



## TOLLESHUNT D'ARCY PARISH COUNCIL



Notice is hereby given that the meeting of Tolleshunt D'Arcy Parish Council will be held on Tuesday 29<sup>th</sup> October 2024 in the Village Hall, Tollesbury Road, Tolleshunt D'Arcy commencing at 7.30 pm, to which members of the Council are summoned for the transaction of the under-mentioned business.

*M. Curtis*

Michelle Curtis – Clerk to the Council

22<sup>nd</sup> October 2024

Councillors: J Smith (Chairman), J Denney, R Evans, I Ewing, M Henderson,  
W Middleton, G Munson

### A G E N D A

1. **Apologies for Absence**  
To receive apologies for absence.
2. **Declarations of Interest**  
To disclose the existence and nature of any Disclosable Pecuniary Interests, Other Registrable Interests and Non-Registrable Interests relating to items of business on the agenda having regard to paragraph 9 and Appendix B of the Code of Conduct for Members. (Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting.)
3. **County and District Councillors**  
To receive information from County and District Councillors
4. **Public Forum**  
Public participation - Residents wishing to raise a matter in the public forum should inform the Parish Clerk of the topic by noon the previous working day. A maximum time of 15 minutes will be allowed.
5. **Parish Working Group**  
To receive a verbal update from the Parish Working Group.
6. **Minutes**  
To receive and approve the minutes of the Parish Council Meeting held on 25<sup>th</sup> September 2024.

## **7. Planning Applications**

Applications are circulated to all Councillors with the agenda, for study before the meeting. Planning documents are also available for everyone to view on the Maldon District Council website ([www.maldon.gov.uk](http://www.maldon.gov.uk)).

- 7.1** Application No: 24/00755/HOUSE PP-13388859  
Proposal: S73A application for alterations to detached garage previously approved under 16/00002/HOUSE including, raising the ridge height, altered roof pitch, changes to fenestration and external materials.  
Location: Oxley Cottage 1 Oxley Hill Tolleshunt D'Arcy
- 7.2** Application No: 24/00759/WTPO  
Proposal: (TPO 01/07) T1 D'Arcy Spice Apple - Fell  
Location: Maypole House North Street Tolleshunt D'Arcy
- 7.3** To consider any other planning applications received from Maldon District Council

## **8. Planning Decisions**

- 8.1** TCA/MAL/24/00655 - 10 Kelvedon Road – Approved
- 8.2** TCA/MAL/24/00524 - The Grey House Chapel Road – Approved
- 8.3** TCA/MAL/24/00632 - The Old Bakery 11 North Street – Approved

## **9. Planning Appeal**

Appeal Ref: APP/X1545/W/24/3351088  
Application Ref: 24/00101/FUL PP-12785813  
Proposal: Erection of a 2 bedroom chalet bungalow and formation of new vehicular access  
Location: Land Adjacent To Rosedean Tudwick Road Tolleshunt D'Arcy Essex

## **10. Planning Appeal Decision**

Appeal Ref: APP/X1545/W/23/3333449  
Application Ref: FUL/MAL/23/00052.  
Location: Land adjacent to 13 Church Street, Tolleshunt D'Arcy  
Appeal Dismissed

## **11. Finance**

- 11.1** To receive and approve the Monthly Financial Report as at 30<sup>th</sup> September 2024.
- 11.2** To receive and approve payments
- 11.3** To appoint a secondary programme administrator for the Lloyds Corporate Credit Card

## **12. Training**

To consider any requests for training.

- 13. Police**  
To receive the Police Reports (confidential)
- 14. Community Engagement Officers**  
To receive the CET Report for September 2024
- 15. Administration**  
To receive information from the Clerk – update on current and ongoing matters
- 16. Representative Reports**  
To receive a verbal update from Parish Council Representatives
  - 16.1** Burial Ground – Cllr Henderson
  - 16.2** Recreation Ground/Pavilion – Cllr Middleton
  - 16.3** Public Rights of Way – Cllr Henderson
  - 16.4** Road Safety/Highways – Cllr Denney
  - 16.5** Village Hall Working Group – Cllr Evans
- 17. Community Matters**  
To receive information only or note future agenda items
- 18. Dates of the Next Meeting**  
Tuesday 26<sup>th</sup> November 2024 – Full Council Meeting – 7.30 pm

