

additional papers 1



Overview and Scrutiny Committee

Mon 5 Sep
2022
6.30 pm

Council Chamber
Town Hall
Walter Stranz Square
Redditch
B98 8AH



www.redditchbc.gov.uk

**If you have any queries on this Agenda please contact
Jo Gresham**

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Overview and Scrutiny

Monday, 5th September, 2022

6.30 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:

Bill Hartnett (Chair)
Joanna Kane (Vice-Chair)
Salman Akbar
Imran Altaf
Michael Chalk

Brandon Clayton
Sid Khan
Timothy Pearman
Gareth Prosser

- 5. Nomination of the Community Centre at Easemore Road - Asset of Community Value - Pre-Scrutiny (Pages 1 - 26)**

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REDDITCH BOROUGH COUNCIL**Executive Committee**
2022

6th September

NOMINATION OF AN ASSET OF COMMUNITY VALUE: COMMUNITY HOUSE, EASEMORE ROAD, REDDITCH

Relevant Portfolio Holder	Councillors Matthew Dormer and Karen Ashley
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford, Head of Planning, Regeneration and Leisure Services
Report Author Clare Flanagan	Job Title: Principal Solicitor Contact email: clare.flanagan@bromsgroveandredditch.gov.uk
Wards Affected	Abbey Ward
Relevant Strategic Purpose(s)	An Effective and Sustainable Council
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

That Executive Committee consider the contents of the report in relation to Community House and decide to either:-

- (a) Support listing as an Asset of Community Value; or**
- (b) Not support listing as an Asset of Community Value.**

2. BACKGROUND

- 2.1 The Localism Act included the 'Community Right to Bid' which gave communities a right to identify a building or other land that they believe to be of importance to their community's social well-being so that if it comes up for sale there is a six-month period within which they can prepare their bid to buy the asset. The property in question can then be sold on the open market. Community groups have the same rights as any other bidders but there is no preference given to the local community bid. The legislation merely imposes a six months 'moratorium' on a proposed sale.
- 2.2 A nomination has been received for Community House, Easemore Road. The nomination has been submitted by Bromsgrove and Redditch Network ['BARN']. The nomination form is attached at Appendix 1 and the RCNT [Redditch Community Neighbourhood Trust] Business Plan at Appendix 2.

Executive Committee
20226th September

- 2.3 The nomination supports the inclusion of the asset due to the fact that BARN provides a number of services that they believe further the social wellbeing and interests of the local community. RCNT is the Council's principal tenant.
- 2.4 Community House is owned by the Council. For this reason, the Head of Legal, Democratic and Property Services and Monitoring Officer, referred the assessment of the nomination to an independent third party with expertise in this area of law, to evaluate the nomination under the statutory tests set out in the Localism Act 2011.
- 2.5 The Monitoring Officer also queried whether the decision by the Executive Committee made prior to receipt of the Nomination would be grounds to resist the listing. The conclusion of the external evaluation is set out below.

3. FINANCIAL IMPLICATIONS

- 3.1 None as a direct result of this report.

4. LEGAL IMPLICATIONS

- 4.1 The Localism Act 2011 made provision for a system of listing of assets of community value, giving community groups the right to make nominations, and requiring local authorities to maintain local registers. Further, more detailed rules around the operation of assets of community value, are set out in the Assets of Community Value Regulations 2012.
- 4.2 The test for listing an Asset of Community Value as set out in Section 88 (1) of the Localism Act 2011 is as follows:-

“A building or other land in a Local Authority's area is land of community value if in the opinion of the authority:-

- (a) an actual current use of the building or other land that is not an ancillary user furthers the social well-being or social interests of the local community, and
- (b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social well-being or social interests of the local community.”

