



















Minutes

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Estates Committee Minutes

Meeting Time and Date	1000 on 18 June 2024
Meeting Location	Zoom Online
Members	Ralph Luck OBE (Chair)  Alex Lane (Vice Chair)  Peter Doble  Roger McClure  Sarah Moreland MBE Stephen Way  Peter Brammall (Principal)  Zoe Halfyard (Staff Governor)  Milana Uginciute (Student Governor)  Richard Elliott (Student Governor)  Alexis Malpica (Student Governor)
Participants	Denise Cheng-Carter (for Item 3 only)  Aaron Davis  Joanne Roxburgh  Darrell DeSouza OBE  James Bryan (HR)  Paul Smith (Deputy Principal)  Denise Lloyd (Vice Principal) David Scott (Estates) 
Minute Taker	Joanne Coffey (Director of Governance) 
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	Action
1. Welcome and Apologies	
1.1. Apologies were received from Sarah Moreland, Alexis Malpica and Denise Lloyd.	
2. Declaration of Interests	
2.1. Ralph Luck was now Involved with two voluntary organisations in Moray Scotland, which had been added to the Register of Interests, for which he could see no conflicts.	
3. Minutes (Decision)	*Governance (Completed)
3.1. Minute 7.6 was corrected to state that the draft lease of the Crystal Palace Stadium was for £80k per annum.*	
3.2. Minute 6.7 was corrected to clarify that the incident caused mild hypothermia, as opposed to hyperthermia.*	
3.3. The Committee was updated on the Gunnersbury Park break in and it was confirmed that the campus was now in a much better place with staff and students able to move on from the incident.	

<p>Resolved to</p> <p>3.4. Approve the minutes of the Estates Committee meeting held on 4 March 2024 as a correct record and authorise the Chair to approve them.</p>	
<p>4. Matters Arising (Information)</p> <p>4.1. Denise Cheng-Carter to confirm that there was a parent company Guarantee in place at Mottingham after a forthcoming meeting with the contractor.*</p> <p>4.2. It was confirmed after the meeting that the contractor did not have a parent company, however, the College were contracting with the contractor's highest tier (Tier 1).</p>	<p>*Denise Cheng-Carter (Completed)</p>
<p>5. Update on the Mottingham and Crystal Palace Project (Information)</p> <p>5.1. The Committee was updated on the current status of the Mottingham build by Denise Cheng-Carter.</p> <p>5.2. The Linear Block was due to complete on 22 July 2024 and the Welcome Block on 2 September (+ 3 days).</p> <p><u>Phase 1</u></p> <p><u>Pre-occupation Conditions</u></p> <p>5.3. Governors queried why the pre-occupation conditions, due in March 2024, had not yet been completed.</p> <p>5.4. There had been delays due to the timing of when the Contractor could complete the conditions by and the remaining ones were not controversial. They were now, confidently, expected to be submitted at the end June 2024.</p> <p><u>Update on actions</u></p> <p>5.5. Drainage was completed on 4 June 2024.</p> <p>5.6. The initial treatment of the Japanese knotweed had completed.</p> <p>5.7. The external doors had arrived two weeks late and missing some parts, however, the delay was accommodated within the Contractor's programme.</p> <p>5.8. The applications for revisions to the original specialist reports were submitted to the council on 7 June 2024.</p> <p>5.9. Fusion and the design team had identified a concern that the Contractor had been seeking to omit the air source heat pump and run the heating with electric panels, which did not pass building control standards.</p> <p>5.10. As the Contractor had the responsibility to meet the costs to achieve building control, it had since confirmed that the air source heat pump would remain in place.</p> <p>5.11. The ability to use off the shelf heat pumps also worked in favour of the timing.</p>	

