

# Overview and Scrutiny Committee

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Monday, 13th December,  
2021

## MINUTES

### Present:

Councillors Jennifer Wheeler (Vice-Chair in the Chair), Salman Akbar, Karen Ashley, Michael Chalk, Alex Fogg, Julian Grubb, Andrew Fry, Emma Marshall and David Thain

### Also Present:

Councillor Aled Evans – Portfolio Holder for Environmental Services

### Officers:

Michael Birkinshaw, Claire Felton (via Microsoft Teams), Sue Hanley and Carl Walker

### Democratic Services Officers:

Jess Bayley-Hill and Jo Gresham

## 49. APOLOGIES AND NAMED SUBSTITUTES

Apologies for absence were received from Councillors Chance, Clayton and Harrison with Councillors Fry, Marshall and Thain in attendance as their respective named substitutes.

## 50. DECLARATIONS OF INTEREST AND OF PARTY WHIP

Prior to any discussion, Councillor Chalk sought clarification regarding the appropriateness of declaring an interest as the Chair of the Planning Committee. This was also queried by Councillors Ashley and Grubb who were Members of the Planning Committee. The Chair explained that the Planning process was completely separate to the scrutiny process due to take place at the meeting and therefore no declarations of interest needed to be made. It was

Chair

agreed that all Members present would be able to take part in the discussions.

There were no declarations of any Party Whip.

## 51. PUBLIC SPEAKING

The Chair explained to the Committee that four members of the public had registered as Public Speakers and that each had a total of three minutes to address the Committee, under the Council's Public Speaking Rules, unless they had chosen to 'share' their time with the other registered speakers.

At the invitation of the Chair, Ms J. Kane addressed the Committee, as follows:

*"Hello and first of all I would like to thank the Chair for allowing me to speak at this evening's meeting. My name is Joanna Kane and I am also speaking on behalf of Joni Lovell, who had intended to attend tonight and speak in person but unfortunately is unable to do so.*

*Personally, I have lived in Redditch for more than 25 years and walked in Arrow Valley Country Park on countless occasions. I still remember the first time years ago when I discovered the hub of Arrow Valley Country Park South off Church Lane, commonly known as Ipsley Meadow. The land was given over to the people of Redditch, as public open space for recreational purposes for the then new town, by Redditch Development Corporation. I was stunned that we had such a beautiful open area on our doorstep, and I don't think it's possible for anyone to fully appreciate it until they've seen it for themselves. It's the closest part of Arrow Valley Country Park to local communities and it's a well-known viewing point in Redditch. It's important to emphasise that this is not vacant, unused land; in fact it's very well used for recreational activities including dog walking, kite flying, running, cycling and paragliding.*

*Over the last 18 months, the importance of recreational public open space for both our physical and our mental wellbeing has been heightened because of the coronavirus pandemic and the resulting*

# Overview and Scrutiny Committee

---

Monday, 13th December, 2021

*lockdown. This is a vital piece of land for local people to enjoy, free of charge.*

*We know that the council has to make a decision about where to locate a new cemetery.*

*Eight months ago, Councillor Matt Dormer, the leader of the council, promised the people of Redditch that all 26 potential sites would be re-examined. He said: "I will ensure the examination process that I am undertaking personally is fully transparent so the public can understand the problems the council is facing on this issue, and I will ensure the council works with the public on any final option to ensure we mitigate concerns and provide the best possible burial site."*

*What work – which Councillor Dormer said would be significant – was subsequently done to deliver on his promise to re-examine each site?*

*Why have only three sites been put forward as options in today's report? And why was the application for change of use of this part of Arrow Valley Country Park South submitted to the planning committee before the options went to the Executive?*

*The 23 sites that were rejected include Edgioake Lane, where there is already a cemetery which could be extended by purchasing an adjoining field, and Sillins Lane, which wasn't followed up because the owner didn't want to sell the land. However, the council has the power to apply for a compulsory purchase order if there is a compelling case in the public interest.*

*Also, an area of land at Brockhill Drive is shown in Appendix 1 as fitting the criteria for a new cemetery, but has been discounted with no explanation. Why have these three sites not been brought to the table?*

*And what consultation, if any, has been held with those places of worship where the first part of the funeral service would be held, before the whole cortege travels to the new cemetery?*

