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**LEWES  
TOWN  
COUNCIL**

## *MINUTES*

Of the meeting of **Lewes Town Council** held on  
**Thursday 9<sup>th</sup> April 2015** in the **Council Chamber, Town Hall, Lewes** at **7:30pm**.

*NB if a record of voting was requested, this is shown in a table appended to these Minutes.*

**PRESENT:** Councillors S Catlin (Wischhusen); M Chartier; J Daly; I Eiloart; J Lamb; D Lamport; L F Li (*Deputy Mayor*); M Milner; R Murray; S Murray; R O’Keeffe; A Price; J Stockdale and Dr M Turner (*Mayor*)

*In attendance:* S Brigden (*Town Clerk [TC]*); Mrs F Garth (*Asst. Town Clerk and Civic Officer*) M Larkin (*Mace Bearer*); Mrs E Tingley (*C’tee Administration*)

*Observing:* Ms J Dean (*Customer Services Officer*); Ms V McLachlan (*Finance Administration Officer*); Mr B Courage (*Town Ranger*)

**FC2014/108**

### **QUESTION TIME:**

There were no questions. No members of the public were present.

**FC2014/109**

### **MEMBERS’ DECLARATIONS OF INTEREST:**

There were none.

**FC2014/110**

**APOLOGIES FOR ABSENCE:** Apologies were received and accepted from Cllr E Allsobrook who had a personal commitment, Cllr Dr G Mayhew who was recovering from an injury and Cllr J MacCleary who had a work commitment. No message had been received from Cllr Dean.

**FC2014/111**

### **MAYOR’S ANNOUNCEMENTS:**

- a) The Mayor thanked all those who had helped at his Easter Tea Party for senior citizens; a very successful event and enjoyed by all those that attended.
- b) The Annual Civic Awards presentation ceremony would be held on Thursday 16<sup>th</sup> April in the Council Chamber at 6.30pm, prior to the Town Meeting.
- c) The Mayor’s end of term celebration would be on Friday 15<sup>th</sup> May at 6.30pm in the Council Chamber. Invitations would be sent out shortly.
- d) There was advance notice for those members who may be elected in May to consider nominations to the Parish Member seats on the South Downs National Park Authority which would be subject to re-appointment after the parish elections. East Sussex had two parish seats, and nomination forms would be issued to all eligible parishes on Monday 11<sup>th</sup> May, with a closing date of Monday 15<sup>th</sup> June. The ballot would be by post - closing on 7<sup>th</sup> July, with the count on Friday 10<sup>th</sup> July. The Town Clerk could provide more details including a role description and person specification.
- e) The Mayor also gave advance notice for those standing for re-election to consider memberships of Outside Bodies; Council Planning Committee; continuing Working Parties; functional panels; signatories for the bank account and “Lead” roles. All of these were subject to confirmation at the Council’s annual meeting: Mayor Making.

**FC2014/112**

### **MINUTES:**

The Minutes of the Council meeting held on 26<sup>th</sup> February 2015 were received and

*Continues...*

signed as an accurate record.

FC2014/113

## WORKING PARTIES AND OUTSIDE BODIES:

*Members were reminded that anyone who may have attended a meeting of any recognized outside body which has covered issues that deserve attention by the Council, should ensure that TC is aware of this before the Council's next meeting, and preferably before the agenda deadline. Reports on all activities of the organization are not expected.*

a) *Policy Review Working Party 11<sup>th</sup> March 2015:* The Minutes of this meeting were received, and Cllr Chartier (who had been elected as Chairman) elaborated upon the course of the meeting. Members had earlier been provided with copies of current policies. Revised documents had been prepared, based upon updates to legislation and/or national models; latest recommended good practice, and updated valuations *etc*, as appropriate. The working party reviewed and discussed in detail each amendment which, in summary, had the effect of:

1. Standing Orders were updated to account for legislative changes with regard to: public rights to record/photograph/film meetings; Code of Conduct status; electronic service of summons; and minor revisions/updates to the national model.
2. Financial Regulations received minor updates to text references to statutes.
3. Anti-fraud policy received minor updates to text references to the Audit Commission (now abolished)
4. Investments and Reserves policy was unchanged
5. Freedom of Information Act publication scheme was unchanged
6. Code of Conduct for Members was unchanged
7. Communications policy received no change to policy. The appended briefing note *inro* defamation was replaced – reflecting new legislation.
8. Complaints policy received updates to reflect latest good-practice recommendations for parish councils.
9. Dignity at Work policy (staff discipline; grievance, etc) policy was updated to reflect the latest procedural models and technical guidance published by the Arbitration and Conciliation Advisory Service (ACAS).