<p>5.12. Denise Cheng-Carter confirmed that the actions were progressing as planned, with the main risk being any delays to the building control being signed off.</p> <p>5.13. The Chair of Estates consider that this had been a great achievement given the constant wet weather that the project had to contend with.</p> <p><u>Costs</u></p> <p>5.14. As the total cost had risen by 30% since the project began in February 2023, a full discussion took place on the reasoning, including how approvals had been made for the additional costs that were above the delegated £80k.</p> <ul style="list-style-type: none"> a) The main cost increase from 2023 had been inflationary pressures and it was agreed to allocate the majority of the capital grants funds to the Mottingham build by the Governing Body on 12 July 2023 (Item 7). b) This further increased following the asbestos findings, with costs around £1m which were approved via Chair's Action on 27 September 2023. c) An increase, more recently, in technology investment and additional landscaping elements had not been included in the budget, however, the FE Equipment Specialist Fund allowed for this additional investment. d) The recent investment in higher security, including CCTV, was also supported by this IT grant. e) There had also been a change to the funding from the GLA, which had originally been split between Mottingham and Crystal Palace, which provided an additional £700k to expand original plans into a Phase 2. <p>5.15. It was agreed that the project had been reported on very frequently to the Board, in detail, and that they had been aware, understood and approved the need to add more funds along the way.</p> <p>5.16. Governors requested that the Funding Table was updated to:*</p> <ul style="list-style-type: none"> a) Reconcile the February 2023 and the May 2024 projection, by including the significant expenditure that had been needed. b) Add the dates of when the Governing Body had approved the increases (see 5.14a and b). c) Separate out the approvals for the funding streams, to provide a wider view. <p>5.17. Learnings would be made from how costs can significantly change from the original budget for future projects.</p> <p>5.18. Mottingham Phase 2 would be made as cost effective as possible to complete so that focus could then be on the Enfield site which needed financial investment.</p>	<p>*Deputy Principal / Denise Cheng- Carter</p>
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<p>5.19. Governors were pleased that the project had not required a draw on the College's reserves and were surprised that it was being reported that a £100k contingency was still intact. This was due to the basis on which extra costs had been funded.</p> <p>5.20. Governor, Aaron Davis, suggested that the College apply for a grant for heat pumps for Phase 2 and supplied information. Further research concluded that this may be for domestic use only.</p> <p><u>Contingency Plans</u></p> <p>5.21. Governors enquired if there were contingency plans in place for students if the buildings were not ready on time. As the Phase 2 demolition would not begin until January 2025, these could be used, if necessary.</p> <p>5.22. Any new provision at Mottingham would not be relying on the new facilities, for similar reasons where older resources would still be available.</p> <p><u>Phase 2</u></p> <p>5.23. The Phase 2 build at Mottingham was due to begin in January 2025, led by Fusion.</p> <p>5.24. The costing of £2.4m had been based on RIBA Stage 2 and would be updated to RIBA Stage 3 in August 2024.</p> <p>5.25. The budget included soft landscaping and IT.</p> <p>5.26. It was expected that the Council approvals would be faster, due to them coming on the back of the Phase 1 approvals.</p> <p>5.27. The building would be steel frame which was faster to build and the only option as CLT timber would no longer receive approval.</p> <p>5.28. Governors noted the risk of noise transmission. The building would be insulated to take account of the steel structure.</p> <p>5.29. It was agreed to ensure that budget costs included everything that could be deemed a need, to ensure against the flexing required for the Phase 1 budget.</p> <p>5.30. As decisions may need to be made during the summer, the Mottingham Task & Finish Group remained in place for any ad-hoc meetings.</p> <p>5.31. Governors queried the £2.4m RIBA Stage 2 costings as they felt that £7k per square metre seemed expensive. It had been based on the latest market knowledge from Phase 1 (including potential asbestos removal) but it was agreed to show a more detailed breakdown of costs once these are known.*</p> <p>5.32. It was also clarified that the GLA would not approve the costings if they did not perceive value for money.</p> <p>5.33. The number of classrooms had increased from 4 to 6, as it was deemed more efficient and effective to accommodate a higher</p>	<p>*Deputy Principal / Denise Cheng-Carter</p>
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<p>number of smaller classes (up to 16 students) which were more common for horticulture and arboriculture courses.</p> <p>5.34. It was clarified that there were larger classrooms and a conference room in the Welcome Block, so this created a good mixture of sizes. Divided classrooms were no longer deemed practical due to the acoustics.</p> <p>Denise Cheng-Carter left the meeting.</p>	
<p>6. Annual Review of Terms of Reference (Decision)</p> <p>6.1. Following a recommendation from the Search, Governance and Remuneration Committee meeting in May 2024, it was agreed to stipulate that there should also be a minimum of termly pre-meetings between the Chair and SLT lead, to provide external assurance of a strong line between Chairs and SLT.</p> <p>6.2. Reference to the Strategy Committee was removed.</p> <p>6.3. The Chair of Estates stated that the £80k delegation seemed too low and that a more structured set of delegations for the Estates Committee and the Finance and Resources Committee would provide more flexibility and speed of decision making. The Principal agreed to assess this strategy and report back at the next Estates Committee meeting.*</p> <p>Resolved to</p> <p>6.4. Estates Committee to accept their revised Terms of Reference and recommend them to the Governing Body for adoption.</p>	<p>*Principal</p> <p>A: Governing Body (Appendix I)</p>
<p>7. Report of the Health and Safety Officer (Information)</p> <p><u>New Deputy Director of Estates</u></p> <p>7.1. The Deputy Director of Estates (Phil Coulthard) started in post in April 2024. Phil's priority was health and safety, alongside managing the successful delivery of small to medium sized estates projects.</p> <p><u>Landex Peer Review of Health and Safety</u></p> <p>7.2. A Landex peer review of the Capel's Health and Safety systems took place in late May 2024, which received positive feedback, that stated:</p> <ul style="list-style-type: none"> a) Health and Safety compliance was particularly good with virtually all areas covered by procedures and management control. b) Statutory compliance areas were covered by systems of control. c) Training has been conducted and recorded for many Health & Safety disciplines using on-line provision undertaken on a structured basis. d) Health & Safety is communicated through the organisation with the help of Facilities Managers on each site. 	

