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Forde House Newton Abbot

E-mail: comsec@teignbridge.gov.uk

13 November 2018

EXECUTIVE

Dear Councillor

You are invited to a meeting of the above Committee which will take place on Wednesday, 21st November, 2018 in the Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX at 10.00 am

Yours sincerely

PHIL SHEARS
Managing Director

Distribution:

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(1)	ine	iviembers	or me	Executive:

Councillor Jeremy Christophers
(Leader)
Councillor Humphrey Clemens
(Deputy Leader)
Councillor Phil Bullivant
Councillor Stuart Barker
Councillor Timothy Golder

The Leader and Portfolio Holder for Strategic
Direction
Portfolio Holder for Planning & Housing
Portfolio Holder for Recreation & Leisure
Portfolio Holder for Corporate Resources
Portfolio Holder for Economy, Skills and Tourism

Councillor John Goodey Portfolio Holder for Community Neighbourhoods
Councillor Kevin Lake Portfolio Holder for Environment Services
Councillor Sylvia Russell Portfolio Holder for Health & Well-being

A link to the agenda on the Council's website is emailed FOR INFORMATION (less reports (if any) containing Exempt Information referred to in Part II of the agenda), to:

- (1) All other Members of the Council
- (2) Representatives of the Press
- (3) Requesting Town and Parish Councils

If Councillors have any questions relating to predetermination or interests in items on this Agenda, please contact the Monitoring Officer in advance of the meeting

Public Access Statement

- There is an opportunity for members of the public to ask questions at this meeting.
 Please submit your questions to comsec@teignbridge.gov.uk by 12 Noon two working days before the day of the meeting.
- If you would like this information in another format, please telephone 01626 361101 or e-mail info@teignbridge.gov.uk
- Agendas and reports are normally published on the Council's website
 http://www.teignbridge.gov.uk/agendas 5 working days prior to the meeting. If you would like to receive an e-mail which contains a link to the website for all forthcoming meetings, please email comsec@teignbridge.gov.uk
- Reports in Parts I and III of this agenda are for public information. Any reports in Part II are exempt from publication due to the information included, under the provisions of the Local Government Act 1972.

AGENDA

Part I

- 1. Apologies for absence
- 2. Minutes (Pages 1 6)
- 3. Agreement of the Agenda between Parts I and II
- 4. Matters of urgency/matters of report brought forward with the permission of the Chairman
- 5. Declarations of Interest
- 6. To note action taken under delegated powers as set out in Part III of the agenda (if any)
- 7. Public Questions (if any)
- 8. Notice of Motion under Council Procedure Rule 4.5(I) (if any)
- Newton Abbot Regeneration (Pages 7 8)
 To consider the Newton Abbot Regeneration report.
- Bradley Lane, Newton Abbot (Pages 9 12)
 To consider the Bradley Lane, Newton Abbot report.
- 11. Executive Forward Plan (Pages 13 18)

To note forthcoming decisions anticipated to be made by the Executive over the next 12 months.

Part II

(Private) Items which may be taken in the absence of the Public and Press on the grounds that Exempt Information may be disclosed.

12. The Executive is recommended to approve the following resolution:

That under Section 100(A)(4) of the Local Government Act 1972, the Press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule12A of the Act.

13. Newton Abbot Regeneration (Pages 19 - 30)

To consider the Newton Abbot Regeneration report.

14. Bradley Lane, Newton Abbot (Pages 31 - 44)

To consider the Bradley Lane, Newton Abbot report.

15. Market Walk, Newton Abbot (Pages 45 - 48)

To consider the Market Walk, Newton Abbot report.

Part III

(FOR INFORMATION ONLY)

The following Portfolio Holder decisions have been made since the last meeting of the Executive:

PH Decision 17-2018 – Approval for charging for Food Hygiene Rating Scheme Revisits - Portfolio Holder for Health & Well-Being



EXECUTIVE

TUESDAY, 30 OCTOBER 2018

Present:

Councillors Christophers (Leader), Clemens (Deputy Leader), Bullivant, Barker, Golder, Goodey, Lake and Russell

Members Attendance:

Councillors Clarance, Haines, G Hook, Dennis, Dewhirst, Hockin, Nutley, Wrigley and Prowse

Officers in Attendance:

Phil Shears, Managing Director
David Eaton, Environmental Protection Manager
Chris Braines, Waste & Cleansing Manager
Andrea Furness, Licensing Manager
Chris Smith, Estates Surveyor
Sarah Selway, Democratic Services Manager (Exeter City Council)

These decisions will take effect from 10.00 a.m. on 6 November 2018 unless called-in or identified as urgent in the minute

185. MINUTES

Minutes of the meeting on 2 October 2018 were confirmed and approved and signed as a correct record.