The draft revised policies were all recommended to Council. Unchanged policies were submitted to Council for re-adoption alongside those revised, for completeness. Members had received copies of all these documents with their agenda for the meeting. Cllr Stockdale listed his objections to a number of points regarding these policies, and to the method of presentation of revisions, and proposed that matter be deferred and the new administration (following May 2015 elections) be recommended to reconvene the Working Party for a further review. TC rebutted the points raised as objection, and offered further detail as to the principles and drafting work underlying each policy as considered by the Working Party. Cllr Stockdale requested a recorded vote for the determination of his proposed amendment and that record is appended to these minutes: the amendment was NOT carried. A suggestion arose to broaden the accessibility of documents described in the statutory Freedom of Information Act 2000 publication scheme, offering all documents not prescribed as confidential via the website and printed copy. This modest amendment was accepted by the Working party members and consequently **it was resolved that:**

**FC2014/113.1** The minutes of the meeting of the Policies Review Working Party held on 11<sup>th</sup> March 2015 (*copy in Minute book*) are received and noted.

**FC2014/113.2** Lewes Town Council agrees the adoption of those policies as recommended by the Policies Review Working Party following its meeting on 11<sup>th</sup>

March 2015 (*copies in Minute book*) as:

- Standing Orders
- Financial Regulations
- Anti-fraud policy
- Investments & Reserves Policy
- Freedom of Information Act publication scheme (*with amendment as noted*)
- Code of Conduct for Members
- Communications policy
- Complaints policy
- Dignity at Work policy (staff discipline; grievance, *etc*)

b) *Traffic Issues Working Party 24<sup>th</sup> March 2015*: Cllr Milner gave a brief oral report to accompany the Minutes of this meeting. There had been discussion on general matters arising from the previous meeting as:

Safety issues near South Malling School - The Council had offered £1,000 to East Sussex County Council (ESCC) to paint road markings as an experiment to assist with parking and traffic congestion issues during pickup and drop-off periods. There had been no response until Cllr Milner challenged the Highways Department officers to whom the issue had been passed, and initially he had received only an unsatisfactory formal reply explaining ESCC's priority system for works. Further pressure had elicited a more thoughtful response, but it was explained that ultimately the matter could only be addressed as a formal project, with attendant changes to physical road infrastructure; signage etc, which must be preceded by consultation and amendment of prevailing traffic Orders. This was affected by current plans for the road and footpath network in the immediate area (Earwig Corner, and Lewes-Ringmer cycle path). The original idea of a low-cost experiment was not supported. The Town Council was referred to the Community Match scheme, which could allow works outside the structured and prioritized ESCC plan, if significant funding was provided by a parish council. The tenor of the communication from ESCC suggested that they saw little merit in any new scheme, but Members wished to at least establish the likely cost for the necessary project and the true potential for third-party contributions. It had been agreed to pursue this question further.

Footway repairs – standards of repair to Conservation Area footways appeared to be 'slightly' improved, although it was observed that some relatively recent repairs had been made using replica bricks/blocks made of self-coloured aggregate materials where the colouring was already fading, highlighting the second-rate standard. Members had volunteered to pursue this matter with ESCC.

Bus Shelters – a short list of sites proposed for additional shelters had been discussed with ESCC and, as anticipated, only one could be agreed as there were technical restrictions at the others. It had been indicated that a licence to site a shelter on the North side of the Brighton Road outside Lewes Prison should be possible, although subject to planning permission and a careful choice of design, as space was limited.

Bench seats and litter bins had been delivered and were awaiting installation at Lewes Bus-station. Bicycle parking improvements - ESCC had recently installed the new cycle parking frames, although it was not known if the programme was complete.

The meeting had received a short presentation that aimed to show the potential of electric vehicles to help accelerate delivery of economic, community and environmental and transport agendas.

