

# **Billinghay Neighbourhood Plan Basic Conditions Statement**

October 2017

# Introduction

This is a 'Basic Conditions Statement', prepared to accompany the submission of the Billinghay Neighbourhood Plan. This plan is being submitted by Billinghay Parish Council, the qualifying body.

The Neighbourhood Plan proposal contains policies relating to the use and development of land and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012 (as amended).

The Neighbourhood Plan proposal states the period for which it is to have effect. This is a period until the end of 2025.

The Neighbourhood Plan proposal does not deal with excluded development (mineral extraction, waste development, nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990).

The Neighbourhood Plan proposal relates to the *Billinghay* Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that Neighbourhood Area.

The Neighbourhood Plan proposal meets the basic conditions set out in the Town and Country Planning Act 1990. This is covered in more detail in the next part of this statement.

# The Basic Conditions

The Basic Conditions that Neighbourhood Plans must meet are as follows:

- They must have appropriate regard to national policy;
- They must contribute to the achievement of sustainable development;
- They must be in general conformity with the strategic policies in the development plan for the local area; and
- They must be compatible with EU obligations.

In order to consider the requirements to be compatible with EU obligations, two further basic conditions are set out in regulations. They are that a plan or order must not have a significant adverse effect on a European site or a European offshore marine site and where a Neighbourhood Development Order proposes certain types of development, an assessment of the effects of the order on the environment must be undertaken and its findings taken into account. These additional basic conditions do not apply to the Billinghay Neighbouhood Plan.

In addition, Neighbourhood Plans must be compatible with human rights law.

The outcome of the recent referendum on membership of the EU makes no immediate difference to the requirement on EU obligations, until such a time as Parliament passes relevant legislation.

# **Regard to National Policy**

The Billinghay Neighbourhood Plan (BNP) has been prepared against the context of national policy, in particular the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

The central theme of the NPPF is the presumption in favour of sustainable development. Sustainable development is described as having three dimensions: economic, social and environmental.

# **NPPF Core Principles**

There are 12 core principles put forward in the NPPF (Paragraph 17). The following table lists these core principles, against the BNP Aims.

NPPF Core Principle	BNP Aims	Policies
be genuinely plan- led, empowering local people to shape their surroundings	All BNP aims apply.	The Plan has been developed to provide a vision, framework and policies to guide development in the village (Introduction).
creative exercise in finding ways to enhance and improve the places in which people live	All BNP aims apply.	The Plan seeks to accommodate housing growth in a sustainable manner (Policy H1), ensure good design (Policy H2), and improve community facilities (Policies CFA1, CFA2, SA1, SA2, and SA3).
proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs	All BNP aims apply.	The Plan seeks to accommodate housing growth in a sustainable manner (Policies H1 and H2), deliver appropriately scaled economic growth (Policies EEG1, EEG2, SA3, SA4, and SA5) and improve infrastructure and community facilities (Policies EEG3, CFA1 and CFA2).
take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the	To preserve the high quality natural environment and protect nature and wildlife interests and green space.	The plan seeks to accommodate growth in a sensitive and sustainable manner (Policies EEG1 and EEG2), address local housing needs across the village in a sustainable manner (Policies H1 and H2), while protecting and enhancing the natural environment (Policy ENV3).

countryside and supporting thriving rural communities within it		
take account of the different roles and character of different areas recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it	To preserve the high quality natural environment and protect nature and wildlife interests and green space.  To promote Billinghay as a long-term living and working settlement that meets the needs of all ages of residents and to actively encourage the provision of retail units, businesses and employment opportunities.	The plan seeks to encourage high quality development (Policy H2) with a focus on sustainable locations (Policies SA3, SA4, and SA5), and seeks to protect and enhance the natural and historic environment (Policies ENV3 and HT1).
support the transition to a low carbon future in a changing climate, taking full account of flood risk	All aims apply.	The plan seeks to accommodate growth in a sustainable manner (Policies EEG1, EEG2, H2, SA3, SA4 and SA5), whilst addressing a range of infrastructure issues (Policies ENV4, TT1, TT2, TT3, EEG3, CFA1 and CFA2).
conserving and enhancing the natural environment	To preserve the high quality natural environment and protect nature and wildlife interests and green space.	The plan seeks to focus development within the existing urban environment (Policies EEG1, EEG2, SA1, SA3, SA4 and SA5), and seeks to protect and enhance the natural environment (Policies ENV1 and ENV3).
promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production)	All aims apply.	The plan recognises the need to provide for growth in a sustainable manner (Policies ENV1, ENV4, EEG1, EEG2, SA3, SA4 and SA5), whilst providing and improving a range of transport infrastructure, and community facilities (Policies TT1, TT2, TT3, CFA1 and CFA2), and protecting and enhancing the natural and historic environment (Policies ENV3, HT2 and HT1).

