
MEETING	EXECUTIVE
DATE	23 DECEMBER 2008
PRESENT	COUNCILLORS WALLER (CHAIR), STEVE GALLOWAY (IN THE CHAIR FOR AGENDA ITEM 13 - MINUTE 148 REFERS), SUE GALLOWAY, MOORE, REID, RUNCIMAN AND VASSIE

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS

134. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

Cllr Reid declared a personal and prejudicial interest in agenda item 6 (Future of the City Archive Service), as a member of the Company of Cordwainers, an organisation which had documents stored in the Archive and had previously commented on plans for its future. She left the room during consideration of this item and took no part in the discussion or decision thereon.

Cllrs Sue Galloway, Runciman and Waller each declared a personal and prejudicial interest in agenda item 13 (Urgent Business – Granting a Loan to an Outside Body: York Credit Union), as members of the YCU and, in the case of Cllr Runciman, as the partner of a Director of the YCU. They all left the meeting during consideration of this item and took no part in the discussion or decision thereon. Cllr Steve Galloway took the Chair for this item.

135. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public be excluded from the meeting during consideration of Annex E to agenda item 12 (West of York Household Waste Site – Land Options), on the grounds that it contains information relating to the financial and business affairs of particular persons (including the authority holding that information), which is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

136. MINUTES

RESOLVED: That the minutes of the Executive meeting held on 2 December 2008 be approved and signed by the Chair as a correct record.

137. PUBLIC PARTICIPATION / OTHER SPEAKERS

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme. Further requests to speak, received from a Union representative and a Council Member, had also been received and granted by the Chair..

Eileen Wright, Chair of the Friends of the York City Archive, spoke in relation to agenda item 6 (Future of the City Archive Service). She welcomed in principle the report prepared by Richard Taylor, which recognised the importance of the Archive and the need for it to remain accessible, and expressed the willingness of the Friends to make a positive contribution, both financially and otherwise, to the future plans.

Andrea Dudding, of UNISON, also commented on agenda item 6. She also welcome Richard Taylor's report and urged the Executive to accept the proposals in that report, to ensure that funding was guaranteed over the proposed five year implementation period and to approve the creation of a full time, rather than part time, post of Information Assistant.

Cllr Looker spoke in relation to agenda item 13 (Urgent Business – Granting a Loan to an Outside Body – York Credit Union), in her capacity as Director of the York Credit Union (YCU). She outlined the operation of the YCU, which as a relatively new body had not yet achieved a balance between its savers and borrowers, but was recognised as a competent and credible organisation. She expressed the hope that Members would agree to invest in the YCU and enable it to expand as an asset for the whole City.

138. EXECUTIVE FORWARD PLAN

Members received and noted details of those items that were currently listed on the Forward Plan for the next two meetings of the Executive.

139. FUTURE OF THE CITY ARCHIVE SERVICE

Members considered a report which proposed a way forward for the future of the City Archive service, following completion of the feasibility study authorised by the Executive in March 2008.

The study had been undertaken by Richard Taylor, seconded from the National Railway Museum as a consultant. His report was attached as Annex B. Key conclusions from the study were that the City Archive had significant potential but currently had no leadership, management or financial capacity to unlock that potential and no capacity to develop outreach to new users. Detailed recommendations from the study were summarised in paragraph 6 of the report. Briefly, these involved retaining the Archive in-house within the Library service, merging the Archive and Local Studies into a single service, creating a Development Trust as a focus for fundraising, creating a new post of Development Manager in place of the City Archivist post and creating an additional post of

Information Assistant at either 0.8 (Option 1) or 1.0 (Option 2) full time equivalent. To reinforce the Archive's return to its core remit, it was suggested that the Lord Mayor be designated Honorary Keeper of the City Archive.

It was recommended that Members agree to invest in development of the service, in line with the recommendations set out in Richard Taylor's report. The alternative was to do nothing and maintain the status quo; however, it had long been recognised that this was not an option due to the lack of adequate facilities to house and give access to the collections in the long term and the lack of funding for the former post of City Archivist. Investment in the service would provide the capacity necessary to develop it in line with the vision previously agreed by Members. A five year implementation timetable was proposed, key milestones of which were summarised in paragraph 12 of the report. Budgetary implications were set out in paragraph 13. If Option 1 were chosen, additional resources of £43k maximum would be required from April 2009. For Option 2, the figure would be £46k. In either case there would also be a one-off payment of £30k to the Development Trust.

