

Wenhaston with Mells Neighbourhood Plan Decision Statement

(The Neighbourhood Planning (General) Regulations 2012 – Regulation 18)

1. Summary

1.1 Following an independent examination, Suffolk Coastal District Council now confirms that the Wenhaston with Mells Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum subject to the modifications set out in section 3.

2. Background

2.1 Wenhaston with Mells Parish Council, as the Qualifying Body successfully applied for Wenhaston with Mells Parish to be designated as a Neighbourhood Area under The Neighbourhood Planning (General) Regulations 2012. The [neighbourhood area](#) was designated by Suffolk Coastal District Council on 2nd April 2015.

2.2 The Wenhaston with Mells Neighbourhood Plan was published by Wenhaston with Mells Parish Council for pre-submission consultation (Regulation 14) during October and November 2016.

2.3 Following the submission of the Wenhaston with Mells Neighbourhood Plan ([submission version](#)) to Suffolk Coastal District Council the Plan was publicised and comments invited over a six week period which closed on 30th August 2017.

2.4 Suffolk Coastal District Council, with the agreement of Wenhaston with Mells appointed an independent examiner, Nigel McGurk BSc(Hons) MCD MBA MRTPI to review the Plan and to consider whether it met the Basic Conditions required by legislation and whether it should proceed to Referendum.

2.5 The [Examiner's Report](#) received January 2018 concluded that subject to modifications identified in the Report, the Wenhaston with Mells Neighbourhood Plan meets the basic conditions. This is summarised in paragraph 144 of the Report which states:

Subject to these modifications, I confirm that:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- The making of the neighbourhood plan contributes to the achievement of sustainable development;
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- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations; and
- The making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects. goes on to recommend that subject to the modifications proposed, the Wenhaston with Mells Neighbourhood Plan should proceed to Referendum.

2.6 The Examiner recommends that subject to the modifications listed in the Report, the Wenhaston with Mells Neighbourhood Plan should proceed to referendum. He further recommends that the referendum area should be the same as the designated neighbourhood area, there being no substantive evidence to demonstrate that this is not the case. The referendum area is contiguous with the administrative boundary for Wenhaston with Mells parish.

2.7 Following receipt of the Examiners Report, legislation requires that Suffolk Coastal District Council consider each of the modifications recommended, the reasons for them and decide what action to take. This is set out in the table in section 3 below. Ahead of this consideration, the Report and its findings have been subject to discussion between the Council and Wenhaston Parish Council.

3. Decision and Reasons

3.1 Suffolk Coastal District Council, under powers delegated to the Cabinet Member with responsibility for Planning, has considered each of the modifications recommended and concurs with the reasoning provided by the Examiner in his Report dated January 2018. The Council further agrees with the Examiners conclusions as set out in paragraph 145 of his report that “*..the Plan meets paragraph 8(1) requirements.*”. With the Examiner’s recommended modifications, Suffolk Coastal District Council has decided that the Wenhaston with Mells Neighbourhood Plan meets the Basic Conditions mentioned in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with the Convention rights and complies with provision made by or under Section 38A and 38B of the Planning and Compulsory Purchase Act 2004. As a consequence, the submission version of the Wenhaston with Mells Neighbourhood Plan will be modified as recommended for it then to proceed to referendum.

3.2 The Council has considered the referendum area as recommended by the Examiner and has decided there is no reason to extend the neighbourhood area for the purposes of referendum. The Referendum area will be the same as the designated Neighbourhood Area for the Wenhaston with Mells Neighbourhood Plan.

3.3 The list of modifications and actions required are set out in the following table. As a consequence of these changes the Wenhaston with Mells Neighbourhood Plan will be re-published and titled the Wenhaston with Mells Neighbourhood Plan (Referendum Version).



