
Telephony universal service conditions

Unofficial consolidated version

Overview

BT and KCOM have been designated as universal service providers for telephony since 2003. On 8 June 2022 we modified and restated the telephony universal service conditions that apply to BT and KCOM as they deliver telephony universal services. This is an unofficial consolidated version of the telephony universal service conditions which incorporates, for ease of reference, modifications made to these conditions since 8 June 2022.

Some of the telephony universal conditions are contained in the [broadband universal service conditions](#), which are set out in a separate document.

While every reasonable effort is made to ensure that the information provided in this document is accurate, no guarantees of the accuracy of information are made, and this document has no legal effect.

For the avoidance of doubt, in the case of any difference between texts, the text set out in the notification of June 2022 and any subsequent notification published on Ofcom's website shall take precedence over this unofficial version of the telephony universal service conditions.

Schedule 1: UNIVERSAL SERVICE CONDITIONS FOR BT

Definitions

For the purpose of interpreting this Schedule:

- a. except in so far as the context otherwise requires, words or expressions have the meaning assigned to them in this Schedule, and otherwise any word or expression has the same meaning as it has in the Act, or the General Conditions of Entitlement;
- b. headings and titles shall be disregarded;
- c. expressions cognate with those referred to in this Schedule shall be construed accordingly; and
- d. the Interpretation Act 1978 shall apply as if this notification were an Act of Parliament.

“Act” means the Communications Act 2003 (c. 21);

“BT” means British Telecommunications plc, whose registered company number is 1800000, and any British Telecommunications plc subsidiary or holding company, or any subsidiary of that holding company, all as defined in section 1159 of the Companies Act 2006;

“Condition” means a universal service condition imposed by Ofcom under sections 45, 67 and 68(2) to (4) of the Act;

“Consumers” means any natural person who uses or requests a Public Electronic Communications Service for purposes which are outside his or her trade, business or profession;

“Decision” means a decision which BT takes about the removal or relocation of a Last-at-a-Site PCB, following the expiry of the relevant Representation Period, made pursuant to Conditions 3.8 to 3.10;

“General Conditions of Entitlement” means the general conditions imposed by Ofcom under section 45(2)(a) of the Act;

“Hull Area” means the area defined as the 'Licensed Area' in the licence granted on 30 November 1987 by the Secretary of State under section 7 of the Telecommunications Act 1984 to Kingston upon Hull City Council and KCOM;

“Initial Relevant Period” means the period from 1 July 2022 to 31 March 2023;

“KCOM” means KCOM Group Limited, whose registered company number is 02150618, and any of its subsidiaries or holding companies, or any subsidiary of such holding companies, all as defined in section 1159 of the Companies Act 2006;

“Last-at-a-Site PCB” means a Public Call Box whose removal or relocation would result in the removal of all Public Call Boxes from the relevant Site;

“Local Authority” means:

- (a) In relation to England, a local district council (in two-tier local authority areas), a county council in England for an area for which there is no district council, a London borough council, the Corporation of London, or the Council of the Isles of Scilly;
- (b) In relation to Northern Ireland, a Unitary District;
- (c) In relation to Scotland, a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39);
- (d) In relation to Wales, a county or county borough council;

or any successor bodies or organisations from time to time.

“Ofcom” means the Office of Communications as established under section 1 of the Office of Communications Act 2002;

“Outgoing-Only PCB” means a telephone which is permanently installed on public land, to which the public has access at all times, and which:

- (a) offers a service for originating, directly or indirectly, calls to Emergency Organisations using the numbers 112 and 999, and ensures that calls to those numbers cannot be disconnected by the caller but remain connected until the emergency call operator terminates the call;
- (b) offers a service only for originating, directly or indirectly, calls to all other Specified Numbers, which is provided free of charge; and
- (c) has replaced a Traditional PCB or has been provided following the process in Condition 3.16;

“Proposal” means a proposal by BT to remove or relocate a Last-at-a-Site PCB, made pursuant to Conditions 3.5-3.6;

“Public Call Box” means either:

- (a) a Traditional PCB; or
- (b) an Outgoing-Only PCB;

