

# Public Document Pack



Minutes of the meeting of the **Cabinet** held in Committee Room 2 - East Pallant House on Tuesday 7 January 2020 at 9.30 am

**Members Present** Mrs E Lintill (Chairman), Mrs S Taylor (Vice-Chairman), Mr M Bell, Mr R Briscoe, Mrs N Graves, Mrs P Plant and Mr P Wilding

**Members Absent**

**In attendance by invitation**

**Officers Present** Mr S Ballard (Senior Environmental Protection Officer), Miss K Davis (Democratic Services Officer), Mr T Day (Environmental Coordinator), Miss Stephanie Evans (Environmental Coordinator), Mr A Frost (Director of Planning and Environment), Mr T Horne (Principal Environmental Health Officer), Mrs T Murphy (Divisional Manager for Place) and Mr T Whitty (Divisional Manager for Development Management)

## 84 **Chairman's Announcements**

Mrs Lintill greeted Chichester District Council (CDC) members, officers and all those present.

There were no apologies for absence.

## 85 **Approval of Minutes**

The Cabinet received the minutes of the meeting held on 3 December 2019 which had been circulated with the agenda.

There were no proposed changes to the minutes.

### **RESOLVED**

That the minutes of the Cabinet meeting held on 3 December 2019 be approved.

## 86 **Declarations of Interests**

There were no declarations of interest.

## 87 Public Question Time

Mrs Lintill explained that due to the number of questions received she would not allow supplementary questions on this occasion in order to keep to the 15 minutes allocated for public questions. Please note that further publication questions had been submitted but were not read out as the questioner or representative were not present at the meeting.

The following public questions were received (the responses provided are indicated in italics below).

### **Mr Broughton asked the following question:**

Regarding 'Chichester District's Climate Emergency Initial Action Plan 2020 – 2025', it is pleasing that there is an action to 'Set a Local Authority Area-wide target for District CO2 reductions', however the proposed target of 10% year on year until 2025 is not nearly enough to respond to what has been declared an emergency. If this target was extended to 2030, then the reduction would be 65%. Several local authorities, including neighbouring Arun District, have set targets of net zero by 2030, i.e. 100% reduction.

Also, as the energy system of the future is going to be more distributed, and locally generated energy could be cheaper, could one of the targets of the Action Plan be based on the amount of renewable energy generated within the Local Authority Area, especially considering we live in one of the sunniest parts of the UK. A proportion of the energy demand within the Local Authority Area would be a good indicator.

### **The following answer was provided:**

*The Council's Environment Panel, in drawing up the Initial Action Plan, carefully considered the question of targets. The target in the draft plan is an area wide one, applying to a large range of activities, some of them outside of our control and influence. The target is a 10% year on year reduction to run until 2025 and to be reviewed by then at the latest. Achieving this will require a mixture of action by the Council, by central government and its agencies, and by individuals and businesses. We note that Arun's target for 2030 only refers to its own operations, not the whole of that District. The CDC area-wide target was set to align with the UK target of net carbon neutrality by 2050. The Panel acknowledged that this target on its own will not achieve the level of carbon reduction needed long term, and that to do so it must increase after 2025. However the 10% is a considerable increase from the 3-5% achieved year on year over the last decade and this reflects our ambition to drive a step change in action locally whilst remaining within the bounds of the achievable. The achievement of such area-wide targets relies on a national action plan that is still to be announced. If this arrives before the detailed action plan is approved then we will have an opportunity to review our target at that point.*

*As an indicator, the amount of renewable energy generated within the District would be a useful one, although data on small scale installations may be time-consuming to collate. In drawing up the next stage of the plan we will consider milestones and*

*indicators for monitoring the implementation of the plan. This would include an assessment of the readily available sources of data.*

**Mr Maber asked the following question:**

With reference to Resourcing and Scope of Chichester District's Climate Emergency Plan:

I request the Full CDC Meeting agree and commit to Net Zero Carbon by 2030, please? It is vital that CDC grasp the magnitude of the need ... failure to do so would be letting everyone down. Appointing a Climate Emergency Officer of the highest calibre requires this clearly defined objective, and is line with the U.N.'s Intergovernmental Panel on Climate Change (IPCC). Furthermore, this new Climate Emergency Officer's remit should incorporate liaison with others towards Biodiversity and Nature Conservation, together with Community Updates to disseminate information and involve the Community.

