



# LYMPSTONE PARISH COUNCIL

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28<sup>th</sup> May 2019

To All Members of the Parish Council

You are summoned to attend a meeting of Lympstone Parish Council, to be held **7.30pm** on **Monday 3<sup>rd</sup> June 2019** in the Village Hall. The business to be transacted is set out below. Members of the Public are cordially invited to attend and to speak in the open session.

The agenda and all attachments can be found online at [www.lympstone.org](http://www.lympstone.org)

Miss L Tyrrell  
Clerk to the Parish Council

## AGENDA

	<b>Public Session</b>	<b>7.30</b>
1	<b>INFORMATION: Apologies</b>	<b>7.40</b>
2	<b>ACTION: Minutes</b> To confirm the minutes of the PC meeting held on 13 <sup>th</sup> May 2019 attached.	<b>7.45</b>
3	<b>INFORMATION: To receive any Declarations of Interest</b>	<b>7.50</b>
4	<b>Clerk's report (see attachments):</b> <b>ACTION:</b> <ul style="list-style-type: none"> <li>i) Report received from Ms S Jenkins, Internal Auditor: Annual Audit 2018/19 Internal Auditor's letter attached.</li> <li>ii) Annual Audit 2018/19 Internal Auditor's certificate attached.</li> <li>iii) Annual Audit 2018/19 Governance Statement attached.</li> <li>iv) Annual Audit 2018/19 Accounting statements attached.</li> <li>iv) Bank Signatory Form</li> </ul> <b>DISCUSSION:</b> <ul style="list-style-type: none"> <li>v) Correspondence Received - Re: Nettles</li> <li>vi) Red Telephone box in Trafalgar Road</li> </ul> <b>INFORMATION:</b> <ul style="list-style-type: none"> <li>vii) Lympstone Herald Publication Dates</li> <li>viii) AONB Plan March 2019</li> <li>ix) Annual CIL Report for notice boards and website</li> <li>x) Meeting with EDDC Officers Sulina Tallack and Jamie Buckley regarding the Toddler Play Area and Activity Trail</li> </ul>	<b>7.55</b>

	xi) <b>Finance</b> - Payments / Financial summary / Budget report xii) <b>Clerk's Action List</b>	
5	<b>INFORMATION: Reports from the Chairman, East Devon District Councillors and Devon County Councillors</b> if any.	<b>8.10</b>
6	<b>ACTION: Planning Applications</b> <b>18/1766/FUL</b> and <b>19/0735/FUL</b> - Erection of General Purpose farm building (amendment to approved application 18/1766/FUL) to re-orientate the building at Land North Of Edinburgh Crescent. <b>19/1135/FUL</b> - Construction of front porch, front dormer windows and first floor extension over decking to the rear. Proposed car port to the front at Tadpoles.	<b>8.15</b>
7	<b>INFORMATION: EDDC Planning decisions</b> - See attached list: May19	<b>8.20</b>
8	<b>INFORMATION: Exe Estuary Trail</b> - To receive an update and report from The Exe Estuary Trail group.	<b>8.25</b>
9	<b>DISCUSSION: The Public Conveniences</b> - To discuss the current contract with EDDC.	<b>8.30</b>
10	<b>INFORMATION: Reports of Lead Councillor</b> Any reports requiring a decision are attached. <b>Facilities and Estates</b> – Cllr Atkins <i>Rotated monthly:</i> <b>Communications</b> –Cllr Young ( <i>was Herald/Website</i> ) <b>Transport, Parking and Planning</b> – Cllr Hill and All Cllrs <b>Community</b> – Cllr Atkins, Cllr Rogers ( <i>was YC/VH/NP/CTCRM</i> ) <b>Environment</b> - Cllr Young ( <i>was Flood/Emergency/Allotments</i> ) <b>Heritage and Structure</b> – Cllr Rogers, Cllr Young and Cllr Connelly-Cole ( <i>was Gulliford/Exe Estuary</i> ) <b>Finance, Grants, Funding and Compliance</b> – Cllr Ducker and All Cllrs	<b>8.35</b>
11	<b>DISCUSSION: Matters raised by Councillors</b>	<b>8.40</b>

## **Attachments:**

### **4. Clerks report May 19:**

#### ***ACTION:***

- i) Report received from Ms S Jenkins, Internal Auditor:**

7 Ross Close  
Pinhoe  
Exeter EX1 3UE

28 May 2019

Cllr Kathy Rogers  
Chairman  
Lympstone Parish Council

Dear Cllr Rogers

Internal Audit for the financial year ended 31 March 2019

I have completed the internal audit of the Council's systems of financial and other controls over its operating procedures and activities. This has been carried out in line with proper practice set out in the Governance and Accountability for Smaller Authorities in England (the Practitioner's Guide).

