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**BT proposal to remove public payphones in the Borough**

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**SYNOPSIS**

The Council has been notified by British Telecommunications (BT) of its intention to remove eight public payphones across the Borough. The purpose of this report is to approve the Council's final decision in response to BT's notification.

**1. Introduction**

- 1.1 BT is currently consulting on removing eight phone boxes at various locations within the Borough.
- 1.2 When BT announces plans to remove a phone box, it is the Council's choice to object or not. To do this, they must first ask the views of the local community by carrying out a consultation process.
- 1.3 Ofcom is the governing body and sets out the procedure that consultation must follow. Having regards to these requirements the following process has been followed:
  - Initial consultation up to 2<sup>nd</sup> December 2016 – feedback on proposed phone boxes to be removed requested from the local community, local ward members, parish councillors and resident associations.
  - A Draft Decision (or First Notification) approved by the Planning Manager and published on 5<sup>th</sup> December 2016. This was advertised in the local press and posters were placed inside the affected phone boxes. It was also published on the Councils website and emails were sent to relevant ward members, parish councils and resident associations with a deadline for any further comments by 5<sup>th</sup> January 2017.
  - A Final Decision (or Final Notification) to be approved by Local Plan Committee, having regard to the representations received on the draft decision, and forwarded to BT by 12<sup>th</sup> January 2017. As the consultation on the draft decision is ongoing at the time of writing this report, members will receive an update at the meeting.

**2. Discussion**

- 2.1 The Council has the option to agree or object to the removal of each of the eight phone boxes. Reasons to justify the objection must be included. The Council has the power of 'local veto' and would prevent BT from removing any phone box to which the Council has raised objection. BT can appeal against the Council's decision to the Competition Appeals Tribunal.

2.2 The locations are listed below:

- Occupation Road/Rutherglen Road, Corby NN17 1ER
- Willowbrook Road, Maidford Road, Corby, NN17 2NR
- Princewood/Causeway Road, Gretton Brook Road, Corby, NN17 4BA
- Newark Drive, Corby NN18 0EX
- High Street, Stanion, NN14 1DF
- Shire Road/ Stour Road, Corby, NN17 2HX
- High Street, Weldon, NN17 3JJ
- Great Oakley, Corby, NN18

2.3 BT's rationale for their proposals is based on the declining use of payphones, largely due to mobile phone take-up. BT's own figures show that the number of calls made from BT payphones has halved in the last three years. 99% of UK homes now have a phone at home, and 85% have a mobile phone.

2.4 Ofcom has issued guidance some of the relevant factors to be taken into account when making a decision over the proposed removal of public phones boxes. These are:

- Who lives there – the type of local housing around a phone box may say how important it is to the area. If it's surrounded by people who own their homes, there's a fair chance they have home phones or mobiles as well. However, if the neighbourhood has mainly rented properties, social housing or residential-care homes, it could be that there are people on low incomes who need that phone box.
- Emergency Calls - many people feel reassured that phone boxes are available if there's an emergency. This can range from 999 calls to being able to call for help if your car breaks down. The local organisation needs to think about whether a particular phone box is more likely to be used for emergency calls than another. If, for example, the call box is near a known accident black spot, it may strengthen the argument for it to be kept.
- Income - whether it's a shop, a pub or a phone box, the amount of money people spend on a local service is a sign of whether it's important to them. BT may be able to show how much business a particular phone box is getting. If it's a very low figure, this may support their case to remove it.

2.5 In addition there are a number of local factors that could be considered e.g. impact on conservation area.

### **3. Assessment**

3.1 An assessment of the proposals is set out in the schedule attached as Appendix 1. This schedule considers each of the proposals and, having regards to usage and the locations, recommends whether to object or accept the proposed removal of each phone box. The recommendations are to object to 6 of the proposed removals and to agree to 2.

3.2 As the consultation on the draft decision does not end until 5<sup>th</sup> January 2017, any comments received will be the subject of a verbal update at the meeting.

