



13 November 2023

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CABINET MEMBER FOR COMMUNITIES AND PUBLIC SAFETY DECISION MEETING

A Cabinet Member for Communities and Public Safety Decision Meeting will be held at Council Chamber - Trinity Road on **Thursday, 30 November 2023 at 10.00 am.**

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Committee Administrator know prior to the date of the meeting.

AGENDA

Decision Meeting Protocol

The Cabinet Member Decision protocol within the Council's Constitution covers the processes for the decisions that are taken.

1. **Declarations of Interest**

To note any declarations from the Cabinet Member or Officers present.

2. **Response to British Telecommunications Ltd consultation on the removal of telephony from a telephone box in Stow-on-the-Wold (Pages 5 - 16)**

Purpose

To determine the Council's response to a consultation led by British Telecommunications Ltd into the removal of telephony from a telephone kiosk in Stow-on-the-Wold.

Recommendations

That the Cabinet Member for Communities and Public Safety resolves to:

- 1) Consider the response from Stow-on-the-Wold Town Council, and,
- 2) Agree the Council's proposed consultation response outlined in paragraph 4.1

Reporting Officer: Joseph Walker (joseph.walker@cotswold.gov.uk)

DATE OF DECISION: NO EARLIER THAN 30 NOVEMBER 2023

DEADLINE FOR COMMENTS: NOON ON 29 NOVEMBER 2023

Note: Any comments on an item need to be sent (preferably by e-mail) to the Reporting Officer, copied to Democratic Services, by the deadline identified.

Any comments received will be reported to the Decision-Maker prior to the decision(s) being taken.

(END)

Cabinet Member Decision Meeting Protocol

Prior to the decision date

Agenda and report to be published 5 clear working days prior to the decision specifying the time and place and the name of the Cabinet Member.

Agenda to include declarations of interest

Cabinet Member decisions will be included on the Cabinet Work Plan for completeness where time allows.

Any Member who wishes to comment on an item is requested to send those comments (preferably by e-mail) to the Reporting Officer, copied to Democratic Services, by 1 working day before the meeting takes place

Decision Making Proceedings

1. Cabinet Member introduction

Welcome to the public and introducing participants

Confirmation of comments received by the officer or by Democratic Services (if any have been received)

2. Officer overview of the report

Officer to provide a short verbal summary of the report with key details relating to the decision

Providing any updates that need to be considered by the Cabinet Member when taking the decision.

3. Public Questions

The Cabinet Member may invite public contributions or representations verbally at the meeting from members of the public present. Questions must relate directly to the decision. If a question is asked which in the view of the Cabinet Member is not relevant to the decision the member of the public will be advised where to direct their question.

4. Cabinet Member Questions

Cabinet Member to ask for any clarifications regarding the report and the decision which is required, including any alternative options which might be considered.

5. Decision

The Cabinet Member will verbally confirm the decision stating whether they accept the recommendations of the officer, whether they decide to take a different decision contrary to the officer's recommendation, or whether to refer the decision to a meeting of Cabinet.

The Cabinet Member then must inform the Democratic Services officer present of the reason for the decision which will be formally recorded on the decision notice.

Meeting is then closed and webcasting is shut off

After the meeting

A draft decision notice is sent by Democratic Services to the Overview and Scrutiny Committee to allow 5 clear working days for 'call-in' of the decision.

If the decision is not called-in to the next Overview and Scrutiny Committee, the decision is then implemented on the next working day.

If the decision is called-in it will be referred to the next meeting of the relevant Overview and Scrutiny Committee.

Agenda Item 2



COTSWOLD
DISTRICT COUNCIL

Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	CABINET MEMBER FOR COMMUNITIES AND PUBLIC SAFETY DECISION MEETING
Subject	Response to British Telecommunications Ltd consultation on the removal of telephony from a telephone box in Stow-on-the-Wold
Wards affected	Stow
Accountable member	Lisa Spivey, Cabinet Member for Communities and Public Safety Email: lisa.spivey@cotswold.gov.uk
Accountable officer	Andy Barge, Assistant Director, Communities Email: Democratic@Cotswold.gov.uk
Report author	Joseph Walker, Community Partnerships Officer Email: joseph.walker@cotswold.gov.uk
Summary/Purpose	To determine the Council's response to a consultation led by British Telecommunications Ltd into the removal of telephony from a telephone kiosk in Stow-on-the-Wold.
Annexes	Annex A A1: Letter from British Telecommunications Ltd A2: Copy of the site notice Annex B. Correspondence from Stow-on-the-Wold Town Council

Recommendation(s)	That the Cabinet Member for Communities and Public Safety resolves to: <ol style="list-style-type: none"> 1. Consider the response from Stow-on-the-Wold Town Council, and, 2. Agree the Council's proposed consultation response outlined in paragraph 4.1
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Corporate priorities	<ul style="list-style-type: none"> ● Support health and wellbeing
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Key Decision	NO
Exempt	NO
Consultees/ Consultation	The matter in hand is a consultation, run by British Telecommunications Ltd, in line with OFCOM regulations. The Council is a statutory consultee, which is expected to consider local comments in coming to its formal position. The general public, in the form of users of the telephone kiosk, have had opportunity to make representations, as has Stow-on-the-Wold Town Council, and the local Ward Member.



