First Notification

Notification under section 49(4) of the Communications Act 2003

Draft decision by Copeland Borough Council in response to a proposal by British Telecommunications plc, for the removal of public call boxes pursuant to part 2 of the Schedule to a Direction published by Ofcom on 14th march 2006

Copeland Borough Council, in accordance with section 49(4) of the Communications Act 2003, hereby make the following draft decision in response to a proposal by British Telecommunications plc for the removal of public call boxes pursuant to part 2 of the Direction.

The draft decision is set out in the schedule of this Notification.

The effect of, and Copeland Borough Council,s reasons for making, the draft decision is set out in the Schedule of this Notification.

Copeland Borough Council considers that the draft decision complies with the requirements of sections 45 to 50 of the Act, as appropriate and relevant to the proposal.

In making the draft decision, Copeland Borough Council has considered and acted in accordance with the six community requirements in section 4 of the Act.

Representations may be made to Copeland Borough Council about the draft decision by 5pm on the 27th August 2008.

A copy of this Notification has been sent to the Secretary of State in accordance with section 50(1)(b) of the Act.

The Schedule to this Notification shall form part of this Notification.

Martin Jepson
Head of Legal and Democratic Services
A person authorised by Copeland Borough Council to sign this Notification
21st July 2008

Schedule

Draft decision by Copeland Borough Council in response to a proposal by British Telecommunications plc for the removal of public call boxes pursuant to Part2 of the Schedule to a Direction published by Ofcom on 14th March 2006.

obile phones ortance for appear low; yency calls as there are ed. There are a, of which, cts their daily he quite esses and	hich may Also, there is sses and with 30% of residents considered al to remove this
Reason(s) Ulpha Parish object to the removal of this PCB as mobile phones do not operate in this area. It is also of strategic importance for locals to check repairs and for visitors. Income may appear low, however, true usage is reflected in the use for emergency calls and charge cards. The Ulpha area is relatively small as there are only 60 dwellings in total, with 21 of them being rented. There are only 59 recorded people living in the parish of Ulpha, of which, 25 indicated they have a long term illness which affects their daily activities. Due to the small nature of the village and the quite significant number of people who have long term illnesses and this is the only operating pay phone is this area Copeland Borough Council objects to the removal of this DCB.	Bootle has nearly 30% renting accommodation which may suggest they may not have access to a land line. Also, there is 20% of locals who have Limiting Long Term Illnesses and with 10% in poor health. Furthermore, there is nearly 30% of residents in the local parish who are over 60. These factors considered Copeland Borough Council objects to the proposal to remove this PCB.
Decision (Object/ Consent) Object	Object
Location Ulpha, Broughton In Furness, LA20 6DX	Monk Moors, Eskmeals, Millom, LA19 5YD
Telephone Number 01229716447	01229717224
T	N

40 people out of the 274 that occupy the Waberthwaite Parish, which Ravenglass occupies, are classed as having a long term illness. Also nearly a ¼ of households in this area are pensioners which may mean they perhaps do not have the usage of a mobile phone and that if the home phone lines were to become disconnected, the payphone may be their only means of communication. Also, the network coverage of some of the main mobile service providers has quite a weak signal in this area. This phone box is situated by the A595, which is a known road for accidents and therefore requires a phone close at hand should an emergency situation occur. Therefore Copeland Borough Council oblects to this PCB being removed.	From checking mobile network coverage of the Corney area, the signal can be variable at best, which may result in mobiles not working. In the case of an emergency, which may occur in this area due to fell walkers over Corney fell, a standard land line should be in place to ensure risk is minimised. Also, 80 households of the area are rented which may mean that they do not have a landline present in their homes. Copeland Borough	From the 125 homes that reside in the Whicham parish, which Silecroft resides in, 28 of those are rented. 73 residents from the 395 that occupy this parish have a long term illness which restricts their daily lives. Also there are 67 residents who are over the age of 65 in the vicinity. This phone box is also close to the A5093, which is known for fatal accidents which therefore makes the phone necessary in-case of an emergency. Due to these factors, Copeland Borough Council objects to the removal of this PCB.
Object	Object	Object
Bridge End, Broad Oak, Ravenglass, CA18 1RR	Corney, Millom, LA19 5TW	Silecroft Millom, LA18.4NT
01229717249	01229718257	01229772144
м	4	2

This parish's has over 25% of its population over 60; and 20% have Limiting Long Term Illnesses. Over 20% of the accommodation in this parish is rented which may suggest again that this area may have a limited amount of landlines. This phone box is also close to the A5093, which is known for fatal accidents which therefore makes the phone necessary in-case of an emergency. Copeland Borough Council objects to the removal of this PCB.	From the 125 homes that reside in the Whicham parish, which Silecroft resides in, 28 of those are rented. 73 residents from the 395 that occupy this parish have a long term illness which restricts their daily lives. Also there are 67 residents who are over the age of 65 in the vicinity. This phone box is also situated by the A595, which is a known road for accidents which therefore requires a phone close at hand should an emergency situation occur. Due to these factors, Copeland Borough Council objects to the removed of this Dob	This parish's has over 25% of its population over 60; and 20% have Limiting Long Term Illnesses. Over 20% of the accommodation in this parish is rented which may suggest again that this district may have a limited amount of landlines. This phone box is also close to the A5093, which is known for fatal accidents which therefore makes the phone necessary in-case of an emergency Copeland Borough Council objects to the removal of this PCB.
Object	Object	Doject
The Green, Millom, LA18 5HJ	Silecroft, Millom, Object	The Hill, Millom, Object LA18 5HB
01229772311	01229772535	01229772689
9	2	ω

Parish figures show that from the 1280 people residing, there are 234 people with a long term illness which affects their daily lives. Also there are 211 residents that are over the age of 65. Furthermore, there are 116 households that are currently being rented in the area which may suggest they may not have access to a mobile or landline in the area. This phone box is also situated by the A595, which is a known road for accidents and requires a phone close at hand should an emergency situation occur. Therefore Copeland Borough Council objects to the removal of this PCB.	There is a substantial amount of rented accommodation in this area as it is nearly at 40%. There are also figures showing that the area is in poor health, as over 20% have Limiting Long Term Illnesses and over 10% are classed in poor health. Also a 1/5 th of this population are on either disability living allowance, incapacity benefits or are unemployed thus giving reason to presume they have not have the financial capabilities to have a home land line.	Parish figures show that from the 1280 people residing, there are 234 people with a long term illness which affects their daily lives. Also there are 211 residents that are over the age of 65. This may mean a payphone may be necessary to use in the case of an emergency with having such high elderly and ill-health figures. Furthermore, there are 116 households that are currently being rented in the area which may suggest they may not have access to a mobile or landline in the area. Therefore Copeland Borough Council objects to the removal of this DCB.
Object	Object	Opject
Screel View, Whitehaven, CA28 6NH	Overend Road, Whitehaven, CA28 8SD	The Square, Parton, Whitehaven, CA28 6NZ
01946693028	01946693398	01946693556
o	10	<u> </u>

