

## DUBLIN CITY BID SUBMISSION RE: COMREG 14/27

Dublin City BID t/a DublinTown is a not for profit collective of 2,500 businesses in Dublin City Centre which creates a welcoming and economically vibrant city environment. We work with our partners to enhance the appeal of the city centre as a place for shopping, recreation and socialising. We are pleased to have the opportunity to make a submission on the issue of public payphone provision. The location of phone boxes in the city centre, and the misuse of phone boxes and their appropriation for antisocial behaviour has been a significant cause of concern for the general public and the city's business community for some time now. We have endeavoured to answer each of the questions below as fully as possible.

### QUESTIONS POSED AS PART OF CONSULTATION DOCUMENT

*Question 1:* Do you agree with ComReg's preliminary view that there is a requirement for a public payphones USO, which allows for the easier removal of public payphones? Please give reasons to support your view .....

*Question 2:* Do you agree with ComReg's preliminary view that criteria for removal should be as set out as above in paragraph 104 and specified in the Draft Decision Instrument in Section 9? Please give reasons to support your view .....

*Question 3:* Do you agree with the usage criteria which are to be used for determining which payphones can be removed as set out above and specified in the Draft Decision Instrument in Section 9? Please give reasons to support your view .....

*Question 5:* Do you agree or disagree with ComReg's preliminary view that the next designation period should be 4 years, with an option to review the threshold values after 2 years? Please provide reasons to support your views .....

*Question 6:* Do you agree or disagree with ComReg's proposal that Eircom should continue to be the universal service provider for public payphones during the next designation period? Please provide reasons to support your views .....

*Question 7:* Do you agree with ComReg's revised draft assessment of the impact of the proposed options as set out here and in Annex: 2? Please provide reasons to support your views.  
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**QUESTION 1: DO YOU AGREE WITH COMREG’S PRELIMINARY VIEW THAT THERE IS A REQUIREMENT FOR A PUBLIC PAYPHONES USO, WHICH ALLOWS FOR THE EASIER REMOVAL OF PUBLIC PAYPHONES? PLEASE GIVE REASONS TO SUPPORT YOUR VIEW**

We do not agree that there is a requirement for a public payphones USO. Economic statistics provided by the Central Bank in 2013 outlined mobile phone ownership in the Republic of Ireland at 120%, in that a significant number of the general population have more than one phone. Similarly the rate of smartphone ownership as measured by the Eircom Household Sentiment Survey had risen in 6 months of 2013 from 39% of all phones to 50% of total mobile phone ownership, this trend is set to continue. The rationale for the continuance of a USO for public payphones in this environment is doubtful. Public payphones are an obsolete technology that have been overtaken by the primacy of mobile devices.

The lack of a requirement for such a provision would appear to be clear to many, including Eircom as the current provider of the USO. It is clear from their submissions to the original consultation document that there is no desire on their part to continue with the USO. We would agree with their assertion that:

*There is evidence that, with the development of usage in Ireland and the overwhelming presence of a much more efficient and effective form of communication by way of mobile phones, public payphones are in decline and that there is no justification to re-impose a USO.*

If there is no will from the current USO operator to continue then we would have concerns about Eircom being compelled to provide such as service. Similarly we would not wish to see another operator taking over said USO. The experience in Dublin City Centre in relation to non-Eircom public payphones is not encouraging. At present the non-Eircom phones are damaged and defaced stumps which once housed *Smart* phone kiosks and remain an eyesore on city streets several years after that company has ceased to trade. Subsequent companies who have expressed interest in taking over these sites have done nothing to improve the negative impact these obsolete remnants are having on busy city streets.

There is considerable demand for limited pavement space within the city. For example there is an increased demand for bicycle stands, outdoor restaurant seating, information points etc. In this context it does not make sense to continue to deploy considerable space to phone kiosks which are



**Fig 1. Advertising wraps on Eircom phone boxes, College Green**



**Fig 2. Used needle in Eircom phone box, Westmoreland Street**

no longer required by the general public. Indeed while there are still some horses and carriages in use in the city we have long since abandoned the need to publicly maintain horse troughs.

At present Eircom estimate that there are 1,329 public payphones, of which 92 are considered, by Eircom, to be economic. We would speculate that a number of those phones considered to be “economic” are in the city centre and within the Business Improvement District (BID) area. We are of the view that the economic value of these sites is more attributable to advertising revenue than to phone usage. However, these advertisements obscure the internal area of the phone box (Fig 1) and in

effect provide cover for people using the phone boxes as public toilets or for drug consumption.

The levels of misuse taking place in these locations (eg. North Earl Street, Mary Street, Princes Street North, Bachelors Walk, Burgh Quay, Westmoreland Street to name but a few locations) have required the constant attentions of both the BID and City Council cleaning crews, this work is in addition to any cleaning of the phone boxes provided by Eircom, however even despite these efforts these phone boxes are still misused and present a danger rather than amenity to the general public. In relation to this shown above (Fig. 2) is a photo used in the Evening Herald last year after a member of the public found a used and bloodied needle in a Westmoreland Street phone booth. Removing such drug paraphernalia from City Centre phone boxes is an almost daily task for the BID cleaning crews, along with the removal of human waste. We therefore view these kiosks as a potential threat to public health.