I. EXECUTIVE SUMMARY

I.1 The purpose of this report is to agree a consultation response to a consultation by British Telecommunications Ltd ('BT') into the removal of telephony from a telephone kiosk in Stow-on-the-Wold, and subsequent adoption by the Battlefields Trust.

I. BACKGROUND

On 11 September 2023, the Council was notified by BT that it was launching a consultation into the decommissioning of a telephone kiosk in Stow-on-the-Wold, in response to a request from the Battlefields Trust to adopt the kiosk. Adoption is a process whereby a community group takes on ownership of the kiosk, and the telephony is removed. The notification is attached at Annex A1.

- I.1 The telephone kiosk is on the Fosseyway, at the junction with the A424. It is grade II listed and adjacent to another listed structure, the drinking fountain and horse trough. It should be noted that being listed does not prevent adoption, as the kiosk itself would be preserved in situ. Moreover, the listed status is unlikely to prevent carefully considered alternative uses.
- I.2 The industry regulator for telecommunications, OFCOM, has set a process to be followed for the removal of telephone kiosks, whereby the Local Planning Authority must be consulted - although this is not formally a Development Management issue. In turn, the Local Planning Authority's position must be informed by representations received. The site notice, posted in the affected kiosk, is attached at Annex A2. The Local Planning Authority has a power of veto, where it has reasons to object.

2. MAIN POINTS

- 2.1 The Council notified Stow-on-the-Wold Town Council (STC) upon receipt of BT's letter, in line with the OFCOM process. STC submitted a response on 25th October, attached at Annex B.
- 2.2 STC's response objects to the removal of telephony and adoption by the Battlefields Trust. The response clearly states the grounds for this objection, based on usage data supplied by BT, and local knowledge.
 - Stow on the Wold has significant and increasing numbers of residents and visitors in older age groups who are less likely to use mobile phones
 - There is no other public call box within 400m of this one. The nearest is approximately 600m away on Sheep Street
 - The telephone box is at the junction of three main roads where several traffic accidents have happened recently



- 2.3** BT's own figures state that 50 calls have been made from the telephone kiosk in the last twelve months. While this does not exclude removal, the Council's review of other kiosks in the past indicates that by recent standards for Cotswold District, that is high, and can stand testament to some need or appetite to use the facility.
- 2.4** Social need, access to alternative facilities and matters of public safety are all factors that the Council is expected to consider in reaching a position and are the factors the STC has addressed in its response. The Council's approach to date has been to seek to support the position of town and parish councils in these matters, where there are grounds to do so. On this basis, the Council has grounds to object to the adoption.
- 2.5** Although the matter in hand is solely the removal of telephony from, and adoption of, the telephone kiosk located adjacent to the Fosseyway, it may be worth noting that STC's response suggests that the Battlefields Trust may wish to consider the adoption of an alternative kiosk in the town, which STC believe could offer the same opportunity, and address the issues detailed in their objection.

3. ALTERNATIVE OPTIONS

- 3.1** The Council is not obliged to respond, but no response would be taken as agreement to the proposal.
- 3.2** The Council could agree with the removal of telephony, and the adoption of the telephone kiosk, as regulatory requirements have been met. However, such an action would not align with local views, as expressed by STC.

4. CONCLUSIONS

- 4.1** The Council's response to consultation should reflect the position articulated by STC, and object to the proposed adoption.

5. FINANCIAL IMPLICATIONS

- 5.1** There are no known financial implications. The outcome of objecting to the adoption would be the continuation of the current situation, where BT remains owner of the telephone kiosk. Agreeing to the proposal would see a transfer in ownership of the kiosk from BT to a third party, the Battlefields Trust.

6. LEGAL IMPLICATIONS

- 6.1** There are no known legal implications. The outcome of objecting to the adoption would be the continuation of the current situation, where BT remains owner of the telephone kiosk. Agreeing to the proposal would see a transfer in ownership of the kiosk from BT to a third party, the Battlefields Trust



7. RISK ASSESSMENT

- 7.1** There are no significant risks. The outcome of objecting to the adoption would be the continuation of the current situation, where BT remains owner of the telephone kiosk. Agreeing to the proposal would see a transfer in ownership of the kiosk from BT to a third party, the Battlefields Trust. There would be a minor diminishment in fixed line telephony access in the immediate locality, but it would meet the legal requirements on BT as the service provider.