		
Nearly 30% of residents in this parish rent their accommodation which may mean they do not have access to a land line or a mobile. There is also a high figure of elderly residents occupying this area as 100 households contain a lone pensioner, and 84 are pensioner households. This therefore means in a case of emergency, if a mobile is unavailable, the local PCB may be their only contact. Copeland Borough Council objects to the removal of this PCB.	From the 148 households in the area, 43 are rented which may result in access to a landline may be restricted. There are also 40 households that are occupied by pensioners, who, should find themselves in an emergency without power, would need access to a landline. Also there are 16% of the population who indicate that they have a long term illness which may also mean that access to a lifeline is crucial. This phone box is also situated by the A595 which is a known road for accidents which therefore requires a phone close at hand should an emergency situation	occur. Therefore, Copeland Borough Council objects to the removal of this PCB. There is a quite a substantial amount of elderly residents in this area, as there are 25% over the age of 65, and around a 1/3 of households are occupied by the elderly. This therefore means that access to mobiles in this area may be low, and in the case of emergency, the PCB would be vital. Copeland Borough Council objects to the removal of this PCB.
Object	Object	Object
Cliff Road, Whitehaven, CA28 9EY	Holmrook, CA19	Wellington, Seascale, CA20 1BH
01946693832	01946724211	01946725211
72	6	4

In this parish, there is an extensive amount of rented accommodation at nearly 50%. This therefore dramatically reduces the chance of occupants having a landline in their own home. Also 761 residents indicated that they have a long term illness which means that the payphone will be vital in the case of emergency. Therefore, Copeland Borough Council objects to the removal of this PCR.	Over 50% of residents in this area are in rented accommodation which noticeably will reduce landline ownership to a minimum. Also 25% of home owners in this area are over the age of 65, with 19% of residents signifying that they have a life long illness. Copeland Borough Council objects to the proposal to remove this PCB.	There is an extensive amount of rented accommodation at nearly 50%. This therefore dramatically reduces the chance of occupants having a landline in their own home. 761 residents specified that they have a long term illness which means that the payphone will be vital in the case of emergency. Therefore, Constant Bayouth Bayouth Constant Bayouth Constant Bayouth Bayouth Constant Bayouth Bayouth Bayouth Constant	Over 50% of residents in this area are in rented accommodation which noticeably will reduce landline ownership to a minimum. Also 25% of home owners in this area are over the age of 65, with 19% of residents signifying that they have a life long illness. With some elderly residents unable to use a small mobile; landlines are there only form of communication. Copeland Borough Council objects to the removal of this PCB.
Object	Object	Object	Object
Main Street, Frizington, CA26 3SB	Scalegill, Road, Moor Row, CA24 3JN	Parkside, Road, Cleator Moor, CA25 5HE	Bankend View, Bigrigg, Egremont, CA22 2TH
15 01946810220	01946810228	01946810301	01946810330
15	16	17	18

Over 50% of residents in this area are in rented accommodation which noticeably will reduce landline ownership. Also 25% of home owners in this area are over the age of 65, with 19% of residents signifying that they have a life long illness. With some elderly residents unable to use a small mobile; landlines are their only form of communication. Copeland Borough Council objects to the removal of this PCR	Around 45% of the properties in this area are rented which signifies that there is a likelihood that these tenants will not have access to a landline. Also, 493 people indicated that they had a life long illness, which may mean that access to the payphones is crucial. Copeland County Council objects to this PCB being removed.	In Haile, 25% of households are occupied by the elderly who may not be able to use a small mobile phone. Also, nearly 20% of this small population signify that they have a life long illness that affects their everyday life which also may indicate they have problems using a mobile phone. Copeland Borough Council obtains to the removed of this DCB.	Lampling Parish Council objects to the loss of this PCB due to the unreliability of the mobile network. Mobile coverage can be variable on quality. There are also hazards involving local black spots around roads which may endanger lives if no payphone is there to raise help. There is also around 16% of the population that have a life long illness which perhaps may prevent them from being able to use a small mobile phone. Copeland Borough Council objects to the removal of this PCB.
Object	Object	Object	Opjec
Dent View, Egremont, CA22 2ET	Hinnings Road, Distington, Workington CA14 5UR	Haile, Egremont, CA22 2PD	Lamplugh, Workington, CA14.4SF
01946820304	01946830590	01946841206	01946861212
00	20	21	22

P & D Chapman object to the removal of this PCB due to lack of mobile signal and that the PCB is the only way of contact with emergency services should telephone lines become disrupted. Lamplugh Parish Council also objects to the loss of this PCB due to the unreliability of the mobile network and the hazards that can occur around local roads which may endanger lives. Mrs P.M Ditchburn also objects to the removal of this PCB due to lack of mobile signal, which would mean a 3 mile drive to achieve a mobile signal in emergency situations. This phone box is also close to the A5086, which is known for car accidents which therefore makes the phone necessary in-case of an emergency.	Ennerdale and Kinniside Parish object to the removal of this PCB. due to no mobile coverage. It is also used by Ennerdale and Kinniside primary schools in emergency situations i.e. fire. Also members of the public need access to summon Mountain Rescue Service should an accident occur on surrounding fells. 15% of the population have long term illnesses, and 20% are in rented accommodation which may mean that landlines are there only communication with others.	Lamplugh Parish Council objects to the loss of this PCB. The unreliability of the mobile network and the hazards that can occur around local roads which may endanger lives. 15% of the population have long term illnesses, and 20% are in rented accommodation which may mean that landlines are there only communication with others. Copeland Borough Council objects to the removal of this PCB.
Object	Object	Object
Cross Gates, Lamplugh, Workington, CA14 4TU	Ennerdale, Cleator, CA23 3AR	Winder, Frizington CA26 3UH
01946861257	01946861294	01946861773
23	24	25

Lamplugh Parish Council

Clerk: Peter Maher, Hunter How House, Kirkland, Frizington, Cumbria CA26 3YA. 01946 862 667 pandmmaher@btinternet.com

Communications, Copeland Borough Council, The Copeland Centre, Catherine Street, Whitehaven, CA28 7SJ

Dear Sir.

