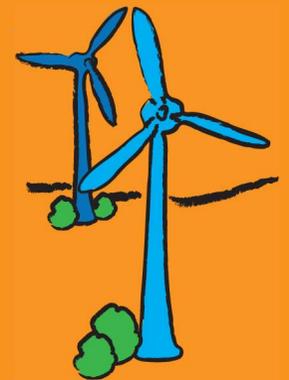


**Supplementary Planning Documents:**

**Sustainable Travel  
Affordable Housing**

**Consultation Statement**

**July 2022**



## **Introduction**

Public consultation took place on two updated Supplementary Planning Documents for a period of five weeks between 29<sup>th</sup> November 2021 and 5<sup>th</sup> January 2022. A total of 54 comments were received.

The Council adopted both documents on 28<sup>th</sup> July 2022. The adopted documents are:

- Sustainable Travel SPD
- Affordable Housing SPD

## **Who we consulted**

- Duty to Cooperate Bodies
- Bodies and organisations with a topic specific interest
- Developers and Agents active in the Borough
- Housing Associations active in the Borough
- Parish Councils
- Equality Forums

## **How we consulted**

- Emails or letters sent to the above consultees
- Press advert in the Barnsley Chronicle
- Press Releases (including use of the Council's Facebook and Twitter Pages) and press coverage through the course of the consultation period.
- Documents were made available on the Council's website
- Documents were made available at Library@the Lightbox and Branch Libraries across the Borough (online and paper form)

## Response to Consultation

The tables below set out the main issues raised during consultation. They summarise the main points and any key changes made to the documents as a result of comments received.

### General/ overarching comments

<b>NUMBER OF COMMENTS: 4</b>	
<b>MAIN ISSUES RAISED</b>	<b>HOW THE ISSUES HAVE BEEN ADDRESSED</b>
No comments	N/A
Recommendation to extend consultation period as it ran over Christmas and New Year and the building industry closes down.	Government guidance is for a consultation period of four weeks for Supplementary Planning Documents. We had added an extra week as the consultation ran over Christmas and New Year. The changes proposed to the SPD's are considered to be minor, therefore we do not feel a further extension to the consultation period was required.

<b>SUSTAINABLE TRAVEL SPD</b>	
This SPD seeks contributions to sustainable and active travel. The original was adopted in 2019. This version has been amended for clarity and to make it clear that it relates to all sustainable transport.	
<b>Key changes made as a result of comments:</b>	
<b>NUMBER OF COMMENTS: 29</b>	
<b>MAIN ISSUES RAISED</b>	<b>HOW THE ISSUES HAVE BEEN ADDRESSED</b>
General support for the proposals and the commitment to sustainable travel.	Support noted.
Thinks the following sentence is unclear and will weaken the strategy as drivers will argue they are penalised when carriageways and parking are reduced to accommodate public transport and cycling: <i>They should not, however, be used to penalise drivers or cut provision</i>	This was a supporting statement for clarification. As the preceding sentences set out what the SPD is for, this sentence can be removed.

<p><i>for cars in a way that is unsustainable and could have negative impacts on the surrounding streets or road network (para 3.4)</i></p> <p>Considers that an effective strategy will focus on improving walking and cycling facilities and access for mobility vehicles (queries why these aren't mentioned) and other forms of transport for disabled people, in the process it will also discourage individual car and commercial vehicle use and this has to be acknowledged openly. We should also look to support the development of carbon-free transport solutions like PedalMe which transports passengers and goods using adapted cycles.</p>	<p>The document refers to all modes so it is felt that there is no need to differentiate.</p>
<p>Concern about reliance on behavioural change in paragraph 2.1</p>	<p>We consider it important to influence travel behaviour to ensure a more sustainable future. We would contend that there are examples of behaviour change such as the move towards the use of electric vehicles.</p>
<p><i>Policy T3 New Development and Sustainable Travel</i>  <i>New development will be expected to:</i>  <ul style="list-style-type: none"> <li>• <i>Be located and designed to reduce the need to travel, ...</i></li> </ul>         Considers that developments on the MU1 site are being promoted as commuter housing, totally at odds with this philosophy.</p>	<p>Policy T3 is a policy in the adopted Local Plan and cannot be changed through this SPD. Site MU1 is a mixed use allocation in the adopted Local Plan, which went through a rigorous examination process by an independent planning Inspector and was subject to public scrutiny.</p>
<p><i>4.12 Whilst the focus for active travel facilities is often on journeys to work, education and shopping, it is important to include access to green space and leisure routes, these should also include provision for running and be fully accessible. If there are traffic free routes, these should feel safe for users, and lit where appropriate.</i></p> <p>People can feel unsafe/be attacked even in trafficked neighbourhoods. What experience is there of successfully implemented and, just as important, utilised facilities of this type. The cost must include lighting and security CCTV.</p>	<p>The final version of the SPD will include a sentence recommended by the Police Architectural Liaison officer to ensure proposals are developed with 'Design to avoid crime' principles in mind. Issues such as the need for CCTV and layouts which give opportunities for natural surveillance etc. will be considered through these principles.</p>
<p><i>5.1 Contribution Formula</i>  <i>.... This appendix will be amended periodically ...</i>          Shouldn't this be qualified in some way (eg time or events) to reflect what may actually cause changes in values?</p>	<p>It is difficult to include a specific time period as it will depend on when there is a change in circumstances or updated evidence that will lead to amendments.</p>