“Public Communications Network” means an Electronic Communications Network provided wholly or mainly for the purpose of making Electronic Communications Services available to members of the public;

“Publicly Available Telephone Service” means a service made available to the public for originating and receiving, directly or indirectly, national or national and international calls and access to Emergency Organisations through a number or numbers in a national or international telephone numbering plan;

“Relevant Public Body” means the Local Authority (as defined above) responsible for the area where the Last-at-a-Site PCB is located;

“Representation Period” means the period within which BT is required to accept representations from a Relevant Public Body about a Proposal, pursuant to Condition 3.7;

“Removal Criteria” means the criteria at Condition 3.3 which must be met before a Last-at-a-Site PCB can be removed from, or relocated outside, the relevant Site;

“Review” means BT’s internal process for reviewing a Decision which has been challenged by a Relevant Public Body, pursuant to Condition 3.11;

“Site”, in relation to a Public Call Box, means the area within a walking distance of 400 metres from that Public Call Box;

“Site Notice” means a notice displayed by BT on a Last-at-a-Site PCB informing the public of a Proposal, pursuant to Condition 3.5;

“Specified Numbers” means Geographic Numbers, Non-Geographic Numbers starting with 03, Mobile Numbers and all numbers that are ‘Free-to-caller’, as defined in the National Telephone Numbering Plan and 3-digit numbers allocated by Ofcom, such as 101, 105 and 111;

“Subsequent Relevant Period” means, from 1 April 2023, the period each year from 1 April of that year to 31 March of the following year;

“Telephony Services” means either or both a connection at a fixed location to the Public Communications Network and access to Publicly Available Telephone Services, including the ability to make and receive calls;

“Traditional PCB” means a telephone which is permanently installed on public land, to which the public has access at all times, and which offers a service for originating and receiving, directly or indirectly, calls to Specified Numbers; and

“Written Notice” means a notice provided in writing regarding a Proposal, pursuant to Condition 3.6.

Condition 1: Provision of Telephony Services on request

1.1 Unless Ofcom consents otherwise, BT shall provide the Telephony Services on the basis of uniform prices throughout the UK except for the Hull Area.

Condition 2: Schemes for consumers with special social needs

2.1 BT shall make available from 25 July 2003 and thereafter continue to make available to Consumers in the UK except for the Hull Area who request Telephony Services, one or more schemes the effect of which would be to assist Consumers who have difficulty affording telephone services including, in particular, Consumers on low incomes or with special social needs (a ‘scheme’). Each such scheme shall comply with any direction made by Ofcom under Condition 2.2.

2.2 For the purposes of this Condition, Ofcom may from time to time make a direction specifying, amongst other things:

- (a) the requirements to be met by a scheme;
- (b) the criteria to be applied by BT in deciding which of its Consumers are entitled to the benefits of a scheme; and/or
- (c) the date of the introduction of a scheme.

2.3 Unless Ofcom consents otherwise, where BT proposes to introduce a new scheme (which, for the avoidance of doubt, excludes a scheme made available from 25 July 2003), or proposes to amend an existing scheme to a significant extent, BT shall not bring that new scheme or amendment into effect unless it has provided written notice to Ofcom of its proposals at least three months in advance.

2.4 BT shall prepare and publish information describing each scheme for the benefit of Consumers within two weeks of the introduction of any such new scheme or any such amendment to an existing scheme. Publication of such information shall be effected by:

- (a) sending a copy of such information to any person who may reasonably request such a copy; and
- (b) placing a copy of such information on any relevant website operated or controlled by BT.

2.5 Unless Ofcom consents otherwise, BT shall ensure that Telephony Services provided in accordance with any scheme under this Condition are provided on the basis of uniform prices throughout the UK except for the Hull Area.

Condition 3: Public Call Boxes

Provision of Public Call Boxes

- 3.1 BT must ensure the adequate provision, repair and maintenance of Public Call Boxes throughout the UK (excluding the Hull Area) in order to meet the reasonable needs of End-Users in terms of geographical coverage, the number of Public Call Boxes, and the quality of Public Electronic Communications Services from those Public Call Boxes.