While Eircom measure levels of usage and also log cases of vandalism for issues such as broken windows or damaged handsets, other key metrics such as misuse of phone boxes as public toilets, begging pitches and for drug consumption are not measured by Eircom. The high footfall and vehicle traffic in the city centre make these kiosks an excellent branding point and thus create significant revenue to make them economically viable. The significance of this income source has been referenced when we have sought to have phone boxes removed or relocated.



**Fig 3. Drug use in phone box on Princes Street North**



**Fig 4. Man using an Eircom phone box as a begging pitch.**

In closing remarks on this question we do not believe that a continued USO is necessary, it is not desired by the present operator and there would not appear to be anyone suitable to operate and manage such an infrastructure. The existing phone boxes in Dublin City Centre, which are among the 92 considered to be economic cause significant problems for people living, working, shopping and socialising in the city centre due to their misuse and should be removed. Having consulted with city centre businesses on the matter we are of the view that a number of both day and evening economy businesses would be prepared to host public payphones on their premises. This would provide safe and secure locations for any occasional usage that may be required.

**QUESTION 2: DO YOU AGREE WITH COMREG’S PRELIMINARY VIEW THAT CRITERIA FOR REMOVAL SHOULD BE AS SET OUT AS ABOVE IN PARAGRAPH 104 AND SPECIFIED IN THE DRAFT DECISION INSTRUMENT IN SECTION 9? PLEASE GIVE REASONS TO SUPPORT YOUR VIEW.**

While levels of use as outlined in paragraph 104 as the key criteria for the removal of phone boxes is relevant it is just one consideration. Phone kiosks play a part in the overall public realm of Dublin City. They are part of the streetscape, and as such have an impact on how people view, use and interact with an area. As such other considerations should come into play, such as how appropriate is it for a street to have a phone box in light of the competing demands for other, more relevant uses. Local residents and businesses should be consulted and should be able to petition Eircom directly for the removal of a phone box from the street.

**QUESTION 3: DO YOU AGREE WITH THE USAGE CRITERIA WHICH ARE TO BE USED FOR DETERMINING WHICH PAYPHONES CAN BE REMOVED AS SET OUT ABOVE AND SPECIFIED IN THE DRAFT DECISION INSTRUMENT IN SECTION 9? PLEASE GIVE REASONS TO SUPPORT YOUR VIEW.**

As mentioned in response to the previous question usage should not be the only criteria. The major issue in Dublin City Centre in relation to phone boxes is their use for antisocial behaviour such as aggressive begging and drug use, we believe this should be a priority issue due to the serious negative impression it gives of the city centre. Safer locations such as within business premises are available for the rare and occasional use that may be required for a public phone.

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**QUESTION 5: DO YOU AGREE OR DISAGREE WITH COMREG'S PRELIMINARY VIEW THAT THE NEXT DESIGNATION PERIOD SHOULD BE 4 YEARS, WITH AN OPTION TO REVIEW THE THRESHOLD VALUES AFTER 2 YEARS? PLEASE PROVIDE REASONS TO SUPPORT YOUR VIEWS.**

We do not believe that there is a need for a Universal Service Provider. As Eircom point out in their submission "*usage per public payphone.... has reduced to 14% of 2006 levels*" with the continuing advancement and proliferation of mobile technology it is fair to assume that this trend will be further accelerated. If the decision is made to pursue a USP then we would recommend that it be for a maximum period of 12 months followed by a review of usage and should be reviewed annually thereafter. We believe we have passed the tipping point for public payphones and that they have now entered the realms of obsolescence.

**QUESTION 6: DO YOU AGREE OR DISAGREE WITH COMREG’S PROPOSAL THAT EIRCOM SHOULD CONTINUE TO BE THE UNIVERSAL SERVICE PROVIDER FOR PUBLIC PAYPHONES DURING THE NEXT DESIGNATION PERIOD? PLEASE PROVIDE REASONS TO SUPPORT YOUR VIEWS.**

As previously mentioned we do not believe there is a necessity for phone boxes or the continuation of arrangements with a USP. If ComReg decide to pursue this further and continue with a USP we believe that this responsibility should remain with Eircom. As mentioned in response to Question 1 from previous experience other telecoms companies mismanaged their on-street assets, failed to properly look after them and have left broken and damaged infrastructure to deteriorate, blotting city streets, see Fig 5.



**Fig 5. Broken and abandoned phone kiosk on Wicklow Street, Dublin 2**

**QUESTION 7: DO YOU AGREE WITH COMREG’S REVISED DRAFT ASSESSMENT OF THE IMPACT OF THE PROPOSED OPTIONS AS SET OUT HERE AND IN ANNEX: 2? PLEASE PROVIDE REASONS TO SUPPORT YOUR VIEWS.**

While we would agree with the enclosed reasons for removal of the phone kiosks, as mentioned in response to previous questions we believe that the removal of kiosks that use of kiosks for antisocial behaviour should be of primary importance. It cannot be appropriate for underused infrastructure to be appropriated for criminal and dangerous behaviour.

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