The Twenty-eighth Meeting of the Council was held in the Council Room, 170, Queen’s Gate at 10:30 a.m. on 14 February 2003, when there were present:

Dr. E. Buttle (Deputy Chairman), Mr. G. Able, Professor J. N. B. Bell, Professor Sir Leszek Borysiewicz, Mr. P. Gershon, Mr. B. Gidoomal, Professor Dame Julia Higgins, Dr. M. P. Knight, Professor F. Leppington, Mr. H. B. Lowe, Dame Judith Mayhew, Sir Alastair Morton, Professor G. H. C. New, Professor J. D. Perkins, Professor R. D. Rawlings, Eur. Ing. A. D. Roche, Dr. B. G. Smith, Dame Rosemary Spencer, Dr. C. L. Vaughan, Dr. D. J. Wilbraham, Sir Peter Williams, the Rector, the Deputy Rector and the President of the ICU, together with the Clerk to the Court and Council.

In attendance: the Academic Registrar, the Director of Estates, the Director of Finance, the Director of Policy and Planning, the Director of Strategy Development and Communications, the Imperial College Union Observer and the Assistant Clerk to the Court and Council.

Apologies: Lord Vincent, Professor M. Green, Professor D. Griffiths, Professor M. P. Hassell, Mr. D. P. Hearn, Professor S. P. F. Hughes, Professor A. B. Kay, Mr. R. J. Margetts, the Director of Human Resources, the Director of ICT and the Pro Rector for Development and Corporate Affairs.

APOLOGIES

The Deputy Chairman apologised for the Chairman’s absence from the Meeting, explaining that he was having a minor operation but expected to have recovered well before the Council’s next Meeting.

CONGRATULATIONS

The Deputy Chairman said that a number of College staff had been honoured in the New Year’s Honours List and, on behalf of the Council, she congratulated Professor Ara Darzi on his award of an honorary KBE, Professor Ravinder Maini on his Knighthood and Professor Anthony Newman Taylor on his appointment as CBE.
MINUTES

Council – 19 December 2002

1. The Minutes of the Twenty-seventh Meeting of the Council, held on 19 December 2002, were taken as read, confirmed and signed.

MATTERS ARISING

General and Specific Reserves (Council Minutes, 19 December 2002, Minute 34)

2. The Director of Finance, Mr. Cannon, reminded members that Sir Alastair Morton had asked what would happen when the College’s general reserves were reduced to nil and that he had undertaken to respond to this enquiry at this Meeting. This was, he said, a rather esoteric accounting issue. The College had total reserves of £112M. Each year the College set aside part of its reserves to provide for specific items such as depreciation. This annual transfer from the general reserves to these specific reserves meant that they were gradually reducing, even though the overall level of reserves was stable. This would only be a matter of concern if the College’s total reserves were in decline. Sir Alastair Morton thanked Mr. Cannon for his explanation.

Sale of Cobham Sports Ground (Council Minutes, 19 December 2002, Minutes 39 – 40)

3. The Director of Estates, Mr. Brooks Wilson, reminded the Council that it had approved the sale of Cobham Sports Ground at its last Meeting. Although it had been anticipated that the sale would have been completed before Christmas, this had not been achieved. The prospective purchaser had decided to extend the built area at Cobham and had therefore applied for planning permission for this extension. The buyer was still keen to proceed with the purchase and it was hoped that the sale would be concluded as soon as the Planning Authority’s decision was known.

CHAIRMAN’S BUSINESS

Appointment of a New Chairman

4. The Deputy Chairman said that the Chairman had asked her to give the Council an update on the progress being made by the Search Committee in identifying his successor. As members would recall, the Committee had suspended its activities while the proposed merger with University College London was under discussion in the Autumn, but had restarted its work in January. It had now considered a total of 29 potential candidates, suggested by a wide range of people across the College. The candidates themselves had, she said, been without exception persons of great distinction and of national or international standing. The Committee had reduced these 29 candidates to a short-list of three whom it had placed in order of priority, with a reserve list of a further 5 names. The Committee had now embarked on the
process of approaching the short-listed candidates in turn, although it was still too early to give the Council any news of how this was going.