**Chairman:** John Smith - 07505 008891

**Clerk:** Michelle Curtis

**Address:** PO Box 13205, Maldon, Essex CM9 9FU

**Tel:** 07483 325853 **Email:** [clerk@tolleshuntarcyparishcouncil.gov.uk](mailto:clerk@tolleshuntarcyparishcouncil.gov.uk)

**Website:** [www.tolleshuntarcyparishcouncil.gov.uk](http://www.tolleshuntarcyparishcouncil.gov.uk)

**Town and Country Planning Act 1990**  
**Weekly List Of Decisions**  
**Week Ending 4<sup>th</sup> October 2024**



**TCA/MAL/24/00655**      **Tolleshunt D'Arcy**  
T1 - Greengage & T2 - Cherry Blossom - Fell.  
10 Kelvedon Road Tolleshunt D'Arcy Maldon Essex  
(UPRN - 100090560751)  
Mr Jonathan Banyard - Bonz Cairey Tree Surgery

**ALLOWED TO PROCEED**

Officer: Matt Bailey  
Dated : 02/10/2024

**Town and Country Planning Act 1990**  
**Weekly List Of Decisions**  
**Week Ending 11<sup>th</sup> October 2024**



**TCA/MAL/24/00524      Tolleshunt D'Arcy**

T1 - Oak - Crown reduction by 4m, H12 - Lawson Cypress Hedge - Fell, T8 - Holly - Reduced by 0.5m.

The Grey House Chapel Road Tolleshunt D'Arcy Maldon  
(UPRN - 100091257776)

Mr Matthew Searle-Treework Environmental Practice

**ALLOWED TO PROCEED**

Officer: Juliet Kirkcaldy

Dated : 04/10/2024

**Town and Country Planning Act 1990**  
**Weekly List Of Decisions**  
**Week Ending 27<sup>th</sup> September 2024**



**TCA/MAL/24/00632**      **Tolleshunt D'Arcy**  
T1 Laurel - Fell  
The Old Bakery 11 North Street Tolleshunt D'Arcy Maldon  
(UPRN - 200000913231)  
Tim Langdon

**ALLOWED TO PROCEED**

Officer: Charlie Mumford  
Dated : 25/09/2024



7 October 2024

Reference: 24/00101/FUL  
Planning Officer: Hayley Sadler

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990  
APPEAL UNDER SECTION 78**

**Site Address:** Land Adjacent To Rosedean Tudwick Road Tolleshunt D'Arcy Essex  
**Proposal:** Erection of a 2 bedroom chalet bungalow and formation of new vehicular access  
**Application Ref:** 24/00101/FUL PP-12785813  
**Appellants Name:** Mr Brian Griffiths - BG Designs  
**Appeal Ref:** APP/X1545/W/24/3351088  
**Appeal Start Date:** 2 October 2024

I refer to the above details. An appeal has been made to the Secretary of State against the Council's decision to refuse to grant planning permission.

The appeal will be determined on the basis of **written representations**. The procedure to be followed is set out in Part 2 of The Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009, as amended.

We have forwarded all the representations made to us on the application to the Planning Inspectorate and the appellant. These will be considered by the Inspector when determining the appeal.

If you wish to make comments, or modify/withdraw your previous representation, you can do so on the Planning Inspectorate website at <https://acp.planninginspectorate.gov.uk>. If you do not have access to the internet, you can send your comments to:

Jacky Parsons  
The Planning Inspectorate  
3C  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

**All representations must be received by 6 November 2024.** Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. **All representations must quote the appeal reference.**

The appeal documents are available to view on our website [www.maldon.gov.uk](http://www.maldon.gov.uk).

Guidance on taking part in planning appeals is available from <https://www.gov.uk/topic/planning-development/planning-permission-appeals>

When made, the decision will be published on the Planning Inspectorate website <https://acp.planninginspectorate.gov.uk>.