Accounting records: Accounting statements are prepared on a receipts and payments basis as appropriate and are supported by the underlying records.

Appropriate accounting records have been kept throughout the financial year. By sampling a random selection of financial transactions, I confirm that expenditure was approved, payments were supported by invoices and VAT was properly accounted for and reclaimed. Income received was properly recorded and banked.

Financial Regulations and Standing Orders: The Parish Council complies with its Financial Regulations, however, these are dated August 2014 and I recommend that the Council reviews and updates its Financial Regulations as per the current Model Financial Regulations. The Clerk is aware of the need for a review and this is referred to in the Review of system of internal controls 2018-19 prepared by the Clerk.

The Council's Standing Orders are dated April 1999 and I recommend that these are reviewed and updated, as a matter of priority, as per the current Model Standing Orders.

I understand from the Clerk that the Council has recently formed a working group to consider Finance, Grants, Funding and Compliance. This is to be welcomed as a means of keeping the Council's policies and procedures under review.

Risk management and insurance: The Council assesses significant risks in line with Financial Regulations and reviews its insurance annually. The Council maintains a Register of Risks which should be kept under regular review.

Precept, budget monitoring and reserves: The precept resulted from an appropriate budgetary process and the Council monitors its progress against budget on a monthly basis. A financial summary is also presented to the Council monthly.

The internal audit report for the previous year referred to the level of reserves which were considered high. The level of reserves at the end of the financial year 2018-19 remains high at £59,756, although £35,000 of these reserves are earmarked. It is generally recommended that unallocated reserves are kept at a level of between 3 to 6 months running costs and the Council

may wish to review the reserves as part of the year end process to ensure it is satisfied that they are at an appropriate level.

Petty cash: The Council does not operate petty cash.

Staff costs: Salaries and any increase in salaries were approved and PAYE and NI requirements were properly applied and accounted for. Any allowances to members were approved by the Council.

Asset register: The asset register was maintained and up to date at the year end.

Summary of recommendations:

- Priority review of Financial Regulations
- Priority review of Standing Orders
- Review of the level of unallocated reserves

In my opinion, the Council's financial procedures and controls are sound and effective. Thank you for appointing me to undertake this work.

Yours sincerely  
Sarah Jenkins

#### **DISCUSSION:**

##### **ii) Correspondence Received Re: Nettles**

*Dear Lucy*

*Having said that I'm a bit rusty on wildflowers, I do know nettles.*





*I was wondering if the Parish Council could ask the owners of the wall which runs down Strawberry Hill and along Church Road (Lympstone House or new development ?) if they could clear nettles which are hanging at face level from the wall, before somebody is going to get hurt. They are maining opp. to Donald Delahaye.*

*Thanks, Angela Coles*

##### **iii) Red Telephone box in Trafalgar Road**

#### **K6 KIOSK DOOR PARTS**

X2 Connect Ltd are the only BT approved reseller of K6 Red Telephone Box and their Spares

			
<b>K6 DOOR COMPLETE - PAINTED - LH</b>	<b>K6 DOOR COMPLETE - PAINTED - RH</b>	<b>K6 CAST IRON DOOR INSERT</b>	<b>K6 HARDWOOD DOOR SURROUND</b>
<b>£ 948.00</b> <small>Excluding VAT and Delivery</small>	<b>£ 948.00</b> <small>Excluding VAT and Delivery</small>	<b>£ 365.00</b> <small>Excluding VAT and Delivery</small>	<b>£ 256.00</b> <small>Excluding VAT and Delivery</small>

**INFORMATION:**

**iv) Lympstone Herald Publication Dates**

*Hi Everyone,*

*I am writing to you as regular contributors to the Lympstone Herald firstly to say thank you for your contributions which make it much easier to regularly publish our village magazine. We and everyone in the village are very grateful for the contributions you make and for keeping everyone informed of the many exciting events and activities going on in Lympstone.*