# Overview and Scrutiny Committee

---

Monday, 13th December, 2021

*We do know that more than 800 people felt so strongly about the planning application that they took the time to write individual objections online, but they were all ignored. Why was this the only opportunity people have had to comment on the future of a much-loved public recreational open space, and why were residents not consulted before the planning application was made?*

*What work was being done to involve local people in a full, open public consultation before we went into lockdown, particularly in the year leading up to the planning application first being made in August 2020?*

*Indeed, some may say that lockdown was the ideal time to submit such a controversial application to planning, with the likelihood that few people would find out about letters to neighbouring properties or read one paper notice on a bus stop.*

*We feel this council is making decisions behind closed doors, only paying lip service to consulting residents after these decisions have been made. Those who don't support the official narrative are ignored.*

*This isn't public consultation and leaves residents angry, disappointed and disenfranchised. Is it any wonder that more and more people have so little trust in politicians?*

*The development of a cemetery on part of Arrow Valley Country Park seems like a land grab and sets a dangerous precedent for the future of the whole park.*

*We are asking the scrutiny committee to consider whether the officer's report before you tonight really has re-examined all 26 sites, as was promised by Councillor Dormer, and has properly investigated all the viable options. Why were no business plans drawn up for Sillins Lane, Brockhill Drive and Edgioake Lane, and why were possible sites that could be surplus to requirements, such as golf courses, not investigated?*

*We are conscious that the council Executive meeting is taking place this Wednesday and are asking the Executive to do the following:*

# Overview and Scrutiny Committee

---

Monday, 13th December, 2021

- *Firstly, allow a further period of time for officers to go back to the drawing board to investigate alternative sites, rather than rushing this monumental decision through in 48 hours' time. With the given burial rates, only an extra half an acre of ground at the Abbey cemetery, which can be found under the expanse of redundant tarmac and border extension, would gain the council three years to have a new cemetery ready. This would take the urgency out of the decision.*
- *Secondly, instruct officers to revisit alternative options and in particular develop business plans for expanding the existing cemetery at Edgioake Lane, and using land at Sillins Lane and Brockhill Drive.*
- *Thirdly and finally, review all the public comments on the planning application, which has to date been the only opportunity for residents to have their say on the future of the hub of Arrow Valley Country Park South."*

A written statement was read out to the Committee on behalf of Mr P. Bladon, as follows:

*"I'm considering all land, north and north-west of the current Abbey Cemetery.*

*Is there any hard evidence that Redditch Borough Council has ever considered the purchase, (or if necessary, the compulsory purchase), of land north and/or north-west of the current Abbey Cemetery?*

*This includes both sides of Weights Lane, and in Dagnell End Road.*

*I am of course aware of the relatively recent housing development for example, Odell Street.*

*And the areas suggested, includes land in Bromsgrove District. It has been suggested, when the need for more burial space was discussed over ten years ago, that these possible sites, or ideas, were 'brushed aside' and ignored; and Bromsgrove District Council wasn't even asked.*

# Overview and Scrutiny Committee

---

Monday, 13th December, 2021

*Thank you."*

Councillor Brunner, who was in attendance (via Microsoft Teams), addressed the Committee and then presented the following statement:

*"Good evening and thank you Chair. I do apologise that I am not actually there in person.*

*I am respectfully asking that the Overview and Scrutiny Committee consider the following recommendation to send to the Executive Committee sitting on Wednesday. That the recommendation to make a decision on burial provision be deferred until this Council has had a full qualitative and quantitative cost benefit analysis report produced. The reasons I ask you to consider the recommendation are as follows:*

*The report does not include a qualitative and quantitative cost benefit analysis. The report is riddled with inconsistencies. The budget estimates of time and development costs are not substantiated, and this has skewed the consideration of the Abbey Extension by cost alone. There is no evidence in this report of Redditch's Birth and Death statistics being factored into the report. The transport information is factually incorrect. There is a bus service from Redditch Bus Station which stops on the Birmingham Road outside of the Abbey Stadium. Several buses which go to Birmingham use this route. The bus service to Icknield Street Drive is operated every two hours and does not run during school start and pick up times. The 800 plus objectors have made their feelings pretty clear and I am sure that other speakers have or will eloquently speak and put forward more salient arguments. Please do seriously consider this recommendation.*