Removal or relocation of Public Call Boxes including Last-at-a-Site PCBs

- 3.2 Subject to Conditions 3.3 and 3.4, BT may remove or relocate a Public Call Box.
- 3.3 BT may only remove or relocate a Last-at-a-Site PCB outside of the relevant Site where:
- (a) all UK-wide mobile network operators have coverage at the Site;
 - (b) the Site is not a high frequency accident or suicide location;
 - (c) fewer than 52 calls were made from the Last-at-a-Site PCB in the 12 months prior to the start of the relevant Representation Period; and
 - (d) there is no other evidence of a reasonable need for a Public Call Box at the Site.
- 3.4 BT may only remove or relocate a Last-at-a-Site PCB in accordance with Conditions 3.5 to 3.14 (inclusive).

Notification and Publication Requirements

- 3.5 Where BT proposes to remove or relocate a Last-at-a-Site PCB, BT must:
- (a) display a notice in a prominent place on that PCB setting out:
 - i) the Proposal, including the proposed new location, if applicable;
 - ii) contact details of the Relevant Public Body;
 - iii) the Representation Period; and
 - iv) the location of the nearest alternative Public Call Box; and
 - (b) publish all of the information referred to in this Condition in an easily accessible place.
- 3.6 Where BT proposes to remove or relocate a Last-at-a-Site PCB, BT must give written notice to the Relevant Public Body setting out:
- (a) the Proposal, including details of the location of the Last-at-a-Site PCB and any proposed new location, if applicable;
 - (b) all relevant evidence and other information in relation to the Removal Criteria;
 - (c) the date on which the Site Notice was first displayed on the Last-at-a-Site PCB;
 - (d) the Representation Period;
 - (e) an explanation that BT is required:
 - i) to take due account of representations relating to the Removal Criteria made by the Relevant Public Body in making its Decision; and
 - ii) to provide written reasons for its Decision;
 - (f) details of the process applicable to a Review of the Decision, including the deadlines implemented by BT as part of that process, in compliance with these Conditions; and

(g) a copy of the Site Notice.

3.7 BT must set a Representation Period which ends no less than 90 days after the day on which the Site Notice was first displayed or the Written Notice was sent, whichever was later.

Decision making process

3.8 BT must not make a Decision before the expiry of the relevant Representation Period.

3.9 In making a Decision, BT must:

- (a) take due account of any representations relating to the Removal Criteria made by the Relevant Public Body; and
- (b) only decide to remove or relocate the Last-at-a-Site PCB where BT reaches a reasonable conclusion that all of the Removal Criteria are satisfied.

3.10 BT must:

- (a) notify the Relevant Public Body of the Decision in writing, setting out BT's full consideration of any relevant representations, including in circumstances where no representations were made by the Relevant Public Body; and
- (b) publish the Decision and written reasons together on the same day as the Decision is notified to the Relevant Public Body.

3.11 BT must facilitate a system for requesting the Review of a Decision. BT must:

- (a) allow the Relevant Public Body to request a Review within 21 days of the notification of the Decision; and
- (b) when deciding whether to proceed with a Review, consider whether there is reasonable justification to reconsider the Decision.

3.12 BT is only required to consider a request for a Review where representations have been made by the Relevant Public Body during the Representation Period.

3.13 Where BT decides to proceed with a Review, it must ensure that:

- (a) it allows a reasonable period of time for the Relevant Public Body to put forward representations;
- (b) a senior level employee, who was unconnected with the Decision, is the decision maker on the Review;
- (c) it takes due account of any representations relating to the Removal Criteria made by the Relevant Public Body; and
- (d) it publishes the outcome of the Review.

Implementation of decisions

3.14 BT must ensure that the removal or relocation of a Last-at-a-Site PCB does not take place until either the deadline for the Relevant Public Body to request a Review has expired or until publication of the outcome of a Review, whichever is later.

3.15 Ofcom may direct BT not to remove, or to reinstate, a Last-at-a-Site PCB if it has reasonable grounds to believe that BT may have failed to meet its obligations under these Conditions.