Executive Committee
20226th September

Independent Evaluation

- 4.3 Counsel confirmed eligibility of the nominating body, BARN, to make the nomination and noted that:
- the property is owned by Redditch Borough Council;
 - a Condition Survey [CS] concluded in November 2021 identified a need for repairs and maintenance over five years amounted to £340,407;
 - the property had been declared surplus and to be sold, on 12 July 2022, noted by Council on 25 July 2022, the same day the Nomination was made;
 - Officers had met with the Chief Executive of BARN, who is also the Treasurer of RCNT, to discuss the Condition Survey, the breakdown of liability as between landlord and tenant and the fact that all options would be considered for the future of the building;
 - That the “Business Plan” submitted with the Nomination indicated that RCNT, the principal tenant was running at a loss and if it continued in occupation of the property, would have the on-going cost of increased rent (on determination of the ‘Concessionary Rents’ scheme, which would be discontinued from 2023/24) in addition to the contribution that would be required for the repairs and maintenance set out in the CS;
 - That a sale of the property would be at market value, which would be a sum well beyond RCNT’s means;
 - That the “realistic” prospect of the use continuing, required to pass the statutory test, means “a sensible and practical idea of what can be achieved”;
 - That no plan or proposal has been formulated and submitted and there is no evidence of any attempts to raise funds or plans setting out, even in a skeleton form, how the aspirations could be achieved through community effort, enthusiasm or otherwise;
 - To satisfy the requirements of section 88(2)(b) there has to be at least some indication that the aspirations are realistic;

Executive Committee
20226th September

Conclusion

- 4.4 In light of the Executive Committee's resolution, and the Business Plan submitted which demonstrates the applicant to be operating at a deficit and with a relatively low turnover, and the absence of any other proposals on the applicant's part for the continued use of CH for community uses, it is concluded that it is not realistic to think the CH can continue in use for purposes which further the social wellbeing and social interests of the local community. For that reason, it is concluded that the CH should not be listed as it is not considered realistic that it can continue to be used for community purposes (s.88(1)(b)).
- 4.5 Members are reminded that under the process for assets of community value introduced in November 2012, the final decision regarding whether to list an asset rests with the Head of Planning, Regeneration and Leisure Services following consultation with the Portfolio Holder for Planning and Regeneration.

5. STRATEGIC PURPOSES - IMPLICATIONS**Relevant Strategic Purpose**

- 5.1 The points detailed in this report and action proposed help to support the strategic purpose 'An Effective and Sustainable Council'.

Climate Change Implications

- 5.2 There are no specific climate change implications arising from this report.

6. OTHER IMPLICATIONS**Equalities and Diversity Implications**

- 6.1 There are no specific equalities and diversity implications arising from this report.

Operational Implications

- 6.2 There are no specific operational implications for the District. The list of nominated assets is maintained by the Planning Department and it is available to view on the Council's Website.

Executive Committee
2022

6th September

7. RISK MANAGEMENT

- 7.1 The register will be maintained to ensure that all assets nominated are included to mitigate any risks associated with assets not being included on the register. Consideration by officers and members will be undertaken at each nomination to ensure a consistent approach is taken.

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 - Nomination Form
Appendix 2 – RCNT Business Plan

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Councillor Matthew Dormer Councillor Karen Ashley	August 2022
Lead Director / Head of Service	Head of Planning, Regeneration and Leisure Services	August 2022
Financial Services		
Legal Services	Principal Solicitor	August 2022

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<p>BROMSGROVE DISTRICT COUNCIL</p> <p>ASSETS OF COMMUNITY VALUE – THE COMMUNITY RIGHT TO BID</p> <p>NOMINATION FORM</p>
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Section A: About your organisation

A1 Organisation's name and address

Name of organisation* Bromsgrove and Redditch Network
Address including postcode Community House, 103 Easemore Road, Redditch, B98 8EY

**full name as written in your constitution or rules (if appropriate)*

A2 Contact details

Name: Gary Roskell
Position in organisation: Chief Executive
Address including postcode Community House, 103 Easemore Road, Redditch, B98 8EY
Daytime telephone no. 01527 60282 or
Email address: Provided to the Council
How and when can we contact you?* Email or phone (mobile no provided to the Council)

**by email or phone, and days of the week and/or times of day you would prefer*

A3 Type of organisation

Description	Put a cross against all those that apply	Registration number of charity and/or company (if applicable)
Neighbourhood forum		
Parish Council		
Charity	X	1122980
Community interest company		
Unincorporated body		
Company limited by guarantee	X	5814032
Industrial and provident society		

A4 Number of members registered to vote locally (unincorporated bodies only)

In the case of an unincorporated body, at least 21 of its members must be registered to vote in the Bromsgrove District . If relevant, please confirm the number of such members. If they are registered to vote in the area of a neighbouring local authority, rather than in Bromsgrove , please confirm which area that is.

A5 Local connection

Your organisation must have a local connection, which means that its activities are wholly or partly concerned with the administrative area of Bromsgrove District Council or a neighbouring local authority. In some cases this will be obvious, eg. a parish council in Bromsgrove, or an organisation whose activities are confined to the district. If your connection may not be obvious to us please explain what your organisation's local connection is.

