



Our Ref: P1033/JP
 Date: 25th January 2021

Shropshire Council
 Planning Policy & Strategy Team
 Shirehall
 Abbey Foregate
 Shrewsbury
 Shropshire
 SY2 6ND

BY EMAIL: Planningpolicy@Shropshire.gov.uk

Dear Sirs/Madam

**Re: The Regulation 19: Submission draft of the Shropshire Local Plan
 Response by Muller Property Group**

We are instructed by Muller Property Group ('MPG') to submit representations to the Submission Draft of the Shropshire Local Plan and welcome the opportunity to do so at this time. MPG control and are promoting land for residential development at sites in Whitchurch and Woore and wish for these to be considered as allocations in the Plan either instead of or as additions to the allocations currently identified.

SP2. Strategic Approach

Policy SP2 sets out the Council's strategic approach to new development across the County over the Plan Period confirming that 30,800 dwellings and 300 hectares of employment land will be delivered. MPG object to the proposed housing requirement of 30,800 and consider that it is too low and should be increased for the following reasons.

Market Signals

The Council's draft Housing Strategy has been prepared to respond to providing the right type of housing in the right place for residents of the County. It defines a Vision and sets out 6 key objectives. Key objective 2 seeks:

"To ensure people whose housing needs are not met through the local open market housing can access housing that meets their needs"

The Strategy notes on page 15 that there are over 5,000 households on the housing register requiring affordable housing but that on average on over the last 5 years only 343 affordable dwellings have been delivered. At that rate it would take over 14 years to meet current needs, let alone address any newly arising needs going forward. The Strategy goes on to note that *"There is a growing disparity between house prices and household income"* indicating that there is a problem with worsening affordability ratios which is only going to exacerbate the need further for more affordable housing to be provided.

BIRMINGHAM
 0121 455 9455
 NOTTINGHAM
 0115 947 6236

STOKE-ON-TRENT
 01782 272555
 WORCESTER
 01905 22666



Key objective 6 seeks:

“To support the drive for economic growth by ensuring that there is enough housing supply to enable businesses to attract and retain the local workforce that they need.”

Securing and generating economic growth is a key objective of the Council. Housing has a key role to play in helping to achieve this objective. However, the County is suffering from the loss of economically active members of the workforce leaving to either find better paid work elsewhere or because of the lack of the availability of houses to home them in. This is resulting in an ageing resident population with a corresponding decline in economic productivity.

These two factors of worsening affordability and decline in the working age population are symptomatic of worsening market signals. Whilst the supporting text to the policy indicates that the Council have applied an uplift to the housing requirement over and above the standard method figure MPG do not consider that this is sufficient to adequately respond to the worsening market signals identified and that a greater uplift should be applied if the Council are to achieve its objective of securing economic growth.

Meeting the Needs of the Black Country

The supporting text to the policy at paragraph 3.7 confirms that the overall housing requirement of 30,800 dwellings includes an allowance of 1,500 dwellings to support the housing needs of the emerging Black Country Plan. The Black Country Authorities acknowledge that there is a significant housing requirement that needs to be delivered in the emerging Black Country Plan. The Black Country authorities have advised that there is a requirement for a minimum of 75,000 dwellings to meet the growth requirements of the Black Country in the period up to 2039. It has, however, only been possible to identify land for approximately 48,000 dwellings within the Black Country urban area leaving a significant shortfall of 27,000 homes. Whilst it is entirely possible additional sites will be found in the urban area to help meet this requirement it is highly likely that only a limited proportion of shortfall can be met in this way and that as a result the four authorities will need to look to its neighbouring authorities in order for them to make land available to help meet the Black Country's needs.

In light of the above we welcome the fact that the Council are proposing to make provision to meet some of the Black Country's needs but do not consider that 1,500 dwellings is a sufficient contribution in light of the 27,000 dwelling shortfall that is currently identified. Currently South Staffordshire are proposing to make land available for approximately 4,000 dwellings we understand, which when combined still leaves a shortfall of over 20,000 dwellings to be found.

The issue is further compounded by the situation in the wider Birmingham HMA and specifically the inability of Birmingham City to meet its housing needs in full, resulting in the need for the other HMA authorities to make provision for 37,900 dwellings to meet Birmingham's needs.

Clearly Shropshire does have a functional relationship with the Black Country and wider Birmingham conurbation and as such, MPG contend that the proportion of unmet need that it is proposing to accommodate should be greater than 1,500 dwellings.

Finally, as the Black Country Plan has been put on hold until summer 2021, and therefore the Shropshire Plan will be coming forward in advance of this, has sufficient support been secured

by the four Black Country authorities to confirm that they are happy with the number of dwellings that are now proposed by the Council. There does not appear to be a signed Memorandum of Understanding between the five authorities, nor does there appear to be anything from South Staffordshire confirming that they are also in agreement with the level of housing that is proposed, particularly as they are the authority that stands to be hit hardest due to their close geographical proximity to the Black Country.

