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Gareth Owens LL.B Barrister/Bargyfreithiwr Chief Officer (Governance)

Chief Officer (Governance)
Prif Swyddog (Llywodraethu)



To: Cllr Veronica Gay (Chair)

Councillors: Haydn Bateman, Ron Davies, Glenys Diskin, Chris Dolphin, David Evans, Cindy Hinds, Ray Hughes, Hilary Isherwood, Joe Johnson, Colin Legg, Brian Lloyd, Nancy Matthews, Ann Minshull and Paul Shotton CS/NG

2 July 2015

Sharon Thomas / 01352 702324 sharon.b.thomas@flintshire.gov.uk

Dear Sir / Madam

A meeting of the **ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE** will be held in the **DELYN COMMITTEE ROOM, COUNTY HALL, MOLD CH7 6NA** on **FRIDAY, 10TH JULY, 2015** at **10.00 AM** to consider the following items.

Yours faithfully

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Democracy & Governance Manager

AGENDA

- 1 **APOLOGIES**
- 2 <u>DECLARATIONS OF INTEREST (INCLUDING WHIPPING</u> DECLARATIONS)
- 3 CONSIDERATION OF A MATTER REFERRED TO THE COMMITTEE PURSUANT TO THE CALL IN ARRANGEMENTS (Pages 3 6)

A decision of the Cabinet meeting on 23 June 2015 relating to Hope Household Recycling Centre has been called in. Attached is a copy of the procedure for dealing with a called in item.

4 HOPE HOUSEHOLD RECYCLING CENTRE (Pages 7 - 22)

Report of Chief Officer (Streetscene and Transportation) - Cabinet Member for Waste Strategy, Public Protection and Leisure

To assist Members, the following documents are attached:-

- Copy of the report of the Chief Officer (Streetscene & Transportation) Hope Household Recycling Centre
- Copy of the Record of Decision
- Copy of the Call In Notice

FLINTSHIRE COUNTY COUNCIL

OVERVIEW & SCRUTINY

CALL-IN ARRANGEMENTS

1. Background

The arrangements for calling in a decision are to be found in paragraph 16 of the Overview & Scrutiny Procedure Rules contained within the Council's Constitution. The legal authority is derived from section 21 (3) of the Local Government Act 2000. This note summarises the provisions in the Constitution.

2. Decision of the Cabinet

When a decision is made by the Cabinet, the Democracy & Governance Manager publishes a record of those decisions within two days of them being made. Copies are available at County Hall, and are sent to all Members of the County Council.

The decision record bears the date on which it was published and specifies that the decision will come into force, and may then be implemented on the expiry of five working days after the publication of the decision, unless it is called in within 5 working days after the publication of the decision

3. Calling in a Decision

If the Democracy & Governance Manager receives a request from the Chair or at least four members of the Council, (for the avoidance of doubt such a request should be in writing, giving the reason for the call-in, and signed by all parties) the Democracy & Governance Manager will notify the decision taker of the call-in, and then arrange a meeting of the Committee within seven working days of the decision to call-in. (The last working day before Christmas and the three working days between Christmas and New Year will not be counted as working days for the purposes of this paragraph).

4. The Call-in Meeting

By their nature, call-in meetings will be held at short notice (i.e. within seven working days of the call-in decision) and the only item of business to be transacted would normally be to deal with the call-in. However, from time to time it is expedient to consider a call in at a meeting which has already been convened.

It is suggested that the procedure outlined below be used at such a meeting.

5. Procedure for a Call-in Meeting

- (i) The decision makers who have been invited to the meeting (usually the relevant Cabinet Member(s) and/or Chief Officer(s)) should be invited to sit at the committee table at the start of the meeting, as should any initiators of the call in who are not already members of the committee.
- (ii) The Chairman will invite the Member Engagement Manager to briefly outline the call-in procedure for Members of the Committee, explaining the time constraints within the Constitution. The Officer should also outline the ideal procedure, set out below, for an Overview & Scrutiny Committee to deal with a call-in meeting.
- (iii) The Chairman will then invite the initiators of the call-in (those who have signed the letter) to explain and clarify their reasons for calling in the decision. This can be by means of a spokesman, or by several Members contributing.
- (iv) The decision makers will then have the opportunity to respond to the issues raised by those initiating the call-in and provide further information if they believe that it will assist the committee's understanding of the decision.
- (v) The Chairman will then invite questions from Members, and the decision-makers and call-in initiators will be invited to answer the questions.
- (vi) At the end of Members' questions, the Chairman will ask the initiators of the call-in and the decision makers to sum up their respective cases.
- (vii) The Chairman will then invite the Member Engagement Manager to explain the Committee's options for decision contained in the Constitution. The decision should include one of the four options given below, which are contained in the Constitution.