conserve heritage assets	All aims apply.	The plan seeks to ensure that high standards of design are achieved (Policy H2), and protect and enhance the historic environment (Policy HT1).
actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling	To create a sustainable and prosperous village that supports an excellent quality of life for all its residents whilst maintaining its sense of community and welcoming newcomers and visitors.  To ensure the area is safe from flood risk, is adaptable to climate change and has the lowest carbon dependence possible.  To preserve the high quality natural environment and protect nature and wildlife interests and green space.  To promote Billinghay as a long-term living and working settlement that meets the needs of all ages of residents and to actively encourage the provision of retail units, businesses and employment opportunities.	The plan seeks to accommodate growth in a sustainable manner (Policies EEG1, EEG2, H1, H2, SA3, SA4, and SA5), and seeks to improve transport infrastructure and community facilities (Policies TT1, TT2, TT3, CFA1, and CFA2).
to improve health, social and cultural wellbeing for all	All aims apply.	Collectively, the policies cater for growth and encourage a balanced mix of uses. At the same time, they address character and environmental quality. In addition, they address connectivity, which is essential for both domestic and employment users.

#### **NPPF** Policies

#### 1. Building a strong, competitive economy

NPPF Para. 19: The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Policy H1 provides for housing growth to address identified local needs. Policies EEG1, EEG2, SA3, SA4, and SA5 address economic growth.

#### 4. Promoting sustainable transport

NPPF Para 29: Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.

All policies together seek to promote sustainable patterns of development, and thus will look to promote sustainable transport solutions.

Policies TT1, TT2, and TT3 seek to ensure that new development proposals enable the provision of sustainable transport measures.

#### 6. Delivering a wide choice of high quality homes.

NPPF Para. 55: To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

Policy H1 seeks to accommodate housing growth in a sustainable manner, through promoting sustainable patterns of development, and addressing identified local housing needs.

#### 7. Requiring good design.

NPPF Para 56: Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

NPPF Para 57: It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

NPPF Para 64: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy H2 responds to these paragraphs by setting out clear expectations for new development to ensure that it is sustainable, responsive to its context, creates a clear sense of place and provides for the needs of the community. Policy HT1 seeks to ensure that the historic environment is protected and enhanced.

#### 8. Promoting healthy communities

NPPF Para. 69: The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see.

Policy SA3 promotes the role of West Street in providing a range of services and facilities. Policies CFA1 and CFA2 seek to provide and enhance community facilities across the village.

#### 10. Meeting the challenge of climate change, flooding and coastal change

NPPF Para 93: Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

All policies seek to address climate change through promotion of sustainable patterns of development, achievement of good design, protection and enhancement of the natural and historic environment, delivery of enhanced local services and facilities, and promotion of sustainable transport measures.

#### 11. Conserving and enhancing the natural environment

NPPF Para. 111: Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.

The Plan seeks to focus new development in sustainable locations through Policies EEG1, EEG2, SA1, SA3, SA4, and SA5, thus promoting the reuse of previously developed land, and protecting the surrounding countryside.

#### 12. Conserving and enhancing the historic environment.

Policy HT1 seeks to protect and enhance Billinghay's historic environment.

## 13. Facilitating the sustainable use of minerals

Mineral extraction is excluded development for Neighbourhood Plans.

# **Achievement of Sustainable Development**

The National Planning Policy Framework states a presumption in favour of sustainable development. The term is defined in the Ministerial Forward as:

*Sustainable* means ensuring that better lives for ourselves don't mean worse lives for future generations.

Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate.

#### In addition, the NPPF states:

International and national bodies have set out broad principles of sustainable development. Resolution 24/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The UK Sustainable Development Strategy *Securing the Future* set out five 'guiding principles' of sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

#### Growth

The Billinghay Neighbourhood Plan delivers growth by:

- Focusing development on sustainable sites across the village (Policies EEG1, EEG2, SA1, SA2, SA4, and SA5);
- Addressing identified local housing needs (Policy H1);
- Encouraging sustainable economic growth (Policies EEG1, EEG2, EEG3, SA3, SA4, and SA5);
- Ensuring a high-quality, well designed environment, which is essential to attracting investment and population (Policies H2 and HT1); and
- Protecting and enhancing the local environment (Policies ENV1, ENV2, ENV4, and HT2).

