Appendix 5



Equality and Future Generations Evaluation

Name of the Officer completing the evaluation Mark Hand Phone no: 07773 478579 E-mail: markhand@monmouthshire.gov.uk	Please give a brief description of the aims of the proposal To review the Replacement Local Development Plan (RLDP) Issues, Vision and Objectives in the light of COVID-19 to consider if they remain relevant and true. The Issues, Vision and Objectives Paper identifies the key issues, challenges and drivers facing the County and sets out the Vision and objectives for the Replacement LDP. They form the foundation for the RLDP and influence its strategic direction.
Name of Service area	Date
Planning (Planning Policy)	02/06/2020

1. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	The Issues, Vision and Objectives Paper considers the demographic profile of Monmouthshire and aims to have a positive impact on people of all ages, particularly through increasing opportunities for the younger population to both live and work within Monmouthshire to assist in ensuring a balanced demography whilst also supporting the needs of the older population.	None	The Vision and Objectives aim to provide a more balanced demographic profile for Monmouthshire. The issues, vision and objectives will help to shape the Replacement Plan. COVID-19 has demonstrated the importance of sustainable communities and a balanced demography to support the older age groups.
Disability	The Issues, Vision and Objectives Paper includes the need to ensure the provision of a wide-ranging choice of homes including meeting affordable and accessible housing needs as far as possible. The Issues, Vision and Objectives recognise the importance of the health and well-being of people and aims to create attractive, safe and accessible places to live, work and visit.	None	The Vision and Objectives aim to support the well-being of current and future generations, a Monmouthshire that is that are more inclusive, cohesive, prosperous and vibrant. The issues, vision and objectives will help to shape the Replacement Plan.
Gender reassignment	None	None	N/A
Marriage or civil partnership	None	None	N/A
Pregnancy or maternity	None	None	N/A
Race	None	None	N/A

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Religion or Belief	None	None	N/A
Sex	One of the challenges facing the County is the imbalance between male and female earnings, although this situation is improving. The Issues, Vision and Objectives include reference to economic growth and employment provision, which could indirectly impact on wage equality.	None	The Vision and Objectives aim to support economic growth and prosperity. The issues, vision and objectives will help to shape the Replacement Plan.
Sexual Orientation	None	None	N/A
Welsh Language	The Welsh Language is a material planning consideration. The Issues, Vision and Objectives include reference to supporting and safeguarding the Welsh Language.	None	The Vision and Objectives aim to support culture and the Welsh Language. The issues, vision and objectives will help to shape the Replacement Plan.
Poverty	The RLDP Preferred Strategy currently out to consultation seeks to address the identified Issues and Objectives around Monmouthshire's high average house prices and house price to salary ratio. There is a considerable need for affordable housing within the County, and the affordable housing-led strategy will help address this. COVID-19 has exposed a higher level of homelessness than previously known, and the Welsh Government's clear objective is to ensure that permanent accommodation be provided for all those temporarily accommodated during the pandemic.		The affordable housing led strategy seeks to maximise affordable housing delivery.

2. Does your proposal deliver any of the well-being goals below? Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal. There's no need to put something in every box if it is not relevant!

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	Positive: The Issues, Vision and Objectives Paper identifies the key issues, challenges, opportunities and drivers the Replacement Plan is seeking to address including; employment growth, job creation, the dual economy, wage levels, retail centres and the rural economy. Negative: None.	The Vision includes reference to communities and businesses being part of an economically thriving and well-connected County. Draft Objectives relating to economic growth/employment and retail centres have been set in order to address the identified issues relating to creating a prosperous Wales.
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	Positive: The Issues, Vision and Objectives Paper identifies the key issues, challenges, opportunities and drivers the Replacement Plan is seeking to address including; air pollution, wildlife networks and importance of green and blue infrastructure in the adaptation of climate change, building resilience to flooding and mitigation of climate change, along with, safeguarding of minerals resources. The limited supply of brownfield land within the County is also highlighted as an issue. The paper also recognises the continued good progress with recycling and waste. MCC recognises that we are in a climate emergency and has committed to strive to limit the increase in global temperatures to 1.5°C. The importance of carbon reduction is recognised as a key issue that the RLDP should seek to address and is reflected in the relevant issues.	The Vision includes reference to the protection and enhancement of the countryside, landscape and environmental assets. Draft Objectives relating to Green Infrastructure, Biodiversity and Landscape, Flood risk, Minerals and Waste, Land and Natural Resources have been set in order to address the identified issues relating to creating a resilient Wales. MCC recognises that we are in a climate emergency and has committed to strive to limit the increase in global temperatures to 1.5°C. The importance of carbon reduction is recognised as a key issue that the RLDP should seek to address and is reflected in Objective 17.

