

RISK COMMITTEE OF THE BARBICAN CENTRE BOARD
Thursday, 11 October 2012

Minutes of the meeting of the Risk Committee of the Barbican Centre Board held at
Committee Room 3 - CtteeRm3 on Thursday, 11 October 2012 at 2.00 pm

Present

Members:

Deputy Catherine McGuinness (Deputy Chairman)
Keith Salway

Officers:

Michael Dick	-
Daniel Doherty	-
Sandeep Dwesar	-
Sir Nicholas Kenyon	- Managing Director Barbican Centre
Shaun Kerfoot	-
Peter Martin	-
Julie Mayer	- Committee and Member Services Officer
Jeremy Mullins	-
Paul Nagle	-

1. APOLOGIES

Apologies were received from Brian McMaster and Deputy Catherine McGuinness (Deputy Chairman).

The Town Clerk advised that the absence of the above Members meant that the Committee was, in fact, inquorate. However, Deputy McGuinness (Deputy Chairman) was available via telephone conference and was able to contribute to the meeting. Prior to the meeting, the Town Clerk had sought legal advice as follows:

Para 39(1) states that "...all questions shall be decided by a majority of memberspresent and... voting thereon at a meeting...."

Para 40 requires that "the names of all members present shall be recorded"

In the absence of specific legislation extending the definition of "present" to virtual presence, then the normal interpretation i.e. physical presence must apply.

Members also noted that there is specific provision under Companies Act legislation to allow for video conferencing arrangements at Board and Directors meetings, but that does not extend to local authority meetings. Members and officers were also reminded that the Barbican Risk Committee has advisory powers to the Board and the reports on the agenda were for information only.

The minutes from the inquorate meeting would be reported to the Barbican Finance Committee and the Board, as is usual practice.

The Town Clerk reminded Members that the sub Committee is carrying a vacancy and members agreed to fill this at the next Board. It was suggested that the Board appoint two members, in order to protect against the risk of being inquorate and that one of these members could be the Finance Committee's ex-officio member of the Board.

2. DECLARATIONS BY MEMBERS OF ANY PERSONAL AND PREJUDICIAL INTERESTS IN RESPECT OF ITEMS ON THIS AGENDA

There were no declarations.

3. MINUTES

The public minutes and summary of the Risk Committee of the 21 May 2012 were approved, subject to confirmation by a quorate meeting of the Committee.

The Chairman went through the Matters Arising, some of which would also be cross-referenced on the Outstanding Actions list at Agenda Item 9. The Chairman suggested and members agreed that, in future, this list should be split into public and non-public sections.

Matters Arising

In respect of 'Old Contracts', Members noted that the Finance Committee receives this as a regular item and therefore updates can be removed from the Risk Committee agendas.

4. INTERNAL AUDIT UPDATE- SEPTEMBER 2012

This report provided members with an update on the progress of Internal Audit reviews undertaken within the Barbican Centre since the last report in May 2012

An External Member raised a query about how far the Amber Health and Safety recommendations had been implemented. Internal Audit explained that changes from the 2007 regulations, placing more emphasis on the role of clients, had been factored in. City Surveyors; Community and Children's Services and the Barbican Centre had been reviewed in order to ensure they were fully compliant.

Members noted that the project for the new Control Room had not been reported to the Health and Safety Executive until the following had been rectified: (1) Maintenance records; (2) Purple Manual (CDM training) and (3) the information provided to Leaseholders for new agreements. Internal Audit commended the Barbican Officers for their co-operation and confirmed that all recommendations had been accepted. The Chairman suggested that CDM be included in the Barbican's Risk Register. The Head of Internal Audit and Risk Management confirmed that the most significant areas had been targeted and awareness raised and offered to provide an information summary for Chief

Officers. The Chairman suggested that a report be taken to the central Audit and Risk Management Committee.

The External Members suggested that, as the recommendations had been formulate by 26 July, a final report could have been produced earlier. Officers explained that the usual 4 week response time had been extended to 8 weeks due to the Olympics. In response to a a further question, the Head of Audit and Risk Management explained that generic user ID's were kept to a minimum and not used for authorising payments.

