FOREWORD – COUNCILLOR FIONA COLLEY, CABINET MEMBER FOR FINANCE, MODERNISATION AND PERFORMANCE

When national politicians and the media talk about poor broadband coverage and the need to reach 100% coverage, they usually go on to talk about rural and remote areas. What we know in Southwark is that in fact right here in the heart of our capital city there are large numbers of people unable to access decent broadband speeds.

It would be easy to belittle this a “first world problem”, but in today's digital age slow internet speeds result in many people being unable to access modern services or to run a business from home and it is creating a digital divide. This problem is particularly acute in Rotherhithe where almost half the homes lack superfast broadband, let alone the full fibre connectivity we will need in the future.

Over the last three years we have seen some good progress towards the roll out of superfast broadband in Rotherhithe. We have worked closely with BT Openreach to encourage them to upgrade their network and to ensure that bureaucratic barriers are removed. Yet, there is still some work to be done to ensure that Rotherhithe has access to a faster level of broadband connection.

Technology has moved forward rapidly and government funding streams are becoming available. For this reason we are now proposing exploring the market to develop options for the installation of full fibre broadband across Rotherhithe.

There are a number of ways this could be achieved - for instance, via a concession on council assets, a gap-funding model or direct delivery of the infrastructure. Over the next few months we will explore various options with providers, work closely with the Rotherhithe Broadband Group and consult residents.

We will need to find an option that is viable for providers, meets residents’ needs and is affordable to the authority. We will of course particularly be looking at how we can access national and regional funding pots and work with developers in Canada Water so that we create a solution that works for the whole of Rotherhithe - new and old.

We will also be considering how this project could be extended in the future to cover other “not-spots” in Southwark and support regeneration across the borough.

We will come back to Cabinet in October with proposals to move this project forward to the next procurement phase.
RECOMMENDATIONS

That the Cabinet


2. Notes the recommendation to undertake a formal market engagement exercise as set out in the report (paragraphs 26, 56 and 57).

BACKGROUND INFORMATION

3. Southwark Council is committed to being a digitally inclusive borough and has made promises through the Fairer Future principles to bring superfast broadband to Rotherhithe. Access to high speed broadband is an important part of our Fairer Future promise to build a strong local economy for everyone, by ensuring that all residents have access to the digital tools they need to live and work. This is further emphasised through the Economic Wellbeing Strategy, the Digital Strategy and the council's Modernisation programme. Access to good internet connections is no longer a luxury; it is a necessity for individuals, businesses and the council alike.

4. The council’s aspiration is also in line with the recent Government Digital Strategy (1 March 2017) setting out an ambitious agenda;

“We are determined that no part of the country or group in society should be without adequate connectivity. We will continue our work to complete the roll-out of 4G and superfast broadband by 2020, but we will also implement a Universal Service Obligation, giving every individual, business and public premise across the country the right to request an affordable high speed broadband connection”.

5. Access to broadband services is notoriously poor in the Rotherhithe and Canada Water areas (Rotherhithe and Surrey Docks wards), as recognised through the Fairer Future promise to bring superfast broadband to Rotherhithe. Many residents have expressed their frustration that access to anything other than very basic services is difficult, with some areas only able to access broadband speeds around 2Mbps, with 1.5Mbps ‘being normal’ as reported by local group BroadbandSE16. This should be compared with the Government’s definition of superfast broadband as speeds greater than 24Mbps, and Ofcom (the UK regulator) defines “superfast” as speeds greater than 30Mbps. (Mbps is short for megabits per second, a measure of data transfer speed). This means that residents are unable to take full advantage of what the digital world has to offer. Opportunities to start and grow a business in the area could also be hindered by a lack of connectivity which is not shared by other central London businesses.

6. In 2014, the council commissioned Atkins (engineering consultants) to review broadband access in Rotherhithe and their subsequent report confirmed the challenges in the area. The report identified that poor access in traditional docks areas is not unusual; they have historically been poorly served and the expansion of broadband services has not kept up with the development of homes and businesses in these areas.

