

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Adults Select Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 28th February, 2017 at 10.00 am

PRESENT: County Councillor P. Farley (Chairman)
County Councillor R. Harris (Vice Chairman)

County Councillors: R. Chapman, R. Edwards, P. Jones, P. Jordan,
and A. Wintle.

Also in attendance County Councillor V. Smith and G. Burrows

ALSO PRESENT:

D. Hill – Co-Opted member

D. Hudson – Co-Opted member

OFFICERS IN ATTENDANCE:

Claire Marchant	Chief Officer Social Care, Health & Housing
Wendy Barnard	Democratic Services Officer
Clare Morgan	Service Manager, All Age Disability and Mental Health
Ian Bakewell	Housing & Regeneration Manager
Stephen Griffiths	Strategy & Policy Officer
Hazel Ilett	Scrutiny Manager
Tyrone Stokes	Finance Manager

APOLOGIES:

County Councillor M. Hickman

1. Declarations of interest

No declarations of interest were made by Members.

2. Public Open forum

No members of the public were present.

3. To confirm the minutes of the previous meeting

The minutes of the meeting held on the 24th January 2017 were confirmed and signed by the Chairman.

4. Transport Policy for Adult Services: Pre-decision scrutiny of the new policy for adult social services.

Context:

The purpose of the policy is to clarify Monmouthshire County Council's responsibilities for providing transport to people requiring social care support.

Key Issues:

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The Social Services and Wellbeing (Wales) Act 2014 sets out the council's duty to assess an individual's need for support services. The Local Authority will have a duty to meet that need if the need cannot be met by the person's own resources or community resources.

The need for transport is not an eligible need in its own right, but simply a means of accessing services and support. Assisted Transport usually helps people to access day opportunities, respite care, leisure services, and employment and training opportunities.

Monmouthshire County Council is able to provide transport through a variety of options to its residents with learning disabilities, people with physical disabilities, older persons and people with mental ill health.

The Council funds several community transport schemes across the county, mainly covering areas with less reliable transport links but not restricted to these areas. These options can be either dial-a-ride, Grass Routes, Bridges Community Car Scheme or befriender schemes.

The Council also operates the disabled bus pass and the concessionary (age-based) bus pass schemes, allowing anyone with a disability over the age of 5 and anyone above the retirement age who is a resident of Monmouthshire to apply for free bus travel out of peak times.

Member Scrutiny:

Following presentation of the report and ensuing discussion, the following points were raised:

A Member pointed out that, in a rural ward, residents have commented that vehicles provided for people with a disability are often large vehicles/4x4s. It was added that residents may not understand how the costs are calculated and paid for. Clarification was provided that the authority does not provide vehicles; these are supplied under the Motability scheme via Department of Work and Pensions. It was queried why basic, low insurance, low emission cars are not provided instead of larger vehicles and responded that there is no involvement from the authority concerning the vehicle type supplied but explained that there are some reasons why a larger vehicle would be required. If a person was in possession of a Motability vehicle, they would be expected to use this vehicle and not to be provided with transport where possible.

It was commented that this was a comprehensive document that management will use. It was queried what information will be available for members of the public. It was confirmed that a public version (website and leaflet, information for Hubs) will be made available and Members were reassured that the information will be clear, accessible and easy to understand.

A Member asked if eligibility information would be made available to potential users and it was explained that transport on its own is not part of an assessed need but could be an element of a very thorough assessment of an individual's needs (jointly addressed by the individual and Social Services).

It was questioned what happens when the assessment is disputed and responded that better dialogue takes place in collaboration with the person, but if there is disagreement, further discussion or another assessment can be completed if necessary; there is also the availability of the complaints procedure. The Chair emphasised the importance of clear information and communication about processes. It was advised that the volume of appeals is very low.