*Thank you Chair."*

At the invitation of the Chair, Mr. I. Pickles addressed the Committee, as follows:

*"We are here tonight to do two things:*

# Overview and Scrutiny Committee

---

Monday, 13th December, 2021

*To endorse the Lord Chalk's blue-breasted cavalry of a Planning Committee and their 8 to 1 debagging of the lone, red-breasted knight valiant in November.*

*And on this momentous tonight of 13 December 2021 we are here to rubber stamp The Birkinshaw 'Fag-End' of a report by a 7 to 2 majority – perhaps 7 to 3 if we all vote with our stated beliefs!*

*We are also here to witness our noble Oversight and Scrutiny Committee – that bastion of democracy that protects our public purse – crush a 'Jewel of the Redditch Crown' given to us by NTDC, donkey's years ago, before most of you were born. This was a 1970's bequest in perpetuity to our work/life balance here in Redditch.*

*In short a ironic summary:*

*"We come to bury a local treasure to ensure that our dear departed can live on!"*

*My colleagues have given eloquent scrutinization to what is in The Birkinshaw Biopic (HOLD IT UP AND/OR BIN IT) so I will concentrate on what is not in it!*

*Why was Ipsley Meadow wrenched from the learned list of 25 sites to be the answer to the cemetery problem when it had already been ruled unsuitable for burial provision by both Borough and County consultants?*

*Why was the derogatory reference to the work of a 'former planning consultant' used to dismiss his 30-year plus of experience and rubbish his Abbey Extension plan as a 'waterlogged white elephant.' At the same time, RBC's own cunning plan uses enlarged areas in different locations with dodgy water-level recordings and extravagant Boris-type numbers to dump the obvious solution!*

*Why has RBC gone back to 'in the box thinking' to ignore the science of burial technology which will make in-ground internment obsolete within 25 years and leave only traditional religious burials*

# Overview and Scrutiny Committee

---

Monday, 13th December, 2021

*to take place. This will reduce Redditch in-ground average of 160 per year to a distant memory!*

*Why have we not consulted our local Islamic brothers and their Imams from our 3 mosques on this one? I guarantee they would, like many other towns in the land, be ready and willing to privatise their burial provision at a suitable but smaller location?*

*That great founder of the Blue Coats, Benjamin Disraeli, maintained that there are 'lies, damn lies and Statistics.'*

*The report in question may have some economy of the truth but no lies and damn lies and definitely no statistics!*

*Where is the attempt to model birth & death rates in Redditch going forward and factor in the advances in burial science (mentioned already) and how vaporisation and de compostation, floating memorial gardens, high rise burial pods and even the Elon Musk solution vision of burial in Space!*

*Where is the evidence that the Abbey Site extension plan is viable and not flawed and the probability that the Ipsley Meadow slope will leach out burial chemicals and require additional expense of DE leaching barriers to prevent burial slippage into the river Arrow?*

*Where is the acknowledgement that this rammed through proposal to bury the meadow has caused the biggest citizen protest- 850 letters plus press, TV features and Social Media posts - since the days of 'save the Alex?'*

*So we are back to where this protest started for me...TRAFFIC*

*Why are our Council Leaders deaf to the protests at the inevitable presence of the RBC bulldozers bashing in the new cemetery entrance into the narrow Ipsley Church Lane. This lane already services 500 residences and their vehicles, office toing and froing and DON'T FORGET that Sir Chalky's Planning Committee will be granting some developer permission to create 2 years of site - development chaos in Ipsley Church Lane as the old GKN site is raised to the ground to prepare for an estate of 'des ressiees!'*



# Overview and Scrutiny Committee

---

Monday, 13th December, 2021

*Come on now O&S members, remember the words of John Maynard Keynes, the father of modern economics' who said:*

*"When the facts change - I change my mind"*

*He also said... ironically:*

*In the long term, we are all dead!*

*Finally, I would like to thank Madam Chair for the opportunity to speak to her committee tonight and say to her:*

*"if you pull this one off tonight, Sir Kier of Kensington will make you a Dame!"*

(After this item the meeting stood adjourned from 19:03 to 19:08.)