	Does the proposal contribute to this goal?	What actions have been/will be taken to
Well Being Goal	Describe the positive and negative impacts.	mitigate any negative impacts or better contribute to positive impacts?
	COVID-19 has emphasised the importance of place-making and green infrastructure for the provision of open spaces in close proximity to homes for physical and mental wellbeing. Negative:.None.	
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Positive: The Issues, Vision and Objectives Paper identifies the key issues, challenges, opportunities and drivers the Replacement Plan is seeking to address including; healthy living, obesity and the promotion of healthy lifestyles, the opportunities and challenges associated with an ageing population, accessibility to community and recreational facilities and rural isolation. COVID-19 has emphasised the vulnerability of those in our communities with underlying health conditions, as well as the importance of place-making and green infrastricture for the provision of open spaces in close proximity to homes for physical and mental wellbeing. Negative: None.	The Vision includes reference to people enjoying healthier, more sustainable lifestyles. A draft Objective relating to human health has been identified in order to address the identified issues relating to creating a healthier Wales.
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Positive: The Issues, Vision and Objectives Paper identifies the key issues, challenges, opportunities and drivers the Replacement Plan is seeking to address including; the effect of high house prices within the County, impact of the recent removal of the Severn Bridge Tolls, along with ambitions and opportunities associated with the Cardiff Capital Region City Deal and South East Wales Metro. It also	The Vision includes reference to people living in sustainable, resilient communities that support the well-being of current and future generations which are more inclusive, cohesive, prosperous, vibrant and balanced demographically. It also provides reference to Monmouthshire being a well-connected County. Draft Objectives have been set in relation to; housing, place-making, communities, rural

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	refers to the range and choice of housing required to meet the needs of the population, limited public transport within the area, declining local service provision and physical/digital infrastructure requirements.	communities, infrastructure and accessibility in order to address the identified issues relating to creating a Wales of cohesive communities.
	COVID-19 has emphasised the importance of socially sustainable communities and ensuring a balanced demography. The role of younger age cohorts providing voluntary support to the over 70s who have been self-isolating has been vital. Unchecked, our ageing demography presents a very real challenge to how such support would be offered in the future.	
	Negative: None.	
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Positive: The Issues, Vision and Objectives Paper identifies the key issues, challenges, opportunities and drivers the Replacement Plan is seeking to address including; climatic factors, high levels of car ownership, reliance on the private car and different scales of renewable energy schemes. MCC recognises that we are in a climate emergency and has committed to strive to limit the increase in global temperatures to 1.5°C. The importance of carbon reduction is recognised as a key issue that the RLDP should seek to address and is reflected in the relevant issues.	The Vision includes reference to more sustainable lifestyles with improved access to public transport and active travel opportunities with a minimised impact on the global environment, together with improved digital infrastructure. An Objective relating to climate change has been set in order to address the identified issues relating to creating a globally responsible Wales. MCC recognises that we are in a climate emergency and has committed to strive to limit the increase in global temperatures to 1.5°C. The importance of carbon reduction is recognised as a key issue that the RLDP should seek to
	COVID-19 lockdown has demonstrated that a significant proportion of our communities can work from home. Home/agile working combined with	address and is reflected in Objective 17.

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	school closures and reduced leisure-based travel has significantly reduced congestion and evidence suggests air quality has improved markedly. The RLDP seeks to reduce the commuting ratio and to enable home-working: COVID-19 has demonstrated that this is achievable. Negative: None.	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Positive: The Issues, Vision and Objectives Paper identifies the key issues, challenges, opportunities and drivers the Replacement Plan is seeking to address including; the protection and enhancement required for the County's significant built heritage resource and landscape, support of the Welsh Language, distinctive settlement pattern of Monmouthshire and links between the heritage/diverse landscape to tourism and the local economy. Negative: None.	The Vision includes reference to the protection and enhancement of the best of the County's built heritage and landscape in order to retain its distinctive character. A draft Objective relating to culture, heritage and the Welsh Language has been set in order to address the identified issues relating to creating a Wales of vibrant culture and thriving Welsh Language.
A more equal Wales People can fulfil their potential no matter what their background or circumstances	Positive: The Issues, Vision and Objectives Paper identifies the key issues, challenges, opportunities and drivers the Replacement Plan is seeking to address including; the rural nature of the County, and the steady increase in population predominately fuelled by in-migration. Reference is also made to the demography of the County, particularly the higher proportion of older age groups and lower proportion of young adults compared to the Welsh average.	The Vision includes reference to people living in sustainable, resilient communities to support the well-being of current and future generations which are more inclusive, cohesive, prosperous, vibrant and balanced demographically. A draft Objective relating to demography has been set in order to address the identified issues relating to creating a more equal Wales.

