

TO: EXECUTIVE MEMBER FOR PLANNING AND TRANSPORT

6 JANUARY 2017

DIRECTOR OF ENVIRONMENT CULTURE AND COMMUNITIES

BT CONSULTATION ON REMOVAL OF PUBLIC TELEPHONE BOXES

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to agree the response to BT (British Telecommunications plc) on their consultation for the proposed removal of 18 public telephone boxes within the Borough and whether the Council should exercise its veto in appropriate cases.

2.0 RECOMMENDATION

2.1 That the Executive Member for Planning and Transport approves:

- (i) **Draft decision by Bracknell Forest 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”) (contained in Appendix B of this report)**

3.0 REASONS FOR RECOMMENDATION

- 3.1 The payphones proposed for removal have been assessed in terms of the number of calls made in the 12 month period prior to the consultation, the distance to the nearest alternative phone box and reasonable social need.

4.0 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The option of not responding to the consultation was not considered as the consultation is time sensitive and no comments/objections will be accepted after the expiry of the 90 day period that ends 16 January 2017.

5.0 BACKGROUND INFORMATION

- 5.1 Ofcom (Office of Communications) completed a review in 2005 of the provision of public telephone boxes in the UK and agreed a new set of rules that BT must follow if it wishes to remove the only telephone box in a local area. The rules give local authorities a veto on such removals and the purpose of this report is to consider whether or not this Council should exercise its powers in this respect.
- 5.2 Telephone boxes provide an essential service for those who do not have a landline at home or where using a mobile phone is not possible and BT has a regulatory obligation to ensure adequate provision of payphones throughout the UK in order to meet the reasonable need of the end user. Since the publication of the Office of Communication (Ofcom) statement in 2006 following the 2005 review of the telecommunication market, much has changed in the UK in respect of communication and this continues to evolve. The take up of mobile phones, allowing people to make calls away from their home or office has changed communication behaviour of most people and has led to a decline in the use of payphones,

particularly in England and Wales. 93% of adults owned a personal mobile phone in 2015 and Ofcom reported that in April 2015 98% of UK premises had either 3G or 4G mobile phone coverage with the majority having indoor coverage. This is significant because, as long as there is network coverage it is possible to call emergency services even when there is no credit or coverage from the user's own mobile phone provider.

- 5.3 Revenue from telephone boxes decreased by nearly half between 2000 and 2006 and BT stated that six out of ten were actually losing money. In the last 10 years this figure has increased and therefore, BT has a programme to reduce their number. However, it has a duty referred to as the Universal Service Obligation (USO) to provide a reasonable number of working telephone boxes where they are most needed. To achieve a balance between the number of call boxes the public needs and BT's wish to remove those that lose money, Ofcom has established rules that BT must follow if it wishes to remove the only telephone box in a local area. Phones that are well used or those identified as providing a social need will be retained.

Criteria for determining social need

- 5.4 Public payphones that fulfil the following criteria, referred to as overriding criteria, are not being removed:
- In suicide spots
 - In accident blackspots
 - In an area without mobile phone coverage
 - Within 400m of the coast
- 5.5 In addition where there is a reasonable need for a payphone these payphones will not be removed. Reasonable need is assessed using the following criteria, retaining phones where all 3 criteria apply:
- Is the only payphone within 800m
 - Had at least 12 calls of any type within a 12 month period
 - Local population is not fewer than 500 households within 1 km of the payphone.

Rules for Removal of Telephone Boxes

- 5.6 The rules apply when BT wants to remove the one and only call box from a site. In this case, "site" means a 400 metre walking distance surrounding a call box. This means that, if there are two telephone boxes within 400 metres' walk of each other, one can be removed without following the rules.

Where BT does want to remove the last telephone box from a site, it must:-

- inform the public by displaying a notice on the telephone box giving the name of the local authority to which people can object; and
- advise the relevant local authority (in Bracknell's case, the Borough Council) about its plans to remove the telephone box.

- 5.7 Any objections to the removal of individual payphones need to be objectively justified in terms of meeting the need of the end user.
- 5.8 If the local authority then writes to BT within 90 days to object, setting out its reasons, BT cannot remove the telephone box.

Process for Use of Local Veto

- 5.9 When BT announces plans to remove a telephone box, the local authority must decide whether to use its local veto to object. To do this, it must first consult the local community. As part of this, responses may also be received to the notice posted by BT on the telephone box. The local authority will then announce its first decision and

invite comment on this from the local community before arriving at a final decision. Such consultations would include the local Town/Parish Council.