Members thanked Richard Taylor for his report and noted the implementation timetable proposed, with the caveat that substantial investment would be required from the Heritage Lottery Fund at a time when its resources were stretched due to the 2012 London Olympics.

RESOLVED: (i) That the following be agreed in principle:

- a) The proposed strategy of retaining the City Archive in-house and creating a single Archives and Local History service within the Library Service.¹
- b) The creation of two new posts in place of the former post of City Archivist, namely:
 - A post of Development Manager
 - An additional 0.8 fte post of Information Assistant.²
- c) The designation of at the Lord Mayor as Honorary Keeper of the Archive.³
- d) The creation of a Development Trust, with a one-off start-up capital grant of £30k, to support the work of the service and with responsibility for trading activity.⁴
- e) The provision of a one-off start-up capital grant of £30k to support the work of the service and of £32k additional staffing costs in 2009/10, both of these to be treated as one-off start-up costs, and to be considered as a budget growth item (one year only) as part of the budget process for 2009/10.⁵
- f) The funding of additional staffing costs from 2010/11 from within the LCCS budget through the

identification of efficiency savings within the ongoing Leisure and Culture review. These savings will be derived from additional income generation and more efficient use of staffing resources within the LCCS budget.⁶

(ii) That Officers approach the York Museums Trust over the capital investment required for the relocation of the Archive from the Art Gallery to York Library with respect to the Council's existing Capital Programme.⁷

REASON: To secure a viable future for the City Archive.

Action Required

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| 1. Make arrangements to create an Archives and Local History service | CB |
| 2. Create new posts of Development Manager and Information Assistant (0.8 fte) | CB |
| 3. Designate Lord Mayor as Honorary Keeper of the Archive | CB |
| 4. Create a Development Trust | CB |
| 5. Include provision for capital grant and staffing costs in 2009/10 budget for the department | CB |
| 6. Identify efficiency savings as part of Leisure and Culture review | CB |
| 7. Approach the York Museums Trust re capital investment for relocation of the Archive | CB |

140. ACCOMMODATION PROJECT: PEASHOLME HOSTEL UPDATE

Members considered a report which provided an update on the re-tendering of works to complete the Peaseholme Hostel, as a result of the original contractor, Allerton Construction Ltd., going into voluntary liquidation in September 2008.

Following a re-tendering exercise carried out in October, the contract to complete the works had been awarded to Irwins Ltd. A full financial check had been carried out on the new contractor, who had also been asked to provide a Bond from their bank to help cover the cost of re-tendering should they fail to complete the contract as a result of administration.

Prior to the re-tendering, costs of the project had risen by £117,000 due to settlement of a dispute over the failure of concrete piling, and by a further £311,000 as a result of the voluntary liquidation. The total revised cost now stood at £2,228,000. Additional costs would be contained within the overall cost of the Administration Accommodation Project budget of £43.8m. The project was expected to be completed in July 2009.

RESOLVED: (i) That the appointment of Irwins Ltd. as contractor for the completion of the Peasholme Hostel Relocation project be noted.

(ii) That the contents of the report be noted and that the additional costs incurred, as a result of the original contractor going into voluntary liquidation, be acknowledged.

(iii) That Officers be requested to take the necessary legal steps with the Receiver for Allerton Construction to recover the additional costs to City of York Council.¹

(iii) That the new allocation of £2,228,000 as the total estimated cost of relocating the Peasholme Hostel, to be funded from within the Administrative Accommodation Project budget, be approved.²

REASON: To enable this important project to be completed and to ensure that the Council recovers any additional costs that it can.

Action Required

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| 1. Take steps to recover additional costs to CYC | SS |
| 2. Make the necessary adjustment to the budget | SS |

141. CORPORATE EFFICIENCY PROGRAMME AND UPDATE ON SPECIFIC EFFICIENCY REVIEWS

[See also under Part B Minutes]

Members considered a report which provided information on issues relating to Efficiency across the Council; specifically, the Corporate Efficiency Programme (CEP) and progress on individual efficiency reviews.

