

Written evidence submitted by Blackdown Hills Parish Network (BHPN) in Devon & Somerset.

DCMS have excluded Devon & Somerset from an estimated £30M of Project Gigabit investment before 2025, after Devon and Somerset County Councils told DCMS that their planned direct investment would interfere with the County Councils' ongoing delayed Phase 2 rural broadband roll out across the two counties and that the two County Councils would do a better job than DCMS of contracting with potential suppliers, if Project Gigabit funding were handed to them to run the programme, rather than DCMS managing procurement directly from 100 Parliament Street, SW1A.

Background:

The Blackdown Hills Parish Network (BHPN) (<https://blackdownsonline.org.uk/>) is a coalition of the 39 parish councils that sit within the rural Blackdown Hills Area of Outstanding Natural Beauty (AONB) and which straddles the border between Devon & Somerset. Run by representatives from the 39 parish councils, the BHPN seeks to address issues of common concern to the 39 parish councils and since it's inception, rural connectivity and in particular high speed broadband have been high on the list of issues that the BHPN addresses. Oral evidence has been given to the Digital, Culture, Media and Sport Select Committee; meetings have been held in Whitehall with Digital Minister Matt Warman (since replaced by Chris Philp MP) and the issue of poor rural broadband provision has been raised at regular meetings with the two MPs whose constituencies span the AONB, Rebecca Pow MP and Neil Parish MP. In addition, there have been exchanges with Connecting Devon and Somerset (CDS) and CDS's principals, Devon & Somerset County Councils.

The Issue:

In meetings with the BHPN this year and last, the then Digital Minister, Matt Warman agreed that Devon & Somerset are amongst the slowest counties in the UK to complete their rural Phase 2 Superfast broadband roll out (currently slated for completion in 2025). This is because CDS have on four previous occasions, published open tender invitations for rural Phase 2 Superfast roll out and then subsequently withdrawn them. In addition, following the successful award of contracts they have subsequently cancelled those contracts and started again from square one. This has created up to eight years of delay for rural taxpayers in the Blackdown Hills AONB hoping to see their single digit broadband speeds improve. Some residents will still be waiting for those improvements until 2025 and beyond.

When the first two tranches of £1.2B Project Gigabit investment were announced by the then DCMS Minister, Oliver Dowden on March 19, 2021 (since replaced by Nadine Dorries MP), it was hoped that rural Devon & Somerset would benefit from this BDUK managed ultrafast broadband infrastructure investment, but Devon & Somerset are unique in the south west of England having been excluded from both tranches of funding before 2025, announced on March 19. The surrounding counties of Cornwall, Dorset, Wiltshire, Gloucestershire and Hampshire will all benefit from Project Gigabit investment before 2025, estimated at an average of £15M per county.

The March 19 announcement followed a call for comment issued by DCMS on December 22nd, 2020 to their document “Planning for Gigabit Delivery in 2021”, which included draft Project Gigabit large and small deployment areas in both Devon and Somerset. By the time the first two tranches of Project Gigabit investment were announced on March 19 by Oliver Dowden, those draft deployment areas in Devon & Somerset before 2025 had been removed from the programme.

The BHPN submitted a Freedom of Information request to DCMS in April 2021 for a copy of the response made by Devon & Somerset County Councils to the Dec 22 Planning for Project Gigabit publication. From this, the BHPN learned that Connecting Devon & Somerset officer Phil Roberts made a submission on behalf of CDS and the two county councils on January 22nd 2021. That submission challenges the wisdom of DCMS running Project Gigabit procurements centrally, claiming that such procurements would interfere with CDS’s delayed Phase 2 rural Superfast procurements and asserts that if DCMS hands Project Gigabit funding to CDS for the two counties, they would do a better job of Project Gigabit roll out than DCMS could do by contracting directly with suppliers.

It was hardly surprising therefore that Oliver Dowden excluded Devon and Somerset from the first tranches of Project Gigabit funding before 2025 in his announcement of March 19, although no-one in DCMS, CDS, BDUK, Devon CC, Somerset CC or our MPs will confirm that Phil Roberts submission caused DCMS to exclude Devon and Somerset from this first £1.2B of Project Gigabit investment. This is in marked contrast to how Dorset Council (and many other county councils) responded to the Planning for Gigabit Delivery in 2021 document saying “How much investment can we get?” and “How soon can we get that investment?”.

