

ANGUS COUNCIL

POLICY AND RESOURCES COMMITTEE – 10 MARCH 2020

BLANKET WAYLEAVE IN ARBROATH TO FACILITATE DIGITAL CONNECTIVITY

REPORT BY DIRECTOR OF COMMUNITIES, AND DIRECTOR OF INFRASTRUCTURE

ABSTRACT

This report requests approval for a blanket wayleave to allow Virgin Media to extend their digital and television offer to Arbroath for all residents.

1. RECOMMENDATIONS

1.1 It is recommended that the Committee:

- (i) approves a blanket wayleave to allow Virgin Media to lay cable in footpaths and ground on the Council's Housing Revenue Account in Arbroath
- (ii) delegates authority to the Director of Infrastructure to negotiate appropriate arrangements for access over any other Council owned land.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/ CORPORATE PLAN

2.1 This report contributes to the following local outcomes contained within the Angus Local Outcomes Improvement Plan 2017-2030 and Locality Plans:

- An inclusive and sustainable economy
- A skilled and adaptable workforce
- Safe secure, vibrant and sustainable communities

3. BACKGROUND

3.1 The Council are working to provide a superfast broadband connection to all households, schools and businesses across the whole of Angus. Whilst there is some funding from Government, and from the Tay Cities Deal, this still presents a considerable challenge in terms of cost, resources and deliverability. It is therefore important that private sector investment is encouraged, and Council officers support the roll out of digital by all telecoms operators. One such has come forward, providing an opportunity to help achieve these objectives.

3.2 Virgin Media (VM) currently have network penetration into Angus only as far as Carnoustie, but are now proposing to extend their network to the whole of Arbroath. This would enable them to offer cable TV and superfast broadband (516mbps) to all residents, including over 2000 Council tenants, which would bring social and economic benefits.

3.3 As members will know, there are some areas of Arbroath, including areas of Council Housing, that suffer higher than average levels of poverty. It is widely agreed that a way of providing more equal opportunities is to improve access to digital connectivity, as it; increases the ability for young people to study; enables people to access advice and welfare rights information; and enables people to access employment opportunities and training.

3.4 The economy can also benefit, as businesses can work more efficiently and effectively, people are able to set up small businesses from home, and employees can work agilely. This proposal is therefore an opportunity to help address a number of the objectives in the Community Plan.

4 PROPOSALS

- 4.1 Utilities' companies have a statutory right to lay cables in adopted roads and paths, but no such obligation exists on land-owners for non-adopted areas, including areas of parks and footpaths on the Council's Parks and Housing Revenue Accounts (HRA). However, to make the proposal viable, VM have requested access rights over these areas at no cost, so that they can reach all homes in Arbroath with the opportunity to have fibre to the door from the connecting points installed in the pavements.
- 4.2 Laying of cables clearly involves digging trenches into both hard and soft landscaped surfaces. Part of the agreement with VM would include reinstatement to agreed quality standards. It is also important that the roots of trees are not damaged, so care is required in route planning, and in dig accuracy. VM have their own quality assurance team, but monitoring would also be required from Parks and Housing officers to ensure that the agreed standards are achieved. In addition to cable, at least 4 main distribution cabinets and an initial 19 sub-station cabinets will be needed in the town, and the location of these would be subject to appropriate Planning and Roads consent. Additional consent may be required in Conservation areas.
- 4.3 As well as benefits for householders, schools across Arbroath could potentially be connected to the fast network, giving fast upload speed capability, (for students to upload work) at more cost effective prices. Similar arrangements have been agreed with VM by other Scottish Local Authorities, and where these are in place the experience has been a good one.
- 4.4 VM have told officers that they have longer term ambitions to extend their network offer further north, so Arbroath would become a springboard for further expansion to Aberdeen and Inverness. For Angus this would mean that extension to both Montrose, and to Forfar and Brechin, via some of the major villages, is entirely possible in a reasonable timeframe.
- 4.5 It is recommended that members approve a blanket wayleave at no cost over the areas owned by the HRA because of the benefits to tenants. If access is required over other ground such as Parks and Schools, it is recommended that authority is delegated to the Director of Infrastructure to negotiate appropriate arrangements, which may include fees payable, but also equally no charges, depending on the circumstances and benefits to the Council.
- 4.6 If members approve the recommendations, VM would carry out a community engagement exercise, including meeting with Community Councils and community groups, carrying out pop up events in consultation with the Council, and writing to all residents and businesses informing them of the works. They would also operate a help desk so that customers could contact them direct with enquiries.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no direct financial implications arising from this report, but some potential Capital receipts may be forthcoming if access needs to be negotiated over specific parcels of land owned by the Council's General Fund.

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

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