

Agenda No 7(a)

AGENDA MANAGEMENT SHEET

Report Title: City Fibre infrastructure Proposal

Name of Committee: Council

Date of Meeting: 17 November 2021

Report Director: Chief Officer - Digital and Communications

Portfolio: Communities, Homes, Digital and Communications

Ward Relevance: All

Prior Consultation: Leadership Team, internal consultation process, Cabinet Members

Contact Officer: Mike Connell, Chief Officer Digital and Communications 01788 533466 or mike.connell@rugby.gov.uk

Public or Private: Public

Report Subject to Call-In: Yes

Report En-Bloc: No

Forward Plan: Yes

Corporate Priorities: This report relates to the following priority(ies):
 Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C)
 Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E)
 Residents live healthy, independent lives, with the most vulnerable protected. (HC)
 Rugby Borough Council is a responsible, effective and efficient organisation. (O)
[Corporate Strategy 2021-2024](#)
 This report does not specifically relate to any Council priorities

Summary: As part of a £40m private sector investment from City Fibre, Rugby will be among the first locations in Warwickshire to receive full fibre rollout. Full fibre broadband connectivity, is the next generation digital connectivity, providing homes and business with gigabit (1000 megabits per second)

broadband speeds. Full fibre is key policy driver for Government- aiming for national coverage by 2025, and will be essential in supporting future economic development, smart city aspirations and citizen access to services.

Financial Implications:

There are no financial implications as the cost of the project will be fully funded by City Fibre.

Risk Management/Health and Safety Implications:

Disruption is a risk with this project. Rugby benefits from having existing ducting in many areas as well as aerial deployment, reducing the need for digging to take place in some areas. This along with the use of narrow trenching will minimise disruption and concerns for residents.

Environmental Implications:

There are no environmental considerations arising from this report

Legal Implications:

The proposed recommendation and overall project is procurement compliant and external legal advice has been sought on this point The contents of the report also refer to the relevant powers that will be exercised by City Fibre.

Equality and Diversity:

This project will give more communities access to higher quality digital services. Full fibre is a key policy driver for Government- it is aiming for national coverage by 2025, and it will be essential in supporting future economic development, smart city aspirations and citizen access to services. This is particularly relevant to providing social housing sites with connectivity and ensuring that residents here are not digitally disadvantaged. This rollout is targeting all homes in the borough which will give parity for all residents.

Options:

1. Agree to the recommendation endorsing the rollout of full fibre infrastructure in partnership with City Fibre
2. Do not endorse the recommendation

Recommendation:

(1) The delivery of a new fibre network by City Fibre within the Borough, as set out in the report, be approved and delegated authority be given to the Executive Director to put in place the necessary arrangements to facilitate this scheme of investment in Rugby;

(2) delegated authority be given to the Chief Officer - Legal and Governance to negotiate and enter a Master Wayleave Agreement and associated resourcing Service Agreement with City Fibre on appropriate terms to support the scheme of investment in Rugby; and

(3) delegated authority be given to the Chief Officer - Legal and Governance to agree a process for approving wayleave applications which will form part of the Master Wayleave Agreement and as noted above forms part of this Scheme of investment. The applications will be submitted in stages and the routes considered pursuant to this process.

Reasons for Recommendation:

Given the level of investment that City Fibre is making and the benefits this will have to the local community it is recommended that Council resolves to approve the authorities sought and confirms its support for this scheme.

Working collaboratively with City Fibre will provide oversight and participation related to wayleave routes. Development of a standard process with City Fibre will ensure routes do not adversely affect any Council land.

Streamlining the wayleave process will contribute to a transparent and efficient process for the Council and City Fibre collaboration.

