



Hastings District Council

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OPEN MINUTES

COUNCIL

Meeting Date: **Thursday, 22 March 2018**

**Minutes of a Meeting of the Council held on
22 March 2018 at 1.00pm**

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HASTINGS DISTRICT COUNCIL

MINUTES OF A MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC ADMINISTRATION BUILDING, LYNDON ROAD EAST, HASTINGS ON THURSDAY, 22 MARCH 2018 AT 1.00PM

PRESENT: Mayor Hazlehurst (Chair)
Councillors Barber, Dixon, Harvey, Heaps, Kerr, Lyons,
Nixon, Redstone, Schollum, Travers and Watkins.

IN ATTENDANCE: Chief Executive (Mr R McLeod)
Group Manager: Planning and Regulatory Services (Mr J
O'Shaughnessy)
Group Manager: Asset Management (Mr C Thew)
Group Manager: Economic Growth & Organisation
Improvement (Mr C Cameron)
Group Manager: Human Resources (Mrs B Bayliss)
Group Manager: Community Facilities and Programmes
(Mrs A Banks)
Chief Financial Officer (Mr B Allan)
Social Development Co-ordinator (Mr J Dawson)
Manager Strategic Finance (Mr B Chamberlain)
Principal Advisor: District Development (Mr M Clews)
Transportation Operations Manager (Mr A Jackson)
Community Safety Manager (Mr J Payne)
Strategy Manager (Mr L Verhoeven)
Environmental Policy Manager (Mr R Wallis)
Democratic Support Manager (Mrs J Evans)
Committee Secretary (Mrs C Hunt)

AS REQUIRED: **Cranford Hospice:** Mr John Buck, Mr Colin Shanley, Ms
Janice Byford-Jones and Mr Shaun Thompson
Maraetotara Tree Trust: Mr Pat Turley accompanied with
Members of the Trust; Mark Roper (ecologist), Kapa Toa,
Raewyn Ricketts and Martin A'Court
Maraekakaho Community Plan: Mr Charlie Bogard and
members of the Maraekakaho Community
Clifton to Tangoio Coastal Hazards Strategy: Messrs
Simon Bendall, Craig Daley and Keith Newman
Hawke's Bay Airport: Mr Tony Porter (Chairman) and Mr
Stuart Ainslie (Chief Executive)

1. PRAYER

The opening prayer was given by Reverend Paul Loveday, St John's Church, Hastings.

2. APOLOGIES

Councillor Kerr/Councillor Harvey

That an apology for lateness from Councillor Lyons be accepted.

CARRIED

Leave of Absence had previously been granted to Councillor O'Keefe and Councillor Poulain.

3. SEAL REGISTER

Mayor Hazlehurst/Councillor Nixon

That the seal register lie on the table.

CARRIED

4. CONFLICTS OF INTEREST

Councillor Dixon declared a conflict of interest in "*Item 15 – Councillor Appointment to the Te Mata Park Trust Board*". Officers would investigate the nature of the conflict, being appointed as the Council representative on the Te Mata Park Trust Board, for future meetings.

5. CONFIRMATION OF MINUTES

Mayor Hazlehurst/Councillor Watkins

That the minutes of the Council Meeting held Thursday 22 February 2018, including minutes while the public were excluded, be confirmed as a true and correct record and be adopted.

CARRIED

6. PRESENTATION: CRANFORD HOSPICE

(Document 18/120)

Councillor Lyons joined the meeting at 1.10pm.

Mr John Buck, Chair, Cranford Foundation displayed a powerpoint presentation (CG-14-1-00669), which included a short video clip of the proposed new location for Cranford Hospice and responded to questions. Mr Buck advised that the new Cranford would require support from Councils, both in funding and the provision of services.

Councillor Dixon/Councillor Travers

That the report of the Democratic Support Manager titled "Presentation: John Buck" and dated 22 February 2018 be received.

CARRIED

7. MARAETOTARA TREE TRUST

(Document 18/73)

Mr Pat Turley, together with members of the Trust, displayed a powerpoint presentation (CG-14-1-00675) providing an overview of the Maraetotara River restoration project and responded to questions.

Councillor Heaps/Councillor Redstone

That the report of the Democratic Support Manager titled “Maraetotara Tree Trust” dated 22 February 2017 be received.

CARRIED

8. MARAEKAKAHO COMMUNITY PLAN

(Document 17/976)

Mr Charlie Bogard (Chairperson) of Focus MKK together with members Jenny Foote and Jonathan Stockley spoke to the Maraekakaho Community Plan and responded to questions.

