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Estates Committee
Minutes

Meeting Time and Date	1000 on 21 June 2023
Meeting Location	Zoom Online
Members	Ralph Luck OBE (Chair)  Peter Doble  Alex Lane  Roger McClure  Sarah Moreland MBE  Stephen Way  Peter Brammall (Principal)  Sarah Seery (Staff Governor) Rosie Evans (Student Governor) Casandra Fox (Student Governor)  Bradley Hannigan (Student Governor) Kieran Careford (Student Governor) 
Observers	Nolan Smith and Denise Cheng-Carter (for Item 3 only)  Joanne Roxburgh Darrell DeSouza James Bryan (HR)  Paul Smith (Finance)  Denise Lloyd (Academic)  David Scott (Estates) 
Minute Taker	Joanne Coffey (Clerk) 
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	Action
<p>1. Welcome and Apologies</p> <p>1.1. Apologies were received from Joanne Roxburgh, Sarah Seery, Rosie Evans, Bradley Hannigan, James Bryan and Denise Lloyd.</p>	
<p>2. Declaration of Interests</p> <p>2.1. None.</p>	
<p>3. Update on the Mottingham and Crystal Palace Project (Information)</p> <p>3.1. The Committee was updated on the current status of the Mottingham build by Nolan Smith, Fusion.</p> <p>3.2. There had been good progress since the last update to Governors and the contractors were now on site.</p> <p>3.3. The Section 106 was now fully executed by both the College and the London Borough of Bromley (LBB). The £40k in contributions from the College has also been fully settled.</p>	

- 3.4. The GLA referral was now in place, with written agreement from the GLA planning officer with planning conditions which included the revised statement on fire compliance.

Funding

- 3.5. The GLA had approved the transfer of the full £5,363,000 in capital support solely to the Mottingham campus without any recourse to Crystal Palace. In addition, the GLA had approved additional funding that increased their contribution to £5,959,406.
- 3.6. The price from the College's preferred contractor was £5,945,139 ex VAT. This included £500,000 of provisional sums that needed to be resolved and firmed up over the next few weeks. The College contribution remained at the Governing Body approved £2,169,262.
- 3.7. The contractor's price did not include the impact of sprinklers, and the letter of intent allows for them to work up the design and confirm the price. There was a risk that this could push up the construction price.

Pre-commencement conditions

- 3.8. All pre-commencement condition items were being submitted, but not all had made the 19 June deadline.
- 3.9. The demolition was due to begin on 10 July and would last for 8 weeks, completing on 4 September 2023.
- 3.10. Updates for the conditions were:
- a) LBB had now confirmed in writing that an archaeology watching brief was agreed, rather than a full dig. The formal outcome was expected at the end of June 2023.
 - b) Proposals to protect the trees with a Tree Protection Order (TPO) were being submitted to the council.
 - c) The Sustainable Urban Drainage (SUD) detail to be lodged with the council on 28 June. This included three specific issues, including how to make the connection for the attenuation pond.
 - d) The construction logistics plan was being submitted to the council on 21 June.
 - e) Confirmation of final slab/floor levels would be confirmed and submitted the contractor on completion of the final design within the next 5 days.

Timing

- 3.11. The demolition works to the glasshouse, M15 and the storage shed was due to begin on 10 July and would be completed by 15 July 2023. Separate pedestrian access would be in place before the start of term in September 2023.
- 3.12. The main works will be complete by the end of July 2024, ready for occupation in September 2024.