Lamplugh Parish Council objection to the closure of local village telephone boxes

The Council was saddened to learn of the proposed closure of several local telephone boxes. Whilst appreciating that the nature of telephone use has changed with the advent of mobile technologies and that the telephone box network has needed subsidy they play an important role in an isolated and rural community like our own.

There are, in our opinion three key factors that would argue for the loss of telephone boxes being shouldered largely by the urban community, not those within a rural setting. Taking the proposed loss at Lamplugh Cross Gates as an example the following factors should be sufficient to keep that phone box open and available:

1. This whole area has very unreliable mobile network coverage; at Cross Gates it is usually impossible to get a signal on any network.

2. Daily hazards, like a serious road traffic accident at the Cross Gates junction on the A5086, requires immediate access to telephonic communications. The loss of the telephone box here would put lives at further risk.

3. Sense of wellbeing and security within the local community is an important part of the social fabric. The loss of the telephone box here would leave local residents rehearsing various "what-if" scenarios and lead to heightened levels of anxiety.

Whilst the Council believes that the telephone box network generally is an important social facility it is especially so in these isolated rural settings.

We call on Copeland Council to campaign vigorously for the retention of the vast majority of these telephone boxes, especially those in settings like the one I have described.

Peter Maher

Clerk

Sent by post and email to communications@copeland.gov.uk.





Chief Planning Officer Copeland Borough Council Copeland Street Whitehaven CA28 7NY

Our reference: KR737/08

03 July 2008

Dear Sir/Madam.

BT's proposals to re-align payphone provision to meet consumer demand

Further to our consultation letter regarding the above issue, we have received a response from Councillor W. M Lachlan, Chair to the Parish Council. I have enclosed a copy of the letter for your attention.

I would like to explain that, under the consultation process as laid out by Ofcom, any responses should be channelled via the Chief Planning Officer, who responds on behalf of the community. Responses received directly from other sources are not classed as formal objections. Full details of the consultation process set out by Ofcom can be found at:

http://www.ofcom.org.uk/consult/condocs/uso/uso_statement/removals.pdf

I trust you will find this information helpful.

Yours faithfully,

Paul Sellick

BT Payphones

www.bt.com

Ennerdale & Kinniside Parish Council

Bleach Green Cottage, Ennerdale, CLEATOR. CA23 3AS Tel: 01 946 862 805

25th June 2008

BT Payphones PP05 A23 Delta Point Wellesley Road Croydon CR9 2YZ

Dear Sirs,

Proposal to Remove BT Public Payphone - 01946 861294 - Ennerdale Bridge - CA23 3AR

I wish to object to BT's proposal to remove the above public telephone box.

With no mobile phone cover in the area, if this phone box is removed, there will be no local means to summon help or the emergency services, should a parishioner have a fault on their domestic service. This occurred 2 years ago when the whole village was disconnected for approximately 3 days. On that occasion a tragedy was narrowly averted by the early morning visit of a carer who discovered her elderly patient, collapsed on the floor, behind the door of her house, having tried to summon help during the previous night.

The emergency response fallback procedures for Ennerdale & Kinniside Primary School, against whose playground fence this phone box is located, I understand, also contemplate use of this public phone to summon help, in an emergency, should staff be unable to access their own telephone.

Due to the mountainous terrain and lack of mobile phone network cover, up to 9000 per year, Coast to Coast walkers, innumerable fell walkers, runners, ramblers, visitors etc., and members of the public, will be put at risk should this phone be removed. Only last year, a Coast to Coast walker collapsed and suffered a heart attack on reaching the village of Ennerdale Bridge. Fortunately, this occurred not far from this particular phone box and the local Mountain Rescue Service was able to be summoned and render aid promptly.

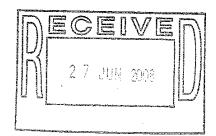
This payphone is one of only 2 BT public telephone boxes in the whole of Ennerdale. The other one is at Croasdale village. These phone boxes are the only means for members of the public to summon the Mountain Rescue Service should there be an accident on the surrounding fells.

Please do not remove this community asset and safety lifeline.

Yours faithfully,

W M Lachlan

Chair, Ennerdale & Kinniside Parish Council



Ennerdale & Kinniside Parish Council

Bleach Green Cottage, Ennerdale, **CLEATOR**. CA23 3AS Tel: 01 946 862 805

25th June 2008

Communications
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
CA28 7SJ

Dear Sirs.

Proposal to Remove BT Public Payphone - 01946 861294 - Ennerdale Bridge - CA23 3AR

I wish to object to BT's proposal to remove the above public telephone box.

With no mobile phone cover in the area, if this phone box is removed, there will be no local means to summon help or the emergency services, should a parishioner have a fault on their domestic service. This occurred 2 years ago when the whole village was disconnected for approximately 3 days. On that occasion a tragedy was narrowly averted by the early morning visit of a carer who discovered her elderly patient, collapsed on the floor, behind the door of her house, having tried to summon help during the previous night.

The emergency response fallback procedures for Ennerdale & Kinniside Primary School, against whose playground fence this phone box is located, I understand, also contemplate use of this public phone to summon help, in an emergency, should staff be unable to access their own telephone.

Due to the mountainous terrain and lack of mobile phone network cover, up to 9000 per year, Coast to Coast walkers, innumerable fell walkers, runners, ramblers, visitors etc., and members of the public, will be put at risk should this phone be removed. Only last year, a Coast to Coast walker collapsed and suffered a heart attack on reaching the village of Ennerdale Bridge. Fortunately, this occurred not far from this particular phone box and the local Mountain Rescue Service was able to be summoned and render aid promptly.

This payphone is one of only 2 BT public telephone boxes in the whole of Ennerdale. The other one is at Croasdale village. These phone boxes are the only means for members of the public to summon the Mountain Rescue Service should there be an accident on the surrounding fells.

Please do not permit BT to remove this community asset and safety lifeline.

Yours faithfully,

W M Lachlan

Chair, Ennerdale & Kinniside Parish Council

27 JUN 2008

W. M. LACHLAN F.R.I.C.S.

Waterfoot House
16 Vicarage Lane
Ennerdale Bridge
Cleator
Cumbria
CA23 3BE
01946 862237
multilachian@btopenworld.com

Mr J Reed, MP Ingwell Hall West Lakes Science Park Moor Row Cumbria CA24 3JZ

Dear Mr Reed

Proposed Closure of BT Payphone - 01946 861294 - Ennerdale Bridge, Cleator, Cumbria, CA23 3AR

I am writing to you to seek your support in having BT's proposal to close the above village phone box, set aside.

