

Dear Parish/Town Clerk

West Devon Borough Council has been informed by BT that 28 public payphones have been identified for proposed removal in the South Hams district on the basis of low usage. West Devon Borough Council has therefore been asked to consult with you regarding the possible removal of a BT phone box in your parishes. The list of phone boxes, their parish, ward and ward members along with their usage is included further down this email.

BT advise that there is a 90 day consultation period ending on 8TH October 2019. The process outlined by Ofcom involves:

- 1) Initial notice placed by BT in affected phone boxes between 7th & 8th July 2019 giving local residents 42 days to respond to the 'Local Authority Planning Department' with any comments.
- 2) West Devon Borough Council then conduct a first consultation period to make a decision on comments received and advise of the decision for each affected phone box.
- 3) West Devon Borough Council publishes its 'First Notification' i.e. a draft decision (to Secretary of State) stating whether West Devon Borough Council agrees with BT's decision to remove a phone box.
- 4) A one month period is allowed to receive comments on the decisions regarding the affected phone boxes.
- 5) West Devon Borough Council publishes its second notice (the 'Final Notification') which sets out the final decision and reasons behind it prior to submission to BT on 8th October 2019.

The final notice including reasons for objecting to removal must be received by the Secretary of State Culture, Media & Sport and BT prior to the consultation deadline otherwise BT will assume there is no objection to its removal. We are therefore working to a fairly tight timeline and your prompt responses will be much appreciated.

BT has advised a notice was placed on the phone box (see below highlighted in yellow) in your parish by BT on 7th or 8th July giving 42 days to respond and advising any comments be sent to the Local Authority Planning Department. If you have not already made your comments known, your Parish Council has until **1st September** to submit your comments to West Devon Borough Council - dm@swdevon.gov.uk.

	Telephone Number	Address	Post Code	PARISH	WARD	CLLRS	Number of calls in last 12 months	Response: 1. ADOPT 2. REJECT 3. OK TO REMOVE
1	1409221236	PCO PCO1 BEAWORTHY	EX21 5AB	BEAWORTHY	BRIDESTOWE	MOTT, SOUTHCOTT	0	
2	1566783201	PCO PCO1 LEWDOWN OKEHAMPTON	EX20 4DQ	Boundary of : MARYSTOWW; LEWTRENCHARD; THRUSHELTON	BRIDESTOWE	MOTT, SOUTHCOTT	1	
3	1566783227	PCO PCO1 PORTGATE LEWDOWN OKEHAMPTON	EX20 4PY	STOWFORD	TAMARSIDE	EDMONDS	0	
4	1566783355	OPP LOWERTOWN COTTAGES PCO CORYTON OKEHAMPTON	EX20 4NZ	CORYTON	BRIDESTOWE	MOTT, SOUTHCOTT	0	
5	1566784215	PCO PCO1 BROADWOODWIDGER LIFTON	PL16 0JR				8	
6	1566784392	PCO PCO1 LIFTON	PL16 0DE	LIFTON	TAMARSIDE	EDMONDS	0	
7	1822612415	PCO PCO1 TAVY ROAD TAVISTOCK	PL19 9HR	TAVISTOCK	TAVISTOCK SE	SELLIS & SPETTIGUE	9	
8	1822612499	PCO PCO1 GRENOFEN TAVISTOCK	PL19 9ER	WHITCHURCH	DARTMOOR	RENDERS	0	
9	1822612611	NR.JENN HOUSE - RUSHFORD PCO1 LAMERTON TAVISTOCK	PL19 8RX	LAMERTON	MILTON FORD	JORY	1	

10	1822613317	PCO PCO1 HAZEL ROAD TAVISTOCK	PL19 9DN	TAVISTOCK	TAVISTOCK SW	BRIDGEWATER, EWINGS	31	
11	1822616052	PCO PCO1 MONKSMEAD TAVISTOCK	PL19 8PR	TAVISTOCK	TAVISTOCK SW	BRIDGEWATER, EWINGS	0	
12	1822810229	NEAR MARY TAVY PCO1 HORNDON TAVISTOCK	PL19 9NQ	MARY TAVY	MARY TAVY	TERRY PEARCE	0	
13	1822810325	SPO PCO1 PETER TAVY TAVISTOCK	PL19 9NN	PETER TAVY	MARY TAVY	TERRY PEARCE	1	
14	1822810797	WAR MEMORIAL PCO1 MARY TAVY TAVISTOCK	PL19 9PA	MARY TAVY	MARY TAVY	TERRY PEARCE	0	
15	1822840227	PCO PCO1 STATION ROAD BERE ALSTON YELVERTON	PL20 7AF	BERE FERRERS	BERE FERRERS	MUSGRAVE & CROZIER	20	
16	1822852258	PCO PCO1 SAMPFORD SPINEY YELVERTON	PL20 6LD	SAMPFORD SPINEY	DARTMOOR	RENDERS	3	
17	1822852330	PCO PCO1 CHAPEL LANE HORRABRIDGE YELVERTON	PL20 7SP	HORRABRIDGE	BURRATOR	MOYSE & BOLTON	14	
18	1822852772	PCO PCO1 FILLACE PARK HORRABRIDGE YELVERTON	PL20 7TB	HORRABRIDGE	BURRATOR	MOYSE & BOLTON	2	