RECTOR’S BUSINESS

Staff Matters (Paper A)

5. The Rector formally presented Paper A, which was received for information.

GOVERNMENT WHITE PAPER ON THE FUTURE OF HIGHER EDUCATION (PAPER B)

6. Introducing Paper B, the Rector said that the Paper was intended to summarise the main points of the Government’s White Paper. One of the good points of the White Paper was, he said, the drive for research excellence. There was now a clear recognition of the need for excellence and consequently for research of international standing to be protected. This was reflected in the proposal to introduce a 6* research grading. He was confident that the College would benefit from these proposals as it had a number of departments that were likely to be upgraded from 5* to the new grade of 6*. Moving on, he remarked that the continuation of the Science Research Investment Fund (SRIF) was also positive. The allocations for SRIF 2 had just been announced and the lion’s share of this money had been allocated to just four institutions, with Imperial, UCL, Oxford and Cambridge each receiving about £60M. The next highest allocation was to Kings College, London, with just £37M. This again showed the Government’s commitment to recognising and rewarding international research excellence.

7. The proposals on Higher Education and Business also reflected a shift in the Government’s position. It was now recognised that universities were not all the same and that they should not all try to compete in the same areas. There were, he said, international institutions such as Imperial. Other types of university served either national or regional interests. The Government proposed that the regionally focused universities should work with the Regional Development Agencies in addressing the needs of their local businesses. The Rector suggested that these universities would be expected to concentrate on this stream of funding rather than trying to compete with the research institutions.

8. This recognition of institutional differences was also reflected in the proposals on teaching and learning, which sought to downplay the link between teaching and research. In particular, the Government was suggesting a redefinition of what a university was. It would no longer be necessary for an institution to be active in research in order to be granted the title of ‘university’. This would also allow the proposed ‘NHS University’ to be recognised as such. While it was sensible to move away from the idea that all universities had to carry out research and compete in the Research Assessment Exercise (RAE), the College believed that in its own case there was a strong link between research and teaching excellence.
Moving on to consider the proposals on Fair Access, the Rector noted that the UK system had always had a needs-blind admissions system. In most cases he believed that the UK had a better record than its international competitors in attracting people from all social classes into higher education. He was also concerned that undue emphasis was being placed on universities’ admissions procedures when the real problem was that the secondary education system was failing to prepare students from lower social classes adequately for university. However, the College would have to ensure that its own admissions systems were completely transparent. He also registered his concern about the increase in the funding premium for disadvantaged students from 5% to 20%. This additional funding would only be found by cutting the general teaching grant. This would mean that the College’s funding for teaching could be cut by up to £1M per annum. Finally on access, the Rector said that the role of the proposed Access Regulator was now being downplayed and it appeared that this appointment would now be located in the HEFCE. It was, in any case, difficult to see how the scheme could work.

Turning to the issue of fees, the Rector said that, until just before the White Paper had been published, the maximum fee was going to be £5,000. This would have probably been enough to create a real market in higher education, with different institutions charging different fee levels. The late decision to cap the fee at just £3,000 was disappointing as it was likely that all universities would simply charge the maximum. Furthermore, the fee was not high enough to address the lack of funding in higher education. The proposals on alternative sources of funding such as endowments were also, in his view, inadequate. He said that the College currently received £200M per annum from the Government for research and teaching and that it would be impossible to obtain an endowment fund of sufficient size to replace that level of funding. By way of illustration he noted that a fund of £1Bn would only generate £30M income a year. The Government’s proposals for matched endowments would have a negligible impact on an institution such as Imperial with a turnover of £400M a year. In summary, the Rector suggested, the White Paper contained little that would help Imperial and it was clear that the College’s strategy to concentrate on excellence in research was correct.

Dr. Eastwood said that at this stage he was unable to quantify how much additional funding the College might receive from the introduction of a 6* research grading. He thought that 6 of the College’s departments would probably be upgraded. However, it was unclear how much more money they would get as a result of this, or how the HEFCE would fund these increases. He suspected that this would result in a reduction in funding to departments with a 4 grading. Dame Judith Mayhew asked how the HEFCE were going to determine which departments to re-grade. Dr. Eastwood said that there were a number of proposals and that the Minister, Margaret Hodge MBE MP, was taking a personal interest in how this was to be managed. However, some institutions were threatening legal action if their funding was reduced as a result of the proposals and he noted that none of the proposed schemes would be immune to such action. Dame Judith Mayhew remarked that judicial review was a very expensive process, unless the plaintiff had legal aid. She doubted therefore if any university could afford realistically to take such action. Dr. Eastwood said that it was likely that the re-grading would either be formulaic or based on additional institutional submissions. Professor Bell noted that the records of the deliberations in
the last RAE would have been destroyed and could not therefore be used as the basis for any re-grading.