<p>7.3. The main area for improvement was the implementation of a central Health and Safety risk assessment system. Work was already in progress on this.</p> <p>7.4. It was clarified that Landex visited two campuses but the report was based on the Enfield visit.</p> <p>7.5. The Committee congratulated David Scott on the Landex report, particularly given that Capel was made up of various sites across London which brought additional challenges. It also noted that more work was required and is planned to improve health and safety at the College.</p> <p><u>Health and Safety Policy</u></p> <p>7.6. The College's Health and Safety Policy was approved at the March 2024 meeting subject to any further comments from Governors post that meeting. No further comments were received.</p> <p>7.7. The Deputy Director of Estates has reviewed the policy and made two minor edits:</p> <ul style="list-style-type: none"> a) The policy now incorporated a Policy Statement which required the signature of the Principal and Chief Executive and the Chair of the Corporation. b) Pregnancy risk assessments were now included in the policy. Section 14.2. A standard format 'Pregnancy Risk Assessment' was now available to supervisors and managers on 'Moodle'. <p>7.8. The policy would now be signed and posted to the College website.</p> <p><u>Business Continuity Plan</u></p> <p>7.9. The updated plan was finalised in April 2024 and was being rolled out to staff through meetings and CPD events.</p> <p>7.10. Live scenarios had allowed the plan to be tested/updated during 2023-24. Linked to this, lockdown and silent evacuation procedures had been drafted and 'Lockdown' systems were being reviewed.</p> <p>7.11. The Chair of Governors was pleased to see that the BCP was being well integrated into staff programmes which he had seen a lack of at other institutions.</p> <p><u>Accident and Incident Reports</u></p> <p>7.12. In the period since the previous meeting, 9 minor incidents had occurred.</p> <p>7.13. As Governors noted that some of the reports were not clear in what had actually occurred, due to the reports being verbatim from whoever completed the accident forms, improved quality of reporting would be considered going forwards.*</p>	<p>*Estates</p>
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<p>8. Gunnersbury Park lease (Information)</p> <p>8.1. The Committee was updated on the lease negotiations for the Gunnersbury Park security of tenure which had been ongoing for 4 years.</p> <p>8.2. The situation was complex due to the recent discovery that the College's lease had been assigned to a Community Interest Company (CIC) which had a limited tenure, itself, with Hounslow and Ealing Councils. The terms of the lease with the CIC were also untraditionally stringent.</p> <p>8.3. The College and the CIC were currently in negotiations regarding the rent owed since the College's 2001 lease expired in late 2019, and the terms of a new Lease.</p> <p>8.4. The Committee discussed the detail and legalities of the negotiations which were currently not receiving active consideration by the CIC.</p> <p>8.5. In order to inform all affected parties, and protect the College's reputation, it was agreed that:</p> <ul style="list-style-type: none"> a) In the first instance, the Chair of Estates would correspond with the CEOs of both local authorities to ensure that they were aware of the current non-activity. b) The Principal would correspond with the newly elected Chair of the Gunnersbury Park Trust which manages the CIC, to update them on the history and current position. 	
<p>9. Report of the Estates Director (Decision)</p> <p><u>Leases</u></p> <p><u>Crystal Palace</u></p> <p>9.1. The leases for both the Stadium and the Farm sites had now been agreed and signed to August 2026, which included a break clause at August 2025.</p> <p>9.2. Compensation for past poor landlord responses had been agreed for income lost, which amounted to a six-month rent free period (£40,000) and the reimbursement of two years supplementary heater hire (£44,000).</p> <p><u>Regents Park</u></p> <p>9.3. The extension of the 'Temporary Planning Consent' for the Queen Mary Garden Lodge had been secured to summer 2025.</p> <p>9.4. Conversations with Royal Parks had commenced with a view to exchanging the Queen Mary Garden site for additional space in the Store Yard currently occupied by an old glass house frame due for demolition. With a new modular building this footprint would maintain or slightly enhance the current teaching capacity.</p> <p>9.5. Other potential options included a plot of land at London Zoo.</p>	

