

WYRE FOREST DISTRICT COUNCIL

COUNCIL

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY,
KIDDERMINSTER

27TH SEPTEMBER 2017 (6PM)

Present:

Councillors: D Little (Chairman), J-P Champion (Vice-Chairman), J Aston, J Baker, R Bishop, S J Chambers, S J M Clee, J R Desmond, N J Desmond, H E Dyke, P Dyke, N Gale, I Hardiman, J A Hart, M J Hart, K Henderson, V Higgs, A T Hingley, N Knowles, S Miah, F M Oborski MBE, T L Onslow, M Rayner, C Rogers, J A Shaw, J D Smith, R J Vale, S J Walker, H S Williams, S J Williams, R Wilson and G C Yarranton.

C.37 Prayers

Prayers were said by Dudley Anderson, Senior Leader of Cornerstone Family Church, Stourport on Severn.

C.38 Apologies for Absence

Apologies for absence were received from Councillor N Martin.
Councillor M Rayner would be arriving late.

C.39 Declarations of Interests by Members

There were no declarations of interests.

C.40 Minutes

Decision: The minutes of the meeting held on 26th July 2017 be confirmed as a correct record and signed by the Chairman.

C.41 Public Participation

In accordance with the Council's scheme for public participation at meetings of Full Council, the following member of the public addressed the meeting at this point on behalf of both UNISON and GMB unions:

Steve Akers, Regional Organiser, UNISON West Midlands:

UNISON and GMB urge Council to back away from an inevitable dispute if

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the recommendations in the Chief Executive's report are implemented. We ask you to either reject the recommendations or at the very least defer a decision today in order for further negotiations to take place. These are only recommendations.

Councillor Desmond describes the proposals on pay as an increase and as fair and affordable. It is not. In real terms it represents a pay cut. Neither is it fair to expect staff to agree to being tied into a four year settlement of an average of only 1% per year. The additional suggested 0.25% payments in 2021 and 2022 are only one-off payments and will not be a consolidated increase going forward.

We urge Council to rejoin the NJC Bargaining framework – WFDC is very much a minority among West Midlands Councils by choosing to be outside the NJC.

We therefore urge your support for the opposition Labour Group motion tabled this evening.

Imposing a pay award and ending the LSA by issuing s.188 redundancy notices is no way to treat your staff and conduct industrial relations.

You have choices – there are other ways forward. We remind Council that you are under great scrutiny on this issue. Your staff and their families are also your constituents.

ON PAY – the Chief Executive has omitted from his report that UNISON and GMB have put to the Council, proposals throughout the negotiations for some form of a two stage, four year settlement. Most recently for 2018-2020 we have suggested 4% over the two years; for 2020-2022 we have asked for an agreed commitment to further meaningful negotiations on what is achievable as a pay award for 2020-2022.

The Council leadership's insistence on a four year deal and not going above the current Public Sector Pay cap of an average of 1% over those four years is totally unrealistic when inflation is currently 2.9% and predicted to remain at these levels. We could not tie our members into such a proposal when there are indications that central Government is indicating it will lift the cap and is listening to representation on this from the LGA and its own MP's, especially in marginal constituencies.

We expect an easing of austerity with regard to Central Government's funding settlements to Local Government during the next four years in a very fast moving political environment. Given this, we urge Council to show more flexibility over its insistence on a four year settlement.

ON THE LONG SERVICE AWARD - UNISON and GMB negotiated in good

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faith on a phasing out over a longer period to mitigate against the total loss of these payments over two years as originally proposed.

We are not surprised that our members have completely rejected WFDC's proposals – we have listened to our members – we will fully support them in wishing to retain these payments which are a long standing contractual agreement dating from 2003.

As the Chief Executive notes in his report to you, ending this would only save the authority £16K per annum – less than 1% of the funding gap confronting WFDC.

This proposal is highly contentious and we urge WFDC to withdraw it. To cut the pay of staff in this way and cause a further negative impact on morale for the sake of less than £16,000 a year is short-sighted and wrong.

UNISON and GMB urge Council to adopt our suggestion made throughout the negotiations of allowing this to “whither on the vine”, i.e. to allow it to phase out as the older long serving members of staff retire. This is a much fairer way to proceed.