186. MATTERS OF URGENCY/MATTERS OF REPORT BROUGHT FORWARD WITH THE PERMISSION OF THE CHAIRMAN

The Leader brought to Members attention the recent Devon County emergency exercise day that had taken place in the District, which had been a successful learning exercise. He had received a positive letter from Kit Malthouse, the Minister of State for Housing, following on from the meeting with Homes England regarding investment in infrastructure and self-build at Wolborough.

Members wished Councillor Mike Pilkington a speedy recovery.

187. DECLARATIONS OF INTEREST

There were no declarations of interest.

188. AMENDMENTS TO THE GAMBLING ACT

The Licensing Manager presented the circulated report on the draft Statement of Principles, which had been prepared under the Gambling Act 2005. Members were advised that the Council was required every three years, to prepare and keep under review, a statement of the principles which were proposed to apply when exercising its functions, the statement to be subsequently published. The Council had prepared its statement which had been subject to consultation. The Licensing Manager advised that the Statement of Principles had been updated in relation to safeguarding and incorporating weblinks to keep the document continually up to date.

During discussion, Members raised the following:-

- What was the size of the problem in the District?
- Had Social Services been consulted?
- What enforcement took place?
- There were over 5,400 problem gamblers in Devon
- Had serious concerns regarding the protection of children and should the Safeguarding Children Act (2015) be referenced as this Act explicitly stated that under 18's were children.

In response to Members, the Licensing Manager clarified that wording used in the statement were those used in the legislation, there were yearly inspections with the Gambling Commission with any necessary follow up visits. The Gambling Act was the primary legislation which had clear definitions and Devon County Council Social Services had been consulted. She was not aware of any readings relating to 16-18 years old's with a gambling addiction in the District.

The Portfolio Holder for Corporate Resources commented that, in the next review, the Adult Safeguarding Board and Devon Partnership Trust should be consulted and data from the Public Health Board should be obtained to inform the report.

The Leader stated that the addiction to gambling was even more difficult to address with the increased use of the internet and that representation needed to be made to other agencies to look to tackle this.

The Portfolio Holder for Health & Well-being commented that there was no control over the use of the internet and that the Community Safety Partnership had raised safeguarding issues around this. Legislation was needed to stop children accessing gambling websites.

RECOMMENDED to Full Council that the Statement of Principles be approved as set out in the report.

189. PUBLIC SPACES PROTECTION ORDER FOR DOG CONTROL IN TEIGNBRIDGE

The Environmental Protection Manager presented the report on the Implementation of a Public Spaces Protection Order (PSPO) for responsible dog ownership. Members were advised on the purpose of a PSPO and of the two conditions that the local authority must be satisfied on reasonable grounds that are met. An officer working group had reviewed the project and there had been an extensive consultation. The eight suggested controls were outlined, these included existing control, improvements on existing controls and new controls. Members were advised that there was no specific statutory guidance to assist when setting a restriction on the number of dogs that could be walked by a single individual on or off a lead. Members were asked to recommend setting the restriction on the number of dogs and attention was brought to the comments in the consultation on this matter and the responses from interested organisations.

During discussion, Members raised the following points:-

- Should the seasonal dog exclusion date commence from 1 April on beaches? Not just Dawlish Warren Beach
- The majority of dog owners were responsible it was just those few irresponsible owners that caused the issues
- How would enforcement be undertaken and by whom?
- How would public evidence of an offence be acted on?
- There was an issue with dogs being left to roam
- Dog fouling was a real issue in the parishes across the District
- Concerns about working dogs in rural areas; these should be excluded
- What about the existing bye laws?
- How were children play areas defined?
- There was an issue with dog walkers putting dog faeces in bags and hanging on hedges in rural areas
- The maximum number of dogs on a lead should be four.