Part 1 of the report outlined progress made on moving forward with a major CEP, following the Executive's decision in September 2008 to procure a performance partner. A detailed procurement process had now been undertaken and Northgate Kendrick Ash (NKA) had been chosen for this role. Next steps would include two distinct phases – a twelve week scoping review, and a three year Performance Partnership with clearly defined milestones towards the achievement of a minimum £15m net efficiency target for delivery of service, organisational and financial improvements. The cost of the initial review would be £52,000. Critical elements of both phases would be to enable a partnership approach, create a successful engagement model and embed a strong governance model. During the initial review, NKA would require support to ensure the engagement of Council staff and stakeholders at all levels.

Part 2 of the report outlined the current position on the reviews commissioned as part of the 2008/09 budget process. Details of the reviews of Subsidised and Community Transport and of Leisure and Culture were attached as annexes 1 and 2 to the report. Details of the ongoing investment in the Organisational Effectiveness Programme (now the Single Improvement Plan) were set out in paragraph 29(iii). This included the allocation of £20k to Corporate Accountancy for Efficiency Reviews, £25k to the Performance and Improvement Team and £40k to

Public Services, to fund a Customer Relations post. The review of Commercial Property had been abandoned following discussions with Members and it was suggested that the £50k allocated to this review be added to the Efficiency Reserve, on the basis that the Efficiency Programme would at some stage consider the commercial property portfolio. The reviews of Property Services and of Shared services would be incorporated in the CEP and approval was therefore sought to transfer the funds for these reviews to the Efficiency Reserve.

- RESOLVED:
- (i) That progress on the Corporate Efficiency Programme be noted and that the approach to the CEP and the selection of Northgate Kendrick Ash be endorsed.
 - (ii) That approval be given to fund the scoping study from the Efficiency Reserve, at a cost of £52,000.¹
 - (iii) That regular update reports be provided to the Executive at not less than 6 monthly intervals, that individual Executive Members be kept advised of progress made on projects which may impact on their portfolio responsibilities, and that the Executive Leader or his nominee be nominated to sit on the CEP Strategic Steering Board.²
 - (iv) That the progress in relation to the review of Leisure, Transport and allocation of funds for Organisational Effectiveness be noted.

REASON: For information and to ensure full Member engagement in the Corporate Efficiency Programme and the achievement of efficiency savings targets.

Action Required

- 1. Proceed with the scoping study and make the agreed adjustments to the Efficiency Reserve SA
- 2. Schedule 6 monthly update reports on Executive Forward Plan and make the appropriate nomination for membership of the CEP Strategic Steering Board SA

142. THE COMMUNITY ENGAGEMENT STRATEGY

Members considered a report which outlined progress on the production of a Community Engagement Strategy and asked them to approve the direction taken so far and the proposed next steps.

The production of a Community Engagement Strategy (CES) was one of the actions included in the Single Improvement Programme (SIP). Other drivers for the focus on engagement included the new Comprehensive Area Assessment and the 'Duty to Involve', which would come into force in April 2009 as part of the Local Government and Public Involvement in

Health Act 2007. Current research indicated that most residents in the City felt they had insufficient information and involvement in respect of Council decisions.

Work to date had been steered by an Engagement Reference Group of Officers from all directorates and grades. Membership details were attached at Annex A. Actions had included a senior managers' workshop, informal 'soundings' from a number of sources (Annex D) and a review of other councils' engagement strategies (Annex E). In the light of the outcomes of this work, and national government guidance, the Group had concluded that, to achieve better consultation in the City, the Council must spread its existing best practice more reliably, co-ordinate consultation better and make information on the tools and techniques for consultation more clearly available to teams across the Council. To achieve this, the Group recommended a framework consisting of a set of principles to form the basis of a strategy and a simple toolkit to delivery the strategy. A draft strategy and toolkit were attached as Annexes B and C to the report.

Members thanked Officers for the report and commented that it was helpful for the Council to take a strategic look at how it communicated with residents. Communication should utilise a variety of media and should include traditional as well as web-based methods.