Subsequent meetings with Devon and Somerset MPs, the then Digital Minister Matt Warman and BDUK officers have all resulted in platitudes but no change to DCMS’s plans to exclude Devon & Somerset from Project Gigabit investment before 2025.

Following the UK’s departure from the EU and the removal of EU State Aid Rules, Project Gigabit contracts will be let and managed centrally from DCMS/BDUK in London for the whole of England, unlike the Superfast contracts which were required by the EU to be let and managed by county councils, funding being provided by DCMS. More than ten years ago, Devon & Somerset County Councils created Connecting Devon & Somerset to let and manage broadband procurements for the two counties, making their Superfast contracts the biggest broadband contracts in England, a fact frequently repeated by CDS, but as confirmed by Matt Warman they are also the slowest programmes in England to complete their Phase 2 rural broadband roll out.

The consequence of Project Gigabit procurement being carried out centrally by DCMS is that CDS will be out of the loop on Project Gigabit procurement and they lose their reason for existence once Phase 2 rural Superfast contracts are completed. This fact does not seem to worry other counties such as Dorset. The comments made by CDS in response to the December 22 draft for Project Gigabit delivery in 2021 indicate that CDS and the two county councils put their need for CDS to continue in existence and own and manage Project Gigabit contracts above the need for improved broadband connectivity for Devon and Somerset taxpayers. (See Appendix)

Pro-rating the £1.2B Project Gigabit investment up until 2025 by population suggests that Dorset will receive £13.8M of Project Gigabit investment, Cornwall £13.8M, Wiltshire £11.6M and Gloucestershire £15.6M. Whilst Devon & Somerset will now get nothing from this £1.2B programme before 2025 it seems likely that had Phil Roberts January 22 submission to DCMS been as positive as Dorset's was, Devon & Somerset could possibly have received an additional £30M of broadband investment focused on rural areas before 2025.

The way forward.

As stated above, raising these issues with our MPs, with DCMS Ministers, and with Devon and Somerset County Councils has only generated platitudes but no Project Gigabit broadband investment for the two counties before 2025 as will now happen in all neighbouring counties. This highlights a failure of our democracy. Elected MPs, Ministers and Councillors have listened sympathetically to these concerns, however it is clear to the apolitical BHPN that being members of the same political party in Devon & Somerset, political tribalism prevents any "rocking of the boat" for like minded colleagues, be they in central or local government. Surely, such political considerations should be put aside when allocating critical infrastructure investment of this kind.

For the last 18 months, Coronavirus has made it clear to all of us how important broadband connectivity is, but in rural areas that connectivity is if anything more urgently needed than in urban areas, public transport in rural areas being all but non-existent and many critical services, including GP access, having migrated on line. It is however in just such rural areas of Devon & Somerset that a turf war between central government and the county councils over who owns the Project Gigabit programme, has resulted in much needed additional broadband investment not taking place for the next four years in the two counties.

Unlike other Select Committees, the PAC, by tradition, is chaired by a member of an opposition political party and this gives the BHPN hope that today's PAC, chaired by Dame Meg Hillier MP, may act on our concerns and challenge the government's current exclusion of Devon and Somerset from Project Gigabit investment before 2025.

This PAC submission was prepared by Graham Long on behalf of the BHPN. For additional information, please: Email: grahamlong@gmail.com or Tel: 07711 267697

Appendix.

Extracts from the January 22, 2021 submission to DCMS by Phil Roberts, CDS officer in response to the DCMS publication Planning for Project Gigabit Delivery in 2021. (The full response is also now available on the CDS website at <https://www.connectingdevonandsomerset.co.uk/wp-content/uploads/2021/05/Gigabit-Delivery-2021-Consultation-CDS-response-2.pdf>)

BHPN comments on each statement in blue italics.

“A large procurement in this area poses a significant risk to both Truespeed’s commercial rollout and the two contracts CDS has recently signed with them”.