Option 1

If, having considered the decision, the Overview & Scrutiny Committee is satisfied with the explanation which it has received, it will indicate as such, in order for the decision to be implemented.

Option 2

If, having considered the decision, the Overview & Scrutiny Committee is 'no longer concerned', having received the explanations, but is not minded to indicate that it is 'satisfied with the explanation', then it is in order for the Committee to resolve that 'the explanation be accepted <u>but not endorsed</u> by the Overview & Scrutiny Committee'.

Option 3

If, having considered the decision, the Overview & Scrutiny Committee is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns. If referred to the decision maker then the decision maker shall then reconsider, at the earliest scheduled meeting, amending the decision or not, before adopting a final decision.

Option 4

If, having considered the decision, the Overview & Scrutiny Committee is still concerned about it, then it may refer the matter to full Council. If referred to full Council, the Council shall meet to consider the referral within 10 working days unless there is a scheduled meeting of the full Council at which the matter may be considered within the expiry of a further 5 working days.

Note:

If either Option 1 or Option 2 is decided upon, the Cabinet decision can be implemented after the Overview & Scrutiny meeting. If either Option 3 or 4 is decided upon, the Cabinet decision cannot be implemented after the Overview & Scrutiny meeting until it has received further consideration by either the Cabinet or Council.

(viii) The Committee will then discuss the matter and following debate, reach a decision.



Agenda Item 4

FLINTSHIRE COUNTY COUNCIL

REPORT TO: CABINET

DATE: TUESDAY, 23 JUNE 2015

REPORT BY: CHIEF OFFICER (STREETSCENE AND

TRANSPORTATION)

SUBJECT: HOPE HOUSEHOLD RECYCLING CENTRE

1.00 PURPOSE OF REPORT

1.01 To provide Cabinet with the outcome of the extended dialogue and discussions with County Councillors and local Community Councils over the future of Hope Household Recycling Centre (HRC)

2.00 BACKGROUND

- 2.01 On 23 April 2015 Cabinet considered the new waste collections policy. The policy included a proposal to rationalise the Councils HRC provision which included the closure the HRC facility in Hope.
- **2.02** The new policy was approved by Cabinet with the inclusion of the following additional recommendation
 - "To allow for further public consultation and discussion with the new member for the Caergwrle ward, a decision about the future of Hope Household Recycling Centre be deferred until June 2015"
- 2.03 In the period since the April Cabinet meeting, the following additional consultation meetings have taken place.

May18th 2015 – Cabinet Member and Chief Officer met with all of the local County Council members (Including the new member for Caergwrle)

June 2015 - Cabinet Member and Chief Officer attended the following Community Council meetings

- Leeswood
- Hope and Caergwrle
- Treuddyn
- Penyffordd
- Kinnerton
- Llanyfynydd

- 2.04 The Cabinet Member and Chief Officer were well received at each of the meetings and despite the obvious local concerns within the communities, were provided with the opportunity to provide the background to the recommendation to close the site at well managed meetings. At each of the events those in attendance asked a number of questions, which were subsequently summarised in a document of Frequently Asked Questions and passed to those in attendance through the Community Councils. (Appendix 1)
- 2.05 The Council received numerous requests for further information during the period. This included breakdowns on footfalls, recycling rates and the cost of operating the site and projected savings from the closure. This information was provided and two members of the community were invited to attend Alltami depot to go through the figures provided in a greater level of detail.