Councillor Lyons/Councillor Barber

A) That the report of the Social Development Co-ordinator title “Maraekakaho Community Plan” dated 22/03/2018 be received.

B) That Council endorse the Maraekakaho Community Plan 2017-2022, noting that the actions within the Plan requiring new Council funding will be requested through the appropriate Council processes and that the community will source other funding, where appropriate.

With the reasons for this decision being that the objective of the decision will contribute to meeting the current and future needs of communities for local public services in a way that is most cost-effective for households and business by:

i) Working collaboratively with the Maraekakaho Community and its stakeholders to achieve real outcomes for the Maraekakaho Community and Council.

CARRIED

9. RECOMMENDATIONS OF THE CLIFTON TO TANGOIO COASTAL HAZARDS STRATEGY JOINT COMMITTEE FEBRUARY 2018

(Document 18/205)

Mr Simon Bendall displayed a powerpoint presentation (CG-14-1-00677) providing an overview of the process undertaken and the key recommendations for each priority unit (Clifton; Te Awanga; Haumoana; “H21” Properties; Clive/East Clive and Whirinaki).

Councillor Lyons/Councillor Kerr

- A) That the report of the Principal Advisor: District Development titled "Recommendations of the Clifton to Tangoio Coastal Hazards Strategy Joint Committee February 2018" dated 22/03/2018 be received.
- B) That the Council receive the report of the Northern and Southern Cell Assessment Panels, and agree to consider the recommendations contained therein.
- C) That workshops be held to enable Council to consider the Panel recommendations and that following those workshops the recommendations and an officer report be reported back to Council by the end of June 2018.
- D) That the Council agree to commence work on issues to be contained in Stage 4 of the Implementation Strategy, including issues of funding.

With the reason for this decision being that the objective of the decision will contribute to meeting the current and future needs of communities for good quality local infrastructure and regulatory functions for the management of coastal hazards in the study area in a way that is most cost-effective for households and business by considering a long term adaptive pathway approach for each of the coastal areas at risk from climate change and sea level rise over the next 100 years.

CARRIED

COUNCILLOR HEAPS RECORDED HIS VOTE AGAINST THE MOTION

10. HAWKE'S BAY AIRPORT LIMITED HALF YEAR REPORT AND 2018/19 STATEMENT OF INTENT
(Document 18/184)

Mr Tony Porter (Chair) of the Hawke's Bay Airport introduced the recently appointed new Chief Executive, Mr Stuart Ainslie. He then displayed a powerpoint presentation (CG-14-1-00676) providing an overview of the results for the six months ended 31 December 2017 and also updated on the developments on the airport expansion project.

Councillor Heaps/Councillor Watkins

- A) That the report of the Manager Strategic Finance titled "Hawke's Bay Airport Limited Half Year Report and 2018/19 Statement of Intent" be received.
- B) That the Hawke's Bay Airport Limited Half Year report to 31 December 2017 be received.

- C) That the 2018/19 Draft Statement of Intent of Hawke's Bay Airport Limited be received with any feedback provided to the Hawke's Bay Airport Ltd board.

CARRIED

Councillor Nixon withdrew from the meeting at 3.00pm

*The meeting adjourned for afternoon tea at 3.00pm
and reconvened at 3.15pm*

11. DOG CONTROL FEES

(Document 18/55)

Councillor Kerr/Councillor Redstone

- A) That the report of the Community Safety Manager titled "Dog Control Fees" dated 22/03/2018 be received.
- B) That the following dog control fees be set from 1 July 2018:

Dog Registration Fees		
	Registration Fee	Fee if paid after 31 July
Urban Fee	\$110.00	\$165.00
SOP Fee	\$73.50	\$110.00
Rural/Working	\$48.00	\$72.00
Special Purpose	Nil	Nil

All fees are inclusive of GST.

- C) That the following other fees and charges for Animal Management remain unchanged:

First Impounding	\$85.00
Second Impounding	\$100.00
Third and subsequent Impounding	\$150.00
Sustenance, per day	\$8.00
Micro-chipping	\$42.00
Relinquishment Fee	\$20.00
Replacement Tag	\$5.00

- D) Fees set pursuant to the Local Government Act 2002

More than 2 dog application	\$25.00
Selected Owner Policy application	\$25.00

With the reasons for this decision being that the objective of the decision will contribute to the performance of regulatory functions in a way that is most cost-effective for households and business by:

Ensuring that fees and charges reflect the costs of providing a dog control programme that is resourced at a level that meets compliance and enforcement obligations under the Dog Control Act 1996 and Councils Dog Control Bylaw.