*Secondly, I am starting to find publication a little challenging and have felt from the start that there are various conflicting demands that make it difficult to avoid everything being a little last minute and necessitating arrangements that are proving to be unsustainable. As such I am proposing that we will change our publication dates slightly, the magazine will still be published monthly but it will be a week later each month so the deadline for content will be the Wednesday after the Parish Council Meeting. This will mean we should be able to get content to the printers by the end of that week and they will have more time to print and deliver to the Telfers with distribution happening a weekend later each month than it has been previously. I understand that some people have concerns about the magazine being received later in the month not giving enough notice for upcoming events but the regularity will be consistent so in reality it is not any different and we are very willing to publish advance notice of upcoming events and to include dates in the 'What's on' section which runs three months in advance.*

*If anyone has any comments or questions then please let me know. I hope you all understand this is intended to make the whole process smoother for everyone and as you can see from the dates the village will still benefit from a monthly magazine but it will be delivered around the middle of each month or a week later than previously.*

*I intend to publish a short comment on this in the next issue of the Herald and probably share the forthcoming content deadlines unless anyone raises something in the meantime that causes me to reconsider this strategy.*

*Thanks again and kind regards, Rob Hilton*

**v) Annual CIL Report for notice boards and website**

**Lympstone Parish Council Annual CIL Report**

Reporting April 2018 to 31 March 2019

A	Total CIL income carried over from previous years	NIL
B	Total CIL income received (receipts-Oct 18)	1,825.90
C	Total CIL spent (expenditure)	0
D	Total CIL repaid following a repayment notice	0
E	<b>Total CIL retained at year end (A+B+C+D)</b>	<b>1,825.90</b>

CIL Expenditure:

Item/Purpose:	Amount Spent
NIL	
<b>Total Spent</b>	

Signed: \_\_\_\_\_ Position: Parish Clerk

Verified: \_\_\_\_\_ Position: Parish Council Chairman

This document is sent to EDDC and published on the Parish Council website no later than 30<sup>th</sup> June following the reported year.

## Finance - Payments / Financial summary / Budget report

### Payments (April and May 2019)

01/04/19	98	Optima Graphics - Herald printing	£398.00
01/04/19	99	ROSPA Play safety	£107.40
01/04/19	100	P Corcos - LFRG expenses	£30.00
01/04/19	2551	Miss L Tyrrell salary March 2019	£588.24
01/04/19	2552	Miss L Tyrrell expenses March 2019	£117.29
01/04/19	2553	Mrs C Edworthy - Wages March 2019	£242.73
01/04/19	2554	HMRC - Tax and NI March 2019	£152.90
01/04/19	2555	Gulliford Joint Committee -LPC contribution 2019-2020	£200.00
01/04/19	2556	DALC - Preparing for elections training	£36.00
01/04/19	2557	Diamond Facilitation	£429.50
01/04/19	2558	Bespoke Web Design	£22.50
01/04/19	2559	DALC - HMRC/PAYE and Preparing for Audit training	£96.00
04/04/19	DD	EDF - Lights in toilets REF: 671024465401	£27.00
15/04/19	DD	EDF - Lighting, Candys Field Acc no: 9208111111	£69.68
15/04/19	DD	EDF - YC Electricity REF: 671079829135	£32.00
15/04/19	DD	EDF - YC Gas REF: 671079829166	£56.00
24/04/19	2560	EDDC - Waste collection 1/4/19-31/3/20	£299.00
24/04/19	2561	Peter Tate Ltd	£120.00
24/04/19	2562	J Morrish	£80.00
24/04/19	2563	A Western	£250.00
24/04/19	2564	DALC Membership 1/4/19-31/3/20	£452.78
24/04/19	2565	P Corcos - LFRG expenses and YC sink	£75.00
24/04/19	2566	Exmouth and District Community Transport Group	384.44
24/04/19	2567	Groundwork UK - returned unspent NP grant	£6,985.47
24/04/19	2568	Optima Graphics - Herald printing	£405.00
24/04/19	2569	PVM Supplies - toilet rolls	£104.98
24/04/19	2570	Teign Trees and Landscapes South West Ltd	£204.00
24/04/19	2571	Westcountry Rivers Trust	£1,890.00
24/04/19	X 2572	Cob Solutions - Repair to wall at Gulliford cemetery <b>CANCELLED</b>	£0.00
24/04/19	2573	Mrs C Edworthy - Wages April 2019	£234.00
26/04/19	2574	Gulliford Joint Committee -LPC contribution for wall repair	£4,500.00
30/04/19	2575	HMRC - Tax and NI April 2019	£199.81
30/04/19	2576	Miss L Tyrrell - wages April 2019	£694.27
30/04/19	2577	Miss L Tyrrell - expenses April 2019	£81.29
30/04/19	2578	P Corcos - B&Q Plumbing expenses	£38.43
30/04/19	DD	PLUSNET ref: 3453454-1	£39.98
01/05/19	DD	EDF - Lighting, Candys Field Acc no: 9208111111	£67.97
07/05/19	DD	EDF - Lights in toilets REF: 671024465401	£16.00
13/05/19	2579	S Davies - LFRG consumables	£46.44
13/05/19	2580	Alison West - Bespoke Web Design	£46.00
13/05/19	2581	A Western	£405.00
15/05/19	DD	EDF - YC Gas REF: 671079829166	£56.00
15/05/19	DD	EDF - YC Electricity REF: 671079829135	£32.00