With no mobile phone cover in the area, if this phone box is removed, there will be no local means to summon help or the emergency services, should a parishioner have a fault on their domestic service. This occurred 2 years ago when the whole village was disconnected for approximately 3 days. On that occasion a tragedy was narrowly averted by the early morning visit of a carer who discovered her elderly patient, collapsed on the floor, behind the door of her house, having tried, and failed, to summon help during the previous night.

The emergency response fallback procedures for Ennerdale & Kinniside Primary School, against whose playground fence this phone box is located, also contemplate use of this public phone to summon help, in an emergency, should staff be unable to access their own telephones.

Due to the mountainous terrain and lack of mobile phone network cover, up to 9000 per year, Coast to Coast walkers, innumerable fell walkers, runners, ramblers, visitors etc., and members of the public, will be put at risk should this phone be removed. Only last year, a Coast to Coast walker collapsed and suffered a heart attack on reaching the village of Ennerdale Bridge. Fortunately, this occurred not far from this particular phone box and the local Mountain Rescue Service was able to be summoned and render aid promptly.

This payphone is one of only 2 BT public telephone boxes in the whole of Ennerdale. The other one is at Croasdale village. These phone boxes are the only means for members of the public to summon the Mountain Rescue Service should there be an accident on the surrounding fells.

We must save this remove this community asset and safety lifeline. Please will you help us?

Yours sincerely,

W M Lachlan

Chair, Ennerdale & Kinniside Parish Council

Ulpha Parish Meeting

Moss Cottage, Ulpha, Broughton In Furness, Cumbria, LA20 6DU. Email: Duddon@btinternet.com

2 July, 2008

Ian Curwen, Chief Communications Officer, Copeland Borough Council, Whitehaven

Dear Ian,

Public Payphones Consultation

Firstly let me express our concern that the only public payphone within the area covered by Ulpha Parish Meeting is once again under threat of removal and Ulpha Parish Meeting has not been informed by BT. The same thing happening in June 2004.

Information relating to the phone's possible future has been forwarded to me by a concerned member of the public.

The Parish Meeting wishes to make the following points:

- 1) BT and Ofcom state that under BT's <u>Universal Service Obligation</u> they will not leave any community without a payphone service the Payphone situated at Ulpha Post Office is the <u>ONLY PAYPHONE</u> <u>SERVING ULPHA</u>.
- 2) Almost 45% of properties in Ulpha are rented of which 10 are Almshouses.
- 3) The payphone is of <u>Strategic Importance</u> for locals and visitors of whom there are many, as <u>mobile</u> <u>phones do not operate in this area</u>.
- 4) The payphone is of <u>Strategic Importance</u> for locals who have to use it to report and check progress in extensive faults on home phones, which can go unrepaired for weeks at a time.
- 5) Income from this payphone in cash terms is unlikely to reflect its true usage when many calls are made using chargecards and free phone numbers are used to contact emergency and breakdown services.

The Parish Meeting seeks an assurance from BT that you will honour your Universal Service Obligation and retain the BT Payphone at Ulpha Post Office.

Yours sincerely,

Authea Jones

Anthea Jones

TY NANT
CROSSGATES
LAMPLUGH
WORKINGTON
CUMBRIA
CA14 4TU

Communications
Copeland Borough Council
The Copeland Centre
Catherine St
Whitehaven
CA28 7SJ

09/06/08

Dear Sirs

We wish to comment and relay our concern on the proposed closure of the phone box at Cross Gates, Lamplugh. Last year the British Telecom line feeding Crossgates was out of order for 10 days, and as there is no mobile signal for our mobile phones here our only communication with the outside world was via that phone box. We were reimbursed for the inconvenience by British Telecom, however this phone box would have been a life line had there been an emergency. As it was we used it every day on that occasion, we would like to add that this is not the first time we have been without telephone lines during the 12 years we have lived here.

Yours faithfully

P and D Chapman

105 Main Street Distington Workington Cumbria CA14 5UJ 4th July 2008

To Whom It May Concern:

I am concerned at the proposed closure of BT telephone boxes in the Copeland area as I am sure many others are too. Not every person has access to a mobile phone and/or a land line and this must be considered when making decisions on closures. In some areas it is not possible to get a signal and a phone box is an alternative way of making a call which in some cases could be an emergency call. In an area such as Copeland many communities are isolated from many essential amenities and the loss of a phone box can only add to this situation. I feel we need to respond to this situation and ask BT to consider the effects on individuals as well as communities, and as representatives of the people we need to make a statement on this issue.

Yours Sincerely, Cllr. Jeanette Williams Harbour Ward Copeland Borough Council Ms Sarah Jefferson
Manager, Enterprise & Universal Service Obligation
Regulatory & Services Team
BT Retail
PP: HWK
649
Virtual Postbox: HOM-NX
PO Box 400
London
N18 1XU

8th July 2008.

Dear Ms Jefferson,

I enclose for your information copies of two letters received from constituents of Mr Reed, with regard to proposals to remove telephone boxes in their local area.

As you will be able to see the letters are from people that live in extremely isolated, rural communities that do not have a dependable mobile network signal.

In both of these rural communities it is no exaggeration to say that the local phone box is a vital lifeline to the outside world in the case of an emergency.

Mr Reed appreciates that the viability of such phone boxes has to be taken into account, but there are circumstances such as the situation outlined with regard to these particular call boxes, that the social impact and importance outweighs the business argument.

Mr Reed would ask that you reconsider the proposals for these phone boxes.

I look forward to your response.

Yours Sincerely,

Carl Carter, Office Manager. From Professor Christopher Brooke and Dr Rosalind Brooke

The Old Vicarage, Ulpha, Broughton-in-Furness, Cumbria LA20 6DU 01229-716546 COPELAND BOROUGH COUNCIL DEVELOPMENT SERVICES

-2 JUN 2008

RECEIVED

e-mail <cnlb2@cam.ac.uk>

30 May 2008

The Director,
Planning Department,
Copeland Borough Council,
The Copeland Centre,
Catherine St, Whitehaven, Cumbria CA28 7SJ

paper 5/6/08

Dear Director,

Public Telephone Kiosks in the Duddon Valley, especially at Ulpha Post Office

We undertstand that a Consultation is under way on the need to retain these kiosks, and we have been told that if we wish to give our views they should be sent to you. We hope that this is in order.