7. Recent analysis (April 2017) by local group BroadbandSE16 based on the latest available Ofcom data shows that the situation has significantly improved since 2016,
with over half of households (54% in 2017 compared to 38% in 2016) now able to access superfast broadband speeds up to 30Mbps and above. However, compared to the average speed across Southwark, where 82% of the residents are able to access 30Mbps minimum speeds, it is clear that there is still a long way to go.

8. The analysis by BroadbandSE16 further shows that more than a quarter of the population on the Rotherhithe peninsula (26% to be compared with 5% across Southwark) are still in 2017 unable to receive broadband speeds of 10Mbps, which is the expected Government baseline for the Universal Service Obligation. The proportion of residents who are digitally disadvantaged in Rotherhithe (access to less than 10Mbps) is significant and falls well below the Government target of 95% access to fast broadband connectivity by the end of 2017 (Rotherhithe peninsula 74%, April 2017).

9. Although improving, there is clearly still work to be done to bring the Rotherhithe peninsula in line with the rest of the borough. Soft market testing and engagement to date has shown a lack of large scale plans for further investment in broadband infrastructure by any of the major suppliers in the market.

10. This implies that unless a different approach is considered, broadband access in Rotherhithe and Surrey Docks wards will improve at a very slow rate - leaving residents behind and potentially increasing the digital divide between communities. This report sets out the work to date, key issues for consideration and asks cabinet to approve the strategic options assessment for delivery of broadband infrastructure in Rotherhithe and Surrey Docks ward and outlines steps to find a solution via market engagement and procurement.

KEY ISSUES FOR CONSIDERATION

Approach and delivery to date

11. In September 2015 BT/Openreach announced plans for approximately 18,000 connections across Southwark. The Council Plan reflects this commitment from BT and promises significant improvement made to Rotherhithe. To date 8,312 potential new connections has been delivered borough wide, with 2,922 delivered to the Rotherhithe peninsula (May 2017).

12. Council officers have been working with BT Openreach to encourage expansion of BT’s broadband presence on the Rotherhithe Peninsula and elsewhere in Southwark. A constructive working relationship has been established with BT Openreach and a cross council working group is overseeing the broadband improvements in the Rotherhithe area, which includes officers from planning, highways and modernisation teams. The purpose of the group is to assist BT Openreach where possible to ensure any practical issues preventing delivery are resolved quickly.

13. It should be noted that this is a technically difficult programme with long lead in times. Each installation from BT/Openreach is subject to planning, survey and technical and geographical feasibility.

14. To date, efforts to improve the broadband infrastructure have focused on developing the relationship with BT Openreach and facilitate the delivery of their London wide improvement programme as well as influencing specific plans for Southwark. Although some success can be reported in increasing the scope and progress – particularly in
bringing forward the planned installations to deliver improvements in Rotherhithe, clearly progress is slower than expected. Council officers continue to work closely with BT to influence the scope of future plans.

15. Officers, cabinet members and ward councilors have also worked to improve the communication and collaboration between the council and members of the local community. The council’s website has been updated and a number of senior level meetings have been brokered to ensure that community members have the opportunity to raise these issues of poor connectivity with the Partnership Director for London at BT as well as members of the London Assembly Regeneration Scrutiny Committee as part of a wider investigation into broadband connectivity in the capital.

**Barriers and challenges**

16. Key challenges to overcome are the lack of physical technological infrastructure (fibre in the ground) and how to fund the necessary investment to improve access and speed.

17. Premises in the Rotherhithe area, consisting of Rotherhithe and Surrey Docks wards are served from the Bermondsey exchange located on Lynton Road approximately 1.3 km away from Lower Road. The distance from the exchange exacerbates the problem as does the paucity of BT “green boxes” which bring fibre cables and improved broadband speeds closer to premises.

