



Cabinet 25 June 2008

Report of the Overview and Scrutiny Committee: BT Public Payphone Removal Consultation

1. On 2 April 2008 the Council received a notification of intent from British Telecommunications Plc (BT) to remove 42 public payphones within the Borough. Under the Communications Act 2003 the local authority must be notified and given the opportunity to agree or object to the removal of any of the payphones within the proposal. Any objection to a payphone removal is known as a local veto, and has to be justified, and BT has a right of appeal through the Competition Appeals Tribunal where unreasonable local vetoes have been made.
2. The Overview and Scrutiny Committee considered a report which provided information regarding each of the 42 payphones concerned. Officers had inspected each payphone, checked the phone usage records supplied and written to all parish councils for comments. Using this information, a draft response in relation to each of these payphones was put forward for consideration by the Committee.
3. The Committee considered the information provided by officers, parish council comments received and an addendum to the report, circulated at the meeting, which outlined additional information and representations received since publication of the agenda.
4. The Borough's responses on each payphone must be made public for a period of one month to allow for further consultation, and BT must be notified of the Council's response within 90 days of receipt of the formal notification. Having considered the information available to them, the Committee recommended that the draft response for each of the 42 payphones concerned, as detailed in Report Z22, be published for consultation as this Council's draft decision on each of the payphones concerned, for the required period of one month.
5. Any representations made to the Council's draft response will be brought to the Cabinet on 30 July 2008, to make any necessary changes and agree a final response before forwarding to BT to meet the 90 day deadline of 4 August 2008.
6. Cabinet is **RECOMMENDED:-**
 - (a) **that the draft response to BT's notification of intent to remove 42 public payphones within the Borough, as set out in Report Z22, be published for one month as the Council's draft decision on each of the payphones concerned; and**

- (b) that, following the required one-month publication of the Council's draft decision, the Cabinet make a final decision, taking into account any responses received to the draft decision, at its meeting on 30 July 2008, and forward this to BT as this Council's final response to its consultation.**

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