CARRIED

12. GRANT TO SUPPORT TONGAN HAWKE'S BAY COMMUNITY FOR VICTIMS OF CYCLONE GITA IN TONGA

(Document 18/212)

Councillor Redstone/Councillor Schollum

- A) That the report of the Personal Assistant to the Mayor titled "Grant to Support Tongan Hawke's Bay Community for Victims of Cyclone Gita in Tonga dated 22 March 2018 be received.**
- B) That Council make a grant of \$10,000 to provide assistance with shipping costs to the Tongan Hawke's Bay Community to send supplies to Tonga following the devastation of Cyclone Gita.**

CARRIED

13. ADOPTION OF LONG TERM PLAN 2018/28 FOR COMMUNITY CONSULTATION

(Document 18/203)

Councillor Dixon/Councillor Heaps

- A) That the report of the Strategy Manager titled "Adoption of Long Term Plan 2018/28 for Community Consultation" dated 22/03/2018 be received.**

That Council resolved to:

- B) Delegate to the Chief Executive any inconsequential updates recommended from the audit process.**
- C) Adopt the Supporting Information (Volume One) to the Long Term Plan 2018-2028 and Consultation Document in accordance with section 93G of the Local Government Act 2002.**
- D) Adopt the Water Strategy as part of the supporting information to the Long Term Plan and Consultation Document in accordance with section 93G of the Local Government Act 2002.**
- E) Adopt the Draft Development Contributions Policy in accordance with section 102(1) of the Local Government Act 2002.**
- F) Adopt the Consultation Document in accordance with section 93A of the Local Government Act 2002**

With the reasons for this decision being that in accordance with the principles set out in sections 76-77 of the Local Government Act 2002 it is

now appropriate to seek community views in relation to the proposals within the Long Term Plan.

CARRIED

14. SUMMARY OF RECOMMENDATIONS OF THE HASTINGS DISTRICT RURAL COMMUNITY BOARD MEETING HELD 5 MARCH 2018
(Document 18/203)

Councillor Lyons/Councillor Kerr

- A) That the report of the Group Manager: Asset Management titled “Summary of Recommendations of the Hastings District Rural Community Board Meeting held 5 March 2018” be received.
- B) The following recommendations of the Hastings District Rural Community Board meeting held 22 March 2018 be ratified:

“7. REPRESENTATION REVIEW 2018

- A) *That the report of Democratic Support Manager titled “Representation Review 2018” dated 5/03/2018 be received.*
- B) *That it be noted that feedback by the community at rural meetings held in 2017 was that they strongly supported the retention of the Hastings District Rural Community Board.*
- C) *That the boundaries of the Rural Community Board be aligned with the proposed meshblock boundary changes for Kahuranaki ward because the proposed boundary changes are logical and reflect the rural communities of interest.*

9. DOG CONTROL FEES

- A) *That the report of the Community Safety Manager titled “Dog Control Fees” dated 5/03/2018 be received.*
- B) *That the Hastings District Rural Community Board support the existing fee calculation model.*

With the reasons for this decision being that the objective of the decision will contribute to the performance of regulatory functions in a way that is most cost-effective for households and business by:

- i) *Ensuring that fees and charges reflect the costs of providing a dog control programme that is resourced at a level that meets compliance and enforcement obligations under the Dog Control Act 1996 and Councils Dog Control Bylaw.*

CARRIED

15. DISTRICT PLAN REVIEW WORKING PARTY ROLLING REVIEW
(Document 18/101)

Councillor Lyons/Councillor Kerr

- A) That the report of the Group Manager: Planning & Regulatory titled “District Plan Review Working Party Rolling Review” dated 22/03/2018 be received.
- B) That the District Plan Working Party shall consist of a core team consisting of:
- A core group of 7 members, 5 Councillors, consisting of the Chairs of the Hearing and Planning & Regulatory Committees, Councillors, the Chair of the Hastings District Rural Community Board and a member of the HDC : Maori Joint Committee.
- C) That the Core Team have delegation to invite additional members to Working Party meetings with an interest in, or ward representation, relevant to the topic under discussion.
- D) That the “District Plan Review Working Party” be added to the “Committees & Rural Community Board Delegations Register” as an “Other Committee” with the following details:

Fields of Activity

Providing direction to Council officers with regard to the drafting of the District Plan (or sections thereof) and consultation on discussion documents and drafts.

Membership

A core group of 7 members – being 5 Councillors (including the Chairs of the Hearings Committee and Planning & Regulatory Committee), the Chair of the Hastings District Rural Community Board and a member of the HDC : Maori Joint Committee.