8. EQUALITIES IMPACT

- 8.1** This decision does not affect the delivery of Council services. The impact would be to the ability of BT, or a subsequent owner, to provide access to people with protected characteristics. Objecting to the adoption maintains the status quo - K6 telephone boxes can present access challenges, with heavy doors and limited interior space, but retaining a kiosk would maintain access to a telephony service that would be lost in the event of an adoption.

8.2 CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 8.3** None identified.

9. BACKGROUND PAPERS

- 9.1** None

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FAO: Jennifer Taylor Community Partnerships Manager
Leisure & Communities
Cotswold District Council
Trinity Road
Cirencester
Gloucestershire GL7 1PX

11th September 2023

TIME SENSITIVE DOCUMENT – REPLY REQUIRED

Our reference: - PB/23/211/SS

REMOVAL OF PUBLIC PAYPHONE SERVICE:

A Parish Council in your area wants to adopt a phone box. You can make representations for 90 days, which ends on **11th December 2023**

Dear Jennifer

Battlefield Trust Registered Charity are interested in taking ownership of the Fosseyway, Stow on the Wold, Cheltenham GL54 1DW (01451 830307) phone box under our **Adopt a Kiosk** scheme.

Before the registered charity can adopt the kiosk Ofcom obliges us to assess whether we may remove the payphone. We've followed the criteria in Ofcom's [Review of the telephony universal service obligation](#), which has shown that we can permanently remove the payphone and that the adoption of the kiosk can go ahead.

We've put up a notice in the kiosk telling people about this plan, please see associated notice. You can find out more about **Adopt a Kiosk** at bt.com/adopt

You can make representations in the next 90 days until 11th December 2023

We'll take account of representations you make about our plans when we're making our final decision. We'll also – on request - write to with you the reasons for our decision (we'll also publish the reasons on www.bt.com/payphones/service).

If you've got any questions or want to make representations, please email us at btpcf@bt.com

Kind regards



The BT Payphones Team

1 Braham Street, London, E1 8EE

Registered in England: No 1800000

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Date of this notice

15th September 2023



IMPORTANT NOTICE

Public Telephone Kiosk 01451 830307

**Battlefield Trust Registered Charity has requested
To adopt this telephone box. We are therefore
proposing to remove Payphone
service at this location.**

You can find out more about Adopt a Kiosk at bt.com/adopt

If you have any comments about this, please contact
the planning department at
Cotswold District Council
within 42 days from
the date of this notice, quoting
telephone number of this payphone

Where's the nearest alternative payphone?

Call us on 0800 661 610 or email btpcfo@bt.com

BT Payphones

Postal address:

**1 Braham Street, London, E1 8EE
Registered in England: No 1800000**

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Stow-on-the-Wold Town Council



Stow Youth Centre, Fosseyway,
Stow on the Wold, Gloucestershire GL54 1DW

Telephone: 01451 832 585
Email: info@stowonthewold-tc.gov.uk
Website: www.stowonthewold-tc.gov.uk

Town Clerk & RFO: Claire Evans

25 October 2023

Joseph Walker
Community Partnership Officer
Planning Department
Cotswold District Council

By email: joseph.walker@cotswold.gov.uk

Dear Joseph

British Telecommunications Consultation on the adoption of the BT telephone kiosk on the Fosseyway, Stow on the Wold

Council is writing to formally express its opposition to the proposed decommissioning of the public telephone box at the Fountain Junction in Stow on the Wold and its adoption by the Battlefield Trust to use as mini museum of the Civil War.

According to the latest statistics from BT, this telephone box is being regularly used by residents and visitors who need to make urgent or emergency calls or do not have access to mobile phones. The number of calls in the previous 12 months was 50.

Council notes that telephone boxes with fewer than 52 calls in 12 months are generally able to be decommissioned. However Council believes that several factors make this location exceptional and justify retaining the telephone box, and asks that the following be taken into account:

- Stow on the Wold has significant and increasing numbers of residents and visitors in older age groups who are less likely to use mobile phones.
- There is no other public telephone box within 400m of this one. The nearest is approximately 600m away on Sheep Street.
- The telephone box is by a junction of three main roads where several traffic accidents have occurred recently.

Removing this phone box would deprive residents, visitors and other members of the public of a vital service and potentially endanger their safety.

Council appreciates the cultural and educational value of creating a mini museum of the Civil War, and supports the idea of preserving and showcasing our local history.

Council believes there is another telephone box in the town that could be more suitable for this purpose. There is a telephone box on Park Street outside The Bell Inn. This would be more suitable because it is located close to another telephone box across the road on Sheep Street so it would not affect the availability of public telephones in the area, and secondly it is close to the Mangersbury Road car park and therefore on the town's visitor route. It would also be in a nicer environment next to the Bell Green as opposed to the busy road junction where the proposed box is located.

Council would like to suggest that the Park Street telephone box be considered as an alternative location for the museum project.

We hope that the Town Council's views will be taken into account by Cotswold District Council and BT.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Claire Evans', written in a cursive style.

Claire Evans
Town Clerk and RFO