In summary on Agenda Item 9 we call on you to support the Labour Group Motion and on Agenda Item 11 we call on you to either reject the recommendations and refer back for further reports or at the very least defer a decision this evening to allow for further negotiations to take place with UNISON and GMB.

C.42 Questions

Four questions had been submitted in accordance with Standing Order A5 by Members of the Council.

Question from Councillor N Knowles to the Leader of the Council

Concern for housing provision has raised the issue of how to establish a self-build scheme either as a joint exercise between Wyre Forest District Council as a land owner and the yet to be created self build group and/or with a co-operative housing group as a social landlord provider. How is the work going in developing such policies?

Answer from the Cabinet Member for Housing, Health and Well-being

The Community Led Housing Co-ordinator is now in post and has been out meeting with individuals, community groups and Parish Councils to raise awareness of self- or custom-build and community housing models. We have also developed a new page on the Council website which we hope will go live shortly and are utilising data from households who have registered on the self and custom build register to identify communities of interest. The Community Led Housing Co-ordinator will be hosting an event in the future to bring together interested resident and partner organisations to help progress that

model.

Councillor Knowles thanked the Cabinet Member for the response and wished the Council well with the progression of the policy, and felt it was a good route to follow.

Question from Councillor N Knowles to the Cabinet Member for Planning & Economic Regeneration

Would the Cabinet Member and his colleagues take progressive action on Crown House using money made available to Wyre Forest District Council, demolish the building and clear the site for re-development?

Answer from the Cabinet Member for Planning & Economic Regeneration

Councillor Knowles is aware that on 12th September this Council published a news release explaining that we are in discussions with the Crown House tenants Telereal Trillium, with the aim being for them to demolish Crown House in exchange for early surrender of the lease of the building. The Cabinet has no intention to use money from the capital portfolio fund, which I think is what Councillor Knowles is requesting, as we are determined to ensure that the removal of Crown House will not come at any cost to District tax payers. Furthermore not too long ago some opposition Councillors were calling on this Cabinet to divert £500,000 which had been set aside for the stage 2 of the Kidderminster public realm programme for Worcester Street's reopening to vehicular traffic, to pay for the demolition of Crown House. They obviously didn't trust that we and the determined Officers of this Council would achieve what we have always made clear we would achieve. We are hopeful that Telereal Trillium's board meeting, now scheduled for 12th October, will agree the terms of a deal agreed verbally.

Supplementary response from Councillor N Knowles

A point of explanation, the opposition group of Councillors you referred to was not the Labour Group. Can I wish you well as an administration with the negotiations with the company, but I know and you know as well that everybody in Kidderminster and Wyre Forest actually want to see Crown House down as soon as possible and re-developed to start earning some income and providing some jobs and services for the people of Wyre Forest.

Question from Councillor V Higgs to the Cabinet Member for Housing, Health and Well-being

Noting, and supporting, the recent use of Section 106 monies to enable four new houses to be offered at a "social" rather than an "affordable" rent, can the Cabinet member give further examples of district council interventions currently under consideration to increase provision of genuinely affordable housing association homes?

Answer from the Cabinet Member for Housing, Health and Well-being

We don't have any other schemes currently under consideration and this is

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partly because the Homes and Communities Agency have indicated the possibility of funding schemes for social rent as well as affordable housing in future. That doesn't necessary mean the registered providers will apply for grants to deliver social rent but we will work with them to encourage them to do so. We only consider offering this grant on a 100% affordable sites as Section 106 sites should be offering properties for social rent anyway. It is dependent on schemes being bought forward by our registered provider partners and there aren't any other suitable ones at present. The delivery of affordable housing is driven by our registered providers such as Wyre Forest Community Housing rather than by us. However, we have used Section 106 money in this instance which has been obtained as a financial contribution from developers in lieu of an onsite contribution and can only be spent on affordable housing. This has bridged a funding gap Wyre Forest Community Housing have between providing a social rent as opposed to an affordable rent but with the Homes and Communities Agency suggesting they will bridge the gap in future it shouldn't be required.

Supplementary question from Councillor V Higgs

On September 19th the Secretary of State for Communities and Local Government Sajid Javid MP announced that the Government would bring forward a green paper on social housing. The LGA's response stated that it would look forward to working with the Government to build new affordable housing. However the response did not differentiate between social and affordable rent levels, nor did it refer to those Council areas in which publicly rented properties are provided by housing associations.