Core Members:

1. George Lyons (Chair)
2. Rod Heaps
3. Tania Kerr
4. Bayden Barber
5. Wendy Schollum
6. Peter Kay
7. Maori Joint Committee member

Note:

Alternate Councillor Redstone

Members available to be co-opted by the Chair: Councillor Harvey and Dixon for urban issues.

Quorum

4 Councillor Members.

Delegated Powers

Recommendations to Council on matters within the Field of Activity

for the Working Party.

- E) That the Council's Schedule Of Appointments to Committees, Sub-Committees and Other Organisations (CG-08-9-17-272) for 2016-2019 be updated accordingly.

CARRIED

Councillor Nixon rejoined the meeting at 3.45pm.

Councillors Dixon and Lyons having previously declared a conflict of interest withdrew from the meeting table for Item 16.

16. COUNCILLOR APPOINTMENT TO THE TE MATA PARK TRUST BOARD
(Document 18/151)

That a report come back to Council for future processes on appointing members to the Te Mata Park Trust Board.

Councillor Redstone/Councillor Travers

- A) That the report of the Democratic Support Manager titled "Councillor Appointment to the Te Mata Park Trust Board" dated 22/03/2018 be received.
- B) That the resignation of Councillor George Lyons from the Te Mata Park Trust Board be accepted.
- C) That Councillor Wendy Schollum be appointed as a member of the Te Mata Park Trust Board effective from the date of this meeting.
- D) That the Council's Schedule of Appointments for the 2016-19 triennium (CG-08-9-16-245) be updated accordingly.

*A hand vote was taken with 3 FOR and 9 AGAINST
The Motion was **LOST***

Councillor Barber/Councillor Heaps

- A) That the report of the Democratic Support Manager titled "Councillor Appointment to the Te Mata Park Trust Board" dated 22/03/2018 be received.
- B) That the report lie on the table until the Council meeting on 26 April 2018, to enable Council to have an informal discussion in regard to Councillors interested in being appointed to the Te Mata Park Trust Board.

CARRIED

*COUNCILLORS REDSTONE, SCHOLLUM AND TRAVERS RECORDED
THEIR VOTE AGAINST THE MOTION*

Councillors Dixon and Lyons rejoined the meeting table.

17. REPRESENTATION REVIEW

(Document 18/182)

Councillor Nixon/Councillor Dixon

- A) That the report of the Democratic Support Manager titled “Representation Review” dated 22/03/2018 be received.**
- B) That the Hastings District Council establish the following representation arrangements for the triennial election of the Hastings District Council to be held on Saturday 12 October 2019:**
- 1) That Hastings District as delineated on the plan attached (Attachments 6 and 7) to the report in (A) above be divided into five wards.**
 - 2) That those five wards shall be –**
 - a) Flaxmere**
 - b) Hastings/Havelock North**
 - c) Heretaunga**
 - d) Mohaka**
 - e) Kahuranaki**
 - 3) That the Council comprise the Mayor and fourteen Councillors elected as follows:**
 - a) Eight councillors elected by the electors of the Hastings/Havelock North Ward.**
 - b) Two councillors elected by the electors of the Flaxmere Ward.**
 - d) Two councillors elected by the electors of the Heretaunga Ward.**
 - e) One councillor elected by the electors of the Kahuranaki Ward.**
 - f) One councillor elected By the electors of Mohaka Ward.**
 - 4) That there be a Hastings District Rural Community as delineated on the plans (Attachment 8) to the report in (A) above comprising the area of the Rural Ward.**
 - 5) That the Hastings District Rural Community Board be subdivided into four for electoral purposes as indicated on the plan (Attachment 8) to the report at A) above.**
 - 6) That those four subdivisions be –**
 - a) The Tutira Subdivision**
 - b) The Kaweka Subdivision**
 - c) The Maraekakaho Subdivision**
 - d) The Poukawa Subdivision**
 - 7) That, as required by section 19T(b) and 19W(c) of the Local Electoral Act 2001, the boundaries of the above wards, communities and subdivisions coincide with the boundaries of current statistical meshblock areas determined by**

Statistics New Zealand.