Large procurement refers to BDUK Project Gigabit which CDS are claiming will pose a risk to both Truespeed’s commercial plans and CDS’s contracts with them.

“... this commercial rollout and CDS contracts cause a VFM risk to the large procurement”
CDS are saying commercial roll out and CDS’s own contracts in this area represent a Value For Money risk to any Project Gigabit contract.

“... once again the large-scale procurement poses a significant risk to the commercial viability of such plans.”

Large scale procurement refers to Project Gigabit which CDS are suggesting is commercially not viable

“This proposal therefore poses a significant risk to these contracts.....these contracts would cause a VFM risk to the large procurement”.

CDS is saying Project Gigabit puts CDS contracts with Airband in Dartmoor at risk and the CDS contracts would represent a Value For Money risk to Project Gigabit.

“These are certainly large contracts for full fibre infrastructure”.

CDS question the wisdom of large fibre contracts – ergo “small is better”?

“There is clearly a significant risk for these small procurement areas to overlap with CDS contracts”.

Having acknowledged that some Project Gigabit procurements are large areas, CDS also suggest small Project Gigabit contracts will overlap with existing CDS contracts.

“These procurements could also undermine commercial investments operators might have”.

CDS again saying Project Gigabit will undermine commercial investment.

“In terms of when would we like the procurements to start – assuming there is no overlap intended with our live contracts delivering gigabit capable solutions, we would say quickly to support our economy and communities. We do also see competition on labour within the civils market, and bid / delivery capacity within our current contracted supplier’s areas of concern. Alternatively, the live contracts have scope to be added to through the national gigabit programme funds and which may make be a better option to consider to extend reach and accelerate delivery rather than running new bids through the DPS.”

In saying “assuming no overlap intended” CDS believe BDUK may be attempting to undermine existing CDS contracts. CDS are saying that Project Gigabit will compete with CDS’s live contracts for labour and that BDUK would do better to extend the existing CDS contracts rather than setting up new contracts using the new BDUK “Dynamic Purchasing System”. The only way existing CDS contracts between CDS and their suppliers could be extended would be for BDUK to hand over the funding, letting and management of Project Gigabit contracts to CDS. NB: CDS’s existing contracts only require suppliers to deliver 30Mbps, not 1,000Mbps

“... unique nature of the CDS area”

CDS think they are unique but they are no different from all other English counties.

“CDS is quite unique in having such significant numbers of ongoing Phase 2 Superfast contracts (many of which only having started this year; all delivering full fibre to around 60k NGA White premises)”

CDS is unique because it is the only operation in the UK where two counties have run the superfast broadband programme together – it is also unique in being the slowest, having had to put Phase 2 contract lots out to tender four times which is why many contracts only started this year. The logic being applied here is that because Devon & Somerset are slow at Phase 2 roll out the two counties must also be slow to be involved in Project Gigabit!

“... being near to existing altnet networks, without risking competing and undermining our own interventions”

Once again CDS is saying project Gigabit will risk competing with altnet commercial investment and CDS contracts.

“... we are concerned the addition of such small-scale procurement areas in our patch”

Who said Devon & Somerset are CDS’s patch? This suggest that CDS think they own the area and want to control who operates there.

“We certainly wouldn’t want such additional activity which no doubt altnets will feel obliged to bid for, being the straw that breaks the camel’s back!”

CDS are claiming to speak for the altnets who obviously would not want another supplier operating in an area that they may consider theirs (e.g. Truespeed and Airband), because they now have CDS contracts.

“It would seem far more logical in our opinion, given the unique nature of CDS and it’s significant Phase 2 Full-fibre contracts, to work with us going forward to identify areas within the orange zones of the above map.”

CDS are saying that because Devon & Somerset are so unique BDUK would be better running Project Gigabit contracts via CDS rather than centrally.

“CDS is very supportive of top up voucher schemes.....a proactive infill approach, resident-led but supported by CDS”

No surprise that CDS love vouchers which transfer procurement responsibility from CDS and BDUK to the resident who knows nothing about procuring a fibre network whilst at the same reducing the workload on CDS!

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