Can Councillor Rogers give Council the assurance that we will make representation to the LGA so that Wyre Forest's need for social rather than affordable rented properties is recognised in the LGA's further collaborations with the Government and that future improved funding arrangements should be as favourable for Councils served by housing associations as those with their own stock?

Supplementary answer from the Cabinet Member for Housing, Health and Well-being

I am sorry Councillor Higgs, I cannot give you a full answer to that question but I will research it and I will give you a written answer as soon as possible.

Question from Councillor J Shaw to the Cabinet Member for Operational Services

Is the Cabinet Member satisfied with public toilet provision in Stourport?

Answer from the Cabinet Member for Operational Services

Yes I am.

Supplementary question from Councillor J Shaw

Can I assure you that the reference I make is to item 15 on this agenda? It is in the exempt section so obviously I am not going to mention any figures but I

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would ask the Cabinet Member whom I note represents a Bewdley Ward if she is comfortable with the fact that the Council is proposing to spend a very large sum of money indeed to meet the needs of Bewdley town centre and yet will not meet the needs of Stourport town centre for better public toilet provision, with a sum of money that would be far smaller than the one we are talking about for Bewdley. Is she comfortable with that position of spending priorities?

Supplementary answer from the Cabinet Member for Operational Services

That is a very different issue we are going to discuss and I am not going to delve into the details of what is on the exempt part of the agenda. Am I comfortable? Yes I am comfortable. We provide toilets, even though it is not mandatory for us to do so, at the riverside area of Stourport and I think that is adequate provision and I am comfortable. I am not going to compare apples with pears and I thought it was a straight forward question but I should have known better.

C.43 Chairman's Communications

The Council received a list of functions attended by the Chairman or Vice-Chairman since the Council's last meeting.

C.44 Leader's Announcements and Report

The Leader of the Council referred Members to his tabled report.

C.45 Motions Submitted Under Standing Orders

Two motions had been received in accordance with Standing Order (Section 7, 4.1).

1. Motion from Councillor Chris Rogers, Cabinet Member for Housing, Health and Well-being

"This motion is to adopt the Motor Neurone Disease (MND) Charter, which sets out the care and support that people living with MND and their carers deserve and should expect.

The MND Charter is made up of 5 points:

- 1. The right to an early diagnosis and information*
- 2. The right to access quality care and treatments*
- 3. The right to be treated as individuals and with dignity and respect*
- 4. The right to maximise their quality of life*
- 5. Carers of people with MND have the right to be valued, respected, listened to and well-supported.*

By adopting the MND Charter, this council agrees to promote the Charter and make it available to all councillors, council staff, partner organisations

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and health and social care professionals who deliver services for the council.

We will raise awareness of MND and what good care looks like for those living with this devastating disease, as stated in the Charter, and do everything we can as the council to positively influence the quality of life for local people with MND and their carers living in our community.”

The Cabinet Member for Housing, Health and Well-being presented the motion and stated some of the facts surrounding the fatal disease. He advised that MND was a rapidly progressive disease which affects the brain and spinal cord. He added that the disease attacks the nerves which control movement so muscles no longer work. It can leave people locked in a failing body; unable to move, talk and eventually breath. He said that the disease can affect people from all communities and kills a third of people within a year and more than half within two years. A person’s risk of developing the disease was up to 1 in every 300, and affects 5,000 adults in the UK at any one time. He concluded by stating that MND has no cure.

The Cabinet Member for Culture, Leisure and Community Protection was happy to second the motion, stating that the issues people with this terrible illness face were hard for many to grasp. She added that adopting the charter would be an important step forward and urged all Members to vote in favour of the motion.

The Leader of the Council and Councillors N Knowles, F M Oborski MBE and V Higgs all spoke in support of the motion.

Upon a vote, the motion was carried unanimously.

Councillor M Rayner entered the meeting at this point, (6.36pm).