Provision of new Public Call Boxes

3.16 BT must consider any request made by a Relevant Public Body for the provision of a new Public Call Box in the area for which it is responsible. Where BT receives such a request, it

must assess whether a new Public Call Box is needed in order to meet the reasonable needs of End-Users before deciding whether to grant the request. In making such an assessment, BT must act reasonably, taking particular account of evidence concerning whether the requested new Public Call Box would be located in an area that:

- (a) does not have coverage from all UK-wide mobile network operators; and/or
- (b) has a high frequency of accidents or suicides.

Resilience requirements

3.17 BT must take all necessary measures to ensure:

- (a) the fullest possible availability of its Public Call Boxes in the event of catastrophic network breakdown or in cases of force majeure; and
- (b) uninterrupted access to calls to Emergency Organisations as part of the provision of the Public Call Boxes.

Pricing of services offered from Public Call Boxes

3.18 Where BT applies charges from Public Call Boxes, those charges must be on the basis of uniform prices throughout the UK (excluding the Hull Area) unless Ofcom consents otherwise.

Removal of cash payment facility

3.19 Where a Public Call Box has a cash payment facility, BT may only remove that facility where either:

- (a) all calls from the Public Call Box are free of charge; or
- (b) BT has reasonably assessed there is no ongoing user need to pay by cash at that Public Call Box.

Condition 4: Tariffs for Universal Services

4.1 BT shall ensure that the terms and conditions upon which a service or a facility is provided in accordance with these Conditions to an End-User do not require that End-User to pay for an additional service which is not necessary for the purpose of providing the End-User with that service or facility.

4.2 For the purposes of Condition 4.1, references, in relation to an End-User, to an unnecessary additional service are references to anything the provision of which:

- (a) that End-User has to accept as a result of being provided, on request, with a service or facility in accordance with these Conditions ('the requested service'); and
- (b) is not necessary for the purpose of providing that End-User with the requested service.

4.3 For the purposes of Conditions 4.1 and 4.2, references to providing an End-User with anything include references to making it available or supplying it to that End-User.

Condition 5: Quality of Service and Reporting

5.1 For each of the Initial Relevant Period and the Subsequent Relevant Periods, BT must provide to Ofcom and publish the following information:

- (a) the total number of Public Call Boxes provided to meet their obligations under these Conditions in that period;

- (b) the total number of Public Call Boxes not in working order on the last working day of that period;
 - (c) the total number of Public Call Boxes reported as faulty or damaged in that period;
 - (d) the total number of Public Call Box repairs completed in that period;
 - (e) the average time taken (from a fault being reported to its repair) for repairs to faulty or damaged Public Call Boxes to be completed in that period;
 - (f) the total number of Proposals made in that period;
 - (g) the total number of Last-at-a-Site PCBs which have been removed or relocated outside of the relevant Site in that period. This should also specify the number which were removed or relocated after being:
 - (i) subject to a request for a Review which was declined; and
 - (ii) subject to a Review which upheld the Decision; and
 - (h) the total number of Last-at-a-Site PCBs which have not been removed or relocated outside of the relevant Site in that period, but which were:
 - (i) subject to successful representations made during the Representation Period;
 - (ii) subject to a Review which overturned the Decision.
- 5.2 BT must provide to Ofcom, and publish, the information required under Condition 5.1 no later than three months after the expiry of the Initial Relevant Period, and each Subsequent Relevant Period thereafter.
- 5.3 BT must maintain all records relevant to the information required under Condition 5.1 for at least six years.

Condition 6: Disposals

- 6.1 Subject to Condition 6.2, where BT proposes to make a disposal to another person of a substantial part of all of its local access network assets, it shall inform Ofcom of the proposed disposal no less than one month in advance of such disposal.
- 6.2 Condition 6.1 does not apply where the proposed disposal is to a connected company (within the meaning given by section 1122(2) of the Corporation Tax Act 2010).

