

Environment Overview Committee

Minutes of a meeting held at County Hall,
Colliton Park, Dorchester on 26 March 2015.

Present:

Daryl Turner (Chairman)

Margaret Phipps (Vice-Chairman)

Andy Canning, Ronald Coatsworth, Paul Kimber, Mike Lovell, Peter Richardson and Mark Tewkesbury.

Robert Gould (Leader of the Council), Peter Finney (Cabinet Member for Environment) and Robin Cook (Cabinet Member for Corporate Development) all attended under Standing Order 54 (1).

Spencer Flower also attended.

Officers attending:

Mike Harries (Director for Environment and the Economy), Steve Hedges (Group Finance Manager), Andrew Martin (Head of Dorset Highways), Peter Moore (Head of Environment) and David Northover (Senior Democratic Services Officer).

For certain items, as appropriate:

Nicky Cleave (Assistant Director of Public Health), Sam Fox-Adams (Head of Policy, Partnerships and Communications), Dave Franks (County Sports and Physical Activity Manager) and Dugald Lockhart, Senior Project Manager – Superfast Dorset Broadband.

Public Speakers

Attending for minutes 46 to 48

Rob Phillips, local resident, Uploders

Michele Warrington, Chairman of Lodors Parish Council

(Note: These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be considered and confirmed at the next meeting of the Environment Overview Committee to be held on **17 June 2015**).

Apologies for Absence

42. Apologies for absence were received from Richard Biggs, Hilary Cox, Mervyn Jeffery and John Wilson.

Code of Conduct

43. There were no declarations by members of disclosable pecuniary interests under the Code of Conduct.

Minutes

44. The minutes of the meeting held on 19 January 2015 were confirmed and signed.

Public Participation

Public Speaking

45.1 Public questions had been received at the meeting in accordance with Standing Order 21 (1). These questions were received on behalf of Michele Warrington, Chairman of Lodors Parish Council and Rob Phillips, local resident and related to minute 46

to 48 below. The questions and answers were asked and responses given without debate and are attached as an annexure to these minutes.

45.2 There were no public statements received at the meeting in accordance with Standing Order 21 (1).

Petitions

45.3 The Committee were informed that a petition had been submitted for consideration, minutes 46 to 48 refers.

Procedure for Petitions - Petition entitled “Uploders Superfast Broadband Provision”

46.1 The Committee considered a report by the Director for Environment and the Economy on the receipt of a petition containing 113 signatories, this being supported by Lodders Parish Council, which expressed concern at the absence of Superfast Broadband provision for the community of Uploders as part of the Superfast Dorset Programme. The petition was accompanied by an explanatory letter setting out the petitioners concerns, what they were asking to be done and how this might be achieved. The explanatory letter was made available to the Committee. The Director’s report set out a series of options available to the Committee on how they might wish to respond to the petition, with possible consideration being given to what self-funded activity residents could take to improve connectivity or to consider prioritising this particular scheme over others, but with the inevitable consequent implications.

46.2 The Committee took the questions referred to in minute 45.1 in conjunction with their consideration of the petition, as the answers given went some considerable way to explaining how this situation had arisen, the reasons why Uploders found itself in the position it now did, the practicalities surrounding the rollout of the project implementation as well as the complexities of the funding and contractual arrangements.

46.3 The Committee took into consideration the sentiments of the explanatory letter that the whole of Uploders should be included in the rollout of fibre optic broadband as part of the Superfast Dorset Broadband Project in order to secure its future as a thriving economic, educational and social community. In explaining how the signatures had been collected, the petitioners considered that the petition amply demonstrated the overwhelming business and educational needs of the village and that their connectivity was vital in maintaining an active and thriving village community and its continued absence would be detrimental to this. The costs associated with its provision were also questioned.

46.4 The Committee heard from Rod Phillips who considered that the petition demonstrated the strength of feeling within the village to the continued absence of broadband provision and the urgent need for this so that business and domestic users might benefit and the community as a whole prosper. He emphasised that the petition was supported by, not only the Parish Council and West Dorset District Council, but by the constituent MP, the Rt Hon Oliver Letwin, as well as having the backing of the Bridport News. He made mention of the way in which Marshwood Vale, having been in a similar situation to Uploders, had been able to access Superfast Broadband after a concerted campaign to achieve this and could see no reason why the same should not apply to Uploders if all parties were prepared to play their part.

