COUNCIL

Unreserved minutes of the meeting held on 31 October 2022

Present: Vice-Chancellor, Professor Proochista Ariana, Ms Wendy Becker, Professor Sir Rory Collins¹, Professor Patricia Daley, Sir Chris Deverell, Fra John Eidinow, Professor Cécile Fabre, Mr Tom Fletcher, Sir Charles Godfray, Professor Nandini Gooptu, Mr Charles Harman, Professor Richard Hobbs, Mr Nicholas Kroll², Ms Sharmila Nebhrajani, Professor Kia Nobre, Professor Diego Sánchez-Ancochea, Professor Alex Schekochihin, Professor Anne Trefethen, Head of the Humanities Division (Professor Daniel Grimley)³, Head of the Mathematical, Physical and Life Sciences Division (Professor Sam Howison), Head of the Medical Sciences Division (Professor Gavin Screaton), Head of the Social Sciences Division (Professor Timothy Power)⁴, Chair of the Conference of Colleges (Baroness Jan Royall), Senior Proctor (Professor Jane Mellor), Junior Proctor (Dr Linda Flores), Assessor (Dr Richard Earl).

Student Member Representatives and representative of the Early Career Research Staff: Shreya Dua (VP Graduates)⁵, Jade Calder (VP Access and Academic Affairs) and Dr Hilary Wynne (Representative of the Early Career Research Staff)

Apologies: Michael-Akolade Ayodeji (President SU)

Officers in attendance: Vice- Chancellor- Elect, Registrar, Pro-Vice-Chancellor (Development and External Affairs), (Pro-Vice-Chancellor (Education), Pro-Vice-Chancellor (Planning and Resources), Pro-Vice-Chancellor (Innovation)⁶, Pro-Vice-Chancellor (Research), the Chief Financial Officer⁷, the Director of Public Affairs and Communications, the Director of Legal Services and General Counsel, the Director of Planning and Council Secretariat, the Head of Governance, the Senior Assistant Registrar (Governance).

In Attendance:

Item 4: Ben Heath, Director of Technical Accounting & Reporting

Item 5: Dr Markos Koumaditis, HR Director

Item 7: Anna Strongman (CEO, Oxford University Development Company) and Darryl Chen (Hawkins Brown)

Item 10: Liesl Elder, Chief Development Officer

Introductory matters: the Vice-Chancellor welcomed everyone to the first meeting of Council for the academic year noting that this would be the first meeting for:

- Professor Proochista Ariana, incoming Congregation elected (MPLS Med Sci)
- Sir Charles Godfray, incoming Congregation elected (non-divisional)
- Professor Nandini Gooptu, incoming Congregation elected (Hum/Soc Sci)
- Mr Tom Fletcher, incoming Conference Deputy
- Ms Sharmila Nebhrajani, incoming external member

The Vice-Chancellor welcomed the Vice-Chancellor -Elect, Professor Irene Tracey, as an observer to the meeting of Council and noted that Hilary Wynne had been re-elected as the Early Career Researcher representative.

The main items were: preparatory work on the financial statements and annual report which Council would be asked to approve at its next meeting; pay and reward update, the Council selfreview, and a Congregation resolution. There were also a number of items on the reserved agenda one of which related to a discussion held at the Away Day.

¹ Items 1-29 only

² Items 1-32 only

³ Conflict of interest as Head of Division in item 6b – Did not take part in discussions or decision making.