The Environmental Protection Manager clarified the following:-

- cycle paths, both those adjacent and not adjacent to a Highway, would be covered by the PSPO
- The three Community Environment Wardens would undertake the role of enforcement
- Complaints could be reported on-line
- Hotspots would be targeted
- Walking patterns of offenders would be identified
- Recording of car number plates would help to trace offenders this would be a non-confrontational way of reporting an offence
- The existing bye laws would remain in place
- Would investigate if Dawlish Town Council Water Fowl Wardens would be able to enforce the PSPO

- There would be a publicity plan to make the public aware of the order and its contents
- The Community Environment Wardens work patterns do vary to cover different times of the day to address issues.

Executive Members discussed the seasonal dog exclusion dates on the beaches, the needs for signage to be clear and the number of dogs that could be walked by a single individual.

RESOLVED that the:-

- (1) implementation of a Public Space Protection Order (PSPO) for Responsible Dog Ownership under ss59 to 75 of the Anti-Social Crime and Policing Act 2014 be approved subject to the inclusion of:-
 - Cycle paths to be added as a highway
 - working dogs to be added to the existing list of exemptions farm dogs moving livestock on the highway are not expected to be on a lead
 - the maximum number of dogs permissible on or off a lead with a single individual to be four;
- (2) Council's Solicitor be authorised to draft and make the Order;
- (3) Council's Environmental Protection Manager be authorised to issue fixed penalty notices under the PSPO; and
- (4) seasonal dog exclusion areas on beaches from 1 April to 30 September be approved. This to be reviewed in 12 months.

190. DRIVER AND OPERATION STAFF SALARIES - MARKET FORCES

The Waste and Cleansing Manager presented the report on the ongoing difficulties being experienced in the recruitment and retention of Large Goods Vehicle (LGV) Drivers and the implications of applying the Council's Market Forces Policy to resolve the issue.

Members were advised that the LGV driver recruitment issues were compounded by the fact that other operational staff received a higher percentage pay increase as part of the recent Local Government Pay Award. This effectively closed the gap between the roles and reduces the incentive for the additional responsibilities and qualifications required to be an LGV driver. He outlined the pay differentials for Operational Management and the total cost for all the implicated staff. The recent recruitment exercise for four LGV Drivers had received no applications. The Council did offer to cover the training costs of staff to gain an LGV qualification but currently only one current member of staff was participating.

A Member recognising the critical service that the LGV Drivers provide raised questions to the number of vehicles ratio to the number of drivers, the shortfall in budget and if this could be addressed by an increase in the cost of the collection of garden waste. In response to Members' questions, the Waste and Cleansing Manager clarified the following:-

- There had been pressure from the increase in weekly recycling collections
- Income from garden waste has been factored into the budget calculations
- Fees and Charges and other possible sources of income across the service would be looked at as part of the budget setting process
- There were 36 rounds a day and holidays and sickness need to be factored into the rotas for the rounds
- The cost to the Council to train up an employee to a LGV Driver was approximately £1,000.

The Portfolio Holder for Environment Services commented that the Council did offer good in-house training and there was a need to have a leeway in staff resources to cover for holiday and sickness absence. There was a demand on the service with the increase in house building in the district and there was a national shortage of LGV Drivers.

Executive supported the recommendation.

RESOLVED that the:-

- (1) implementation of the Council's Market forces Policy to increase LGV driver's salaries to Grade 16a equivalent be approved; and
- (2) increases to the posts in the operational management team to maintain the grade differential as detailed be approved.

191. EXECUTIVE FORWARD PLAN

The Leader stated that Teignmouth Regeneration would be added to the Forward Plan.

RESOLVED that the Forward Plan be noted.

192. EXCLUSION OF PRESS AND PUBLIC

That under Section 100(A)(4) of the Local Government Act 1972, the Press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule12A of the Act.

193. LAND AT SANDY LANE, DAWLISH

The Interim Head of Commercial Services introduced the report to consider the request of the 1st Dawlish Scout Group for a renewal lease of Land.

The Estates Surveyor advised of the background and the terms of the new lease.

In response to Members' questions, officers clarified how community based rents were calculated and any rent reductions and grants that could be applicable.