Cllr Tony Fryatt

Cabinet Member with Responsibility for Planning

Dated: 27/03/2018



Examiner's recommended modification	Reason for change (summarised)	Action by SCDC
<u>Neighbourhood Plan Period.</u> Front cover, replace publication date with "2015 – 2030"	It would be helpful and provide for clarity and precision, if the front cover of the Neighbourhood Plan included a reference to the plan period.	Agree. Plan period added to front cover.
<u>Wenhaston with Mellis Neighbourhood Area</u> Move "Map 1" from the Appendices into the Neighbourhood Plan, to follow the Abstract.	The Neighbourhood Plan does not include any plans or Maps although a number of plans are appended to the document. One of these comprises the plan showing the Neighbourhood Area. This is an important reference plan and as such should be contained within the Neighbourhood Plan itself.	Agree. Map 1 moved into document to follow the Abstract.
<u>5. -Introductory Section</u> Page 13 – delete "Document Revision History"	A useful tool during the plan making process but now an unnecessary part of the Neighbourhood Plan. Inclusion could lead to confusion and detract from clarity of plan.	Agree with Examiner. Page 13 "Document Revision History" deleted.
<u>Paragraphs 1.6, 3.1 & 3.4</u> Page 15 – paragraph 1.6 change to "...that it has regard to national policy and advice; it is in general conformity with the strategic policies of the development plan; that it contributes to the achievement of sustainable development; and that it is compatible..." Page 25– paragraph 3.1 change to "...Plan all policies must meet the basic conditions.	The basic conditions are legal requirements and it is important that they are not misinterpreted in this regard.	Agree with the Examiner. Paragraphs 1.6 , 3.1 and 3.4 amended as recommended.

<p><i>These are referred to on page 15 and include the requirement for policies to have regard to national policy and advice, and to be in general conformity with the strategic policies of the development plan, which in this case is the Suffolk Coastal District Council Local Plan”</i></p> <p>Page 25 – paragraph 3.4 change to “...general conformity with the <i>strategic policies of the Local Plan. The Wenhaston...</i>”</p>		
<p><u>6. The Neighbourhood plan – Neighbourhood Plan Policies</u> Delete all references to Local Plan policies and Neighbourhood Plan Objectives from all Policies.</p>	<p>Whilst the Policies area clearly distinguished within a blue box they include references to various other policies and objectives. This is not only unnecessary but detracts significantly from the presentation of the policies. Further to this, I note that the policies of the development plan must, in any case be considered as a whole and this avoids the need for cumbersome cross references.</p>	<p>Agree with Examiner. Modification will improve clarity.</p> <p>All references to Local Plan policies and Neighbourhood Plan Objectives have been deleted from all Policies.</p>
<p><u>Policy WwM P1 Residential Development Management</u> Amend Policy WwM P1 as follows: Change first sentence to “...within the Plan area should take account of the following:”</p> <p>Move Map 3 from the Appendices to immediately before or after the Policy and change the first bullet point to “...physical limits boundary, as shown on Map 3.”</p>	<p>Whilst the policy intends to provide for sustainable development, its detailed wording raises a number of concerns is confusing and conflicts with advice set out in Planning Practice Guidance which requires policies to be clear.</p> <p>Use of the word “will” in the first sentence appears confusing as the Neighbourhood Plan cannot predict what a proposal will comprise.</p>	<p>Agree with Examiner. Modifications recommended will aid clarity.</p> <p>Policy wording of WwM P1 amended as recommended.</p> <p>Map 3 now included before the policy.</p>