E.g.1) Scope for sustainable travel infrastructure to be enhanced as nature corridors and refuges.  
[cycling and walking: minimal carbon footprint + better air quality + health ] + Trees Etc.

E.g. 2) A lead role in Planning Applications ... the literally miles of plastic sheeting used on the Whitehouse Farm reptile relocation scheme - littering the site for approaching two years - is a example worthy of consideration - where will all that plastic sheeting be disposed of?  
[Huge fossil fuel Carbon footprint in manufacture and environmental impact of once used plastic sheet]

E.g. 3) A lead role in managing Climate Change Impacts. In other words: Input to Planning and Mitigation. For example rising sea level [Increasing Flood Risk] and rising temperatures [Air Conditioning] Etc.

Please be aware of the long list of Councils that have committed to Net Zero Carbon by 2030, including our neighbouring Arun, Adur and Worthing, Portsmouth and many more ... and that it is vital that Chichester DC grasp the magnitude of the need ... failure to do so would be letting everyone down.

**The following answer was provided:**

*As the answer to Mr Broughton's question refers to, the question of target setting and dates has been extensively considered by the Environment Panel in drawing up the Initial Action Plan. It is unclear from the question whether you are suggesting we should commit to 'Net Zero Carbon by 2030' as an organisation (as Arun DC and Adur and Worthing Councils have done) or as the whole local authority area (like Portsmouth City). The proposed initial area-wide target of 10% year on year up to 2025 is aligned with the UK national target date of 2050, which in turn is aligned with the IPCC report on avoiding dangerous climate change that you refer to. On the remit of the proposed officer's role, the Panel was also very mindful of the already broad remit of the role and the range of actions to be delivered in two years. For*

*this reason the role's focus will be on carbon reduction. Of course, adaption to climate change, planning and ecology and sustainable travel infrastructure are all important areas as well. However, bearing in mind the danger of spreading one person's time too thinly, we have decided to take these areas of work forward using the existing staff resources within the District Council that are already dedicated to those issues.*

**Ms Gaskin, Chichester City Council asked the following question:**

Would CDC investigate working with BID and our public transport providers to introduce a trial price reduction scheme to encourage commuter and leisure travel into the Chichester Area with a view of boosting visitor numbers, the local economy and improving the uptake of sustainable transport.

**The following answer was provided:**

*Whilst the district council works in partnership with a number of organisations such as the BID and Visit Chichester through the vision process, we are not the lead organisation for public transport – this would be either West Sussex County Council or other public transport operators. Further information relating to the potential to extend public transport subsidies should therefore be directed to West Sussex County Council, who would be responsible for negotiating subsidies. As a Council we continue to support the local tourism economy through Visit Chichester who promote tourism across the district and have recently worked with the train operators to promote Chichester as a visitor destination using public transport.*

**Ms Carter, Chichester City Council asked the following question:**

Could CDC fund the provision of re-usable, refillable coffee cups and water containers for the rough sleepers on our streets? This would reduce waste and would encourage engagement with local businesses.

**The following answer was provided:**

*Provision of re-useable, refillable coffee cups and water containers for rough sleepers does not fall within the Council's remit as Housing Authority and may present hygiene issues if they cannot be washed regularly. The Council does, however, work closely with other partners to support Rough Sleepers and will put this idea on the agenda of the multi-agency Rough Sleepers Panel to consider whether and how this proposal could most effectively be delivered. This proposal may be an initiative that the City Council may like to take forward itself.*

**Ms Noble asked the following question:**

It is noted that in the proposed 'Chichester District's Climate Emergency Initial Action Plan 2020 – 2025' there is a section entitled 'Communication and Promotion of Lifestyle Changes'. Considering that young people today are going to inherit the climate that we have created, could the council actively engage with young people about the council's plans for their future climate.