Yours faithfully



Michael Johnson  
Head of Development Management and Building Control



## Appeal Decision

Site visit made on 11 September 2024

**by A Price BSc MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 20<sup>th</sup> September 2024**

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**Appeal Ref: APP/X1545/W/23/3333449**

**Land adjacent to 13 Church Street, Tolleshunt D'Arcy, Essex CM9 8TS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr Tom Foster against the decision of Maldon District Council.
  - The application Ref is FUL/MAL/23/00052.
  - The development proposed is the demolition of existing garage and the erection of a new three bedroom house with ancillary parking.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. I have used the Council's site address as this more accurately describes the location of the proposed development. I note the appellant has also used this in their appeal form.
3. The proposed development relates to a building located within a conservation area. I am mindful of my duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). However, there is no objection from the Council in respect of the effect of the development on the character or appearance of the conservation area. Based on the evidence before me, and my observations on site, I have no reason to disagree with those findings. I address the main issues below.
4. During the appeal, the Council withdrew its fourth and fifth reasons for refusal, relating to the effect of the proposed development on protected species and habitats. I have no reason to disagree with those findings and discuss these matters no further.
5. Amended plans were submitted with the appeal. These principally relate to revisions to the proposed front boundary treatments. Whilst an appeal should not be used to evolve a scheme, I am content that, by reason of the minor nature of the changes, no party would be prejudiced by my acceptance of the revised plans.

## **Main Issues**

6. The main issues are:

- the effect of the proposed development on the character and appearance of the area, including the effect on trees; and
- the effect of the proposed development on the living conditions of the occupiers of 13 Church Street.

## **Reasons**

### *Character and appearance*

7. The appeal site comprises a narrow parcel of land to the west side of Church Street. It is positioned directly opposite the Church of St Nicholas and forms a prominent site. It is highly visible from Church Street, the churchyard and from the private vantage points of some surrounding properties.
8. It is acknowledged that there is no dispute between the appellant and Council in respect of the principle of development or the position of the appeal site within the settlement boundary of Tolleshunt D'Arcy. However, the site is positioned in a part of the settlement where built form transitions into open countryside. The petering out of properties along this part of Church Street, including the modest scale of No 13 and St Nicholas Cottage at 1-1.5 storeys, combined with the strong visual presence of the appeal site's oak tree, contribute to a semi-rural, open character here.
9. The proposed dwelling would be set away from the established built form of No 13 and properties to the north, introducing built form where this is not currently the case, of two storeys. A larger area of hardstanding would be introduced between the new and existing dwellings. Combined, the proposed development would harmfully urbanise this largely open part of Church Street and erode the pleasant rural transition that occurs here. While I accept that Chip Hall is located to the south of the appeal site, and is of a greater scale than No 13 and St Nicholas Cottage, this is an historic and prominent building that is both discrete from the appeal site and No 13, with a well enclosed garden to its north.
10. Moreover, the large, glazed doors in the south-facing gable end of the proposed dwelling would be highly prominent and incongruous in this location, in which established properties typically feature modest and limited window openings in principal or visible elevations. Ultimately, the proposed development would have a harmful impact on the character and appearance of the area.
11. Notwithstanding the above, the proposed development would also involve the removal of the site's mature oak tree. This is referenced as T2 within the submitted Arboricultural Impact Assessment (AIA). This tree is large in its form and height and, whilst I accept that it is multi-stemmed, it is visually prominent from Church Street, the churchyard and multiple private vantage points. It is of high amenity value and contributes significantly to the verdancy of this part of Tolleshunt D'Arcy.

12. The AIA identifies the tree to be of good visual amenity, noting that it can be seen from public vantage points. However, it goes on to set out that it is of poor condition. This is justified, in part, by the presence of damage from vehicle strikes. It is also set out that it may become a potential nuisance in respect of maintenance and management. However, I have no substantive evidence before me to demonstrate that the tree would unlikely survive on the site and continue to make a contribution to the character and appearance of the area for many more years if it were retained. It would take many years for replacement trees to grow and be of equal or similar maturity, stature and value to local character as the existing tree. Replacement trees, therefore, would not compensate for the removal of the tree. Moreover, I am not persuaded that the development of the site is wholly dependent on the removal of this tree.
13. Overall, I conclude that the proposed development would harm the character and appearance of the area. Accordingly, the proposed development would be contrary to the relevant provisions of Policies S1, D1 and H4 of the Local Development Plan 2014-2029 (LP, adopted 2017). These policies, in summary and when taken as a whole, seek to achieve high quality design and the conservation of the natural environment. This is in a similar vein to the objectives of the National Planning Policy Framework (the Framework) insofar as high quality design and the retention of existing trees is concerned.
14. Although LP Policy N2 has been referenced in the decision notice, this principally relates to ecology and habitats. There is no dispute between the Council and appellant on such matters. Consequently, this policy is not considered relevant to this main issue.

