

REPORT OF THE LEADER OF THE COUNCIL**UPDATE ON NOTTINGHAMSHIRE LOCAL BROADBAND PLAN****Purpose of the Report**

1. To note progress with the Nottinghamshire Local Broadband Plan and to agree for formal representation to be made to the Government relating to delays in the process.

Information and Advice

2. County Council on 15 December 2011 agreed the submission of the Nottinghamshire Local Broadband Plan to Government, and allocations of capital (£2.15 million) and revenue (£400,000) funding to support delivery of this vital infrastructure project.
3. The Nottinghamshire Plan received Ministerial sign off in April 2012, and Nottinghamshire was given an indicative procurement slot of September 2012. The Government has been clear from the outset that it expects all projects across the country to be contracted by the end of December 2012 and delivered by the end of March 2015.
4. Members will be aware that the lead and accountable body role for broadband projects in England was allocated to upper tier authorities. This includes responsibility for securing a £4.25 million funding package to match the Government's investment in Nottinghamshire. Significant private sector investment is also anticipated from the successful contractor, which should lead to total investment in broadband in the County of approximately £17 million.
5. The procurement of a telecoms supplier will take place through a framework agreement that the Government is currently negotiating with two telecoms providers and the European Commission. Alongside this, a State Aid clearance is being negotiated, which will enable the UK Government to manage competition and State Aid issues at the national level, rather than requiring individual projects to seek clearance from the European Commission.
6. Due to the complexities of investing public funds in the telecoms market, both the framework agreement and the State Aid clearance are taking longer to agree than initially expected. Recent guidance from the Government advised all projects to

postpone pre-procurement activities (i.e. engaging with potential suppliers, open market consultations) until further notice.

7. Nottinghamshire County Council's broadband project team continue to push the Government for solutions to the delays that are now beginning to impact on key project milestones. The viability of a procurement slot in September is in question now, given that the Government advises at least three months' work is required before they will allow Councils to start their procurement processes. This also impacts on the Council's ability to meet the December deadline for contracting, and ultimately on the Council's ability to deliver the project by the stated national deadline of March 2015.
8. Given the potentially negative impacts on the deliverability of the broadband project to time, and the need for the Council to effectively manage public expectations, it is proposed that the Leader of the Council writes to Ed Vaizey MP (Minister for Culture, Communications and Creative Industries) outlining the Council's concerns.
9. It is suggested that further updates on the Nottinghamshire Local Broadband Plan will be brought to this Committee, as and when required, along with regular updates to the Economic Development Committee.

Other Options Considered

10. The Council could do nothing. However it may be prudent to alert the Government to local concerns, and to understand whether there will be any flexibility in the national timescales when, and if, the framework agreement and State Aid clearance is agreed.

Reason/s for Recommendation/s

11. To inform the Committee of progress with the Nottinghamshire Local Broadband Plan and secure support for the proposed approach to Government.

Statutory and Policy Implications

12. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the report is noted and that the Leader of the Council writes to Ed Vaizey MP to underline the Council's concerns about delays to the broadband programme.

**Councillor Mrs Kay Cutts
Leader**

For any enquiries about this report please contact:
Matt Lockley (0115 977 2446)

Constitutional Comments

13. As the report is for noting only, no constitutional comments are required.

Financial Comments (MB 11/06/12)

14. There are no financial implications arising directly from the report

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

1. Report to County Council – 15 December 2011 (published)
2. Nottinghamshire Local Broadband Plan (published)

Electoral Division(s) and Member(s) Affected

All