18. The lack of broadband infrastructure is partly a result of market conditions, where BT/Openreach has for a long time operated existing infrastructure without much competition. A contributing factor is also the history and physical aspects of many poorly connected inner city geographies - many are former docklands or industrial areas with a telephone network connected directly to the exchange and low density housing.

19. Due to the significant capital investment needed in infrastructure technology in combination with low density housing, market leaders in the telecommunications sector currently see this area as commercially unviable for further large scale investments and have failed to bridge the gaps left by BT/Openreach.

20. Other challenges include understanding and assessing the emerging, fast moving and complex market with its wide range of options, newly established companies (with attached risks) and ensuring that a solution for Southwark is delivering current promises and strategies as well as being future proof. Added to this is the fact that broadband provision is not a core council service and our influence in the market is limited.

21. Until recently the Government has been concentrating on improving broadband in rural areas. They have provided funding for improving broadband services through the Broadband Delivery UK (BDUK) superfast broadband programme, with BT Openreach and services in rural areas have been improved. As a result, some inner city and urban areas have been left behind in the rollout of superfast broadband.

**Regional and national context**

22. With the forthcoming introduction of the Universal Service Obligation for broadband through the Digital Economy Act, which received Royal Assent on 27 April, it is encouraging to see that a large investment in digital infrastructure nationally was
included in the Autumn Statement 2016 and subsequently announced through the Budget. The Chancellor announced investments of more than £1 billion by 2020-21, including £740 million through a National Productivity Investment Fund (NPIF), targeted at supporting the market to roll out full-fibre connections and future 5G communications. This also includes £400 million for a new Digital Infrastructure Investment Fund, at least matched by private finance, to invest in new fibre networks over the next four years. The package also includes a coordinated programme of integrated fibre and 5G trials, “to keep the UK at the forefront of the digital revolution”.

23. The objective of the Broadband Delivery UK (BDUK) team within the Department of Culture, Media and Sport (DCMS), which is responsible for the improvement of the UK’s broadband infrastructure, is to: “achieve a transformation in our broadband access, with everyone in the UK able to access broadband speeds of at least 2 megabits per second (Mbit/s) and 95% of the UK receiving far greater speeds (at least 24 Mbit/s) by 2017”. In this context is should be noted that the Digital Economy Act introduces the Universal Service Obligation at 10mbs, recognizing that 2mbps is no longer enough to make the most of digital opportunities.

24. The council will seek to ensure that the Government recognises urban areas which have been excluded from the rollout of superfast broadband in the implementation of this legislation, and that areas of Southwark which are currently unable to access sufficient broadband speeds are not left behind.

25. Very limited information is yet available on how the promised Government funds will be allocated or accessed as the Government is developing policy and guidelines in this area. The council will seek to utilise opportunities to secure Government funding where possible to support the delivery of superfast broadband to Rotherhithe. Officers are in contact with the Broadband Policy Team at DCMS, establishing contact with BDUK and continue to work closely with GLA. Southwark and Rotherhithe in particular recently featured as a case study in the GLA response to DCMS call for evidence.

Future service requirements

26. Those currently digitally disadvantaged risk slipping further behind in this fast-moving market where private investment in superfast broadband as standard into new builds and large scale developments leave the “not spot” areas behind. There is a need to look at what the market has to offer and alternative methods to fill the gaps and improve the services available to residents and businesses.

27. Understanding what the total offer in this fast moving market could deliver for Rotherhithe and its residents will be a key challenge in recommending a way forward. Soft market testing has shown there are a number of different alternative routes to delivery, offering varying levels of broadband coverage and timescales and with different views on what it means to future proof digital infrastructure. To explore options and recommend a procurement route it is recommended that a formal market engagement exercise is undertaken.