## **52. NEW CEMETERY PROVISION - PRE-SCRUTINY**

The Bereavement Services Manager delivered a presentation in respect of the New Cemetery Provision. In doing so the following was highlighted for Members' consideration:

- Redditch Borough Council operated three cemeteries and four closed churchyards. The three cemeteries were Plymouth Road Cemetery, Edgioake Lane Cemetery and Abbey Cemetery.
- Plymouth Road Cemetery opened in 1855 and was closed to new burial space. The definition of a new burial space was clarified as a burial space that had not been pre-purchased or had been used before.
- Edgioake Lane Cemetery opened in 1885 and had only five years left of burial provision available should the current demand for usage remain the same. This cemetery had been operational for 136 years.
- Abbey Cemetery opened in 1937 and had approximately six months of new burial provision left. It was noted that once Abbey Cemetery no longer had provision for new burials then pressure would fall to Edgioake Lane Cemetery to accommodate new graves. However, if the number of current burials remained the same (approximately 120 new graves

per year) then provision at Edgioake Cemetery would lessen considerably and provision would no longer be available after 12 months.

- Discussions regarding new burial provision within the Borough had been ongoing since 2010 when a site at Brooklands Lane had been identified as a potential location for a new cemetery. After investigation, this site was proved to be unsuitable as it was located on an aquifer and therefore failed the initial ground water testing required by the Environment Agency.
- Since 2014, a further 25 investigations had taken place at various locations across the Borough. The outcomes of the 25 investigations were detailed as follows:
  - 16 sites were assessed and subsequently discounted.
  - 5 sites were assessed, deemed suitable for further investigation, and were subsequently discounted.
  - 4 sites were assessed, deemed suitable for further investigation, however, were not recommended for use.
  - 1 site was assessed, deemed suitable for further investigation, and was then recommended for approval.
- Historically, the layout of cemeteries was based on two traditional Victorian designs. One of the designs was for cemeteries that were built on a hill and curved pathways and trees were utilised as features. The second traditional design was a much more formal layout that adopted a garden design.
- When considering the design of new cemeteries, Local Authorities had more options than the more formal, Victorian layout used in previous years. It was noted that these types of new designs would enhance the local surroundings in respect of biodiversity and general ecology. An example of this could be seen locally at Westall Park Natural Burial Ground, which was presented as more of a memorial park rather than a traditional cemetery. The Council would aim to provide this kind of innovation in any cemetery proposals.
- In addition to looking towards a new style of cemetery design, it was noted that Redditch Borough Council's Bereavement Services had previously taken an innovative approach when looking at provision of services in the Borough. Most notably, a Green Apple Award winning scheme had been successfully implemented utilising waste

heat from the crematorium to reduce energy usage at the Abbey Stadium.

- The Council did not have a statutory duty to provide burial provision in the Borough. However, if this provision was not provided in the future, it would impact on the residents within Redditch. Those who were newly bereaved could potentially have to look further afield in order to bury their loved ones. In addition to this, not providing new burial sites could pose a potential conflict with Policy 45 within the Local Plan, in that there were not sufficient sustainable transport solutions to enable Redditch residents to access two of the closest cemeteries outside of the Borough, Bromsgrove Catshill Cemetery or Westlake Park Natural Burial Ground. The result of this would be that families would have to use private forms of transport in order to access these cemeteries. It was noted that, were it to be agreed that no future burial provision would be made available in Redditch, this might not prevent a private provider acquiring land and building a private cemetery as an alternative to Local Authority burial provision. If Members agreed there would be no new burial provision in the future this would not provide a significant amount of savings for the Council as the existing services, including staff and equipment resources, would still need to be maintained.
- Three further options were available to the Council and were detailed within the report. These were as follows:
  - Reuse of Plymouth Road Cemetery – this would require a change in the law through the passing of a private bill in Parliament in order to extinguish existing rights of burial, to gain the legal power to disturb human remains and to permit the moving and re-siting of memorials. Were this to be the preferred option for the Council in the future it could possibly result in 10 years of new burial provision. However, this process presented various challenges including conflict with the Local Plan and a protracted and potentially costly process in order to pass the private bill, which could take up to 5 years. In addition, Members were advised that an objection could be submitted by anybody at any time regarding the reuse of burial sites within Plymouth Road Cemetery. Were an

objection to be received, then approval from the Secretary of State would be required in respect of the reuse of that specific grave. Depending on the outcome of that process this might result in the Council having to pay compensation to any interested parties. Finally, Members were informed that in order to reuse any consecrated sections on this site, legal permission would need to be sought from the Worcestershire Diocese by way of a Bishop's Faculty.