There followed a discussion on bus services in the town. Compass Travel's Managing Director was unable to attend, but had sent a detailed message noting the company's position regarding ESCC funding cuts. He stated that reductions in services had been 'far less severe than originally anticipated' and that most rural areas

had kept a similar level of service. He was apologetic that frequency of Town routes had been reduced, and suggested that without external funding these were not financially viable. He would be open to discussions as to options, should the Town Council be able to consider funding. Members had agreed to ask Council for a mandate to discuss this matter with operators such as Compass. Several members of the public present had a particular interest in this subject, and had been invited to contribute. There had been discussion of the detail of particular routes that circulate within the town, and services outward to other towns. Newhaven was cited as a nearby centre of employment and education, where public transport services were important. It was stated that reduced services effectively prevented Lewes people from deriving benefit from developments such as the new University Technical College to be built at Newhaven. Members were asked if they would liaise with other parishes to consider the matter jointly, and the principles of the Lewes District Association of Local Councils (LDALC) were discussed. Cllr Murray, as the Council's representative, had undertaken to introduce an item at the next LDALC meeting to establish the appetite of other parishes for cooperation.

Subsequently **it was resolved that:**

**FC2014/113.3** The Minutes of the Meeting of the Traffic Issues Working Party on 24<sup>th</sup> March 2015 (*copy in minute book*) are noted.

**FC2014/113.4** The recommendations of the Traffic Issues Working Party of 24<sup>th</sup> March 2015 described at minute TIWP2014/06 (*copy in minute book*) are agreed, as:

i) Purchase and installation of a new bus shelter adjacent to Lewes Prison is approved, subject to requisite permissions;

ii) A mandate is agreed for the Traffic Issues Working Party to discuss bus service support with operators such as Compass Travel, and to establish relevant levels of cost.

c] *Neighbourhood Plan Steering Group 26<sup>th</sup> March 2015:* Council received an update on the progress of the group. The meeting had conducted a workshop where each task group (*Tourism, Social Community and Culture, Transport, Design and the Built Environment, Housing and Sustainability*) had been provided with a base plan to plot features related to its field and answer key prompts which resulted in a series of mapping layers that the consultants could use to start the detailed plan structure process.

A one day Visioning Event and three-day Design Forum were to be held in June. Invitations would be sent to community interest groups, to encourage involvement with the Neighbourhood Plan. A website for the Plan was currently under construction. **It was resolved that:**

**FC2014/113.5** The oral report by Cllr S Murray on the meeting of the Neighbourhood Plan Steering Group on 26<sup>th</sup> March 2015 is noted.

d] *Devolution Working Group 31<sup>st</sup> March 2015:* Cllr Chartier gave an oral report on this meeting, which had been convened to meet with Ian Davison, the solicitor retained by the Council to conduct the agreed transfers of land ownership. It was reported that Lewes District Council's draft transfer agreements contained clauses related to potential future use of the land which were unacceptably onerous. There had been a general understanding with the District Council that a clause sharing the benefits from any *significant* increase in value, or disposal, of the land (an "overage" provision) might be agreeable. The clauses proposed, however, would trigger unnecessary and unacceptable costs for the Town Council even in the event of common everyday landowner agreements – such as the routine grant of an easement for a utility supply. The same template was being proposed for the transfer of both Malling Recreation Ground and the District Council's 50% share of land at Landport Bottom. Mr Davison and TC had argued that the two parties were both public authorities and

that the transfers were for a clear purpose of continued public recreation. The drafts were said to be overcomplicated and placed unreasonable burdens upon the Town Council in the future. Mr Davison had proposed a simpler and less onerous alternative, and now sought confirmation as to the Council's position and instructions as to how to proceed. Members had been unanimous in supporting the approach taken, and asked Mr Davison to continue accordingly. They wished to deal honourably with the District Council, but consider that once land is transferred then the District Council should retain no interest.

There was a brief discussion and it **was resolved that:**

**FC2014/113.6** The oral report of the Meeting of the Devolution Working group 31<sup>st</sup> March 2015 is noted.

**FC2014/114**

#### **ARBORICULTURAL CONTRACT:**

Members considered report FC015/2014 (*copy in Minute Book*) apprising Members of quotations received for works to trees on Council land.