28. The market engagement exercise will enable a detailed options appraisal, including informing the expected service outcome (the solution) and the specification and method for achieving this. Part of this exercise will be to test the appetite for a full Smart City strategic approach (such as Digital Greenwich) or if it is a service in-fill approach to bring a baseline service to a majority of the geography that is required. In addition, this process will clarify what procurement route would be best able to deliver the required solution.
29. It is expected that the following variables will feature in the assessment framework:

   a. Promoting choice and value for money for residents (driving best offers)
   b. Coverage and access – delivering improvements to key ‘not spots’
   c. Future proofing – technological platform that can stand the test of time (medium term); potential for future income streams and protecting the council’s interests
   d. Supporting physical, social and economic regeneration; social inclusion, service transformation and Fairer Future promises

30. Although Rotherhithe is an outlier, a recent mapping exercise by the GLA has further highlighted the issues with connectivity in other local areas. When slow broadband speeds are overlaid with data from the Index of Multiple Deprivation, Southwark is one of the hardest hit areas in London despite its central location. Bermondsey, Elephant and Castle, Camberwell and Peckham also have particularly low connectivity. This will need to be considered in the context of future service demand and as part of a holistic approach that can be scaled or applied across the borough.

**Consideration**

31. Procurement has to be in the context of the current and future financial pressure the council is facing.

32. Procurement will be in line with the European Commission’s state aid and competition regulation to ensure full compliance in this area.

**Strategic approach**

33. The cornerstone to develop options, potential solutions and gain a thorough understanding of how this complex market can meet the needs of residents, businesses and the council will be a market engagement exercise. This will set the scene for assessing the most suitable options and guide a decision on the most appropriate procurement strategy to deliver the council’s ambition for broadband connectivity.

34. The key challenges are to deliver improvement to physical fibre infrastructure in a way that is sustainable and ‘future proof’ – both from a technological and financial perspective and has maximum impact at community level. It is recommended that the solution not only fills the current gaps but ensures the area is well placed to continue to keep pace with the rest of London as technology and demand develops.

**Current market**

35. The fibre broadband market is undergoing radical change, with initiatives to stimulate competition and private investment being brought in by Government in the form of new strategies, funding streams and legislative changes to address the imbalance in power mainly in the wholesale market and improve the full fibre infrastructure. In addition, the speed of technological change makes this market incredibly challenging to assess from a future proofing and investment perspective.

36. It is a well-established fact that access to fibre broadband (compared to part ADSL/copper lines) is lacking in the UK when put into an international context. The full-fibre broadband coverage in the UK currently stands at around 2%, which compares to over 70% in Japan, Spain and Portugal (Ofcom, April 17).
37. The Government wants to see greater fibre roll-out to more homes and businesses, where superfast fibre connectivity runs the full distance (compared to part copper networks). The Digital Economy Act includes simplified planning rules, and in the 2016 Autumn Statement the Government announced business rates relief for new fibre infrastructure for five years from 1 April 2017.

38. Ofcom’s ongoing Wholesale Local Areas Market Review (until 2021) has found that BT continues to have significant market power in the UK with some exceptions (Hull area).

39. The latest proposals from Ofcom published on 20 April 2017 intend to promote competition and further the interests of residential and business customers, and promote investment in new ultrafast networks. The plans set out practical steps to make it quicker and easier for BT’s competitors to build their own fibre networks all the way to people’s doorsteps using Openreach’s existing telegraph poles and ‘ducts’ – the small, underground tunnels that carry telecoms cables.

40. Changes to the Electronics Code (part of the Digital Economy Act) also means there will be a greater responsibility for landlords and landowners to provide access for telecommunications infrastructure.

41. Soft market engagement shows there are new and emerging companies in the marketplace that may all provide a potential solution - or at least in part - to address the poor connectivity in Rotherhithe. In addition, there are of course also the major market shareholders, both wholesalers such as BT/Openreach and service providers with their own independent fibre networks such as Virgin Media.

42. The offers and potential to deliver connectivity from these companies will have to be assessed in the context of the council’s challenges going forward; demographic changes; saving targets and current strategy and policy context. A framework will be set out as part of the process.