The Cabinet Member for Social Care, Safeguarding and Health, declared that the policy will provide clear indicators for individuals to maintain independence; availing themselves of their own resources for services as necessary, with assistance for those assessed as needful. In the

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interim, there will be an ongoing dialogue with those who have historically used services to find a mutually satisfactory outcome.

A Member commented on the importance of socialisation, and suggested that service users with their own vehicles could pick up other service users. It was confirmed that transport will still be provided for day services for people unable to drive themselves subject to reasonableness, and their individual assessment. It was added that there is a wider piece of work for the Future Monmouthshire programme on how to make best use of available transport in a co-ordinated way.

In response to a query about forecasted reduction in service users, and budget savings, Members were reassured that there are relatively small numbers of people using assisted transport. Implications for the Raglan Project and My Day My Life were queried. It was explained that further consideration will be given to transport needs to encourage people to lead an independent life. It was emphasised that there is no intention to restrict such work and service offers will be defined by individual needs based assessment. The Cabinet Member confirmed that it will be a priority to think through the consequences of the proposals.

With regards to savings, Select Committee was reminded that for the last six years, the authority has been providing frontline services across the board which have been refined and reconfigured to continue to provide services. This has enabled small amounts of resource to be released to use on important services elsewhere.

A question was asked about Personal Independence Payment (PIP) and the effect on recipients' ability to afford independent transport. It was explained that there are inexpensive means of accessing the community via Grassroutes Bus, Dial a Ride, public transport with free bus passes (under certain criteria) for some people as well as healthier options such as walking.

A Member expressed concern about the availability of car parking at Mardy Park and commented that if service users are arriving independently and can't park, they will be discouraged from attending for day care. In response, it was explained that a review of day service needs is in progress and added that those who attend Mardy Park are usually those in most need of this service and will receive transport.

The Cabinet Member commented that it was preferable to have a policy in place to provide clarity. It was suggested that new councillors would benefit from receiving a list of policies relevant to residents.

A Member queried the degree of integration between Health and Social Care transport and how to avoid duplication of services. It was explained that there is a lot of integration (three integrated teams) and multi-disciplinary assessments to define transport needs. It was further raised that it was important to ensure that there is clear and consistent information/criteria on assessment for service users, team members and assessors. It was urged that service users should be provided with information to explain who will be undertaking any assessment and reassurance was provided that the most appropriate person for the individual's needs will carry out the assessment.

In response to a question, it was explained that user groups had not been consulted and that feedback would be invited on its implementation in due course.

Recommendations

For members to consider and agree to the implementation of the policy.

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Chair's Comments

The Chair expressed his appreciation for the opportunity for the Committee to undertake pre-decision scrutiny of the policy.

In noting that the policy will proceed to Individual Cabinet Member decision, it was suggested that the Cabinet Member should request publicly available, clear information for individuals who wish to access services via e.g. website, leaflets, and information in the One Stop Shops. It was also suggested that clear instructions for assessors are provided. The Chair explained that it was very important that there was clarity and consistency for users and equally for those applying the policy.

The Chair noted that, following discussion, the Committee did not wish to scrutinise the policy again before the Cabinet Member considers his decision. It was also agreed that the Committee would welcome sight of the information for the public when available. The Chair requested that the information is circulated to Committee Members who may wish to make comments and were invited to provide feedback individually.

The Chair stated that the Committee would review the policy in the future and opportunities for communication with members of the public would be sought.

The Chair thanked the officers for their attendance.

5. Monmouthshire Lettings Service (deferred from 14th February 2017): Scrutiny of the proposed approach for accessing private rented sector accommodation to prevent homelessness.

Context

The purpose of the report is to introduce members to the proposal for the introduction of a Council operated social lettings scheme within Monmouthshire. .

