**Final notification under section 29(4) of the Communications Act 2003**

Decision by Cheltenham 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 14 March 2006 (‘the Direction’).

1. On 10 February 2017, Cheltenham Borough Council, 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 pls 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, Cheltenham Borough Council invited representations about the draft decision by midday on Monday 13 March 2017.

4. Cheltenham Borough Council has considered every representation about the draft decision duly made to it and Ofcom and not notified Cheltenham Borough Council 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 Cheltenham Borough Council’s reasons for making the draft decision is set out in the Schedule to this Notification.

7. Cheltenham 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 proposals.

8. In making the draft decision, Cheltenham Borough Council 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.

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

**Schedule – Cheltenham Borough BT Payphone Removal Proposals**

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| --- | --- | --- | --- | --- | --- | --- |
| **Telephone Number** | **Address** | **Post Code** | **Number of calls in last 12 months** | **Posting Completed Date** | **Agree/ Adopt/ Object** | **Comments/Reasons** |
| 01242222580 | PCO COTSWOLD ROAD CHELTENHAM | GL52 5EL | 0 | 05/09/2016 | AGREE | No calls made, no feedback received. |
| 01242222599 | PCO LONDON ROAD CHARLTON KINGS CHELTENHAM | GL52 6HY | 53 | 05/09/2016 | AGREE | Charlton Kings Parish Council and a ward councillor are supportive of its removal. No feedback received objecting to the removal. |
| 01242222617 | PCO TENNYSON ROAD CHELTENHAM | GL51 7DF | 672 | 30/08/2016 | **OBJECT** | High usage and located in an area with a high level of social housing and income deprivation. The kiosk is by local shops on the edge of a lower super output area in the top 10% most deprived areas nationally in the Indices of Multiple Deprivation. Representations received from borough councillors and residents. |
| 01242222625 | PCO SALISBURY AVENUE CHELTENHAM | GL51 3DG | 0 | 30/08/2016 | AGREE | No calls made, no feedback received. |
| 01242222633 | PCO SPRINGBANK ROAD CHELTENHAM | GL51 0NJ | 123 | 30/08/2016 | **OBJECT** | High usage and in an area with higher levels of social housing and income deprivation. Representations received by borough councillor. |
| 01242254518 | OPPOSITE COLLEGE OF ART NEW BARN LANE CHELTENHAM | GL52 3LZ | 0 | 05/09/2016 | AGREE | No calls made, no objections received and Prestbury Parish Council supportive of the removal. |
| 01242261422 | OPP DEZAC MONTPELLIER HOTEL LANSDOWN ROAD CHELTENHAM | GL50 2JA | 352 | 30/08/2016 | **OBJECT** | High usage and on a prominent route into Cheltenham on public transport and on foot from the railway station. |
| 01242521139 | PCO ROBERT BURNS AVENUE CHELTENHAM | GL51 6NU | 1 | 30/08/2016 | AGREE | Only 1 call made, no feedback received. |
| 01242521211 | PCO SPRINGBANK ROAD CHELTENHAM | GL51 0LU | 3 | 30/08/2016 | AGREE | Very low number of calls. Ward councillor supportive of the removal and no objections received. |
| 01242521515 | PCO ALMA ROAD CHELTENHAM | GL51 3LS | 0 | 30/08/2016 | AGREE | No calls made, no feedback received. |
| 01242521586 | PCO CIRENCESTER ROAD CHARLTON KINGS CHELTENHAM | GL53 8DE | 193 | 05/09/2016 | AGREE | Charlton Kings Parish Council and a ward councillor are supportive of the removal. Charlton Kings is one of the more affluent areas of town and people living there are likely to have alternative access to mobile or landline telephones. There is high population density and good mobile phone coverage in the area. No objections to the removal received. |
| 01242521682 | PCO LECKHAMPTON ROAD CHELTENHAM | GL53 0DQ | 91 | 05/09/2016 | AGREE | No feedback from Leckhampton with Warden Hill Parish Council received, but a ward councillor is supportive of the removal. Leckhampton is one of the more affluent areas of town and people living there are likely to have alternative access to mobile or landline telephones. There is high population density and nearby amenities open long hours and good mobile phone coverage in the area. No objections to the removal received. |
| 01242522712 | PCO ALBANY ROAD CHELTENHAM | GL50 2UN | 34 | 30/08/2016 | AGREE | A low number of calls and no feedback received. |
| 01242525233 | PCO PRIORS ROAD CHELTENHAM | GL52 5AS | 7 | 05/09/2016 | AGREE | A low number of calls and no feedback received. |
| 01242525420 | OPPOSITE BP AND M&S PRESTBURY ROAD CHELTENHAM | GL52 2DL | 12 | 05/09/2016 | AGREE | A low number of calls and no feedback received. |
| 01242525704 | PCO CHILTERN ROAD PRESTBURY CHELTENHAM | GL52 5JQ | 6 | 05/09/2016 | AGREE | A low number of calls and Prestbury Parish Council is supportive of the removal. No objections received to the removal. |
| 01242525718 | PCO MOOREND ROAD CHELTENHAM | GL53 0ER | 163 | 05/09/2016 | AGREE | No feedback from Leckhampton with Warden Hill Parish Council received, but a ward councillor is supportive of the removal. Leckhampton is one of the more affluent areas of town and people living there are likely to have alternative access to mobile or landline telephones. There is high population density and nearby amenities open long hours and good mobile phone coverage in the area. No objections to the removal received. |
| 01242526667 | PCO HATHERLEY ROAD CHELTENHAM | GL51 6HT | 0 | 30/08/2016 | AGREE | No calls made, no objections to the removal received and ward councillor is supportive of the removal. |
| 01242526867 | PCO BEECHES ROAD CHARLTON KINGS CHELTENHAM | GL53 8NX | 42 | 05/09/2016 | AGREE | Charlton Kings Parish Council and a ward councillor are supportive of the removal. Charlton Kings is one of the more affluent areas of town and people living there are likely to have alternative access to mobile or landline telephones. There is high population density and nearby amenities open long hours and good mobile phone coverage in the area. No objections to the removal received. |
| 01242527671 | PCO BROOKLYN ROAD CHELTENHAM | GL51 8DS | 45 | 30/08/2016 | AGREE | A low number of calls made and no feedback received. |
| 01242527714 | PCO RIVELANDS ROAD SWINDON VILLAGE CHELTENHAM | GL51 9RF | 5 | 05/09/2016 | AGREE | A low number of calls, no objections to the removal received and Swindon Parish Council is supportive of the removal. |
| 01242527735 | PCO WOODLANDS ROAD CHELTENHAM | GL51 3RT | 12 | 30/08/2016 | AGREE | A low number of calls made and no feedback received. |
| 01242527791 | PCO LOWESWATER ROAD CHELTENHAM | GL51 3AZ | 7 | 30/08/2016 | AGREE | A low number of calls made and no feedback received. |
| 01242527864 | NAUNTON WAY/ NAUNTON LANE CHELTENHAM | GL53 7BA | 0 | 05/09/2016 | AGREE | No calls made, no objections to the removal received and Naunton Residents Association is supportive of the removal. |
| 01242528471 | PCO WINDYRIDGE ROAD CHELTENHAM | GL50 4RA | 0 | 30/08/2016 | AGREE | No calls made and feedback received from residents close to it in support of its removal as it attracts vandalism. |
| 01242584004 | PCO HEWLETT ROAD CHELTENHAM | GL52 6AA | 269 | 05/09/2016 | **OBJECT** | High usage and this is in spite of the fact it has been out of bounds behind hoardings for at least 6 months due to the adjacent ‘Banksy’ mural. 92% of local residents responding in this area to consultation by the community association wish to see it retained and it is in a prominent position in a well used shopping area. Representations also received from borough councillor in support of retaining it. |
| 01452856083 | PCO CHELTENHAM ROAD EAST GLOUCESTER | GL3 1JX | 0 | 30/08/2016 | **NO COMMENT** | No calls made and ward councillors are supportive of its removal. |