**External procurement advice**

43. Due to the specialism involved in this market, legal assistance is required to support the council in managing the procurement process. The council has had initial discussions with external legal advisers (using the LBLA framework) who have experience in this market and this type of procurement. This support is subject to a separate GW1 report.

**Market engagement**

44. Market engagement is a process which takes place prior to procurement and which aims to:

- Identify potential bidders and/or solutions
- Build capacity in the market to meet the requirement(s)
- Inform the design of the procurement and contract

45. The market engagement process would include publishing a prior information notice (PIN) to enable potential suppliers to express an interest followed by a formal engagement mechanism (supplier open day, one-to-one discussions or a formal questionnaire – methodology to be confirmed) to enable a pre-procurement discussion
about requirements and potential solutions to inform the best procurement route. The market engagement exercise would be overseen by our external legal partner who has experience in this activity.

**Timing**

46. The market engagement activity should be held sufficiently in advance of the procurement process so that it can inform the planning and development of the procurement, typically between 2-5 months before the procurement starts.

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<td>Publication of Prior Information Notice (PIN)</td>
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<tr>
<td>Market engagement</td>
<td>August/September (6-8 weeks)</td>
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<td>Analysis and report writing</td>
<td>September (4 weeks)</td>
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**Policy implications**

47. The recommendation to undertake a market engagement exercise will deliver a procurement route that will be in line with current digital policy commitments as set out in the Fairer Future promises, the council’s Digital Strategy, the Economic Wellbeing strategy and the Modernisation improvement programme.

48. Any recommendation from the exercise will be taking into account implications across other policy areas and whether there should be a policy change in the council’s role in providing broadband infrastructure and services. Should the council wish to move to a ‘Smart City’ approach a new policy framework may need to be considered.

**Recommended strategic delivery option**

49. Based upon the information and details outlined in this report, it is recommended that future investigation and details of the approach to delivery of broadband infrastructure is undertaken to progress through early market engagement.

50. This will inform and clarify the expected service outcomes (the solution) and specification. Part of this exercise will be to test the appetite for a full Smart City strategic approach (such as Digital Greenwich as adopted by the Royal Borough of Greenwich) or if it is service in-fill approach to bring a baseline service to a majority of the geography that is required.

51. In addition, this process will clarify what procurement route would be able to deliver the required solution.

**Identified risks**

52. There is a risk of not addressing the issue of broadband infrastructure in a comprehensive, strategic and holistic way that may be increasing the gap in communities with lost opportunities.

53. There is also a risk of not capitalising on opportunities that a fibre network can provide (Greenwich calls its fast fibre and mobile network a ‘strategic competitive advantage’)
54. There is also the potential for not fulfilling Fairer Future and other key strategies should a solution fail to be delivered.

55. In addition, there is a risk that there is insufficient interest in the market and that the options available are unaffordable.

Key/non-key decisions

56. This gateway 0 decision is a key decision.

Next steps

57. Commission a subject matter expert on procurement to advise the council throughout the process as noted in paragraph 42. This will be under the existing LBLA framework and subject to a separate GW1 report.

58. Undertake early formal market engagement to inform and clarify the expected service outcomes (the solution) and specification. Part of this exercise will be to test the appetite for a full Smart City strategic approach (such as that developed by Digital Greenwich) or if it is service in-fill approach to bring a baseline service to most of the geography that is required. In addition, this process will clarify what procurement route that would be able to deliver the required solution. Once this market engagement is complete and outcomes known, this will inform the gateway 1 (procurement strategy approval). This report is anticipated in autumn 2017.

Community impact statement

59. A community impact assessment will form part of the options appraisal, as the solution will have direct impact on residents and businesses.