#### *Living conditions*

15. The appeal site is currently used for the parking of vehicles and includes an area of unkempt grassland. It is understood that this may have once formed part of the domestic garden of 13 Church Street. However, whatever the history of the site, it does not have an obvious visual or functional link with No 13 when viewed today. The grassed area to the south of No 13 is separated from the appeal site by a domestic boundary treatment, vehicular garage and parking area. Moreover, No 13 benefits from its own established garden space, albeit relatively modest, positioned directly adjacent to the property. From that perspective, the proposed development would not harm the standard of accommodation for the occupiers of No 13, it would instead see the existing garden area retained.
16. Overall, the proposed development would not harm the living conditions of the occupiers of No 13, in accordance with the relevant provisions of LP Policies D1 and H4. These policies, in summary, seek to ensure high quality design in development that ensure that any impacts upon the amenities of neighbouring properties are taken into account. This is in a similar vein to the provisions of the Maldon District Design Guide and the Framework insofar as high quality design and living conditions are concerned.
17. The lack of harm in respect of living conditions does not outweigh or overcome the harm identified in respect of character and appearance.

## **Other Matters**

18. The appeal site is located within the wider surroundings of several listed buildings, Church of St Nicholas (Grade I), St Nicholas Cottage (Grade II), Chip Hall (Grade II), Tolleshunt D'Arcy Hall (TDH, Grade II\*), Wall at TDH (Grade II), Dovecote at TDH (Grade II\*), Bridge at TDH (Grade II\*), and Ancillary Building at TDH (Grade II). Mindful of the statutory duty set out in Section 66(1) of the Act, I have had special regard to the desirability of preserving the settings of the nearby listed buildings. The historic built backdrop of these buildings positively contributes to their significance. Given the position and extent of the proposal, I consider that it would preserve the settings of these listed buildings and the contribution they make to their significance. I note the Council had no concerns in this regard either.
19. I acknowledge the social and economic benefits of the proposed development. It would contribute one extra home to housing supply in the borough and provide employment during construction. I also accept that the proposed development would make efficient use of a small site. However, those benefits would be very limited and would not be sufficient to outweigh the harm I have found. In any case, the support in the development plan, and Framework, for new housing is not at the expense of appropriate design.
20. In respect of comments around the lack of screening to the existing parking area when compared to that of the proposed scheme, and comments relating to replacement boundary treatments, any improvement to the existing site is not wholly reliant on the scheme before me. Accordingly, these matters have not led me to an alternative conclusion on the main issues.

## **Conclusion**

21. For the reasons above and having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

*A Price*

INSPECTOR

Date: 09/10/2024

Tolleshunt Darcy Parish Council

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Time: 00:21

**Bank Reconciliation Statement as at 30/09/2024  
for Cashbook 1 - Current Bank A/c**

User: MICHELLE

<u>Bank Statement Account Name (s)</u>	<u>Statement Date</u>	<u>Page</u>	<u>Balances</u>
Unity Trust Bank	30/09/2024		25,052.61
Unity Trust Instant Access Acc	30/09/2024		23,610.45
			<u>48,663.06</u>
<b><u>Unpresented Payments (Minus)</u></b>			<b><u>Amount</u></b>
06/09/2024 DC	Glasdon UK Limited	122.83	
17/09/2024 DC	Tsohost	-181.93	
29/09/2024 DC	Adobe Systems software	19.97	
30/09/2024 ONLINE	Dropbox	95.88	
			<u>56.75</u>
			48,606.31
<b><u>Unpresented Receipts (Plus)</u></b>			
		0.00	
			<u>0.00</u>
			48,606.31
		<b>Balance per Cash Book is :-</b>	<b>48,606.31</b>
		<b>Difference is :-</b>	<b>0.00</b>

**Signatory 1:**

Name ..... Signed ..... Date .....

**Signatory 2:**

Name ..... Signed ..... Date .....