RESOLVED: (i) That the Chief Executive, together with Marketing and Communications and the Engagement Reference Group, produce a web-based strategy and user-friendly toolkit by February 2009 and bring it back to Members.¹

(ii) That the project proposals be approved, and in particular:

- The approach taken, and the outcomes of the process so far
- The draft strategy at Annex B
- The draft toolkit at Annex C.

(iii) That the proposals for consultation and engagement with Members and others, as set out in Annex D, be approved.

REASON: To enable the final Strategy to be prepared and brought to the Executive for approval in February 2009.

Action Required

1. Produce Strategy and toolkit and schedule report on Executive Forward Plan for February 2009 SC

143. CITY OF YORK COUNCIL - CHANGES TO PPS12 AND A REVISED LOCAL DEVELOPMENT SCHEME

Members considered a report that advised them of the production of a revised Local Development Scheme (LDS), which was the three-year project plan for delivery of the Local Development Framework (LDF).

PPS12, the document containing government guidance on the production of development plans, had been revised and re-published in June 2008. A summary of the changes was provided in paragraphs 7 to 15 of the report. Briefly, these included the introduction of:

- Less detailed and prescriptive guidance overall
- The ability to allocate 'strategic sites' within Core Strategies
- Informal consultation before submission, in place of the 'Issues and Options' and 'Preferred Options' formal stages.
- A requirement for plans to be 'justified', 'effective' and 'consistent with national policy', in place of the 'tests of soundness'.

Members were invited to approve the draft LDS for formal submission to the Government Office for Yorkshire and the Humber, subject to the recommendations made on the document by the LDF Working Group at their meeting on 4 November 2008 (Option 1). Minutes of that meeting were attached as Annex A to the report. A draft copy of the LDS, amended to reflect the Working Group's comments, was attached as Annex B. Other available options were to seek further amendments to the LDS (Option 2) or to request Officers to prepare an alternative project plan (Option 3).

RESOLVED: (i) That the draft Local Development Scheme at Annex B to the report, which incorporates the recommendations made by the LDF Working Group on 4 November 2008, be approved for formal submission to the Government Office for Yorkshire and the Humber.¹

REASON: To ensure that the Local Development Scheme for York is submitted to the Government Office as required under the Planning and Compulsory Purchase Act.

(ii) That authority be delegated to the Director of City Strategy, in consultation with the Executive Member and Shadow Executive Member for City Strategy, to make any other necessary changes arising from the recommendations of the LDF Working Group or Executive, prior to submission to the Government Office.

REASON: To ensure that any recommendations are incorporated into the submission draft LDS.

(iii) That authority be delegated to the Director of City Strategy, in consultation with the Executive Member and Shadow Executive Member for City Strategy, to make any minor changes arising from comments made by the Government Office or the Planning Inspectorate following formal submission of the LDS.²

REASON: To enable the authority to respond to any comments made by the Government Office or the Planning Inspectorate that would lead to minor changes to the LDS.

Action Required

1. Submit amended draft LDS to Government Office SS
2. Make changes, if required, in consultation with Executive SS
Member and Shadow Executive Member

144. WEST OF YORK HOUSEHOLD WASTE SITE - LAND OPTION

[See also under Part B Minutes]

Members considered a report which sought approval to carry out a detailed appraisal for a Household Waste Recycling Centre (HWRC) at Harewood Whin, as the preferred option to replace the Beckfield Lane HWRC, to serve the west of the City.

Results of a feasibility study carried out to determine the most suitable location for the replacement facility were attached as Annex A to the report. The study had concluded that a site at Harewood Whin could be turned into a viable HWRC at significantly less cost, and earlier, than the other potential sites.

Members were invited to consider the following options:

Option 1 – accept the findings of the study and approve Harewood Whin as the preferred option for a detailed appraisal. This was the recommended option, on the basis of the work already carried out.

Option 2 – ask Officers to seek out further sites for investigation and report back on their findings.

It was noted that a report seeking approval to fund the purchase of a field at Harewood Whin to serve as a replacement site had been considered by the Staffing and Urgency Committee on 18 December. The Committee had recommended that the decision to release these funds be taken by Full Council on 22 January. Officers requested that a decision on whether to purchase the field (subject to funding) now be taken by the Executive.