**The following answer was provided:**

*Engaging with all sections of our community is important for a successful Action Plan, young people especially so. There is more work to be done in developing the actions fully, particularly on Action 22 the climate commission. This could involve not just educational institutions such as the university, college, and schools but also with representatives of their student bodies and other relevant groups. We would also welcome suggestions for specific groups or ways of engaging that would help us achieve what you suggest.*

**Ms Towers, Chidham and Hambrook Parish Council asked the following question:**

Safeguarding and enhancing Strategic Wild Life corridors has, quite rightly, been considered an essential part of ensuring the sustainability of bio diversity and wild life in the face of development in Chichester District. In the event of the HLF bid being successful the funding will ensure the future of the project for five years, including the vital post of Wild life officer continuing. Although what happens after that is unclear. If it is unsuccessful there is a considerable shortfall and there are no plans to forward an enhancement programme or to continue the post of Wild Life Officer. Instead any protection of the wild life corridors will be left to the vagaries of developers and ad hoc arrangements with volunteer groups. This is very concerning and would seem to be a dereliction of responsibility to ensure that the corridors are safeguarded from major developments. What assurances can the Council give that:

- a) The wild life corridors will have sufficient and specific protection from development outside the normal planning system, which developers seem good at circumventing?
- b) What assurances are there that the wild life corridors will have protection further than the five year project time frame?

**The following answer was provided:**

*The District Council intends to protect and to enhance the corridors, but using different mechanisms for these two separate objectives.*

*Protection will rely on a new Local Plan Policy. We will submit this as part of the Local Plan Review, with a supporting evidence base to help justify the policy before the Plan Inspector. Assuming that the policy is accepted at the plan examination, the intention is that this will form a long term planning policy protection, running beyond the lifetime of the local plan. This strategic policy can then be implemented through subsequent plan documents, neighbourhood plans and development management decisions. This long term nature of the protection requires a high standard of evidence and in addition the support of communities and parish councils will be of great help in guiding it through the examination process.*

*The enhancement of the corridors is our aim in preparing the report on today's agenda. This seeks to achieve more than the planning system alone could. It will rely on a successful funding bid, and on the support of local landowners. The nature*

*of such bids is time limited, but they provide an opportunity to work at a scale that we would be unlikely to achieve relying on the council's own resources alone. Once the needed enhancements are in place 'on the ground' (assuming a successful bid) then they will benefit from the on-going and long term protection of the planning system.*

Mrs Lintill then concluded public question time.

## 88 **Climate Emergency Initial Action Plan**

Mrs Lintill clarified that the Cabinet recommendations are first to approve the Climate Emergency Action Plan and then to recommend to Council funding for a Climate Emergency Officer for a two year period.

Mrs Plant then introduced the report. She drew attention to the local level response to the Climate Emergency Declaration and explained that the council would endeavour to do the following as part of the Climate Emergency Action Plan:

- Implement carbon reduction measures
- Access funding through Homes England from the Graylingwell development
- Increase tree planting
- Reduce green waste
- Consider transport options with local partners
- Consider lifestyle options with local partners

Mrs Plant explained that the Environment Panel had been tasked with evaluating all possible options for how best to implement the Action Plan and had agreed on a recommendation to fund a full time Climate Emergency Officer for a two year period. The Panel had agreed that the postholder should ideally be experienced in carbon reduction and energy management projects.

Mr Day then provided background on the Low Carbon Chichester Fund offered by Homes England following the development agreement at Graylingwell.

Mrs Evans then clarified that the Action Plan included in the agenda pack is interim. If the Climate Emergency Officer role is approved the postholder would be tasked with creating a more detailed Action Plan.

Mr Wilding raised a point of concern relating to the planned reduction of CO2 emissions as he explained that the emission levels were likely to be out of the council's control. Mrs Evans explained that the Low Carbon Graylingwell funding is aimed at projects which seek to reduce carbon emissions. Mr Wilding responded by outlining that transport and heating systems are two of the highest carbon emitters. Mr Day clarified that the carbon reduction levels would be calculated by taking account of national and community actions in addition to those of the council.

Mrs Taylor with reference to page 24 of the agenda pack relating to the Local Plan Review queried the timelines. Mrs Evans explained that the wording makes allowances for possible changes.

Mrs Graves with referenced to page 18 of the agenda pack sought clarification on tree planting. Mrs Evans explained that the Strategic Wildlife Corridor project would help considerably.

Mr Briscoe acknowledged that the 10% carbon reduction target is both realistic and achievable. He encouraged the Climate Emergency Officer to work in partnership with other local organisations to provide a positive platform for the future.

Mrs Lintill welcomed the proposal and the initial Action Plan.