3.00 CONSIDERATIONS

- **3.01** During the meeting with County Councillors in May, an alternative option which would involve the transfer of the facility to the community under asset transfer arrangements, was suggested.
- 3.02 The proposal would result in the site continuing to operate as a community asset, with local volunteers or community groups taking on responsibility for the site and all the daily activities there.

Details were as follows:

- The site would transfer to a group of interested Community Councils or community groups, following the Councils Asset Transfer protocols
- The site would remain open as 'Recycling Only' facility at weekends only staffed and operated by the community
 - Note Local members preferred a residual waste disposal option to be provided at the site but this would not be possible given the ever increasing cost of landfill and national recycling targets imposed by Welsh Government on each County Council
- County Council officers would provide support and guidance to the community groups for permit applications etc.
- The County Council will continue to service the site and provide access to the recycling markets used by the Council. The value of the recycling products received at the site would be passed onto the new operating organisations
- 3.03 If a notice of intent (expression of interest) was received from one or more of the local Community Councils or community groups to

proceed on this basis, the Council would operate the above arrangements (Recycling and weekend only) in the interim period to allow the asset transfer to take place and the new operating arrangements to be introduced

3.04 The proposed timelines for the proposal are as follows:-

Closing date for receipt of notice of intent (Expression of interest EOI) – 1st September 2015

Target hand over date – subject to completion of Asset Transfer documentation following receipt of EOI – 1 January 2016

The new arrangement (Saturday / Sunday & 'Recycling Only') would commence under County Council control on 1st July 2015 until the hand over takes place on 1 January 2016.

The site will close completely on 1st September 2015 if a notification of EOI is not received from the Community Councils or community groups.

- 3.05 All Councillors present at the meeting in May agreed that this was a sustainable route forward for the facility and agreed that the proposals should be presented to each Community Council for their consideration.
- 3.06 The information and the new proposed operating model was then presented to each Community Council and during the period of the meeting schedule a second option was also put forward by one of the Community Councils for the site as follows

As option detailed in 3.02 - The site becomes a 'Recycling only' and 'Weekend only' from 1st July 2015

Subject to the receipt of an EOI from one or more Community Councils or community groups by August 31st 2015, the site will remain open on this basis to allow the community to develop a volunteer's rota to operate the site. Following receipt of the rota, the site would then remain in the ownership and management of the Council, with the site staff provided through the community to run the facility at weekends.

The Council will provide full training, risk assessments etc. for the volunteers who would work at the facility.

The two options were confirmed to each Community Council with a request that any expression of interest is received by 31st August 2015.

4.00 RECOMMENDATIONS

- **4.01** That Cabinet approve that Hope HRC site operates on weekends only basis from 6th July 2015 and receives only recycled material at the facility after this date
- **4.02** That Cabinet approves the proposed closing date for the receipt of expressions of interest from any Community Council (s) or community groups indicating interest in operating the facility or providing volunteers to operate the site in future.
- 4.03 That Cabinet approves the closure of the site on 1st September 2015 should no expressions of interest be received or at a date between 1st September and 1st January 2016, if there is no evidence during the period that the expression of interest received is likely to progress
- 4.04 That Cabinet approves extending the period of operations at the facility on a weekend/recycling only basis, subject to the receipt of an expressions of interest from any Community Council (s) or community groups to operate the facility as a community asset

5.00 FINANCIAL IMPLICATION

5.01 The proposals will reduce the expected savings from the rationalisation of HRC's in the period that the site remains open and before it is transferred to the community

6.00 ANTI POVERTY IMPACT

6.01 No impact

7.00 ENVIRONMENTAL IMPACT

7.01 Increasing recycling levels and reducing landfill volumes will positively impact on the environment

8.00 EQUALITIES IMPACT

8.01 The proposal will not disproportionately impact on any individual or protected group

9.00 PERSONNEL IMPLICATIONS

9.01 None – staff will transfer to other sites replacing current temporary agency staff

10.00 CONSULTATION REQUIRED

None

11.00 CONSULTATION UNDERTAKEN

As detailed in the report

12.00 APPENDICES

Appendix 1 – FAQ's and briefing note

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985 BACKGROUND DOCUMENTS

Contact Officer: S Jones Telephone: 01352 704700

Email: Stephen.o.jones@flintshire.gov.uk



Sir y Fflint Flintshire

Streetscene & Transportation Portfolio

Background to the decision to recommend closure of the Hope HRC site

The Council is facing unprecedented reductions in the budget it receives from Welsh Government and the level of savings required cannot be achieved by improving the efficiency of the current service provision alone and unfortunately difficult decisions on the level of the services provided have been required. When making these difficult decisions it is important that the level of the existing service is understood when compared to the national position i.e. is the Flintshire County Councils provision at a higher standard than the national provision?