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	COVID-19 has highlighted the links between poverty and resilience as well as the higher level of homelessness. The RLDP seeks to maximise affordable housing delivery to help tackle this. Negative: None.	

3. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
Balancing short term need with long term and planning for the future	The Issues, Vision and Objectives Paper sets out the identified issues and proposed vision and objectives for the Replacement LDP which will cover the period 2018-2033. It sets out the key issues, challenges, opportunities and drivers facing the County, as well as the RLDP vision and objectives to address the issues/challenges/opportunities identified. The role of the RLDP vision is to clarify the core purpose of the Replacement Plan and provide a framework for developing the Preferred Strategy and future detailed policies. The Vision sets the overarching context for Monmouthshire for the period up to 2033. The issues, vision and objectives help to shape the Replacement Plan. Some of the long term implications of COVID-19 are not yet known, for example the impact longer term on our High Streets. The RLDP can incorporate flexible policies to seek to adjust to the unknown longer term implications.	The vision and objectives set out in the adopted LDP have been reviewed and updated to take account of the issues, challenges, opportunities and drivers facing the County and reflect key elements of the PSB Well-being Plan and MCC Corporate Business Plan. More specifically, MCC recognises that we are in a climate emergency and has committed to strive to limit the increase in global temperatures to 1.5°C. The importance of carbon reduction is recognised as a key issue that the RLDP should seek to address and is reflected in the relevant issues, vision and objectives.

Sustainable I	Development ciple	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
Collaboration	Working together with other partners to deliver objectives	The issues, vision and objectives are heavily drawn from/reflect the PSB Well-being Plan which was extensively consulted on in 2017 and resulted in contributions from more than 1,400 people. They have also been subject to targeted engagement with Members, Area Cluster Groups and Area Committees. The issues, vision and objectives will help to shape the Replacement Plan.	The refined Issues, Vision and Objectives will be incorporated into the Preferred Strategy, which is currently subject to engagement/consultation with a wide range of internal and external stakeholders.
Involvement	Involving those with an interest and seeking their views	The Issues, vision and objectives are heavily drawn from/reflect the PSB Well-being Plan which was extensively consulted on in 2017 and resulted in contributions from more than 1,400 people. They have also been subject to targeted engagement with Members, Area Cluster Groups and Area Committees. The issues, vision and objectives will help to shape the Replacement Plan. COVID-19 lockdown arrangements will continue to influence how the community engagement on the Preferred Strategy is concluded. This will be further considered when the revised Delivery Agreement is reported to Council.	There is no requirement to undertake formal consultation on the Issues, Vision and Objectives. Feedback from the targeted engagement has nevertheless been considered and, where appropriate, the issues, vision and objectives have been amended to reflect comments made. The vision and objectives will continue to be refined and incorporated into the Preferred Strategy which is currently subject to engagement/consultation with a wide range of internal and external stakeholders.

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
Putting resources into preventing problems occurring or getting worse	The key issues, challenges, opportunities and drivers facing the County are set out within the Issues, Vision and Objectives Paper which has been informed by a range of evidence, including the Monmouthshire Public Service Board (PSB) Well-being Plan, Monmouthshire Corporate Business Plan, LDP Review Report, LDP Annual Monitoring Reports and Replacement LDP Sustainability Appraisal Scoping Report, along with wider contextual factors such as national guidance/legislation and the Cardiff Capital Region City Deal. The Paper also sets out the revised RLDP vision and objectives to address the issues/challenges identified. The RLDP seeks to address the issues/challenges/opportunities identified (in a land use context) and support delivery of the Council's vision/objectives for the future of the County and its communities.	The Issues, Vision and Objectives Paper will inform the Replacement LDP Preferred Strategy which is currently subject to statutory consultation. The RLDP will seek to address the issues/challenges/opportunities identified (in a land use context) and support delivery of the Council's vision for the future of the County and its communities. MCC recognises that we are in a climate emergency and has committed to strive to limit the increase in global temperatures to 1.5°C. The importance of carbon reduction is recognised as a key issue that the RLDP should seek to address and is reflected in the relevant issues, vision and objectives.

