

Medway Council
Meeting of Regeneration, Culture and Environment
Overview And Scrutiny Committee

Tuesday, 23 January 2018

6.30pm to 8.30pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

Present: Councillors: Clarke (Chairman), Bhutia (Vice-Chairman), Carr, Etheridge, Gilry, Griffin, Hicks, Mrs Josie Iles, Khan, Osborne, Saroy, Stamp and Tejan

In Attendance: Councillor Rodney Chambers, OBE, Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships
Councillor Howard Doe, Deputy Leader and Portfolio Holder for Housing and Community Services
Richard Hicks, Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive
Ruth Du-Lieu, Assistant Director, Front Line Services
Michael Edwards, Acting Head of Integrated Transport
Councillor Alan Jarrett, Leader of the Council
Tomasz Kozlowski, Assistant Director, Physical and Cultural Regeneration
Anna Marie Lawrence, Head of Performance and Intelligence
Millie Pountney, Legal Adviser
Ellen Wright, Democratic Services Officer

674 Apologies for absence

There were none.

675 Record of Meeting

The record of the meeting held on 7 December 2017 was agreed and signed by the Chairman as correct.

676 Urgent matters by reason of special circumstances

There were none.

677 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests

There were none

Other interests

There were none.

678 Attendance of the Deputy Leader and Portfolio Holder for Housing and Community Services

Discussion:

Members received an overview of progress on the areas of work within the terms of reference of this Committee and covered by the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe as set out below:

- Archives
- Armed Forces Covenant
- Events and Festivals
- Greenspaces
- Heritage
- Leisure Services
- Sporting Legacy
- Theatres and Arts
- Tourism

The Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe responded to Members' questions and comments as follows:

- **Responsibility for monitoring grounds maintenance performance** – A Member sought information as to the rationale for transferring the team responsible for monitoring performance of grounds maintenance to Medway Norse in May 2017 and questioned whether there was sufficient accountability when the monitoring team now worked for the same company as that providing the service.

In response, the Portfolio Holder advised that a local authority can deliver services in a number of ways and the Council had a successful working partnership with Medway Norse. He confirmed that he was

Regeneration, Culture and Environment Overview And Scrutiny Committee, 23 January 2018

satisfied that the current arrangements with Medway Norse delivered the best value for money.

The Member concerned then referred to public satisfaction targets for grounds maintenance which, at 70%, were considered to be low. He stated that whilst cost savings had been made, it was not considered this had led to decreased customer satisfaction.

The Portfolio Holder advised that he considered the targets to be set at a high level and Medway compared favourably with other local authority areas.

- **Provision of publicity for non-Council operated tourist attractions** – A Member referred to the strong tourism offer in Medway and suggested that the Council include the promotion of non-Council operated tourist attractions in its publicity campaigns.

The Portfolio Holder supported this suggestion and agreed to speak to Communications concerning the possibility of including publicity for non Council operated tourist attractions in publicity campaigns, provided such attractions were not in direct competition with leisure services or tourist attractions provided by the Council.

- **The Strand and Splashes Leisure Pools** – A Member asked the Portfolio Holder to acknowledge the positive outcomes following from the negative publicity concerning cleanliness of both The Strand and Splashes Leisure Pools in 2016.

The Portfolio Holder stated that The Strand Leisure Pool occupied a niche market and confirmed that work had been undertaken on the filtration system before the facility had re-opened for the Summer. Whilst it was recognised that improvements could be made at the Pool, there was a limit to how much the Council should invest in the current financial climate, taking into account that the facility was seasonal.

He further commented that Splashes Leisure Pool was an older facility and ideally could benefit from replacement in the longer term. He had established a Working Party to consider the future provision of the facility but recognised that to replace the pool would be very difficult in the current financial climate. In the meantime, staff at the pool were fully aware of the requirement to carefully check and maintain the equipment owing to its age.

- **Possible contracting out of Leisure Services** – A Member referred to the contracting out of Leisure Services by Greenwich Borough Council and sought an assurance that Medway was not planning to contract out its Leisure Services.

