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| **Council Meeting** |  A black and white drawing of a building with a tower  Description automatically generated with low confidence  Market Drayton Town Council |
| **Agenda Item: 11.C BT Consultation n Plans to Remove Payphones** |
| **Date: 19 October 2023** |
| **Appendix : CO87** |

**BT consultation on plans to remove 19 payphones in Shropshire: views sought**

Shropshire Council is seeking feedback from parish councils, town councils, other interested bodies and the public, in its capacity as the Relevant Public Body, with regard to proposed removals by BT of 19 public call boxes (PCBs) payphones in the county. These payphones are a mix of traditional style red K6 kiosks and modern style KX100 kiosks.

The proposal is to remove the following three payphones from Market Drayton.

* Dalelands Estate, Clifford Road Market Drayton
* Shropshire Street Market Drayton
* Fairfields Road Market Drayton

The council no longer has the power of veto over removals, following changes made by Ofcom to the Universal Service Obligation placed upon BT and KCOM, which came into effect in June 2022. Ofcom have instead replaced the local veto with a set of criteria to assess reasonable user needs prior to the removal of a ‘last at a site’ PCB.

The Ofcom criteria sets out to protect last at a site PCBs where:-

* they do not have coverage from all four mobile network providers; or
* they are located in an area with a high frequency of accidents or suicides; or
* they have made 52 or more calls over the past 12 months (ie the equivalent of one call per week); or
* there is other evidence of a reasonable need for the PCB.

Feedback is invited via email to the named officer contact – lois.dale@shropshire.gov.uk – by 4pm on Monday 30 October 2023. This will allow officers time to collate the feedback before issuing draft views in each case week beginning Monday 6 November, allowing a final check through before collated views on all 19 are submitted to BT by Tuesday 28 November.

Parish councils and town councils who would like to take the opportunity to look into adoption of any other PCBs are also invited to make contact. Please note that PCB adoption cannot be made by individuals, and cannot take place if the criteria for removal is not met. For example, BT records may indicate that mobile phone coverage is not sufficient at a site, or that the PCB in question is the one that they have decided should remain as “last at a site”. Ofcom advises that “A site is defined as 400 metre walking distance from the next nearest PCB.”

**Further information**

Ofcom has stated that it acknowledges that they received comments during consultation raising concerns about either too many, or too few, PCBs being removed but, overall, consider that their approach strikes an appropriate balance. In particular, the new criteria set out to ensure that PCBs that are still needed are retained to provide a safety net for those who rely on them, whilst also ensuring that PCBs that are not needed can be removed through a transparent and consistent process.

Where Shropshire Council does not hear back from a local community, we will consider all factors in the light of the revised Ofcom guidance. Whilst we no longer have the power of veto, we will act on behalf of our communities and their diverse needs in order to seek to ensure that, where we consider a case could or should be made for a kiosk to be retained, we will present our evidence accordingly. This is in no small part due to our situation as a large, rural, and sparsely populated county, with an ageing population, scattered locations of services and amenities, and mobile phone coverage issues for residents and visitors alike.

If BT and KCOM consider that a last at a site PCB is not protected by the criteria and they wish to remove that PCB, they must consult with the relevant public body for a period of 90 days by: – providing a written notice to the relevant public body setting out all the relevant evidence as against the criteria; and – publishing a prominent notice on the PCB with details of the consultation process.

Following the conclusion of the consultation process, BT or KCOM must notify the relevant public body of its decision, setting out written reasons for the decision, including how it has taken account of any submissions received. This decision must be published on BT or KCOM’s website at the same time as being notified to the public body.

The relevant public body has 21 days in which to request that BT or KCOM undertake a review of any removal decision. BT and KCOM must assess the merits of such requests and, when undertaking a review, must ensure it is carried out by a senior person who was not connected with the initial decision, and the outcome must be notified to the relevant public body as well as published on BT or KCOM’s website.

BT and KCOM can only remove a last at a site PCB after either: (a) the period for requesting a review has expired; or (b) where a review has been requested, once they have published the outcome of that review.

Ofcom carried out the consultation in November 2021 around proposed changes to the universal service obligation placed upon BT and KCOM. Shropshire Council was one of the 25 respondents to this consultation. The council has since sought to articulate our ongoing concerns that the changes may have negative consequences for our communities who live here and for those who visit here and work here.

This included concerns that the definition of a last at a site PCB did not account for other potential local factors such as geography and access to facilities.

**To consider**

* the proposal to remove 3 telephone boxes in Market Drayton