- Land off Ipsley Church Lane – This site had recently been granted permission for a change of use by the Planning Committee at Redditch Borough Council. The permission was subject to significant conditions to secure the biodiversity and enhance the ecology contained within the site, which, as detailed earlier in the meeting, was deemed to be an important factor when considering the building of a new cemetery at any potential site in the Borough. It was noted that this option would require the shortest implementation time of approximately two years and would not conflict with the Local Plan. The costs associated with this option would be the lowest of all of the options presented within the report and would provide multi-generational burial provision for up to 80 years. The land off Ipsley Church Lane would provide a large site that could be developed over a number of years in a phased manner and could result in over 50% of the site remaining unused, but ecologically enhanced, for the next 40 to 50 years.
- Bordesley Abbey Extension – This site consisted of three parcels of land and no additional testing had been undertaken at this location. Members were advised that the bulk of this site was located within the boundaries of a Scheduled Ancient Monument, which, it was noted would create additional complexity were it to be developed, due the necessity of additional consent to utilise this land. Members were asked to note that this site provided limited burial provision for the future and conflicted with the Local Plan in terms of size for the smaller parcels of land and sustainable transport. In terms of the archaeology of this site, concerns had been raised. Discussions with Worcestershire County Council

# Overview and Scrutiny Committee

---

Monday, 13th December, 2021

Archaeology department had been held and they had advised that even if the scheduled monument consent was approved and planning permission granted, the mitigating costs would be significant and would therefore deem the site unviable. Finally, it was reported that were this site to be agreed as the preferred option for the Council, the time required for implementation would be significant due to the extra approvals required in order to carry out any potential development.

Following the presentation of the report, the Chair invited Councillor Evans in his role as Portfolio Holder for Environmental Services to comment on the report. In doing so, he noted that this was an emotive subject within the Borough, however it was important that all parties involved in the meeting remained respectful, particularly to officers who were in attendance.

Councillor Evans reiterated that this issue had been ongoing since 2010, with no decision having been made. Furthermore, it was important to note that were there to be any additional delay, the outcome would be that no new burial provision would be available in the Borough, resulting in a significant impact on Redditch and its residents. It was stated to the Committee that expert advice had been provided and that all of the options within the report had been thoroughly investigated and presented in great detail, including the challenges that would be faced at Plymouth Road Cemetery and at the Bordesley Abbey site and the benefits of the development of the land off Ipsley Church Lane. Councillor Evans added that were any other options to be presented at this stage, this would prolong an already delayed process and would result in additional costs for the Council whilst testing was carried out.

During his comments, Councillor Evans addressed the issue of Compulsory Purchase Orders (CPO). He explained that a CPO would not be appropriate in this instance as there was sufficient land owned by Redditch Borough Council which could be used to develop a new cemetery.

Prior to opening the debate, the Chair reminded the Committee that the planning application, previously considered by the Planning Committee, was not under scrutiny at this meeting as planning was separate process to Overview and Scrutiny.

# Overview and Scrutiny Committee

---

Monday, 13th December, 2021

During a detailed discussion by the Committee, it was noted that Arrow Valley Park was a large area and development had already taken place within the park. It was also confirmed that all faiths and religions would continue to be able to make use of any future cemetery provision within the Borough.

Members raised a number of questions regarding the officer's report. These were as follows:

- How many phases were there for the land off Ipsley Church Lane and what impact would this have on the development costs? – The £250,000 development costs that had been identified within the report for phase 1 referred to the cost of satisfying the specific planning conditions for the site and to develop the site. It was acknowledged that there could potentially be an increase in costs. However, the expectation would be that any additional costs would be self-funded once the cemetery was operational. Members were informed that there was no specific detail on the number of phases of development as these would be identified as part of the planning process. A clearer picture of any additional costs would also be more apparent as part of the planning process noting that additional conditions could potentially be part of any future planning permission regarding the site.
- How had officers arrived at the sum of 25 years' future burial provision at the Bordesley Abbey site? – It was explained that the vast majority of the area would be discounted as it fell under the Scheduled Ancient Monument site within Bordesley Abbey. Further explanation was provided in respect of the plans for this site and officers confirmed that a local resident had brought forward some of the ideas for the site and therefore it was appropriate to refer to this within the report.
- Were the initial costs of £90,000 contained within the report regarding the Bordesley Abbey extension an estimate? – It was confirmed that this was an estimated cost at Bordesley Abbey.
- What were the costs of the ground water testing at the land off Ipsley Church Lane and did the sum outlined in