Executive (30.10.2018)

RESOLVED that the ground lease to 1st Dawlish Scout Group be renewed for a further 28 years.

Chairman

EXECUTIVE

CHAIRMAN: Cllr Avril Kerswell LEADER: Cllr Jeremy Christophers

DATE: 21 November 2018

REPORT OF: Tony Watson Interim Head of Commercial Services

SUBJECT: Newton Abbot. Regeneration

PARTI

RECOMMENDATIONS

The Executive is recommended to resolve the recommendations made in part II of this report.

1. PURPOSE

The purpose of this report is to outline the options for the Council to deliver the next phase of regeneration in Newton Abbot Town Centre, through the development of a new Cinema and Restaurants.

2. BACKGROUND

The Master Plan for Newton Abbot Town Centre was approved by the Councils Executive in July and will exhibited to the public upon completion of the refurbishment of Market Walk.

The regeneration of Newton Abbot Town Centre was first outlined in the adopted Local Plan (2013-2033) and seeks to situate Newton Abbot as the heart of the District, creating a social and economic hub for the Town, surrounding catchment and new urban extension.

The Council have been reviewing options to deliver a new Cinema in the Town in order to promote evening economy and drive forward the further improvements to the Town Centre.

3. MAIN IMPLICATIONS

The main implications are outlined in part II of this report.

4. GROUPS CONSULTED

Councillor briefing held 12th November

Finance Legal Planning

5. TIME-SCALE

The purpose of this report is to outline the options for development. A subsequent report will be presented to the Council in 2019 for further approval.

6. JUSTIFICATION

The recommendations contribute towards the Local Plan aspirations and Teignbridge 10 goals of 'going to town' and 'investing in prosperity'.

7. DATE OF IMPLEMENTATION (CONFIRMATION OF DECISION SUBJECT TO CALL-IN)

10.00 a.m. on 28 November 2018.

Tony Watson. Interim Business Lead Cllr Jeremy Christophers, Leader of for Commercial Services the Council

BELOW TO BE FILLED IN BY REPORT AUTHOR:

Wards affected	Newton Abbot,
Contact for any more information	Tom Butcher
Background Papers (For Part I reports only)	
Key Decision	N
In Forward Plan	Y
In O&S Work Programme	N
Community Impact Assessment attached:	N
Appendices attached:	

EXECUTIVE

CHAIRMAN: Cllr Avril Kerswell PORTFOLIO HOLDER: Cllr Timothy Golder

DATE: 21 November 2018

REPORT OF: Tony Watson, Interim Head of Commercial Services

SUBJECT: Bradley Lane, Newton Abbot

PART I

RECOMMENDATION

The Executive is recommended to resolve:

- That a joint venture partner is procured for the delivery of Bradley Lane.
- The additional recommendations set out in part II are approved.

1. PURPOSE

The purpose of this report is to summarise the Councils aspirations to realise redevelopment, together with the recommended process for delivery.

A subsequent report will follow once detailed scheme planning has been undertaken.

2. BACKGROUND

Bradley Lane is currently an operational industrial estate located off Highweek Street, Historically the area was associated with Paper mills linked to Bradley Manor and subsequently Fellmongery until operations ceased in c.1972. The site was substantially re-developed in the 70's and 80's, as it remains today.

The area continues to be operated as a traditional industrial estate for a range of different processes, for example, the manufacture bespoke shop fittings, warehouse, distribution and window manufacture, amongst others. The majority of the buildings are now reaching the end of their useful lives.

One of the major occupiers Benbow Group will be relocated to new premises in summer 2019 as agreed by the Council in April 2018.

In early 2008, as part of the Local Plan engagement a number of workshops and master planning events were held to consider and discuss the options for development in the Newton Abbot area, in addition to the wider District.

Bradley Lane was highlighted as part of this process and has subsequently been included within the Local Plan, which was widely consulted on and adopted in 2013.