- 5.10 As can be seen from paragraph 5.6 above, a number of stages must be pursued in order for the Council to exercise its veto on the removal of a telephone box from a local area.

6.0 PROPOSAL

- 6.1 A total of 18 telephone boxes are proposed to be removed and the deadline for comments is 16 January 2017. These are as follows:

	Telephone Number	Address	Post Code	Number of calls in 12 month period prior to consultation
1	01252 873702	PCO Near Old Mills Parade, High St, Sandhurst	GU478DY	0
2	01344 360540	Jcn Forest Rd/Terrace Rd North, Binfield	RG42 5HR	5
3	01344 360704	PCO Hillberry, Bracknell	RG12 7ZY	45
4	01344 421144	Jnc Bywood/ Hanworth Rd, Bracknell	RG12 7WX	0
5	01344 421161	PCO Threshfields, Bracknell	RG12 7EX	0
6	01344 421367	PCO, opposite ICI Centre, A3095, Jealotts Hill, Warfield	RG42 6ET	0
7	01344 421504	Jcn Ralphs Ride/Broad Lane, Bracknell	RG12 9GU	0
8	01344 423756	Jcn Appledore/ Abbotsbury, Bracknell	RG12 8QU	5
9	01344 454617	PCO Wildridings Square, Bracknell	RG12 7SJ	182
10	01344 772290	Owlsmoor Shopping Centre, Yeovil Rd, Owlsmoor	GU47 0TF	231
11	01344 776307	Jcn Rackstraw Way/ Evenlode Way, Sandhurst	GU47 9RQ	51
12	01344 869762	PCO Bilton Industrial Estate, Lovelace Rd, Bracknell	RG12 8YT	49
13	01344 882937	o/s Squirrels PH, North St, Winkfield	SL4 4TF	29

14	01344 882968	o/s 4 & 5 Bracknell Rd, Winkfield Row	RG42 6LS	0
15	01344 882976	Jcn A329/ Fernbank Rd, Ascot	SL5 8ED	1
16	01344 883206	Jcn Osmans Close / Chavey Down Rd, Winkfield Row	RG42 7PB	0
17	01344 883256	Jcn Church Rd/ Priory Rd, Ascot	SL5 8RN	0
18	01344 883455	Warfield Caravan Park, Old Mills Jigs Lane South, Warfield	RG42 3RT	0

7.0 APPRAISAL

- 7.1 All payphones proposed to be removed are located within the Borough where mobile phone coverage is generally good.
- 7.2 Only one of the telephone boxes is of traditional design. The one in Warfield Park is a K6 design and if the local community did want to retain the box itself it is possible to adopt it under the adoption scheme being promoted by BT. The remaining boxes are of modern design.
- 7.3 The map in Appendix A indicates the location of all payphones within the borough, those proposed to be removed with an 800m buffer and 1km buffer. A site visit has been undertaken to all payphones to be removed to assess their location and whether they are in working order.
- 7.4 A draft schedule is attached at Appendix B, which has been publicised on the Council's web-site. Where all the criteria for reasonable social need (as outlined in paragraph 5.5) have been clearly fulfilled (this applied to 2 cases) the LPA has raised an objection to the removal of these payphones.
- 7.5 Where there is an alternative payphone within 800m the LPA is raising no objection to its removal, even if the number of calls has exceeded 12 in the 12 month period prior to the consultation, as 800m is considered to be a reasonable distance, being approximately a 10 minute walk. There are 8 such cases in the borough.
- 7.6 Where there is no alternative provision within 800m and the payphone was in working order at the time of the site visit but 12 or fewer phone calls were made in the 12 month period prior to the consultation no objection is being raised to its removal as clearly there is either no or limited demand for the payphone. There are 3 such cases. However if the payphone was not in working order at the time of the site visit the number of calls made in the 12 month period could be a misrepresentation and therefore the LPA is raising an objection in such circumstances. There are 5 such cases.
- 7.7 Bracknell Town Council has objected to the removal of 3 phones in their area where there have been calls made over the last year. One of these fulfils the reasonable social need criteria and is therefore being objected to whereas the other two have an alternative payphone within 800m and it would be difficult to sustain an objection to their removal.

7.8 In total objections are being raised to the removal of 7 payphones and no objection to the remaining 11 payphones for the reasons given above.

8.0 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

8.1 None required.

Equalities Impact Assessment

8.2 There are not considered to be any Equalities issues arising from this report.

9.0 CONSULTATION

9.1 In accordance with the Ofcom requirements BT has posted site notices within each telephone box giving notification that they are proposing to remove the payphone following a consultation period of 42 days from the date of the site notice. The site notice includes that the Local Authority Planning Department should be contacted who will collate all responses back to BT. As a result of the site notices displayed by BT no responses from the public have been received.