Kiosks in this valley, especially the very convenient one at Ulpha Post Office, are essential in the event of a phone breakdown, since mobile phones do not work in the valley.

They are also useful to the numerous visitors and tourists who come to the valley for the same reason.

We strongly urge that some kiosks at least – including the one at Ulpha Post Office – be preserved.

Yours sincerely,

Professor Christopher N.L. Brooke, CBE, FBA, Hon V-PSA

Dr Rosalind Brooke, Litt D, FSA

Rosaliid Brooke

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Valuiesm R. Read INP Howard Commans SWIA OAA

New Mr Reed,

pressure can be put upon the hope that persone can be put upon BT to Stop the removal of non-profitable peoplemen in the O

Valley.

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Whee there is no hobile phare sighal as we

For able to help us in this? I look forward to you reply.

Your sincarely, Alexandra Stockley (Revis)

Guidance on procedures for the removal of public call boxes

1. Introduction and overview

- Ofcom published on 14 March 2006 a Direction setting out: 1.1
 - Procedures for the complete removal of Public Call Boxes (PCBs) and Call Box Services (CBS) from a Site1;
 - Procedures for requests for new PCBs and related CBS; and
 - A requirement that at least 70% of PCBs offer cash payment facilities.
- This guidance is intended to promote consistency of decisions between Relevant Public Bodies². It also provides examples of circumstances in which the Universal Service Provider (currently BT plc and, in the Hull area, Kingston Communications) might reasonably remove the cash payment facility from a PCB.

2. Status of this guidance

- Compliance with this guidance does not guarantee compliance with any legal requirement.
- Except insofar as the context otherwise requires, words or expressions shall have the same meaning they have in the Direction.

3. Overview

The following diagram shows the various stages in the procedures for the complete removal of PCBs and/or CBS from a Site. Each stage is described in more detail in this guidance

¹ Site means any area within a walking distance of 400 metres from that PCB

² Relevant Public Body" means: in relation to England, the relevant local District Council (in two-tier local authority areas), London Borough Council, Metropolitan Council, Unitary Council, the Corporation of London or the Council of the Isles of Scilly; in relation to Northern Ireland, the Unitary District; in relation to Scotland, the Unitary Council; in relation to Wales, the County or County Borough Council; or any successor bodies or organisations.

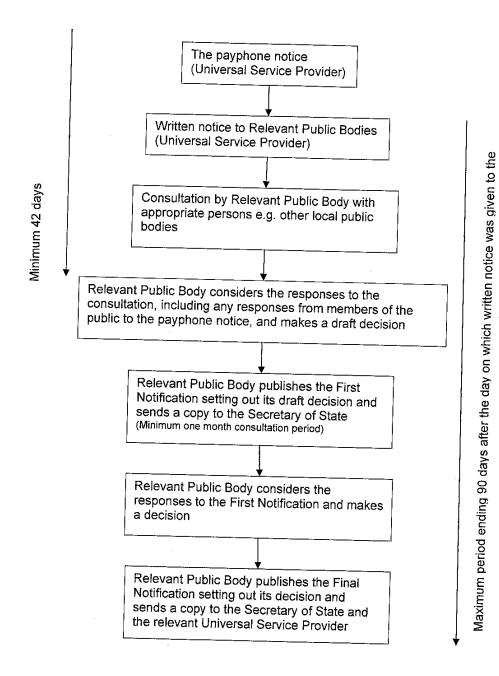


Diagram: Procedure for the complete removal of Public Call Boxes from a Site

4. The payphone notice

- 4.1 Under paragraph 2.2 of the Direction, the Universal Service Provider must display a notice in a prominent place on the PCB which it proposes to remove or resite and/or to which it intends to cease to provide CBS ('the payphone notice') informing the public of the proposed change and setting out:
 - The nature and effect of the proposal;
 - The period within which members of the public may make representations about the proposal, which shall be 42 days after the day on which the notice is first displayed;
 - A free-call telephone number which can be used by the public to check the location of the nearest alternative PCB providing CBS; and
 - The Relevant Public Body to whom representations may be made about the proposal.

5. Written notice to relevant public bodies

- 5.1 Under paragraph 2.3 of the Direction, the Universal Service Provider must also give written notice of its proposed removal or re-siting of a PCB and/or the cessation of the provision of CBS to the Relevant Public Body ('the written notice') setting out:
 - The nature and effect of the proposal;
 - Any information in support of the proposal;
 - The date on which the payphone notice was first displayed on the PCB (and provide a copy);
 - A web link to Ofcom's guidance on procedures for the complete removal of PCBs and/or CBS from a site; and
 - That objection may be made to the Universal Service Provider by the Relevant Public Body.

6. Consultation

- 6.1 The Relevant Public Body should bring the contents of the payphone and written notice to the attention of such persons as it considers appropriate, asking for comments on the proposal to be made to the Relevant Public Body within a stipulated period.
- 6.2 Such persons might include other local public bodies, for example the parish or community council. In Northern Ireland, the Relevant Public Body should also consider which local community groups, if any, to consult with.
- 6.3 It is likely that Relevant Public Bodies will already have in place various consultation mechanisms and procedures which allow local issues to be discussed with local communities, for example local strategic partnerships and neighbourhood-based systems of local meetings.

7. Responses to consultation

- 7.1 The Relevant Public Body should consider the responses to the consultation, if any, received within the stipulated period, and including responses from members of the public received by them within the 42 days period after the payphone notice was first displayed on the PCB.
- 7.2 In deciding whether to consent or object to the proposal, the Relevant Public Body must be satisfied that its decision is:
 - Objectively justifiable in relation to the networks, services, facilities, apparatus
 or directories to which it relates;
 - Not such as to discriminate unduly against particular persons or against a particular description of persons;
 - Proportionate to what it is intended to achieve; and
 - In relation to what it is intended to achieve, transparent.
- 7.3 The Relevant Public Body must also be satisfied that it acted in accordance with the six Community requirements set out in section 4 of the Communications Act 2003 ('the Act'). These are:
 - To promote competition in the provision of electronic communications networks and services, associated services and facilities and the supply of directories;
 - To contribute to the development of the European internal market;
 - To promote the interests of all persons who are citizens of the European Union;
 - Not to favour one form of, or means of, providing electronic communications networks or services i.e. to be technology neutral;
 - To encourage network access and service interoperability for the purpose of securing competition in the electronic communication networks and services markets and the maximum benefit for customers of communications providers; and
 - To encourage compliance with standards necessary for facilitating service interoperability and securing freedom of choice for the customers of communications providers.
- 7.4 Where it appears to a Relevant Public Body that any of the Community requirements conflict with each other they must secure that the conflict is resolved in a manner they think best in the circumstances.
- 7.5 To assist Relevant Public Bodies to consider the responses, and to make a decision to consent or object to the proposal, Ofcom has included at Annex 1 in this guidance factors which it considers relevant to the decision. Relevant Public Bodies should refer to these factors.