12. Mr. Able said that he was concerned about the proposals to introduce a value-added measure. As the Master of Dulwich College, he had personal experience of such initiatives and they were ineffective since they failed to take account of the numerous differences between schools. Dr. Eastwood agreed, although he said that it was proposed to examine individuals’ progress while at university. This was at least preferable to the crude approach discussed by a number of newspapers, which simply compared A level scores at entry to final degrees awarded.

13. The Rector said that it was clear that the Government’s target to increase participation in higher education to 50% would now be achieved largely through foundation courses rather than undergraduate degrees. He also noted that UCAS had just published the latest application statistics. It had been suggested in some quarters that the decline in Imperial’s applications was due to the publicity it had received over student fees. This was not true. The small reduction was in line with the steady decline in applications for the last few years and reflected the reduction in students taking science subjects at A Level.

14. Mr. Gidoomal said that the national debate on access to higher education seemed to be largely based on preconception and myth. He suggested that Imperial should make a positive statement about what it was doing to encourage access and improve science teaching in schools. For example, he said, Harvard and other US universities had a ready-made response to enquiries that highlighted the number of outreach programmes they supported. The Rector agreed, saying that Imperial was doing a lot of work in this area, but that this needed to be put together in a single position paper.

15. Sir Alastair Morton expressed his concern over the proposals for an Access Regulator. It was clear that the Government’s immediate response to any problem was to introduce an ‘independent regulator’, despite past experience in a number of sectors which showed that this level of regulation was unnecessary and ineffective. He suggested that the Sector should resist this proposal before it was allowed to take root. Mr. Able agreed, and noted that the Government’s view that the UK should aspire to the US model for access to universities was based on a rather inflated perception of that system’s merits. He suggested that it would be helpful to provide ministers with some concrete comparisons, which would show that British universities had a better record in encouraging access than their international counterparts. Professor Bell noted from personal experience that students who came to Imperial without a strong educational background were often unable to cope with the academic pressures. Extending access further would be unfair on the students concerned if they were unable to complete the course.

16. Turning to fees and funding, Dr. Wilbraham asked if the fee of £3,000 could be increased in later years. The Rector said that the Government had given an undertaking not to increase the fee until after the next parliament. This meant that the earliest the fee could be increased was 2011. Sir Alastair Morton noted that, following the introduction of Lottery funding for the Arts, the Treasury had reduced its level of funding for organisations with the result that they were no better off. He
was concerned that the introduction of higher student fees would be used by the Treasury to reduce the level of Government funding for higher education. The ICU President, Mr. Ganesh, said that students were disappointed in particular with the fee proposals, as these would increase the financial burden for students without addressing the College’s need for increased funding. Students were also worried that the proposals on access would have an adverse affect on the quality of education they received at Imperial.

17. Drawing the discussion to a close the Rector said that Imperial’s formal response to the White Paper would be shared with Governors before it was submitted at the end of April.

REPORT FROM THE HEALTH AND SAFETY AUDIT COMMITTEE (PAPER C)

18. Introducing Paper C, the Chairman of the Health and Safety Audit Committee, Mr. Roche, reported that the Committee had visited the Division of Investigative Sciences in the Faculty of Medicine. This visit had been preceded by an audit conducted by the College’s Safety Unit, in which the Division had achieved a 94% compliance rating, the highest of any Department in the College thus far. This was largely as a result of a year’s very hard work by a strong team led by the Head of Division and the Divisional Safety Officer and the Division was to be congratulated on the significant improvements it had achieved. The main issues that became apparent during the Committee’s visit were the need for greater communication with the local NHS Trust and the importance of ensuring that health checks were conducted on visiting staff before they were allowed access to the laboratories. This latter point was being addressed by the College’s Occupational Health Unit.