46.5 Michele Warrington spoke on behalf of the Parish Council, which was fully supportive of the petitioner’s demands. Albeit the village of Lodders was connected, she considered that the community should effectively be seen as one. She too considered that the petition demonstrated that the whole of the village was supportive of such provision and that the success of businesses within the community depended on it. She understood that some particularly isolated communities might be hard to reach but did not consider that this

necessarily applied to Uploders. She considered that the provision of broadband was critical in being able to maintain the vibrant community which currently existed and would go some way to fostering increased economic growth. She was concerned that without the necessary connectivity, such vitality could not be sustained.

46.6 The Leader of the Council appreciated this issue being brought to the attention of the Committee and for raising the profile of this. He was conscious of the difficulties that some rural isolated areas had in gaining access to broadband but offered some assurance that it was the aim of the County Council to ensure that as much provision as possible was made available to the communities of Dorset wherever they might be. He confirmed categorically that no community was being purposely isolated, as might have been implied. The County Council was committed to pursuing all technical and funding solutions possible and was working in partnership with the Local Enterprise Partnership in particular to maximise what might be achieved.

46.7 Officers reaffirmed what investment the County Council, in partnership with BT, were making in fulfilling their commitment to rolling out broadband. They took the opportunity to explain in detail the practicalities of delivering the project, technicalities that were being faced by BT in achieving this, the processes involved in how the Programme was to be implemented and arrangements for delivering the contracts and the associated tendering process, including their legalities. They explained the basis on which the Programme was modelled and what criteria it took into consideration. Officers fully understood the socio-economic benefits that connectivity brought.

46.8 It was confirmed that the Superfast Dorset Programme aimed to deliver the most appropriate Superfast Broadband solution for communities, maximising benefits in a cost effective manner across the business and domestic community. The current Superfast Dorset contract was designed to reach 96% of the premises in Dorset, including Bournemouth and Poole. The contract was currently out to tender for a second phase of work, designed to close the gap, over time, and reduce the number of premises in Dorset with poor broadband coverage. The intention was to increase the coverage to beyond 96%. However, members noted that even with this, some speed and coverage issues would remain, as reaching the most remote premises continued to represent a real challenge. Officers explained the reasoning why Marshwood Vale now had access to broadband and why this was unfortunately not the case for Uploders.

46.9 Given that there was a need to maintain confidentiality until contractual processes had concluded, it was suggested that any follow-up work with the community of Uploders took place once the County Council was in a position to communicate contractual outcomes and had analysed how, and if, it impacted upon the community of Uploders.

46.10 The County Council Member for Bride Valley considered that those who had spoken on behalf of the community had provided an accurate reflection of the strength of feeling that the provision of Superfast Broadband was essential in their ability to fulfil all of their needs. Given that Loders and Uploders were essentially one community, he could see no reason why both could not enjoy the same benefits.

46.10 As it stood, one part of the village was at a considerable disadvantage to the other and he suggested that the technicalities which prevented broadband being accessed by the whole village could be overcome with effort. He considered that BT should play its part in facilitating this and proposed that the Committee should agree to recommend to the Cabinet that when further funds were available, these should be used to support what he considered to be an exceptional case.

46.11 The Committee then took the opportunity to discuss the merits of the petition and agreed that, in principle, every effort should be made to facilitate the provision of Superfast Broadband throughout the County. They acknowledged that this was being demonstrated by the County Council's continued commitment towards this. It was acknowledged that universal provision of Superfast Broadband was critical to the future economic and social prosperity of Dorset.

46.12 Some members agreed that, on the face of it, there appeared to only be an artificial division which was preventing the two communities receiving the same service and that, with effort, there might be some means by which this could be addressed. They too considered that BT could play their part in an attempt to resolve this issue.

46.13 Officers reminded the Committee that there was an agreed programme which governed how the rollout of Superfast broadband would be implemented and members should be aware of the limitations that this programme had, both in terms of the technicalities and contractual constraints which existed. There was some flexibility in the contract which provided for modifications, where necessary. However it was the technical complexities, including being supplied from two separate exchanges, which had led to Lodgers being able to access broadband, whilst Uploders was unable to, and any resolution was beyond the scope of the current project. A presentation to the Parish Council had been jointly made by the County Council and BT in March 2014 to explain these limitations, which had emphasised that Uploders would remain under consideration, with alternative solutions being sought where practicable, and that the village would be included in plans if technology or budget allowed.