8. First notification

- 8.1 Having considered the responses to the consultation, if any, the Relevant Public Body must publish its draft decision in the form of a notification ('the First Notification'). To assist Relevant Public Bodies, Ofcom has included in this guidance at Annex 2 a specimen notification. The First Notification must:
 - State that there is a proposal for the complete removal of PCBs and/or CBS from a Site;
 - Identify the Universal Service Provider whose proposal it is;
 - Set out the draft decision to consent or object to the proposal;
 - Set out the effect of the draft decision to consent or object to the proposal;
 - Give reasons for the draft decision to consent or object to the proposal;
 - Specify the period within which representations may be made about the proposal to the Relevant Public Body;
 - Confirm that the draft decision complies with the requirements of sections 45 to 50 of the Act, as appropriate and relevant to the proposal;
 - Confirm that in making the draft decision, the Relevant Public Body have considered and acted in accordance with the six Community requirements in section 4 of the Act;
 - Confirm that a copy of the First Notification has been sent to the Secretary of State.
- 8.2 Except in exceptional circumstances justifying the use of a shorter period, the period mentioned in paragraph 8.1 for representations must be one ending not less than one month after the day of the publication of the First Notification.
- 8.3 The publication of the First Notification must be in such a manner as appears to the Relevant Public Body to be appropriate for bringing the contents of the notification to the attention of such persons as it considers appropriate.
- 8.4 Such persons might include other local public bodies, for example, the parish or community council. In Northern Ireland, it might include local community groups. Ofcom would expect the Relevant Public Body to send a copy of the First Notification to the relevant Universal Service Provider.
- 8.5 The Relevant Public Body must also send a copy of the First Notification to the Secretary of State. Ofcom has included in this guidance a specimen letter for this purpose.
- 8.6 Under section 50(6) of the Act the Relevant Public Body may if appropriate also send a copy of the First Notification to the European Commission. Ofcom does not believe there will normally be a need to notify the Commission in the case of proposed PCB removals.

9. Final Notification

- 9.1 The Relevant Public Body may consent or object to a proposal only if it has considered every representation about the proposal that is made to it within the period specified in the First Notification and has had regard to every international obligation of the UK (if any) which has been notified to Ofcom for the purposes of this requirement (none to date).
- 9.2 Having considered the responses to the First Notification, if any, the Relevant Public Body must publish its decision in the form of a notification ('the Final Notification'). To assist Relevant Public Bodies, Ofcom has included at Annex C in this guidance a specimen notification. The Final Notification must:
 - State that there is a proposal for the complete removal of PCBs and/or CBS from a Site;
 - Identify the Universal Service Provider whose proposal it is;
 - Set out the decision to consent or object to the proposal;
 - Set out the effect of the decision to consent or object to the proposal;
 - Give reasons for the decision to consent or object to the proposal;
 - Confirm that the decision complies with the requirements of sections 45 to 50
 of the Act, as appropriate and relevant to the proposal;
 - Confirm that in making the decision set out in the Final Notification, the Relevant Public Body have considered and acted in accordance with the six Community requirements in section 4 of the Act;
 - Confirm that a copy of the First Notification was sent to the Secretary of State;
 and
 - Confirm that a copy of the Final Notification has been sent to the Secretary of State.
- 9.3 The publication of the Final Notification must be in such a manner as appears to the Relevant Public Body to be appropriate for bringing the contents of the notification to the attention of such persons as it considers appropriate.
- 9.4 Such persons might include other local public bodies, for example the parish or community council. In Northern Ireland, it might include local community groups.
- 9.5 The Relevant Public Body must send a copy of the Final Notification to the relevant Universal Service Provider.
- 9.6 The Relevant Public Body must also send a copy of the Final Notification to the Secretary of State. Ofcom has included in this guidance a specimen letter for this purpose.
- 9.7 Under section 50(6) of the Act the Relevant Public Body may if appropriate also send a copy of the Final Notification to the European Commission. Ofcom does not believe there will normally be a need to notify the Commission in the case of proposed PCB removals.

10. The local veto

10.1 The Universal Service Provider must not bring its proposal into effect if it has received any written objection to the proposal by the Relevant Public Body within the period ending 90 days after the day on which written notice was given by the Universal Service Provider to the Relevant Public Body ('the local veto'). It is for this reason that the Relevant Public Body must send a copy of the Final Notification to the relevant Universal Service Provider – see paragraph 9.5 above.

Annex 1

Relevant factors

Purpose

- A.1 It is the Universal Service Provider's obligation to ensure the adequate provision of PCBs and/or CBS to meet the reasonable needs of end-users in terms of numbers, geographical coverage and quality of services. It is against this obligation that a Relevant Public Body must assess a proposal for the complete removal of PCBs and/or CBS from a Site.
- A.2 This is intended to give guidance on the factors to take account of when considering a proposal for the complete removal of PCBs and/or CBS from a Site. It is intended also to promote consistency of decisions between Relevant Public Bodies. Relevant Public Bodies may consider other factors such as the proximity of the nearest alternative PCB, the nature of the area (for example, a tourist area or close to a children's home or similar accommodation) or, in the case of text phones, use by deaf users. However, any decision of a Relevant Public Body must comply with the requirements in paragraphs 7.2 and 7.3 of this guidance.
- A.3 It is likely that Relevant Public Bodies will already have access to information against which they can make an assessment. While the following is not an exhaustive list of sources of information, Relevant Public Bodies might consider:
 - ACORN is a demographic tool used to identify and understand the UK population – www.caci.co.uk;
 - PRiZM is a commercial product built from lifestyle and demographic data at postcode level - <u>www.claritas.co.uk</u>;
 - The National Statistics Service offers access to a range of social and economic aggregate data relating to small geographic areas www.neighbourhood.statistics.gov.uk; and
 - UpMyStreet let you search and compare detailed information about a specific postcode, city, town, district or region – www.upmystreet.com

Factors

A.4 Set out below are some (not exhaustive) important factors which might be assessed when considering a proposal for the complete removal of PCBS and/or CBS from a Site.