Key issues

1. This proposal seeks to build upon the existing practice of the Housing Options Team of engaging with private landlords and using private sector accommodation to meet the Council's statutory homeless and prevention related duties. The proposal effectively brands and packages the existing service to private landlords whilst introducing new services to further to benefit landlords.
2. The purpose of MLS is to provide a lettings service that seeks to put the community at the centre of its core business of providing long term affordable properties to rent, but with a 'commercial' approach. A core emphasis of MLS is to support landlords. The context (See Appendix 1) to developing MLS is:
 - i. Many households are unable to access accommodation through traditional high street letting agents because they are in receipt of benefits, they cannot afford to meet upfront payments and fees nor high market rents, which are in excess of housing benefit levels.
 - ii. There is a shortage of social housing stock and vacancies
 - iii. Accommodating low income households can be perceived as a risk
 - iv. There is a need to manage the on-going demand from households who are homeless or threatened with homelessness.
 - v. There is a need to reduce expenditure or increase income generation.

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3. Key elements of the proposed service are to:

- i. Provide a basis for increasing homeless prevention by hopefully increasing access to private rented accommodation and limiting the use of B & B.
- ii. Offering landlords a worry free letting service
- iii. Providing sufficient affordable rented accommodation to households who are unable to access the private rented housing sector.
- iv. Undertake regular marketing and landlord engagement
- v. Providing the opportunity for future income generation

4. MLS will broadly consist of two service strands. A lettings service and a leasing service:

- i. The lettings service will be similar in design to a high street lettings agency. This will initially include legal advice, 'find a tenant' and tenant verification, inventories, sign ups, inspections, rent collection, tenancy agreement drafting and housing support. Initially services will be offered free to landlords to encourage take up. Additional services, such as rent monitoring, have been identified with a view to possibly working up and introducing at a later date.
- ii. The leasing service will seek to offer landlords a leased option (where needed by the Council), such as the current Shared Housing scheme. (Also, Melin Homes management of the private leasing scheme is due to end in 2018). Leasing availability will be subject to financial viability. Leasing for temporary accommodation currently attracts a subsidy through housing benefit. This is due to end on 1st April 2017 and be replaced by a grant allocation. At the time of writing the level of subsidy level will be reduced. If it is not possible to continue with leasing, the lettings aspect of MLS becomes even more relevant.

5. The aim is for MLS to go live by 1st May 2017. Supported by the Communications Team, it is proposed that MLS will have its own distinct identity which will feature on stationary products, flyers, posters, web page and social media applications. A proposed delivery framework for MLS can be found in Section 2 of Appendix 1. This seeks to provide a clear strategic direction and provide a distinct and unique approach to delivery.

Members Scrutiny

The Officers were thanked for their presentation. Following this, Members made the following comments:

A Member queried, in the circumstances where a private landlord had a property available for rent that was in need of some refurbishment, if any budget was available to assist. It was explained that there are two loan products – the home improvement loan scheme and the empty property loan scheme. These are interest free loans (not grants) and include an administrative set up fee of 8%. The fee can be discounted to 4% if the landlord decided to work with the council. In response to comments about empty properties in the county, it was explained that if they are updated and made available for rental, they generally attract a high rental value that would be in excess of housing benefit values.

A Member commented that in the worst case scenario, a landlord would be expected to forego in the region of £1000 per annum in rent. Whilst the landlord would know there are some guarantees and a bond, a tenant could cause damage in excess of the value of the bond and it was questioned if there was any help available. It was clarified that hopefully such a situation would not have developed to that extent as the service would be aware of potential issues. If such problems materialised, the council would have to make good the damage so some

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protection should improve a landlord's confidence to work with the council. It was added that the team tries to prevent such challenging circumstances occurring and there is an emphasis on matching landlords with clients. The team can also offer inspections, take inventories and is proactive in developing the relationship between the landlord and tenant to reduce risk.