<p>5.2 <i>For non-residential schemes contributions will be sought if identified as being necessary to deliver the modal shift targets identified in the travel plan.</i> This is under the “Dwellings”. Should it be under Employment, Speculative and Outline Applications?</p>	<p>5.2 to be deleted and the text used in bullet at 5.6. The heading will also be changed to “Non Residential” for clarity.</p>
<p>6.1 ... <i>the emerging Transport Strategy.</i> Typo.</p>	<p>Noted.</p>
<p><i>Rail Park and Ride • Expansion of existing or creation of new rail parking and ride sites, where feasible.</i> What about hospital park &amp; ride?</p>	<p>The SPD gives general support to Park and Ride facilities. It is not appropriate for the SPD to include detail on specific proposals.</p>
<p>7. <i>Potential Wider Benefits</i> 7.1 <i>The Local Plan objectives seek to economic prosperity ...</i> Typo.</p>	<p>Noted.</p>
<p>8. <i>Electric Vehicle Charging Points</i> This proposal is all about 7kW supplies and takes no account of two important issues: 1. Newer vehicles are now capable of being charged at up to 250kW; 2. A common complaint is time to recharge, which explains why 1. above development has been pursued. Suggests household supplies can be kept at 7kW to minimise distribution cabling costs, but queries industrial and commercial locations.  Queries whether energy stored in vehicle batteries being available to feed back into the grid should be covered. Raises concerns expressed by some fire brigades about the potential for very serious and hard-to-extinguish battery fires. Queries whether the SPD should deal with consideration of siting and spacing.</p>	<p>As of 15<sup>th</sup> June Electric Vehicle Charging and specifications will be covered by Building control Regulations Part S. Therefore the information in the SPD will be deleted and a cross reference added to the relevant Building Control documentation.</p>
<p>9. <i>Planning Permission 9.1 ... Paragraph 110a states applications for development should give priority first to pedestrian and cycle movements, ...</i></p>	<p>Our view is that facilities have to be provided to encourage and facilitate travel by sustainable modes in line with Government policy and the emerging Transport Strategy. The safety of all road users will be taken into account in developments.</p>

