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**REPORT TO: MORAY COUNCIL ON 2 OCTOBER 2019**

**SUBJECT: BT PAYPHONES**

**BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT,  
PLANNING AND INFRASTRUCTURE)**

**1. REASON FOR REPORT**

- 1.1 To inform the Council of BT's proposed removal of 14 payphones in Moray and seek approval for the Council's response to BT.
- 1.2 Whilst delegated authority for this subject matter lies with the Economic Development & Infrastructure Committee/Policy & Resources, due to the timescale for response it is being brought to Moray Council for consideration.

**2. RECOMMENDATION**

**It is recommended that the Council:-**

- (i) **object to the removal of 4 BT payphones which the Council had previously objected to in 2016, namely: Califer Road/Pilmuir Road in Forres; Victoria Street in Craigellachie; Covesea Road in Elgin; and The Square in Tomintoul;**
- (ii) **agrees that 2 of the traditional red phone boxes at Auchenthalrig and Cabrach are adopted by their respective local community groups; and**
- (iii) **agrees to BT's proposed removal of the 8 remaining payphones on the list.**

**3. BACKGROUND**

- 3.1 BT has stated that it would not remove public payphones from the following areas:
- suicide hotspots;
  - accident hotspots;
  - no mobile phone coverage on all four networks or
  - within 400 metres of the coast.

- 3.2 In addition BT has stated it would not remove a public payphone where there is a “reasonable need”. BT defines this as having the following three conditions all applying:
- The only payphone within 800 metres
  - Had at least 12 phone calls within the last year
  - More than 500 households within 1 kilometre of the payphone
- 3.3 A previous report to Moray Council on 7 December 2016 (para 16 refers) reported that BT had proposed to remove 59 payphones from Moray. The Council objected to the removal of 13. Of those payphones which were part of the 2016 committee report, six have appeared again in BT’s 2019 list of proposed removals.
- 3.4 There has been no material change in circumstances for four of those payphones which the Council objected to removing in 2016. The original objections were as follows:
- Califer Road/Pilmuir Road: the three conditions of reasonable need all apply.
  - Covesea Road Elgin: the three conditions of reasonable need all apply.
  - Craigellachie; near to an accident blackspot (Department for Transport figures show 9 accidents near Craigellachie on the A95 in the last 5 years, 2 serious) and the Community Council said there was a suicide blackspot in the area.
  - Tomintoul: beside a defibrillator and poor mobile reception.
- 3.5 A further two payphones which the Council objected to the removal of in 2016 have, in 2019, received valid requests from local community groups to adopt them. BT allow that community groups can adopt the old style red phones for £1. Cabrach Community Association wish to adopt their payphone and install a defibrillator. Auchenthalrig Residents Association have also submitted a request to adopt their local payphone. These were the only two payphones in the 2019 list which were not used for any calls in the last 12 months.

#### **4. CONSULTATION PROCESS**

- 4.1 Moray Council received a letter from BT dated 9 July 2019 with a list of the 14 payphones that they are proposing for removal. The Council have until 7 October 2019 to respond to BT.
- 4.2 BT also at that time placed notices on the 14 payphones saying that the Council should be contacted with any comments.
- 4.3 On 31 July the Council created an online public survey (using Survey Monkey) which was publicised by the Council via social media and the Council website.
- 4.4 A press release was circulated and an article appeared in the Northern Scot on 31 July with details of how to respond to the survey. The survey was also emailed to all of the Community Councils in the area.

- 4.5 A deadline for responses of 31 August 2019 was set and people were also given the opportunity to email, phone or write in with their comments.
- 4.6 **SURVEY REPOSSES**
- a) 59 responses received in total
  - b) 36 of those were objections to the removals
  - c) 14 were people agreeing to the removals
  - d) other responses were in connection with the adoption of a payphone
  - e) The payphones which received the most objections were Tomintoul (20), and Cabrach (19).
- 4.7 In addition, the Council received a petition from Kirkmichael and Tomintoul Community Association. They object to the removal of the Tomintoul payphone on the grounds that it is situated next to a defibrillator and that the mobile phone reception is patchy. The petition was signed by 442 people.
- 4.8 The OFCOM website shows that all of the 14 payphones are in areas with mobile reception on at least one network. Members of the Convention of the Highlands & Islands have previously noted that the OFCOM website is not 100% accurate and this has been acknowledged by OFCOM.
- 4.9 **Appendix 1** shows the full list of 14 payphones that BT has proposed for removal and the proposed consultation response from The Moray Council.

## 5. **SUMMARY OF IMPLICATIONS**

**(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**

The removal of payphones could have an influence on one of the five main Outcomes of the 10 Year Plan of a “thriving and well connected place where more people live well within their communities”. By objecting to the removal of payphones where there is a recognised need then we will be assisting with this outcome.

Similarly, the Moray Corporate Plan’s vision is for “connected communities”.

**(b) Policy and Legal**

OFCOM placed the responsibility for assessing any requests by BT to remove public payphones upon each local authority. Any objections must be based on the grounds of meeting the reasonable needs of end users (which BT has a regulatory duty to meet).

**(c) Financial implications**

There are no financial implications to Moray Council from this report.

**(d) Risk Implications**

There are no risk implications to Moray Council from this report.

**(e) Staffing Implications**

There are no staffing implications to Moray Council from this report.

**(f) Property**

There are no staffing implications to Moray Council from this report.

**(g) Equalities/Socio Economic Impact**

The Equal Equalities Officer was consulted and is in agreement with this report. The four proposed objections are based on an identified need within the local areas for the phones as detailed at 3.4.

**(h) Consultations**

Consultation has taken place with the Corporate Director (Economic Development Planning & Infrastructure), the Head of Development Services, the Environmental Protection Manager, the Transportation Manager, the Development Management & Building Standards Manager, the Head of Direct Services, the Corporate Director (Corporate Services), the Equal Opportunities Officer, the Head of Financial Services, the Head of Legal and Democratic Services and Tracey Sutherland, Committee Services Officer and their comments incorporated within the report.

**6. CONCLUSION**

**6.1 A letter will be written from Moray Council to BT detailing which of the 14 payphones they object or agree to be removed, and which are suitable for adoption by a local community group.**

Author of Report: Alan MacBeth, Development Officer  
Background Papers: The full list of survey responses is available on request from the author of this report.

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