**4. Options to be considered (if any)**

Should the Council not issue a Final Response, BT has right to remove any of the payphone identified without further consultation. BT has the right of appeal against any objections; therefore it is vital that all objections are fully evidenced and justifiable.

**5. Issues to be taken into account:-**

***Policy Priorities***

Payphones are seen by many as an important public service and the provision of local services is a key issue within the Corporate Plan.

***Financial***

If BT appeals against any local veto (objection) to payphone removals by the Council and the Competition Appeals Tribunal rules in favour of the appellant there may be a risk of costs being awarded against the Council.

***Legal***

The process set out in this report accords with Ofcom guidance under the Communications Act 2003. The Council has a responsibility to initiate a public consultation and respond to BT's proposals.

***Performance Information***

None directly linked to this report

***Best Value and Human Rights***

None directly linked to this report

***Community Safety***

The loss of public call boxes will lessen the community's ability to react to emergencies, but this has to be weighed against the prevalence of alternative service providers and the issue of vandalism of public call boxes.

***Equalities***

Access to telephone facilities by the economically, socially, culturally, physically or mentally disadvantaged

***Sustainability***

The loss of community facilities such as public call boxes will make communities less sustainable by reducing the option for access to other services but given the wide range of alternative providers, the overall loss might well not be material.

***Risk Management***

The Council must ensure that it meets the deadlines should it wish to invoke its right to veto. This may be achieved via the approval of recommendations outlined in this report.

If the Council does object to the removal of one or more public payphones as proposed by BT, the Council must ensure that its response is fully reasoned, robust and defensible to reduce the risk of costs.

## 6. Recommendation

That, subject to any changes required in response to consultation, the schedule attached at Appendix 1 be approved as the Council's Final Decision in response to BT's consultation.

### Appendices

Appendix 1 – Schedule of Payphones affected

### Background Papers

Ofcom Guidance on Procedures for the Removal of Public Call Boxes

Draft Decision Notice

J:\Local Plans\BT consultation Nov 2016\BT Payphone Consultation Letters.pdf

### Officer to Contact

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## Appendix 1

Phone Box Number	Location	Decision	Summary of Consultation	Reason(s)
01536400760	Occupation Road/Rutherglen Road, Corby NN17 1ER	Object	No comments at the time of writing this report	Surrounding area has high level of social housing tenure. It is also a conservation area. Phone box is coin operated and usage data indicates that the phone has been used during the last 12 months.
01536400756	Willowbrook Road, Maidford Road, Corby, NN17 2NR	Support	No comments at the time of writing this report	Low usage of phone during the last 12 month. Good mobile coverage
01536401196	Princewood/Causeway Road, Gretton Brook Road, Corby, NN17 4BA	Support	No comments at the time of writing this report	Low usage, phone situated on busy road in commercial areas. Other payphones available at two local public houses nearby
01536406174	Newark Drive, Corby NN18 0EX	Object	No comments at the time of writing this report	Very high concentration of social housing. Phone box found to be vandalised on inspection by Planning Team, which may account for its zero usage during reporting period
01536406201	High Street, Stanion, NN14 1DF	Object	No comments at the time of writing this report	Nil usage. Objection from the Parish Council that the demographic of the village, with a significant number of mature residents, suggests that mobile phone usage may be much less than elsewhere and limited number of community facilities means it is not unreasonable to believe that the phone box may well be the only means of communication for some

				residents, especially on occasions where their own household utilities may not be serviceable.
01536406202	Shire Road/ Stour Road, Corby, NN17 2HX	Object	No comments at the time of writing this report	High concentration of social housing, Top 30% of most deprived wards in overall Index of Multiple Deprivation. Loss of coin operated phone to the Corby area.
01536406221	High Street, Weldon, NN17 3JJ	Object	No comments at the time of writing this report	Usage figures indicate phone still used. This is a rural area with some reliability problems in mobile phone coverage in parts of the village (according to Ofcom Coverage Website).
01536460233	Great Oakley, Corby, NN18	Object	No comments at the time of writing this report	Red telephone box contributes to the character, appearance and significance of the Great Oakley Conservation Area.