<p>Delete third and fourth points.</p> <p>Change fifth bullet point to <i>“Proposals must demonstrate how they respect the low density that is characteristic of housing in the village.”</i></p> <p>Delete sixth and seventh bullet points.</p> <p>Change last bullet point to <i>“Appropriate windfall housing that meets the needs of the ageing population, or provides for first time buyers, will be supported.”</i></p>	<p>The policy refers to the <i>“the defined physical limits”</i> but there is no plan in the Neighbourhood Plan showing what these comprise. In this respect it is important that <i>“Map 3”</i> which is appended to the Neighbourhood Plan and which identifies the <i>“physical limits”</i> boundary, is included within the document itself.</p> <p>Reference in the third bullet point to <i>“which of necessity requires being located there”</i> appears entirely reliant upon other policies in other plans that are not under the control of the Neighbourhood Plan. These adopted policies already exist. It is not the purpose of a Neighbourhood Plan to repeat existing policy.</p> <p>Fourth bullet point conflicts directly with national and local planning policy. Limiting development to that which meets <i>“exceptional circumstances”</i> might prevent development that is sustainable from coming forward. Policy then goes on to conflict with itself by reference to <i>“adequate mitigation”</i>. No definition is provided for <i>“adequate mitigation”</i> or what that might comprise. Policy also confusing as requires applicants to demonstrate that development that detracts from sensitive location would not adversely</p>	
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	<p>affect it.</p> <p>Part of fifth bullet point relies upon another policy in another plan. Also it is not clear what <i>“attention will be given”</i> or what the impact of <i>“giving attention”</i> might be from a land use planning perspective.</p> <p>Last bullet point refers to <i>“Areas to be Protected from Development (countryside)”</i> . These are not defined in the neighbourhood plan, nor is there evidence to demonstrate that such an approach which would represent a departure from national and local policy would meet the basic conditions. The term <i>“estate style”</i> is not defined. The Neighbourhood Plan has no <i>“power of approval”</i>.</p> <p>Final bullet point refers to <i>“preference”</i> . No indication of who will provide preference or on what basis. Final sentence no substantive evidence is provided to demonstrate why housing for first time buyers or the ageing population <i>“could be addressed”</i> by 1 or 2 bed properties.</p>	
<p><u>WwM P2 -Tourism, Business and Employment</u> Re-word Policy WwM P2 as follows: Change first bullet point to <i>“The improvement of existing community sports</i></p>	<p>Policy WwMP2 is imprecise and does not meet the basic conditions. The opening sentence is not a land use planning policy but a general statement.</p>	<p>Agree with the Examiner. Modifications to WwM P2 will aid clarity.</p> <p>Additional comments noted in relation to</p>

<p><i>and leisure facilities will be supported and their loss will be resisted”</i></p> <p>Change second bullet point to “<i>Farm diversification, including small scale visitor accommodation, will be supported.</i>”</p> <p>Delete third bullet point.</p>	<p>The Policy states that “<i>S105 and Cil</i>” monies will be spent on updating and improving unspecified current facilities. Reference to “<i>S105</i>” monies should correctly refer to “<i>Section 106 Agreement</i>” monies.</p> <p>Policy makes vague reference to “<i>community facilities</i>” but does not specify precisely what these are meaning it is not possible to know what will and will not “<i>be permitted</i>”.</p> <p>Paragraph 3.27 of the supporting text repeats earlier text.</p>	<p>paragraph 3.27. It is unnecessary to repeat earlier text.</p> <p>Policy amended as recommended.</p> <p>Paragraph 3.27 deleted.</p>
<p><u>WwM P3 –Sewerage</u> Delete policy WwM P3</p> <p>Delete paragraphs 3.36 and 3.37 and associated headings.</p> <p>Add a new second bullet point to WwM S13, “<i>The Parish Council will seek the imposition of conditions on residential applications to the effect of ensuring that sewerage infrastructure is in place before development is occupied.</i>”</p> <p>Add a new third bullet point to WwM S13, “<i>The Parish Council will actively pursue the updating of the present sewerage facilities by working with stakeholders.</i>”</p>	<p>The Parish Council is not the local planning authority and cannot impose planning conditions.</p> <p>A commitment to “working with stakeholders” is not a land use planning policy matter. It does however highlight local concerns.</p>	<p>Agree with Examiner. Moving information to strategy section allows local concerns to still be highlighted.</p> <p>WwM P3 deleted as per recommendation.</p> <p>Paragraphs 3.36 & 3.37 and associated headings deleted.</p> <p>Second and third bullet points added to WwM S13 in accordance with recommendation.</p>