# Sustainability

The Billinghay Neighbourhood Plan will address sustainability in various ways. The plan's aims are as follows:

Activity	Comment	Policy Ref.
To create a sustainable and prosperous village that supports an excellent quality of life for all its residents whilst maintaining its sense of community and welcoming newcomers and visitors.	Policies address the need for economic and housing growth, whilst enhancing the local environment and local services and facilities.	All Policies
To ensure the area is safe from flood risk, is adaptable to climate change and has the lowest carbon dependency possible.	Policies address flood risk, sustainable energy generation, the need to deliver well designed housing and that new homes address identified local housing needs, and encouraging sustainable forms of transport.	Policies ENV1, ENV2, ENV3, ENV4, H1, H2, TT1, TT2, and TT3
To raise the perception and public profile of Billinghay from popular village to desirable village to ensure its continued viability and sustainability.	Policies address the need for economic and housing growth, whilst enhancing the local environment and local services and facilities.	All Policies
To preserve the high quality natural environment and protect nature and wildlife interests.	Policies seek to achieve good design, and to protect and enhance the town's natural environment.	Policies ENV1, ENV3, HT1, HT2, H2
To promote Billinghay as a long- term living and working settlement that meets the needs of all ages of residents and to actively encourage the provision of retail units, businesses and employment opportunities.	Policies address the need for economic and housing growth, whilst enhancing the local environment and local services and facilities.	Policies ENV1, ENV3, CFA1, CFA2, H1, H2, SA1, SA2, SA3, SA4, SA5

# **General Conformity with Strategic Local Policy**

The Neighbourhood Plan will be tested against adopted strategic local policies.

Strategic local policy is contained within the Central Lincolnshire Local Plan 2017.

Strategic local policies relevant to the Billinghay Neighbourhood Plan are as follows:

#### Policy LP1: A Presumption in Favour of Sustainable Development

The Billinghay Neighbourhood Plan seeks to enable sustainable development, and the policies taken together address Policy LP1.

#### Policy LP2: The Spatial Strategy and Settlement Hierarchy

The Billinghay Neighbourhood Plan responds to Policy LP2 through focusing development in sustainable locations across the village (Policies EEG1, EEG2, SA1, SA3, SA4, and SA5).

#### Policy LP6: Retail and Town Centres in Central Lincolnshire

The Billinghay Neighbourhood Plan addresses Policy LP6 through focusing development of local services and facilities in the West Street area (Policy SA3).

#### Policy LP7: A Sustainable Visitor Economy

The Billinghay Neighbourhood Plan addresses Policy LP7 through promotion of the village's historic environment (Policy HT1), and the enhancement of its watercourses (Policy HT2).

#### Policy LP9: Health and Wellbeing

The Billinghay Neighbourhood Plan addresses Policy LP9 through protection and enhancement of the natural environment (Policies ENV1 and ENV3), promotion of access to local watercourses (Policy HT2), promotion of sustainable forms of transport (Policies TT1, TT2, and TT3), and improvement and enhancement of local services and facilities (Policies CFA1 and CFA2).

#### Policy LP10: Meeting Accommodation Needs

The Billinghay Neighbourhood Plan addresses Policy LP10 through seeking to meet local housing needs (Policy H1).

#### Policy LP11: Affordable Housing

The Billinghay Neighbourhood Plan addresses Policy LP11 through seeking to meet local housing needs (Policy H1).

#### Policy LP12: Infrastructure to Support Growth

The Billinghay Neighbourhood Plan addresses Policy LP12 through improvement of local infrastructure, services and facilities (Policies TT1, TT2, TT3, CFA1, CFA2, SA1, SA2, and SA3).

#### Policy LP13: Accessibilty and Transport

The Billinghay Neighbourhood Plan addresses Policy LP13 through the promotion of sustainable patterns of development (Policies EEG1, EEG2, SA1, SA3, SA4 and SA5), and enabling sustainable forms of transport (Policies TT1, TT2, and TT3).

#### Policy LP14: Managing Water Resources and Flood Risk

The Billinghay Neighbourhood Plan addresses Policy LP14 through ensuring that new development does not exacerbate flood risk (Policy ENV4), and a high-quality approach to design is taken (Policy H2).

#### **Policy LP15: Community Facilities**

The Billinghay Neighbourhood Plan addresses Policy LP15 through ensuring the provision and enhancement of local community facilities (Policies CFA1, CFA2, and SA1).

#### Policy LP17: Landscape, Townscape, and Views

The Billinghay Neighbourhood Plan addresses Policy LP17 through ensuring the protection and enhancement of the natural and historic environment (Policies ENV3, HT1 and HT2), and the promotion of good design (Policy H2).