Notwithstanding the intention of the Plan to make land available to deliver 1,500 dwellings for the Black Country, we do not consider that this is a sufficiently robust approach and does not appear to fully discharge the requirements of the duty to cooperate either with the Black Country authorities or other authorities in the Greater Birmingham HMA.

In light of the above, we do not consider the Plan is sound having regard to the four tests in paragraph 35 of the Framework. Whilst seeking to propose a modest contribution of housing to help meet the unmet needs of the Black Country this in our view is untested and there is no firm agreement between the relevant parties in the form of a Memorandum of Understanding that the proposed 1,500 dwellings is acceptable to all parties. In the absence of a Memorandum of Understanding it is not clear where the wider housing needs of the Black Country and Greater Birmingham will be met in full. This in our view also has serious implications for whether the duties imposed on the Council by the duty to cooperate have been met. Furthermore, the Council's own evidence highlights worsening market signals and that these in our view have not been adequately addressed in the Council's strategy.

In the absence of clarity over the provision of 1,500 dwellings to meet the needs of the Black Country we do not consider the plan will be effective.

Finally, by not actively planning to boost the supply of housing, and the deficiencies with the duty to cooperate we do not consider the Plan is consistent with national policy.

Spatial Strategy for Development

Policy SP2 sets out the spatial strategy for development with the focus for new development being in and around Shrewsbury as the main strategic centre in the County. Following this Principal and Key Centres are expected to accommodate significant and well-designed new housing and employment development. The policy states that "*Growth within these diverse settlements will maintain and enhance their roles, support key services and facilities and maximise their economic potential*". In light of MPG's land interest in Whitchurch, we are broadly supportive of the role that Whitchurch as a Principal Centre is expected to perform in terms of accommodating new development and contend that it is well placed to do so, with a good range of existing shops, services and facilities present to service new residents.

The policy also recognises that much of Shropshire is largely rural and that to ensure the long-term sustainability of rural communities, growth will be permitted in Community Hubs, which are considered significant rural service centres and to a lesser extent Community Clusters, which consist of settlements with aspirations to maintain or enhance their sustainability. In light of MPG's land interests in Woore, we generally support the Community Hub designation for Woore, Irelands Cross and Pipe Gate.

In light of MPG's land interests in the County we are generally supportive of the spatial strategy for development in that both Whitchurch and Woore are locations that are considered suitable to accommodate further development. Notwithstanding this we do not support two of the draft allocations in Whitchurch and neither do we support the absence of any proposed allocations within Woore. We return to these points below.

SP7. Managing Development in Community Hubs

The policy states that appropriate development will be permitted on allocated sites and other sustainable sites within the development boundary of Community Hubs. Clearly where allocations are made or where there are suitable sites within the development boundary then this policy provides support for these Hubs to grow. However, where no allocations are proposed as is the case of Woore, it undermines the ability of the settlement to ensure its longer term sustainability. We, therefore, consider the policy unsound as it is not effective in that it will not enable Woore to ensure its longer term sustainability which is set out as an objective in Policy SP2.

SP9. Managing Development in the Countryside

In light of our objection to Policy SP7 and the absence of any allocations in the Plan for Woore, we also object to Policy SP9 in that it is overly restrictive in controlling new housing development on sites outside the development boundary around a settlement. Paragraph 78 of the Framework states that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. The application of this policy in conjunction with SP7 will in our view lead to the constraint of new housing coming forward in Woore. We consider this unsound as it would not be effective in securing the Council's objective of ensuring the longer term sustainability of rural settlements such as Woore.

SP11. Delivering Sustainable Economic Growth and Enterprise

No specific comment on the content of the policy although the uses classes that have been referred need updating in accordance with The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

DP3. Affordable Housing Provision

We support the differentiation in the affordable housing requirement on those sites in the north of the County to sites in the south and welcome the lower threshold for sites in the north.

S11.2 Community Hubs: Market Drayton Place Plan Area

The policy identifies three Community Hub settlements in the Market Drayton Place Plan Area, one of which is Woore, Irelands Cross and Pipe Gate. Within each of these settlements a residential development guideline is set out. For Woore this equates to 88 dwellings. The policy goes on to state that *"new residential development will be delivered through any identified saved SAMDev residential or mixed-use allocations; any identified Local Plan residential allocations; appropriate small-scale windfall residential development within the settlements development boundary, as shown on the Policies Map"*. Of the three Community Hub settlements Woore is the only one that does not have a specific housing allocation or a rolled forward SAMDEV allocation, with the policy stating that development in Woore will be expected to positively respond to policies and guidelines within the adopted Woore Neighbourhood Plan and local needs. It is of note that the Woore Neighbourhood Plan does not contain any residential allocations and makes reference to housing development in the village coming forward as a result of the North Shropshire Local Plan. It goes on to make the case that because it has accommodated development in the past there is no need for any significant new housing development going forward over the Plan Period.