19	1822852952	WAYLEAVE PP583 PCO1 CRAPSTONE TERRACE CRAPSTONE YELVERTON	PL20 7PD	BUCKLAND MONACHORUM	BUCKLAND MONACHORU M	CHEADLE & WOOD	2
20	1822870201	SITE OF UAX PCO1 MILTON ABBOT TAVISTOCK	PL19 0PS	MILTON ABBOT	MILTON FORD	JORY	0
21	1822870259	VILLAGE GREEN PCO1 KELLY LIFTON	PL16 0HJ	KELLY	TAMARSIDE	EDMONDS	0
22	183752249	O/S THE OLD POST OFFICE PCO1 FOLLY GATE OKEHAMPTON	EX20 3AF	INWARDLEIGH	OKEHAMPTON NORTH	BALL, DAVIES, LEECH	0
23	183752330	NR RAILWAY STATION BUS LAYBY SAMPFORD COURTENAY OKEHAMPTON	EX20 2SP	SAMPFORD COURTENAY	EXBOURNE	SAMUEL, RATCLIFFE	0
24	183752343	PCO PCO1 CREDITON ROAD OKEHAMPTON	EX20 1NU	OKEHAMPTON	OKEHAMPTON NORTH	BALL, DAVIES, LEECH	0
25	183752479	JCN STATION ROAD / PCO1 TORS ROAD OKEHAMPTON	EX20 1EF	OKEHAMPTON	OKEHAMPTON SOUTH	YELLAND, VACHON	19
26	1837811058	NR JCT A3072 PCO1 MOOR VIEW HATHERLEIGH OKEHAMPTON	EX20 3LB	HATHERLEIGH	HATHERLEIGH	KIMBER, KEMP	15

27	183782201	JUNCTION OF FORE STREET PCO1 THE SQUARE NORTH TAWTON	EX20 2EW	NORTH TAWTON	EXBOURNE	SAMUEL, RATCLIFFE	0
28	183782395	JCN OF MILL LANE PCO1 FORE STREET NORTH TAWTON	EX20 2ED	NORTH TAWTON	EXBOURNE	SAMUEL, RATCLIFFE	0

NEXT STEPS

Please reply to this email dm@swdevon.gov.uk by 1st September 2019 clearly stating whether your Parish/Town Council would like to either:

1. Adopt the phone box for £1 see <https://business.bt.com/solutions/small-business/communities/adopt-a-kiosk/> OR
2. Reject BTs proposal for removal stating why – see pages 8 and 9 of the attached OFCOM guidance for relevant factors, OR
3. Confirm you are happy for the phone box to be removed

West Devon Borough Council will then collate the responses of yours and all 28 phone boxes involved and coordinate a draft notification to the Secretary of State and BT.

Best wishes,

Case Management Team – Development Management
 South Hams District Council | West Devon Borough Council
 Email: dm@swdevon.gov.uk
 Tel: 01803 861234



West Devon
Borough Council

Working together



www.southhams.gov.uk



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Introduction

There are many people who rely on the UK's 67,000 public call boxes (known as 'call boxes' or 'phone boxes').

For some people, who don't have any kind of phone of their own, phone boxes are a lifeline. For others, they're useful if they find that their mobile phone isn't working. Most phone boxes – around 64,500 – are owned by BT.

Our research shows that over 33% of adults use phone boxes from time to time, while 7% use them regularly. They're most popular with:

- young people;
- people on low incomes;
- people with mobiles but no home phone; and
- people who have no phone at all.

They're especially important in areas where mobiles don't work, and in any community where there are disadvantaged people.