2. Motion on NJC Pay from Councillor Nigel Knowles, Leader of the Labour Group, incorporating the amendment by the Independent & Lib Dem Group

This council notes that:

- *NJC basic pay has fallen by 21% since 2010 in real terms*
- *NJC workers had a three-year pay freeze from 2010-2012*
- *Local terms and conditions of many NJC employees have also been cut, impacting on their overall earnings*
- *NJC pay is the lowest in the public sector*
- *Job evaluated pay structures are being squeezed and distorted by bottom-loaded NJC pay settlements needed to reflect the increased National Living Wage and the Foundation Living Wage*
- *There are growing equal and fair pay risks resulting from this situation*

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This council withdraws from the position to date and in April 2018 will return to the NJC Negotiating Mechanism.

Council will accept any nationally agreed Pay Award provided that any award above that budgeted for by this Council is funded by Central Government. Council welcomes the joint review of the NJC Pay spine to remedy the turbulence caused by bottom loaded Pay settlements.

This council also notes the drastic ongoing cuts to local government funding and calls on the Government to provide additional funding to fund a decent pay rise for NJC employees and the pay spine review.

Council therefore resolves to;

- call immediately on the LGA to make urgent representations to Government to fully fund whatever NJC Pay Award is decided by National Negotiations and by the Pay Spine Review and notify us of their action in this regard.*
- Write to the Prime Minister and Chancellor outlining our support for any negotiated award as in the bullet point above and call on them to fully fund any negotiated award and the Pay spine review.*
- Meet with local NJC union representatives at the earliest opportunity to advise them of this change in Council Policy.*

Councillor Knowles presented the motion and acknowledged and accepted the amendment to the motion put forward by the Independent and Liberal Democratic Group, which had been incorporated into the substantive motion prior to the meeting. He stated that there was a real issue of Wyre Forest District Council inflicting changes for the worse onto employees if the trade unions do not agree, and various changes would be inflicted upon them. He questioned why it was considered necessary to issue letters dismissing then re-employing members of the workforce. He acknowledged that the Council had a funding gap of £1.9m which had to be closed by 2020. However continuing to erode the terms of conditions of staff would not close the gap. He said that the Labour Group wanted an efficient, well paid work force which was treated equally. He asked Members to support the motion.

Councillor Shaw seconded the motion and confirmed that the amendment to the motion put forward by the Independent and Liberal Democratic Group had been accepted.

Councillor Oborski spoke to the motion and stated that the Council's staff served the authority loyally and many go above and beyond the requirements of their contracts. She added that many local government staff across the country had to rely on food banks which in her opinion was totally unacceptable. She said that the Independent and Liberal Democratic Group felt that as a result of the recent Government announcements to end the public sector pay cap and end austerity in that respect, the Council should return to

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nationally agreed negotiations and should accept national pay awards. However if the national pay awards were above the level of what Councils had budget for, it was essential that Central Government funded any extra award. She said the time had come for the pay restraints on the public sector to be eased, and urged all Members to support the motion.

The Cabinet Member for Resources acknowledged the position of the Council's staff. However it was a fact that pay increases had remained exceptionally low across the public sector since 2010 and public sector finances remain very weak. He said, 10 years on since the global crash, public debt was still rising by £47 billion a year and the total debt was set to rise to £2 trillion by 2020, and it was in that context that the Council needed to make its decision. He said that the authority had an excellent track record of protecting jobs. Since 2010 the Council's net revenue budget had been reduced by approximately £6m; however there

was no correlation in staff numbers. He said the administration valued staff immensely, had made the savings from back office functions and had not outsourced jobs. He added that since 2012 there had been 10 compulsory redundancies and he felt that the administration had an excellent track record of working with and valuing staff, and any accusations that staff had been treated poorly were unfounded. He concluded by saying that the authority had a duty of care to both the staff and the tax payers of Wyre Forest and had to get the balance right. The motion put forward was unaffordable and would not be supported.

Councillor Shaw spoke in favour of the motion. He stated that the strategy of austerity was not working and the motion clearly set out the requirement of the Government to provide additional funding for Council workers' pay.

Councillor Higgs said it was good to hear that the Council valued its employees. However that did not pay the bills or put food on the table. She said that she would willingly give up her £1000 per year community leadership allowance to go towards staff wages.

On behalf of the administration, the Leader of the Council thanked all the employees for the hard work they do. He stated however that it was unrealistic to expect Central Government to fund any increased national pay award, and having fully considered the motion the Conservative Group were unable to support it.