46.14 Some members asked for more detail about the tendering process but acknowledged the need to maintain confidentiality until contractual processes had concluded. Whilst the Committee had every sympathy with the situation in which Uploders found itself and understood the petitioners reasoning for having access to broadband, there were members who recognised that there was an established programme for the implementation of the service based on set criteria and funding availability and it was therefore important that the process by which implementation was decided should be maintained. To do otherwise would disadvantage other communities. Furthermore, the impracticalities associated with this particular installation played a fundamental part in that reasoning.

46.15 Given the immanent contractual tenders, those members thought it prudent to defer consideration of coming to any decision on the petition until such time as the tender for the second contract had been received, evaluated and let in order to determine what scope there might be for this to be satisfactorily resolved and that this should take place as soon as was practicable.

46.16 However the Committee was of the view that influence should continue to be brought to bear on BT to ensure that they were doing all that they could to achieve the maximum coverage possible.

46.17 On being put to the vote, the proposal made by the local member at minute 46.10 was lost. On being put to a further vote, the proposal to defer further consideration of any decision about Uploders broadband provision, as described in minute 46.15 above, was agreed.

Resolved

47. That further consideration of the provision of Superfast Broadband provision for Uploders be deferred until such time that the tender for the second phase of the contract had been received, evaluated and let in order to determine what scope there might be for this issue to be satisfactorily resolved.

Reason for Decision

48. To accord with the Corporate Aim of Enabling Economic Growth, to facilitate the democratic process and to provide the ability to engage with local councils.

Forward Together for Environment and the Economy

49.1 The Committee considered a report by the Director for Environment and the Economy which provided an update on progress being made on The Way Ahead workstreams for the Directorate's Transformation Programme, the three elements of which were; the Directorate's restructuring, Holistic Transport Services Review and Highways Service Delivery Model.

49.2 Members were informed that each workstream continued to progress well and was co-ordinated with the Forward Together Programme and governance arrangements. Risks and issues continued to be managed and mitigated. The Director advised that he was increasingly concerned about the pace of change within the Holistic Transport Review and that this was increasing the risk that targeted savings might not be achieved within the required timescale.

49.3 The Committee acknowledged the progress being made regarding the need to change the way in which the Directorate worked, both operationally and in how its resources were used, and recognised that the Forward Together Programme was essential in facilitating this. However they recognised that the scale and complexity of achieving the changes required in transforming the Directorate, including the cultural changes needed, were significant and could not be underestimated.

49.4 Officers confirmed that once the new structure was in place, from 1 July 2015, a seminar would be held to familiarise members with this and the way in which the Directorate was designed to operate in the future.

Noted

Revenue Budget Monitoring 2014/15, including Forward Together Update

50.1 The Committee considered a report by the Chief Financial Officer setting out budget monitoring information as at the end of January 2015, which showed a forecast overspend against all service budgets for the County Council of £5,208,000.

50.2 For the Environment and the Economy Directorate, this represented a projected underspend of £177,000, or 0.4% of the budget for the year, with the details attributable to each cost centre being set out in the report.

50.3 The Committee noted the forecast budget position for the Directorate, acknowledged the contribution it made to help reduce the Council's overall overspend and the actions being taken to continue to manage this successfully.

Noted

Dorset Physical Activity Strategy

51.1 The Committee considered a report by the Director for Adult and Community Services seeking the approval and adoption of the creation of a new Physical Activity Strategy for Dorset to co-ordinate the many local authority key functions which impacted on that agenda and supported a more co-ordinated and efficient approach in order to deliver corporate aims.

51.2 Members acknowledged that promoting physical activity and encouraging people to take more exercise was one of the biggest challenges facing public bodies and the County Council had an important part to play in efforts to achieve this.