Mrs Lintill then invited Miss Barrie and Mrs Sharp to ask their pre-submitted member questions (the answers provided are in italics below).

**Miss Barrie asked the following:**

With the very limited budget allocated to the work of the proposed new environment officer – will the cabinet please commit to a specific date for carbon neutrality for the council to work towards. This will enable said officer to use their post to influence and motivate officers to create and implement policy and make decisions that will enable us to meet our climate change obligations and responsibilities.

**The following answer was provided:**

*The Council's Initial Action Plan includes a target to 2025. This has been developed to align with the UK target of net carbon neutrality by 2050 and our aim is to deliver the UK national target of carbon neutrality by 2050 at a local level. This target differs from those committed to by some other authorities in that it is an area-wide target for carbon reductions, as opposed to a target just for the Council's own operations.*

**Mrs Sharp asked the following question:**

Midlothian, Nuneaton and Bedworth, Fareham, East Cambridgeshire, High Peak, Surrey Heath, Dartford, Tewkesbury, Wrexham, Rossendale, Epping Forest, Hyndburn, Southend – on Sea, Aylesbury Vale, Rother, Bolton, Falkirk, Ipswich, Tendring, Craven, Uttlesford, Vale of Glamorgan, Mid Suffolk, Telford and Wrekin, Woking, Folkestone and Hyde, South Ribble, East Suffolk, Peterborough, Isle of Wight, Kettering, Amber Valley, Lincoln, Chiltern, Adur and Worthing, Exeter, Guildford, Babergh, Braintree, Cherwell, Sutton, Blackburn with Darwen, Arun, Harrow, Rugby South Tyneside, Eastleigh, Wokingham, Canterbury, Darlington, Basingstoke and Deane, Sefton, Colchester, West Lancashire, Elmbridge, Dacorum, Tunbridge Wells, Cannock Chase, South Gloucestershire, Crawley, Rochdale, Broxtowe, Hammersmith and Fulham, Wolverhampton, Melton, Liverpool, Wandsworth, Worcester, Chelmsford City, Croydon, Lewes, Stratford on Avon, Pendle, Eden, Gloucester City, Thanet, North Kesteven, Merton, Burnley, St Alban's City, Bury, Staffordshire Moorlands, Richmond upon Thames, Eastbourne, Watford, Tonbridge and Malling, North East Derbyshire, Brent, West Berkshire, Dumfries and Galloway, Moray, Renfrewshire, Swansea, Islington, Blackpool, West Oxfordshire, Swale, Greenwich, Gravesham, Harborough, Torbay, Redbridge, Rushmore, Northamptonshire, Welwyn Hatfield, Warrington, Mole Valley,

Birmingham, Caerphilly, Derbyshire Dales, Mid Devon, Gateshead, Wakefield, North Hertfordshire, Three Rivers, Glasgow, Monmouthshire, North of Tyne, Newham, Isles of Scilly, Maidstone, Newcastle upon Tyne, Ealing, Newcastle under Lyme, Oxfordshire, Southwark, Cardiff, Redcar and Cleveland, Leeds, Hull, Suffolk, York, Portsmouth, Haringey, Plymouth, Bath and North East Somerset, Bedford, Herefordshire, Rushcliffe, Carlisle, Reading, Lewisham, Wiltshire, Carmarthenshire, Somerset West and Taunton, North Somerset District Council, Cheltenham, Edinburgh, Lancaster, Leicester, Milton Keynes, Lambeth, Cornwall, Brighton and Hove, Scarborough, Forest of Dean, Stroud, Bristol are the councils that have declared the intention to become carbon neutral by 2030. Without a specific date to work towards, does the Cabinet feel we will deliver a true incentive to implement policies in line with our climate change declaration? Could the Cabinet please commit to a date of 2030 in line with Chichester City Council and the other councils listed above?

**The following answer was provided:**

*In drawing up the initial Action Plan we have set targets that are challenging but achievable for a District Council. Our aim is to deliver the UK national target of carbon neutrality by 2050 at a local level. Many of the authorities listed have a target for 2030, but only for their own operations, which are in turn only a very small part of the area wide carbon emissions. We have set an area wide target for carbon reductions, however to deliver a target of area-wide neutrality by 2030 would rely on as yet unknown national and international actions. Some of the authorities listed may have set such targets in order to lobby for the future government action and resources to deliver such targets without knowing whether they can deliver the target. That is not a route that we suggest the Council should pursue. However the national policy context is rapidly changing and we will keep our plan and its targets under review.*

Mrs Lintill then acknowledged that a message of support was received from another member after the member question deadline. She confirmed that the message had been shared with the Portfolio Holder.