Condition 7: General provisions applicable to Conditions 1 to 6 (inclusive)

- 7.1 For the purpose of these Conditions, publication must be effected by:
- (a) placing a copy of the relevant information in a prominent place on a publicly available website operated or controlled by BT; and
 - (b) sending a copy of the relevant information to any person at that person's written request.
- 7.2 Ofcom may from time to time give, under these Conditions, a direction, approval or consent requiring BT to comply with additional requirements under these Conditions.
- 7.3 In particular, for the purposes of these Conditions, Ofcom may from time to time make a direction specifying:

- (a) quality of service standards to be used to measure BT's performance in complying with these Conditions; and
- (b) additional requirements with respect to the form and content of the information to be provided to Ofcom and published.

Schedule 2: UNIVERSAL SERVICE CONDITIONS FOR KCOM

Definitions

For the purpose of interpreting this Schedule:

- a. except in so far as the context otherwise requires, words or expressions have the meaning assigned to them in this Schedule, and otherwise any word or expression has the same meaning as it has in the Act, or the General Conditions of Entitlement;
- b. headings and titles shall be disregarded;
- c. expressions cognate with those referred to in this Schedule shall be construed accordingly; and
- d. the Interpretation Act 1978 shall apply as if this notification were an Act of Parliament.

“Act” means the Communications Act 2003 (c. 21);

“Condition” means a universal service condition imposed by Ofcom under sections 45, 67 and 68(2) to (4) of the Act;

“Consumers” means any natural person who uses or requests a Public Electronic Communications Service for purposes which are outside his or her trade, profession or business;

“Decision” means a decision which KCOM takes about the removal or relocation of a Last-at-a-Site PCB, following the expiry of the relevant Representation Period, made pursuant to Conditions 3.8 to 3.10;

“General Conditions of Entitlement” means the general conditions imposed by Ofcom under section 45(2)(a) of the Act;

“Hull Area” means the area defined as the 'Licensed Area' in the licence granted on 30 November 1987 by the Secretary of State under section 7 of the Telecommunications Act 1984 to Kingston upon Hull City Council and KCOM;

“Initial Relevant Period” means the period from 1 July 2022 to 31 March 2023;

“KCOM” means KCOM Group Limited, whose registered company number is 02150618, and any of its subsidiaries or holding companies, or any subsidiary of such holding companies, all as defined in section 1159 of the Companies Act 2006;

“Last-at-a-Site PCB” means a Public Call Box whose removal or relocation would result in the removal of all Public Call Boxes from the relevant Site;

“Local Authority” means a local district council (in two-tier local authority areas), a county council for an area for which there is no district council; or any successor bodies or organisations from time to time;

“Ofcom” means the Office of Communications as established under section 1 of the Office of Communications Act 2002;

“Outgoing-Only PCB” means a telephone which is permanently installed on public land, to which the public has access at all times, and which:

- (a) offers a service for originating, directly or indirectly, calls to Emergency Organisations using the numbers 112 and 999, and ensures that calls to those numbers cannot be disconnected by the caller but remain connected until the emergency call operator terminates the call;
- (b) offers a service only for originating, directly or indirectly, calls to all other Specified Numbers, which is provided free of charge; and

(c) has replaced a Traditional PCB or has been provided following the process in Condition 3.16;

“Proposal” means a proposal by KCOM to remove or relocate a Last-at-a-Site PCB, made pursuant to Conditions 3.5 to 3.6;

“Public Call Box” means either:

- (a) a Traditional PCB; or
- (b) an Outgoing-Only PCB.

“Public Communications Network” means an Electronic Communications Network provided wholly or mainly for the purpose of making Electronic Communications Services available to members of the public;

“Publicly Available Telephone Service” means a service made available to the public for originating and receiving, directly or indirectly, national or national and international calls and access to Emergency Organisations through a number or numbers in a national or international telephone numbering plan;

“Relevant Public Body” means the Local Authority (as defined above) responsible for the area where the Last-at-a-Site PCB is located;

“Representation Period” means the period within which KCOM is required to accept representations from a Relevant Public Body about a Proposal, pursuant to Condition 3.7;

“Removal Criteria” means the criteria at Condition 3.3 which must be met before a Last-at-a-Site PCB can be removed from, or relocated outside, the relevant Site;

“Review” means KCOM’s internal process for reviewing a Decision which has been challenged by a Relevant Public Body, pursuant to Condition 3.11;