In response, the Portfolio Holder confirmed that there was no current intention for Leisure Services to be contracted out. However, it was

Regeneration, Culture and Environment Overview And Scrutiny Committee, 23 January 2018

necessary to continually check that the Council was providing value for money and therefore if a model of service delivery was identified that provided a favourable option, it would be investigated.

- **Armed Forces Covenant** – A Member referred to the Armed Forces Covenant and sought information as to how this Covenant had helped to ensure that there was no disadvantage to armed forces personnel.

In response, the Portfolio Holder explained the background to the existence of the Covenant. He gave an assurance that the Council worked closely with the armed forces and, as Armed Forces Champion, he personally attended Board meetings with the Army and regularly reassured them that the Council supported the presence of the armed forces in Medway.

He reminded the Committee that armed forces personnel could be posted to a new location at very short notice and this undoubtedly impacted upon the family, particularly if there were children involved. A Working Group was in the process of being established comprising officers from across the Council to ensure that if any problems arose involving armed forces personnel, they could be dealt with efficiently.

- **Tourism numbers** – In response to a request for information as to the number of tourists visiting Medway over the past year, the Portfolio Holder advised that there had been a 7% increase in tourism figures, albeit exact numbers were not to hand.
- **Relocation of Rochester Coach Park** - A Member requested information as to possible locations for the provision of a replacement coach park in Rochester now that The Esplanade had been ruled out.

The Portfolio Holder stated that a number of possible alternative sites were currently being investigated, one of which had been The Esplanade. More work had yet to be carried out on this and whilst he was confident that a suitable site would be identified, he was not in a position to provide information on other possible sites at this meeting.

Decision:

The Committee:

- a) thanked the Deputy Leader and Portfolio Holder for Housing and Community Services for attending the meeting and answering questions on his Portfolio; and
- b) noted that the Deputy Leader and Portfolio Holder for Housing and Community Services will discuss with Communications the possibility of including publicity for non-Council tourist attractions in publicity campaigns, provided such attractions were not in direct competition with leisure services or tourist attractions provided by the Council.

**Regeneration, Culture and Environment Overview And Scrutiny Committee, 23
January 2018**

679 Attendance of the Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships

Discussion:

Members received an overview of progress on the areas of work within the terms of reference of this Committee and covered by the Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships, Councillor Rodney Chambers, OBE as set out below:

- Inward investment
- Strategic Regeneration and Planning
- Strategic Partnerships
- Local Growth Fund
- Medway Ambassadors
- Heritage Champion

The Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships, Councillor Rodney Chambers, OBE responded to Members' questions and comments as follows:

- **Regeneration in Gillingham and Rainham** – A Member referred to the various regeneration projects listed in the Portfolio Holder's report and asked why there was no mention of regeneration in Gillingham and Rainham.

The Portfolio Holder advised that the regeneration sites referred to in paragraph 3.1 of his report formed part of the Regeneration Masterplan 2004. He drew attention to paragraph 3.2 of his report and confirmed that work began in 2017 on a refreshed Regeneration Vision for Medway to complement the forthcoming Local Plan and this would cover the whole of Medway, including both Gillingham and Rainham.

The Portfolio Holder also drew attention to various sites in Gillingham and Rainham that had benefitted from significant investment and regeneration including the waterfront, Medway Park, provision of a new College and major refurbishment works at both Gillingham and Rainham Railway Stations.

Reference was made to Gillingham High Street and concern was expressed over the lack of investment in the High Street and the surrounding area and, in particular, Britton Farm Mall. Attention was also drawn to the concentration of older housing stock in Gillingham, particularly by the river and the high levels of deprivation in this area. It was suggested that action be taken to ensure that Gillingham Business Park be filled to capacity and if possible, extra units be provided so as to increase employment opportunities.

Regeneration, Culture and Environment Overview And Scrutiny Committee, 23 January 2018

The Portfolio Holder referred to Gillingham High Street and commented that market forces dictated the level and type of shops available in High Streets. The decline of the 'High Street' as it was once known was not confined to Medway but a problem experienced by towns across the country. The shopping experience had changed over the years and it was often the case that High Streets were no longer major retail areas but district shopping areas. Referring to Gillingham High Street in particular, he advised that very few units were vacant and existing shops would not remain in the High Street if they were not operating as successful businesses.