We are the Local Council for Voluntary Service, representing communities and the voluntary sector for 25 years. We are also the local Volunteer Centre.

A6 Distribution of surplus funds (certain types of organisation only)

If your organisation is an unincorporated body, a company limited by guarantee, or an industrial and provident society, its rules must provide that surplus funds are not distributed to members, but are applied wholly or partly for the benefit of the local area (ie. within the administrative area of Bromsgrove or a neighbouring local authority). If relevant, please confirm that this is the case, and specifically which area this applies to.

A7 More about your organisation

What are the main aims and activities of your organisation?

The charities objects (Objects) are specifically restricted to the following:

- (1) To promote any charitable purposes for the benefit of the communities in the local government areas of Bromsgrove and Redditch ("the area of benefit") and in particular the advancement of education, the protection of health and the relief of poverty, distress and sickness;
- (2) The objects for which the Company is formed are to promote the Voluntary Centre for the benefit of the public in the Local Government areas of Bromsgrove and Redditch ("the area of benefit"). The Voluntary Sector shall mean Charities and Voluntary Organisations. Charities are organisations, which are established for exclusively charitable purposes in accordance with the Law of England and Wales.

A8 Your organisation's rules

Please send us a copy of the relevant type of document for your organisation, and put a cross in the next column to indicate which one this is	X
Memorandum and Articles of Association (for a company)	X
Trust Deed (for a trust)	
Constitution and/or rules (for other organisations)	

Part B: About the land or building(s) you are nominating**B1 Description and address**

What it is (eg. pub, local shop) Community Centre
Name of premises (eg. Post office , Community Centre) Community House Redditch
Address including postcode (if known) Community House, 103 Easemore Road, Redditch, B98 8EY

B2 Sketch plan

Please include (here or on a separate sheet) a sketch plan of the land. This should show:-

- The boundaries of the land that you are nominating
- The approximate size and position of any building(s) on the land.
- Any roads bordering the site.

Please see plan on page 5 of the Business Plan. The building faces Easemore Road at the front elevation.

B3 Owners and others with an interest in the building or land

You should supply the following information, if possible. If any information is not known to you, please say so.

	Name(s)	Address(es)
Names of all current occupants of the land	Redditch Common Neighbourhood Trust	<i>Same as B1.</i>
Names and current or last known addresses of all those owning the freehold of the land (ie. owner, head landlord, head lessor)	Redditch Borough Council	Walter Stranz Square Redditch B98 8AH
Names and current or last known addresses of all those having a leasehold interest in the land (ie. tenant, intermediate landlord, intermediate lessor)		

B4 Why you think the building or land is of community value

Note that the following are not able to be assets of community value:-

- A building wholly used as a residence, together with land “connected with” that residence. This means adjoining land in the same ownership. Land is treated as adjoining if it is separated only by a road, railway, river or canal.
- A caravan site.
- Operational land. This is generally land belonging to the former utilities and other statutory operators.

Does it currently further the social wellbeing or social interests* of the local community, or has it done so in the recent past? If so, how?

Community House has been a vibrant Community Centre for nearly 35 years. It hosts a wide array of community groups and charities, with some of the charities also based there. The activities that are run by the charities based here and by the groups that operate in the Community Hall allow people to live independent, active and healthy lives whether it is Age UK activities or the many other groups listed above that run activities. All the activities have many positive health impacts around both mental and physical wellbeing (and so supports the Council's priority by helping to reduce isolation, encouraging people to be physically active and improving confidence and self-esteem), and helps people to live their lives independently.

Could it in future further the social wellbeing or social interests* of the local community? If so, how? (This could be different from its current or past use.)

Absolutely. The centre is a valued community asset that is used by thousands of people every year. The centre was due to become the home of the Creative People and Places arts project, Reimagine Redditch, which is bringing an estimated £1.5m into Redditch. More information can be found in the business plan attached.

**These could be cultural, recreational and/or sporting interests, so please say which one(s) apply.*

Section C: Submitting this nomination**C1 What to include**

- The rules of your organisation (question A8).
- Your sketch plan (question B2).

C2 Signature

By signing your name here (if submitting by post) or typing it (if submitting by email) you are confirming that the contents of this form are correct, to the best of your knowledge.

Signature

Gary Roskell – signature provided to the Council.