<p>3.13. As construction had been due to start in mid-April, Governors queried how a four month delay could still meet the September 2024 deadline. As the original timeline had factored in time for potential delays to statutory permissions that had now completed and the timber frame construction, the project was now only at risk of weather delays or changes to design.</p> <p>3.14. The current design changes that the College requested was to remove dog grooming and some staff spaces from the scheme to increase the amount of classroom and teaching spaces. It was confirmed that this would not alter the façade of the building.</p> <p>3.15. Fusion was very confident that the main works would not be subject to any significant delays and they would be monitoring the timeline on a regular basis.</p> <p>3.16. As T levels were beginning in September 2024, Governors noted the additional importance of having a contingency plan in case of any build delays.</p> <p>3.17. It was also key to have a plan to keep students and staff up to date during the build process.</p> <p>3.18. The previous Mottingham/Crystal Palace project group would be reinstated in September 2024 to receive regular updates and to feedback from a user’s perspective. This will include staff from Marketing and Admissions.</p> <p><u>Costs</u></p> <p>3.19. As design costs were going up in some areas but being saved in others, it was clarified that they were being managed to offset each other.</p> <p>3.20. The professional fees of £66.8k and the contingency budget of £220k (4% of the build cost) were deemed on the low side by the Committee. Fusion reassured Governors that they would tightly manage the budget and could take on some tasks themselves, if necessary.</p> <p><u>Safeguarding</u></p> <p>3.21. To protect the Mottingham staff, students and visitors, the contractor’s site access had already been entirely fenced off from the main entrance. Timings of deliveries would also be set to not coincide with College arrival and departure times.</p> <p>3.22. It was confirmed that contractors would all be DBS checked.</p> <p>3.23. Governors would be updated on progress at the 27 September 2023 Strategy Away Day/Board meeting and any additional requests could be made then.</p> <p>3.24. Governors requested regular monitoring options once the build was underway. Denise Cheng-Carter agreed to set up a project working group with the Director of Estates to report regularly to Governors by email.</p>	<p>Fortnightly email to update Committee (Completed)</p>
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<p>4. Minutes (Decision)</p> <p><u>Brooks Farm</u></p> <p>4.1. Governors queried the continuing lease status at Brooks Farm, given that the campus was closed in January 2023.</p> <p>4.2. Although the Brooks Farm campus had been closed and the animals moved to Capel's other sites, the College was still responsible for the lease of the land for another 23 years. However, as the local council was considering how they would like to use the land, it was deemed more prudent to wait for their wish to exit than to request an early exit payment.</p> <p>4.3. The Archway teaching capacity lease had approximately one year left and the landlords were not currently looking to rent it to another party. It was, therefore, more affordable to pay for that year's lease than to exit early. The enclosure was locked up and secure with minimal risk of intruders.</p> <p><u>Catering</u></p> <p>4.4. Governors requested an update to the restructure of the Enfield catering provision.</p> <p>4.5. The restructure had been delayed whilst a new catering manager and team were being inducted. The builders' tendering was now underway and takings were already up by 15% under the new management.</p> <p>4.6. The Committee noted the impact on students and the importance of getting their feedback. The Student Rep had been consulted and was content with the proposals. Once the building had been refreshed, more feedback would be captured from the student surveys in the next academic year.</p> <p>4.7. Governors highlighted the escalating costs of food and ingredients in the current economic climate. Cost savings would be made by better use of the new space, and savings were already being made through utilising a smaller, but more skilled, catering team.</p> <p>4.8. Once fully established, profit and turnover of the new Enfield catering provision to be reported to Governors at the next appropriate meetings.</p> <p>Resolved to</p> <p>4.9. Approve the minutes of the Estates Committee meeting held on 6 March 2023 as a correct record and authorise the Chair to approve them.</p>	<p>Estates</p>
<p>5. Matters Arising (Information)</p> <p>5.1. No matters arising from the minutes were discussed at this point in the meeting.</p>	
<p>6. Review of Terms of Reference (Decision)</p> <p>6.1. The Committee's Terms of Reference did not require any revisions.</p>	

