

APPENDIX F

WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 10TH JUNE 2008

Title:

REMOVAL OF BT PAYPHONES

**[Portfolio Holder for Partnerships and Community: Cllr B J Morgan
Portfolio Holder for Local Economy: Cllr R A Knowles]
[Wards Affected: All]**

Summary and purpose:

Waverley received a letter from British Telecom advising of 48 payphones in the Borough on which it was obliged to consult about removal. BT propose to remove the boxes because they are not sufficiently used to make them economically sustainable. However this does not over-ride their Universal Service Obligation.

The deadline for responding to the consultation is 2nd July 2008. The consultation letter was sent by Waverley to all councillors, town and parish clerks for their comments and has been placed on the website, in locality offices and local newspapers. Comments received are being used to help inform Waverley's response.

Environmental implications:

If phone boxes are to be removed there will be a change to the local environment in the affected areas including the potential loss of heritage feature if red boxes are removed, particularly in conservation areas.

Social / community implications:

There will be some community implications if there is a strong desire to retain particular phone boxes. Ofcom's advice is that phone boxes have a particularly important role in areas of social housing as well as at accident blackspots.

E-Government implications:

No direct e-government implications.

Introduction

1. Waverley received a letter from BT dated 2nd April advising of 48 payphones in the Borough on which it was obliged to consult about removal (see Annexe 1). There are a further four payphones to be removed on which it does not need to consult. BT have advised that there are 101 BT payphones in Waverley so with 52 proposed for removal, this means more than half of Waverley's BT boxes are under review (see map attached at Annexe 2).

2. BT propose to remove the boxes because they are not sufficiently used to make them economically sustainable i.e. they are taking less than £100 per year. However, BT cannot just take away services for financial reasons. They have a duty, known as the Universal Service Obligation (USO), to provide a reasonable number of working phone boxes where they are most needed, 70% of which should offer a cash facility.
3. The 4 boxes being removed which BT is not obliged to consult on because there is another box within 400m of them are at Farnham Woolmead, GU9 7TX; Farnham West Street, GU9 7DX; Milford Lodge, GU8 5JG and Ewhurst Road, Cranleigh, GU6 7AA.
4. Nationally, BT say that six out of 10 of their phone boxes are losing them money. The number of calls from their payphones has halved in the last three years and on average more than 50% of payphones take less than one call per week. 85% of UK homes (not individuals) have a mobile phone and 99% have a phone at home.
5. Of the 48 BT payphones proposed for removal in Waverley, 33 are traditional red boxes, though none are Grade II listed. There are 9 listed red boxes in Waverley which are all safe from the removal list (Annexe 3).

Consultation

6. On receiving the letter, Waverley asked all Town and Parish Clerks for their comments, and asked for residents' association views via Town and Parishes. All locality offices were asked to place a notice in the office and a public consultation feedback form was added to Waverley's website. In addition, Waverley placed two public adverts in local newspapers encouraging people to voice their views.
7. The deadline for response to the BT consultation is 2nd July 2008. However, Waverley set a response date of 9th June in order that comments could be circulated at this meeting.

Responses received

8. Responses received at the time the papers were despatched are attached at Annexe 4 (Public comments) and Annexe 5 (Town & Parish and Councillors' comments). Comments received after papers were despatched will be tabled at the meeting.
9. A summary of all objections/support for removal to date is attached at Annexe 6 for ease of reference.
10. The majority of responses received to date object to the removal of payphones either for service reasons or for loss of a heritage feature. A few respondents have supported removal of payphones where vandalism has been taking place and phones are not being used.

Next Steps

11. A local authority has, under the Telecommunications Act, the authority to 'veto' the removal of any payphones particularly if it is felt that coverage would be insufficient to meet BT's Universal Service Obligation. Therefore, if a local authority objects to the removal and sets out reasons why, BT cannot remove the box. There is an appeals system via the Competition Appeals Tribunal.
12. Ofcom has identified certain reasons for objection. If it is decided that a case should be made to keep some boxes, grounds for retention could include:
 - BT's decision to remove the phone boxes appears to be based solely on profit –suggest a wider view is taken of location (rural/urban), distance to next box etc
 - Whilst the growth of mobile telephones cannot be denied, there remain 'black holes' especially in rural areas where signals between mobile telephones and those being sent the signal will not make contact.
 - Greater chance of retention near to rented social housing and residential care homes.
 - Greater chance of retention near accident black spots where there is a need to make emergency calls.
13. Other observations from consultation responses and discussion include:
 - Outlying and remote telephone boxes are often a lifeline and now with the removal of weekend calls by doctors it becomes ever more imperative that any services in remote settlements are maintained
 - Our most vulnerable people are the most in need of the payphone service which enables emergency/private calls to occur at times outside an otherwise a potentially dangerous household environment. e.g. fire or domestic dispute or child abuse. A high number of calls to such services as Samaritans and Childline are made using payphones.
 - There are also those people without mobiles, or those who may find their mobile phone battery is not working.

Options for retention

14. If it is felt that some payphones should be retained, then the grounds above could be used to argue the case. Towns and Parishes or individuals could potentially also apply for listed building status for those red payphones in a good state of repair.
15. BT is currently reviewing its policy on payphone retention. Officers have been informed that they are looking into two possibilities with respect to allowing Councils to keep red payphones. These options are:
 - a) a maintenance agreement set up so that the phone stays in operation and BT will take on some responsibility for maintaining the box and
 - b) all the interior equipment is removed and the payphone becomes the property of the Council. Both options have legal issues associated with them and BT will let Waverley know if either is possible in due course.

Comments received

16. A list of comments received to date from members of the public via the website is attached at Annexe 4 and from Councillors and Parish Councils is attached at Annexe 5. These have been consolidated into a table at Annexe 6 which summarises any reasons given for retention or removal. Any additional comments will be reported to the meeting

Conclusion

17. Overall, there is a mixed view about the removal of payphones. Respondents recognise that with the increasing availability of mobile phones, there is less need to have the same level of provision of phone boxes. Other respondents have expressed concern about the loss of heritage and character by the removal of traditional red phone boxes. However, there is significant concern over the volume of call boxes being removed in areas where mobile phone coverage is patchy or poor particularly in more remote areas and where some emergency use might still be required. One of the key questions is whether the removal of provision of over half of the phone boxes will still give satisfactory universal coverage. It is the view of officers, based on local comments received, that Waverley should object to the removal in some areas where it appears that there would be insufficient provision for the future.

Recommendation

It is recommended that

1. the Executive determines which of the proposed boxes should be retained on the basis of the consultation responses and other factors such as the location map; and
2. a response be sent to BT under Chief Executive's delegated powers by the deadline of 2nd July 2008 taking into account any additional responses received in good time.

Background Papers (DoHC)

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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