51.3 The Committee considered that the Strategy went some considerable way to meeting those aims to increase rates of physical activity undertaken in order that health and wellbeing outcomes might be improved. The Strategy was also designed to encompass partnership working and attract external investment into the county, as well as accessing external funding, where appropriate. The report set out progress made to date and what initiatives were being developed to promote and meet wellbeing needs and the means by which these might be accessed. The Strategy cut across all Directorates in what it was trying to achieve, in encouraging each to play what part it could.

51.4 Members acknowledged that the Environment and Economy Directorate was well placed to play a leading part in facilitating the Strategy given the emphasis it placed on walking and cycling and the means by which this might be readily achieved, though its access to the Rights of Way network and country parks.

51.5 The Committee were informed of the part Sport England played in helping to facilitate the Strategy and noted the suggestion that the Youth Sport Trust might play some part too. How social isolation might be mitigated was also discussed and the means by which the Strategy could encompass hard to reach individuals and communities.

51.6 The Committee supported the principles of the Strategy and what it was designed to achieve and endorsed the creation and implementation of the Physical Activity Strategy, taking into consideration the involvement and responsibilities of Directorate services and the Corporate Strategy. Members considered that they had a significant role to play in promoting the benefits of the Strategy to their constituents.

Recommended

52. That the Physical Activity Strategy be adopted by the Cabinet to ensure the importance of physical activity was recognised in multiple service areas to achieve corporate aims.

Reasons for Recommendation

53.1 To contribute to the corporate vision of Working Together for a strong and successful Dorset and help secure a sustainable approach to the County Council's corporate area of focus on health, wellbeing and safeguarding.

53.2 To lead on a County-wide strategy to engage district and borough councils, the County Sports Partnership and other partners.

Update on Key Developments in Public Health

54.1 The Committee considered a report by the Director of Public Health which outlined the key developments and achievements within Public Health since the responsibility for Public Health had transferred to local authorities two years previously, as well as key on-going areas of development.

54.2 The report set out in detail the five mandatory areas of service provision and members took the opportunity to ask a series of questions on how the delivery of such provision was being applied and officers responded accordingly. For members' understanding, the relationship between Public Health, the NHS and the Clinical Commissioning Group was outlined, together with the responsibilities of each.

54.3 Officers considered that the part the Directorate could play in helping to deliver the public health agenda, in encouraging and promoting activity, was significant especially in relation to the signposted access to the natural environment, good quality rights of way and the increasing network of cycleways.

Noted

Corporate Performance Monitoring Report: Third Quarter 2014/15 (1 October – 31 December 2014)

55.1 The Committee considered a joint report by the Chief Executive and the Director for Environment and the Economy which contained analysis of the Council's progress against both of its corporate aims and presented the results of the monitoring of the County Council's Corporate Balanced Scorecard for the third quarter of 2014/15. Whilst the Scorecard summarised performance monitoring analysis across the whole Authority, there was a specific focus on those elements of the plan which were managed by the Environment and the Economy Directorate.

55.2 Officers reported on the performance measures for the Directorate and to what these were attributable. Detailed performance information for all of these measures was provided in the Appendix to the report.

55.3 Councillors noted that at the end of January 2015 there was a 'green' forecast corporate overspend of £3.4m or 1.3% of the net budget for the year.

55.4 Members' attention was drawn to a series of performance monitoring measures of note, what was being done to manage these and how these would continue to be assessed in the future.

55.5 Members requested investigation by officers into the production of more current figures being presented to the Committee; as these being more relevant were considered to be an advantage in performance monitoring.

Noted

Corporate Plan 2015-18

56.1 The Committee considered a report by the Chief Executive which outlined proposals for the new County Council Corporate Plan, which was to become operational at the start of the 2015-16 financial year and cover a three year period. The Plan was still to be based around the two corporate aims of "Enabling Economic Growth" and "Health, Wellbeing and Safeguarding", with these aims now being categorised further so as to be manageable and achievable. The Plan was to be complemented by the Corporate Performance Monitoring process as a means of measuring its success.

56.2 Members were informed that the Plan was designed to follow an outcomes based approach which identified the difference that the County Council and its partners were trying to make to improve the lives of Dorset residents. The Outcomes Framework 2015-18 and what this entailed was set out in the report.