Having considered a report (FC009/2014) in November 2014, Council had commissioned a professional survey of trees situated on its land at:

- The Love Lane tree belt
- Pells Recreation ground
- Pells lake area
- Priory of St Pancras ("Lewes Priory")
- Landport Bottom (joint ownership with Lewes District Council)
- Allotment sites

In accordance with professional good practice recommendation, inspections of these trees and subsequent recommendations for work conformed to simple principles in order of importance: public health and safety; good arboricultural practice, and the visual or amenity function of the trees.

The schedule of works recommended following the survey was stated in terms of priorities for actions within 3; 12; and 24 months. Several trees and groups of trees were subject to Tree Preservation Orders (TPO) which may have been imposed for a number of reasons: from comparative rarity of inherent characteristics of a species/variety; location within the landscape/streetscape (even for 'mundane' species), or for their amenity value *eg* noise buffering or visual enhancement/screening or particular wildlife habitat context. Any proposed work to these trees required prior written consent from the Planning Authority before commencement. The only works that were exempt from the need to obtain written consent applied to any tree that is dead, dying or dangerous. This would also include the removal of dead wood, broken or hanging branches and branches obstructing a Bridleway *etc.*

Following the survey, local contractors were furnished with the consultant's report and asked to carry out their own site inspections with a view to submission of quotations for the work.

The firms submitted quotations, but only two were in accordance with the briefing. These were shown as Contractors A; B; and C. These contractors were well-regarded and highly competent specialist firms, and despite a significant difference in total cost quoted, it was considered that Contractor A had included all likely elements in their costing, and that theirs were realistic prices. Their representative, during the accompanied site inspections, had actually noticed and assessed several minor items that had arisen since the original survey and assisted in prioritising these and drafting a practical schedule for the work.

Planned inspections and any works arising were usually funded from the existing reserve earmarked for “Open Spaces” (shown in the accounts as R3) which would offer a balance available in 2015/16 of £14,480 having accounted for the cost of the initial independent survey at £2,580 nett in the current year.

After a discussion **it was resolved that:**

**FC2014/114.1** Lewes Town Council will accept the quotation of Bonny’s Wood arboricultural contractors, for works in the sum of £9,065; to be funded from the financial reserve shown in the published accounts as R3: ‘Open Spaces’.

**FC2014/115**

#### **ASSET of COMMUNITY VALUE:**

Council considered a motion (*NOM011/2014 copy in minute book*) to nominate the Turkish Baths, Friars Walk, Lewes as an Asset of Community Value (Community Right to Bid) under the Localism Act 2011, as a property having a current or recent use which could be shown to further the social wellbeing or social interest of the community.

It was said that the Turkish Baths was an unusual and important building in the Lewes Conservation Area. It belonged to the District Council and had been occupied by their print department which printed, among other things, documents for local charities and community groups. The building deserved to have the protection of Community Right to Bid status so that community groups could fundraise to buy it at market value if the owner should decide to dispose of it.

After discussion and further to a suggested amendment, **it was resolved that:**

**FC2014/115.1** Lewes Town Council supports any campaign to nominate the Turkish Baths, Friars Walk, Lewes as a property having a current or recent use which can be shown to further the social wellbeing or social interest of the community for registration and listing as an Asset of Community Value (Community Right to Bid) by Lewes District Council, under the Localism Act 2011.

**FC2014/116**

#### **ART CONSERVATION PROJECT:**

Council considered a report (*copy in Minute Book*) from Cllr Dr Turner on the ‘Our Pictures’ project – restoration and access improvements for oil paintings in the Council’s ownership. Council had earlier agreed to a project to produce an appropriate booklet devoted to the significant artworks (oil and watercolour paintings) held by the Council, similar to the *Civic Insignia & Plate* booklet published in 2011. There was also agreement to investigate the potential for an extended project involving specialist conservation works to major paintings, with improved public interpretation material and access to view, plus a ‘legacy project’ where descendants of individuals depicted in the paintings, who had a Lewes connection, were traced and their links recorded by some permanent means.

A significant amount of research and other work had been carried out. Following an initial survey two further assessments had been made by independent professional experts. Estimates of cost initially indicated a project that would fall within the criteria for the Heritage lottery Fund’s “Our Heritage” scheme although later, more detailed, surveys of the nineteen paintings suggested the total cost would significantly exceed the £100,000 limit for that fund. Consequently, the individual paintings had been prioritized in order of condition and ‘importance’ and a project had been structured around the twelve paintings considered to be most in need of attention; tailored to that limit.