**These decisions have been made on the assumption that:**

* **All of the payphones listed have been fully operational over the 12 months when they have been under review and that lack of usage doesn’t reflect that they have been out of use.**

In addition, Cheltenham Borough Council is in discussion with BT about REMOVAL of the following payphones which have become challenging due to changing circumstances:

* **Park Street** (due to proximity to another box on the Lower High Street and desire to enable the full potential of the community led “pocket park” opportunity).
* **St George’s Square** – reducing the 3 boxes down to 1, to be located at a distance from the redundant toilet block in order that the building can be regenerated for a beneficial use given its pivotal location on the axis between the High Street and Lower High Street. The boxes are currently associated with drug dealing and other anti social behaviour.
* **The Brewery** – these currently mar the new development, which is due to complete soon and the council would like to see the 2 boxes which will be outside the new Soho coffee shop removed and replaced with the ST6 which now dominates the sight line between the two bookends of Brewery II and the new John Lewis store. This proposed location has a high footfall.
* **Winchcombe Street** (opposite A-Plan store) due to changed road lanes which mean this box now blocks the view for cyclists.

Cheltenham Borough Council would also like to request that 2 phone boxes on the High Street / Berkeley Street junction (listed) and 1 cash point on the High Street / Bath Road junction are repainted / refurbished.

Signature: ………………………………………..

Area: Cheltenham District