56.3 The Plan encompassed a longer term, 10 year vision and reflected the challenging fiscal climate now being experienced. Primarily, the Plan focussed on the aspirations of communities, as identified in the "Ask Dorset" public engagement exercise, and how spending should be prioritised to reflect what communities considered to be necessary. The Plan also specified what the County Council would contribute towards those outcomes and what communities would need to contribute for themselves. The Committee noted the next steps being proposed and how these would be achieved.

56.4 The Committee acknowledged what the Plan was designed to achieve and the means by which it was proposed to be delivered. Members considered that the Plan provided a good basis on which the delivery and provision of services might be achieved and agreed that its design was commendable and easily understandable. Members asked a series of questions regarding its content and officer's duly responded. In particular they asked that consideration be given to the inclusion of "cycle safely" alongside drive safely in the 'Safe' category, so as to afford it the same importance. Members requested investigation of a way to encourage the use of cycle lanes and their increased usage.

56.5 Accordingly the Committee endorsed the Plan's principles and were pleased to be given the opportunity to make contributions to it if they so wished.

Resolved

57. That the principles of the Corporate Plan 2015-18 and its proposed next steps, the Outcomes Framework at Appendix A and the Draft Vision 2015-25 at Appendix B of the report be endorsed.

Reason for Decision

58. To ensure that the County Council's Corporate Plan for 2015-18 was a relevant and useful expression of what the organisation was seeking to achieve for Dorset within the resources available.

Schedule of Councillors' Seminars and Events 2015

59. The Committee's attention was drawn to the Schedule of Councillors' Seminars and Events for the early months of 2015 and noted that the Sharepoint seminar scheduled for 23 April had now been cancelled.

Noted

Councillor Briefings

60. The Committee were provided with the opportunity to identify topics for future councillor briefings. They were of the view that this item was now of little benefit as councillors had the opportunity to request items to be added to the Work Programme if they so wished.

Noted

Environment Overview Committee Work Programme

61.1 The Committee considered and agreed its Work Programme for the rest of 2015 and noted the opportunity members had to add items to the Programme. An item on Broadband, including how the installation was being progressed and the Phase 2 tender outcomes, as referred to in minute 46 to 48 above, was added for consideration at a future meeting.

61.2 In addition to the formal business of the Committee, the Chairman suggested that provision might be made on the website for informative updates to be made available to councillors and for them to add issues which they thought would be of interest. He also suggested that this be supplemented by the establishment of an e-committee so that issues which came under the Directorate's and Committee's Terms of Reference could be considered in a more timely manner.

Noted

Outside Bodies and Member Champions

62. The Committee noted the opportunity for submissions by Councillors serving on Outside Bodies and from the Directorate's relevant Member Champions. Having been provided with the opportunity to submit any updates, on this occasion, none were forthcoming from Councillors. The Committee noted that the Portland Gas Trust no longer existed.

Noted**Questions from County Councillors**

63. No questions were asked by Councillors under Standing Order 20(2).

Acknowledgement

64. The Chairman, on behalf of the Committee, took the opportunity to thank Robin Cook for his valued contribution to the work of the Committee in the past and, in particular, for his Chairmanship of the Committee.

Meeting duration: 10:00am – 11.40am

Annexure

Questions and answers relating to the provision of Superfast Dorset Broadband for Uploders in respect of Public Questions at minute 45.1

Question: Can Loders Parish Council have access to the details of the technical and financial considerations used by BT in the period July 2013 to the present for planning Superfast Broadband provision for the whole of the Powerstock exchange area?

(Michelle Warrington, Parish Chairman)

Answer: Dorset County Council is unable to agree to this request because the information is subject to a confidentiality agreement (and BT do not agree to its disclosure), and is also commercially sensitive.

BT's observations are as follows:

"BT's response to Dorset's ITT was designed to offer the best value for money for Dorset across the County as a whole. BT optimised our modelling to provide the best possible coverage and broadband speeds that matched the available budget in Dorset.

Our technical and financial solution was provided in our tender response, Part B - Main Supplier Solution Response. Our response was provided subject to a Confidentiality Statement.

In order to build any part of the new network, Openreach assess the existing network of ducts, poles, cables, cabinets etc and estimate what additional investment is required in order to convert the network to enable it to deliver Superfast Broadband. This may include building or enhancing existing duct, deploying new poles or replacing existing ones, uplifting cable quality and so forth. The design makes assumption based on sophisticated computer models based on past experience building the Openreach network nationally, but inevitably there is a level of assumption and ultimate costs are dependant on the exact ground conditions encountered during actual network build. In addition to build costs, the models also take into account the number of premises that will be reachable with the new services in order to develop value for money metrics that enable different areas of build to be compared and a value for money analysis to be developed that also the coverage of the network to maximised in return for the public investment.