Following the debate, Councillor Knowles summed up by urging the administration group to back away from a potential dispute situation and continue negotiations with the Trade Unions.

A named vote on the motion was recorded as follows and the motion was defeated:

For (11):

Councillors: J Aston, H E Dyke, P Dyke, V Higgs, N Knowles, S Miah,

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F M Oborski MBE, M Rayner, J A Shaw, S J Walker and G C Yarranton.

Against (21):

Councillors: J Baker, R Bishop, J-P Champion, S J Chambers, S J M Clee, J R Desmond, N J Desmond, N Gale, I Hardiman, J A Hart, M J Hart, K Henderson, A T Hingley, D Little, T L Onslow, C Rogers, J D Smith, R J Vale, H S Williams, S J Williams and R Wilson.

C.46 Urgent Motions Submitted Under Standing Orders

There were no urgent motions.

C.47 Local Pay Arrangements, 2018-2022

The Cabinet Member for Resources presented a report from the Chief Executive which sought authorisation for the Head of Paid Service to take steps to implement local pay arrangements for the period 2018 to 2022, including changes to ongoing long service awards.

He formally moved the recommendations as set out in the report and advised that at its meeting in September 2016, Council instructed the Chief Executive as Head of Paid Service, to start negotiations with the recognised unions on local pay arrangements. Over that period eight formal meetings had been held with the unions on both a regional and local level, and unfortunately no agreement had been reached.

He added that he felt the package proposed by the Council was fair, measured and affordable. He stated that there had to be a balance between the needs of the staff and the tax payers of Wyre Forest to produce an overall strategy that would go towards addressing the deficit in the funding gap of £1.9 million by 2019-2020. The authority simply could not afford the proposals put forward by the Unions to date. He added that the process had not yet concluded and urged the Unions to carry on the dialogue with the Council. He outlined the proposed pay increase and changes to the ongoing long service awards, stating that there was currently a two-tier system which would be phased out: this affected approximately 50 members of staff. He said that there would be no changes to sickness pay.

The Leader of the Council seconded the proposal.

Councillor Oborski said that if the Council wanted to continue talks with the Unions it should not proceed with the report at this time. She moved that the item be deferred for further negotiations with the Unions. She added that it was unfair to carry on with a process which ultimately resulted in the issuing of redundancy notices and then re-engagement on different terms and conditions. She said that for the first time in 44 years she felt ashamed for being a Wyre Forest District Councillor. She added that, when the Council entered the current 4 year pay deal, the Unions were told that for the 2018 pay round we would revert back to the nationally agreed pay scales. In her opinion

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the Council were going to renege on the deal and go back on a position we said we would adopt.

In line with the comments from Councillor Oborski, Councillor H Dyke seconded the proposal and said that she felt the report was unacceptable and should be deferred. She stated that it was unfair to dismiss and then re-engage staff: negotiations should continue until a mutually acceptable agreement was reached. She also stated how much she and other Councillors valued the Council's employees and should show that we do by deferring the item.

Councillor Knowles spoke in favour of the deferral. He felt that the Council had already made up its mind and if people did not agree it would be inflicted upon them. He added that the authority would be in danger of being named as a bad employer if it continued with this issue.

Councillor J Aston left the meeting at 7.27pm and returned at 7.29pm.

Councillor Shaw spoke in favour of the deferral.

He said that the strategy for a four year agreement was too long as there was no way of knowing what the financial circumstances would be at the end of that period, and he would not want the Council's employees to be locked into an agreement which means that people are paid less than other people doing the same job else where might be paid. In conclusion he said that the long service award cost £16,000, and in his opinion could be funded by reducing the £1,000 Community Leadership fund given to each of the 33 Councillors to £500 which would provide the fund and retain the good will of the staff.

The Leader of the Council spoke against the amendment for a deferral. He said it was not fair to defer or delay the process and the recommendations in the report were clear. It was to commence consultations with staff and unions, and consider feedback received during the statutory 45 day consultation period. He added that he was in agreement with the Unions that both sides wanted to reach a collective agreement, and there was ample opportunity to do that. He concluded by stating that the Council had not reneged on any deal as that was not the way the Council conducted its business.

A named vote on the deferral was recorded as follows and was defeated:

For (11):

Councillors: J Aston, H E Dyke, P Dyke, V Higgs, N Knowles, S Miah, F M Oborski MBE, M Rayner, J A Shaw, S J Walker and G C Yarranton.