These were:

- The Visit of William IV
- The Protestant Reformers

- Battle of Lewes
- Portrait of Nehemiah Wimble
- Portrait of Mrs Wimble
- Portrait of Audrey Wimble
- Portrait of the Duke of Newcastle
- Portrait of the Duchess of Newcastle
- Portrait of Wynne F Baxter
- Portrait of Alderman George Holman
- Syrian Chief 1
- Syrian Chief 2

This indicated a project cash cost of £96,600 which would require a contribution of £5,500 by the Council – less than originally envisaged. There would also be contributions in-kind *in* use of rooms at the Town Hall (1 day each month for public access and 6 days per year for school/college visits). Complete with time inputs from various individuals these were admissible for Lottery bid purposes with a notional additional value of £14,988.

An informal approach had been made to the Heritage Lottery Fund, who indicated that such a project should be eligible for “Our Heritage” grant, and suggested areas upon which they would focus attention: *ie* extended interpretation; community involvement and public access, and educational aspects. Where links could be established between living descendants and individuals appearing in the paintings, this would be the basis for a very interesting cultural project and was well-received. Significant support had been indicated by Lewes History Group; University of the 3<sup>rd</sup> Age, and Friends of Lewes – including a body of volunteers to be trained to conduct guided viewings.

Following consideration, members wished to record their thanks to Cllr Dr Turner for his work on this project, and it **was resolved that:**

**FC2014/116.1** Council agrees to proceed with a submission to Heritage Lottery Fund’s “Our Heritage” programme, based upon work to date in connection with the “Our Pictures” project, and agree a contribution of £5,500 from the General Fund.

**FC2014/116.2** Council agrees appropriate contributions-in-kind of officer time and room availability during the project, and for a future programme of public access as described in the report presented on 9<sup>th</sup> April 2015 (*copy in Minute Book*).

**FC2014/117**

## **GOVERNMENT CONSULTATION:**

Members considered a consultation paper from the Government’s Department for Communities and Local Government (DCLG) regarding extension of the remit of the Local Government Ombudsman to include larger parish councils.

Views were sought on proposals relating to the following areas:

- Whether the jurisdiction of the Local Government Ombudsman should be extended to larger parish and town councils;
- How larger parish and town council should be defined for this purpose.

Any change to the jurisdiction of the Local Government Ombudsman required a change to primary legislation, specifically the Local Government Act 1974.

Councillors were also provided with a short statement from the National Association of Local Councils (NALC) which outlined their initial thinking. It was noted that DCLG had allowed until 30<sup>th</sup> June 2015 for responses, and it was accepted that Councillors would respond to the DCLG consultation on an individual basis, and a Council ‘corporate’ response would be sought from the administration following elections in May.

**UPDATE ON MATTERS IN PROGRESS:**

- a) *Town Hall repairs* – The tender for the work to the façade was expected to be ready within the next week.
- b) *Baxter Prints* – Work on hanging Baxter prints in the corridors of the Town Hall had started and would be completed in the next few days.
- c) *Seating & bins at Lewes bus station* – These had now been installed. The Town Ranger had also arranged seating to be installed at the Mill Road and Church Lane bus shelters, in response to public request.
- d) *Film@All Saints* – For Members’ interest, TC related some statistics on the community cinema operation. This season 47 films had been shown over 34 weekends in 73 individual screenings. The largest audience being 202 and the smallest 3. The average audience per screening was 37 (up from 25 when previously reported). The operation had recorded a surplus income of just less than £4,400 so far. Members were intrigued by the ranked performance of some of the film titles.

**NOTICE of ITEMS IN PROSPECT:**

- a) The next Planning Committee Meetings would be on Tuesday 14<sup>th</sup> April (at which the application for the North Street Quarter development would be considered) and Tuesday 5<sup>th</sup> May at 7pm in the Yarrow Room.
- b) The Civic Awards would be presented on Thursday 16<sup>th</sup> April at 6:30pm in the Council Chamber, followed by the Annual Town Meeting at 8:00pm.
- c) An induction and briefing seminar for Councillors would be held on Monday 11<sup>th</sup> May at 6:00pm in the Council Chamber, and it was hoped that ‘returning’ Members would attend as well as those newly-elected.
- d) A short rehearsal for those directly involved in Mayor-Making would be on Tuesday 19<sup>th</sup> May at 6.00pm in the Council Chamber.
- e) The next Council Meeting (Mayor-making) would be on Thursday 21<sup>st</sup> May at 7.00pm.
- f) The deadline for Grant applications for the next cycle was Friday 15<sup>th</sup> May, with the assessment Panel meeting on 27<sup>th</sup> May and recommendations being considered by Council on 18<sup>th</sup> June.