A Member drew specific attention to Britton Farm Mall and advised that a major supermarket operator had shown an interest in opening a supermarket at this site but only if the Council, as landlord, was willing to invest in improving the unit. With the lack of investment being made available, he considered this to be a missed opportunity to secure a major supermarket retailer in Gillingham High Street.

- **Medway Local Plan** – A Member referred to the level of affordable housing delivered in 2017 and enquired as to whether the required level of housing could be delivered in Medway by 2020.

The Portfolio Holder advised that housebuilding fell within the remit of the Portfolio Holder for Planning, Economic Growth and Regulation. However, he commented that developers were responsible for determining the speed at which house building projects were delivered and he gave an assurance that the development site at Rochester Riverside was currently being prepared for works to commence in the near future.

- **Rochester Airport** – A Member referred to paragraph 4.2. of the report and sought information as to why funding from the South East Local Enterprise Partnership (SELEP) would be subject to further scrutiny of financial viability.

The Portfolio Holder explained that the regeneration project at Rochester Airport was to be delivered in 2 phases and each funding allocation was required to meet scrutiny of its financial viability. There was no reason to believe that the current screening would pose a problem.

- **Partnership working with the Universities** – A Member questioned whether there were opportunities for the Universities to be involved in the regeneration of Medway and in particular, working with the hospital.

The Portfolio Holder confirmed that all the Universities had been involved in regeneration projects and provided the following examples:

- University of Greenwich - Innovation Centre Medway
- University of Kent – School of Sport Science at Medway Park

Regeneration, Culture and Environment Overview And Scrutiny Committee, 23 January 2018

- University of Greenwich – Provision of qualifications for careers in Social Sciences
- University of Creative Arts – Provision of assistance with businesses within the creative sector
- Canterbury Christchurch University – Provision of qualifications for careers in education, health and social care sectors.

He advised that many staff members at Medway Hospital had obtained their qualifications at Canterbury Christchurch University.

Decision:

The Committee thanked the Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships for attending the meeting and answering questions.

680 Employment Opportunities for 18 - 25 Year Olds (including Apprenticeships)

Discussion:

The Assistant Director Physical and Cultural Regeneration introduced the report from the in-depth Task Group review on Employment Opportunities for 18-25 Year Olds (including apprenticeships).

As this was a cross-cutting Task Group, a copy of the report had been considered by the Children and Young People Overview and Scrutiny Committee on 11 January 2018 and an extract from the minutes of that meeting had been circulated prior to the meeting of this Committee.

The Committee thanked both Councillors Josie Iles and Gilry who had taken part in the Task Group as representatives from the Regeneration, Culture and Environment Overview and Scrutiny Committee and expressed their appreciation to all the witnesses who had given evidence.

The Committee was advised that the Task Group had agreed four lines of enquiry as set out in paragraph 3.2 of the report.

The Assistant Director Physical and Cultural Regeneration advised the Committee that a Skills Board, chaired by the Chief Executive had been established and had reviewed the recommendations of the Task Group. The Skills Board would be providing a comprehensive, joined up approach to driving up the skills of communities in Medway and, by doing so, support the area's economic growth and physical regeneration. The Medway Skills Board would also be working closely with key businesses, in addition to schools, academies, colleges and universities.

The Committee commended the Task Group on the production of a comprehensive report and raised a number of points and questions including:

Regeneration, Culture and Environment Overview And Scrutiny Committee, 23 January 2018

- **Careers advice and financial support for apprentices** – A Member referred to the comments of the Children and Young People Overview and Scrutiny Committee on 11 January 2018 concerning the quality of careers advice given to young people and the need to examine the financial support given to young apprentices. She suggested that careers advice should be inclusive and not solely aimed at following an academic path and that increased financial support should be made available for young people to attend interviews.

In addition, she drew attention to the need to reassure parents of young people with SEND (special educational needs and disability) as to the opportunities available for their children.

Another Member suggested that careers advice should be provided independently, as some schools/academies may wish to retain pupils rather than recommend that they progress onto college. Therefore, the involvement of an independent source of careers advice would be beneficial.