19. Turning to the Committee meeting itself, Mr. Roche reported that it had been pleased to see that the Rector’s Prize for Health and Safety had been approved and was being taken forward. The Committee had also received a report on accident rates across 94 universities and colleges, including Imperial, a copy of which was attached to Paper C for members’ information. This showed that the College was in line with the national average for reportable injuries, but that the rate for injuries to students appeared to be greater than average. It was thought that this was in part due to better reporting of accidents within the College, as well as the fact that, because Imperial was unique in that it only taught science, medicine and engineering, more of its students would be exposed to dangerous activities. Included with the appended report was a graph showing Imperial’s accident rate against the national average. Mr. Roche said that he hoped to provide the Council with regular updates to this graph. The Committee had also reviewed annual departmental health and safety reports and had received a report of the stress survey carried out in the College. Concluding his report, he said that the Committee was interested in the College’s Long Term Maintenance (LTM) programme as it related to health and safety and was looking forward to receiving the Director of Estates’ analysis of the College’s capital programme and its implications for LTM.

20. Mr. Lowe asked if there was any correlation between stress and the level of accidents. Mr. Roche said that, although it was generally agreed that stress might have an effect
on the accident rate, there was not a proven link between the two. Dr. Eastwood noted that most of the other universities in the accident survey would have sizeable humanities departments. Because the College’s subjects were exclusively science-based, he suggested that its accident rate was, in all probability, significantly lower than the national average for science departments.

SENATE REPORT (PAPER D)

21. The Rector formally presented Paper D, which was received for information.

REPORT FROM THE FINANCE COMMITTEE (PAPER E)

22. The Chairman of the Finance Committee, Dr. Knight, introduced Paper E, saying that, since the last Meeting of the Council, the Committee had been putting together the borrowing arrangements agreed by the Council. Considerable progress had been made and the terms and conditions obtained on covenants for this borrowing had been very favourable for the College. It had been thought that negotiations with the European Investment Bank (EIB) might be problematic. However, they had been concluded successfully, with the result that the College had managed to obtain a suite of unsecured borrowing facilities, none of which would impose any undue burdens on it. He reported that it was expected that the Private Placement would be drawn down by the College on 6 March, with the EIB loan following shortly thereafter.

23. Moving on, Dr. Knight said that the stock market position meant that it was very hard at the moment for the College’s spin-out companies to raise additional funding from the market. As regards the College’s capital projects, the Committee was comfortable with the progress being made. With the exception of one project, which had a small overrun, all were currently within time and budget. Finally, the College was currently behind budget for this stage of the year. Although this was a concern, the Rector’s Executive Committee was addressing this issue.

24. Sir Peter Williams agreed that the current state of the market made it very difficult for companies such as the College’s spin-outs that relied on the value of intellectual property rights (IPR). He asked if, as a result of these falling values, there were any implications for the College’s own balance sheets through unrealised losses from these companies. Dr. Knight said that he did not believe that there were any such implications and stressed that IC Innovations, which supported the spin-out companies, recognised that a significant number of these companies were likely to fail. IC Innovations was also careful, when assessing the level of support to be provided to companies, to prioritise those with the greatest chance of success.

25. Dr. Vaughan said that IC Innovations used British Venture Capital guidelines when valuing companies. This might lead to an overstatement of some companies’ worth and she suggested that the College should consider holding a reserve against potential liabilities resulting from this. Dr. Knight said that the need for such a provision could be considered as part of the annual audit process.
LONG AND MEDIUM-TERM BORROWING (PAPER F)

26. The Director of Finance, Mr. Cannon, introduced Paper F by saying that, although the Council had, at its last meeting, approved the borrowing facilities currently being arranged, the College’s solicitors had advised that Council should pass the resolutions set out in Paper F to ensure that all the borrowing was properly authorised.

27. Moving on to the details of each facility, Mr. Cannon said that there would be £50M of Senior Notes by private placement with financial institutions. The latter would be undertaking due diligence in the following week, but the interest rate of 5.39% had already been agreed. A further £23M would be borrowed from the EIB after that. The agreements for both had been scrutinised carefully and, although the covenants were not onerous for the College, they would have to be monitored. He would report regularly to the Finance Committee on these issues.