⁴ Items 1-15 only

⁵ Arrived 14:09 during item 3

⁶ Items 1-15 only

⁷ Items 1-15 only

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I. ORDINARY BUSINESS

(A) Unreserved

CONFIDENTIAL	1.	Meeting held on 11 July 2022 (C(22)Ixvii-Ixxix)
		(a) Unreserved minutes
		The unreserved minutes were approved.
		(b) Matters arising from the unreserved minutes of 11 July 2022 not otherwise on the agenda
		There were none.
CONFIDENTIAL	2.	Away Day held on 23 September 2022 (C(22)Ixxxiv-xciv) (a) Unreserved minutes
		The unreserved minutes were approved, subject to amendments relating to item 1 'Securing our Research Excellence'
		(b) Matters arising from the unreserved minutes of Away Day held on 24 September 2022 not otherwise on the agenda.
		Council noted that there was one item of business to consider on the reserved agenda under item 30.
CONFIDENTIAL	3.	The Vice-Chancellor's unreserved business (above the line C (22)110) THE rankings and C(22)111) Evening Standard article)**
		The Vice-Chancellor gave an oral report on the following items:
		• The Times Higher Education top 50 rankings list ((C(22)110) refers) which gave a sense of how close institutions were at the top and where attention needed to be focussed in the future.
		 The Evening Standard article which referred to the letter written by Oxford, Cambridge and Imperial to USS Trustees, which had, it appeared, delayed a number of changes to the scheme; this demonstrated that the University was fulfilling its commitment to protect the scheme.
		Governance items on the upcoming agenda
		 Inflationary pressures continued to dominate and the Chief Financial Officer was leading a working group looking at the impact and possible mitigations.
		• The Freedom of Speech Bill would be entering the committee stage in the Lords today where it was hoped some revisions would be possible.
		• UCU had voted to strike and their National Executive would meet on Thursday 3 November. The earliest that a strike could be called would fall in week seven of term (w/c 21 November 2022). 1400 staff were eligible to strike but they were not evenly distributed across the University. The Registrar had established a working group to co-ordinate a response and resources as required.
		• A significant gift had been agreed and it is expected to be announced at the end of the week.
		Council members were shown a local ITV news item from 20 October 2022 covering the cycling safety event hosted by the University for the local community which referenced the two members of Oxford University who had been killed in 2022 whilst cycling in Oxford.
	4.	Financial Statements 2021/22: progress update and material items (C(22)112)**
		The Chief Financial Officer (CFO) gave an oral report. He also referred to item 18: Financial Statements 2021/22: draft non-financial sections.

Council was asked to **note** the update and the material items.

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A full commentary would be provided at the 28 November 2022 Council meeting.

The Chief Financial Officer also noted that he and the finance team would be happy to receive comments on the non-financial statements (see item 18 (below the line)).

Council thanked the CFO and his team for their work.

CONFIDENTIAL 5. Annual report from the Chair of the Personnel Committee**

The Pro-Vice-Chancellor (People and Digital) gave an oral report supported by slides highlighting the following:

- Headcount for 2021 was 14,572;
- The size of each academic division varied, as did the make-up of staff, meaning each division had its own challenges and opportunities;
- Over the last ten years, some areas of the University had increased in terms of proportion of headcount (Medical Sciences and Social Sciences) and others had decreased (GLAM and UAS);
- Over the course of the last year, there had been some changes to key people in HR both the Director and the Deputy Director had left the University. An interim HR Director, Peter Brook had been appointed and the permanent Director, Dr Markos Koumaditis, was now in post;
- During that time, the HR team had been focussing on a number of key priorities:
 - New Ways of Working the pulse survey conducted in Summer 2022 had received over 1200 responses (of which almost 500 were line managers). Overall results were positive, showing that 91% of managers felt that new working patterns enabled them to meet operational needs, 82% felt flexible working was a retention benefit and 67% felt it was a recruitment benefit. In terms of disadvantages, 47% felt it was harder to integrate new staff. Before March 2020, 71% of respondents were fully on-site compared with only 10% now (59% being regularly remote);
 - Wellbeing strategy⁸;
 - Diversity Race Equality Strategy, Gender, Digital Accessibility. The Race Equality Strategy had now been published. The University had appointed its first Chief Diversity Officer, Professor Tim Soutphommasane, currently Professor of Practice (Sociology and Political Theory) and Director, Culture Strategy at the University of Sydney and previously Australia's Race Discrimination Commissioner. Professor Soutphommasane would take up appointment in January and would be key in taking forward the University's diversity agenda
 - Pay & Reward Thank you payment and USS valuation and impact
 - EJRA 10 year review. The proposals approved by Council earlier in the year had now been approved by Congregation. Thanks were expressed to Professor David Paterson, who had chaired the review group, for the engagement and consultation that had taken place in developing the proposals.
- The commitments in the People Strategy, which were:
 - To attract, recruit and retain the highest calibre staff
 - o To work towards an increasingly diverse staffing profile
 - To support staff in personal and professional development
- Looking forward, key initiatives were:
 - Recruitment and retention
 - Develop an evidence based understanding of recruitment challenges
 - Develop tailored made strategies for attraction, retention and career mobility
 - Building on recruitment hub pilot
 - Consideration of job families
 - Pay & Reward
 - USS & OSPS valuations
 - Benchmark update
 - AP Career paths

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⁸ Information available in slides on SharePoint

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- Reframing professorship pathways and reward
- HR Excellence
 - Focus on data cleansing, developing a baseline of management information to aid institutional decision making
 - Develop a Road map for investing on a new HR system
- HR Services Quality Review
- It was proposed to refresh the 2020 benchmarking data and bring it back to Personnel Committee, and possibly Council;
- Work to re-frame Associate Professor career paths and reward was underway. A working group made up of representatives from the divisions and the colleges was considering a number of themes and looking to make incremental progress, initially with a number of 'quick wins'.
- Key priorities were:
 - AP & Researchers (career pathways and development)
 - Job families
 - Data and HR system
 - Reward and Recruitment
 - Wellbeing

The resourcing delivery of these significant projects was yet to be agreed and would likely require further prioritisation

Following the presentation Council discussed a number of issues:

- When considering recruitment and retention of international staff, a clear definition was needed in addition to nationality, current country of residence was a key factor;
- The Associate Professor career path was currently quite complex in terms of use of title and reward. More progressive opportunities would be helpful..;
- The retention figures for research staff referred to those who had actually left the University rather than moved from one fixed-term contract to another;
- The 2020 benchmarking data referred to Russell Group market medians. The high cost of living in Oxford had been taken into account in this exercise and had not vastly altered positioning in relation to the US;
- The data on on-site working would have implications for the University estate. The aim was to reduce UAS space by 25%, saving money and improving the quality of the space provided;
- According to the current trajectory on international staff numbers, it was likely that by 2025 there would be more staff from China than from the US. This should be factored into the next Strategic Plan;
- A number of significant 'People' priorities had been identified and would require resource. The three-year planning process was currently underway and difficult funding decisions would need to be taken;
- The importance of using the right metrics for Oxford and having robust data, in which Council could have confidence, was emphasised.

6. **Report from the 27 September and 19 October Finance Committee**

RESTRICTED

(a) Sherrington Building Refurbishment (C(22)113) plus clip 1 containing annex A-C**

The Pro-Vice-Chancellor (Planning and Resources) introduced this item by outlining the substantial work that needed to be carried out on the building, to bring it up to being fit for purpose, whilst the department continued to occupy it. He stressed the importance of the appointment of the Senior Responsible Officer (SRO) as being an individual from within the department who would be working within the environment whilst the refurbishment was carried out.

Council **took the actions** set out in the paper.

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RESTRICTED (b) Stephen A.Schwarzmann Centre for the Humanities (C(22)114) plus clip 2 annex 1-6**

Council took the actions set out in the paper.

RESTRICTED

(c) Council delegations to Finance Committee for approval of Joint Venture Legal Agreements (C(22)115) (plus clip 3 and clip 4 containing legal agreements)

Council **noted** the approval by Finance Committee of legal agreements within the parameters of Council's delegated authority.

CONFIDENTIAL 7. Begbroke Presentation**

The Pro-Vice-Chancellor (Planning and Resources) introduced this item.

Anna Strongman (CEO, OUPD) and Darryl Chen (Hawkins Brown) gave a presentation, highlighting the following points:

- Begbroke aimed to be an exemplary development, with sustainability at its core, providing affordable housing for staff, research and spinout space and market housing in order to help attract talent and improve quality of life;
- Over the last ten years, due to high house price costs, younger people were finding it more difficult to live in the city and the population of the city was ageing;
- Opportunities for new innovation space within the city were limited;
- The Begbroke site presented a once in a generation opportunity to provide much-needed homes and research space, together with the associated infrastructure;
- The emerging Masterplan provided a robust and flexible framework within which development could happen. It set out the principles for the site, with the local centre at its core, surrounded by three 'neighbourhoods';
- The development would bring tangible community benefits as well as meeting the needs of the University.

Council **noted** the information in the presentation. The following points were raised during discussion:

- The site would provide a range of housing types and research space flexibility was key at this stage;
- Adequate infrastructure was vital and a dedicated infrastructure manager would ensure that the necessary requirements were built into the planning application;
- A proportion of social housing would be provided, alongside the University housing;
- Incorporating a rail halt was likely to be difficult and expensive however, the necessary land would be reserved and provision made for it in the plans so it could possibly be provided in the future.

CONFIDENTIAL 8. Report on pay and pensions from the Personnel Committee (held on 6 and 20 October 2022) and the Planning and Resource Allocation Committee (held on 11 October 2022) (C(22)116)**

The Pro-Vice-Chancellor (People and Digital) provided an update on the present situation with the USS.

In summary over the summer:

• the pension scheme had gone into surplus having recovered from a £14bn deficit from the last valuation to now showing a surplus of over £1bn. This had been acknowledged by USS and they had made a statement on 10 October 2022⁹. Due to falling gilt prices and "*rising interest rates liabilities were in fact reducing and this meant that the scheme was likely to be in an increasingly good position going forward*". The next valuation would be accelerated (2023) and any changes could be implemented in April 2024. It was therefore unclear what the future contributions and benefit structure for the scheme would be;

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- on-going work streams continued including:
 - Conditional Indexation –
 - o the review of governance
 - low cost options

Council took the actions set out in the paper.

CONFIDENTIAL 9. Report from Planning and Resource Committee held on 11 October 2022 (C(22)117)**

(a) Academic Opportunity Fund governance (previously circulated paper (C(22)48) and 9 May 2022 minute 3 (d) (iv) refer Council requested 'that a proposal (which should include the Heads of Division) is made to Council for the governance of spend from the dividend from 2023')

The Pro-Vice-Chancellor (Planning and Resources) introduced this item.

Council took the actions set out in the paper.

RESTRICTED 10. **Development Update** (C(22)118) (plus clip (5) with full report)

The Pro-Vice-Chancellor (Development and External Affairs) introduced this item with a short presentation.

Council noted:

- The new campaign would require input and participation at all levels, including from Council members and senior officers;
- The previous Campaign had run for 14 years, raising £3.3bn the next campaign aimed to raise more than that in half the time;
 - The strands of the new Development Strategy, together with the priority projects:
 - Shared planet Green Chemistry
 - Visionary ideas Fusion Energy, The Oxford Quantum Institute
 - o Being human The Schwarzman Centre for the Humanities
 - o Transforming health Pandemic Sciences Institute
 - Accelerating innovation Centre for Leadership in Health
 - Knowledge infrastructure GLAM Digitisation
 - o Inspiring people Africa Oxford Initiative (AfOx) Scholarships, Black Academic Futures
 - On the timeline, the Strategy was still in the planning stage.
 - Going forward there would be some reorganisation of the teams to ensure that contact, whether it be through the Development Office, Public Affairs or the Alumni Office, was as seamless and consistent as possible.

Council **endorsed** the direction of travel for the Development Strategy, noting that during the current Vice-Chancellor's tenure £1.1bn had been raised since August 2019.

CONFIDENTIAL 11. Council Self Review (C(22)119) (plus clip (6) showing full results and comments**

The Registrar introduced this item by detailing how the self-review had been completed through the use of a questionnaire. The comments received were broadly positive and there were a number of constructive comments and requests received. A number of recommendations relating to the process of providing timely information and papers would be introduced as these were uncontentious, for example circulation of papers seven days prior to the meeting and the introduction of an action and decision log.

The Vice-Chancellor and Vice-Chancellor-Elect would need to discuss the provision of more time for the discussion of strategic items within Council meetings and/or the possibility of having additional information sessions, as those members who had completed the questionnaire were split on what they wanted. There was also some call for more informal sessions where the 'externals' could speak with 'internal' members about their experience and expertise in the other spheres in which they worked.

Regarding the responses on culture and inclusivity, there was a clear request for a dedicated Council space and a huge appetite for everyone to be able to express their views.

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Council discussed the review and agreed that the first six recommendations (listed below (I) (i)-(iii) and (II) (iv- vi)) should be pursued in order to separate decision making from information giving. There was also agreement that more time needed to be made for strategic discussions to take place, with papers providing an analysis of the issue at hand. It was also suggested that rather than await a three-year review members could be asked each year to reflect on the meetings.

The Registrar offered to discuss with any member the nature of decision-making at Council bearing in mind the delegated powers that the main committees of Council had.

(I) Regarding the remit and effectiveness of Council agreed that:

- (i) the paper template could be adapted in order to encourage paper authors to present the pros and cons where applicable;
- (ii) paper authors be asked to indicate where a paper had been discussed at another committee, including a link to the relevant minute where available;
- (iii) an action and decision log would be helpful at the end of each set of minutes, identifying what decisions had been made, who was responsible for carrying out any actions and the timeframe. A status update with incomplete items would be reported under 'Matters Arising' at the following meeting.

(II) Regarding the operation and conduct of Council, Council approved:

- (iv) amending the Standing Orders of Council paragraph 33¹⁰. to ensure that papers were circulated by the close of business hours the Tuesday before the meeting, with any supplementary material being forwarded no later than the Thursday immediately preceding the meeting, with the existing caveat whereby the Vice-Chancellor retained the discretion to make a later issue in exceptional circumstances;
- (v) changing the format of the agenda so that strategic items were dealt with at the beginning of the meeting, and then any items that required a discussion before a decision being made to follow; items for note would all be below the line;
- (vi) including an indication of the amount of time required to reach a conclusion on each item.

(III) Regarding responses within the 'Equality, Diversity and Inclusion' section Council **noted** that the targets set out in paper C(21)86 were approved¹¹ at the 12 July 2021 meeting following the Personnel Committee meeting on 10 June 2021, with the recommendations made by the Staff Targets Working Group being accepted.

(IV) Regarding Council's culture, Council **considered** the themes set out in section 4 of the paper and discussed potential solutions.

(V) In relation to opportunities to have more information informally Council **considered** establishing a number of informal on-line or in person information sessions throughout the year where strategic information or updates could be provided for anyone wishing to attend, it being noted that the Vice-Chancellor and Vice-Chancellor-Elect would discuss future possibilities.

12. Congregation Resolution (C(22)120)*

The Registrar gave Council background information relating to the resolution. Discussions had taken place with the Board of the *Oxford Magazine* and it had been understood that agreement had been reached on the proposed changes. The Board had subsequently suspended publication during Michaelmas Term 2022.

Council:

¹⁰ Currently reads 'will ordinarily be issued no later than the Wednesday in the week preceding each long meeting. Certain papers may be the subject of a supplementary issue due to pressure of time, ordinarily no later than the Friday immediately preceding the long meeting.'

¹¹ **approved** gender and ethnicity targets for representation on Council and its main committees at the 12 July 2021 Council meeting so that, "BME staff comprise a minimum of 15% of members of Council and its main committeesThis would equate to three to four members of most committees, depending on the size of the membership".

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- (i) **deemed the resolution acceptable**, noting that that would mean that the resolution would be declared carried and, subject to (iii) below, the meeting of Congregation on 15 November would be cancelled;¹²
- (ii) in so doing, **approved** the statement to be published in the Gazette of 3 November set out at (d)(6) of the paper;
- (iii) noted that if an amendment to the resolution was received by the deadline of noon on Monday 7 November, Council would need either to decide its course of action in respect of those amendments by correspondence, or decide to adjourn proceedings until a meeting next term in order to consider its response to the amendment at its meeting of 28 November¹³; and
- (iv) **agreed**, in the event of an amendment meaning that a vote is taken on the resolution, to delegate to the Vice-Chancellor the decision as to whether or not to call a postal vote, depending on the outcome of the vote in the house (unless in the meantime 50 members of Congregation called for a postal vote by the deadline).
- (v) **agreed** that a paper setting out the issues be considered at the 28 November 2022 Council meeting.

