

Minutes of a meeting of the **JOINT PERFORMANCE MONITORING PANEL AND POLICY DEVELOPMENT PANEL** held in the Council Chamber, Council Offices, Priory Road, Spalding, on Tuesday, 26 April 2016 at 6.30 pm.

PRESENT

B Alcock (Chairman)

G R Aley	G K Dark	J L King
D Ashby	H Drury	J D McLean
J R Astill	L J Eldridge	M J Pullen
M D Booth	P C Foyster	M D Seymour
T A Carter	R Grocock	A C Tennant
R Clark	A Harrison	A R Woolf

Apologies for absence were received from or on behalf of Councillors C J T H Brewis, A M Newton and J L Reynolds.

In Attendance: The Interim Executive Manager Growth, the Democratic Services Officer, the Lincolnshire Broadband Programme Manager and the Lincolnshire Broadband Project Support Officer.

**15. ELECTION OF CHAIRMAN**

Consideration was given as to who should preside over the joint meeting of the Performance Monitoring Panel and Policy Development Panel.

**AGREED:**

That Councillor B Alcock act as Chairman for the duration of the joint meeting of the Performance Monitoring Panel and Policy Development Panel.

**16. DECLARATION OF INTERESTS**

There were none.

**17. SUPERFAST BROADBAND CONTRIBUTION BY SHDC**

Consideration was given to the report of the Executive Director Commercialisation, which asked the joint Panel to consider South Holland District Council's contribution to the roll out of Superfast Broadband across South Holland.

The Executive Manager Growth and Prosperity provided the joint Panel with an update on the history of the issue, as detailed within the report. He also advised that the target to bring superfast broadband to 90% of the County (a minimum of 2Mbps to UK

**Action By**

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premises) by 2015 had been met (this had only been confirmed within the last few days and was therefore not reflected within the report).

The Lincolnshire Broadband Programme Manager outlined the government imposed solution for premises with less than 2Mbps (although he did question the effectiveness of this solution). The premises owner could apply for a subsidised satellite solution – they would be provided with a voucher which could then be used with any of seven providers. If this opportunity was taken up, it would not preclude them from any possible upgrades when Phase 2 of the project was implemented.

The following issues were raised:

- There were some anomalies with regard to the speed available at some properties in that although less than 2Mbps was being achieved, the provider's records showed that a higher than 2Mbps speed was available.
  - The Lincolnshire Broadband Programme Manager advised that even if BT was not the provider, BT's lines were still used and therefore the speed achieved could only ever be what the line was capable of, and no more. A snapshot of speed tests should be sent through to the Programme Manager to investigate. It was suggested that this could be an issue for a number of people and therefore information on this should be provided on the website.
- Within some settlements, some properties were achieving over 2Mbps speed, whilst others received sub 2Mbps. Would the subsidised satellite solution be the only way to improve speeds?
  - Currently this was the only option. However, Phase 2 could provide an upgrade for properties receiving sub 2Mbps speed. The satellite solution could still be taken up even if the property was due for an upgrade in Phase 2.
- When the original presentation had been given to the joint Panel in 2012, concern had been raised with regard to delivery of service to premises. The Panel had requested that it be established that the service must be available to the actual premises, rather than just to the cabinet in the street. Improvements had been seen however, there were still concerns regarding a sizeable number of people who were not

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able to receive speeds of 2Mbps and over.

- Superfast broadband had been delivered to 30,000 premises, 90% of the County, and there had been a real increase in service. Phase 2 of the project would be trying to address areas where there were any issues. There were issues affecting service, one of them being the standard of BT's infrastructure (which would possibly not change), and also internal issues with some people's equipment. Superfast broadband direct to properties rather than boxes was the ideal however, the cost to provide this would have been too high.
- Who should people contact if they were receiving greater than 2Mbps but a lower speed than providers said they should be receiving?
  - Firstly, they should contact their provider, then BT and then finally OFCOM. Some of the issues could be as a result of BT's infrastructure.
- With regard to the Authority providing monies towards the upgrade, it appeared that BT would have been undertaking improvement works in some settlements anyway, irrespective of the superfast broadband project. Surely therefore, the project should have cost less?
  - The cost would not have been less as the opportunity had been taken to undertake more work instead in other settlements. The more improvements that BT had undertaken, the more opportunity it had given to the project to make more improvements than originally anticipated.
- Would the superfast broadband project have been able to deliver its 90% target without the work undertaken by BT? If not, then the Panel would have been right in being sceptical.
  - No, the target could not have been achieved without BT's additional work.
- The report stated at 5.3.1 that there was currently a memorandum of understanding between the parties, but no formal contract setting out the terms of the Council's contribution. Should this be a concern, and could the figures alter?
  - No, the figures would not change, they were based on amounts detailed within the original agreement in November 2011. There had been an underspend, any monies left over would be spent in Phase 2 and

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no further monies could be requested.

- What contract was the Authority getting involved in?
  - A letter had been sent regarding the agreed contribution towards Phase 1, and this outlined the aspirations of the project. It had been signed to agree the contribution, and there was some flexibility as to when this would be paid.
- Why was the Authority paying the original amount if there had been a clawback from BT?
  - The Phase 1 spend had been written in stone. Any monies not spent had to be payed back therefore they were being used towards broadband infrastructure.
- What would happen if there was a Phase 2 underspend?
  - The money would have to continue to be spent until it was used up, or it could be held until better technology became available.
- If members agreed to the amount to be paid, was there an opportunity for more monies to be asked for or was there any liability for clawback?
  - This would be the last amount to be asked for, and there would be no liability at all. Delivery of Phase 2 and Phase 3 would then progress. The aspiration was to achieve 100% coverage, or at a minimum, 98%.
- The report stated at 1.6 that value for money must be achieved, and a paper on the funding of the project considered – this paper was not produced however, funding details were set out in the report. Why had the paper not been produced?
  - Officers were not aware why the paper had not been produced however, they had tried to look at the value for money issue.

**AGREED:**

- a) That the proposed recommendations to Cabinet detailed within the report, in respect of contributions to Lincolnshire County Council towards the roll out of Superfast Broadband in the District; to delegate authority to the Chief Executive in consultation with the Portfolio Holder for Commercialisation to negotiate contractual terms with Lincolnshire County Council and other authorities in Greater Lincolnshire; and to delegate

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authority to the Chief Executive in consultation with the Portfolio Holder for Commercialisation to agree and release a final payment, be agreed; and

- b) That prior to the report's submission to Cabinet, that the report and the recommendations reflect that the performance target of providing superfast broadband to at least 90% of properties within Lincolnshire had now been met.

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**18. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

There were none.

(The meeting ended at 7.35 pm)

(End of minutes)