<p><u>WwM P4 Energy & Sustainability</u> Replace wording of policy with “Projects to increase energy efficiency and low carbon emissions that impact on heritage assets will be supported where they are accompanied by an assessment that demonstrates any harm to heritage of significance is clearly and convincingly justified.</p> <p>Delete paragraph 3.38 and associated heading.</p>	<p>Policy is imprecise. The policy seeks to impose a requirement for planning proposals for energy efficiency measures affecting heritage assets to provide an assessment. However an assessment will be required when a heritage asset “may” be affected. No indication is provided of when a heritage asset may or may not be affected. Recommendation is made being mindful of Chapter 12 of NPPF and to Historic England’s representation.</p> <p>Note Paragraph 3.38 repeats earlier text.</p>	<p>Agree with Examiner. Modification will improve clarity of policy.</p> <p>Additional comment noted in relation to Paragraph 3.38. It is unnecessary to repeat text.</p> <p>Wording of policy replaced as recommended.</p> <p>Paragraph 3.38 and associated heading deleted.</p>
<p><u>WwM P5 Lighting</u> Amend policy WwM P5 to read: “Development should respect local character and in particular, the dark skies that are characteristic of the Neighbourhood Area”</p> <p>Add new second bullet point to WwMS5 (the strategy set out later in the Neighbourhood Plan “The Parish Council will seek to work with stakeholders to prevent increased street lighting or to ensure that any additional or replacement lighting is of low energy consumption and appropriate in respect of maintaining the aesthetic character and qualities of the Parish.”</p> <p>Add new third bullet point to WwMS5 “The</p>	<p>Street lighting is the responsibility of the County Highways Authority. The Neighbourhood Plan does not control its maintenance, replacement or type. Similarly policies of the Neighbourhood Plan cannot control various forms of lighting that do not require planning permission. However, as in many areas particularly where there are dark skies lighting is of concern to the local community.</p>	<p>Agree with Examiner and welcome the stance taken in relation to dark skies which are a character of this local area.</p> <p>WwMP5 amended as per recommendation. Additional bullet points added to WwMS5</p> <p>Paragraph 3.44 and associated heading have been deleted.</p>

<p><i>Parish Council will pay particular attention to challenging proposals for new lighting that may adversely affect local heritage assets and areas of special village character”</i></p> <p>Delete paragraph 3.44 and associated heading.</p>		
<p><u>WwMP6 Environment & Landscape</u> Change Policy WwM P6 to “<i>Development should respect and maintain the special character and undeveloped nature of the Commons.</i>”</p>	<p>The first part of the policy seeks to introduce a policy that would, by preventing any form of development, be significantly more stringent than any national or local policy for sensitive environments. No substantive evidence has been provided to support such a departure so would not meet basic conditions.</p> <p>Second part of policy is ambiguous. The term “<i>close to</i>” is not defined and fails to provide the decision maker with a clear indication of how to react to a development proposal. No indication is provided as to who will conduct the survey of impact on biodiversity and landscape or what a “<i>significant impact</i>” might be.</p>	<p>Agree with Examiner. Changed wording adds clarity and still recognises special character of the Commons</p> <p>Policy wording changed as per recommendation.</p>
<p><u>WwM P7 Biodiversity</u> Amend policy WwMP7 as follows: Retain first sentence and delete the rest of the policy.</p> <p>Paragraph 3.51 – delete second sentence.</p>	<p>The policy seeks to protect and enhance biodiversity and in this respect has regard to national policy and is in general conformity with the Local Plan. However, the second part of the policy fails to allow for a balanced consideration of a proposal for development. As a consequence this part of the policy</p>	<p>Agree with the Examiner. Policy WwM P7 amended in accordance with recommendation.</p> <p>Paragraph 3.51 amended as recommended.</p>

<p>Paragraph 3.51 – change 3rd sentence to “The Parish Council aspires to....”</p>	<p>places a potentially significant barrier in the way of the achievement of sustainable development and does not meet the basic conditions.</p> <p>The policy would seek to refuse development where a proposal might have a negative impact on the absence of wildlife on land adjacent to the site. In the absence of any information it is not clear why land not part of an application site is relevant to a planning application and who might judge that a proposal could harm the absence of wildlife on such a site and on what basis.</p> <p>The approach which seeks to refuse a proposal that would prejudice or have a negative effect on “<i>the destruction of sites that link or enhance adjacent or nearby sites of wildlife significance</i>” appears to run counter to the protection or enhancement of biodiversity.</p>	
<p><u>WwM P8 - Areas of Local Landscape Value</u> Change WwM P8 to: “Development proposals should respect and not detract from important views, particularly of St Peter’s Church Tower and the village skyline. The green spaces identified on Map 4 comprise an important resource and their protection and enhancement will be supported.”</p>	<p>The supporting text refers to a Proposals Map. There is no Proposals Map. It would be helpful if Map 2 which shows the AONB were moved from the Appendices into the plan itself. Other parts of the supporting text read as though they are Policies which they are not.</p> <p>The wording of the policy is imprecise and</p>	<p>Agree with Examiner. Recommended modifications will aid clarity.</p> <p>Paragraph 3.56 amended to refer to Map 2 as the relevant policies are found in other plan documents.</p> <p>Map 4 included within the Neighbourhood Plan after policy WwM P8</p>