<p><u>Gunnersbury Park</u></p> <p>9.6. The reptile area at Gunnersbury Park had now been repaired, further work was taking place to strengthen the older rotting frames and to improve the pathways.</p> <p>9.7. Further investment to develop the campus would be restricted until the lease negotiations were resolved.</p> <p><u>Forty Hall Farm and Barking Riverside</u></p> <p>9.8. A strategic review of Forty Hall Farm had now concluded that significant capital investment would be necessary to bring the Farm up to an acceptable standard for teaching and public activity.</p> <p>9.9. The College was currently assessing options for possible commercial and funding income to support the case for the capital investment required.</p> <p><u>Brooks Farm</u></p> <p>9.10. The College was realising a vast majority of the financial savings available through vacating the site.</p> <p>9.11. There was a slight liability due to the site being open land but strong security was already in place with further additions planned for Spring 2025.</p> <p><u>Compliance</u></p> <p>9.12. The Compliance Overview table to be amended to update the reasons for the fall in compliance.*</p> <p><u>Planned Preventative Maintenance (PPM)</u></p> <p>9.13. The College was working to fully embed its PPM actions as integral, rather than as 'Bolt On' activities, to remain 95% compliant at all times.</p> <p>9.14. However, significant progress had been made, compared to one year ago when there were no PPM or systematic ways of storing compliance documentation. Investigation into proprietary management systems was being undertaken to meet this target.</p> <p><u>Tree Surveys</u></p> <p>9.15. Tree surveys had been undertaken and completed at the Mottingham campus.</p> <p>9.16. A costed plan of remedial actions was being constructed for Mottingham and Enfield.</p> <p><u>Fire Risk Assessments</u></p> <p>9.17. All assessments had now been completed at all campuses.</p> <p>9.18. A short term Task Group had been formed to administer improvements and monitor for any quick remedial action requirements.</p>	<p>*Estates</p>
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<p><u>KPI Performance</u></p> <p>9.19. A change in approach had now sufficiently matured to provide useful information in identifying where resources and efforts were needed.</p> <p>9.20. Performance figures of between 76% to 83% were being achieved which demonstrated an improving picture that was gaining momentum.</p> <p><u>Curriculum Strategy</u></p> <p>9.21. A draft Curriculum strategy presented at the Governing Body Strategy Day in March 2024 now included the scoping study for the Enfield site.</p> <p><u>Sustainability</u></p> <p>9.22. The focus of the Sustainability Committee continued to be carbon reduction and waste management.</p> <p>9.23. Development of an HE and FE Sustainability Leadership Tool was being planned which would produce a spider diagram of progress in implementing and embedding sustainability improvements within the College.</p> <p>9.24. A Sustainability Policy had been developed by the Sustainability Committee.</p> <p>Resolved to</p> <p>9.25. Recommend the approval of the Sustainability Policy to the Governing Body.</p>	<p>B: Governing Body (Appendix II)</p>
<p>10. Estates Principal Risks (Decision)</p> <p>10.1. The risk to Estates infrastructure had initially increased but had now lowered again due to the security mitigations that had taken since the break-in at the Gunnersbury Park campus.</p> <p>10.2. More security enhancements were planned, including CCTV across all sites.</p> <p>10.3. The risk to environmental sustainability had remained the same.</p> <p>10.4. The Staff Governor highlighted potential safeguarding issues for campuses where it was easier for trespassers to gain access due to less secure gates. The Staff Governors was requested to report the gates in question to David Scott, along with any incident reporting to ensure that action could be immediately taken.</p> <p>10.5. As some operational questions arose from the recent Staff Council meeting, the Staff Governor as Chair of the Council was advised to raise these with the Principal following each meeting.</p> <p>Resolved to</p> <p>10.6. Note and agree to the Estates Principal Risks.</p>	

11. AOB 11.1. None.	
12. Date of next meeting 12.1. The next Estates Committee meeting will take place on Tuesday 19 November, 2024 at 1000.	

APPROVED MINUTES			
CHAIR:	Ralph Luck	DATE:	19 November 2024
APPROVAL:	Remote confirmation:. Or signed:		