*Decision*

The Cabinet then voted unanimously to make the resolution and recommendation below.

**RESOLVED**

That the Climate Emergency Initial Action Plan as presented in Appendix 1 be approved.

**RECOMMENDATION TO COUNCIL**

That a Climate Emergency officer post at a total cost of £120,000, plus an operational budget of £30,000, is funded from reserves for 2 years (full time) to support delivery of the Action Plan.

## 89 **Rumbolds Hill, Midhurst Air Quality Management Area**

Mrs Plant introduced the report. She explained that the council has a statutory air quality duty and where an area has failed or is likely to fail air quality an Air Quality Action Plan (AQAP) must be produced. She confirmed that Rumbolds Hill, Midhurst had failed its nitrogen dioxide levels since 2015 and the council therefore has a statutory obligation to declare an Air Quality Management Area (AQMA). She then drew attention to the report detailing the background to the item and referenced the five consultation responses received. She confirmed that officers had been working with Midhurst Vision Steering Group, Midhurst Town Council, South Downs National Park Authority and West Sussex County Council to produce actions for inclusion in the AQAP. The draft AQAP will be brought to Cabinet in mid-2020 prior to going out to consultation.

Mrs Taylor with reference to page 39 of the agenda pack sought clarification on the air pollutants included in the AQMA. Mr Ballard confirmed that the statutory obligation is to measure nitrogen dioxide only. He explained that any actions taken as part of the AQAP are likely to have wider benefits.

Mr Briscoe sought clarification on how nitrogen dioxide is generated. Mrs Plant explained that it is caused as a direct result of a chemical reaction between nitrogen and oxygen. When the two gases meet a heat source such as in a car engine they react and produce nitrogen dioxide.

Mrs Lintill sought clarification on who holds the responsibility for the AQAP. Mr Ballard confirmed that the council is responsible for assessing and then writing the AQAP. The statutory guidance requires both authorities to work together towards a solution.

### *Decision*

*The Cabinet then voted unanimously to make the resolutions below.*

### **RESOLVED**

1. That the responses to the proposed Rumbolds Hill, Midhurst, Air Quality Management Area public consultation exercise be noted.
2. That the authority delegated to the Director of Planning and the Environment in consultation with the Director of Housing and Communities to make and seal an Air Quality Management Area Order at Rumbolds Hill, Midhurst as shown at Appendix 1 of this report and to commence preparation of an Air Quality Action Plan be noted.

## 90 **Allocation to Panels**

Mrs Lintill briefly introduced the item.

*Decision*

*The Cabinet then voted unanimously to make the below.*

**RESOLVED**

That Cllr Janet Duncton be appointed to the Development Plan and Infrastructure Panel.

91 **Off-Street Parking Proposals Response to Consultation**

Mr Bell introduced the report. He explained that following consideration of the consultation responses it is proposed that all car parking charge be increased as detailed in the report. He confirmed that due to the changes in the high street the increase would only be implemented for one year. This would be followed by a further review prior to any changes for 2021/22 followed by a further public consultation.

Mrs Murphy added that consultation had also been undertaken into combining all parking orders into one order, increasing rural car park season ticket prices and implementing a £2 per hour rate for the central Chichester car parks Little London and Baffins Lane. If agreed the changes would be advertised prior to implementation.

Mrs Plant referred to the positive impact on reducing air pollution by increasing the central car park rates.

*Decision*

*The Cabinet then voted unanimously to make the resolutions below.*

**RESOLVED**

1. That the increase in car parking charges as set out in sections 5.1 to 5.3 of the report be approved.
2. That the consolidation to the Parking Order as set out in section 5.4 of the report be approved.
3. That the Director of Growth and Place be authorised to give appropriate notice of any revised charges or changes as set out within this report pursuant to the Off-street Parking Places (Consolidation) Order 2018 and the Road Traffic Act 1984.