<p>View that provision of facilities doesn't automatically translate into increased cycle use. Considers if this is done at the expense of parking and free flow of traffic, it will cause friction Barnsley streets has limited capacity to cater for this sort of priority, particularly in the Town Centre.</p>	
<p><i>Travel Plan and Transport Assessment Process</i> Would like to see examples of this being implemented and shown to work.</p>	<p>The whole process is under development and more information will be available in the future once we have gone through the monitoring and reporting process.</p>
<p><i>9.8 DMRB will apply to all classified roads and MfS will apply to all other lower category of residential roads.</i> Not clear what DMRB and MfS are and why struck out.</p>	<p>Design Manual for Roads and Bridges (DMRB) and Manual for Streets (MfS) are related to design issues and do not relate to the assessment process. Therefore, on reviewing the SPD we decided to remove as not relevant.</p>
<p><i>Measures to Promote Walking 1. Provision of direct convenient pedestrian routes to local facilities with high levels of natural surveillance (ideally more convenient to use than travel by car);</i> Queries how this be provided on routes between communities, eg between Town and Royston? Does it mean that all pedestrian routes will be lit, where not already covered by street lighting? See also the comment on 4.12.</p>	<p>This SPD will be applied to new development. It will seek some off site improvements where these are necessary and directly related to the development. The final version of the SPD will include a sentence recommended by the Police Architectural Liaison officer to ensure proposals are developed with 'Design to avoid crime' principles in mind. Issues such as the need for CCTV and layouts which give opportunities for natural surveillance etc. will be considered through these principles.</p>
<p><i>Measures to Promote Cycling 2. Where possible provision of convenient, segregated cycle paths to link to local cycle network (e.g. direct routes with high levels of natural surveillance, safer routes to school and work, routes to public transport hubs);</i> Thinks this may be feasible in new developments but in existing developments where there is not much room it may discourage use. See also comment on 9.1.</p>	<p>This SPD will be applied to new development</p>
<p><i>Monitoring of the Travel Plan</i> • <i>A full staff/occupier/residential survey questionnaire. Surveys should always be conducted at the same time each year for consistency;</i> Support for this point, starting with drivers of large cars and SUVs arriving at schools on the school run.</p>	<p>Surveys are undertaken to determine the mode split of all staff / occupiers and does not discriminate towards individuals personal choice of vehicle.</p>

<p>12.10 These agreements are normally an essential means of implementing an agreed Travel Plan. In addition to specifying the agreed measures and targets, an agreement may include remedies in the event of any failure to deliver agreed measures. S106 agreements may provide for the following:          Considers the aims of this policy laudable, but are subject to changing or encouraging behaviour, not rules and law. Queries whether they can they be translated into meaningful and measurable targets that the developer can really be held responsible for. Queries whether there are examples of this philosophy being applied.</p>	<p>There are examples of where Travel Plans have been secured across the borough.</p>
<p>Bottom of page 22, last set of boxes – cinema's Typo.</p>	<p>Noted.</p>
<p>Table 2 - Thresholds based on other Considerations          Column 5, headed TA/TP deleted, leaving entry 4 without a tick. What did TA/TP mean?</p>	<p>TA/TP stands for Transport Assessment and Travel Plan. Changes are proposed to present this information differently as a list of instances where a Transport Assessment will be required. This list will include item 4, as that should have had a cross in the column.</p>
<p>Residential Travel Plans Table 6          All text in <b>BOLD</b>. Should it be?</p>	<p>To be consistent with the other tables the text in columns 2 and 3 to be changed to normal font, not bold.</p>
<p>Appendix C. Methodology and calculations used to arrive at contribution figures.          Queries whether there are any actual examples of the theory being put to practical, measurable use.</p>	<p>In 2014 the Department for Communities and Local Government ("DCLG") published revised planning guidance introducing a new 10-unit threshold for Section 106 affordable housing and tariff-style contributions aimed at reducing planning costs for small scale and self-build development.</p>
<p>No specific comments but advises consideration of Green Infrastructure, Biodiversity enhancement, Landscape enhancement, NPPF design principles and Strategic Environmental Assessment/Habitats Regulations Assessment.</p>	<p>Comment noted.</p>
<p>Request to add a paragraph with regard to the consideration and obvious benefits of building/developing any project to a recognised security standard such as 'Secured By Design'.</p>	<p>Sentence to be added at paragraph 9.8. Measures to design out crime should be considered at an early stage of the design process. Development should take account of the guidance within the Secured by Design website. Please see link below:</p>