Planning Context:

The Councils adopted Local Plan 2013-2033 details the aspirations for Bradley Lane in policy NA10, as follows:

- Deliver around 15,000 square metres of B-use classes, community and public uses;
- b) Deliver at least 170 homes with a target of 20% affordable homes;
- c) Seek to retain buildings that make a positive contribution to the physical environment and diversity of uses on the site;
- d) Investigate the potential to provide a link road through the site from Totnes Road/Wolborough Street to Bradley Lane/Highweek Street;
- e) Enhance links between Bakers Park and the remainder of the town centre
- f) including flood risk management that will ensure that the town centre will be safe from flood risk;
- g) Take advantage of its gateway location and seek to reconnect with the remainder of the town centre through delivering very high quality urban design; and
- h) Provide some short stay car parking.

In addition:

- i) any retail floor space shall be ancillary in scale and shall not have an unacceptable impact on town centre vitality and viability. Comparison goods floor space in particular will be discouraged; and
- j) other town centre uses will be considered on their merits and subject to an impact assessment.

The Council have been assembling land and buildings since 2010 in order take a leading role in regeneration. A plan illustrating the extent of the Councils ownership, edged red is included in appendix 1.

MAIN IMPLICATIONS 3.

Tender Process:

The Council are seeking to procure a partner through the Homes England framework 'Delivery Partner Panel 3' (DPP3). This framework has been procured through fully compliant Official Journal of the European Union (OJEU) processes, and is to be used to enable the efficient procurement of housing-led development on land owned by public sector bodies. This process will take approximately 6 months.

In tendering the opportunity the Council will not be obligated to appoint a partner if the responses do not meet the Councils requirements.

The required outputs for the Council, Existing site constraints, Tenant and financial implications are outlined in part II of this report.

4. **GROUPS CONSULTED**

Newton Abbot Ward Members (briefing held 12th November) **Planning** Legal Finance

5. **TIME-SCALE**

The decision is to be implemented immediately. The project will be put out to tender within the next 4 weeks with final assessment and scoring undertaken by summer 2019.

6. **JUSTIFICATION**

The above recommendations contribute toward the Teignbridge 10 goals of 'a roof over our heads' and 'great places to work and live' and Council strategy aim of more affordable housing.

7. DATE OF IMPLEMENTATION (CONFIRMATION OF DECISION SUBJECT TO CALL-IN)

10.00 a.m. on 28 November 2018.

Tony Watson Interim Business Lead for Commercial Portfolio Holder for Economy, Skills Services

Cllr Timothy Golder and Tourism

BELOW TO BE FILLED IN BY THE REPORT AUTHOR:

Wards affected	Newton Abbot
Contact for any more information	Tom Butcher
Background Papers (For Part I reports only)	
Key Decision	N
In Forward Plan	Υ
In O&S Work Programme	N
Community Impact Assessment attached:	N
Appendices attached:	1: Land Ownership Plan



Public Notice and Annual Forward Plan

- This is an Annual Forward Plan of the key decisions and other decisions the Leader of Teignbridge anticipates the Executive taking during the next 12 months. Key decisions are decisions which the Council consider significant having had regard to Government guidance. This Plan may include other decisions which are not key decisions to be taken by the Executive, including for example, where the Executive is to make a recommendation to the Council.
- 2 Details of the proposed decisions are attached.
- 3. The decisions which the Executive propose to take in private and the reasons why are detailed in the list together with a brief description of the matter to be decided. If you do not think the decisions should be taken in private please advise the Democratic Services Manager, with your reasons, at the address below or email comsec@teignbridge.gov.uk
- The documents which will be taken into account when making key decisions in the part of the meeting open to the public are available for inspection. Details are listed. Other documents may become available nearer the meeting. If you would like copies please contact the author of the report. Author's names and contact details are shown in the attached list. If you would like additional documents relating to a decision as they become available please contact the author and make this request.
- 5. Where possible, the District Council will attempt to keep to the dates shown in the Plan. It is quite likely, however, that some items will need to be rescheduled and new items added as new circumstances come to light.
- 6. This Plan will be updated on a monthly basis.
- 7. You are welcome to attend the meetings. They will take place in the Council Chamber at the address below. Agendas for Executive and other Council meetings are available on the Council's website.
- You can ask questions regarding any item either in person or in writing. The deadline for the submission of questions is 12 Noon two working days prior to the meeting. You are advised to contact the Committee and Members' Services Section at the address below in advance of this time where assistance is available if required.
- 9 Should you wish to make the Councillors aware of any information in advance of a meeting you can make representations in writing. These can be made up