In respect of the HRC provision, the Council provides 7 facilities across the County, having just reduced the number by one following the closure of the site in Saltney (again because the facility there was too small to offer a full range of recycling services). The number of sites is high when compared to all other Councils and this is particularly relevant given the geographical size of the County when compared to others in Wales.

Local Authority	Number of sites	Local Authority	Number of sites
Blaenau Gwent	1	Merthyr Tydfil	2
Bridgend	4	Monmouthshire	4
Caerphilly	6	NPT	3
Cardiff	4	Newport	1
Carmarthenshire	5	Pembrokeshire	6
Ceredigion	4	Powys	6
Conwy	2	RCT	5
Denbighshire	5 *	Swansea	5
Flintshire	7	Torfaen	1
Gwynedd	7	VoG	2
Isle of Anglesey	2	Wrexham	3
*2 small sites with res	tricted opening times		

WG have produced advice on what it expects modern HRC sites to comprise of and a WLGA working paper on the national provision of HRC's concluded that Flintshire Council's HRC provision is the most expensive in Wales (in terms of overall cost and cost per household) yet despite this expenditure, the Council failed to achieve the expected overall recycling rate at all of the sites. It recommends that large high quality HRC sites should be provided at strategic locations and that a 5 mile (15 minute) drive is not unreasonable to gain access to the facilities.

It is clear therefore that the level of Council HRC provision exceeds that provided by other Councils in Wales and also that the facilities provided at some of the sites do not reach the required standard and that this is particularly the case at the Hope HRC site. A full review of the HRC provision across the County was therefore required with the saving identified by the closure of Hope HRC site alone estimated to be approximately £200k per annum.

In addition to reductions in revenue funding, the Council is facing year on year reductions in the level of Sustainable Waste Management Grant (SWMG) which it receives each year from WG to assist in delivering the challenging recycling targets.

Consultation

The Council launched the open consultation period entitled 'The Big Budget Consultation' in August 2014. The background set the context and provided some indication of the scale of the financial challenge facing Flintshire County Council in the years ahead, but particularly in the 2015 -16 financial year.

Individual portfolio Business Planning proposals, which were designed to reduce operating costs and deliver the necessary efficiencies, were developed over the 2014 autumn period and took into account the feedback from the residents through the 'Big Budget Challenge' and considered the level of service provided in each individual area of the Councils service provision.

The Chief Officer (Streetscene and Transportation) presented the portfolio's Business Planning proposals for the 2015/16 financial year in January 2015 to two All member workshops. At this point a decision on the future of individual HRC sites had not been taken and the Business Plans included a proposal to

"Rationalise the HRC provision and outsource the management of the facilities to improve recycling rates"

The full proposals, which included the above were then presented to the Environment Overview and Scrutiny Committee in January 2015 and the indicative budget proposals were formally approved by full Council in February 2015.

Two all member workshops were then held on the 10th and 12th March 2015 to discuss the details within the proposals, with invitations extended to representatives from all Town and Community Councils. Both of the sessions were well attended and the Streetscene and Transportation Business Plans for 2015/16, which now included specific details regarding the closure of Hope HRC site, were discussed at length and the comments from the sessions noted.

A special Environment Overview and Scrutiny Committee on the 19th March considered the proposals and the feedback from the two workshops. The committee recommend acceptance of the overall proposals for the waste service and also asked Cabinet to consider an option for Hope to remain open as a 'Recycling Only' facility - which would operate at weekends only.