**Receipts (April and May 2019)**

01/04/2019	FPI	Herald Advert - Richard Waddell 19/015	36.00
02/04/2019	FPI	Herald Advert - DAVE MANNING	75.00
04/04/2019	FPI	Herald Advert - LYMPSTONE PRE SCHOOL	50.00
12/04/2019	FPI	Herald Advert - LENS CLEANING	15.00
16/04/2019	FPI	Herald Advert - DAB ELECTRICAL SOLUTIONS	75.00
26/04/2019	500399	Western Power	7.54
26/04/2019	500399	Herald Advert - S Wilkes	45.00
06/05/2019	FPI	Herals Advert - A Mason	5.00
09/05/2019	FPI	Herald Advert - Peter Tosh Opticia	25.00
14/05/2019	FPI	Herald Advert - J Moffatt	18.00

**Financial summary (May 2019):****Financial Summary****Current Account**

Opening balance at 1st April 2019	60,712.68
Receipts	£23,792.54
Total receipts	£84,505.22
Transfer from dep ac	
Total paid in to current ac	£84,505.22
less, Payments	£22,419.44
Net balance	£62,085.78
Unpresented cheques	£0.00
Receipts not on statement	£0.00
Balance at Bank	£62,085.78

**Deposit Account**

Balance at 1st April 2019	£162.17
Interest to 31st March 2020	£0.00
Transfer to current ac	£0.00
<b>Total</b>	<b>£162.17</b>

**Budget Monitoring (May 2019):**

Code	Item	Budget	Spent	Balance
10	VAT	£5,000.00	£493.90	4,506.10
100	S137 *	£500.00	£0.00	500.00
101	Other Grants	£1,000.00	£384.44	615.56
201	Clerk's Salary	£10,000.00	£2,569.94	7,430.06
202	Clerks Expenses	£800.00	£196.16	603.84
203	Office expenses	£1,200.00	£249.27	950.73
208	Village Hall Hire	£0.00	£0.00	0.00
209	Miscellaneous	£500.00	£0.00	500.00
301	Chairman's Allowance	£150.00	£0.00	150.00
302	Subs	£600.00	£452.78	147.22
307	Courses, Travel etc	£500.00	£110.00	390.00
308	Insurance, Audit, Elections	£3,500.00	£0.00	3,500.00
313	Miscellaneous inc Beacon bonfire	£500.00	£6,985.47	-6,485.47
400	Herald Printing	£4,500.00	£1,242.00	3,258.00
602	Grass Cut	£4,000.00	£205.00	3,795.00
605	Other Maintenance	£1,000.00	£0.00	1,000.00
608	General tree work inc Candys Field	£500.00	£170.00	330.00
612	Bin emptying	£500.00	£249.17	250.83
616	Handyman	£4,000.00	£405.00	3,595.00
618	Notice Boards - Maintenance	£100.00	£0.00	100.00
633	Play Equipment Mtce	£1,000.00	£89.50	910.50
640	Lighting in Candy's field	£600.00	£130.93	469.07
701	Toilets inc: wages, consumables, rates, elec, utilities, repairs	£5,600.00	£1,190.74	4,409.26
702	Flood equipment and Maintenance	£500.00	£0.00	500.00
703	LFRG expenses	£500.00	£96.44	403.56
706	Gulliford Cemetery	£800.00	£4,700.00	-3,900.00
800	Burial Ground	£500.00	£125.00	375.00
1101	Youth Club Building Maintenance	£1,000.00	£63.43	936.57
1102	YC Utilities	£2,000.00	£167.20	1,832.80
1300	Website etc	£400.00	£68.50	331.50
1400	Adverse weather	£200.00	£30.00	170.00
1500	Gully cleaning and jetting	£2,000.00	£0.00	2,000.00
2100	Parishes Together	£1,500.00	£1,575.00	-75.00
2300	NP Projects	£0.00	£429.50	-429.50
2400	Cont to repairs to VH Car Park	£500.00	£0.00	500.00
2500	DCC Funding	£0.00	£0.00	0.00
2600	YC Recharge	£0.00	£0.00	0.00
	Total	£50,950.00	£21,885.47	£29,064.53
	Add VAT		£493.90	
	Total		£22,379.37	