Even so, people aren't using phone boxes like they used to. The money that BT received from phone boxes went down by nearly half between 2000 and 2006. In fact, BT say that six out of 10 of their phone boxes are losing them money. This is why they've launched a programme to reduce the number of phone boxes.

However, unlike a normal business, BT can't just take away services for reasons linked to money. They have a duty, known as the Universal Service Obligation (USO), to provide a reasonable number of working phone boxes where they're most needed.

In 2005, we carried out a study of phone boxes. We wanted to be able to strike the right balance between the number of call boxes that the public actually needs, and BT's wish to remove phone boxes that lose them money. This booklet explains the rules that BT must now follow if they want to remove the only phone box in a local area, and the important role that local authorities play in that process. (In the Hull area, these same rules apply to Kingston Communications, which owns the phone boxes there.)

This booklet gives you a simple summary of those rules. If you need to know the fuller details, or want to ask for a new box in your area, please turn to the end of this booklet.

Removing Public Call Boxes: a guide to the rules

Removing a phone box - what BT have to do first

Our rules come into play when BT want to remove the one and only call box from a site. By 'site', we mean a 400-metre walking distance surrounding a call box. This means that if there are two phone boxes within 400 metres' walk of each other, BT can take one away without following our rules. However, if they want to take away the last one as well, they have to follow an agreed process.

BT have to display a notice on the call box, to tell the public:

- that they are planning to remove this particular phone box;
- the name of the local authority where people can object (within 42 days); and
- a freephone number people can call to find out the next nearest phone box.

As well as letting the public know, BT must tell certain organisations about their plans to remove the call box. These organisations include, in England:

- district councils;
- metropolitan councils;
- London boroughs;
- unitary councils;
- the Corporation of London; and
- the Council of the Isles of Scilly.

In Scotland, these organisations include:

- unitary councils.

In Wales, these organisations include:

- county councils and county borough councils.

In Northern Ireland, these organisations include:

- unitary districts.

BT must tell them:

- details of the call box they want to remove;
- why this is reasonable, with any information to back up their view;
- the date BT posted the notice on the call box;

Removing Public Call Boxes: a guide to the rules

- that there is a web link to our guidance on procedures; and
- how the local organisation can make any objections to BT.

If the local organisation then writes to BT within 90 days to object, setting out their reasons, BT cannot remove the call box. This is known as the 'local veto'.

What does the local public organisation do?

When BT announces plans to remove a phone box, it is the local organisation's job to decide whether to use its local veto to object. To do this, they must first ask the views of the local community by carrying out a consultation process. The notice posted by BT on the call box may also invite local comments. The local organisation will then announce their first decision, and ask for people's opinions on it, before arriving at their final decision a month or so later.

We don't lay down rules on how local organisations should go about testing the true feelings of their local area. However, we would normally expect their consultations to involve other public organisations, such as the parish or community council or, in Northern Ireland, local community groups.

This makes for an open and fair process, with all the local councils fully involved in the decision-making process. Also, local organisations usually have systems in place to make sure that the voices of the local communities and neighbourhoods are heard. The local organisation must also work within the terms of the Communications Act 2003. This means that they must be able to justify their decisions, as well as encourage competition and look after the interests of us all as citizens.

Below, we look at how they go about reaching their decision.

What to consider

Once the local organisation has heard back from their various consultations, we recommend they look at the area that surrounds the phone box and the people who live locally and consider the following.

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

Removing Public Call Boxes: a guide to the rules

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 blackspot, it may strengthen the argument for it to be kept.

What are the takings?

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.

The procedure for publishing a notice

After the local organisation has weighed up the views they received from the first consultation, they must follow a special procedure. This happens in two stages.

In stage one, the organisation publishes their first notice. This notice will say whether they agree or object to BT's plan to remove the phone box, and their reasons why. We recommend that the local organisation waits at least 42 days after BT first announced their plans before they publish this notice.

The local organisation then allows at least one month to receive comments back on their decision, and to consider those comments. They must then publish their second notice (known as the 'final notice'), which sets out their final decision and the reasons behind it.

The local organisation must make sure that these notices reach all the local people who are affected by them. Like the consultations, we'd expect other local public organisations to be involved, such as the parish or community council or, in Northern Ireland, local community groups. BT and the Department of Trade and Industry must also receive these notices.

Appeals

If a local organisation objects to a phone box being removed, there is an appeals system. The case would then be considered by the Competition Appeals Tribunal.