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
Considering impact on all wellbeing goals together and on other bodies	The Paper identifies the key issues, challenges, opportunities and drivers for the Monmouthshire area that the Replacement LDP is seeking to address covering economic, environmental, social and cultural aspects. It also sets out the Vision and objectives to address the issues/challenges/opportunities identified. The Vision sets the overarching context for Monmouthshire for the period up to 2033 and aims to positively impact on both the current and future populations of Monmouthshire. The LDP will seek to address the issues/challenges/opportunities identified (in a land use context) and support delivery of the Council's vision/objectives for the future of the County and its communities. MCC recognises that we are in a climate emergency and has committed to strive to limit the increase in global temperatures to 1.5°C. The importance of carbon reduction is recognised as a key issue that the RLDP should seek to address and is reflected in the relevant issues, vision and objectives. The Replacement LDP will be subject to an Integrated Sustainability Appraisal (including Strategic Environmental Assessment (SEA), Well-being of Future Generations (WBFG), Health Impact Assessment (HIA), Equality Impact Assessment (EqIA), and Welsh Language Impact Assessment (WLIA)), whose findings will be used to inform the development of the Replacement LDP strategy, policies and site allocations in order to ensure that the Plan will be promoting sustainable development.	The Issues, Vision and Objectives Paper will inform the Replacement LDP Preferred Strategy which is currently subject to statutory consultation. The Replacement LDP will be subject to an Integrated Sustainability Appraisal (including Strategic Environmental Assessment (SEA), Well-being of Future Generations (WBFG), Health Impact Assessment (HIA), Equality Impact Assessment (EqIA), and Welsh Language Impact Assessment (WLIA)), whose findings will be used to inform the development of the Replacement LDP strategy, policies and site allocations in order to ensure that the Plan will be promoting sustainable development.

4. Council has agreed the need to consider the impact its decisions has on the following important responsibilities: Social Justice, Corporate Parenting and Safeguarding. Are your proposals going to affect any of these responsibilities?

	Describe any positive impacts your proposal has	Describe any negative impacts your proposal has	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Social Justice	The Social Justice strategy focuses on three main areas: tackling loneliness and isolation; tackling poverty and promoting equitable economic prosperity; and giving children the best start in life. The RLDP seeks to tackle house price unaffordability, which currently prevents some of our communities accessing suitable housing within the County. This is likely to benefit younger people in particular, which in turn will make our ageing communities more socially sustainable. Good quality and affordable housing is important in achieving poverty reduction and equitable prosperity, and supporting the best start in life. Good spatial planning helps to build cohesive communities.	None	We will consider the need for planning policies to control the housing mix of the market housing on development sites, to ensure it helps create mixed communities and supports the retention of younger people who can afford an open market home were there sufficient supply of 2 and 3 bedroom homes. We will consider the need for small affordable housing schemes in rural settlements similar to the current LDP's 60/40 sites. We will consider a range of policies around the climate change theme to minimize the carbon footprint of new development, and therefore mitigate negative impacts associated with the proposed growth.
Safeguarding	None	None	N/A
Corporate Parenting	None	None	N/A

5. What evidence and data has informed the development of your proposal?

An extensive range of data sets have been used to prepare the Issues, Vision and Objectives Paper, from a wide range of sources both internal and external to the Council. These are clearly referenced in the Paper and appendices, but include:

- Monmouthshire Public Service Board Well-being Plan (April 2018) https://www.monmouthshire.gov.uk/app/uploads/2017/10/Monmouthshire-PSB_well-being-plan_3.0.pdf
- Monmouthshire County Council Corporate Business Plan 2017 2022 (February 2018)
 https://www.monmouthshire.gov.uk/app/uploads/2018/03/Monmouthshire-Council_Corporate-Plan_1.0.pdf
- Monmouthshire Local Development Plan Review Report (March 2018) https://www.monmouthshire.gov.uk/app/uploads/2018/03/Final-Review-Report-1.pdf
- Monmouthshire Local Development Plan Annual Monitoring Reports (2015- 2018) https://www.monmouthshire.gov.uk/planning-policy/annual-monitoring-policy/annual-mon
- Replacement LDP Sustainability Appraisal Scoping Report (December 2018) https://www.monmouthshire.gov.uk/planning-policy/pre-deposit-ldp-documents/sustainability-appraisal-sa
- Monmouthshire LDP 'Retail Background Paper', October 2018. https://www.monmouthshire.gov.uk/app/uploads/2018/12/Employment-Land-Study-October-2018-reduced.pdf
- Monmouthshire LDP 'Employment Background Paper', October 2018. https://www.monmouthshire.gov.uk/app/uploads/2018/12/Employment-Land-Study-October-2018-reduced.pdf
- Monmouthshire 'Joint Housing Land Availability Study', June 2018. http://www.monmouthshire.gov.uk/app/uploads/2018/06/Monmouthshire-JHLAS-Report-2018.pdf