**Clerk's Action List:** Lympstone Parish Council: Clerks Action List – May 2019

Month and Minute	Response	Date Actioned
May - 19/09	Clerk to contact the Allotments and let them know the PC agreed the new Trustees of Heathfield Allotments.	15/5
May – 19/09	The Clerk write a letter of thanks to Mr Masterson.	21/5
May – 19/09	Clerk to investigate the process of transferring savings account money to the PCs current account.	
May – 19/10	The Clerk write a letter of thanks from the PC is sent to RNAS Yeovilton and the Royal Marines.	20/5
May – 19/11	Clerk to arrange a site meeting with owners of Longmeadow Road new build and Amberwood with all Cllrs. – Meeting arranged 23/5	15/5
May – 19/11	Clerk to type and circulate Cllr Atkins SWW letter to all Cllrs for approval.	21/5
May – 19/11	Clerk to ask EDDC an extension on the planning response time from the PC.	14/5
May – 19/15	Clerk to contact EDDC dog warden.	20/5
May – 19/15	Clerk to include irresponsible dog issue in Herald and Cllr Young to post on	14/5

	website.	
May – 19/15	Clerk request 6 more copies of the ANOB plan.	16/5
May – 19/15	Clerk to send the report from the facilitator Mark Robertson to all members of the Council and NP review group.	15/5
May – 19/15	Clerk to contact the NP Officer from EDDC and invite him to a PC meeting.	
May – 19/16	Clerk to chase up the removal of mud with the harbour board.	22/5
Additional actions:		
	Met with JC and KR	10/5
	Met with Sarah Jenkins (internal auditor)	13/5
	Emailed planning west with agreed planning decisions	14/5
	Met with HiLine (Rich)	15/5
	Courses booked for Cllrs	15/5
	Gulliford cemetery wall (ongoing) – Joint Gulliford Meeting	21/5
	Monthly Defib report	23/5, 28/5
	Site meeting at Amberwood and 1 Highgrove	23/5
	Meet with Sulina Tallack, Jamie Buckley and Cllrs	10/5

## 7. INFORMATION: EDDC Planning decisions - May19

**19/0436/LBC** - Construction of replacement rear extension, changes to internal doorway at 1 lower Harefield and **19/0435/FUL** - Construction of replacement rear extension (revised scheme to approved application 18/1211/FUL) at 1 Lower Harefield **APPROVED**

## 8. INFORMATION: Exe Estuary Trail

### TRAIL ACTION GROUP REPORT TO LYMPSTONE PARISH COUNCIL, 3rd June 2019

**(1) Objectives and Scope of the Group :** Trail Action Group (Lymptone) is a working group for implementation of Neighbourhood Plan Objective CA 8 for an off-road route for the Exe Estuary Trail (EET) through Lymptone. The Group was established in 2014 in light of increasing concerns about the safety of the on-road section of the EET (the most common issue raised during the NP consultation).

Our vision is of an alternative off-road route for the EET with clear access links to the village for those who wish to visit (and residents). This will create a direct, safer route for commuters and families, and enhance tourism by helping to retain the character of the village. In light of increasing development in the region, and increasing use of the EET (~ 83,000 cyclists in 2010; 178,000 in 2018), this will help ensure long-term sustainable development of the village and the EET.