C3 Where to send this form

You can submit this nomination:-

- **By post to:** Ruth Bamford, Head of Service, Planning, Regeneration and Leisure Services, Bromsgrove District Council, Council House, Bromsgrove B60 1AA
- **By email to:** r.bamford@bromsgroveandredditch.gov.uk



Redditch Common Neighbourhood Trust
(R.C.N.T)

Business Plan
MAY 2019 - 2022

Community House
103 Easemore Road, Redditch, B98 8EY



From an original painting by Charles Stallard

Registered Charity No. 1112546
Registered Company No. 5507325

BACKGROUND

Redditch Common Neighbourhood Trust (RCNT) was formed in 1988 and granted the lease of the former Territorial Army Drill Hall in Easemore Road, known as Community House, by the Commission for New Towns. Ownership of the hall was subsequently passed to Borough of Redditch who continue to lease the building to RCNT.

Our mission is:

“To promote the effective working of any Charities operating within the Borough of Redditch by the provision of facilities and accommodation calculated to achieve that aim and to apply the same for any charitable purposes directed wholly or mainly for the benefit of the inhabitants of the Borough of Redditch”

RCNT is both a Registered Charity (1112546) and a Registered Company (5507325).

History of Community House

Originally built in 1908, Community House was used as an Artillery barracks for the 3rd(c) battery, South Midlands Brigade, of the 67th Regiment of Royal Field Artillery. The regiment was reformed after the First World War as the 267 battery, which was transferred in 1939 to the new 119 regiment of the Royal Artillery.

In the 1960s, the building was purchased by the Redditch Development Corporation who initially leased it to the Windsor Social Club. Later, as part of an endeavour to provide social and cultural amenities for the town, the Development Corporation leased the building to the Redditch Common Neighbourhood Trust to be used as a community centre for local charities and organisations.

MISSION STATEMENT

R.C.N.T.'s mission is to provide accommodation and ensure the majority of all users will be for the benefit of communities across Borough of Redditch.

Our Objectives

Manage a community building to assist and accommodate the management of charities and community interest organisations by providing a wide range of services wholly or mainly for the benefit of the inhabitants of Borough of Redditch.

Our Aims

- To promote the building for local use.
- Provide office accommodation or meeting rooms to local charities and community interest organisations who provide a service to the communities of Redditch Borough Council.
- To encourage community activities by hiring our community hall.

STRUCTURE

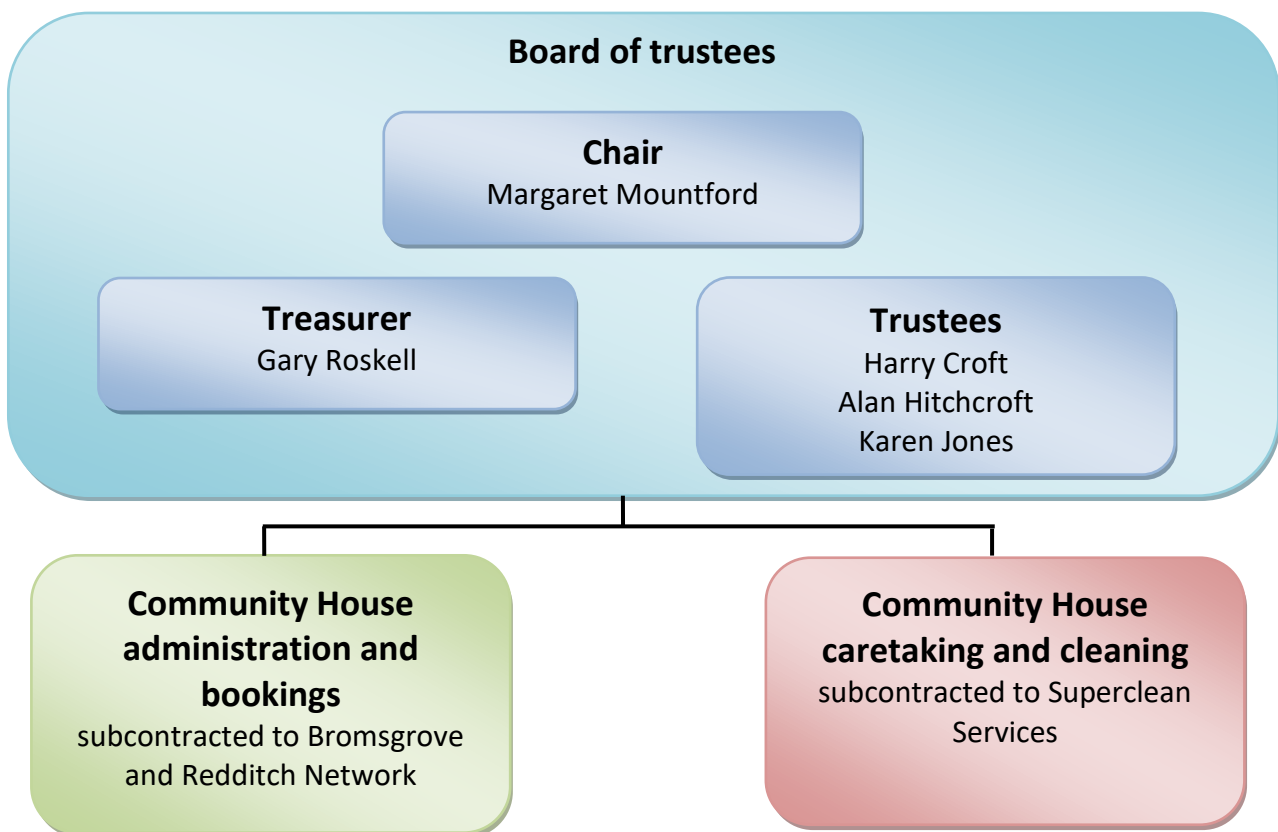
Our team has become well organised over the past few years and a good relationship has formed between the Management Committee and users of the building.