9.2 In addition the Local Planning Authority has consulted immediate neighbours to the payphone by letter and included the list of payphones proposed to be removed on the weekly list of planning applications. Circulation of this list includes Parish/Town Councils and Councillors. As a result of this consultation the following response has been received:

Bracknell Town Council

While we live in a generation of mobile communications, the like we have never seen before, there are still vulnerable people that need a public phone service if only to make one life saving call.

Bracknell Town Council would therefore like to see only the following three boxes removed as no calls have been made from these boxes in the last 12 months:

PRE/16/00261 Hanworth Road - 0

PRE/16/00262 Threshfield - 0

PRE/16/00264 Ralphs Ride- 0

and object to the removal of

PRE/16/00260 Hillberry - 45 calls

PRE/16/00265 Appledore – 5 calls

PRE/16/00269 Lovelace Road – 49 calls

An emergency phone is far cheaper to maintain if BT want to save money. It doesn't even require a fully enclosed box, motorway boxes do not have enclosures.

Background Papers

Letter from BT, dated 13 October 2016

Removing Public Call Boxes - A Guide to the Rules (Ofcom: March 2006)

Appendices

Appendix A Map showing location of payphones proposed for removal with 800m and 1km buffers

Appendix B Draft decision pursuant to Part 2 of the Schedule to a Direction published by Ofcom on 14 March 2006 (“the Direction”)