Social value considerations

60. The Public Services (Social Value) Act 2012 requires that the council considers, before commencing any procurement process, how wider social, economic and environmental benefits that may improve the well being of the local area can be secured. Social value considerations and how the delivery of these services can benefit the local area are detailed below:

Economic considerations

61. Economic considerations are to be built into the options appraisal process for the market engagement exercise and will be reported in the gateway 1 report.

Social considerations

62. Social considerations are to be built into the options appraisal process for the market engagement exercise and will be reported in the gateway 1 report.
Environmental/sustainability considerations

63. Environmental aspects and sustainability considerations are to be built into the options appraisal process for the market engagement exercise and will be reported in the gateway 1 report.

Plans for the monitoring and management of project

64. The market engagement exercise will be overseen by an external legal adviser to ensure this complies with legal requirements and meets best practice.

Resource implications

65. As part of the procurement consideration (or process) we want to minimise cost burden to the council.

Financial implications

66. The market engagement exercise and options appraisal process will clarify the financial implications of each option to the council. The aim is to minimize the financial burden on the council both current and future, to seek innovative solutions and part-funding (Government or private market or other) to deliver improvement to broadband infrastructure.

Investment implications

67. It is likely that the recommended solution will have an impact on the capital programme and will be clarified throughout the market engagement process.

Legal implications

68. Please see concurrent from the Director of Law and Democracy.

Consultation

69. We will be working closely with members of the community and local pressure groups to gain insight into how each solution will address poor connectivity. It is expected that the market engagement exercise will include a survey of user experiences to date to inform the specification and underpin discussions about potential solutions.

70. The consultation to date includes organising a meeting to ensure that members of the BroadbandSE16 group could meet directly with the Partnership Director for London at BT and a site visit to Rotherhithe by members of the London Assembly Regeneration Scrutiny Committee that brought together members of the committee, members of the community and elected councillors and officers of the council.

71. Officers of the council are also responding to queries from the community, both at an individual level and through public meetings such as the Leaders Question Time.

72. In addition, as new section has been added to the council’s website setting out some of the key challenges and what is being done to address connectivity in the area.
73. Members of BroadbandSE16 have been meeting with the council on several occasions throughout spring and have been supporting the development of this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance and Governance

74. This report sets out the approach for the improvement in broadband infrastructure within the Rotherhithe and Surrey Docks areas and soft market engagement is initially proposed to inform the council’s strategic options going forward. There are no financial implications arising at this point other than the initial costs of external legal advisers assisting with procurement planning, which will be met from the council’s existing budgets.

Head of Procurement

75. This report seeks the approval of cabinet in the strategic options assessment for delivery of broadband infrastructure in Rotherhithe and Surrey Docks wards in Southwark. The report notes the recommendation to undertake a formal market engagement exercise with regards to supporting decision making for the provision of broadband infrastructure in these locations. Whilst no details are given in the report as this is yet unknown, a pre-procurement report is required in the Contract Standing Orders for potential contracts with an estimated value of more than £10m. A procurement strategy is intended to be informed by the results of the market engagement exercise that will be set out in a gateway 1 report.

Director of Law and Democracy

76. This report sets out the approach for the improvement in broadband infrastructure within the Rotherhithe and Surrey Docks areas and soft market engagement is initially proposed to inform the council’s strategic options going forward.

77. The initial costs of external legal advisers assisting with procurement planning, have been agreed through prior governance processes and will be met from the council’s existing budgets.

78. There are no other immediate costs from this report. However it is likely there will be additional costs, both revenue and capital, and these will be identified in subsequent reports, once the results of the formal market engagement and planned approach are known.
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<td>Government's Digital Strategy (1 March 2017)</td>
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APPENDICES

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AUDIT TRAIL

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<th>Councillor Fiona Colley, Finance, Modernisation and Performance</th>
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<tbody>
<tr>
<td>Lead Officer</td>
<td>Emma Marinos, Strategic Director of Modernise</td>
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<tr>
<td>Report Author</td>
<td>Sara Kelly, Business Insight Officer</td>
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CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER

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