An organisation chart is shown below:

Management Committee 2019 and operational structure

All trustees represent current users or occupiers of the building.

The Board meets 6 times a year.



How does our Business Operate?

Established: 1988

Opening hours: 8:30am-10:00pm (according to demand) 7 days a week.

The Community House building is a large dwelling. One half is the responsibility of the R.C.N.T and the other half is under the management of the Gemini Dance Centre. R.C.N.T supports a split two floor facility made up of office suites, office space, kitchen facilities, restrooms, storage and a large hall space.

Our responsibility is for the management and safe operation internally within the building. Redditch Borough Council (our landlords) have the responsibility of the external requirements of the building and the attached car parking area.

Profile and Advertising

RCNT is a high profile organisation within the charitable sector. We are continually looking for new opportunities to widen our profile.

We do this by:

- Advertising through our web site.
- Sending mail shots to potential organisations and users.
- Making more use of our local press.
- Advertising through social media.
- Supporting current users to promote our service.
- Using local networks (such as Bromsgrove and Redditch Network) to promote services

In 2017 we hosted HRH Duke of Kent to promote some of these services



User Requirements

We aim to meet the needs of our client groups by offering:

- Signage.
- Notice Boards for advertising and information.
- Disability access and cloak room requirements.
- Being Dementia friendly.
- Kitchen usage.
- Recycling Bins.

User Contact

We subcontract RCNT administration to ensure someone is available 5 days a week for bookings, current user contact and administration duties.

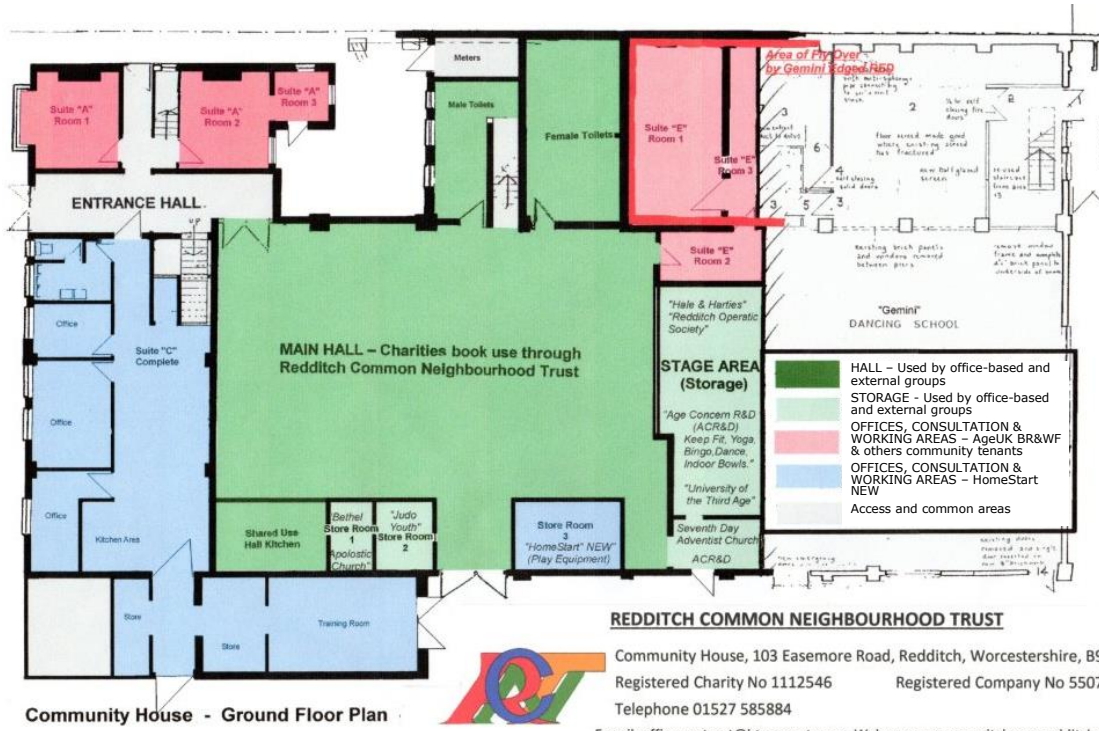
We subcontract a caretaking and cleaning company to manage the caretaking, cleaning and opening and closing of the building.