The Assistant Director Physical and Cultural Regeneration reassured the Committee that the Medway Skills Board would be giving consideration to the issue of careers advice. He also referred to the National Careers Strategy which, not only enabled provision for Enterprise Advisors, but also ensured that young people could have up to seven encounters within a business environment to enable them to experience different types of work by 2020.

- **The level of NEETS in Medway** – A Member referred to the fact that 40% of NEETS were concentrated in 4 Wards across Medway and asked whether the Medway Skills Board would be taking any action to identify where NEETS were located and whether there were any particular reasons why there were high concentrations of NEETS in these particular areas. He also asked whether there was any action that the Council could take to help these individuals.

The Assistant Director Physical and Cultural Regeneration confirmed that this would form part of the work of the Medway Skills Board.

- **Retention of young skilled workers in Medway** – A Member drew attention to the need for the Medway Skills Board to identify ways in which young skilled workers could be encouraged to remain in Medway once they had obtained their qualifications or completed training. In addition, young people who had left Medway to study elsewhere should be encouraged to return to Medway to work after graduating.

The Assistant Director Physical and Cultural Regeneration advised upon funds available to provide apprentice opportunities.

Regeneration, Culture and Environment Overview And Scrutiny Committee, 23 January 2018

- **Schools suitable for young people in wheelchairs** – Referring to page 55 of the Task Group Report, a Member drew attention to the fact that Rivermead was not the only school in Medway with wheelchair access.
- **Lack of data for 18 – 25 year olds** – A Member expressed concern as to the limited NEET data available for 18 – 25 year olds. He drew attention to information set out in paragraph 6.5.1 of the Task Group report and expressed concern that this data was limited to 16 and 17 year olds. Therefore this did not provide a true reflection of the total numbers of NEETS.

In response, it was reported that nationally, data for NEETS was only collected for 16 – 17 year olds.

The Director of Regeneration, Culture, Environment and Transformation and Deputy Chief Executive gave an assurance that the Medway Skills Board would be looking at NEETS more widely than just 16 and 17 year olds.

- **Employment opportunities within Medway** – The Assistant Director Physical and Cultural Regeneration informed the Committee that the Medway Skills Board was also investigating the reskilling of the adult population of Medway and he reminded the Committee that the various regeneration projects within Medway and the surrounding areas would increase opportunities in the field of construction.

Decision:

The Committee:

- a) agreed that the report and recommendations made by the Employment Opportunities for 18 – 25 year olds (Including apprenticeships) Task Group be supported and recommended to Cabinet on 6 February 2018;
- b) noted that the Assistant Director Physical and Cultural Regeneration will provide the Member concerned with further information as to the geographical spread of 18 – 25 year old NEETS and more information as to the work that is being undertaken to address the situation for these individuals via the Officer Skills Board; and
- c) extended appreciation to Councillors Josie Iles and Gilry for their involvement in the Task Group on behalf of this Committee.

681 Placing Objects on the Highway Policy Review

Discussion:

The Acting Head of Integrated Transport introduced a report reviewing the twelve month pilot policy 'Placing Objects on the Highway' operated in Chatham High Street from July 2016.

Regeneration, Culture and Environment Overview And Scrutiny Committee, 23 January 2018

The Committee was reminded that the aim of the policy was to:

- Promote parity and uniform standards across all traders.
- Improve the quality of displays whilst promoting safety for pedestrians and compliance with emergency service access regulations.
- Provide a solution that has minimal cost to businesses and is cost neutral to implement and operate.
- Deliver an option that is acceptable and enforceable.

For the pilot, traders were required to pay £162 per annum for their object licence which entitled the trader to place furniture in an assigned area of the High Street affording their premises for a period of 12 months. The policy had also included a £40.00 charge for each enforcement visit where traders were displaying furniture without the necessary licence.

The 12 month period ceased in July 2017 but had been extended for a further 12 month period to July 2018 and traders in Chatham High Street had been invited to purchase a further 12 month licence at a fee of £162.

It was confirmed that there were currently 13 licences in place on Chatham High Street, 8 for the placement of tables and chairs and 5 for the placement of A-Boards.