the report include costs that had already been incurred? – It was confirmed that the sum of £70,000 within the report did not include any costs previously incurred. Officers undertook to provide Members with the figures for costs already incurred prior to the meeting of the Executive Committee due to be held on 15<sup>th</sup> December 2021.

- In what way did the Bordesley Abbey site conflict with policy 45 of the Local Plan? – The transport links provided served the Abbey Stadium and not Bordesley Abbey.
- What did the process of the consent to utilise land on a Scheduled Ancient Monument entail? - The process consisted of the application for Scheduled Ancient Monument consent and was initially straightforward. However, it was explained that although there was no cost associated with the initial application, it was clear, after discussions with Worcestershire County Council Archaeology Department, that in order to mitigate any archaeological concerns associated with the development of the Scheduled Ancient Monument site, the costs would be so significant as to render the site unviable.

There was agreement among Members that it was imperative that the Council continued to provide new burial provision within the Borough and that funds must be available in order to achieve this. However, some Members raised concerns that there had not been a sufficient amount of consultation regarding this decision and that this should be addressed. It was also queried whether the historic investigations that had taken place would still be relevant given that they were carried out several years ago. The Committee was informed that the previous investigations had been re-visited by officers and tested against the most recent version of the Local Plan.

After considerable discussion, Councillor Fogg proposed that the report be delayed and re-visited in order to provide more detail in respect of costings and times of implementation of each development. This proposal was not seconded and therefore not taken forward as a potential recommendation.

Reference was also made to the potential for Members to vote on Councillor Brunner's proposal, detailed in her speech to the

# Overview and Scrutiny Committee

---

Monday, 13th December, 2021

Committee. However, Members were advised that, as Councillor Brunner was not a member of the Committee, she could not propose a recommendation and her suggestion could only be taken forward if it was proposed and seconded by Members of the Committee. This did not occur.

A robust debate continued, and Members were given further information regarding aquifers, ground water testing and its importance in the provision of burial services, public consultation regarding future cemetery preferences and the expectation of how a new cemetery would operate and co-exist in a public open space, such as the land off Ipsley Church Lane.

Councillor Fry proposed an amendment to the recommendations proposed within the officer report. This amendment was seconded by Councillor Fogg.

The amendment was as follows:

- 1) *“Redditch Borough Council continue to provide new burial provision;*
- 2) *that the New Cemetery Provision report be deferred until such time as a short public consultation be undertaken by officers prior to its consideration by Executive Committee in order for them to better understand what the views of the local residents are; and*
- 3) *a sum of £320,000 be budgeted to progress new burial provision.”*

In discussing the amendment, Members commented that this issue had been delayed for a significant amount of time. It was further noted that Councillor Dormer, as Leader of the Council, had provided opportunities for residents to contact him should they have wished to provide feedback on these proposals.

On being put to the vote the amendment was lost.

The Committee returned to the substantive recommendation, with the vote on each recommendation taken in turn rather than on block. On being put to the vote the recommendations were endorsed by the Committee.



# Overview and Scrutiny Committee

---

Monday, 13th December, 2021

## RECOMMENDED that

- 1) Redditch Borough Council continue to provide new burial provision;
- 2) Ipsley Church Lane be progressed as the preferred option to provide new burial provision; and
- 3) a sum of £320,000 be budgeted to progress new burial provision

## 53. OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

The Overview and Scrutiny Committee's Work Programme was presented for the consideration of the Committee. The Chair confirmed that there were no changes.

## RESOLVED that

The Overview and Scrutiny Committee's Work Programme be noted.

## 54. TO CONSIDER ANY URGENT BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE HEAD OF LEGAL, DEMOCRATIC AND PROPERTY SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIR, BY REASON OF SPECIAL CIRCUMSTANCES, CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING

On this occasion there was no urgent business to be considered.

The Meeting commenced at 6.30 pm  
and closed at 8.53 pm

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