Against (21):

Councillors: J Baker, R Bishop, J-P Champion, S J Chambers, S J M Clee, J R Desmond, N J Desmond, N Gale, I Hardiman, J A Hart, M J Hart, K Henderson, A T Hingley, D Little, T L Onslow, C Rogers, J D Smith, R J Vale, H S Williams, S J Williams and R Wilson.

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The Cabinet Member for Resources summed up by stating that the package on the table was fair and sensible. However the authority had a very difficult financial landscape and what was proposed was affordable.

A named vote on the substantive proposal was recorded as follows and agreed:

For (21):

Councillors: J Baker, R Bishop, J-P Champion, S J Chambers, S J M Clee, J R Desmond, N J Desmond, N Gale, I Hardiman, J A Hart, M J Hart, K Henderson, A T Hingley, D Little, T L Onslow, C Rogers, J D Smith, R J Vale, H S Williams, S J Williams and R Wilson.

Against (11):

Councillors: J Aston, H E Dyke, P Dyke, V Higgs, N Knowles, S Miah, F M Oborski MBE, M Rayner, J A Shaw, S J Walker and G C Yarranton.

Decision: The Council authorise the Head of Paid Service:

- 1. to issue a notice to the unions under section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992, in order to seek implementation of the proposals set out in paragraphs 4.6 and 4.7 of this report;**
- 2. to commence consultation with staff on the proposals in respect of pay increases for 2018 to 2022 and the phasing out of ongoing long service awards; and**
- 3. if necessary, and following consideration of feedback received during the consultation period, for any staff who do not accept the proposals, to authorise a process of dismissal and re-engagement following 12 weeks' notice that would take effect on 31 March 2018.**

C.48 Policy And Budget Framework – Matters which require a decision by Council

Recommendation from the Overview & Scrutiny Committee – 7th September 2017

- Annual Report on Treasury Management Service and Actual Prudential Indicators 2016/17**

The Chairman of the Overview & Scrutiny Committee, Councillor H Dyke, proposed the recommendations which were seconded by Councillor Oborski as Chair of the Treasury Management Review Panel.

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Councillor Knowles spoke in favour of the recommendations and stated how important the Treasury Management Service was to the authority, and referred to the comprehensiveness of the reports and the confidence he had in the Officers and the Council on this issue.

Decision:

- 1. The actual 2016/17 prudential and treasury indicators be approved.**
- 2. The annual treasury management report for 2016/17 be noted.**

C.49 Exclusion of the Press and Public

Decision: Under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business, on the grounds that they involve the likely disclosure of “exempt Information” as defined in paragraphs 8 and 9 of Part 1 of Schedule 12A of the Act.

C.50 Capital Programme – Recommendations from Cabinet

- 14th June 2017 - Bewdley Medical Centre and Former Library – Redevelopment**

The Cabinet Member for Planning & Economic Regeneration moved the recommendations set out in the confidential report and explained the current position of the redevelopment.

The proposal was seconded by the Cabinet Member for Operational Services.

Councillor Knowles expressed concerns over the capital project and asked for the item to be referred to the Audit Committee for consideration and investigation into the circumstances surrounding the contract

The Chairman of the Audit Committee, Councillor A Hingley announced that her Committee would consider the item.

A named vote on the proposal was recorded as follows and agreed:

For (20):

Councillors: J Baker, R Bishop, J-P Champion, S J Chambers, S J M Clee, J R Desmond, N J Desmond, N Gale, I Hardiman, J A Hart, M J Hart, K Henderson, D Little, T L Onslow, C Rogers, J D Smith, R J Vale, H S Williams, S J Williams and R Wilson.

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Against (10):

Councillors: J Aston, H E Dyke, P Dyke, V Higgs, N Knowles, S Miah, F M Oborski MBE, M Rayner, J A Shaw and S J Walker

Abstained (2):

Councillors: A T Hingley and G C Yarranton.

Decision:

- 1. The Capital Programme be amended to accommodate the gross additional estimated costs associated with the overall project in light of tenders received;**
- 2. the amendment is that the gross capital cost of the project be increased as detailed in the confidential report.**

There being no further business, the meeting ended at 8.11pm.