The option to pay with cash

Many people prefer to use cash for the calls they make in phone boxes, instead of credit or phone cards. For this reason, at least seven out of ten boxes must offer cash payment facilities.

When BT does take away the option to pay by cash, we expect them to make sure that people can always make emergency, freephone and reverse-charge calls. We would also expect, unless there's a very good reason, that these phone boxes accept debit and credit cards.

We expect BT to 'sound out' local organisations before they take away cash facilities.

Asking for a new public phone box

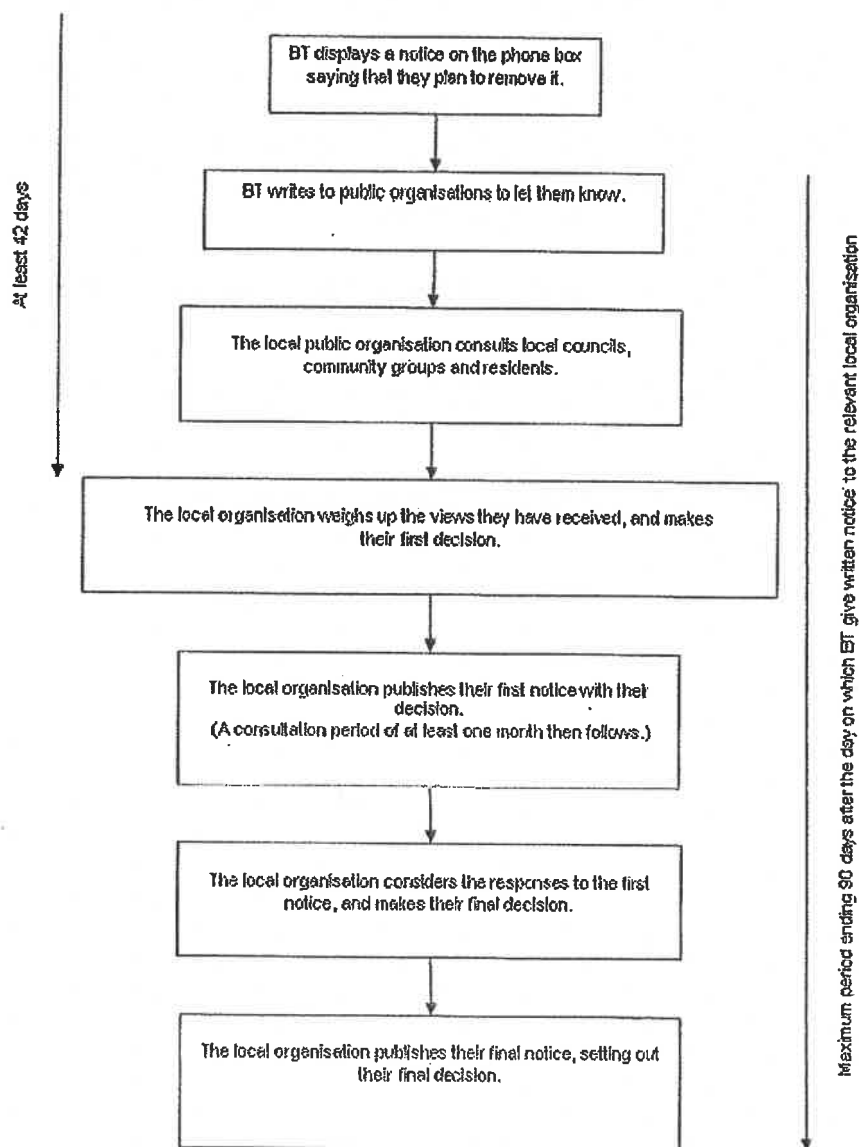
You can also ask BT to install a call box on a new site. They weigh up each request by looking at:

- the number of people the new call box would serve;
- the type of housing in that community; and
- the distance between a call box already there and the possible new site.

To reach a decision, BT uses a scoring system under rules we have set. They give the higher scores to large local communities with a high percentage of social housing, and where there's no phone box nearby. You can find full details of this scoring system on our website.

Removing Public Call Boxes: a guide to the rules

The process for removing – or keeping – a public call box (phone box)



Would you like to know more?

If you'd like to see the full rules about removing a call box, please log on to:

<http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/callboxdirection.pdf>

Local organisations carrying out the consultation process should look at the rules and guidance on our website. Here there are examples of notices, and letters to be sent to the Department of Trade and Industry.

<http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/removals.pdf>

You can see the process for new phone boxes and the scoring system for requests at:

<http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/requestcallbox.pdf>