Housing type in the area

A.5 A Relevant Public Body may consider whether the area within the same postcode as a PCB is predominately owner-occupied, privately rented or council housing. The more owner-occupied housing in the area the more likely it is that people living in that area would have access to mobile and fixed telephones. If there is predominantly private rented or council housing in the area, this may suggest

people on a lower income without access to mobile and fixed telephones and support the view that a PCB should be retained.

Number of households in the area

- A.6 There may be concerns about alternative access to telephone services for low population densities. A Relevant Public Body may determine the number of households within the same postcode as a PCB. The number of households within 400 metres of a PCB could be seen as the catchment area for that PCB.
- A.7 The number of households in the area would not however include any passing traffic or reflect that a PCB might be situated on a main road or busy terminus. Such detail should be assessed on a case-by-case basis.

PCB revenue

- A.8 BT and Kingston may be willing to provide information about the revenue generated by a particular PCB. This should help measure PCB usage and could be an indicator of its value to the community. The lower the annual revenue that a PCB generates, there could be grounds for its removal.
- A.9 Consideration may be given by a Relevant Public Body to the other factors listed above before it relies on annual revenue alone to support a decision to consent or object to the complete removal of PCBs and/or CBS from a Site. The annual revenue of a PCB should be assessed on a case-by-case basis.

Emergency calls

- A.10 Many people place great value on having the option to use a PCB in an 'emergency'. However, not all calls considered as emergency calls by the public are calls to the emergency services, for example police, fire, ambulance and coastguard services. For example, people often cite calls to roadside breakdown as being emergency calls.
- A.11 The importance of retaining a PCB for 'emergency calls' should be assessed on a case-by-case basis. The body needs to think about whether a particular PCB is more likely to be used for emergency calls than another. For example if there are alternative means of making calls available locally and/or there is good coverage for mobile phones, this may suggest that there is a reduced need to retain the phone box on emergency grounds. But if, for example, the call box is near a known accident black-spot, it may suggest it should be retained.

Mobile phone coverage

- A.12 While three-quarters of adults now personally use a mobile phone, people often cite poor, sporadic or the lack of mobile network coverage at a location as being an important factor for retaining a PCB.
- A.13 The main mobile networks, including 3, 02, Orange, T-Mobile and Vodafone allow you to check the network coverage in any given postcode area on their websites. While this might not be conclusive, it should help to assess network coverage within the same postcode as a PCB.

Annex 2

First Notification: example templates

Notification under section 49(4) of the Communications Act 2003

Draft decision by [public body] in response to a proposal by [British Telecommunications plc/Kingston Communications (Hull) plc] for the removal of public call boxes pursuant to Part 2 of the Schedule to a Direction published by Ofcom on 14 March 2006 ('the Direction').

- 1. [Public body], in accordance with section 49(4) of the Communications Act 2003 ('the Act'), hereby make the following draft decision in response to a proposal by [British Telecommunications plc/Kingston Communications (Hull) plc] for the removal of public call boxes pursuant to Part 2 of the Direction.
- 2. The draft decision is set out in the Schedule to this Notification.
- 3. The effect of, and [public body] reasons for making, the draft decision is set out in the Schedule to this Notification.
- 4. [Public body] consider that the draft decision complies with the requirements of sections 45 to 50 of the Act, as appropriate and relevant to the proposal.
- 5. In making the draft decision, [public body] has considered and acted in accordance with the six community requirements in section 4 of the Act.
- 6. Representations may be made to [public body] about the draft decision by [time] on [date].
- 7. A copy of this Notification has been sent to the Secretary of State in accordance with section 50(1)(b) of the Act.
- 8. The Schedule to this Notification shall form part of this Notification.

[Name]

A person authorised by [public body] to sign this Notification

[Date]

Schedule

[Draft] decision by [public body] in response to a proposal by [British Telecommunications plc/Kingston Communications (Hull) plc] for the removal of public call boxes pursuant to Part 2 of the Schedule to a Direction published by Ofcom on 14 March 2006 ('the Direction').

	Telephone number	Location	Decision (Object/Consent)	Reason(s)
1				
2				
3				
4				

Letter to the Secretary of State - First Notification

Telecoms Regulatory Policy UG22

Department for Business, Enterprise and Regulatory Reform

1 Victoria Street

London SW1H 0ET

For the attention of Simon Moseley

Dear Sir

Draft decision by [public body] in response to proposals by [British Telecommunications plc/Kingston Communications (Hull) plc] for the removal of public call boxes pursuant to Part 2 of the Schedule to a Direction published by Ofcom on 14 March 2006 ('the Direction').

[Public body], in accordance with section 49(4) of the Communications Act 2003 ('the Act'), hereby make a draft decision in response to a proposal by [British Telecommunications plc/Kingston Communications (Hull) plc] for the removal of public call boxes pursuant to Part 2 of the Direction.

Section 50(1)(b) of the Act requires [public body] to send to the Secretary of State a copy of every notification published under section 49(4) of the Act. A copy of the First Notification is enclosed herewith.

Yours faithfully

Annex 3

Final Notification: example templates

Notification under section 49 of the Communications Act 2003

Decision by [public body] in response to a proposal by [British Telecommunications plc/Kingston Communications (Hull) plc] for the removal of public call boxes pursuant to Part 2 of the Schedule to a Direction published by Ofcom on 14 March 2006 ('the Direction').

- 1. On [date], [public body], in accordance with section 49(4) of the Communications Act 2003 ('the Act'), issued a notification setting out its draft decision in response to a proposal by [British Telecommunications plc/Kingston Communications (Hull) plc] for the removal of public call boxes pursuant to Part 2 of the Direction ('the First Notification').
- 2. A copy of the First Notification was sent to the Secretary of State in accordance with section 50(1)(b) of the Act.
- 3. In the First Notification, [public body] invited representations about the draft decision by [time] on [date].
- 4. [Public body] has considered every representation about the draft decision duly made to it and Ofcom has not notified [public body] of any international obligation of the United Kingdom for this purpose.
- 5. The decision is set out in the Schedule to this Notification.
- 6. The effect of, and [public body] reasons for making, the decision is set out in the Schedule to this Notification.
- 7. [Public body] consider that the decision complies with the requirements of sections 45 to 50 of the Act, as appropriate and relevant to the proposals.
- 8. In making the decision, [public body] has considered and acted in accordance with the six community requirements in section 4 of the Act.
- 9. A copy of this Notification has been sent to the Secretary of State in accordance with section 50(1)(b) of the Act.
- The Schedule to this Notification shall form part of this Notification.