Neither the Local Plan nor the Neighbourhood Plan are actively planning for new housing development in Woore. Woore is of a similar size to both Hinstock and Hodnet, both of which are deemed suitable for land to be allocated for residential development with the only reason Woore not benefitting from an allocation is that it has previously had development directed at it through the now time expired and redundant North Shropshire Local Plan. This in our view is not a sufficiently robust enough approach to avoid identifying any new housing allocations in the village going forward, particularly where the Council state in paragraph 3.23 that it is their intention to support development in Community Hubs to support the longer term sustainability of rural communities. The absence of an allocation in the Local Plan coupled with the Neighbourhood Plan's silence on allocating any land for residential development combine to seriously undermine the Council's objective of sustaining rural villages such as Woore. We, therefore, object to the omission of any allocation in the Woore on the grounds that the plan is not positively prepared and could undermine the delivery of Council's stated objective of sustaining the longer term sustainability of its rural settlements.

As such, we consider that the Plan is unsound as it is not positively prepared and that its failure to make an allocation or allocations in Woore will undermine the Council's objective of sustaining rural settlements.

The change to the Plan that we seek that would in our view address this issue is for the Council to allocate land that is within MPG's control at Audlem Road, Woore (site location plan attached). The site extends to approximately 4.7 hectares and is located on the south side of Audlem Road on the north western edge of the village. It is well located to the centre of the village, being approximately 200 metres away from the site. A number of local facilities are present within the village including a post office, shop and primary school, which would meet the day to day needs of residents but which would also benefit from the additional footfall, helping to sustain them. The land is available with an active and motivated promoter on board, which will enable the site to be delivered in the early part of the Plan Period. We are not aware of any technical, environmental or legal constraints that would prevent the development of the site.

S18. Whitchurch Place Plan Area

The Residential Development Guidelines and Residential Supply tables at Appendix 5 set out what each of the Key Centres, Principal Centre and Strategic Centres should accommodate in terms of housing numbers. Whitchurch is expected to deliver 1,600 dwellings. The remainder of the Table sets out how the various components of supply to help deliver these dwellings and includes completions, sites with planning permission, saved SAMDEV allocations and proposed allocations in the Pre-Submission Draft Local Plan and a windfall allowance of 82 dwellings.

Having looked at the components of supply, MPG do have concerns about two key sites that are included that have the benefit of planning permission and which were allocations in the SAMDEV Plan. These are sites WHIT009 Land at Tilstock Road and WHIT021 Alport Road. The Tilstock Road site has the benefit of outline planning permission granted in 2016 but a quick search indicates that it has not yet started on site and that there are issues surrounding drainage infrastructure that appear to have held up the development commencing. Secondly, the Alport Road site appears to have or had planning permission which required a start on site to have occurred by the 31st January 2020 although there is no evidence that this site is up and running or that houses are currently being marketed for sale on it. The two sites in question account for 600 units of the supply in Whitchurch.

The sites identified above have both been allocations in a Plan that was originally adopted in 2015 and it is telling that notwithstanding the grant of planning permission on both that either have yet to come forward. Whilst they may well still come forward at some point in the future there is a question mark over their deliverability. If there is a question mark over whether they will come forward, we contend that the Council should look at other sites within Whitchurch that are not constrained and which could deliver either instead of these or, or in addition to them. MPG's site at Taporley Road, Whitchurch is one such site that in our view is suitable for residential development and should be considered for development. A Site Location plan is attached.

The site has previously been promoted for development and been subject to an appeal (APP/L3245/W/15/3133616) with the Inspector concluding that there would be no harm in terms of highway safety, ecology, trees, drainage/flood risk, sewerage, archaeology and the living conditions of nearby residents, nor would the development harm the settings of nearby designated and non-designated heritage assets. He went to confirm that a number of benefits could be delivered through the development including the provision of market and affordable housing, public open space, constructions jobs, a CIL payment of around £4,400 per dwellings and biodiversity improvements. Whilst the appeal was unsuccessful ultimately on landscape grounds, MPG have undertaken advance planting along the northern boundary of site in order to minimise the potential for visual harm or impact on landscape character arising should the site be developed. MPG are of the view that the landscaping that has been implemented is sufficient to address the concerns that the previous Inspector raised in this regard. Accordingly, the site could now in our view be developed without adversely affecting the wider landscape.