<p>6.2. The Finance and Resources Committee will be reviewing the financial threshold of £80,000 at their meeting later today. If this were changed, the Estates Committee's Terms of Reference would be updated prior to the Full Governing Body meeting on 12 July 2023.</p> <p>6.3. Any specific terms relating to Mottingham may be needed to be added following the Strategy Day in September.</p> <p>6.4. Governor, Alex Lane, and the Estates Director agreed to add a term regarding sustainability.</p> <p>Resolved to</p> <p>6.5. Accept the standing Terms of Reference (including any updates to the financial threshold) and recommend them to the Governing Body for their adoption.</p>	<p style="text-align: center;">Clerk</p> <p style="text-align: center;">Estates (Completed)</p> <p style="text-align: center;">A: Governing Body (Appendix I)</p>
<p>7. Report of the Health and Safety Officer (Information)</p> <p><u>Accident and Incident Reports</u></p> <p>7.1. Of the two RIDDOR incidents reported in-year, one had led to an insurance claim.</p> <p>7.2. The number of accidents and incidents had increased slightly in the 5 month period, but not beyond an acceptable tolerance, and the year on year trend was in a downward trajectory.</p> <p>7.3. Governors noted this dramatic reduction in incidents compared to the previous year. As that year had coincided with the campuses being fully reopened, as the pandemic subsided, students had not been around the animals and other hazards. This may have led to an initial need to relearn their previous safety habits.</p> <p>7.4. Governors also recognised that ponies, for example, had to get used to being handled again, post-pandemic, where regular routines made them less likely to bite.</p> <p>7.5. It was also noted that the vast majority of these incidents had been of a minor nature, including slips and trips. Work had been carried out to reduce this risk.</p> <p><u>Health and Safety Committee meeting minutes</u></p> <p>7.6. Governors noted that the campus manager sites were still not being included in the Health and Safety Committee minutes. This would be included on all future minutes.</p> <p>7.7. It was confirmed that, although new Fire Warden training was currently on hold at Enfield (due to teams being relocated across the campus), that there were sufficiently trained Wardens currently in place at Enfield.</p> <p><u>Health and Safety Officer</u></p> <p>7.8. Governors had suggested the appointment of a standalone Health and Safety Officer at the last meeting, which SLT had been considering.</p> <p>7.9. Whilst the staff resource budget had limited capacity, an external audit of health and safety would be conducted by a specialist,</p>	<p style="text-align: center;">Estates (Nov 2023)</p>

<p>across all sites, which was deemed to bring more value to the College. This had been factored into the budget.</p> <p>7.10. In a year's time, further consideration would be given to providing for a dedicated Health and Safety Officer.</p>	<p>Estates (June 2024)</p>
<p>8. Report of the Estates Director (Information)</p> <p><u>Estates Strategy</u></p> <p>8.1. The current Estates Strategy was being revised in the autumn to be fit for purpose in supporting the College changes, resulting from the outcome of the Strategy Day and the review that was taking place over the summer.</p> <p><u>Mottingham New Build Project</u></p> <p>8.2. Governors requested that the numbers that represented the total space change resulting from the Mottingham build were checked and corrected.</p> <p><u>Campuses</u></p> <p><u>Regents Park Campus</u></p> <p>8.3. The College's current licence expires in autumn 2024, as does the temporary planning consent for the Queen Mary Garden lodge building.</p> <p>8.4. The Royal Parks had advanced plans to return the adjacent ancillary yards to public gardens. This included the building accommodating the College reception and Library.</p> <p>8.5. The College was unlikely to be accommodated during the redevelopment work, although a final decision on this was pending and Royal Parks' had expressed that they wanted Capel to teach their apprentices.</p> <p>8.6. It was also confirmed that the proposed new education building would be made available after a public tender process.</p> <p>8.7. In short the College had little confidence that accommodation would be available after the current licence expired. A further meeting was planned for September 2023.</p> <p>8.8. As continuing to deliver at Regent's Park was a priority, the College was in discussions with London Zoo's new Director General, to establish a site on the north side of the canal, linked to their plans for a Nature Campus, comprising multiple organisations such as Imperial and UCL. A further meeting was planned for summer 2023.</p> <p>8.9. London Zoo had been positive about the environment and green skills taught at the College, particularly the practical skills, which had surprised them. Governors were excited for the Zoo to discover all the great work that Capel does.</p> <p>8.10. The College could progress at pace to be in place by September 2024. Governors were in favour of this option as they felt that</p>	<p>Deputy Principal (Completed)</p>