Council - 17 November 2021

City Fibre infrastructure Proposal

Public Report of the Chief Officer - Digital and Communications

Recommendation

(1) The delivery of a new fibre network by City Fibre within the Borough, as set out in the report, be approved and delegated authority be given to the Executive Director to put in place the necessary arrangements to facilitate this scheme of investment in Rugby;

(2) delegated authority be given to the Chief Officer - Legal and Governance to negotiate and enter a Master Wayleave Agreement and associated resourcing Service Agreement with City Fibre on appropriate terms to support the scheme of investment in Rugby; and

(3) delegated authority be given to the Chief Officer - Legal and Governance to agree a process for approving wayleave applications which will form part of the Master Wayleave Agreement and as noted above forms part of this Scheme of investment. The applications will be submitted in stages and the routes considered pursuant to this process.

1. Purpose

1.1 To approve and agree the delivery of a new fibre network within Rugby with City Fibre as set out below in the report and to approve and agree the arrangements that the Council are putting in place to facilitate this scheme of investment in Rugby.

2. Report Background

2.1 As part of a £40m private sector investment from City Fibre, Rugby will be among the first locations in Warwickshire to receive full fibre rollout. Full fibre broadband connectivity, is the next generation digital connectivity, providing homes and business with gigabit (1000 megabits per second) broadband speeds. Full fibre is a key policy driver for Government- it is aiming for national coverage by 2025, and will be essential in supporting future economic development, smart city aspirations and citizen access to services.

2.2 City Fibre will work closely with Rugby Borough Council as well as local communities to minimise and manage any disruption and ensure a fast and successful roll-out.

- 2.3 City Fibre are a wholesale network provider, with Vodafone initially utilising City Fibre's network to give users download speeds 16 times faster and upload speeds 125 times faster than the average fixed broadband service in the UK. The network is now fully open access and any Internet Service Provider can provide services over it.
- 2.4 To facilitate this investment and to reach the maximum number of homes within the borough City Fibre require a Data Centre unit site within the borough. The data hub will be sited at Unit 1b Stepnell Park, Lawford Road and planning permission has been approved (R21/0895).

3. Wayleave

- 3.1 As the network moves through the design stage and into delivery a variety of statutory approvals will need to be sought. City Fibre have wide ranging powers statutory powers (Code Powers) under to the Telecommunications Act (2003) to gain the access required and to undertake works if necessary.
- 3.2 It is the preference of City Fibre to make these arrangements in a collaborative way with the Council through the agreement of Wayleaves under a Master Wayleave Agreement.
- 3.3 City Fibre will need to cross land in the ownership of the Council on many occasions in order to deliver the full network across the borough including the Council's housing stock. This is particularly relevant to the Council's tenants and residents of Rugby providing them with connectivity and ensuring that residents here are not digitally disadvantaged.
- 3.4 As City Fibre will need a large number of wayleaves which will need to follow the same process it was agreed that a Master Wayleave agreement be developed, to include a set process for how each wayleave route is processed and assessed.
- 3.5 A standard process is being developed under which each wayleave route application will be submitted, and agreement will only be given once the route map and other associated information, is checked to ensure that this does adversely affect any Council land.
- 3.6 As part of this Master Wayleave Agreement reinstatement has been considered with standards included to ensure that where digging is required that these areas are reinstated to an appropriate standard.
- 3.7 Reasonable professional fees for obtaining and agreeing the way leave are covered by City Fibre.

4. Risks and Issues

- 4.1 Disruption, as noted above, is a risk with this project. Rugby benefits from having existing ducting in many areas as well as aerial deployment reducing the need for digging to take place in some areas. This along with the use of narrow trenching will minimise disruption and concerns for residents.

- 4.2 Further to paragraph 3.1 and as already noted above, City Fibre, as an infrastructure provider, have Code Powers through the Telecommunications Act (2003) which would mean that the Council would need to grant wayleave consent where these were required.

5. Conclusion

- 5.1 Given the level of investment that City Fibre is making and the benefits this will have to the local community it is recommended that Council resolves to approve the authorities sought and confirms its support for this scheme.

Name of Meeting: Council

Date of Meeting: 17 November 2021

Subject Matter: City Fibre infrastructure Proposal

Originating Department: Digital and Communications

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A