or other directorates were identified.

13. Risks and Mitigation

- 13.1 There may be residents who have limited access to mobile phones and land line connections, particularly those on low incomes and elderly people. The criteria set out in the Communications Act 2003 and the Council's locally derived criteria have been used to assess the proposed phone box removal and mitigate any risks.

14. Accountable Officers

Simon Moss, Assistant Director – Planning, Regeneration and Transport

Approvals obtained on behalf of Statutory Officers:-

	Named Officer	Date
Chief Executive	Sharon Kemp	03/09/21
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	16/08/21
Head of Legal Services (Monitoring Officer)	Stuart Fletcher	20/08/21

Report Author: Rachel Overfield, Planning Officer
01709 254746 or rachel.overfield@rotherham.gov.uk

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