	<a href="http://securedbydesign.com/industry-advice-and-guides/">http://securedbydesign.com/industry-advice-and-guides/</a>
No specific comments. Recommends that the Council reviews the paragraph references to the NPPF to ensure consistency with the most recent 2021 version.	Comment noted.
<b>Sustainable Travel</b> <b>5.1 and 5.2</b> – In accordance with the CIL Regulations Section 106 contributions to transport can only be sought where it is evidenced that the development proposed would result in an unacceptable impact on the transport network, and that a contribution is necessary to enable the development to go ahead.	CIL regulations relate to whether section 106 obligations can be taken into account in the grant of planning permission. Obligations should be necessary, directly related to the development and fairly and reasonably related in scale and kind. The approach in this SPD meets those tests but if there are individual cases where the approach doesn't fit the particular factual circumstances of that development para 5.5 permits the developer to suggest an alternative approach.
<b>Section 6</b> – this gives a general list of items the contributions would be spent on which does not relate to the specific development and therefore does not comply with the CIL/Section 106 regulations.	The list gives examples of what could be sought if relevant to the particular development.
<b>8.1</b> – It is not clear on what basis or evidence the figures/percentages given have been proposed.	As of 15 <sup>th</sup> June Electric Vehicle Charging and specifications will be covered by Building control Regulations Part S. Therefore the information in the SPD will be deleted and a cross reference added to the relevant Building Control documentation.
<b>Appendix A Table 2 Page 23</b> – Considers that this adds unnecessary complexity to the process, and is not clear what it means. It will not be possible to know whether a development hits these thresholds until the TS work has been undertaken and the Highway Authority etc have commented on the proposed scheme. Is this table providing additional thresholds for a Travel Plan or specifying when a TS or TA is required? Point 4 in table 2 doesn't have a cross in either column.	TATP stands for Transport Assessment and Travel Plan. Changes are proposed to present this information differently as a list of instances where a Transport Assessment will be required. This list will include item 4, as that should have had a cross in the column.  Table 2 is a copy of the requirements from DfT Guidance on Transport Assessments. Although now withdrawn, it is still widely used with highways and transportation as the baseline from which to consider assessment forms.
<b>Appendix B</b> -should state where relevant.	Paragraph 10.4 states " <i>Table 3 in Appendix B sets out the appropriate headings a Travel Plan should have alongside an indication of what each section should include and an expanded version of this table is set out in Table 4. Individual developments will</i>

	<p>however have their own characteristics which may merit a variation on Travel Plan content, therefore this checklist should be used as a starting point in the preparation of all Travel Plans.” We consider this makes it clear that this is a list of key headings and content that a travel plan should include and is to be used as a starting point. Therefore we don’t think the addition of ‘where relevant’ is necessary.</p>
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<p><b>AFFORDABLE HOUSING SPD</b></p>	
<p><b>Key Changes from previous version:</b> The original was adopted in 2019. Change to Affordable Housing tenure split based on updated evidence in the SHMA 2021. Reference added to First Homes.</p>	
<p><b>Key Changes made as a result of comments:</b></p>	
<p><b>NUMBER OF COMMENTS: 21</b></p>	
<p><b>MAIN ISSUES RAISED</b></p>	<p><b>HOW THE ISSUES HAVE BEEN ADDRESSED</b></p>
<p>Queries how a developer is expected to make savings to reduce the price by 20% when paragraph 7.3 expects affordable homes to be <i>“indistinguishable from the open market housing in terms of style, quality of specification, finish and materials. They should also be indistinguishable in their external layout....”</i></p>	<p>Delivering sustainable, inclusive and mixed communities is an important planning objective. Developers are aware of planning policy requirements and factor these into their costings. Where developers have issues on a site, they will usually submit a viability assessment and seek to negotiate with the local planning authority. Seeking affordable housing of an appropriate quality and standard is not something that is particular to Barnsley, all local planning authorities adopt this approach.</p>
<p><i>Paragraph 7.3 refers to South Yorkshire Residential Design Guide and asks if it is the 2011 document and does section N3 Local resources, energy and carbon dioxide reduction align with the Council’s Zero45 ambitions.</i></p>	<p>Yes, the South Yorkshire Residential Design Guide currently in use is dated 2011. The Council uses this document as best practice, it has not adopted it in its entirety as a Supplementary Planning Document. It is recognised that this document requires updating in some areas. Work will begin shortly to scope out what sections need to be reviewed.</p>

