

**WRITTEN STATEMENT OF A KEY DECISION  
CABINET MEMBER ECONOMY & CORPORATE SERVICES**

<b>ITEM:</b>	<b>CONTRACT AWARD FASTERSHIRE BROADBAND STRATEGY STAGE 3 LOTS 3C, 3D, 3E AND 4</b>
Date of Decision:	19 January 2017
Exempt:	Yes - appendix 2 is exempt from publication by virtue of paragraph 3 (information relating to the financial or business affairs of any particular person) of the Access to Information Procedure Rules set out in the constitution pursuant to Schedule 12A Local Government Act 1972, as amended.
Confidential	No
This is a key decision because it is likely to be significant in terms of its effect on communities living or working in an area comprising one or more wards in the county.	
A notice was served in accordance with Part 3, Section 9 (Publicity in connection with key decisions) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.	
Urgency/Special Urgency: (As defined in Constitution)	No
Purpose:	To award contracts for stage 3 lots 3c, 3d, 3e and 4 deployment of superfast broadband in Herefordshire (and Gloucestershire) and to delegate authority to the director for economy, communities and corporate to award contracts for Lots 3a and 3b following the conclusion of BDUKs assurance.
<b>Decision:</b>	<p>THAT:</p> <p>a) subject to the approval of Gloucestershire County Council, a contract is awarded to Gigaclear to provide gap funding to deliver fibre broadband infrastructure within areas 3c (South Herefordshire &amp; West Gloucestershire), 3d (North Gloucestershire), 3e (South Gloucestershire) and 4 (North Herefordshire); that the maximum value of said contract should be £12.8m with an option to increase the Lot 3c subsidy contribution by up to a further £1.4m to the original published subsidy limit subject to a delivery plan to be agreed by the assistant director communities; and the contract should conclude seven years after the final infrastructure payment which is anticipated in December 2019;</p> <p>b) following the conclusion of BDUKs assurance and subject to the approval of Gloucestershire County Council, the director for economy, communities and corporate is authorised to award contracts for Lots 3a (Cheltenham and Gloucester) and 3b (Hereford) to the preferred supplier/s within the parameters below: that the maximum value of said contract/s should be £910k; and the contract should conclude seven years after the final infrastructure payment which is anticipated in March 2019;</p> <p>c) the assistant director communities be given delegated</p>

	authority to, following consultation with the cabinet member economy and corporate services to take all operational decisions within the approved budget to implement stage 4 of the Fastershire broadband strategy.
Reasons for the Decision:	On 3 December 2015 cabinet adopted the revised Fastershire Broadband Strategy 2015-18 which outlined the rationale and process for subsidising additional broadband delivery across Herefordshire and Gloucestershire. The recommendations are based on the outcome of a robust procurement process with bids selected on the basis of best value for money measured by cost verses coverage. The winning bids are compliant with the ITT and awardable within the provisions of the 2016 National Broadband Scheme (NBS) in relation to state aid.
Options Considered:	<p>Not to award contract and to cease investment in broadband. This option is not recommended as broadband remains a key priority for the council and underpins many of the council's wider aspirations for the development of the Herefordshire economy and access to services.</p> <p>To revisit the contractual terms and re-run the procurement to create better terms for providers. This is not recommended as it would be unlikely to lead to significantly different outcome. It would incur significant time delay to jeopardise the successful implementation of Fastershire's mission to reach as many premises as possible by the end of 2018. Furthermore, the delay itself could risk the existing offer as a revised invitation to tender (ITT) would appear in the market alongside opportunities from other potentially more commercially attractive areas and there remain limitations on the capacity of the supplier side of the market to satisfy the level of demand across the UK.</p>
Conflict of Interest ■ (See below):	
Date the key decision is due to take effect:	25 January 2017

<p><b>COUNCILLOR D HARLOW</b>..... Date: 19 January 2017  <b>Cabinet Member Economy &amp; Corporate Services</b></p>
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■ a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;

And

■ in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.