After due consideration by the Cabinet member, this proposal was rejected for the following reasons:

- The site is too small to accommodate the level of recycling containers required to deliver a larger scale recycling service and there is no funding available to extend the site
- The record of the site in terms of recycling is poor with no indication that the situation might improve if the site were to remain open
- The cost of providing the service, when compared to the amount of recycling material that would be brought to the site over the weekend, would not be sustainable or justifiable.
- The need to achieve the financial savings brought about by the budget settlement from WG

Cabinet considered the final proposals for all of the HRC sites in April 2015 and provided a period for further dialogue to take place before a final decision on the site could be taken on the future of the site.

Rationale for the Hope HRC site closure

1. Unit cost of operations and low utilisation levels

Following the formal agreement by full Council to review the HRC provision, the operations and cost models for each site were considered and a resulting decision to put Hope HRC forward for closure was based on a number of factors:

- Recycling performance The site is the poorest performer for recycling of all of our sites achieving only a 52% recycling level (which has now been confirmed as 50% in 2014/15 - WG target for HRC's is 80%)
- Footprint -The site has only a small footprint with insufficient space available to place additional recycling containers to help increase recycling and there is no funding available to extend the site.
- Site usage The site has the lowest footfall of all the sites in Flintshire and the lowest number of residents within the catchment area of the site.
- Unit cost The site has the highest unit cost (cost per tonne) of all HRC sites for managing the waste that is brought to the facility

The table below shows the recycling performance of all of our sites along with the annual footfall.

Site	Estimated Recycling levels	Annual Footfalls	Actual Recycling levels 2014 - 15	Updated footfall figures 2014 – 15 (actual full year)	Percentage of all HRC users at each site
Greenfield	68	65,676	70	131,034	24%
Mold	66	66,619	70	106,383	20%
Buckley	62	93,139	65	143,973	27%
Flint	56	43,336	57	79,275	15%
Connah's Quay	53	44,298	55	61,231	11%
Норе	52	14,781	50	24,219	4%

Hope HRC handles just 5% of the total waste arising from all HRC sites and given the low tonnages, the site has the highest handling costs/tonne of all of the sites in the County

Anticipated operational savings achieved by closing the site will be in the region of £200k

This is based on -

Direct operating costs (labour, maintenance costs, NNDR etc) - £150k Improvement in recycling rate at the alternate HRC - £50K (Assuming 80% recycling rate)

2. Safety Issues and size of the site – Delays and poor user experience for visitors

Given the size of the site and the lack of funding to extend (and the complications of extending onto a previous landfill sites) the site layout is restricted and the operations require the site to be regularly closed to allow skips to be emptied. Queues then form onto the public highway creating Health and Safety concerns and regular delays for users

3. Catchment area of potential users of the site

The site has the lowest number of potential users within the defined catchment area, when compared to the other sites – this is supported by the relatively low user levels at the site.

Frequently Asked Questions

Will Fly-tipping increase because of the decision to close Hope HRC?

Anecdotal evidence from other areas in the Country where HRC sites have closed does not support this concern. Fly-tipping is a criminal offence and it is unlikely that a further short journey to a more suitable facility would lead to the majority of residents breaking the law. It is fair to argue that if visitors to the HRC are already acting as responsible citizens by bringing their recycling/waste to one HRC, then they could reasonably be expected/predicted to travel slightly further to dispose of their waste, without resorting to any illegal activity.

Staff from the Streetscene service will continue to monitor the area and deal with any fly-tipping occurrences that may occur – the standard for removing fly-tipping on Council land within 24 hours of notification will continue to be applied

Can the site operate a 'Weekend only' service with the site continuing to be operated by the Council

Given the financial climate and the reasons detailed earlier in the report, this option is not affordable

Can the Local Community Council take over the operation of the site?

Yes: the Council are in discussion with many Town and Community Councils regarding Asset transfers and HRC's could be included on the list of possible transfers. Community Council's would have to take on the environmental permit at the site and would be responsible for the cost of disposal for the residual (non recycled) material collected and not recycled - if the current arrangements were to be maintained.

Should the Community Councils wish to offer a 'Recycling Only' service from the site the Council could assist with servicing the site and with the sale of the recycled material to appropriate merchants.

Can the site be extended to form a more suitable facility in line with WG advice on HRC's

There is no funding available for this work and there would be additional costs and permit difficulties in constructing a site on an old land fill site.