Two trustees occupy offices on site and are available most days for user enquiries.

Our building

Community House consists of a number of individual offices and a large, well-used community hall.





Finance

Our financial year runs from 1st August to the 31st July of each year, and independently verified by Ormerod Rutter Accountants.

In 2017-2018 our income was £36,461. This was obtained by hires and rent from users of the building.

Expenditure was £42,795. The deficit is chiefly a result of improvements to the building. We have recently installed a new boiler for the building which had improved efficiency, and new kitchen with plumbing into a communal areas to serve the individual offices following Age UK's departure from the suite in the previous year.

RCNT demonstrates a professional, fully accountable transparent approach to all financial matters. All monies raised are fully tracked and used effectively.

Our User Groups:

We operate an equal opportunities policy and encourage varied usage and different opportunities as possible to meet the diverse needs of our local community.




Redditch Common Neighbourhood Trust

Community House, 103 Easemore Road, Redditch, Worcestershire, B98 8EY

USER GROUPS	Per week	Per Annum			Age Group			Ethnic group		
		Average No. of Service Contacts Per wk	No. of Contacts and People Through Door	No. of Service Recipients Throughout Borough	0-24 Years % of Group	25-64 Years %	65+ Years %	White %	Asian %	Afro-Caribbean %
Age UK BRWF - Services	2	96		0	15	85	88	3	8	1
Office		Office								
Advice Personal	2	96		0	11	89	79	6	13	2
Chirophy	11	528		0	32	68	94	0	4	2
Office/Hall/Store		Office/Hall/Store								
Age UK BRWF - Social Events	85	4,080		0	8	92	99	0	0	1
Keep Fit/Yoga	32	1,536		0	68	32	98	0	2	0
Bingo	23	1,104		0	95	5	100	0	0	0
Office/Hall		Office/Hall								
Art Classes	17	816		0	55	45	100	0	0	0
Office/Hall/Storage		Office/Hall/Storage								
Carpet Bowls	76	3,648		0	51	49	98	0	1	1
Hall		Hall								
Tea Dance/Evening Dance										
Bethel Apostolic Church	96	4,608		17	62	21	3	0	97	0
Religious Services		Hall/Shared Storage								
Seventh Day Advent Church	34	1,632		11	80	9	3	6	91	0
Religious Services		Hall/Shared Storage								
Hale & Harties (300 Members)	40	1,920		0	83	17	99	0	0	1
Recovery Exercises		Hall/Shared Storage								
Bromsgrove & Redditch Network CVS/Volunteer Centre	10	480	628	12	70	18	89	9	2	3
Office		Office								
County Youth Team	15	720		100	0	0	22	27	45	6
Hall		Hall								
Other Hall Hires	10	100		56	44	0	90	9	0	1
Hall		Hall								
Home-Start	20	960		92	8	0	83	4	13	0
Family Support		Office								
Family Support/Home Visiting	320		15,360	60	40	0	82	8	10	0
Office		Office								
Play Groups	260	12,480		50	50	0	97	1	0	1
Office/Hall/Storage		Office/Hall/Storage								
Family Support Volunteers - Training	10	480		50	50	0	94	0	5	1
Office		Office								
Parent Support Groups - Training	30	300		50	50	0	90		10	0
Office		Office								
Travelling Families Support - Visiting	1		24	45	55	0	99	0	0	1
Office		Office								