- until the commencement of the meeting. You can also lobby Members of the Executive in advance of the meeting and for information on this or if you have any further queries, please contact the Committee Section, telephone 01626 215112 or email comsec@teignbridge.gov.uk
- The agendas for the meetings can be made available before the meetings. The documents listed in the right hand column of the attached plan are available for public inspection at the Council Offices between the hours of 9.00 am to 4.00 pm on Monday to Friday. The estimated dates of availability are indicated and are also available on the Council's website www.teignbridge.gov.uk

CIIr JEREMY CHRISTOPHERS
Leader of the Council

Council Offices, Forde House, Newton Abbot TQ12 4XX

TEIGNBRIDGE DISTRICT COUNCIL – EXECUTIVE FORWARD PLAN

Forward Plan of anticipated key decisions by the Executive for the next 12 months commencing 1 November 2018 (R) indicates a recommendation to Council.

Matter for Consideration	Date of Decision	Private Decision	Documents to be considered in preparing report	Report Author(s) & Contact Name & Number	Agenda inc. Report Published
Newton Abbot Town Centre Redevelopment Proposals	21/11/18	Part		Report of Tony Watson - Interim Head of Commercial Operations 01626 215828	13/11/2018
Supplementary Planning Document NA3 – Wolborough	04/12/2018	No		Report of Simon Thornley – Business Manager, Spatial Planning Contact: 01626 215706	26/11/2018
Asset Management Strategy and associated policy documents	04/12/2018	No		Report of Donna Best Estates & Development Manager: 01626 265467	26/11/2018
Council tax support/reduction scheme	04/12/2018	No		Report of Tracey Hooper – Revenue, Benefits & Fraud Manager Contact: 01626215266	26/11/2018
Council Tax premium for empty homes (R)	04/12/2018	No		Report of Alison Spargo – Revenue Manager: Contact 01626 215230	26/11/2018
Quarterly budget monitoring including capital and treasury management mid-year review	04/12/2018	No		Report of Martin Flitcroft - Chief Finance Officer. Contact 01626 215246	26/11/2018
Call-in of Portfolio Holder Decision 11-2018 - Funding Contribution for a Cirl Bunting Nature	04/12/2018	Yes		Report of Rosalyn Eastman – Business Manager – Strategic Place. Contact: 01626 2151745	26/11/2018
Notice of Motion - Heathfield Farm landfill	04/12/2018	No		Report of Rosalyn Eastman – Business Manager – Strategic Place. Contact: 01626 2151745	26/11/2018

Housing Needs Restructure	04/12/2018	Yes	Report of Tony Mansour - Housing Needs Lead Contact - 01626 215 351	26/11/2018
Goldfish Bowl, The Den, Teignmouth	04/12/2018	Part	Report of Matheu Gladman – Graduate Estates Surveyor Contact – 01626 215477	26/11/2018
Initial Financial plan proposals 2019/20 to 2021/22 – to consider the initial financial plan proposals 2019/20 to 2021/22 and the council tax base 2019/20	08/01/2019	No	Report of Martin Flitcroft - Chief Finance Officer. Contact 01626 215246	21/12/2018
Final financial plan proposals 2019/20 to 2021/22 – to consider Teignbridge's final budget proposals for the next three years	07/02/2019	No	Report of Martin Flitcroft - Chief Finance Officer. Contact 01626 215246	30/01/2019
Dawlish Warren Habitat Mitigation	07/02/2019	No	Report of Fergus Pate - Principal Delivery Officer - Contact 01626 215466	30/01/2019
Restructure Proposals	TBC	No	Report of Phil Shears – Managing Director Contact: 01626 215	TBC
Affordable Housing Supplementary Planning Document and Starter Homes	ТВС	No	Report of Simon Thornley – Business Manager, Spatial Planning Contact: 01626 215706	TBC
Teignbridge Car Park Plan – draft for consultation	TBC	No	Report of Neil Blaney – Economy Manager. Contact: 01626 215233	TBC
Leisure Strategy	TBC	No	Report of Lorraine Montgomery – Interim Head of Operations James Teed Contact: 01626 215852	TBC

Teignmouth Regeneration	TBC	No	Report of Interim Head of Commercial Services Contact: 01626 215828	TBC

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