Cairngorms Community Broadband

Meeting of the Working Group

11 April 2016

Cairngorms National Park Authority Office, Grantown-on-Spey, 14:00-16:00

Attendees

Community Broadband Scotland (CBS)	Sarah Marshall, Archie Macdonald, Felix Spittal, Toby Sandison
Cairngorms National Park Authority (CNPA)	Murray Ferguson (Chair), David Watson
Cairngorms Local Action Group (LAG)	David Cameron, Alice Mayne
Tomintoul & Glenlivet Development Trust (TGDT)	Oliver Giles, Mary Williams Edgar
Glenbuchat & Corgarff Broadband Project	Peter Duffus, Jo Smith
Association of Cairngorms Communities (AoCC)	Roger Clegg
Alvie Estate & SLE	Jamie Williamson
Boat of Garten Community Council	Brian Tolson
Badenoch Broadband & Communications (CIC) (BBCCIC)	Robert Cumming, Al Fleming
Cairngorms Business Partnership	Mark Tate
Cromdale & Advie Development Trust	Chris Bremner
Highland Perthshire Communities Partnership	Kate Howie, Ian Bailey

Welcome and Introductions

1. Murray Ferguson welcomed everyone to the meeting. MF explained that representatives from Highland Perthshire Communities Partnership had been invited to the meeting to share their experience of a community broadband project. No specific agenda item had been added for this but they were invited to join the discussion wherever relevant.

Review of previous meeting minutes

2. The Working Group was content with the note of the meeting from 7 March 2016.

Discussion of Project Area and State Aid Consultation

Project area discussion

3. Sarah Marshall introduced a list of 'white postcodes' for the Cairngorms National Park area that had been circulated before the meeting. SM explained that this document was confidential and asked that it not be distributed outwith the Working Group. 'White postcodes' were the areas that would not be covered within the DSSB fibre rollout, and would therefore be eligible for CBS funding towards a community solution. SM explained that detail of what fibre coverage is planned for the grey and black postcode areas (i.e. postcodes that are not on the white postcode list) is expected within the coming months.

4. Ian Bailey described Highland Perthshire experience of postcode areas not initially included on 'white postcode' list that were later added to it. Ian recommended that each community check the areas in detail and inform CBS of any postcode areas they feel may have been omitted in error from the list.

5. SM said that the Laggan area would be covered by an upgrade to the existing community network provided by Badenoch Broadband and would therefore no longer be included in the Cairngorms National Park project. An updated map was circulated to illustrate this change. The Cairngorms project would still comprise around 900 premises and the removal of the Laggan postcodes from the Cairngorms project would not affect the viability of the Cairngorms project.

State aid consultation discussion

6. SM provided an update on state aid regulations. The state aid consultation for the project could not be started until the rules and regulations are decided for the BDUK scheme and that the timescale for this was uncertain. SM said she understood this was frustrating for the communities, but other work could be done in the meantime to ensure time was not wasted.

7. There was further discussion of 'partial postcode' areas (i.e. those areas where some premises will receive fibre coverage but others are not expected to see any uplift in speeds). It was suggested that the delay caused by state aid discussions could be used to further investigate options for these areas.

Action Point 1 – CBS to seek further clarity on funding eligibility of 'partial postcode' areas.

Discussion on establishment of a legal entity

8. Felix Spittal introduced a document on legal structures for community groups, which had been circulated prior to the meeting. FS suggested that if further advice were required, the Community Ownership Support Service provided by the Development Trusts Association Scotland could be a helpful source of advice on establishing a legal entity.

9. David Cameron updated the group on the legal status of the Cairngorms Trust. An application to become a Scottish Charitable Incorporated Organisation (SCIO) s has been

submitted to OSCR and supplementary documents were submitted at the start of April 2016. DC hoped to have a decision from OSCR by mid-May.

10. The Group discussed the relative merits of a subsidiary or arms-length organisation to the Cairngorms Trust versus an independent organisation. The Group agreed that the preferred course of action would be to establish an organisation to operate at arms-length from the Cairngorms Trust for reasons of simplicity and effectiveness. The Group identified that currently the preferred legal structure to be investigated is a Community Interest Company (CIC) noting that the legal structure may evolve over time depending on the circumstances.

11. Alice Mayne said that the LAG could support the development of the proposal and the establishment of the new broadband entity. Brian Tolson and Jo Smith volunteered to assist the LAG and CBS in developing the legal entity proposal for further consideration by the Working Group.

Action Point 2 – Cairngorms LAG and CBS, with support from Brian Tolson and Jo Smith to develop a proposal for establishing an arms-length legal entity, current preferred option to be a CIC, to undertake the broadband project.

Discussion of Al Fleming's proposal

12. Al Fleming introduced a proposal document that had been circulated prior to the meeting. The proposal set out a different approach to the 'aggregated project' model developed by GigaPlus Argyll.

13. SM explained to group that CBS can fund a variety of projects and would not push any particular model on the community. What is most important is that the project has the support of the community and can demonstrate that it is well suited to the needs of the area.

14. The proposal was discussed in detail and support was expressed for aspects of it, particularly the development of employment opportunities within the community. There was support for an aspirational and ambitious approach to provision of digital services within the Park. However, some expressed concern that a move away from an 'aggregated' approach to a more modular project delivery could lead to some of the most remote communities being left behind.

15. Archie Macdonald responded to some concerns raised about the 'aggregated' project approach. AM felt that the features listed as advantages of AF's proposal could also apply to an aggregated project if the community wished. AM explained that under the aggregated project model suppliers would have to go through a thorough procurement process to demonstrate they meet the requirements set by the community. Clauses could exist within the contract to ensure that a share of profits is reinvested in the network. A previous tender document for GigaPlus Argyll could be circulated to better demonstrate this process.

16. It was agreed that the proposal need not be looked at as a distinctly alternative approach to the aggregated model, but rather as a complementary proposal highlighting a number of important considerations which should be taken into account as the Group moved forwards

in managing the project. Murray thanked Al and Robert for the time they had taken to develop the paper.

Action Point 3 – CBS to circulate the tender document used in the procurement process for the GigaPlus Argyll project.

Governance

17. There was a discussion about the ongoing management of the group. MF said that CNPA would be happy to continue chairing the meetings, but that leadership of the project would eventually have to come from the communities. It was agreed that the current arrangements would continue until the new legal entity was formed.

   Project plan

18. SM circulated the latest project plan and explained that timescales remained uncertain due to the ongoing state aid discussions. SM agreed to issue a revised timeline for the next meeting of the group, by which time it was hoped there would be more clarity on the state aid issue.

Next steps

19. A proposal for the establishment of the group as a Community Interest Company will be developed for the next meeting.

AOCB

20. David Watson provided an update on the work of the Cairngorms Digital Steering Group. The DSSB Fibre rollout was described as running on time and on budget, with 570,000 premises connected. Take up of superfast connections had exceeded expectations. DW also described the 'infill' scheme for those areas not achieving speeds of a least 2Mbps in Aberdeenshire. 'Infill' would now be covered by satellite, with three voucher schemes running nationally. DW said a proposal had been put forward for Phase 2 of the fibre rollout to aim to provide 30Mbps speeds to 100% of premises by 2020. DW said rollout of 4G mobile network coverage was ongoing and to be completed by the end of 2017. A significant area of the Park was expected to be covered by 4G.

Date of next meeting

21. The next meeting would be held at the beginning of June 2016. SM would organise a date and confirm arrangements.