<p>Queries why the sentence at paragraph 7.3 was deleted that read <i>“This will be equivalent to the cost of on-site provision taking into account the fact that there will be a corresponding increase in the market housing on the application site.”</i></p>	<p>Cannot find sentence referred to in current version that is adopted. <a href="https://www.barnsley.gov.uk/media/15706/affordable-housing-spd.pdf">https://www.barnsley.gov.uk/media/15706/affordable-housing-spd.pdf</a></p>
<p>No specific comments. Consider whether Strategic Environmental Assessment/ Habitats Regulations Assessment is required.</p>	<p>Noted. SEA/HRA not required in this instance.</p>
<p>Request to add a paragraph regarding the consideration and obvious benefits of building/developing any project to a recognised security standard such as ‘Secured By Design’.</p>	<p>Text to be added at Para 7.2; ‘...Measures to design out crime should be considered at an early stage of the design process. Development should take account of the guidance within the Secured by Design website. Please see link below: <a href="http://securedbydesign.com/industry-advice-and-guides/">http://securedbydesign.com/industry-advice-and-guides/</a></p>
<p>Notes reference to First Homes, and will work with the Council as appropriate on future consultations and/or a technical note as appropriate.</p>	<p>Noted, future liaison welcomed.</p>
<p>Raises concerns that the 2021 SHMA is not robust and defensible evidence. Considers that it fails the tests of soundness since it is not:  <b>Justified</b> – because the evidence base is flawed and does not canvass views of the housing industry,  <b>Effective</b> – because it will not identify the full need for affordable housing, nor does it consider all types of housing (such as Executive), and  <b>Consistent with national policy</b> – because it deviates from the source of data suggested by national policy.   P21_3200_R001.SH  MA.Dec21.pdf</p>	<p>SHMA’s are studies that are meant to be reasonable and proportionate. Arc 4 has a wealth of experience in undertaking SHMA’s that are regularly tested at Public Examination. The development industry usually appreciates the approach adopted by Arc 4.</p> <p>In undertaking our SHMA national guidance has been followed. Arc 4 use a standard methodology which is regularly updated based on latest guidance and best practice. Stakeholder consultation has been carried out. As with all consultations we cannot guarantee everyone consulted will respond. Arc 4 is unable to release information to the Council on who responded and who didn’t due to GDPR.</p> <p>On affordable housing need, the report presents the position based on evidence at the time of the update. Whilst there is evidence of a shortfall, the Council is working towards meeting the need.</p> <p>Executive Housing is not a PPG objective, the guidance does not ask</p>

	<p>us to look at specific needs for all specific needs groups.</p> <p>The evidence in the SHMA highlights need for larger market housing dwellings. It is a reasonable assumption that some of those homes could be considered executive housing, However, there is no defined planning definition.</p>
<p>Whilst the Affordable Housing SPD does not seek to amend the Council’s current affordable housing policy it does refer and provide weight to the evidence provided within the 2021 SHMA. Makes the point that SPDs are only able to add further detail to plan policies they cannot create new policy. Raises concerns about the reference to the SHMA in paragraph 3.2, and when determining type and tenure.</p> <p>The SPD also refers to a separate ‘technical note’ in relation to First Homes (para. 2.11). This should be included within this Affordable Housing SPD to ensure that a consistent approach is applied.</p>	<p>Our view is that the SHMA is a legitimate piece of evidence and it makes sense to use the latest evidence base to inform planning decisions. The example of paragraph 3.2 is not considered to be making new policy. We are aligning the SPD with new guidance, not creating new local policy. Paragraph 8.5 of the Affordable Housing SPD adopted in 2019 states “<i>The Council will also take account of future evidence and up-to-date information, therefore Table 1 may be subject to amendment.</i>”</p>
<p>The SPD also refers to a separate ‘technical note’ in relation to First Homes (para. 2.11). This should be included within this Affordable Housing SPD to ensure that a consistent approach is applied</p>	<p>Following First Homes coming into effect in December 2021 in the borough, the tenure split table in the SPD is to be amended so the affordable home ownership is split to reflect the 25% of total affordable provision being First Homes. This does not change the split between affordable rent and affordable home ownership as recommended in the SHMA.</p> <p>It is intended that the forthcoming technical note will remain separate. The note will set out the process and technical requirements, which may be subject to change and require updating regularly. A separate note can be more easily updated than the SPD itself.</p>
<p><b>2.10</b> - The SPD appears to disregard Starter Homes and Discounted Market Sales from the Council’s definition of affordable housing despite these forming part of the NPPF definition. Considers the delivery of these types should be recognised as part of affordable housing delivery in Barnsley.</p>	<p>We acknowledge this point. A reference is included in the early paragraphs of the SPD. However, Government never ratified these measures in terms of providing technical guidance around eligibility. As guidance on First Homes has now been provided we are focussing on those. Focussing on all affordable home products would</p>