28. Mr. Lowe noted that the loans were unsecured and asked what the risk to the College was if the interest payments were not maintained. Mr. Cannon said that it was incumbent on the College to maintain the payments and that it would need to generate an annual surplus in future in order to do so. Mr. Gershon asked what other conditions might result in the loans having to be repaid before term. Mr. Cannon replied that there were some esoteric conditions attached to the loans, but that the main one was non-payment of interest. Dr. Knight said that the two main covenants related to minimum net worth and the College’s debt ratio. He assured the Council that the College was nowhere near the levels required to breach either of these covenants.

Resolved:

(i) The Council empowers and authorises the Borrowing Committee to finalise the terms of the Note Issue and the EIB Loan (together, the “Finance Transactions”) including the terms of the Note Purchase Agreement to be entered into with the purchasers of the Notes and the EIB Loan Agreement to be entered into with the European Investment Bank (together, the “Finance Documents”).

(ii) The Council empowers and authorises the Borrowing Committee to do all such acts and to agree all such documents, certificates and notices and other communications as may be required in connection with or as contemplated by the terms of the Finance Transactions or any Finance Document or as may be necessary or desirable in order to complete them.

(iii) The Council empowers and authorises any member of the Borrowing Committee to execute and deliver the Finance Documents and to execute all such documents, certificates and notices and other communications as may be required in connection with or as contemplated by the terms of the Finance Transactions or any Finance Document or as may be necessary or desirable in order to complete them.
(iv) The Council empowers and authorises the Clerk to the Council, upon the request of the Borrowing Committee, to execute and deliver any certificates and notices and other communications that may be required in connection with or as contemplated by the terms of the Finance Transactions or any Finance Document or as may be necessary or desirable in order to complete them.

FINANCE MANAGEMENT REPORT (PAPER G)

29. Mr. Cannon introduced Paper G and drew attention to the format of the Report. This was being refined over time and, for the first time now included year-to-date figures. However, he cautioned that the College still carried out a large number of adjustments at the year-end and these figures did not therefore give a totally accurate picture of the position at the end of the month. The College was, he said, currently forecasting an operating deficit of £4.6M for the year, although action was being taken to reduce this as far as possible.

30. The Honorary Treasurer, Dr. Knight, said that the cash flow projection shown in the Report was now in line with projected capital expenditure by the Estates Division. This had not always been the case in the past. The changes to the Report’s format had, he said, been driven by the Finance Committee and he hoped that in future each page of the Report would also include a commentary highlighting the key issues for the Council.

31. Sir Alastair Morton noted that other operating income, which had been £71M in 2001 and £67M in 2002 was now forecast at £38M. He asked why there had been such a decline in this income. Mr. Cannon said that he was unable to give a detailed reply at present, but would provide an explanation at the Council’s next Meeting.

THE BURLINGTON DANES PROJECT (PAPER H)

32. The Principal of the Faculty of Medicine, Professor Sir Leszek Borysiewicz, gave a presentation on the Burlington Danes Development. The Project would, he said, result in the creation of a collaborative bioscience research-focused environment based on a close relationship between Imperial, a major pharmaceutical company and the Hammersmith Hospitals Trust. The Project was important for the College and also for the Hammersmith Campus as it would secure the site as a world-leading clinical research centre, improve the academic environment at Hammersmith, create a major UK centre of clinical imaging and provide investment in leading edge research which spanned medicine and would link to all the other Faculties in the College. If the Project did not proceed Imperial would lose the imaging centre as well as access to significant levels of future external funding. It could also lose access to the Burlington Danes site and, consequently, would be unable to complete the much-needed expansion of academic activities at the Hammersmith Campus. Indeed, he said, if the site was not secured, the Faculty would have to consider moving its activities away from Hammersmith, thereby jeopardising Hammersmith Hospital’s
annual research and development funding from the NHS, which currently stood at over £40M per annum. The development of the site was therefore critical for the future research strategy of Imperial College and the Hammersmith Hospitals NHS Trust.

33. However, Professor Borysiewicz continued, the total cost of the new building would be £113M. Although approximately £39.5M had been secured from a major external partner and negotiations were continuing with other potential partners, there was still a shortfall of approximately £40M. As the College could not itself afford to take the risk of such a sizeable development, it was exploring alternative funding options. The most viable of these was likely to be partnership with a third party developer, which would enable the Project to completed and would reduce Imperial’s risk in the proposal.