RESOLVED: (i) That the decision taken, and resources allocated, at the Executive meeting on 9 September, to plan and progress the provision of a new recycling centre at Harewood Whin to replace the Beckfield Lane facility, be noted.

(ii) That Officers be instructed to take such steps as may be necessary to produce detailed designs and land acquisition strategies prior to the submission of a planning application.

(iii) That, subject to it still being available on the market and subject to Full Council approving the release of the necessary funding, approval be given to purchase the field to the east of Newgate Bridge, as illustrated in Annex B to the report.

REASON: To provide a more suitable location than Beckfield Lane for a Household Waste Recycling Centre and on the basis that Harewood Whin has emerged as the preferred option for a replacement site.

Note: Tthe above resolutions were deleted following re-consideration of this item at the Executive (Calling In) meeting on 6 January 2009.

PART B - MATTERS REFERRED TO COUNCIL

145. CORPORATE EFFICIENCY PROGRAMME AND UPDATE ON SPECIFIC EFFICIENCY REVIEWS

[See also under Part A Minutes]

Members considered a report which provided information on issues relating to Efficiency across the Council; specifically, the Corporate Efficiency Programme (CEP) and progress on individual efficiency reviews.

Part 1 of the report outlined progress made on moving forward with a major CEP, following the Executive's decision in September 2008 to procure a performance partner. A detailed procurement process had now been undertaken and Northgate Kendrick Ash (NKA) had been chosen for this role. Next steps would include two distinct phases – a twelve week scoping review, and a three year Performance Partnership with clearly defined milestones towards the achievement of a minimum £15m net efficiency target for delivery of service, organisational and financial improvements. The cost of the initial review would be £52,000. Critical elements of both phases would be to enable a partnership approach, create a successful engagement model and embed a strong governance model. During the initial review, NKA would require support to ensure the engagement of Council staff and stakeholders at all levels.

Part 2 of the report outlined the current position on the reviews commissioned as part of the 2008/09 budget process. Details of the reviews of Subsidised and Community Transport and of Leisure and Culture were attached as annexes 1 and 2 to the report. Details of the ongoing investment in the Organisational Effectiveness Programme (now the Single Improvement Plan) were set out in paragraph 29(iii). This included the allocation of £20k to Corporate Accountancy for Efficiency Reviews, £25k to the Performance and Improvement Team and £40k to Public Services, to fund a Customer Relations post. The review of Commercial Property had been abandoned following discussions with Members and it was suggested that the £50k allocated to this review be added to the Efficiency Reserve, on the basis that the Efficiency Programme would at some stage consider the commercial property portfolio. The reviews of Property Services and of Shared services would be incorporated in the CEP and approval was therefore sought to transfer the funds for these reviews to the Efficiency Reserve.

RECOMMENDED: (i) That the Corporate Efficiency Programme now take forward some of the reviews agreed as part of the

2008/09 budget, in particular those relating to Property Services, the Commercial Portfolio and the consideration of services that the Council should strategically procure or share.

(ii) That approval be given to transfer the funds of £125,000 approved for these reviews to the existing Efficiency Reserve.

REASON: In accordance with the decision taken at Budget Council in February 2008 to carry out these reviews.

146. WEB CASTING OF COUNCIL MEETINGS

Members considered a report which asked them to consider further the costs associated with introducing static web-streaming technology into the Council Chamber in the light of the decision taken by Full Council in September 2008 to establish a negotiated contract for web-casting Council meetings.

A bid to secure funding for the proposal had been brought to the Executive meeting on 2 December 2008 as part of the IT Development Plan for 2009/10 (Minute 132 of that meeting refers). Members had requested a separate report confirming the capital and revenue costs of a static web-streaming facility and how contract negotiations would be undertaken. The options presented in the report were:

Option 1 – to provide funding from the IT Development Plan 2009/10, to be approved as part of the budget process in February 2009;

Option 2 - to provide funding in year from reserves, enabling static webstreaming facilities to be procured during 2008/09.

Estimated details of the costs were included in the bid details attached as Annex A to the report. It was noted that, if Members wished to procure in-year, then the initial capital costs would be higher, at £21,720, and ongoing revenue costs of £10,394 would have to be found. Further information on the costs of each option was contained in Annex B to the report. In respect of contract negotiations, a tendering exercise would be initiated to evaluate suitable solutions. This process would involve Officers from Democratic Services, IT&T and Central Procurement. Listed building consent might have to be sought if structural changes were needed to lay cabling and install cameras in the Council Chamber.