#### Policy LP18: Climate Change and Low Carbon Living

The Billinghay Neighbourhood Plan addresses Policy LP18 through the promotion of sustainable patterns of development (Policies EEG1, EEG2, SA1, SA3, SA4, and SA5), protection and enhancement of the natural environment (Policies ENV1, ENV3, and ENV4), and improvement and enhancement of local infrastructure (Policies ENV2, EEG3, CFA 1, CFA 2, and SA2).

#### Policy LP19: Renewable Energy Proposals

The Billinghay Neighbourhood Plan addresses Policy LP19 through the promotion of new sustainable forms of energy production (Policy ENV2).

## Policy LP20: Green Infrastructure Network

The Billinghay Neighbourhood Plan addresses Policy LP20 through the enhancement and protection of the local environment (Policies ENV1, ENV3, and ENV4), and through the promoting the enhancement of local watercourses (Policy HT2).

#### Policy LP21: Biodiversity and Geodiversity

The Billinghay Neighbourhood Plan addresses Policy LP21 through the enhancement and protection of the local environment (Policies ENV1, ENV3, and ENV4), and through the promoting the enhancement of local watercourses (Policy HT2).

#### Policy LP25: The Historic Environment

The Billinghay Neighbourhood Plan addresses Policy LP25 through promoting the enhancement of local heritage assets (Policy HT1).

#### Policy LP26: Design and Amenity

The Billinghay Neighbourhood Plan addresses Policy LP26 through the promotion of good design (Policy H2), and through promoting the enhancement of local heritage assets (Policy HT1).

# **Compatible with EU Obligations**

The Neighbourhood Plan has been screened by North Kesteven District Council.

Following the assessment by the Council and consultation with Statutory Agencies, the Council considers that it would be unlikely that there would be any significant environmental affects arising from the Billinghay Neighbourhood Plan, and as such, a full SEA does not need to be undertaken.

In addition, there are no European sites within the Neighbourhood Area, and therefore a Habitats Regulations Assessment is not required.

The Council's screening report outcome can be found at Appendix 1.

# **Human Rights**

An Equalities Impact Assessment has been undertaken and this is included in Appendix 2

# **Appendix 1 – Screening Outcome Report Extract**

# 6 Screening Outcome

- 6.1 As a result of the assessment in section 4, and following consultation of the Statutory Agencies, North Kesteven District Council consider it unlikely that there will be any significant environmental effects arising from the Billinghay Neighbourhood Development Plan, as submitted at the date of this assessment. As such, a full SEA does not need to be undertaken for the Billinghay Neighbourhood Development Plan.
- 6.2 If the objectives, aims and/ or policies covered by the BNP should change (other than minor changes), or specific sites are allocated for development, this screening process should be undertaken for the revised plan. Please contact North Kesteven District Council for advice in such instance.

# **Appendix 2 – Equalities Impact Assessment**

# **Legal Requirements**

The Equality Act 2010 places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons who have a "protected characteristic" and those who do not. Protected characteristics are defined in the Equality Act as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

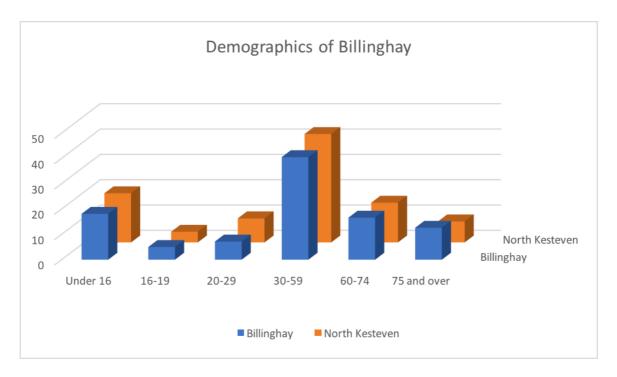
Equality Impact Assessment is a systematic analysis of a policy or policies in order to scrutinise the potential for an adverse impact on a particular group or community, in particularly those with a protected characteristic.

An assessment has been made on whether the Billinghay Neighbourhood Plan has a positive, negative or neutral impact on each of the protected characteristics. If the impact is negative, this is given a high, medium or low assessment. The following table describes these:

Impact	Description
High	A significant potential impact, risk of exposure, history of complaints, no
	mitigating measures in place etc.
Medium	Some potential impact exists, some mitigating measures are in place, poor
	evidence.
Low	Almost no relevancy to the process, e.g. an area that is very much
	legislation-led.

# **Billinghay – General Population Characteristics**

By age, Billinghay's population is not dissimilar to the wider North Kesteven population.