“Site”, in relation to a Public Call Box, means the area within a walking distance of 400 metres from that Public Call Box;

“Site Notice”, means a notice displayed by KCOM on a Last-at-a-Site PCB informing the public of a Proposal, pursuant to Condition 3.5;

“Specified Numbers” means Geographic Numbers, Non-Geographic Numbers starting with 03, Mobile Numbers and all numbers that are ‘Free-to-caller’, as defined in the National Telephone Numbering Plan and 3-digit numbers allocated by Ofcom, such as 101, 105 and 111;

“Subsequent Relevant Period” means, from 1 April 2023, the period each year from 1 April of that year to 31 March of the following year;

“Telephony Services” means either or both a connection at a fixed location to Public Communications Network and access to Publicly Available Telephone Services, including the ability to make and receive calls;

“Traditional PCB” means a telephone which is permanently installed on public land, to which the public has access at all times, and which offers a service for originating and receiving, directly or indirectly, calls to Specified Numbers; and

“Written Notice” means a notice provided in writing regarding a Proposal, pursuant to Condition 3.6.

Condition 1: Provision of Telephony Services on request

- 1.1 Unless Ofcom consents otherwise, KCOM shall provide the Telephony Services on the basis of uniform prices throughout the Hull Area.

Condition 2: Schemes for consumers with special social needs

- 2.2 KCOM shall make available from 25 July 2003 and thereafter continue to make available to Consumers in the Hull Area who request Telephony Services, one or more schemes the effect of which would be to assist Consumers who have difficulty affording telephone services including, in particular, Consumers on low incomes or with special social needs (a 'scheme'). Each such scheme shall comply with any direction made by Ofcom under Condition 2.2.
- 2.2 For the purposes of this Condition, Ofcom may from time to time make a direction specifying, amongst other things:
- (a) the requirements to be met by a scheme;
 - (b) the criteria to be applied by KCOM in deciding which of its Consumers are entitled to the benefits of a scheme; and/or
 - (c) the date of the introduction of a scheme.
- 2.3 Unless Ofcom consents otherwise, where KCOM proposes to introduce a new scheme (which, for the avoidance of doubt, excludes a scheme made available from 25 July 2003), or proposes to amend an existing scheme to a significant extent, KCOM shall not bring that new scheme or amendment into effect unless it has provided written notice to Ofcom of its proposals at least three months in advance.
- 2.4 KCOM shall prepare and publish information describing each scheme for the benefit of Consumers within two weeks of the introduction of any such new scheme or any such amendment to an existing scheme. Publication of such information shall be effected by:
- (a) sending a copy of such information to any person who may reasonably request such a copy; and
 - (b) placing a copy of such information on any relevant website operated or controlled by KCOM.
- 2.5 Unless Ofcom consents otherwise, KCOM shall ensure that Telephony Services provided in accordance with any scheme under this Condition are provided on the basis of uniform prices throughout the Hull Area.

Condition 3: Public Call Boxes

Provision of Public Call Boxes

- 3.1 KCOM must ensure the adequate provision, repair and maintenance of Public Call Boxes throughout the Hull Area in order to meet the reasonable needs of End-Users in terms of geographical coverage, the number of Public Call Boxes, and the quality of Public Electronic Communications Services from those Public Call Boxes.

Removal or relocation of Public Call Boxes including Last-at-a-Site PCBs

- 3.2 Subject to Conditions 3.3 and 3.4, KCOM may remove or relocate a Public Call Box.
- 3.3 KCOM may only remove or relocate a Last-at-a-Site PCB outside of the relevant Site where:

- (a) all UK-wide mobile network operators have coverage at the Site;
 - (b) the Site is not a high frequency accident or suicide location;
 - (c) fewer than 52 calls were made from the Last-at-a-Site PCB in the 12 months prior to the start of the relevant Representation Period; and
 - (d) there is no other evidence of a reasonable need for a Public Call Box at the Site.
- 3.4 KCOM may only remove or relocate a Last-at-a-Site PCB in accordance with Conditions 3.5 to 3.14 (inclusive).