<p>Move Map 4 from the Appendices to directly before or after Policy WwM P8. Whilst not essential, it would be helpful if each green space was labelled and named in a Key or Table.</p> <p>Paragraph 3.58 delete last sentence.</p> <p>Paragraph 3.59 delete “....and which must be retained and enhanced.”</p>	<p>confusing. “<i>significant impact</i>” is not defined. It might be that a development proposal has a significant positive impact on important views, in which case the Policy would still, confusingly, refuse planning permission. The Policy states that designated village green spaces will be retained and enhanced but the policy does not designate any such spaces. Work has been undertaken to identify a number of important green spaces published as the “<i>Whole Parish Character Assessment Green Spaces Report</i>”. Map 4 in the Appendices shows several un-labelled green spaces. National planning policy provides neighbourhood plan makers with the opportunity to designate areas of “<i>Local Green Space</i>”. However there is no evidence that in this case, the plan-makers have sought to designate any green spaces as Local Green Spaces having regard to national policy.</p> <p>No indication is provided of how the Neighbourhood Plan might “<i>enhance</i>” green spaces referred to in WwM P8.</p>	<p>Policy WwM P8 changed as per recommendation.</p> <p>Last sentence of paragraph 3.58 now deleted.</p> <p>Paragraph 3.59 wording deleted as per recommendation.</p>
<p><u>WwM P9 - Woodlands, Trees & Hedgerows</u> Change policy WwM P9 “<i>The retention of native trees and the planting of native tree species and native hedgerows will be supported.</i>”</p>	<p>National and local planning policy supports the protection and enhancement of biodiversity. This policy seeks to protect trees and hedgerows. Part of the supporting text reads as though it comprises policy which it does not.</p>	<p>Agree with Examiner. Modifications will aid clarity.</p> <p>Policy WwM P9 changed as recommended.</p> <p>Paragraph 3.60 re-worded as per recommendation.</p>

<p>Para 3.60 change to “...takes place, the Parish Council will support the protection of native trees, if necessary by the imposition of TPO’s, but....planting. The Parish Council will also encourage tree planting on private and public land, as well as the planting of...own land, the Parish Council will encourage best practice to supportwill be encouraged by the Parish Council.</p>	<p>The term “<i>landscape priority</i>” is not defined and it is not clear who will afford priority or on what basis.</p>	
<p><u>WwM P10 - Conservation & Heritage</u> Move Map 6 from Appendices to the Areas of Special Character section of the Neighbourhood Plan.</p>	<p>The Policy refers to a “<i>Proposals Map</i>” which does not exist but <i>Map 6</i> in the Appendices shows each of the “<i>Areas of Special Character</i>”</p> <p>This policy has emerged from a comprehensive evidence base whereby the local community has analysed the Neighbourhood Area and determined those elements that contribute towards the creation of a distinctive and positive local character. This has led to the determination of specific, special areas which Policy WwM P10 seeks to recognise, protect and enhance.</p>	<p>Agree with Examiner. Inclusion of the Map within the Neighbourhood Plan aids clarity.</p> <p>Map 6 now included within section Areas of Special Character before the policy.</p>
<p><u>WwM P11 - Improvement Opportunity Areas</u> Delete Policy WwM P11 and associated headings.</p> <p>Delete paragraphs 3.77 & 3.78</p> <p>Create a new Strategy, WwM S14</p>	<p>WwM P11 is not a land use planning policy. It identifies locations where those with an interest in land, and relevant authorities, might be encouraged to make improvements.</p>	<p>Agree with Examiner. Welcome the recommendation to retain the intention as new Strategy.</p> <p>Policy WwM11 deleted as per recommendation.</p>