92 **Revised Fees and Charges 2020 for the Animal Welfare Licensing Regime**

Mrs Plant introduced the report. She explained that changes to legislation in 2018 had resulted in an increase in licensing fees based on Defra guidance. At the time the fees were calculated on the predicted cost of running the service. Following a year of officers facilitating the process a revised set of fees have been created

based on the reasonable cost of providing the service. The costs are designed to be neutral and do not seek to make a profit.

Mrs Taylor referenced dog day care centres and asked to what extent the council is able to ensure that as many individuals and organisations are covered by the legislation. Mr Horne confirmed that dog walking is not licensable. Mr Ballard added that the council liaises with the RSPCA and also carries out its own research to identify organisations that may require licensing. He explained that this has an implication on officer time and resources.

Mrs Graves requested clarification on how the various price changes had been calculated. With reference to the hire of horses/donkeys Mr Horne confirmed that officer time is not required for every visit as officers will seek advice following veterinary inspection of the health of the animals. Mr Ballard added that over the year there have been 25 new licences under this category most of which were compliant.

Mr Briscoe asked whether guide dog training and similar activities are subject to the charges. Mr Horne confirmed that guide dog training and similar activities are exempt.

*Decision*

*The Cabinet then voted unanimously to make the recommendation below.*

## **RECOMMENDATION TO THE GENERAL LICENSING COMMITTEE**

That the revised Animal Licensing fees and charges for 2020 as set out in the appendix to this report be considered by the General Licensing Committee.

### **93 South Downs National Park Authority Extension to Development Management Agency Agreement**

Mrs Taylor introduced the report. She explained that the council provides a development management service for the South Downs National Park Authority (SDNPA) for the area of the SDNP that falls within the district. The current S106 agreement was entered into on 1 October 2017 and was set for a three year term with the potential to extend for a further two years subject to the agreement of both parties. As part of the Agreement the council is paid per application. The Agreement provides the additional benefit of involvement by the Council in development proposals within SDNP which equates to 70% of Chichester district. The costs received reflect costs incurred in delivering the development management service in the national park. It is agreed that the Agreement is mutually beneficial to both parties with the SDNPA confirming that Chichester is its best performing host authority. As a result it is proposed that the two year extension be agreed.

*Decision*

*The Cabinet then voted unanimously to make the resolution below.*

## **RESOLVED**

That an extension of the current Agreement with the South Downs National Park Authority (SDNPA) be approved under section 101 of the Local Government Act 1972 to enable the Council to continue to provide a development management service to the SDNPA for a further two years to 30 September 2022 on the basis of the previously agreed terms of the Section 101 Agreement including the Service Level Agreement and related Protocols.

### **94 Strategic Wildlife Corridors Project**

Mrs Plant introduced the report. She explained that in addition to Chichester Harbour, Pagham Harbour and SDNPA which are all important areas for wildlife in the district there are many other valuable habitats and species along the A27 corridor and surrounding areas. The wildlife corridors connect wildlife and Local Plan Review policies have been created to protect those links. Mrs Plant then explained that in order to secure a living landscape, future enhancements are needed. It is therefore proposed that a bid be submitted to the Heritage Lottery Fund with the purpose of protecting and enhancing these wildlife corridors. The project would be in two phases in line with Heritage Lottery Fund rules. The first stage would be development and the second implementation. The bid must be submitted by March 2020 and needs to demonstrate the council's commitment to hosting a Community Wildlife Officer post and the provision of match funding. The project will expand to the east of the city and continue the current work with local groups.

Mrs Evans added that the approach is ground breaking if the bid is successful it is hoped that the council will be used as a best practice case study across the country.

Mr Briscoe then provided positive feedback from his ward.

Mrs Taylor expressed the commitment of the council to the wildlife of the district.

Mrs Lintill then took the opportunity to commend the officer that prepared the bid.

#### *Decision*

*The Cabinet then voted unanimously to make the resolutions below.*

## **RESOLVED**

1. That the submission of an application to the National Heritage Lottery Fund for the funding of a 5-year Strategic Wildlife Corridors Project be approved.
2. That the annual contribution of £10,000 from reserves for 5-years as match funding towards the project and to allow the continued funding of the Council's Community Wildlife Officer Post be approved.

### **95 Late Items**

There were no late items.

96 **Exclusion of the Press and Public**

There was no requirement to exclude the press and public.

The meeting ended at 11.35 am

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CHAIRMAN

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Date:

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