A review of the pilot commenced in September 2017 and consisted of two separate surveys, one for Chatham residents and one for shop tenants. In addition to the surveys, officers had also contacted the Kent Fire and Rescue Service and the Kent Association for the Blind to obtain their views on any changes to the High Street area since the commencement of the pilot.

Details of the survey results and the views of the Kent Fire and Rescue Service and the Kent Association for the Blind were set out in the report.

Officers had also examined the current processes behind the management and operation of the policy within the Council.

The Committee discussed the report and sought information on the timescale for rolling out the scheme to other parts of Medway, should Cabinet approve that the scheme be made permanent.

The Acting Integrated Transport Manager advised that no timescale had yet been set, but if the scheme in Chatham was made permanent and it was decided to expand the scheme to other appropriate areas in Medway, the identification of timescales and a project plan for implementing the expansion of the scheme would be a priority task. Officers would also investigate the option of charging per metre of space used so as to take account of the type of shop front display used.

The Acting Integrated Transport Manager also confirmed that throughout the pilot scheme, no enforcement fines had been issued and officers had liaised

Regeneration, Culture and Environment Overview And Scrutiny Committee, 23 January 2018

with tenants to ensure that they were aware of the scheme and the need to obtain a licence.

A number of suggestions were put forward concerning communication of the scheme to traders through the Town Centre Forums, obtaining data from traders as to whether they considered the scheme had improved footfall and profitability and the possibility of surveying visitors to the High Street for their views on the scheme.

Decision:

The Committee agreed:

- a) that based on the pilot scheme in Chatham it be recommended to Cabinet that a permanent scheme be designed and implemented in Chatham High Street, taking into consideration the analysis set out in this report and a detailed options appraisal;
- b) that it also be recommended to Cabinet that further work be carried out to extend the scheme to the other appropriate areas within Medway once the Chatham scheme has been fully embedded;
- c) it be noted that if the scheme in Chatham is made permanent and it is decided to expand the scheme to other appropriate areas in Medway, the identification of timescales and a project plan for implementing the expansion of the scheme would be a priority task; and
- d) subject to the scheme being approved by Cabinet, a further report be submitted to this Committee at a future date outlining the finalised scheme and plans for the expansion of the scheme to other areas of Medway.

682 Review of Parking Charges at The Strand Leisure Park

Discussion:

The Assistant Director Front Line Services introduced a report setting out the outcome of a review of the impact on visitor numbers and income at The Strand Leisure Park following the introduction of Pay and Display Car Parking in July 2017. This report had been produced at the request of the Committee following consideration of a petition presented by Councillor Stamp on 7 December 2017.

The Committee was reminded that as part of budget setting for 2017/18, Pay and Display Car Parking had been introduced at The Strand Leisure Park from July 2017.

In response to the request of the Committee on 7 December 2017, officers advised that the impacts of adopting Pay and Display Car Parking at the Strand Leisure Park could only be compared against paid activities as no car counter survey data was available for when the car park areas were free. Analysis had therefore been carried out on income levels and footfall for the paid attractions at The Strand Leisure Park for 2017 in comparison with 2016 and 2015 which

Regeneration, Culture and Environment Overview And Scrutiny Committee, 23 January 2018

had shown that there had been no reduction in either since the implementation of Pay and Display charging.

The impact on visits to undertake free recreational activities such as use of the Play Area and dog walking could not be quantified as no counter survey was available.

It was reported that prior to implementation of the car parking charges, it was known that local businesses and students were making use of the top car park as this was always full to capacity Monday to Friday through all seasons. However, since the implementation of parking charges, the same parking area was now not so heavily used outside of the summer months.

The Committee discussed the report and a Member expressed concern that, from data provided, income from facilities at The Strand Leisure Park were not achieving the annual income target of £149,000. He therefore questioned why the Council had introduced Pay and Display parking charges at this site as he considered this reduced the number of users of the facilities and thus reduced income. He referred to the level of income received in 2015 and stated that following improvements to the Strand Leisure Pool, the involvement of the Friends of Strand Pool and the good weather in 2017, the level of income should have been higher in 2017, and he attributed the affect on income levels to the introduction of the car parking charges.

The Member proposed that it be recommended to Cabinet that it abolish car parking charges at The Strand Leisure Park but upon being put to the vote this did not receive the support of the Committee.