Notification and Publication Requirements

- 3.5 Where KCOM proposes to remove or relocate a Last-at-a-Site PCB, KCOM must:
- (a) display a notice in a prominent place on the Last-at-a-Site PCB setting out:
 - i) the Proposal, including the proposed new location, if applicable;
 - ii) contact details of the Relevant Public Body;
 - iii) the Representation Period; and
 - iv) the location of the nearest alternative Public Call Box; and
 - (b) publish all of the information referred to in this Condition in an easily accessible place.
- 3.6 Where KCOM proposes to remove or relocate a Last-at-a-Site PCB, KCOM must give written notice to the Relevant Public Body setting out:
- (a) the Proposal, including details of the location of the Last-at-a-Site PCB and any proposed new location, if applicable;
 - (b) all relevant evidence and other information in relation to the Removal Criteria;
 - (c) the date on which the Site Notice was first displayed on the Last-at-a-Site PCB;
 - (d) the Representation Period;
 - (e) an explanation that KCOM is required:
 - i) to take due account of representations relating to the Removal Criteria made by the Relevant Public Body in making its Decision; and
 - ii) to provide written reasons for its Decision;
 - (f) details of the process applicable to a Review of the Decision, including the deadlines implemented by KCOM as part of that process, in compliance with these Conditions; and
 - (g) a copy of the Site Notice.
- 3.7 KCOM must set a Representation Period which ends no less than 90 days after the day on which the Site Notice was first displayed or the Written Notice was sent, whichever was later.

Decision making process

- 3.8 KCOM must not make a Decision before the expiry of the relevant Representation Period.
- 3.9 In making a Decision, KCOM must:
- (a) take due account of any representations relating to the Removal Criteria made by the Relevant Public Body; and

- (b) only decide to remove or relocate the Last-at-a-Site PCB where KCOM reaches a reasonable conclusion that all of the Removal Criteria are satisfied.
- 3.10 KCOM must:
- (a) notify the Relevant Public Body of the Decision in writing, setting out KCOM's full consideration of any relevant representations, including in circumstances where no representations were made by the Relevant Public Body; and
 - (b) publish the Decision and written reasons together on the same day as the Decision is notified to the Relevant Public Body.
- 3.11 KCOM must facilitate a system for requesting the Review of a Decision. KCOM must:
- (a) allow the Relevant Public Body to request a Review within 21 days of the notification of the Decision; and
 - (b) when deciding whether to proceed with a Review, consider whether there is reasonable justification to reconsider the Decision.
- 3.12 KCOM is only required to consider a request for a Review where representations have been made by the Relevant Public Body during the Representation Period.
- 3.13 Where KCOM decides to proceed with a Review, it must ensure that:
- (a) it allows a reasonable period of time for the Relevant Public Body to put forward representations;
 - (b) a senior level employee, who was unconnected with the Decision, is the decision maker on the Review;
 - (c) it takes due account of any representations relating to the Removal Criteria made by the Relevant Public Body; and
 - (d) it publishes the outcome of the Review.

Implementation of decisions

- 3.14 KCOM must ensure that the removal or relocation of a Last-at-a-Site PCB does not take place until either the deadline for the Relevant Public Body to request a Review has expired or until publication of the outcome of a Review, whichever is later.
- 3.15 Ofcom may direct KCOM not to remove, or to reinstate, a Last-at-a-Site PCB if it has reasonable grounds to believe that KCOM may have failed to meet its obligations under these Conditions.

Provision of new Public Call Boxes

- 3.16 KCOM must consider any request made by a Relevant Public Body for the provision of a new Public Call Box in the area for which it is responsible. Where KCOM receives such a request, it must assess whether a new Public Call Box is needed in order to meet the reasonable needs of End-Users before deciding whether to grant the request. In making such an assessment, KCOM must act reasonably, taking particular account of evidence concerning whether the requested new Public Call Box would be located in an area that:
- (a) does not have coverage from all UK-wide mobile network operators; and/or
 - (b) has a high frequency of accidents or suicides.