At this point the Mayor proposed, **and it was resolved:**

**FC2014/120.1** That in view of the confidential nature of the business to be transacted during the remainder of the meeting; pursuant to the Public Bodies (Admission to Meetings) Act 1960, any members of the press or public present be excluded and instructed to withdraw. The Nature of the business is stated to be “personal information related to individual members of staff”.

**LIVING WAGE**

Members considered a proposal (*NOM012/2014 copy in minute book*) that the Council undertakes to pay all its employees at least the Living Wage from 1<sup>st</sup> May 2015 by topping up scale- rates where necessary.

The UK Living Wage for areas outside London was currently £7.85 per hour. It was set by the Living Wage Foundation and the calculation was based upon the Minimum Income Standard for the United Kingdom, the product of research by the Centre for Research in Social Policy at Loughborough University, funded by the Joseph Rowntree Foundation. The research looked in detail at what households need in order to have a minimum acceptable standard of living. Decisions about what to include in this standard were made by groups comprising members of the public. The Living Wage, it was said, was therefore rooted in social consensus about what people need to make ends meet.



The uprating of the Living Wage figure each year took account of rises of living costs and any changes in what people defined as a 'minimum'. It also took some account of what was happening to wages generally, to prevent a situation where Living Wage employers were required to give pay rises that were too far out of line with general pay trends.

It was noted that a similar initiative had been considered in 2011, and a detailed review by the Personnel Panel had recommended continued adherence to national conditions. TC described the most recent national debate on the subject, and how adjustments to the national pay 'spine' in recent years had removed several of the lowest-paid points. There was pressure, and a great body of national support, for revision of the pay spine to incorporate the Living Wage and redistribute other point values to maintain effective demarcation and incentive levels. It was, he argued, unwise to arbitrarily increase values for low-scaled points without recognizing the whole structure and the relevance to conditions other than pay. This could have significant ramifications for staff morale and undermine the sense of solidarity that had prevailed during the previous four years of 'frozen' pay. There followed a lengthy debate, during which the overall context of the national staff pay & conditions 'package' was analysed, and subsequently **it was resolved that:**

**FC2014/121.1** This Council wishes to pay all its employees at least the Living Wage and recommends that the new administration formed after 7<sup>th</sup> May 2015 sets up a Working Party to assess practicalities.

**FC2014/122**

There being no further business the Mayor declared the meeting closed, and invited those present to join him in the Parlour for refreshments.

*The meeting ended at 9:30pm*

Signed:

Date:

**VOTING RECORD SHEET**

**MEETING of: Council date: 9<sup>th</sup> April 2015**



**LEWES  
TOWN  
COUNCIL**

**Please note:** this is a record of voting *where this has been requested* under Standing Order 1(s) [following provisions of Local Government Act 1972 Sch12 p13 (2)]

✓ = Indicated "For"    ✗ = Indicated "Against" C = Chairman's casting (supplementary) vote A = Abstained    NP = Not Present    NV = not voting		LD	Ind	LD	Ind	LD	LD	LD	LD	LD	LD	LD	Ind	LD	Green	Green	Ind	Green	LD	LD	No. FOR	No. AGAINST	Carried? Y/N
Agenda item	MOTION or AMENDMENT VOTED UPON	ALLSOBROOK	CATLIN (Wischhausen)	CHARTIER	DALY	DEAN	EILOART	LAMB	LAMPORT	LI	MacCLEARY	MAYHEW	MILNER	MURRAY R	MURRAY S	O'KEEFFE	PRICE	STOCKDALE	TURNER				
6a)	Deferral of decision until a reconstituted W/pty in new administration can revisit a review of policies.	NP	✗	✗	✗	NP	✓	✗	✓	✓	NP	NP	✗	✗	✗	✗	✗	✓	✗	4	10	Z	