<p>London Zoo would also be great kudos for the students and there was greater footfall.</p> <p>8.11. As a further contingency, the College had also made initial contact with Regents University and will also be speaking to Crown Estates, both of which the College had established relationships with.</p> <p>8.12. The Chair of Estates offered to assist with any meetings with Crown Estates, for whom he had good connections to.</p> <p>8.13. It was clarified that the Transformation Fund could not be used for Regent's Park as this can only be used for freehold leases.</p> <p><u>Gunnersbury Park Campus</u></p> <p>8.14. The Gunnersbury Park lease expired in September 2019 and work was still ongoing to agree a new lease.</p> <p>8.15. The Park's Community Interest Company had recently confirmed that Capel's lease was still being reviewed by the Football Association, who were funding a new sports centre in the Park and had the right to oversee sub-interest projects.</p> <p>8.16. The CIC was still awaiting their twenty-five year tenure to be confirmed by Hammersmith and Ealing Councils. The College remained without an established lease and remains on a 'Tenancy at will' basis.</p> <p>8.17. Governors requested clarity that the lease being reviewed referred to the College campus, rather than the whole property. [Note: it was confirmed to be referring to the whole lease, following the meeting.]</p> <p><u>Enfield - Bulls Cross Lodge</u></p> <p>8.18. The valuation by the Estate Agent of the site was less than would have been hoped for at £750,000, due to the highly restricted potential for development, although the College felt this was too conservative.</p> <p>8.19. Interest in purchasing the Lodge was being followed up with Tottenham Hotspur FC who would use the land as an alternative access route.</p> <p>8.20. As the club was currently embroiled in a dispute with the local community, regarding their acquisition of Whitewebbs land from Enfield Council, Governors advised hesitancy in being involved in any business negotiations, at this time, to avoid any reputational risk.</p> <p>8.21. Governors suggested that as the sale of the Whitewebbs land was currently on hold, that the College should renegotiate its interest in developing the land for educational and local use. The Principal would further consider this and report back.</p> <p>8.22. It was agreed for a plan of land that the College owned to be circulated to the Committee by email. This would provide any potential options for accommodating overseas HE students which could provide a reasonable net income stream.</p>	<p>Principal</p> <p>Estates (Completed)</p>
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<p><u>Forty Hall Farm</u></p> <p>8.23. Research was underway to better understand the financial position, ownership arrangements and educational potential for each element of Forty Hall Farm. This work and analysis will be used to determine strategic options and will be considered further at the Strategy Day in September.</p> <p><u>Crystal Palace</u></p> <p>8.24. The Director of Estates and Campus Manager had recently met with the landlord. They were amenable to offering a lease at the same rates on the stadium, farm and cottage until August 2024. This would include a break clause of three months' notice from May 2024. The College awaited their draft heads of terms.</p> <p>8.25. On signing the lease, the wayleave could then be granted to facilitate the installation of the uprated data connection. This in turn would allow the installation of enhanced data and security measures at the farm site.</p> <p>8.26. The opportunity was taken at the meeting to raise and register the College's displeasure regarding the maintenance of the building, especially regarding the leaking roof and lack of heating. As the solicitor had not yet filed the compensation claim, Governors suggested this should be immediately chased up to be considered as part of the draft heads of terms.</p> <p>8.27. As the timeline ended one month before the academic term would begin, in September 2024, Governors queried if a contingency plan was in place. Although the College had a break clause to exit early, an extension would also be expected from the GLA.</p>	<p>Estates (Completed)</p>
<p><u>Funding</u></p> <p>8.28. The College had received a number of capital funds in the last 12 months, which provided a basis to make significant investments to improve the estate and, in turn, the student and staff experience.</p> <p>8.29. SLT was researching which projects should receive the funds, to ensure that they fit with the various authorities' plans and timelines.</p> <p>8.30. A full outline of the funding spend options, including previous expenditure, would be presented to Governors at the Full Governing Body meeting in July 2023 for their approval.</p> <p>8.31. For the Capital Transformation Fund (£5m) (which can only be used for freehold sites), an initial proposal will be to use a portion of the fund for the Mottingham project phase 1 (c.£2m) with the balance being used to enhance the condition of the Enfield estate.</p> <p>8.32. Research of income options were now being considered as part of a concept business argument, to ascertain whether to go ahead with Barking Riverside.</p>	<p>Deputy Principal (Completed)</p>

Staffing

- 8.33. Two substantial Estates roles were now vacant: Gunnersbury Park Centre Manager and; Enfield Caretaker.
- 8.34. A consideration to have a joint Campus Coordinator for both Regents Park and Gunnersbury Park was underway. This would be a similar model to Mottingham / Crystal Palace and presented an opportunity to re-organise the structure to enhance safeguarding arrangements.