USER GROUPS	Per week Average No. of Service Contacts Per wk	Per Annum		Age Group			Ethnic group			
		No. of Contacts and People Through Door	No. of Service Recipients Throughout Borough	0-24 Years % of Group	25-64 Years %	65+ Years %	White %	Asian %	Afro-Caribbean %	Other %
Martial Arts	20	960		48	52	0	100	0	0	0
Olivia's Polish Dance School	240	11,520		95	5	0	100	0	0	0
Redditch Talking Newspaper	15	720		0	100	0	100	0	0	0
Recipients	110		5,280	5	85	10	92	0	7	1
Repair Café	180	2,160		7	56	37	92	5	2	1
Tai Chi	60	2,880		0	61	39	89	6	2	3
University of Third Age	103	4,944		18	51	31	83	4	11	2
Weight Watchers	200	9,600		2	53	45	83	4	11	2
Total Users		68,368	21,292	Average % of each age group			Average % of each ethnic group			
Total contacts and/or reliant on Community House Services - Per Annum		89,660	26	50	25	84	3	12	1	

Note: There may be some duplication in the total numbers. For instance, Community House services users may attend other activities or be repeat users on another service

Registered Charity No.1112546

Registered Company No. 5507325

KEY BUSINESS OBJECTIVES 2019 - 2022

Delivery Plan

In the business plan R.C.N.T has identified 3 strategic aims to work towards between 2019 – 2022. Within each aim, we have developed key objectives and outcomes below which include more specific targets and time scales to work towards by 2022.

Aims

1. Ensure all office space is filled, and financial projection and risk analysis is monitored.
2. Improve building spaces to ensure we are meeting the need of users and the building is running efficiently and as environmentally as possible.
3. Ensure a representative range of board members for R.C.N.T, by recruiting directors from diverse variety of backgrounds and skills.

1: Office Accommodation and Financial Risk

- Currently R.C.N.T has 2 office spaces available but are able to offer these offices for short term let usage or meeting rooms while looking for more permanent residents and reducing financial risk. If any of the accommodation becomes vacant R.C.N.T will aim to allow one month to advertise and re fill the space. If the offices remain empty we have a financial risk analysis in which we keep reserves which will support the running costs with reduced income to ensure stability of services. In 2019 the board will review risk analysis and ensure reserves will support running cost for at least 3 months following exit policy.
- Have an awareness of current charities financial stability ensuring office space would be occupied.
- If space became available to have adverts and know where places to advertise to ensure we provide the best service for charitable organisation across Borough of Redditch .
- To monitor and evaluate R.C.N.T services provided ensuring all services users are consulted at least every 2 years.
- Maintenance is carried out up grading to meet green standards where possible within financial constraints.
- The building will be used for its maximum capacity reviewed by the board annually to ensure efficient running and financial stability.

2: Access and Promotion of Building

- The board will carry out an evaluation of current usage of building and ensure all areas can be accessed by users and office accommodation.
- 2019/20 the board will implement six monthly reviews at board meetings to discuss the best way to improve the buildings and wear and tear funding is priority to ensure the improvement/maintenance cost will not affect users above their means.
- Maintain the building and review and replace where financially possible areas of wear and tear and look at building security 2019-2020. Improvements to be identified in line with funding restraints.
- General Maintenance will continue to a high standard.
- Investigation of additional funding streams if required will be carried out.
- Annual Reviews will be conducted in July 2019, July 2020, July 2021, July 2022
Questionnaire to be developed and used annually to all service users.

3: Diverse Board of Directors

- R.C.N.T has representatives from a range of current users of the building so immediate feedback of issues are addressed. During 2019/20 the board will evaluate the current skills and seek additional board member to increase skills.
- The board needs to look at the lack of multi-cultural representation on the board and ensure there are no barriers currently making the access difficult
- By 2020 the board will recruit 2 new board members.
- 2020/2021 new literature is to be developed and distributed promoting R.C.N.T.

We will continue to ensure the building is being used to the best of our ability for the voluntary/charitable/community organisations; providing a diverse support for people across the Borough of Redditch and ensure the structure of R.C.N.T is meeting the needs of its users.

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