Schedule

Decision by [public body] in response to a proposal by [British Telecommunications plc/Kingston Communications (Hull) plc] for the removal of public call boxes pursuant to Part 2 of the Schedule to a Direction published by Ofcom on 14 March 2006 ('the Direction').

	Telephone number	Location	Decision (Object/Consent)	Reason(s)
1				
2				<u> </u>
3				
4				

Letter to the Secretary of State - Final Notification

Telecoms Regulatory Policy UG22

Department for Business, Enterprise and Regulatory Reform

1 Victoria Street

London SW1H 0ET

For the attention of Simon Moseley

Dear Sir

Decision by [public body] in response to a proposal by [British Telecommunications plc/Kingston Communications (Hull) plc] for the removal of public call boxes pursuant to Part 2 of the Schedule to a Direction published by Ofcom on 14 March 2006 ('the Direction').

[Public body], in accordance with section 49 of the Communications Act 2003 ('the Act'), hereby make a decision in response to a proposal by [British Telecommunications plc/Kingston Communications (Hull) plc] for the removal of public call boxes pursuant to Part 2 of the Direction.

Section 50(1)(b) of the Act requires [public body] to send to the Secretary of State a copy of every notification published under section 49 of the Act. A copy of the Final Notification is enclosed herewith.

Yours faithfully

Updated: April 2008

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Copeland Call Data from BT

Tel No:	Address	Post code	Call for past year
0122971644	7 Pco, Ulpha, Broughton In Furness	LA20 6DX	490
0122971722	24 Pco, Monk Moors, Eskmeals, Millom	LA19 5YD	96
0122971724	9 Pco, Bridge End, Broad Oak, Ravenglass	CA18 1RR	108
0122971825	7 Pco, Corney, Millom	LA19 5TW	TO COMPANY TO THE COMPANY OF THE COM
0122977214	4 Pco, Silecroft, Millom	LA18 4NT	8
0122977231	1 Pco, The Green, Millom	LA18 5HJ	102
0122977253	5 Pco, Silecroft, Millom	LA18 5LR	40
0122977268	9 Pco, The Hill, Millom	LA18 5HB	11
0194669302	8 Pco, Screel View, Whitehaven	CA28 6NH	732
0194669339	8 Pco, Overend Rd, Whitehaven	CA28 8SD	1134
0194669355	6 Pco, The Square, Parton, Whitehaven	CA28 6NZ	429
0194669383	2 Pco, Cliff Rd, Whitehaven	CA28 9EY	967
0194672421	1 Pco, Holmrook	CA19 1YG	261
0194672521	1 Pco, Wellington, Seascale	CA20 1BH	117
0194681022	0 ໍPco, Main Street, Frizington	CA26 3SB	773
0194681022	Pco, Scalegill Road, Moor Row	CA24 3JN	947
0194681030	1 Pco, Parkside Road, Cleator Moor	CA25 5HE	138
0194681033(Pco, Bankend View, Bigrigg, Egremont	CA22 2TH	314
01946820304	Pco, Dent View, Egremont	CA22 2ET	559
0194683059(Pco, Hinnings Road, Distington, Workington	CA14 5UR	810
01946841206	Pco, Haile, Egremont	CA22 2PD	50
01946861212	Pco, Lamplugh, Workington	CA14 4SF	0
01946861257	Pco, Cross Gates, Lamplugh, Workington	CA14 4TU	92
01946861294	Pco, Ennerdale, Cleator	CA23 3AR	550
)1946861773	Pco, Winder, Frizington	CA26 3UH	58

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Mobile Networks Coverage Check

L.	PCB- Telephone	Location	Post	T-MORII F	OBANCE	S	7,000	
	er		Code			70	VODAFONE	<u>.</u>
-		Ulpha, Broughton In	LA20 6DX	No Coverage	Variable	Standard	Variable	Variable
7	01229717224	Monk Moors, Eskmeals,	LA19 5YD	Variable	Variable	Standard	Variable	Standard
က	01229717249	Bridge End, Broad Oak, Ravenglass	CA18 1RR	No Coverage		Standard	Variable	Variable
4	01229718257	Corney, Millom	LA19 5TW	No Coverage		Variable	Variable	Variable
2		Silecroft, Millom	LA18 4NT	Variable		Standard	Standard	Standard
9 1		The Green, Millom	LA18 5HJ	High		Standard	Standard	Standard
,		Silecroft, Millom	LA18 5LR	Standard		Standard	Standard	Standard
∞ .		The Hill, Millom	LA18 5HB	High		Standard	Standard	Standard
တ		Screel View, Whitehaven	CA28 6NH	Standard		Standard	High	High
6		Overend Road, Whitehaven	CA28 8SD	Standard		Standard	High	High
=	01946693556	The Square, Parton, Whitehaven	CA28 6NZ	Standard		Standard	Standard	High

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High	Variable	Variable	High	High	High	High	Standard	High	Standard	Standard
High	Standard	Standard	Standard	High	High	Standard	Standard	High	Standard	Standard
Standard	Standard	Standard	Standard	Standard	Standard	Standard	Standard	Standard	Standard	Variable
Standard	High	Standard	No Coverage	High	No Coverage	High	High	Standard	No Coverage	No Coverage
CA28 9EY	CA19 1YG	CA20 1BH	CA26 3SB	CA24 3JN	CA25 5HE	CA22 2TH	CA22 2ET	f .	CA22 2PD	CA14 4SF
Cliff Road, Whitehaven	Holmrook	Wellington, Seascale	Main Street, Frizington	Scalegill, Road, Moor Row	Parkside, Road, Cleator Moor	Bankend View, Bigrigg, Egremont	Dent View, Egremont	Hinnings Road, Distington, Workington	Haile, Egremont	Lamplugh, Workington
[01946724211	01946725211	01946810220	01946810228	01946810301	01946810330			01946841206	01946861212
<u> </u>	13	14	15	16	17	18	19		7	22

	<u>5</u>				5
	Standard	2	<u></u>		Standard
	Standard	Variable			Standard
	Variable Standard	Variable			Standard Standard
	No Coverage	No	Coverage		Standard
	CA14 4TU	CA23	3AR	[CA26
	Cross Gates, CA14 Lamplugh, 4TU Workington	Ennerdale,	Cleator	10 6 - 1 - 1	vvinder,
	23 01946861257	24 01946861294		25 01046861772	
	23	24		25	3
-					

High - Video Calls / News Standard - Voice/SMS/MMS/ Music, O2 Active Variable - Voice calls, SMS (quality of service may vary) No Coverage - No services available