34. A further complication, Professor Borysiewicz said, was that the College’s external partner in the imaging centre required the building to be completed by mid-March 2006. If this timescale was to be met, development work on the Project would have to continue while a third party developer was found. Concluding his presentation, Professor Borysiewicz said that it was vital that momentum on the Project was sustained, that the agreed completion date was met and that external funding for the Project was secured. In the meantime, the College was seeking to contain project costs, while keeping the project team together and minimising its own development risks.

35. The Director of Estates, Mr. Brooks Wilson, then went through the proposed programme for the project team for the next three months. He explained that the College had completed an outline scheme design for the building (RIBA Stage C) and had obtained outline planning approval on this basis. The next step would be to progress to the full scheme design (Stage D). This had originally been programmed to take 4 months. However, in view of the need to find a development partner while reducing the level of College expenditure, it had been decided to slow this rate of progress. This reduced programme would, he said, meet the key points noted by Professor Borysiewicz, while minimising the cost to the College.

36. The Deputy Chairman thanked Professor Borysiewicz and Mr. Brooks Wilson for their presentations. It was, she said, an exciting Project, but one that the College could not afford to develop on its own.

37. The Rector confirmed that the level of the College’s contribution for the next 3 months would be £600K in total, which together with some additional fees would bring the level of expenditure by the College on the Project to £2.37M. Dr. Vaughan queried whether this included any contingency. Mr. Brooks Wilson explained that the design work was for a fixed fee and that there was therefore no need for an additional contingency. Dr. Vaughan then asked if the building would include incubator space for spin-out companies. Professor Borysiewicz said that there would be an opportunity for the developer to include this sort of space. However, it would be most appropriate for this to be used by spin-out companies with a direct relationship to research at Hammersmith Hospital and on the Burlington Danes site in particular.
Dr. Knight said that, in principle, he was against piecemeal project approvals of this sort. It was, he suggested, unlikely that agreement would be finalised with a third party developer within three months. It was therefore probable that the Council would be asked to approve a further tranche of funding at that stage. He asked at what point the College would make a decision whether or not the Project could be funded. Professor Borysiewicz said that the College had an excellent scheme design and was working closely with its existing partners. However, he acknowledged that the success of the Project was dependent on engaging with a third party developer. Even if an agreement had not been finalised in three months, he suggested that the College would, by that stage, have a much clearer picture of whether an agreement with a developer was possible.

The Rector agreed, saying that at this stage the risk to the College in proceeding with the Project was relatively low. However, the Council would need a much clearer view of how the Project was to be funded at the end of the next three months.

Resolved: That the additional expenditure of £1.17M for the Burlington Danes Project be approved. This will bring the total authorised expenditure for the Project to £3.32M, of which £0.95M is to be externally funded, as set out in Paper H.

INCREASING AWARENESS OF THE IMPERIAL BRAND

The Council received a presentation on the College’s recent re-branding from the Director of Strategy Development and Communications, Dr. Towler.

Dr. Smith noted that the market research conducted by the College had shown that outsiders’ views of the College had been largely positive. He asked whether there had been any negative views. Dr. Towler said that there had been no negative views expressed per se. However, outsiders had noted a degree of confusion about what the College stood for. One of the reasons for the re-branding had been to address that confusion.

Mr. Gidoomal asked about the use of the College’s crest. Dr. Towler confirmed that this would be used for ceremonial occasions and would continue to appear on diploma certificates. He also confirmed that the College’s website would be analysed, not just for the number of ‘hits’ received, but also for how users navigated around it and the number of connections required to obtain key information. Dame Rosemary Spencer asked how the College would ensure that more information on Imperial was given to policy formers. Dr. Towler said that the College was developing a communication plan, which would identify the various audiences the College wanted to influence and also the most appropriate ways of reaching each of them.