There are no statistics available on other protected characteristics.

## Aims and Policies of the Billinghay Neighbourhood Plan

The aims of the Billinghay Neighbourhood Plan are:

- To create a sustainable, thriving and prosperous village that supports an excellent quality of life for all its residents whilst maintaining its sense of community and welcoming newcomers and visitors;
- To ensure the area is safe from flood risk, is adaptable to climate change and has the lowest carbon dependence possible;
- To raise the perception and public profile of Billinghay from popular village to desirable village to ensure its continued viability and sustainability;
- To preserve the high quality natural environment and protect nature and wildlife interests and green space; and
- To promote Billinghay as a long-term living and working settlement that meets the needs of all ages of residents and to actively encourage the provision of retail units, businesses and employment opportunities.

## The policies are:

ENV1: Agricultural Land

ENV2: Energy

**ENV3: Natural Environment** 

ENV4: Flood Risk

HT1: Heritage Sites and Assets

HT2: Skirth Navigation

TT1: Access for Pedestrians and Cyclists

TT2: New Development and Sustainable Modes of Transport

TT3: Mitigation of Traffic Impacts

EEG1: Conversion of Residential Property to Commercial Uses

EEG2: Enterprise Units

EEG3: Digital and Communications Infrastructure

CFA1: Medical Centre Expansion

CFA2: Community Facilities

H1: Housing Types H2: Housing Design

SA1: Former Lafford School Site, Fen Road

SA2: Land off Sprite Lane

SA3: West Street SA5: A153 Corridor SA6: Land off Mill Lane

## **Impact on Protected Characteristics**

## Age

The plan seeks to accommodate identified local housing need and growth (Policy H1). This will help to ensure that housing provision caters for all ages, including younger people seeking housing for the first time.

Policies EEG1, EEG2, SA3, SA5, and SA6 seek to create employment opportunities for people of working age, and alongside TT1, TT2, and TT3 will help to create choice and opportunity for people who have restrictions on their mobility (including the young and the old) by enabling sustainable transport measures.

Policy H2 requires good design, including for people of a range of mobilities.

The impact on all ages will be positive.

Disability

The needs of persons who are disabled or who have limited mobility are addressed in Policy H2, which seeks to create well-designed and accessible environments.

Policy H1 requires new housing to meet local need. Policies EEG1, EEG2, SA3, SA5, and SA6 enable local employment, and CFA1 and CFA2 enable a range of community facilities in the village.

The impact on people with disability will be positive.

Maternity and pregnancy

Key issues for women who are pregnant or who have young children are access to appropriate housing, flexible employment, and access to community facilities. Policies EEG1, EEG2, CFA1, CFA2, H1, H2, SA3, SA5, and SA6.

The impact on pregnant women will be positive.

Race

Non-white ethnic groups are a small proportion of the population of Billinghay.

For the most part, the plan will have an equal impact on the local population regardless of race. A public realm designed with safety in mind will minimise opportunities for hate crime (there is no evidence that this is a problem in Billinghay). Policy H2 seeks to create well designed development, which includes safety considerations.

The impact will be positive on people of all races.

Sex (Gender)

The Neighbourhood Plan contains no specific policies or proposals for any particular gender. The policies have been written to provide equal opportunity to both sexes in respect of the provision of development and access to facilities.

Neither sex is disadvantaged by any of the policies and proposals in the Neighbourhood Plan. Both sexes will benefit equally from the implementation of the Neighbourhood Plan. This includes men or women with prams or pushchairs.

The impact will be positive on both sexes.

Religion, Gender re-assignment, Sexual orientation

Key issues for religious groups are discrimination relating to employment, housing and the provision of services, and their portrayal in the media.

Key issues for gender re-assigned people, gays and lesbians are personal relationships, transphobia and/or discrimination, and hate crime.

The Neighbourhood Plan does not and cannot directly address the social attitudes that are involved in these problems. However, it does seek to provide a built environment, that is open to all, with a safe public realm which all social groups can access and use equally.

The impact will be positive on all people, regardless of religion or LGBT status.

#### Conclusion

The Neighbourhood Plan provides a strategy for the development of the village, and a range of policies and proposals, which will result in positive benefits for many parts of the local community with protected characteristics: older people, young people and young children, disabled people and those with limited mobility, and maternity and pregnancy.

Whilst not explicitly addressing the needs of racial or religious groups, or transgender, gay or lesbian groups, or women, the Neighbourhood Plan does make equal provision for housing and seeks to provide community facilities which will benefit these groups equally. It also seeks to provide a safer environment, particularly a safer public realm.

# **Contact**



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