We continue to expect that future innovations may also drive down the cost of deployment, thereby extending the reach to more rural communities during the life of the contract.

For information Loders is located in the Bridport exchange area, while Uploders is in the Powerstock exchange area".

Question: What criteria were used to exclude Uploders from connection to Superfast Broadband and how were we assessed on these criteria?

(Rob Phillips – local resident)

Answer: The programme is designed to offer the best value for money for Dorset across the County as a whole, including Bournemouth and Poole. BT optimised our modelling to provide the best possible coverage and broadband speeds that matched the available budget in Dorset.

Question: We have been described as ‘an isolated community’ by Dorset Superfast Broadband – how was this assessment arrived at? (PLEASE NOTE: we are 295 metres from Loders, the next village (which is connected), which we can see; 4.16 Km from Bridport; 1.6 Km from the A35; 3.36Km for the Lee Lane green box (Bridport Exchange); 2Km from the Brown’s Farm green Box (Powerstock Exchange) (Rob Phillips – local resident)

Answer: I accept that isolated may be a loose and relative description but nevertheless accurate in relation to the broad demographics of Uploders and the telephony infrastructure. Loders is not connected; it is in the programme for superfast broadband access to be enabled. The Uploders telephony infrastructure is delivered via the Powerstock exchange, not Bridport, therefore in telephony terms distances to any Bridport infrastructure are an irrelevant consideration. The PCP (greenbox) at Brown’s farm is not in our programme as it is too far (2.3km) from Uploders to provide any superfast broadband service. The nearest fibre installation planned for the Powerstock exchange is in the village of Powerstock itself.

Question: What does ‘a huge expense’ (Abby Gordon-Farleigh of Superfast Dorset) and ‘complicated and expensive’ (BT presentation to Loders Parish Council) mean in the context of connecting Uploders and what analysis was done to generate such a description? (Rob Phillips – local resident)

Answer: We asked Openreach to model what a solution for Uploders might look like, and the County Council’s broadband team has tested this extensively with BT group and Openreach; no solution could be recommended. We do not routinely do such analysis for every community, or installation as the programme will have over 620 separate installations, the vast majority of which are straightforward. Coincidentally, we were able to significantly improve the planned outcomes for Loders through more detailed analysis and implementation of an innovative solution; unfortunately this is not available for Uploders.

The summary of those findings was explained to the community in March 2014 - since then nothing has changed.

At any given point in time, all capital budget is committed to coverage in the programme. The likely cost of all the technical elements required given the comparatively small number of premises means that this does not pass the value for money judgements on which the contracted BT / Openreach solution is based. Figures are commercially confidential.

Uploders cannot be brought in at this point without cancelling plans elsewhere, and would risk disturbing the overall terms of the contract.

Question: Are there any other sources of funding available that could be used to connect Uploders?
(Rob Phillips – local resident)

Answer: There are no capital funds available for broadband infrastructure build outside of the national BDUK programme, as implemented locally by the Superfast Dorset programme.

Superfast Dorset is currently out to tender for a second phase of work. The tender response is expected in April, and contract award in late May. The funding will provide additional coverage on a value for money basis, enabling as many premises as possible with the available funds. This second contract will close the gap, over time, and reduce the number of premises in Dorset with poor broadband coverage. However, even with this, some speed and coverage issues will remain; reaching the most remote premises continues to represent

a real challenge. Overall level of public subsidy is £2.82m. It is not currently known what, if any, effect this will have on Uploaders.

Towards the end of our current contract (during 2016) we will remodel to incorporate underspends in the programme – some of these are already known within the programme, but the full value is not. Likewise over time high levels of take-up will result in additional investment.

Whilst the government has an aspiration towards 100% superfast broadband coverage, funded programmes will only cover 95% of premises nationally, locally in Dorset our current programme will reach approximately 96% of premises.

Answers provided by Dugald Lockhart, Senior Project Manager – Superfast Dorset Broadband