Resilience requirements

- 3.17 KCOM must take all necessary measures to ensure:

- (a) the fullest possible availability of its Public Call Boxes in the event of catastrophic network breakdown or in cases of force majeure; and
- (b) uninterrupted access to calls to Emergency Organisations as part of the provision of the Public Call Boxes.

Pricing of services offered from Public Call Boxes

- 3.18 Where KCOM applies charges from Public Call Boxes, those charges must be on the basis of uniform prices (throughout the Hull Area) unless Ofcom consents otherwise.

Removal of cash payment facility

- 3.19 Where a Public Call Box has a cash payment facility, KCOM may only remove that facility where either:

- (a) all calls from the Public Call Box are free of charge; or
- (b) KCOM has reasonably assessed there is no ongoing user need to pay by cash at that Public Call Box.

Condition 4: Tariffs for Universal Services

- 4.1 KCOM shall ensure that the terms and conditions upon which a service or a facility is provided in accordance with these Conditions to an End-User do not require that End-User to pay for an additional service which is not necessary for the purpose of providing the End-User with that service or facility.
- 4.2 For the purposes of Condition 4.1, references, in relation to an End-User, to an unnecessary additional service are references to anything the provision of which:
- (a) that End-User has to accept as a result of being provided, on request, with a service or facility in accordance with these Conditions ('the requested service'); and
 - (b) is not necessary for the purpose of providing that End-User with the requested service.
- 4.3 For the purposes of Conditions 4.1 and 4.2, references to providing an End-User with anything include references to making it available or supplying it to that End-User.

Condition 5: Quality of Service and Reporting

- 5.1 For each of the Initial Relevant Period and the Subsequent Relevant Periods, KCOM must provide to Ofcom and publish the following information:
- (a) the total number of Public Call Boxes provided to meet their obligations under these Conditions in that period;
 - (b) the total number of Public Call Boxes not in working order on the last working day of that period;
 - (c) the total number of Public Call Boxes reported as faulty or damaged in that period;
 - (d) the total number of Public Call Box repairs completed in that period;
 - (e) the average time taken (from a fault being reported to its repair) for repairs to faulty or damaged Public Call Boxes to be completed in that period;
 - (f) the total number of Proposals made in that period;

- (g) the total number of Last-at-a-Site PCBs which have been removed or relocated outside of the relevant Site in that period. This should also specify the number which were removed or relocated after being:
 - (i) subject to a request for a Review which was declined; and
 - (ii) subject to a Review which upheld the Decision; and
 - (h) the total number of Last-at-a-Site PCBs which have not been removed or relocated outside of the relevant Site in that period but which were:
 - (i) subject to successful representations made during the Representation Period;
 - (ii) subject to a Review which overturned the Decision.
- 5.2 KCOM must provide to Ofcom, and publish the information required under Condition 5.1 no later than three months after the expiry of the Initial Relevant Period and each Subsequent Relevant Period thereafter.
- 5.3 KCOM must maintain all records relevant to the information required under Condition 5.1 for at least six years.

Condition 6: Disposals

- 6.1 Subject to Condition 6.2, where KCOM proposes to make a disposal to another person of a substantial part of all of its local access network assets, it shall inform Ofcom of the proposed disposal no less than one month in advance of such disposal.
- 6.2 Condition 6.1 does not apply where the proposed disposal is to a connected company (within the meaning given by section 1122(2) of the Corporation Tax Act (2010)).

Condition 7: General provisions applicable to Conditions 1 to 6 (inclusive)

- 7.1 For the purpose of these Conditions, publication must be effected by:
- (a) placing a copy of the relevant information in a prominent place on a publicly available website operated or controlled by KCOM; and
 - (b) sending a copy of the relevant information to any person at that person's written request.
- 7.2 Ofcom may from time to time give, under these Conditions, a direction, approval or consent requiring KCOM to comply with additional requirements under these Conditions.
- 7.3 In particular, for the purposes of these Conditions, Ofcom may from time to time make a direction specifying:
- (a) quality of service standards to be used to measure KCOM's performance in complying with these Conditions; and
 - (b) additional requirements with respect to the form and content of the information to be provided to Ofcom and published.