Sustainability

- 8.35. More investment was being made to improve sustainability at the college, including water harvesting.
- 8.36. It was clarified that the Energy and Carbon Reduction Funding of £165k had been used for 95-98% efficient gas boilers and LED lighting.
- 8.37. The College was reviewing all recycling and waste operations to reduce cost and be more sustainable. This included engagement with students on how waste can be further utilised.
- 8.38. The Principal met with representatives of Enfield Council who had offered contacts who manage funding for sustainability projects to which the College may have access to. This will be pursued alongside the development of the College's Sustainability Strategy.
- 8.39. Governors queried if the College was set up for electric car charging. This was being installed using some of the capital funding.
- 8.40. The Deputy Principal consulted the Committee on the current priorities of the Estates Team for their ratification.

Resolved to

- 8.41. **Support the current priorities of the Estates Team on: Mottingham build; Crystal Palace decisions; Lease risks; Funding spend and; Green Strategy.**

Alex Lane left the meeting.

Internal Audit of Estates

- 8.42. Scrutton Bland, the College's Internal Auditors, issued a Reasonable assurance opinion (their third highest) on Estates Management, with 6 recommendations accepted by the College:
- a) Annual servicing documentation
 - b) Planned preventative maintenance programme
 - c) Key contractor performance
 - d) IT reporting
 - e) Reporting guidance
 - f) Review of roles.

<p>8.43. Actions were now underway, with the maintenance plan already in place and being monitored on a monthly basis.</p> <p>8.44. Further updates to the audit recommendations would be reported in Outstanding Audit Recommendations.</p> <p>8.45. Governors queried whether the College had enough resources to deal with the recommendations. Once more cross-campus specialist skills were fully in place, they would all be able to be met.</p> <p>8.46. Now that Safeguarding was being moved from Estates to Academic, this would provide more capacity for health and safety compliance procedures.</p> <p>8.47. It was confirmed that Asbestos reporting had historically received annual re-inspections but, as the original core asbestos survey was missing, it had been logged as not complete. A new core survey would be in place by the new academic year.</p> <p>8.48. A Legionella log was now in place, and all Centre Managers had been externally trained, bi-annual water risk assessments were up to date, temperatures were recorded and key areas were water tested on a 4 month basis.</p> <p>8.49. The Committee would be informed when the Asbestos survey had been undertaken.</p>	<p>Estates (Nov 2023)</p>
<p>9. AOB – Verbal update on 66 Ridgeway</p> <p>9.1. A planning application been submitted on the land at 66 Ridgeway, adjacent to that held by the College.</p> <p>9.2. The covenant on this adjacent land, which the College sold for £600k, contained a lease agreement that stated that once planning application had been approved, the College would have vehicular access to its land, which had not yet happened.</p> <p>9.3. The developers, architects, planners and Enfield Council had been informed this would be in contravention to the agreement,</p> <p>9.4. Further meetings were planned and opportunities were being considered to work together with the developer, to develop the green space together.</p>	
<p>10. Date of next meeting</p> <p>10.1. The Staff and Student Governors were thanked for their commitment over the last year, as this was their last Estates Committee meeting.</p> <p>10.2. The Student Governors thanked the Committee and expressed how interesting they had found the meetings.</p> <p>10.3. The next Estates Committee meeting will take place on Tuesday 21 November, 2023 at 1000.</p>	

APPROVED MINUTES			
CHAIR:	Ralph Luck	DATE:	21 November 2023
APPROVAL:	Remote confirmation: APPROVED		
	Or signed:		