RESOLVED: That the Executive records its concern that the proposal to use an external agency to web-cast live Council meetings, and some Planning Committee meetings, is an expensive option and that there is little evidence to suggest that significant numbers of York residents will access this service.

RECOMMENDED: That, should Council wish to proceed with this option, then the funding for the capital works be taken from the Council's reserves and that any ongoing funding

requirements should represent a growth bid against the 2009/10 revenue budget.

REASON: In order to implement Council's previous decision to introduce web-casting, if Council still wishes to do so, and to provide appropriate funding for this.

147. WEST OF YORK HOUSEHOLD WASTE SITE - LAND OPTION

[See also under Part A Minutes]

Members considered a report which sought approval to carry out a detailed appraisal for a Household Waste Recycling Centre(HWRC) at Harewood Whin, as the preferred option to replace the Beckfield Lane HWRC, to serve the west of the City.

Results of a feasibility study carried out to determine the most suitable location for the replacement facility were attached as Annex A to the report. The study had concluded that a site at Harewood Whin could be turned into a viable HWRC at significantly less cost, and earlier, than the other potential sites.

Members were invited to consider the following options:

Option 1 – accept the findings of the study and approve Harewood Whin as the preferred option for a detailed appraisal. This was the recommended option, on the basis of the work already carried out.

Option 2 – ask Officers to seek out further sites for investigation and report back on their findings.

RECOMMENDED: That Council approve the release of funding to purchase the field to the east of Newgate Bridge, as illustrated in Annex B to the report.

REASON: In order to provide a suitable location for a replacement Household Waste Recycling Centre at Harewood Whin.

Note: In the light of the deletion of the resolutions on this item, as recorded under Minute 144, the above recommendation no longer stands.

148. URGENT BUSINESS - GRANTING A LOAN TO AN OUTSIDE BODY: YORK CREDIT UNION

Members considered a report which outlined for potential for granting a loan to the York Credit Union (YCU) and sought direction as to how to proceed.

The Chair had agreed to deal with this report under urgent business, to allow early consideration of this priority matter before the meeting of Full Council on 22 January 2009.

YCU were requesting a loan from the Council in the sum of £150k, to enable them to bring their approved and pending loans up to date, as well as to provide for the expected growth in loan requests over the coming months, in order to assist the people of York in the current difficult economic climate. Under the Financial Services Authority (FSA) regulations by which they were bound, YCU could only borrow funds of this amount in the form of a subordinate loan meeting the conditions of the Credit Unions Source Book (CRED). Such a loan could not be secured and must rank behind all non-unsubordinated loans (of which YCU had none at present) and members' share balances. Details of the potential risks involved were set out in paragraphs 44 and 45 of the report.

Members were invited to consider the following options:

Option 1 – not to lend YCU any funds.

Option 2 – to lend YCU £52k, which was the maximum amount that could be lent if the loan were not a subordinate loan.

Option 3 – to lend YCU a subordinate loan of £100k. This was the amount of loans currently approved and pending approval by YCU.

Option 4 – to lend YCU a subordinate loan of £150k, as requested. This would bring approved and pending loans up to date and provide for the expected growth in loan requests over the coming months.

RECOMMENDED: (i) That a loan not exceeding £100,000 - if possible structured so that the first £52,000 is a preferential loan with the remainder to be classified as a subordinated loan - be made to the York Credit Union to enable them to provide loans to their members during the present difficult economic situation. The loan interest to be calculated at the current rate being obtained by the Council on its other investments.

REASON: In order to help minimise the impact of the current difficult economic climate on the people of York.

(ii) That Council seek the agreement of the Credit Union to the appointment of a member of staff from the Council's Resources department to its Executive Board, in order to allow the Council to maintain a check on the financial position of the Credit Union, or by such other means as are acceptable to the Director of Resources.

REASON: To allow the Council to maintain a check on the financial position of the Credit Union.

A Waller, Chair

[The meeting started at 2.00 pm and finished at 3.10 pm].

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