A Member noted that the scheme encourages landlords to let their properties within Monmouthshire and questioned why the Landlords Housing Forum was not a consultee. It was also questioned how the reduction in availability of private rental properties, due to tax changes and the rise in stamp duty properties on second properties, will be addressed. It was also questioned why it is not proposed to continue with the existing scheme run with Melin Homes. In response, it was explained that significant consultation has taken place (not specifically on the Letting Service) with landlords through the Landlord Hub but reference had been omitted from the report. Surveys have identified the associated risks with housing benefits, rent and perception of the client group as particular issues. It was acknowledged that the tax changes could be detrimental. It was added that the proposal poses no risk to the authority, so is worth trying.

It was explained that Melin Homes does not want to continue with the existing scheme and will not be renewing the contract accordingly. The Committee were reminded of the change in subsidy arrangements due to welfare reform. The £60 per week paid to the authority and Melin per occupied property as a management fee has been withdrawn in favour of an annual grant. The value of the management fee is in the region of £350/400,000 per annum but the grant is only £148,000. Both Melin and the authority are concerned about a reduction in finance. Concern was also expressed that the authority may be in a position of less private leasing stock.

A Member questioned if there had been any work on using private rental properties out of county to accommodate Monmouthshire tenants. It was confirmed that this has happened and some tenants have been accommodated in Torfaen. It was pointed out, however, that clients usually want to stay in their local area.

A Member questioned how much interest has been expressed in MLS. A response was provided that the proposal was considered by the joint private sector housing team last year and there some interest was expressed. A comment was made regarding a rent guarantee scheme in Oxfordshire and this suggestion is under consideration as a further incentive to attract landlords' participation.

It was queried when MLS would be operational and confirmed that it was hoped to start in May when there would be an introductory offer of free services. A rent guarantee scheme may then be considered as a further incentive. It was added that an amount to provide rent guarantees could be ring fenced in the homelessness reserve to entice private landlords to participate.

A Member drew attention to the Just About Managing (JAM) generation who are working but not eligible for benefits, and struggle with high rents for housing. It was added that encouraging older people to stay in their homes adds to the limited availability of properties.

A Member commented that a rent guarantee scheme would be attractive for landlords and would only come at a cost if tenants defaulted on rent payments adding that good scrutiny of tenants could avoid costs. It was queried if there was any research on the default rate in Oxfordshire. It was accepted that good management was critical to mitigate against costs due to default. The Officer offered to circulate information on the Oxford scheme to Committee Members.

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In response to a question about how much is spent on Bed and Breakfast accommodation compared with the amount to provide a rent guarantee scheme, it was agreed that the amount (approx. £20,000) could potentially be used in a different way.

It was queried what the link is between this proposal and the Rent Smart Wales scheme. It was confirmed that landlords and their properties have to be registered with Rent Smart Wales outside of the MLS scheme. If they use our scheme, MLS would manage the property on their behalf and would avoid having to be licensed representing a saving. It was recognised that the package of attractive incentives to provide a more stress free experience is in exchange for lower rents. Clarification was provided that if a landlord asks MLS to find them a tenant but manage the arrangements themselves, they will have to be licensed to do so.

A Member asked if it was possible to know how many ex council houses are on the private rental market. It was explained that Hometrack may be able to provide this information.

In response to a query, it was confirmed that there are significant numbers of unregistered landlords but it is predicted that these numbers will diminish in future.

Recommendations

- i. The Committee considered how the Monmouthshire Lettings proposal (See Appendix 1) will support the Council's statutory duty to prevent homelessness and provide the foundations for a future income generation opportunity and make recommendations as appropriate.
- ii. The Committee agreed to recommend to Cabinet the adoption of the Monmouthshire Letting Service (MLS).

Chair's Comments

The Chair summarised that the proposals related to increasing the visibility of MLS through branding the service and making clear what can be offered to landlords.

The proposal does not involve forming a company but could be a vehicle ultimately for income generation. It is mainly to encourage landlords to work with the authority to address housing needs in Monmouthshire.

The recommendations as presented in the report were agreed.

The Officers were thanked for their attendance.

6. Budget Monitoring: To review the financial situation for the directorate, identifying trends, risks and issues on the horizon with overspends/underspends.

Context

The purpose of the report is to provide Members with information on the forecast revenue outturn position of the Authority at the end of period 3 which represents month 9 financial information for the 2016/17 financial year.

Select Committees have a responsibility to:

- assess whether effective budget monitoring is taking place,

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- monitor the extent to which budgets are spent in accordance with agreed budget and policy framework,
- challenge the reasonableness of projected over or underspends, and
- monitor the achievement of predicted efficiency gains or progress in relation to savings proposals.

Recommendations proposed to Cabinet

- i. That Cabinet notes the extent of forecast revenue underspend using period 3 data of £79,000, an improvement of £919,000 on previous reported position at period 2.
- ii. That Cabinet expects Chief Officers to continue to review the levels of over and underspends and reallocate budgets to reduce the extent of compensatory positions needing to be reported from at quarterly cycles.
- iii. That Cabinet appreciates the extent of predicted schools reserve usage, its effect of forecast outturn reserve levels and the related anticipation that a further 6 schools will be in a deficit position by end of 2016-17.
- iv. That Cabinet considers the capital monitoring, specific over and underspends, and importantly that Cabinet recognises the risk associated with having to rely on a use of capital receipts in the year of sale and the potential for this to have significant revenue pressures should receipts be delayed and temporary borrowing be required.
- v. That Cabinet approves an additional investment of £30,000 into the Disabled Facilities Grant capital budget in order to respond to demands being placed on the current programme, funded by a virement from existing Highways Maintenance and Access for All budgets.
- vi. That Cabinet approves a £30k increase to Woodstock Way linkage scheme afforded by an equivalent underspend to another area improvement scheme (Abergavenny).

Member Scrutiny

Following presentation of the report by the Finance Manager, Members commented as follows:

A Member sought clarification regarding mental health care and it was confirmed that the authority is responsible for payments for care arising from e.g. persons sectioned under the Mental Health Act and that the person is not means tested. It was highlighted that this year there has been an increase in numbers causing budget pressure. It was suggested this was possibly due to demographics e.g. increasing numbers of older people with dementia, adding that when admitted under s.3 as inpatients the Health Board are fully responsible for costs. When discharged under s.117 costs are divided equally between the authority and Health for care and support needs.

In response to a question, it was suggested that the difference in expenditure between north and south of the county could be due to demographics.

Chair's Comments:

The Chair thanked Tyrone Stokes, Finance Manager expressing the Committee's appreciation of the exemplary support he has provided to the Committee.

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7. Safeguarding Service Manager

Context

The purpose of this report is to seek approval to create a Safeguarding and Quality Assurance Service Manager to provide leadership to whole authority safeguarding and manage the Safeguarding and Quality Assurance Unit.

KEY ISSUES:

- i. Safeguarding children and adults at risk has the very highest priority in Monmouthshire County Council. Safeguarding is recognised as everybody's business and considerable progress has been made over the last 5 years to systematically embed safeguarding culture, knowledge and practice in every area of the Council's responsibility. There are, however, areas where the understanding and operation of safeguarding are not yet of the standard they need to be. We need to be constantly vigilant in understanding the effectiveness of our governance and assurance systems.
- ii. The Safeguarding and Quality Assurance Unit has a very important role in supporting safeguarding in Monmouthshire. The Unit works with directorates to support them to understand their safeguarding responsibilities and improve their practice. The Council has developed a SAFE self-assessment tool which has recently been reviewed and strengthened to incorporate adult as well as children's safeguarding. An analysis of the Unit, and its ability to deliver its' purpose, has highlighted the need to strengthen leadership and capacity to ensure it is fit for purpose; i.e. to enable it to support to all parts of the Council in their self –evaluation and analysis and improvement actions arising from their evaluation.
- iii. The Service Manager post recommended in this report will ensure manage a Joint Children and Adult safeguarding unit comprising the following functions: independent review of Looked After Children (LAC), co-ordination of child protection and Protection of Vulnerable Adults (POVA), safeguarding in education and corporate safeguarding. The postholder will works with a variety of partners both internal and external to the Council. and be the main operational link to the Gwentwide Children and Adult Safeguarding Boards which are now on a statutory footing. The postholder will also be responsible for driving up standards and good safeguarding practice within the borders of Monmouthshire and across Council services. The post-holder will be part of the Children's Social Services division within Social Care and Health and as such the changes proposed in this report would amend the structure approved by Cabinet in January 2017

Member Scrutiny

The report was presented and the following comments were made:

The Cabinet Member, Social Care, Safeguarding and Health endorsed the contents of the report and reminded Select Committee that safeguarding is everyone's responsibility and , as such, there will always be a need for training and more education as staff and circumstances change in our large organisation.

Members supported the importance of the proposal and clarification was sought on the recruitment timeline. It was confirmed that, if approved, the post could be filled within two months. It was explained that the post does not have to be advertised externally.

A Member challenged why the Welsh Government made no additional funding available to cover such a post in view of the Social Services and Well-being (Wales) Act 2014. It was explained that lots of questions were asked about resource impact assessment as the proposals for the Act progressed. The move to a more preventative approach, and early

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intervention, advice and assistance has resulted in a significant reduction of older people in care homes and this has had a positive impact on the adult social care budget. It was explained that by placing safeguarding vulnerable adults on the same statutory footing as safeguarding children increases the demand for resources e.g. for training, quality assurance requirements etc. but with no dedicated resources. It was added that there is a Delivering Transformation Grant available from next year in the Revenue Support Grant (RSG) but this also has to contribute to the operation of the regional partnership.

It was queried where the post sits in the organisation structure and if the post holder will oversee other units in the council. In response, it was explained that a central unit can provide leadership, policy and guidance, and assurance but will be required to work across the organisation.

Recommendations

- i. That members approve and endorse the proposal for creation of a Safeguarding and Quality Assurance Service Manager and the revised structure for the Safeguarding and Quality Assurance Service Unit.
- ii. Members agree to reserve fund the c£60k for 2017/18. The budget will need to be substantially into the 2018/19 budget round.

The Chair confirmed that Safeguarding is on the agenda for the Joint meeting of Adults Select and CYP Select on 23rd March 2017. There will be an opportunity for further discussion and Members may wish to raise aspects outside of Committee.

The Chair announced that the Committee supported, without reservations, the proposal to create a Safeguarding and Quality Assurance Service Manager post. The Committee commended the proposal to Cabinet.

8. Action List

The Action List from the last meeting was noted.

9. Adults Select Committee - Forward Work Plan

Some changes to the Forward Work Programme were announced as follows:

23rd March 2017 at 2.00pm: Joint Children and Young People's Select and Adults Select Committees (Young Carer's Strategy and Safeguarding Report)

4th April 2017 at 10.00am: Special Meeting - Stroke Services

11th April 2017 at 2.00pm: Ordinary Meeting (*brought forward from 25th April 2017*)

In relation to Gwent Frailty was provided it is recommended in the WAO report that there should be a task and finish group to undertake joint scrutiny. It was agreed that the Chair and Vice Chair should represent the Committee on the task and finish group.

10. Cabinet and Council Work Planner

The Cabinet and Council Work Planner was noted.

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11. To confirm the date and time of the next meeting as Thursday 23rd March 2017 at 2.00pm

23rd March 2017 at 2.00pm: Joint Children and Young People's Select and Adults Select Committees

4th April 2017 at 10.00am: Special Adults Select Committee

11th April 2017 at 2.00pm: Next Ordinary Meeting (*brought forward from 25th April 2017*)

The meeting ended at 12.45 pm