REPORT FROM THE HOUSE COMMITTEE (PAPER I)

In the absence of the Chairman of the House Committee, Professor Rawlings introduced Paper I. The House Committee had, he said, maintained its custom of
visiting different parts of the College with visits in the last year to Silwood Park, Charing Cross and Evelyn Gardens. On the Catering and Conferences side there had been some disappointments. Westminster Council had refused to grant Beit Hall of Residence a hotel licence and it had been decided not to proceed with the Southside Bar refurbishment. More positively though, a number of new outlets were performing well and the new catering IT system had been implemented successfully. Both the Union Bars and the Holland Club were doing well, although it had been noted that students were spending less on drinking than their predecessors and were more interested in the standard of facilities and the quality of the entertainment offered. Finally, Professor Rawlings said that the College had once again been able to provide accommodation for all first year undergraduates who wished to live in halls of residence. This was difficult to achieve when halls were being refurbished, but it was important that the College continued to meet this guarantee.

44. The Rector said he was disappointed that a hotel licence had not been granted to the Beit Hall of Residence. One of the reasons for refurbishing this Hall to a high standard was to enable it to be used for vacation bookings. The refusal of such a licence would severely restrict the extent to which it could be used for this purpose. This decision also had serious implications for the refurbishment of the Southside Halls as the College would want to use them for vacation bookings as well to offset the costs of their refurbishment. The Clerk said that the Beit Hall was in a zone for which Westminster City Council were not prepared to issue any further hotel licences. This meant that the Hall could only be used to provide accommodation for delegates at conferences being held at the College. A hotel licence would have allowed the Hall to be used by tourists during the summer vacation.

45. Dame Rosemary Spencer said that, despite the general downturn in demand for hotel accommodation, there was a pressing need for more hotel space in London in the summer months, when Beit Hall would be used for this purpose. The Rector said that the Treasury was encouraging universities to make the best use of their assets, particularly during the vacation periods, but that this decision by Westminster Council prevented the College from doing so. He said that the College should investigate this decision further to see if anything else could be done.

CLERK’S BUSINESS

Terms of Reference of the Audit Committee (Paper J)

46. The Clerk introduced Paper J, saying that the proposed change to the Audit Committee’s terms of reference had been recommended following an audit of the College’s arrangements for risk management. The proposed amendment would ensure that the Committee’s terms of reference properly reflected its responsibilities in this area.

Resolved: That the revised terms of reference for the Audit Committee, as set out in Paper J, be approved.
Membership of the Athletics Committee (Paper K)

47. Introducing Paper K, the Clerk said that Dr. Knight had decided to step down as the Chairman of the Athletics Committee and the Harlington Trust. Mr. David Elleray, who was already a member of the Committee, had indicated that he would be willing to succeed Dr. Knight as Chairman. At the same time, there was an existing vacancy on the Committee for a Faculty Principal and Professor Borysiewicz had expressed his willingness to serve in this capacity.

Resolved: That the appointments of Mr. David Elleray as Chairman and Professor Sir Leszek Borysiewicz as a member of the Athletics Committee, as set out in Paper K, be approved.

Proposed Revisions to Regulation A11 (Paper L)

48. The Clerk introduced Paper L and reminded Members that the Chairman had had to take Chairman’s action to suspend the Academic Regulations before the last Meeting of the Council. This had, however, highlighted that the College did not have a formal process for such action and he had undertaken to resolve this. The proposed amendment to Regulation A11 would do this.

Resolved: That the proposed revisions to Regulation A11, as set out in Paper L, be approved.

Independent Review of Student Complaints (Paper M)

49. The Clerk introduced Paper M and reminded the Council that the Department for Education and Skills (DfES) had proposed that an Independent Adjudicator be established to hear complaints from students in higher education who had exhausted the internal procedures of their institutions. At its Meeting on 18th October the Council had taken the view that the proposal would not provide protection from the Courts, would result in an overly bureaucratic system and would be expensive to implement. The Council had therefore stated that it was content with the College’s existing arrangements for hearing student complaints. However, since then, the White Paper on the future of Higher Education had confirmed the Government’s intention to introduce primary legislation to establish an Office of an Independent Adjudicator. Furthermore, those institutions with a Visitor, including the College, would be required by the Privy Council to make use of the Independent Adjudicator.

50. The Council agreed that the Government’s announcement presented it and other like-minded universities with a fait accompli and that the Council would therefore acquiesce in the Government’s decision.