The following documents are available to view via the Planning Policy webpages of the Council's website https://www.monmouthshire.gov.uk/planning-policy/local-development-plan-revision/

- Monmouthshire RLDP Initial Integrated Sustainability Appraisal Report (February 2020)
- Habitat Regulations Assessment Report (February 2020)
- Monmouthshire RLDP Issues, Vision and Objectives Paper (June 2019, as amended March 2020)
- Monmouthshire RLDP Growth and Spatial Options Consultation Paper (June 2019)
- The Draft Monmouthshire, Blaenau Gwent and Torfaen LDP Demographic Evidence produced by Edge Analytics (May 2019)
- Monnmouthshire RLDP Housing Background Paper (March 2020)
- Monmouthshire RLDP Growth and Spatial Options Background Paper (March 2020)
- Monmouthshire RLDP Sustainable Settlement Appraisal (March 2020)
- Monmouthshire RLDP Candidate Sites Register (February 2019)
- Monmouthshire RLDP Delivery Agreement (May 2018)

External sources of data include Welsh Government, Cadw. Natural Resources Wales, Hometrack, Office for National Statistics and Stats Wales.

6.	SUMMARY:	As a result	of completing	ng this form,	what are the	main positive	and negative	impacts of yo	our proposal, h	now have
	they informe	ed/changed t	the developr	ment of the p	roposal so f	ar and what w	ill you be doin	g in future?		

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The issues, vision and objectives will help to shape the Replacement LDP. The preparation of the issues, vision and objectives is one of the first key stages in Replacement Plan preparation process and will inform the Preferred Strategy. The Issues, Vision and Objectives Paper sets the key issues, challenges, opportunities and drivers facing the County. It also sets out the RLDP vision and objectives to address the issues/challenges identified. These have been reviewed in the light of the COVID19 pandemic and are considered to hold true and the strategic direction of the RLDP remains sound.

Negative – None. There are no implications, positive or negative, for corporate parenting or safeguarding.

7. ACTIONS: As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.

What are you going to do	When are you going to do it?	Who is responsible
Seek Cabinet's endorsement that the Issues, Vision and Objectives remain relevant and hold true in the light of COVID-19, and that the RLDP should proceed on that basis.	Summer 2020	Head of Placemaking, Housing, Highways and Flooding
Seek Cabinet's agreement to lobby the Welsh Government to secure the removal of the 'drop dead date' legislative provision, which now presents a significant risk to Monmouthshire due to the resultant policy vacuum during the delay caused by COVID-19.		Head of Planning Planning Policy Team

8. VERSION CONTROL: The Equality and Future Generations Evaluation should be used at the earliest stage, such as informally within your service, and then further developed throughout the decision making process. It is important to keep a record of this process to demonstrate how you have considered and built in equality and future generations considerations wherever possible.

Version	Decision making stage	Date considered	Brief description of any amendments made following
No.			consideration
0.0	LDP Review Report and Delivery Agreement	20/04/2018	Draft for Council 10 th May 2018
1.0	Issues, Vision and Objectives scrutiny	01/02/2019	Draft for Economy & Development Select Committee 14 th February 2019. Subsequent amendments to actions to show process undertaken to date.
1.1	Issues, Vision and Objectives endorsement following consultation	09/04/2019	Draft for Cabinet 5 th June 2019. Report updated to reflect outcomes of engagement undertaken along with amendments to actions to show process undertaken to date.
1.2	Issues, Vision and Objectives endorsement following consultation	14/06/2019	Amended for Cabinet 3 rd July 2019 to reflect 16 th May 2019's Climate Emergency declaration by Council. Report updated to reflect outcomes of engagement undertaken. Updated summaries for assessment of well being goals and sustainable development principles to take account of climate emergency decision.
2.0	Growth and Spatial Options endorsement to consult	07/06/2019	Draft for Cabinet 3 rd July 2019
2.1	Growth and Spatial Options scrutiny	09/07/2019	Draft for Economy & Development Select Committee 17 th July 2019
3.0	Preferred Strategy endorsement to consult	11/12/2019	Draft for Council report 5 th March 2020
3.1	Preferred Strategy endorsement to consult	17/02/2020	Social Justice Strategy reviewed with Judith Langdon
4.0	Review of Issues, Vision, Objectives and timetable to consider the implications of COVID-19	02/06/2020	Version 1.2 reviewed with subsequent amendments at 3.1 incorporated.