Whilst the site has a capacity of 39 dwellings, its size is such that it will not be subject to the same infrastructure requirements that site WHIT009 is subject to for example and which has delayed it coming forward. It could, therefore, deliver a reasonable number of dwellings, including affordable homes, along with the other benefits identified above in the early part of the Plan Period.

In light of the above, we do not consider that the approach to the provision of new housing development in Whitchurch is sound as it is not effective in that there are significant question marks over whether key elements of the housing supply will deliver as expected.

In order to address our concern, we contend that the land at Taporley Road should be considered for an allocation either instead of current allocations or sites that have been carried forward from the SAMDEV Plan, in order to meet housing needs in town in the early part of the Plan Period.

We trust that you take our comments into consideration and we confirm that it will be our attention to participate the Examination Hearing Sessions in due course. Should you require any clarification on any of the above points please do not hesitate to contact me.

Yours sincerely

JOHN PEARCE
Associate

Representation Form

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We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

Part B: Representation

Name and Organisation:	John Pearce – Harris Lamb (on behalf of Muller Property Group)
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- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- (Please tick one box)

Q2. To which part of the document does this representation relate?

Paragraph: Policy: Site: Policies Map:

Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- A. Legally compliant Yes: No:
- B. Sound Yes: No:
- C. Compliant with the Duty to Co-operate Yes: No:

(Please tick as appropriate).

Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see attached letter

(Please continue on a separate sheet if necessary)

Q5. Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.

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- No, I do not wish to participate in hearing session(s)
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Signature:

John Pearce

Date:

25/01/2021

Office Use Only

Part A Reference:

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Q2. To which part of the document does this representation relate?

Paragraph:	<input type="text"/>	Policy:	<input type="text" value="S11.2"/>	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
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Q2. To which part of the document does this representation relate?

Paragraph:	<input type="text"/>	Policy:	<input type="text" value="S18"/>	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
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Paragraph:	<input type="text"/>	Policy:	<input type="text" value="SP2"/>	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
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Please note: *The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

Signature:

John Pearce

Date:

25/01/2021

Office Use Only

Part A Reference:

Part B Reference:

Representation Form

Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s)**.

We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

Part B: Representation

Name and Organisation:	John Pearce – Harris Lamb (on behalf of Muller Property Group)
------------------------	--

Q1. To which document does this representation relate?

- Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- (Please tick one box)

Q2. To which part of the document does this representation relate?

Paragraph:	<input type="text"/>	Policy:	<input type="text" value="SP7"/>	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
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Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- | | | | | |
|--|------|--------------------------|-----|-------------------------------------|
| A. Legally compliant | Yes: | <input type="checkbox"/> | No: | <input type="checkbox"/> |
| B. Sound | Yes: | <input type="checkbox"/> | No: | <input checked="" type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: | <input type="checkbox"/> | No: | <input type="checkbox"/> |
- (Please tick as appropriate).

Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see attached letter

(Please continue on a separate sheet if necessary)

Q5. Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see attached letter

(Please continue on a separate sheet if necessary)

Please note: *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan, do you consider it necessary to participate in examination hearing session(s)?

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

- No, I do not wish to participate in hearing session(s)
 Yes, I wish to participate in hearing session(s)

(Please tick one box)

Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

As an objector and promotor of omissions from the Plan we would welcome the opportunity to present orally the merits of the case for the inclusion of our sites in the Plan

(Please continue on a separate sheet if necessary)

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25/01/2021

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Part A Reference:

Part B Reference:

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Part B: Representation

Name and Organisation:	John Pearce – Harris Lamb (on behalf of Muller Property Group)
------------------------	--

Q1. To which document does this representation relate?

- Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- (Please tick one box)

Q2. To which part of the document does this representation relate?

Paragraph: Policy: Site: Policies Map:

Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- A. Legally compliant Yes: No:
- B. Sound Yes: No:
- C. Compliant with the Duty to Co-operate Yes: No:

(Please tick as appropriate).

Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

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Part B Reference:

Representation Form

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Part B: Representation

Name and Organisation:	John Pearce – Harris Lamb (on behalf of Muller Property Group)
------------------------	--

Q1. To which document does this representation relate?

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- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- (Please tick one box)*

Q2. To which part of the document does this representation relate?

Paragraph:	<input type="text"/>	Policy:	SP11	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
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Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- | | | | | |
|--|------|-------------------------------------|-----|--------------------------|
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| B. Sound | Yes: | <input checked="" type="checkbox"/> | No: | <input type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: | <input type="checkbox"/> | No: | <input type="checkbox"/> |
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Signature:

John Pearce

Date:

25/01/2021

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Part A Reference:

Part B Reference: