

## KING'S COLLEGE, CAMBRIDGE

At a meeting of the Council held in the Wine Room  
On Tuesday, 12<sup>th</sup> November 2019 at 2 pm

<i>Present:</i>	Provost	<i>In</i>	Vice-PROVOST (absent for Reserved Bus)
	Dr Adams (absent for Reserved Bus)	<i>Attendance:</i>	First Bursar
	Dr Adhikari		Senior Tutor (absent for Reserved Bus)
	Dr Ainslie (absent for Reserved Bus)		Domus Bursar
	Dr Barber		
	Dr Candea		
	Dr Davies		* <i>Open business only</i>
	Professor Efstathiou		*Ms Bevilacqua
	Ms Headen		
	Dr Moody		
	*Mr Heath		
	*Ms Rude	<i>By</i>	The Dean for item 394
		<i>Invitation:</i>	Ms Bretherick for item 388

### **Apologies for Absence**

Apologies were received from Professor Humphrey and Ms Georgescu.

### **OPEN BUSINESS**

#### **383. Declarations of Interest**

There were no declarations of interest.

#### **384. Minutes of Open Matters of 29<sup>th</sup> October 2019**

The minutes of the Open Business of Council on 29<sup>th</sup> October 2019 were approved.

#### **385. Matters Arising**

There were no matters arising.

#### **386. Council Timetable and Action List**

Council noted the Timetable and Action List and the Provost asked that the Senior Tutor, Accommodation Tutor, Financial Tutor, First Bursar and Domus Bursar continue to discuss with graduates the issues surrounding graduate accommodation.

### **387. Oral reports**

There were no oral reports.

## **Principal Items of Business**

### **388. Accounts and Auditor's Report**

Ms Bretherick, lead Auditor of Peters, Elworthy and Moore joined the meeting to present this year's accounts and audit report.

Council agreed:

- a. to accept the Accounts and the Auditor's report and to forward them to the Annual Congregation.
- b. to authorise the Provost to sign the letter of representation on behalf of the College.
- c. to recommend to the Annual Congregation the re-appointment of Peters, Elworthy & Moore as auditors for 2019-20.

Council also expressed its gratitude to the Assistant Bursar and the Accounts office, and to the audit team for their work. The accounts have been prepared in a timely and careful manner with remarkably few issues arising that need our further attention.

### **389 Statutes on Investments**

The First Bursar presented a paper asking Council to consider possible changes to the College Statutes that deal with investment.

Council agreed to recommend that the following changes be made to the Statutes and also to recommend the following changes to the Ordinances.

## **Proposed new Statutes**

### **B. THE GOVERNING BODY**

#### *Delegation of Power*

17. The Governing Body may from time to time appoint committees to exercise the powers given in these Statutes, provided that those powers are not explicitly reserved to the Governing Body. The Governing Body will determine the duties and powers of those committees, and their memberships. The committees will exercise the powers determined by the Governing Body, in accordance with the Statutes, Ordinances and Regulations.

18. The Governing Body will appoint Council, to conduct the general administration and management of the affairs of the College, the Investment Committee, to manage all investments on behalf of the College, the Fellows' Remuneration Committee, to consider the duties and benefits for Fellows, and such other committees as it determines through Ordinance.

## **F. THE OFFICERS**

### The First Bursar

12. It shall be the duty of the First Bursar, under the supervision of the Governing Body, Council and the Investment Committee, to manage the finances and investments of the College, to raise loans and give financial undertakings on behalf of the College, and to undertake such other duties as are specified by Ordinance.

## **J. ENDOWMENTS**

1. The College shall have power to accept endowments for any purpose in furtherance of the interests of the College as a place of education, religion, learning and research, subject to the provisions of these Statutes and of Ordinances.
2. The College may make Regulations or Ordinances giving effect to the wishes or suggestions of donors recorded in writing regarding the application of such endowments and regarding any award or emolument to be supported thereby, whether expressed so as to create a trust or not. No such Regulation or Ordinance shall derogate from any obligation imposed on the College by the Statutes of the University.

## **K. INVESTMENTS**

1. The Investment Committee shall have the powers to manage all investments on behalf of the College. It will act in accordance with any instructions approved by the Governing Body and will report to the Governing Body at the Annual Congregation and at other times as necessary.
2. The Investment Committee shall have power to authorise the purchase, sale or transfer of property, real or personal, and securities (which term includes stocks, funds and shares) of any description on behalf of the College. It may make any investment, manage that investment, and carry out any transaction which an individual holding such an investment for his or her own absolute benefit might do.
3. In order to facilitate the management of investments under the control of the College, the Investment Committee may at any time and from time to time resolve that all or any part of the endowment or other funds to which this Statute applies be treated as an amalgamated fund invested for the

rateable benefit of the property comprised in it (hereinafter called the constituent funds) and to and upon any such resolution the following provisions shall apply:

- (a) No investment shall be brought into an amalgamated fund upon its first constitution or upon any change of investment that is expressly disallowed as an authorised investment for any of the constituent funds.
  - (b) An amalgamated fund shall be held on behalf of the constituent funds in shares as nearly as may conveniently be proportionate to their respective capital values upon the first constitution of the amalgamated fund; such shares shall be fixed by resolution of the Investment Committee.
  - (c) The Investment Committee may at any time increase any amalgamated fund by adding thereto new constituent funds, and upon any such increase shall fix the share of such new constituent funds in the resulting amalgamated fund.
  - (d) The Investment Committee may at any time wind up any amalgamated fund and divide the investments thereof between the constituent funds in proportion to their respective shares therein or may bring all or any of the shares into a new or other amalgamated fund, in accordance with the provisions of this section.
4. The Investment Committee may appropriate and distribute for expenditure as much of the fair value of any amalgamated fund as it in its absolute discretion considers prudent, having regard to the total return achieved and reasonably to be expected in the long term of the amalgamated fund, and shall distribute in proportion to the constituent funds at the time of the distribution.
  5. Any surplus income of a trust to which this Statute applies may, at the discretion of the Governing Body, be applied as income for the purposes of the trust in any subsequent year, or may be applied for the general educational purposes of the College. For this purpose, 'surplus income' means income unexpended in any year after the purposes of the trust have been provided for in that year (whether wholly by income from the trust or partly by income from the trust and partly by other means) in so far (if at all) as in the opinion of the Governing Body it is possible to provide.
  6. In this Statute:  

'fair value' means the amount at which an asset could be exchanged in an arm's length transaction between informed and willing parties, other than in a forced or liquidation sale;

'total return' means return in terms of both income, whether received or accrued, and capital appreciation, whether realised or unrealised; and

'income' of the College or of any trust shall include the total sums appropriated in accordance with Section 4 of this Statute.
  7. The powers conferred by this Statute shall apply to all endowments, land, securities, property and funds of the College not held on any trust; and to

any endowment; benefaction or trust for purposes connected with the College of which the College is trustee and which existed on the date of approval of these Statutes by Her Majesty in Council; and, to the extent permitted by law, to any such fund created after that date, and in respect of which the College, as trustee, has consented to the provisions of this Statute.

#### **L. COLLEGE ACCOUNTS AND AUDIT**

1. The College accounts shall be kept and audited in such manner as may be prescribed by the statutes of the University.
2. The First Bursar shall, on the application of any Fellow, submit for his or her inspection the full accounts of income and expenditure of the College.
3. The College accounts shall be audited once every year. The Governing Body shall appoint for that purpose professionally qualified auditors who shall be independent of the College and shall make a report to the Governing Body concerning such matters regarding the financial and other affairs of the College as they consider appropriate. The Governing Body shall make arrangements for the payment of such remuneration of the auditors as it shall consider appropriate.
4. The Governing Body shall appoint an Audit Committee that will examine the College's financial and other affairs, including any report of the auditors, and report to the Annual Congregation.
5. The First Bursar shall send a copy of the College accounts and audit reports to each member of the Governing Body annually, and the accounts shall be considered at the Annual Congregation.

#### **M. COLLEGE FEES AND CHARGES**

1. The Council shall have power to determine and revise the fees due and the charges to be paid for rents, meals and services by members of the College and others.
2. It shall be the duty of all members of the College to pay such fees and charges as may be due from them. Any member of the College who fails to do so may be subject to disciplinary action.

#### **N. CONTRIBUTION TO THE UNIVERSITY**

1. The College shall pay each year to the University the sum authorised by the statutes of the University to be levied from the College. The trust funds shall severally bear their proportionate share of this sum.

## **O. THE COMMON SEAL**

1. The Provost and the First Bursar shall be responsible for the safe custody of the Common Seal of the College.
2. The Common Seal may only be used in pursuance of a resolution of the Governing Body. The Governing Body may resolve, through Ordinance, to permit the sealing of and delivery of any class of deed or instrument.
3. The Common Seal shall only be affixed to any deed or instrument in the presence of two members of the Governing Body, one of whom shall be the Provost or a College Officer and the other a Fellow. Both shall sign the document and the record of the sealing.
4. All uses of the Common Seal will be recorded in a register.

## **Ordinances**

### **J.1 ENDOWMENTS**

1. Endowments for the College may be accepted by the Governing Body and the terms for their use agreed. The Governing Body will record explicitly whether the endowment forms a separate trust fund, whether it is expendable, and the terms of its use. The Governing Body delegates to Council, under Statute B.17, authority to accept single endowments of no more than £100,000, and to agree their terms of use. All such endowments will be reported to the Governing Body in Council minutes.

### **O.1 THE COMMON SEAL**

1. The Common Seal shall only be affixed in the presence of one of the following Officers of the College: the Provost, Vice-Provost, Dean, Senior Tutor, First Bursar, and another Fellow of the College.
2. The Governing Body resolves that the Common Seal may be used in the following circumstances:
  - (a) For any deed or instrument relating to the College's investments or assets, provided it is approved by the Investment Committee and reported there.
  - (b) For any instrument or deed relating to the College's building or works, provided it is approved by the Council or Governing Body and reported there.
  - (c) For any specific deed or instrument approved by the Governing Body.

3. All uses of the Common Seal will be reported to Council and the Investment Committee, at their next meetings.

### **390. Chapel Alienated Woodwork - Options**

The Domus Bursar presented a paper inviting Council to consider various options for the Chapel alienated woodwork currently stored in the Barn.

After much discussion Council agreed to a budget of £20,000 to be spent on completing the inventory, identifying the value of the wood, additional information on retention and/or disposal options, and confirmation of temporary, short-term storage costs. Once this had been completed, or the budget exhausted, a paper should be brought back to Council to consider the options.

### **391. Consistency of Policies & Procedures**

The Lay Dean presented a paper to Council proposing amendments to the Students Complaints Procedure and the Harassment and Bullying Policy in light of inconsistencies and gaps that have arisen as a result of the new Disciplinary Policy passed by Council on 15<sup>th</sup> October.

Council approved these amendments and agreed to instruct the Lay Dean to make minor changes where necessary following her discussions with the student representatives. Council also gave permission for the Lay Dean to arrange for the policy (and related documents/webpages) to be updated on the intranet. The new policies will be reviewed in the new year.

### **392. KCGS Affiliate Members – Change to Constitution**

The President of the KCGS presented a paper on behalf of the KCGS, requesting Council's approval to amend their Constitution to upgrade certain categories of Affiliate Members, to full Members of KCGS, so that they may vote and stand for election in KCGS elections. This followed their successful referendum, which required 20% of the Membership to vote and a 2/3 majority in favour.

Council approved the results of the KCGS referendum, making fourth year undergraduates, undergraduate students who were 21 at the start of the academic year, and visiting graduate students staying at King's for 9 months or more, full Members of the King's College Graduate Society pending a successful one-year trial period.

### **393. King's Parade Barrier**

The First Bursar presented an update to Council on the plans for a barrier across King's Parade highlighting the concern from Colleges and traders about the effectiveness and safety of this scheme, particularly with vehicles turning at the junction between Trumpington Street and Bene't Street. The First Bursar confirmed that the City Council had now asked the County Council to consider making this section of Trumpington Street one way.

## **Other Items for Discussion**

### **394. Queuing for Chapel Services**

The Dean joined the meeting to discuss the need for a change to the customary arrangement for queuing before services.

Council agreed to support the creation of an equitable system of queuing for services, in accordance with the Chapel Hospitality Policy. Council also invited the Dean to bring back concrete proposals and an implementation plan to the next Council meeting in order that a new scheme could be introduced in January 2020. Members of Council were invited to send any ideas for a new system to the Dean.

### **395. Minutes of the Chapel Committee on 24<sup>th</sup> October 2019**

Council accepted the Minutes of the Chapel Committee on 24<sup>th</sup> October 2019.

### **396. King's Affair 2020**

The Lay Dean and Domus Bursar invited Council to note the provisional planning and progress being made towards the King's Affair 2020.

Council noted the provisional planning and approved the proposals for the Launch Event on 26<sup>th</sup> February 2020, subject to the final permissions from the Domus Bursar, Lay Dean and the Designated Premises Supervisor. Council also noted that a further paper will be submitted in Lent Term 2020 seeking final approval for the King's Affair event.

Council welcomed sight of the data on the number of free tickets and 'swaps' available to past and present members of the Committee. It agreed with the Junior members that this data should be made known to those contemplating purchasing tickets.

## **Business for Report**

### **397. Minutes of the Computing & Website Committee of 28<sup>th</sup> October 2019**

Council accepted the Minutes of the Computing & Website Committee of 28<sup>th</sup> October 2019.

### **398. Chariots of Fire Charity Event**

The Domus Bursar presented a request to stage part of the 2020 Chariots of Fire Charity race through King's College on 20<sup>th</sup> September 2020.

Council agreed to allow the organizers to make arrangements for the event, subject to detailed agreement with the Domus Bursar, Head Porter, Head Gardener and the Head of Visitor Services.



**399. Procession through College – 17<sup>th</sup> June 2020**

The Provost presented a paper on behalf of the Vice-Chancellor, Professor Stephen Toope, asking Council to approve a procession through College on 17<sup>th</sup> June 2020, in connection with the Honorary Degree ceremony.

Council agreed to allow a procession following the Chancellor's Honorary Degree lunch through King's on 17<sup>th</sup> June 2020 provided full details are agreed beforehand with the Domus Bursar and Head Porter.

**400. Any Other Business**

The Provost asked the student representatives their views on the May Week alternative proposal brought to the last Council meeting. They confirmed that the student body welcomed the idea of providing a venue but would only be comfortable if any College donation was given directly to the charity rather than the organisers. The Provost agreed to write to the organisers.

The meeting closed at 4.40pm.

The next meeting of Council will be held on Tuesday, 26<sup>th</sup> November 2019 at 2pm in the Provost's Lodge.