Where are the alternative sites and how far from Hope HRC are they?

The two nearest sites to Hope HRC site are

Buckley – 5 miles Mold – 6 miles

Will the proposals impact on the general waste collection rounds?

No - The kerbside rounds will continue to collect only the recycling material presented in the containers supplied to residents. The rounds are based on the capacity of the bags provided and residents with large amounts of recycled cardboard etc. will continue to be required to take the material to the nearest HRC site. No additional capacity will be provided on the current rounds as a result of the proposals

Can additional 'Bring Sites' be provided in the local area?

Yes – The Council would be interested and support the provision of additional sites and would welcome any suggested locations for consideration from members and the respective Community Councils.

Feedback following meeting with local Council Members – 18th May 2015

The meeting attempted to reach a position where the site could remain operational into the future in a sustainable manner. It was agreed that given the current and on-going pressures on budgets, resulting from expected year on year reducing WG settlements, the matter would inevitably be revisited in the years ahead, unless a community based solution could be found.

Therefore a proposal to continue operating the site as a community asset with local volunteers or community groups taking on the daily site activities was explored.

Details would be need to be finalised however initial thoughts were as follows:

- Site to transfer to the group of interested Community Councils following the Councils Asset Transfer protocols
- Site to open as 'Recycling Only' facility on Saturday and Sunday only operated by the community

Note – Local members would prefer a residual waste disposal option to be provided at the site but this would not be possible given the ever increasing cost of landfill and national recycling targets imposed by Welsh Government

County Council to provide support and guidance for permit applications etc.

County Council to continue to service the site and provide access to the recycling markets
used by the service and provide indicative value of the material likely to be received at the
site.

If a notice of intent (expression of interest) was received from one or more of the local Community Councils to proceed on this basis, the Council would operate the above arrangements in the interim period of time to allow the asset transfer to take place and the new operating arrangements to be introduced

Timelines -

Suggested time limit for receipt of notice of intent (Expression of interest) – 1st September 2015 Target hand over date – subject to completion of Asset Transfer documentation – 1 January 2016

The new arrangement (Saturday / Sunday & 'Recycling Only') would commence under County Council control on 1st July 2015 until the hand over takes place on 1 January 2016.

The site will close completely on 1st September 2015 if notification is not received from the community councils.

All present at the meeting agreed that this was a sustainable route forward and agreed that the proposals should be presented to each Community Council for their consideration.

RECORD NO. 3204

FLINTSHIRE COUNTY COUNCIL

CABINET RECORD OF DECISION

DATE OF MEETING: 23 JUNE 2015 AGENDA ITEM NO. 4

REPORT OF: Chief Officer (Streetscene and Transportation)

SUBJECT: HOPE HOUSEHOLD RECYCLING CENTRE

RECOMMENDATIONS OF REPORT: That Cabinet approve that Hope HRC site

operates on weekends only basis from 6 July 2015 and receives only recycled

material at the facility after this date.

That Cabinet approves the proposed closing date for the receipt of expressions of interest from any Community Council(s) or community groups indicating interest in operating the facility or providing volunteers to operate the site in future.

That Cabinet approves the closure of the site on 1 September 2015 should no expressions of interest be received or at a date between 1 September and 1 January 2016, if there is no evidence during the period that the expression of interest received is likely to progress.

That Cabinet approves extending the period of operations at the facility on a weekend/recycling only basis, subject to the receipt of an expression of interest from any Community Council(s) or community groups to operate the facility as

a community asset.

DECISION: As detailed in the recommendations.

REASON FOR DECISION: As in the report.

CONSULTATION REQUIRED: None.

CONSULTATION UNDERTAKEN: As detailed in the report.

FINANCIAL IMPLICATIONS: The proposals will reduce the expected

savings from the rationalisation of HRC's in the period that the site remains open

and before it is transferred to the

community.

DECLARATIONS OF INTEREST: None.

DISPENSATIONS None.

DATE PUBLISHED: 24 June 2015

SIGNED (Proper Officer)

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To Democracy & Governance	Manager
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and Answer have not been given RE Rubble e
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le understand that the call in meeting will be held within 7 working days f this call in notice being received and accepted.
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