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<u>Account</u>	<u>Opening Balance</u>	<u>Net Transfers</u>	<u>Closing Balance</u>
320 EMR Elections	71.75		71.75
321 EMR Parish Improvements	905.78	2,000.00	2,905.78
322 EMR Recreation Ground	1,800.65	8,986.15	10,786.80
323 Unallocated	169.57		169.57
324 EMR Burial Ground	1,303.83		1,303.83
325 EMR Maypole	515.00		515.00
326 EMR Speed Reduction	4,500.00		4,500.00
	<u>9,266.58</u>	<u>10,986.15</u>	<u>20,252.73</u>

## Detailed Receipts &amp; Payments by Budget Heading 30/09/2024

## Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<u>100 Income</u>							
1076 Precept	24,766	24,763	(3)			100.0%	
1090 Interest Received	322	249	(73)			129.4%	
1100 Grants & Donation Received	300	0	(300)			0.0%	
1990 Other Income	34	0	(34)			0.0%	
Income :- Receipts	<u>25,423</u>	<u>25,012</u>	<u>(411)</u>			101.6%	<u>0</u>
Net Receipts	<u>25,423</u>	<u>25,012</u>	<u>(411)</u>				
<u>110 Administration</u>							
██████████	████	████	████		████	████	
██████████	█	█	█		█	█	
██████████	████	████	████		████	████	
4070 Payroll Processing	82	80	(2)		(2)	102.5%	
4080 Training	0	300	300		300	0.0%	
4090 Bank Charges	57	108	51		51	52.8%	
4100 Audit Fees	385	400	15		15	96.3%	
4120 Subscriptions & Memberships	794	1,100	306		306	72.2%	
4130 Insurance	2,290	1,900	(390)		(390)	120.5%	
4140 Stationery	18	0	(18)		(18)	0.0%	
4160 Telephone & Broadband	90	173	83		83	51.9%	
4170 Website	74	350	276		276	21.1%	
4180 Office Equipment	0	50	50		50	0.0%	
4190 Office Allowance	156	312	156		156	50.0%	
4200 Grants & Donations Paid	0	500	500		500	0.0%	
4230 CPOs	255	1,100	845		845	23.2%	
4500 Hall Hire	500	500	0		0	100.0%	
4990 Sundries	35	200	165		165	17.5%	
Administration :- Indirect Payments	<u>8,892</u>	<u>15,897</u>	<u>7,005</u>	<u>0</u>	<u>7,005</u>	55.9%	<u>0</u>
Net Payments	<u>(8,892)</u>	<u>(15,897)</u>	<u>(7,005)</u>				
<u>130 Amenities</u>							
4300 Defibrillator	235	400	165		165	58.8%	
4310 Grass/Hedge/Tree cutting	2,395	3,400	1,005		1,005	70.4%	
4370 Maintenance	102	0	(102)		(102)	0.0%	
Amenities :- Indirect Payments	<u>2,733</u>	<u>3,800</u>	<u>1,067</u>	<u>0</u>	<u>1,067</u>	71.9%	<u>0</u>
Net Payments	<u>(2,733)</u>	<u>(3,800)</u>	<u>(1,067)</u>				

## Detailed Receipts &amp; Payments by Budget Heading 30/09/2024

## Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<b><u>135 Burial Ground</u></b>							
1350 Burial Ground Income	0	2,000	2,000			0.0%	
Burial Ground :- Receipts	0	2,000	2,000			0.0%	0
4360 Water	52	90	38		38	58.3%	
4370 Maintenance	0	50	50		50	0.0%	
Burial Ground :- Indirect Payments	52	140	88	0	88	37.5%	0
Net Receipts over Payments	(52)	1,860	1,912				
<b><u>140 Pavilion</u></b>							
1550 Pavilion Rental Income	3,600	7,200	3,600			50.0%	
1560 Utilities Contribution	1,568	0	(1,568)			0.0%	
Pavilion :- Receipts	5,168	7,200	2,032			71.8%	0
4360 Water	0	240	240		240	0.0%	
4370 Maintenance	873	1,000	128		128	87.3%	
4400 Electricity	881	600	(281)		(281)	146.8%	
Pavilion :- Indirect Payments	1,753	1,840	87	0	87	95.3%	0
Net Receipts over Payments	3,415	5,360	1,945				
<b><u>145 Rec Ground</u></b>							
1450 Pitch Fees	75	250	175			30.0%	
Rec Ground :- Receipts	75	250	175			30.0%	0
4370 Maintenance	65	500	435		435	13.0%	
4550 Play Equipment	0	1,200	1,200		1,200	0.0%	
Rec Ground :- Indirect Payments	65	1,700	1,635	0	1,635	3.8%	0
Net Receipts over Payments	10	(1,450)	(1,460)				
<b><u>155 Streetlighting</u></b>							
4370 Maintenance	0	100	100		100	0.0%	
Streetlighting :- Indirect Payments	0	100	100	0	100	0.0%	0
Net Payments	0	(100)	(100)				
<b><u>160 Projects</u></b>							
4610 Parish Improvements	0	2,000	2,000		2,000	0.0%	
4620 Rec Ground	0	8,985	8,985		8,985	0.0%	
Projects :- Indirect Payments	0	10,985	10,985	0	10,985	0.0%	0
Net Payments	0	(10,985)	(10,985)				