13. Draft schedule for Council meetings during 2022/23 (C(22)121)*

The Registrar introduced this item and asked members of Council to send any comments / amendments to the Secretariat for inclusion in the next iteration.

Council:

- (i) considered and was asked to comment upon the draft Schedule of Business annexed at A; and
- (ii) noted that a redacted version would be made publicly available on Council's website in the form of the Annual Plan of Regular Items of Council Business, a draft of which is annexed at B.

14. The Duties and Liabilities of Council members as the charity trustees of the University (C(22)122)

The Registrar introduced this item and asked Council to ensure that they read them carefully and fully understood their duties as Trustees.

Council **considered** and **noted** the information at Annex A in the paper.

15. The Charity Commission Guidance on Public Benefit – a Summary (C(22)123)

Council considered and noted the information at Annex A of the paper.

The following items for approval or report were taken without discussion ('below the line').

16. Decision by circulation

(a) Approval of the draft response to UUK consultation on USS governance review

The University's proposed response (drafted by the USS Pensions Working Group) was published on the Council SharePoint site on 9 August 2022. Council was asked to approve the draft response and provide comments by 12 noon 12 August 2022. Council **noted** that seven replies approving the draft were received, with two of those suggesting minor drafting suggestions - there were no dissentions. The draft version was therefore considered as final and submitted to UUK on 15 August 2022.

17. The Vice-Chancellor's unreserved business (below the line) (C(22)124)

Council noted the:

(i) notice of appointments;

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¹² Under the provisions of Sect 7 (1) of Statute IV.

¹³ Council would need to decide its course of action by the morning of 8 November to enable the relevant notice to be published in the Gazette.

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- (ii) OfS publications; and
- (iii) UUK Press Statements.

18. Financial Statements 2022/23: draft annual report text (C(22)125)*

Council was asked to **review** and **comment** on the draft non-financial sections of the annual report. [The Director of Finance drew attention to this item in his report at item (4) above.]

19. Report of the meeting of the Safety Executive Group held on 26 July 2022 (C(22)126)

Council **noted** the report of the meeting of the Safety Executive Group on 26 July 2022.

20. Annual reports of the main committees of Council (C(22)127)

Council noted the annual reports of its main committees for 2021/22, which would be published on the oxonly pages of Council's website.

21. Council's Standing Orders, 2022/23 (C(22)128)

Council approved its Standing Orders for 2022/23.

22. Dates for Council meetings in 2023/24, and confirmation of the date of the Away Day in September 2023 (C(22)129)

Council:

- agreed that the Away Day in the present academic year, 2022/23, should take place on Friday 22 September 2023, with a dinner held the night before, as set out in section (c) of the paper; and,
- (ii) **agreed** to confirm the meeting schedule for 2022/23 and 2023/24 as set out in sections (d) and (e) of the paper.

23. Conflicts of interest (C(22)130)

In accordance with the University's Conflict of Interest Policy, Council **noted** the information provided on the management of conflicts of interest in relation to Council business.

24. Public Sector Equality Duty (C(22)131)

Council noted the information and to take the steps set out in the paper in exercising its remit.

25. Unreserved report of the meeting of the General Purposes Committee held by correspondence on 17 October 2022 (C(22)132)

1. Proposed Policy on Financial Sanctions

Council **approved** the policy which was already in draft on the Finance website and set out in Annex A of the paper.

2. Amendment to Statute V Colleges, Societies and Permanent Private Halls

Council **approved for submission to Congregation** the change set out in Annex B of the paper.

3. Amendments to regulations for the Committee for the Language Centre

Council **approved** the revised terms of reference and membership for the Committee for the Language Centre as set out in Annex C of the paper.

CONFIDENTIAL 26. Performance of the Oxford Endowment Fund (C(22)133)

Council **noted** the information in the OEF 31 July factsheet.

27. Any other unreserved business

There was none.

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