	risk delivery of shared ownership, which the SHMA identifies a need for.
<b>2.11</b> – The information to be provided in an ‘additional technical note’ should form part of this SPD as an appendix and not follow later.	It is intended that the forthcoming technical note will remain separate. The note will set out the process and technical requirements, which may be subject to change and require updating regularly. A separate note can be more easily updated than the SPD itself.
<b>4.2</b> suggests that schemes for self-build and custom build homes may not have to provide affordable housing. This is welcomed as these types of housing for self-builders are encouraged by national planning policy and are significantly in demand. It is not clear however what is meant in 4.2 by these types of development being ‘genuinely and demonstrably ‘not for profit’. How can this be demonstrated? Is the landowner supposed to give away the plots for self-build/custom build housing? What if the houses are subsequently sold by the self-builders? Considers this paragraph unhelpful	Self build and custom build developments by their nature are unlikely to meet the threshold of 15 dwelling or more in Local Plan policy H7 on affordable housing, and therefore there would be no requirement to provide affordable housing. Paragraph 4.2 will be removed.
<b>Section 5</b> indicates that the Council will expect an Affordable Housing Statement to be submitted in order to make a 15+ dwelling scheme valid. It is noted that this is included on the Local list of Validation Requirements and therefore can be required as part of a valid application. It should be acknowledged in the SPD however that the full details of the delivery of the affordable housing (such as the RSL) will not necessarily be available at the time a planning application is submitted (particularly where this is an outline application).	We appreciate that all information may not be available at the time of submitting a planning application. Paragraph 5.2 sets out our expectations, where information is not available we can agree for this to be provided at a later date.
<b>9.1</b> – the paragraph about rounding up/down does not read correctly. It should be made clear that a number less than 0.5 will be rounded down, and 0.5 and above will be rounded up (if that’s the case).	Sentence to be added to clarify 0.5 and above rounded up.
<b>10.1</b> – bullet point 2 “No registered provider of off-site provision or a commuted sum is willing to purchase the affordable unit(s)”; does not read correctly: ‘or a commuted sum’ should be deleted.	Text to be amended as suggested “ <i>or a commuted sum</i> ” will be deleted.
<b>10.3</b> states “The Council will not consider granting planning permission for a proposal with less than the required proportion of	We don’t think it is unreasonable to review the financial information relating to the viability of a scheme where affordable housing

<p>affordable housing without reviewing the financial viability of the proposal”. Contends that the Council cannot refuse to consider a valid planning application. There could be circumstances where the balance of planning issues means that a scheme is considered to be acceptable despite the absence of affordable housing. Could a development of elderly persons or fully accessible homes for persons with disabilities be exempt from affordable housing provision if it can be demonstrated that it is meeting an evidenced housing need?</p>	<p>contributions are not being proposed in line with Local Plan policy H7. An Affordable Housing Statement is required for developments of 15 units or more, in order for the application to be validated. With regard to the examples given, there are likely to be few instances where those types of development were of a scale that would meet the threshold of Local Plan policy H7.</p>
<p><b>11.1</b> – the opportunity to provide serviced plots instead of affordable housing is welcomed. However, it is not clear in 11.1 how the equivalent level of contribution would be calculated or how this option would be dealt with in the event of an outline application.</p>	<p>The monetary value of the number of affordable units would be the starting point, and then the land value would be calculated. It would be similar to how a commuted sum is calculated. This would be dealt with either through a section 106 or it could be conditioned on an outline application.</p>
<p><b>13.5</b> – It is not clear which party/what this paragraph refers to.</p>	<p>This paragraph intends to ensure that any recycled money from the sale of affordable housing is spent within the borough. An introductory sentence will be added to clarify.</p>
<p><b>15.1</b> – Should state that the drafting of any necessary Section 106 agreement will commence as soon as possible during the course of a planning application and not wait until a resolution to grant is achieved. Bullet points at the top of page 14 should state ‘should cover the following where applicable’ as they won’t all be relevant in each case.</p>	<p>The text in paragraph 15.1 does state that <i>“the Council aims to expedite negotiations in a timely manner to avoid unnecessary delay in the planning process.”</i> We consider that this text will suffice, it is not practical to draft a Section 106 too early in the process.</p> <p><i>“Where applicable”</i> will be added at the top of the bulleted list. It will be removed from the fifth bullet point.</p>
<p><b>16</b> – Needs to be updated to reflect the NPPF 2021.</p>	<p>Noted.</p>
<p><b>Appendix 1</b> – Does not appear to be examples of Affordable Housing Statements (in terms of the requirements set out at Section 5)</p>	<p>Noted, this appendix will be deleted.</p>