<p><i>“Improvement Opportunity Areas”</i></p> <p>Move deleted supporting text from Paras 3.77 & 3.78 to introduce the Strategy.</p> <p>Move the text from deleted Policy WwM P11 , to creat the new WwM S14. Change the text to “..... as defined on Map 7 in the Appendices (NB Map numbering will change as a result of the Recommendations in this Report), the Parish Council will encourage relevant authorities and those with an interest in the land to give consideration to their visual improvement. This will include....scheme”</p>		<p>New strategy WwM S14 <i>created.</i></p> <p>Text from paragraphs 3.77 & 3.78 moved to provide introduction to new Strategy WwM S14.</p> <p>Text amended to refer to Map 7 in the Appendices (now correctly re-numbered)</p>
<p><u>WwM P12 - Non-Designated Heritage Assets</u></p> <p>Change Policy WwM12 to <i>“The buildings, monuments and sites listed in Table x (NB the numbering of the Table should take into account any preceding Table in the Neighbourhood Plan, having regard to other comments in this Report) above and shown on the accompanying Map comprise non-designated heritage assets which will be conserved in a manner appropriate to their significance. Planning applications affecting these assets should provide a heritage statement demonstrating that potential harmful impacts to the asset’s significance have been clearly identified, avoided or</i></p>	<p>The policy reflects to some degree the guidance in respect of the protection of non-designated heritage assets set out in the Framework. However, as worded it simply seeks to prevent loss or significant harm rather than provide for a balanced judgement. No substantive evidence is provided for this departure. Historic England also made representation in respect of this policy.</p>	<p>Agree with the Examiner. Recommended modifications will improve clarity and consistency with national policy.</p> <p>Policy has been amended in accordance with the recommendation.</p> <p>Title Table 1 has been added to table on page 45</p> <p>A new plan is now included within the Non-designated heritage asset section identifying the location of each of the assets shown in the table on page 45.</p>

<p><i>minimised where possible. Where harm remains, applications should provide clear and convincing justification for any harmful impacts on significance”.</i></p> <p>Add title “<i>Table 1</i>” to the table on page 45.</p> <p>Provide a new plan in the “<i>Non-designated heritage asset</i>” section of the Neighbourhood Plan. This should identify the location of each of the assets shown in the table on page 45.</p>		
<p><u>WwM P13 - Drainage, Flood Risk & Energy Change Policy WwMP13 to “<i>Development should, where possible, avoid areas at highest risk of flooding and should not increase the risk of flooding elsewhere</i>”</u></p> <p>Paragraph 3.87 change to “<i>.... risk elsewhere, but where development is necessary, it should make the area safe without increasing flood risk elsewhere.</i>”</p>	<p>The policy does not fully accord with national guidance. The policy simply seeks to prevent any form of development in areas at high risk of flooding. Such an approach runs the risk of preventing the achievement of sustainable development. It would, for example, prevent development that addresses flood risk.</p>	<p>Agree with the Examiner</p> <p>Policy WwM P13 changed to read as per recommendation.</p> <p>Wording of paragraph 3.87 amended in accordance with recommendation.</p>
<p>Other Changes not required to meet Basic Conditions</p>	<p>Reason for change</p>	<p>Action by SCDC</p>
<p><u>Contents, Policy and page numbering and the Appendices</u></p> <p>Update the Contents, Policy and page numbering and the Appendices taking into account the recommendations contained in this Report</p>	<p>The recommendations made in the Report will have a subsequent impact on Contents, Policy and page numbering and the Appendices</p>	<p>The Neighbourhood Plan has been updated to take on board all of the recommendations and changes put forward by the Examiner. The document has been re-formatted and re-numbered as a consequence of these changes. The modified plan is re-titled</p>

		Referendum Version.
<p><u>Paragraph 3.1 and heading above paragraph 3.4 and elsewhere</u></p> <p>3.1 Delete the word “Council” before Local Plan.</p> <p>Heading. Delete words “Council (SCDC)” before Local Plan</p>	<p>Typographical error. The correct title of the document is the Suffolk Coastal District Local Plan.</p>	<p>Typographical error corrected through document.</p>
<p><u>Paragraph 3.27</u></p> <p>This paragraph repeats earlier text in paragraph 3.1</p>	<p>Consistency point. There is no need to repeat earlier text. The same approach is not taken elsewhere.</p>	<p>Paragraph 3.27 deleted.</p>