
TELEPHONE KIOSK GLASS ADVERTISING - DTLR CONSULTATION PAPER

1 SUMMARY

- 1.1 The DTLR is seeking views on modifications to the Town and Country Planning (Control of Advertisement) Regulations 1992 in respect of the new phenomenon of telephone kiosk glass advertising. A response to the consultation paper is required by 28th September 2001.

2 BACKGROUND

- 2.1 Telephone kiosk advertisements are made of semi-transparent vinyl and are fixed to the inside of the glass of kiosks so that they face outwards. To date, 20,000 of BT's 95,000 modern style payphones carry advertising.
- 2.2 There is some doubt over whether a telephone kiosk is classified as a building or not. If a kiosk is a 'building', then advertising would benefit from deemed consent. No Local Authority has yet sought to pursue this issue through the Courts, but the Department considers that it would be desirable to clarify the position.

3 THE WAY FORWARD

- 3.1 The consultation paper puts forward three options for the future handling of telephone kiosk glass advertising.
- 3.2 **Option 1** - Allow telephone kiosk glass advertising to benefit from deemed consent and adopt a Code of Practice for potential telephone kiosk advertisers.

A code has been drawn up by BT payphones who would, not surprisingly perhaps, favour a self-regulatory approach to advertising. The Code does say that advertising will not take place in any telephone kiosk installed after January 2001 except by prior consultation with Local Authorities on an individual basis.

- 3.3 **Option 2** - Allow telephone kiosk glass advertisements to benefit from deemed consent, subject to certain limitations and conditions.

Possible limitations might include no advertisements in Conservation Areas and no illumination.

- 3.4 **Option 3** - Advertisements on telephone kiosks to require express consent from the Local Planning Authority.

If an application for express consent was required in every case, it is likely there would be resource implications for Local Authorities, particularly Urban Authorities.

4. DISCUSSION

- 4.1 In considering the best option, it is worthwhile examining two issues: amenity and public safety.

Amenity

- 4.2 There is no doubt that covering one side of a telephone kiosk with an advertisement has the effect of transforming a transparent structure into an opaque one. This has the potential to make the kiosk a more prominent feature in the townscape.

- 4.3 Whilst in some situations it could be argued that an advert on the telephone kiosk is no different from an advert on a bus shelter, Rochford has been successful, within the High Street part of Rayleigh Conservation Area, in obtaining new bus shelters without advertising material. Therefore, it is considered that there is every justification to ensure that telephone kiosk glass advertising is controlled within Conservation Areas.

Public Safety

- 4.4. Whilst there might, in rare cases, be a potential to cause road safety problems as a result of kiosk advertising, the key area of concern seems to relate to the creation of areas that are protected from surveillance. It is not considered this is likely to be a major issue in Rochford District and certainly BT Payphones have been co-operating with the Police where problems have been identified.

Conclusions

- 4.5 Rayleigh Town Centre is the part of the District most likely to be affected by telephone kiosk advertising: the telephone boxes in Rochford are of the old K6 type with small paned windows, not suitable for advertising.
- 4.6 It is concluded that Option 2 would ensure control over advertisements on kiosks in Conservation Areas and that such controls would be sufficient to protect amenities. Kiosk advertising in other parts of the District outside Conservation Areas would benefit from deemed consent, but subject to the code of practice prepared by BT Payphones (which would apply to all kiosk operators).

5 CRIME AND DISORDER IMPLICATIONS

- 5.1 As specified in the report, concerns have been expressed about the possibility of advertising on telephone kiosks creating areas shielded from surveillance.

6 ENVIRONMENTAL IMPLICATIONS

- 6.1 The visual impact of advertisements on conservation areas is a key point of concern.

7 RECOMMENDATION

- 7.1 It is proposed that the Committee **RESOLVES**

That, subject to comments from Members, the DTLR be advised that this Council supports Option 2 as outlined in the consultation paper on Telephone Kiosk Glass Advertising. (HPS)

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Background Papers:

Telephone Kiosk Glass Advertising – DTLR – July 2001

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