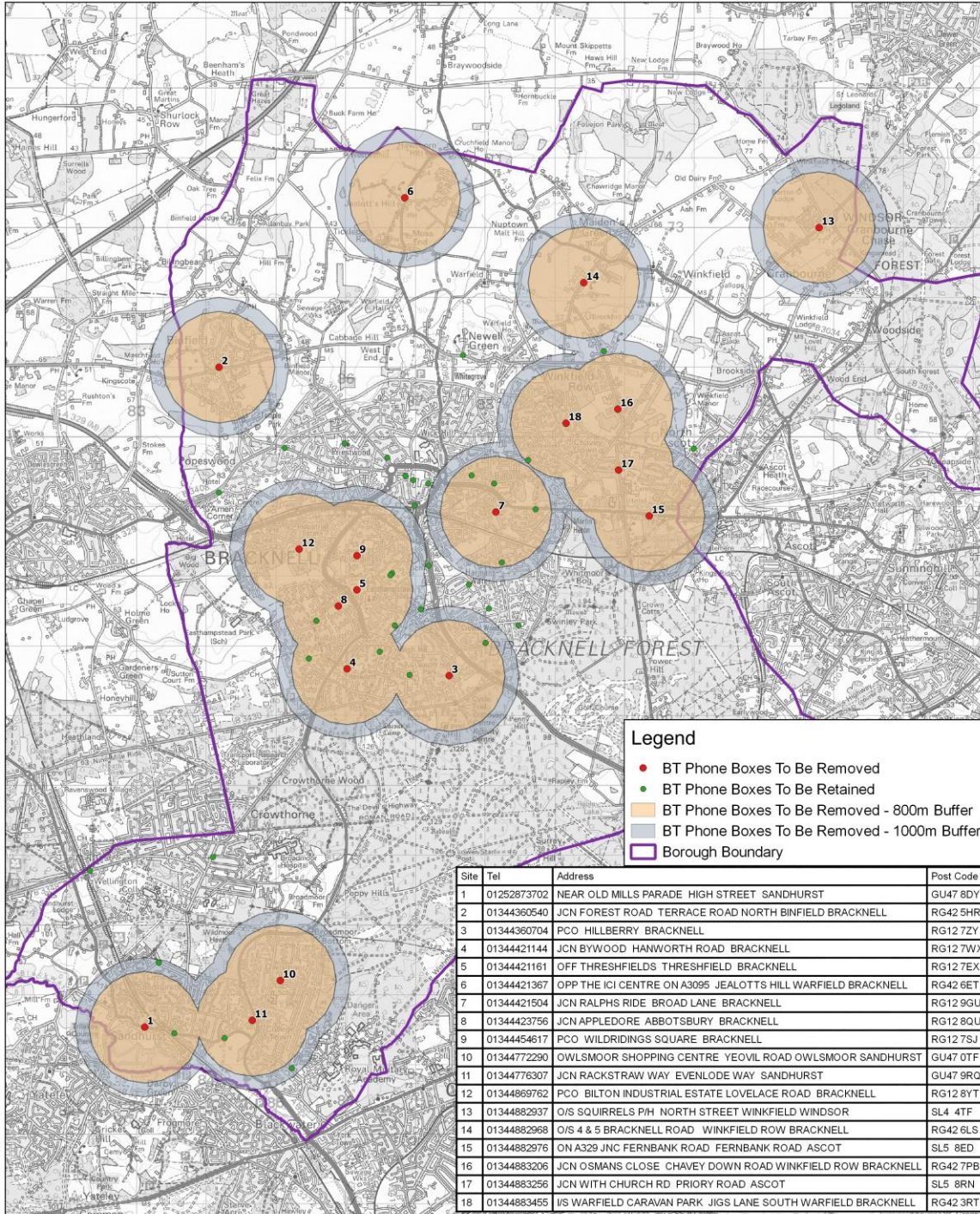
Contact for further information

Basia Polnik, Development Management Team Manager - 01344 351134

basia.polnik@bracknell-forest.gov.uk



**BT Telephone Boxes
Sites to be Removed
December 2016**



APPENDIX B

Draft decision by Bracknell Forest 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")

	Telephone Number	Address	Decision Object/Consent	Reason(s)
1	01252 873702	PCO Near Old Mills Parade, High St, Sandhurst GU478DY	Consent	Alternative payphone within 800m
2	01344 360540	Jcn Forest Rd/Terrace Rd North, Binfield RG42 5HR	Consent	No alternative payphone within 800m. Phone working at time of site visit although fewer than 12 calls in 12 month period
3	01344 360704	PCO Hillberry, Bracknell RG12 7ZY	Consent	2 alternative payphones within 800m
4	01344 421144	Jnc Bywood/ Hanworth Rd, Bracknell RG12 7WX	Consent	2 alternative payphones within 800m
5	01344 421161	PCO Threshfields, Bracknell RG12 7EX	Object	No alternative payphone within 800m and currently vandalised therefore no phone calls in last 12 months could be a misrepresentation
6	01344 421367	PCO, opp ICI Centre, A3095, Jealotts Hill, Warfield RG42 6ET	Consent	No alternative payphone within 800m. In working order at time of site visit but no calls made in last 12 months
7	01344 421504	Jcn Ralphps Ride/Broad Lane, Bracknell RG12 9GU	Consent	4 alternative payphones within 800m
8	01344 423756	Jcn Appledore/ Abbotsbury, Bracknell RG12 8QU	Consent	Alternative payphone within 800m
9	01344 454617	PCO Wildridings Square, Bracknell RG12 7SJ	Consent	Alternative payphone within 800m
10	01344 772290	Owlsmoor Shopping Centre, Yeovil Rd. Owlsmoor GU47 0TF	Object	No alternative payphone within 800m. Over 12 (231 in total) calls in last 12 months and over 500 households within 1km buffer therefore reasonable social need criteria fulfilled
11	01344 776307	Jcn Rackstraw Way/ Evenlode Way, Sandhurst GU47 9RQ	Consent	Alternative payphone within 800m.
12	01344 869762	PCO Bilton Industrial Estate, Lovelace Rd, Bracknell RG12 8YT	Object	No alternative payphone within 800m. Over 12 (49 in total) calls in last 12

				months and over 500 households within 1km buffer therefore reasonable social need criteria fulfilled
13	01344 882937	o/s Squirrels PH, North St, Winkfield SL4 4TF	Object	No alternative payphone within 800m and currently not working therefore 29 phone calls in last 12 months could be a misrepresentation
14	01344 882968	o/s 4 & 5 Bracknell Rd, Winkfield Row RG42 6LS	Object	No alternative payphone within 800m and currently phone not commissioned therefore 0 phone calls in last 12 months could be a misrepresentation
15	01344 882976	Jcn A329/ Fernbank Rd, Ascot SL5 8ED	Consent	No alternative payphone within 800m. In working order at time of site visit but one call made in last 12 months
16	01344 883206	Jcn Osmans Close / Chavey Down Rd, Winkfield Row RG42 7PB	Object	No alternative payphone within 800m and not working at time of site visit therefore no phone calls in last 12 months could be a misrepresentation
17	01344 883256	Jcn Church Rd/ Priory Rd, Ascot SL5 8RN	Object	No alternative payphone within 800m and not working at time of site visit therefore no phone calls in last 12 months could be a misrepresentation
18	01344 883455	Warfield Caravan Park, Old Mills Jigs Lane South, Warfield RG42 3RT	Consent	Alternative payphone within 800m