In response to the question as to whether the £30,000 catering concession referred to in paragraph 2.3 was included within the £149,000 income target, the Assistant Director Physical and Cultural Regeneration agreed to respond to the Member direct outside of the meeting.

The Assistant Director Physical and Cultural Regeneration also advised that income levels in 2015 would be expected to exceed those in both 2016 and 2017 as the Leisure Pool had longer opening hours in 2015. These opening hours had not proved financially viable and in 2016, the opening hours had been reduced.

A Member pointed out that the income levels and footfall for 2017 as set out in the report at paragraphs 3.3 and 3.4 were for a 6 month period and suggested that an update be provided when data for a full year was available.

Decision:

The Committee:

- a) noted the review of the impacts on visitor numbers and income at The Strand following the introduction of Pay and Display Car Parking in July 2017;

**Regeneration, Culture and Environment Overview And Scrutiny Committee, 23
January 2018**

- b) agreed that when income and footfall data is available for a full year, this information be circulated to all Members of the Committee via a briefing note; and
- c) noted that the Assistant Director Physical and Cultural Regeneration will provide information direct to the Member concerned as to whether the £30,000 catering concession is included within the income target of £149,000.

**683 Dementia Task Group - How far has Medway gone in becoming a
Dementia Friendly Community - Progress Report**

Discussion:

The Committee received a detailed report summarising progress against each of the recommendations made by the Dementia Task Group Review entitled 'How far Medway has gone in developing a Dementia Friendly Community?'

The findings of the review had previously been reported to this Committee on 28 March 2017.

The Committee was advised that many of the recommendations were cross cutting and within the remit of one or more overview and scrutiny committees and noted that the report had been considered by the Health and Adult Social Care Overview and Scrutiny Committee on 18 January 2018. The Head of Performance and Intelligence advised the Committee of the outcome of consideration by that Overview and Scrutiny Committee.

The Committee noted that Dementia Awareness Training would be delivered at the Open Meeting of the Rural Liaison Committee on 6 March 2018.

Decision:

The Committee agreed that progress made against the Task Group's recommendations be noted, and in line with the request of the Health and Adult Social Care Overview and Scrutiny Committee, requested that a further update be provided in 6 months.

684 Petitions

Discussion:

The Committee received a report advising of those petitions received by the Council which fell within the remit of the Committee, including a summary of responses sent to the petition organiser by officers.

Decision:

The Committee agreed that the petition response and appropriate officer action outlined in paragraph 3 of the report be noted.

685 Work Programme

Discussion:

The Committee received a copy of its current work programme and was advised that at the agenda planning meeting on 4 January 2018, it had been suggested that the additional information requested in October on the Performance Indicator NI 167 (average journey times along 5 routes across Medway) be included within the next Performance Monitoring Report.

At this meeting the following had been added to the work programme:

- Placing Objects on the Highway
- Dementia Task Group – 6 month update

A Member referred to the latest Forward Plan and drew attention to the Waste Collection and Cleansing Contract due to be considered by Cabinet on 6 March 2018. He asked whether there would be sufficient time for this to be the subject of scrutiny by this Committee.

The Director of Regeneration, Culture, Environment and Transformation and Deputy Chief Executive advised upon the timescales and confirmed that the award of the contract was a matter for the Executive. If this Committee wished to consider this issue, the only option available would be to use the call-in process.

The Member concerned expressed disappointment that the Overview and Scrutiny Committee would not have an ability to feed into the process prior to the award of a significant contract that affected everyone in Medway.

Decision:

The Committee:

- a) noted the current work programme;
- b) agreed that the additional information requested at the October meeting on Performance Indicator NI167 (Average journey times along 5 routes across Medway) be included within the next Performance Monitoring Report; and
- c) noted that reports on the following would be added to the Committee's work programme as a result of decisions at this meeting:
 - Placing Objects on the Highway
 - Dementia Task Group – 6 month update

**Regeneration, Culture and Environment Overview And Scrutiny Committee, 23
January 2018**

Chairman

Date:

Ellen Wright, Democratic Services Officer

Telephone: 01634 332012

Email: democratic.services@medway.gov.uk

This page is intentionally left blank