In respect of closing down accounts, the Chief Operating and Financial Officer explained that this can take several months following complex productions, given the number of different suppliers but all transactions are very well documented. In some instances, ie review of box office process and applications, the technical upgrades might impact on timetables but not to a significant degree.

5. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

There were no questions

6. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There were no items of urgent business.

7. EXCLUSION OF THE PUBLIC

That, under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12 A (paragraph 3) of the Local Government Act .

8. MINUTES

The non-public minutes of 21 May were approved, subject to formal confirmation by a quorate meeting of the Risk Committee

9. OUTSTANDING ACTIONS

The Chairman asked that, for future Outstanding Action lists that dates be applied at the time the action became live. As requested earlier, all future lists would also be split into public and non-public. The Chairman and Members were pleased to note that all the outstanding actions from the meeting of 21 May had been discharged.

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10. LOSS OF HEATING AND HOT WATER

This report explained the arrangements for heating and cooling services which are in place at the Barbican Centre/GSMD and described the events over this summer when the heating services failed. The report covered the lessons to be learned, the risks and subsequent actions to be taken.

In response to questions, the Chief Operating and Financial Officer explained that, whilst the Centre might have come close to infringing statutory requirements, all the health and safety obligations were met in a rudimentary form in order to manage the situation. The Centre did not operate illegally at any time. Members noted that the new pressurisation kit would be available in December but the entire system would need to be disconnected first. In the event of a failure, the Centre has decided to postpone the installation of the new kit until May.

The Centre had met with City Surveyors in order to improve processes and the next meeting of the Barbican Risk Committee would receive a further update. The Chairman was disappointed that the back up had not been tested and officers accepted this.

In respect of compensation, all costs incurred had been collated and sent to EON and Citigen and would be covered in full, along with the other organisations affected.

Members noted that the solution to this problem was provided solely by the Barbican Engineers. Furthermore, had they not gone through the PP2P process, a resolution could have been achieved about 36 hours earlier. The Deputy Chairman suggested that this experience should be put to the Policy and Resources Committee.

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11. **THEATRE FLYING SYSTEM (A VERBAL UPDATE)**

The Interim Buildings Director advised that 3 tenders had been received and a preferred one had been selected. The Centre and City Surveyors were preparing a report which would go to the Projects Sub Committee, Barbican Finance Committee and Barbican Centre Board. Members noted that the Board might need to take an urgent decision as the Contractor needs to be on site by 1 December 2012. The Chairman and Deputy Chairman asked to see the report before it was presented to the Projects Sub Committee.

Members noted that theatre would need to close whilst the actual replacement was taking place (expected in May 2013) and the Centre had factored in a 32 day buffer period, if required.

12. **INSURANCE UPDATE**

This report briefly summarised the City's insurance arrangements for the Barbican Centre.

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13. **FIRE SAFETY UPDATE**

Members noted that the Centre had been carrying out more fire drills than previously and were planning to run a drill very close to a live event with an Orchestra (working with partners at the BBC and LSO).

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14. GOODS LIFT (A VERBAL UPDATE)

The Interim Building Director provided a verbal update on the situation in respect of the Goods Lift (Item 26 on the Risk Register). Members noted that the Barbican had been built with just one lift and not the usual two. The lift had never broken but needed re-activating quite frequently. Staff at the Centre were aware that the lift should be used for goods only and this had reduced the operational risk considerably.

The Deputy Chairman asked about the life expectancy of the lift and members asked for a report to the next meeting of the Risk Committee covering all eventualities for taking it out of service. A member was concerned that orchestras were using the lift but the Director confirmed that they should be using Loading Bay C and agreed to investigate this further.

15. RISK REGISTER UPDATE

This report advised Members of the risk management systems in place at the Barbican, the significant risks that have been identified and measures for mitigating these risks.

16. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

17. ANY ITEMS OF BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

The meeting ended at Time Not Specified

Chairman

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