- 8) That, as the ward boundaries coincide with community boundaries, the requirements of section 19T(c) of the Local Electoral Act 2001 are accordingly met.
- 9) That, as required by sections 19T(a) and 19W(b) of the Local Electoral Act 2001, the five wards and one community being created and the number of members of each ward and community and subdivision will provide effective representation of communities of interest within Hastings District because:
- a) The five wards represent the current significant and distinct communities of interest that the Council has identified within Hastings District, namely –
- Hastings/Havelock North
Flaxmere
Heretaunga Plains
Kahuranaki
Mohaka
- b) The Rural Community Board and its four subdivisions outlined in 6) above provides fair and effective representation of the communities of interest of the vast and sparsely populated land area of Hastings District.
- c) The retention of the number of councillors at fourteen will provide continuity and enable Council to continue to work effectively.

With the reasons for this decision being that the objective of the decision will contribute to meeting the current and future needs of communities for performance of regulatory functions in a way that is most cost-effective for households and business by:

- i) Ensuring that representation and governance arrangements are proportionate, fair, effective and reflect the communities of interest within the district

CARRIED

18. 2018 LOCAL GOVERNMENT NEW ZEALAND ANNUAL GENERAL MEETING, CONFERENCE REMIT PROCESS
(Document 18/210)

Councillor Nixon/Councillor Schollum

- A) That the report of the Democratic Support Manager titled “2018 Local Government New Zealand Annual General Meeting, Conference Remit Process” dated 22/03/2018 be received.
- B) That Council prepare and submit remits to Zone 3 meeting on the

following:

- Limit fireworks for public displays only
- Product stewardship
- Maori Wards

CARRIED

19. REQUESTS RECEIVED UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT (LGOIMA) MONTHLY UPDATE
(Document 18/211)

Councillor Redstone/Councillor Schollum

- A) That the report of the Democratic Support Manager titled “Requests Received under the Local Government Official Information and Meetings Act (LGOIMA) Monthly Update” dated 22/03/2018 be received.
- B) That the LGOIMA requests received in December 2017 as set out in Attachment 1 (IRB-2-01-18-1153) of the report in (A) above be noted.

CARRIED

20. UPDATED 2018 MEETING SCHEDULE CHANGES
(Document 18/228)

Councillor Travers/Councillor Nixon

- A) That the report of the Democratic Support Manager titled “Updated 2018 Meeting Schedule Changes” dated 22/03/2018 be received.
- B) That the 2018 Meeting Schedule be amended as follows:-

Committee	Date	Time	Venue
Temporary Road Closures Hearing (HB Car Club)	29 March 2018	8.00am	Landmarks Room
Temporary Road Closures Hearing (Targa Rally)	19 April 2018	10.00am	Council Chamber
Joint Council Waste Futures Project Steering Committee	Commencing 18 June 2018 (previously 12 April 2018)	9.00am	Council Chamber
Council (Representation Review Submissions)	26 June 2018 (previously 24 July 2018)	9.00am	Council Chamber
Landmarks Advisory Group	13 June 2018 (previously 20 June 2018)	3.30pm	Landmarks Room

CARRIED

21. ADDITIONAL BUSINESS ITEMS

Mayor Hazlehurst/Councillor Redstone

That the report titled “Retail Electricity Supply” be considered as an Additional Business Item and included on the agenda in the Public Excluded session as Item 25.

CARRIED

22. EXTRAORDINARY BUSINESS ITEMS

There were no extraordinary business items.

23. RECOMMENDATION TO EXCLUDE THE PUBLIC FROM ITEMS 23, 24 AND 25

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Councillor Heaps/Councillor Barber

THAT the public now be excluded from the following parts of the meeting, namely;

23. Pakowhai/Farndon Road Safety Improvements as a Variation to CON2015045 Whakatu Arterial Link Physical Works

24. CON2017086 Rural Pavement and Corridor Management Contract

25. Retail Electricity Supply (Additional Item)

The general subject of the matter to be considered while the public is excluded, the reason for passing this Resolution in relation to the matter and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this Resolution is as follows:

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION
23. Pakowhai/Farndon Road Safety Improvements as a Variation to CON2015045 Whakatu Arterial Link Physical Works	<p>Section 7 (2) (h)</p> <p>The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p> <p>To enable Council to continue negotiations.</p>	Section 48(1)(a)(i) Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.

24. CON2017086 Rural Pavement and Corridor Management Contract

Section 7 (2) (h)

The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.

To enable Council to undertake negotiations.

Section 48(1)(a)(i)

Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.

25. Retail Electricity Supply

Section 7 (2) (b) (ii)

The withholding of the information is necessary to protect information where the making available of the information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information.

Section 7 (2) (i)

The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

The report includes confidential pricing information.

Section 48(1)(a)(i)

Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.

CARRIED

The meeting closed at 4.45pm

Confirmed:

Chairman:

Date: