

Committee Name and Date of Committee Meeting

Cabinet – 20 June 2022

Report Title

BT proposal to permanently remove the public phone box at the junction of Wensleydale and Teesdale Road, Rotherham

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

No, but it has been included on the Forward Plan

Director Approving Submission of the Report

Paul Woodcock, Strategic Director of Regeneration and Environment

Report Author(s)

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Ward Affected

Greasbrough

Report Summary

BT notified the Council of the proposal to close the telephony service and remove the kiosk at the junction of Wensleydale and Teesdale Road, Rotherham, S61 4BA. Following public consultation in line with Ofcom requirements, a delegated decision was taken to apply the local veto to the phone box, whereby BT are required to keep this payphone in use.

Recommendations

1. That Cabinet notes the decision to retain the BT public phone box at the junction of Wensleydale and Teesdale Road, Rotherham under the local veto.

List of Appendices Included

Appendix 1 Final Notification and Schedule
Appendix 2 Legislative information and procedures
Appendix 3 Equality Screening
Appendix 4 Equality Analysis
Appendix 5 Carbon Impact Assessment form

Background Papers

Ofcom guidance on procedures for the removal of public phone boxes (including required consultation requirements):

<http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/removals.pdf>

[Officer Decision - \(R&E\) Proposal by BT to permanently remove the public phone box at the junction of Wensleydale and Teesdale Road, Rotherham, S61 4BA - Rotherham Council](#)

Consideration by any other Council Committee, Scrutiny or Advisory Panel
No

Council Approval Required
No

Exempt from the Press and Public
No

BT proposal to permanently remove the public phone box at the junction of Wensleydale and Teesdale Road, Rotherham

1. Background

- 1.1 BT notified the Council of the proposal to close the payphone in a letter dated 9 November 2021. BT reports the phone has been the subject of extensive vandalism.
- 1.2 Following public consultation in line with Ofcom requirements, a final decision was taken to object to BT's proposal, and apply the local veto to the phone box, whereby BT are required to keep the pay phone 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 service at this location has now been completed.

4. Consultation on proposal

- 4.1 The Council has consulted on the proposals by BT in line with Ofcom guidance. A first public consultation was carried out from 10 December 2021 to 5 January 2022, prior to a draft decision being made. A second public consultation was carried out from 14 January to 14 February 2022. Notifications of the public consultation were sent to BT, relevant ward members, Sarah Champion MP, the emergency services, and the Council's Neighbourhoods Team.
- 4.2 Consultations were carried out through the Council's website and press notices published. In the first consultation period, no comments were received regarding the payphone closure. In the second consultation a response was received that the Ward Councillors, Local Policing Team and Housing Officers for the area considered that the phone box could be removed. However, having regard to the consultation comments received and Ofcom's proposal for stronger protection of public phone boxes, it was recommended that the Council object to the removal of the telephony service, as it met the criteria for retention. This was due to the amount of usage the phone box received in the past 52 weeks being above the threshold for retention in the Council's local criteria.
- 4.3 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 is included at Appendix 1. BT and the Secretary of State were informed of the Council's decision within the extended deadline of 28 February 2022.

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. An extension of the period to respond to BT was obtained until 28 February 2022. The table below sets out the key dates relating to this process.

Receipt of notice from BT	14 November 2021
First consultation	10 December 2021 to 5 January 2022
Consultation on First Notification	14 January to 14 February 2022
Decision by Assistant Director on Final Notification	21 February 2022
Deadline for response to BT and Secretary of State	28 February 2022

6. Financial and Procurement Advice and Implications

6.1 Procurement are satisfied with the approach set out. Any chargeable goods or services required by the Council should be sought in accordance with Section 58 – Normal Procedure of the Financial and Procurement Procedure Rules.

6.2 There are no financial implications arising from this report. All costs associated with the consultation will be contained within the revenue budget for this Service.

7. Legal Advice and Implications

7.1 The legislative and procedural requirements in respect of this process are set out in the body of and the appendices to the report.

8. Human Resources Advice and Implications

8.1 No HR 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 the Council's local criteria have been used to assess this request for 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 retain the pay phone. BT advises 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 the public phone box 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 No implications have been 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. Limited access to call boxes for emergency purposes could jeopardise a timely response to an emergency situation. The public consultation carried out enables comments from stakeholders, and the Council to veto removal where appropriate, to mitigate these risks.

14. Accountable Officers

Simon Moss, Assistant Director Regeneration and Transport

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp	06/06/22
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	25/05/22
Assistant Director of Legal Services (Monitoring Officer)	Phil Horsfield	31/05/22

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