

Referral from the Scrutiny Committee

Cabinet Minute 81 (2017/18) - Superfast Broadband Extension Programme

Cabinet

Date: 13th June 2018

Author: Cabinet Member for Economic Prosperity

Wards: All

Parishes Affected: All

1. Purpose and Reasons

1.1 To consider and respond to Minute 61 2017/18 of the Scrutiny Committee on 12th February 2018, referring back to Cabinet for further consideration its decision, responding to Council Minute 81 2017/18, regarding the work being undertaken to provide superfast broadband to rural parts of the Borough and to update Cabinet on securing ultrafast broadband to support the local economy.

1.2 The report to Cabinet related specifically to Pledge 1 of the Council's Vision: 'Deliver the Government standard Superfast Broadband coverage to all commercial and domestic premises in the Borough by 2017'. It also contributed to the corporate policy goal to secure 'right skills, right jobs in the right places'.

2. Recommendations

2.1 To reaffirm Cabinet's decision of the 7th February 2018 as set out in paragraph 3.3, having due regard to the comments made by Scrutiny Committee on the 12th February 2018.

3. Detail

Swindon Borough Council Draft Adult Social Care Strategy

3.1 At its meeting on 7th February 2018, the Cabinet received a joint report of Councillor Toby Elliott, the Cabinet Member for Strategic Planning and Sustainability, and the Corporate Director, Resources and Growth, informing members about the work being undertaken to provide superfast broadband to rural parts of the Borough and providing an update on securing ultrafast broadband to support the local economy.

3.2 It was noted that the report was a response to Council's resolution of 13th July 2017, set out in paragraph 3.3 of the report, and also provided an opportunity to report progress towards achieving part of the Council's Vision, Priorities, and pledges

3.3 Cabinet resolved:

(1) That the report and the progress being made towards achieving the Vision

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Pledge be noted.

(2) That the Corporate Director, Resources and Growth, in consultation with the Cabinet Member for Strategic Planning and Sustainability be authorised to:

(a) facilitate the deployment of the 20th base station to complete the coverage of the 4GLTE network

(b) issue a letter of variation to BDUK that will encompass the contract change concerning the reduction in the number of base stations to be used in North Swindon and the associated reduction in the value of the contract.

(3) That the Cabinet Member for Strategic Planning and Sustainability be authorised to inform Council about the response to its resolution as soon as is practicable.

- 3.4 In accordance with the Council's governance arrangements, the above decision was submitted to the Scrutiny Committee meeting on 12th February 2018 for review. The Scrutiny Committee raised a number of concerns about some of the data included in the report to Cabinet and resolved:

"That the Committee is of a view that due process has not been carried out in reaching this decision because Cabinet has failed to properly consider the usage levels necessary to make the project viable. The Committee therefore determined that the decision be referred back to Cabinet for further consideration" (Minute 61 (81) 2017/18 of the Scrutiny Committee refers).

- 3.5 A copy of the report to the Cabinet meeting on 7th February 2018 is attached at Appendix 1.

- 3.6 In response to the various concerns expressed by the Scrutiny Committee at its meeting on 12th February, the officers have consulted with the former Cabinet Member and advise as follows:

3.6.1 In relation to the the issue of viability, the proposed contract change should result in reduced costs to both Swindon Borough Council and UKB whilst maintaining coverage commitments included in the contract.

3.6.2 The contract has provisions for a technology upgrade mid life.

3.6.3 Radio planning maps provided to the Council show detailed justification for the provision of the base station in North Swindon to ensure coverage necessary to fulfil the contract.

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- 3.6.4 The project payment schedule is based on delivery of specific milestones. The final milestone requires a take up of 9% of the target homes to be achieved. UKBN and the Council have a marketing plan in progress that includes the production of newsletters, social media content, broadcast media and 'pop up' events at appropriate locations with high footfall or where local events are taking place.
- 3.6.5 Cabinet is also asked to note that, further to Minute 21 2017/18 of the Council, requesting an update on Ultrafast, a reclassification of the project core deliverables has this recognised as an economy benefit and as such the project to intervene in the market delivery of Ultrafast and any bidding for central government funds will be led by the Project Manager, Economy Directorate going forward. The current position is Swindon have expressed an interest in the round two funding cycle but not submitted a bid due to the bid conditions and expectations not fitting in with Swindon's current estate.
- 3.6.6 See Appendix 2 for the Heat Map of coverage.
- 3.6.7 Insofar as reverting to the 26 base station design is concerned this would cost Swindon a further £85,00 over the new rationalised 20 base station position.
- 3.6.8 The system is working well in both rural and urban areas and is a comprehensive coverage filler enabling SFBB connections directly via the UKB contract and in stimulating the market to intervene and build in unplanned areas of Swindon.
- 3.7 Given that the concerns raised by Scrutiny have been addressed above and do not affect the evidence or the recommendation contained in the report submitted to Cabinet on 12th February 2018, Cabinet is asked to reaffirm the recommendations as set out in paragraph 3.3 above.
- 4. Alternative Options**
- 4.1 The Council's governance arrangements specify that all decisions of Cabinet will go before Scrutiny and come into force and may be implemented 5 working days afterwards, unless, as in this instance, the decision is referred back to Cabinet by Scrutiny Committee for further consideration. This report affords Cabinet the opportunity to review its earlier decision, in the light of the additional information provided and to determine whether to endorse or amend its earlier decision. That decision will be reported back to the Scrutiny Committee for consideration. In the

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event that Scrutiny Committee maintains its previous position, the decision will be referred to Full Council for ratification.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 This report has no financial or procurement implications. The financial and/or procurement implications of the report to the Cabinet are addressed in that report (attached at Appendix 1).

Legal and Human Rights Implications

- 5.2 Legal and Human Rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with convention rights. The legal and human rights considerations of the report to the Cabinet are addressed in that report (Appendix 1).

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 This report has no additional implications to be addressed. Any additional implications the report to the Cabinet are addressed in that report (attached at Appendix 1).

Diversity Impact Assessment

- 5.4 A Diversity Impact Assessment (DIA) has been completed for the project and a copy is available from the report author. In essence the DIA states that the current Superfast Broadband coverage does not discriminate against any particular equality groups, being purely to geographic factors. However arguably the financial economic status of households can be affected by their ability to access superfast broadband. For this reason, investment in superfast broadband is felt to advance equality of opportunity for residents.

Risk Management

- 5.5 There are no identified unmitigated risks.

6. Consultees

- 6.1 The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

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7. Background Papers

7.1 None

8. Appendices

8.1 Appendix 1 – Report to the Cabinet meeting on 7th February 2018 (“Superfast Broadband Extension Programme”) (*The appendix is available online at the Council’s website or on request from Committee and Member Services*).

8.2 Appendix 2 – Coverage Heat Map

9. Key Decision/Decision in Cabinet Work Programme

9.1 This is not a Key Decision.