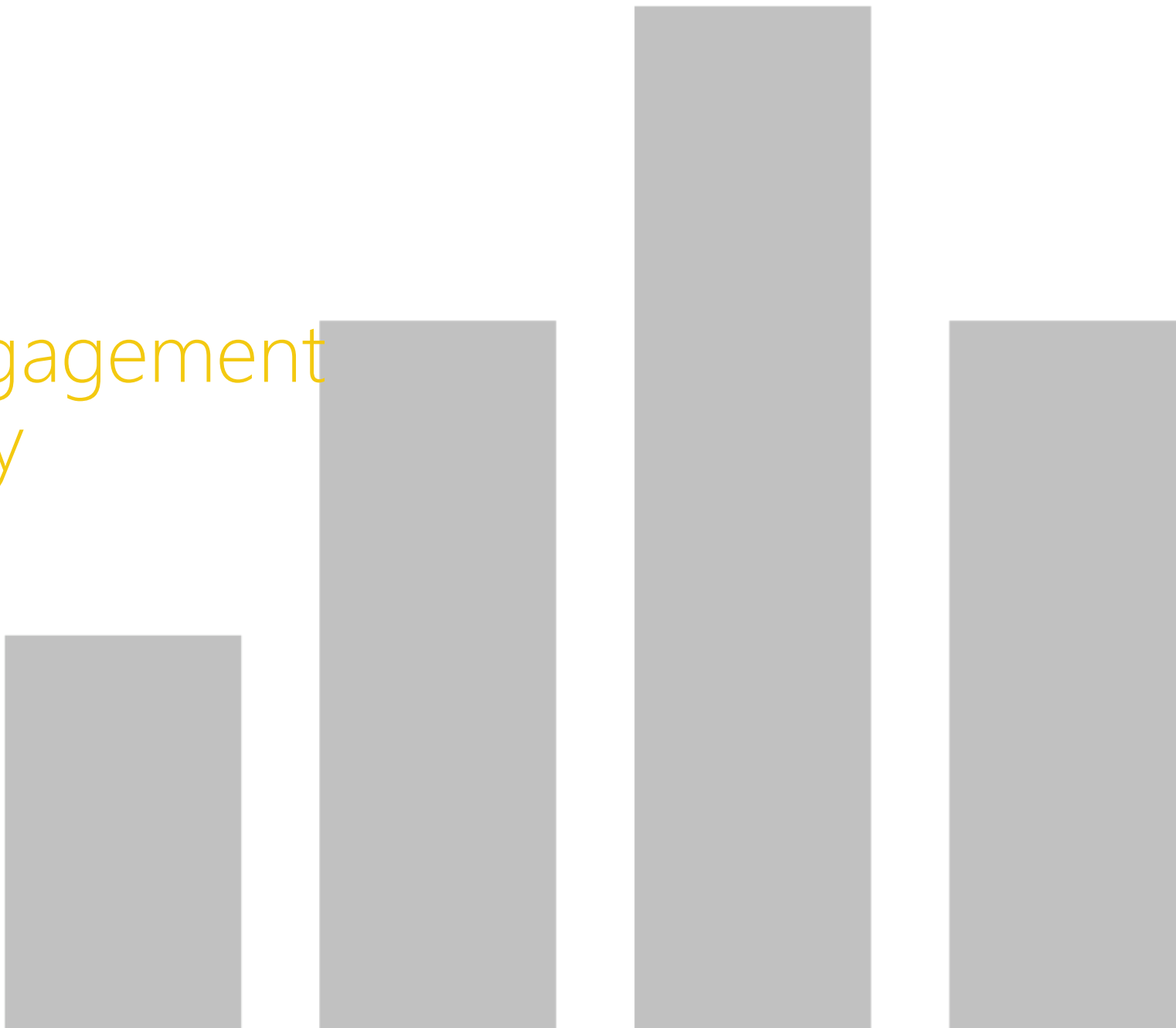
## Detailed Receipts &amp; Payments by Budget Heading 30/09/2024

## Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<u>999 VAT Data</u>							
115 VAT on Receipts	1,576	0	(1,576)			0.0%	
VAT Data :- Receipts	<u>1,576</u>	<u>0</u>	<u>(1,576)</u>				<u>0</u>
515 VAT on Payments	427	0	(427)		(427)	0.0%	
VAT Data :- Indirect Payments	<u>427</u>	<u>0</u>	<u>(427)</u>	<u>0</u>	<u>(427)</u>		<u>0</u>
Net Receipts over Payments	<u>1,149</u>	<u>0</u>	<u>(1,149)</u>				
Grand Totals:- Receipts	32,242	34,462	2,220			93.6%	
Payments	13,922	34,462	20,540	0	20,540	40.4%	
Net Receipts over Payments	<u>18,320</u>	<u>0</u>	<u>(18,320)</u>				
Movement to/(from) Gen Reserve	<u>18,320</u>						

# Community Engagement Tolleshunt Darcy

[View in Power BI](#) ↗





# Speed Enforcement

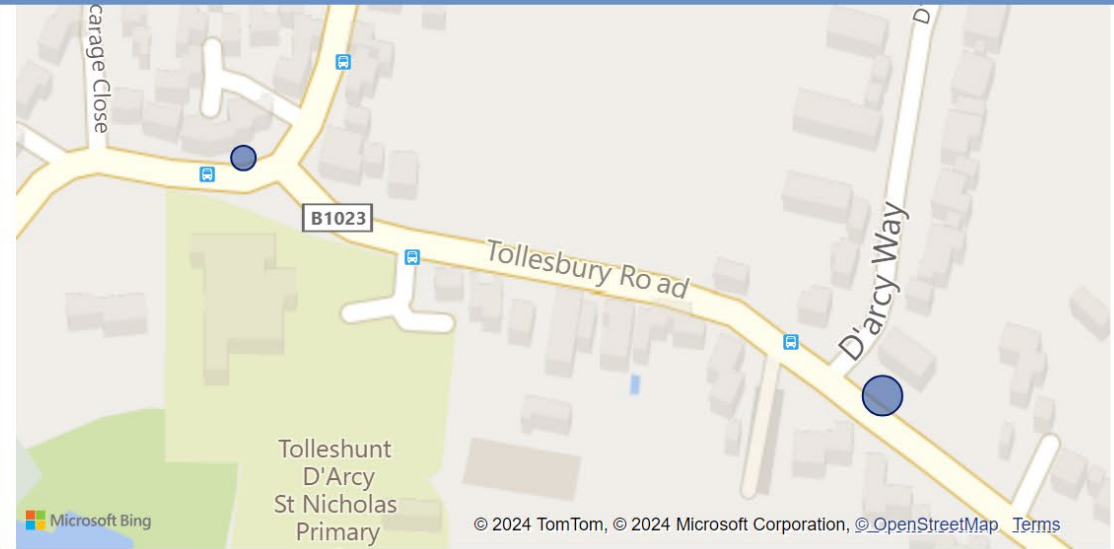
Tolleshunt D'arcy Parish Council

## Filter Date

01/09/2024

30/09/2024

## Patrol Location



Number of Patrols

4

Captures

28

Highest Speed Recorded

46

Lowest Speed Recorded

0

## Speeds recorded in area

Site Name	Number of Patrols	Number of Captures	Highest Speed Recorded	Lowest Speed Recorded	Speed Limit
KELVEDON ROAD, NEAR J/W SOUTH STREET	1	0	0	0	40
TOLLESBURY ROAD, NEAR TO J/W D'ARCY WAY	3	28	46	40	30
<b>Total</b>	<b>4</b>	<b>28</b>	<b>46</b>	<b>0</b>	

## Dates of Visits and How Long

● Number of Visits ● Duration in Hours

