



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET MEMBER FOR COMMUNITIES AND PUBLIC SAFETY DECISION MEETING</b>
Subject	<b>Response to British Telecommunications Ltd consultation on the removal of telephony from a telephone box in Stow-on-the-Wold</b>
Wards affected	Stow
Accountable member	Lisa Spivey, Cabinet Member for Communities and Public Safety Email: <a href="mailto:lisa.spivey@cotswold.gov.uk">lisa.spivey@cotswold.gov.uk</a>
Accountable officer	Andy Barge, Assistant Director, Communities Email: <a href="mailto:Democratic@Cotswold.gov.uk">Democratic@Cotswold.gov.uk</a>
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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"><li>1. Consider the response from Stow-on-the-Wold Town Council, and,</li><li>2. Agree the Council's proposed consultation response outlined in paragraph 4.1</li></ol>
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Corporate priorities	<ul style="list-style-type: none"><li>• Support health and wellbeing</li></ul>
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Key Decision	NO
Exempt	NO
Consultees/ Consultation	<p>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.</p>



## **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 Fosseway, 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

(END)