Since 2014, various steps have been taken, including:

- a petition to Devon County Council (DCC) in 2014,
- various further communications with DCC,
- consultation with Network Rail, Sustrans, Hugo Swire MP, and other organisations,
- a preliminary review of alternative routes for an off-road route (conducted by Sands Consulting and funded by LPC).

In 2016, DCC's then Head of Highways made the position clear – if LPC could show that an off-road route is technically feasible, then it would be considered by DCC. Since then, this has been our main objective.

**(2) Group Members and Lead Councillor:** Trail Action Group includes 5 members - Judith Carter (leader), Clem Davies, Sara Davies, Miles Freeman, and Cllr Ben Ingham. Cllr Angela Connelly-Cole is the Lead Parish Councillor for achieving Neighbourhood Plan Objective CA8, and the main link to Trail Action Group.

### **(3) Recent Progress and Achievements:**

- In November 2018 we contacted DCC's new head of highways (Meg Booth, Chief Officer of Highways, Infrastructure Development & Waste), and gained a positive response. She agreed to arrange a meeting with two of DCC's senior engineers.
- In January 2019, we met Anjumn Kanani (Chief Engineer) and Lee Meaden (Project Manager, Engineering & Design Group) who provided useful advice on the process for getting the proposed off-road route project to delivery:
  1. *Complete Network Rail's Governance for Railway Investment Projects (GRIP) Stages 1 -3 (LPC's responsibility)*
  2. *Obtain planning approval (DCC's responsibility - so political will and commitment are needed at this stage)*
  3. *Agree legal issues associated with the land, e.g., access & liability (DCC's responsibility)*
  4. *Secure funding (DCC's responsibility).*

Anjumn & Lee could only advise on (1) above.

Since then, we have:

- Consulted with Network Rail (Angela Edmonds, Commercial Scheme Sponsor)
- Contacted qualified engineering consultants.
- Met with one of the consultants, Arcadis (Note: We intend to obtain at least two quotes – see 'next steps' below)
- Met with Lee Meaden at DCC for clarification on the scope of work.
- We have already conducted preliminary discussions with potential private donors for the feasibility study.

#### **(4) Issues and Obstacles:**

- **Scope and cost of the feasibility study**
  - We are currently awaiting response from DCC on the scope of work. Originally, they recommended completion of GRIP Stages 1 -3, but we now consider that completion of GRIP Stages 1 and 2 is sufficient to determine feasibility (and Network Rail agrees).
  - In addition to consultants' fees, there will be significant charges from Network Rail for staff time and access to its land.
  - The total cost is to be confirmed after receipt of quotes from consultants and Network Rail.
- **Funding of the feasibility study**
  - Preliminary consultation with potential donors has taken place but the availability of sufficient funding is not yet certain.
  - Earlier attempts to secure funding from other sources (e.g., Lottery) have proved unsuccessful.
- **Community & other stakeholder consultation**
  - The first task is to determine if an off-road route is technically feasible.
  - Consultation will then follow (building on the earlier consultation during 2011-2016).
  - The development of a 'Stakeholder Management Plan' is part of GRIP Stage 1.
- **Funding of scheme if feasible**
  - Even if proven feasible, the availability of funding for construction of an off-road scheme is likely to be a significant obstacle (see 'next steps') but we will be in a much better political position.

#### **(5) Next steps:**

1. Confirm scope of feasibility study with DCC (i.e., GRIP Stages 1-2 vs Stages 1-3).
2. Obtain quotes from at least two qualified engineering consultants and Network Rail.
3. Obtain estimate of Network Rail's costs.
4. Complete and sign a new BAPA (Basic Asset Protection Agreement) with Network Rail.
5. Consult with potential private donors to secure funding.
6. Select consultant.
7. Confirm project management and financial arrangements.
8. Maintain regular communication with Network Rail Scheme Sponsor and DCC.
9. Consult with Keith Lands, EDDC Planning Policy Team Leader, on how to get the potential construction project on the CIL 123 listing.
10. If an off-road route proves feasible, arrange a meeting with Dave Black, DCC Head of Planning, Transportation & Environment, and organise stakeholder consultation, etc.
11. Maintain regular communications with LPC throughout the above