



Barbican Residential Committee

Date: MONDAY, 11 SEPTEMBER 2017
Time: *** 1.45 pm *** please note start time
Venue: COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

Members:

Ann Holmes (Chairman)	Jeremy Mayhew
Susan Pearson (Deputy Chairman)	Deputy Joyce Nash
Randall Anderson	Barbara Newman
Adrian Bastow	Graham Packham
Chris Boden	William Pimlott
Mark Bostock	Stephen Quilter
Deputy David Bradshaw	Deputy John Tomlinson
Mary Durcan	
Michael Hudson	
Deputy Clare James	

Enquiries: Julie Mayer
tel.no.: 020 7332 1410
Julie.Mayer@cityoflondon.gov.uk

Lunch will be served in the Guildhall Club at 1.00pm
NB: Part of this meeting could be the subject of audio or video recording

John Barradell
Town Clerk and Chief Executive

AGENDA

1. **APOLOGIES**

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

3. **MINUTES**

To agree the minutes of the Barbican Residents' Committee held on 5 June 2017.

For Decision
(Pages 1 - 10)

4. **'YOU SAID; WE DID' - OUTSTANDING ACTIONS LIST**

Report of the Director of Community and Children's Services.

For Information
(Pages 11 - 16)

5. **UPDATE REPORT**

Report of the Director of Community and Children's Services.

For Information
(Pages 17 - 28)

6. **2016/17 REVENUE OUTTURN FOR THE DWELLINGS SERVICE CHARGE ACCOUNT INCLUDING RECONCILIATION BETWEEN THE CLOSED ACCOUNTS AND THE FINAL SERVICE CHARGE.**

Report of the Chamberlain.

For Information
(Pages 29 - 34)

7. **2016/17 REVENUE OUTTURN EXCLUDING THE RESIDENTIAL SERVICE CHARGE ACCOUNT**

Joint report of the Chamberlain and Director of Community and Children's Services.

For Information
(Pages 35 - 44)

8. **SERVICE LEVEL AGREEMENTS QUARTERLY REVIEW**

Report of the Director of Community and Children's Services

For Information
(Pages 45 - 58)

9. **PROGRESS OF SALES AND LETTINGS**
Report of the Director of Community and Children's Services.
For Information
(Pages 59 - 62)
10. **LEASE ENFORCEMENTS**
Report of the Director of Community and Children's Services.
For Information
(Pages 63 - 76)
11. **BARBICAN ESTATE RESIDENTIAL BAGGAGE STORES - ISSUES REPORT**
Report of the Director of Community and Children's Services.
For Decision
(Pages 77 - 88)
12. **FIRE SAFETY UPDATE**
Report of the Director of Community and Children's Services.
For Information
(Pages 89 - 98)
13. **GENERAL DATA PROTECTION REGULATION COMPLIANCE 2018**
Report of the Town Clerk.
For Information
(Pages 99 - 102)
14. **REPORT OF ACTION TAKEN SINCE THE LAST MEETING OF THE COMMITTEE - BARBICAN QUICK WINS**
Report of the Town Clerk.
For Information
(Pages 103 - 104)
15. **MINUTES OF THE BARBICAN ESTATE RESIDENTS CONSULTATION COMMITTEE (BRCC) MEETING ON 4TH SEPTEMBER 2017**
To receive the draft minutes of the meeting held on 4th September 2017 – TO FOLLOW.
16. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
17. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
18. **EXCLUSION OF THE PUBLIC**
MOTION – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of the Schedule 12A of the Local Government Act.

For Decision

19. **NON PUBLIC MINUTES OF THE PREVIOUS MEETING**

To approve the non-public minutes of the meeting held on 5th June 2017.

For Decision
(Pages 105 - 106)

20. **ARREARS REPORT**

Report of the Director of Community and Children's Services.

For Decision
(Pages 107 - 112)

21. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

22. **ITEMS OF URGENT BUSINESS WHILE THE PUBLIC ARE EXCLUDED**

BARBICAN RESIDENTIAL COMMITTEE

Monday, 5 June 2017

Minutes of the meeting of the Barbican Residential Committee held at the Guildhall EC2 at 11.00 am

Present

Members:

Randall Anderson
Adrian Bastow
Chris Boden
Mark Bostock
Deputy David Bradshaw
Mary Durcan
Ann Holmes (Chairman)
Michael Hudson

Deputy Clare James
Jeremy Mayhew
Deputy Joyce Nash
Barbara Newman
William Pimlott
Stephen Quilter
Deputy John Tomlinson

Officers:

Stephanie Basten	-	Public Relations Office
Michael Bennett	-	Community and Children's Services
Alan Bennetts	-	Comptroller and City Solicitor's Department
Michael Bradley	-	City Surveyor's Department
Helen Davinson	-	Community and Children's Services
Mark Jarvis	-	Chamberlain's Department
Anne Mason	-	Community and Children's Services
Julie Mayer	-	Town Clerk's Department
Paul Murtagh	-	Community & Children's Services Department
Mike Saunders	-	Community and Children's Services

1. APOLOGIES

Apologies were received from Susan Pearson.

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

The Standards Committee had granted a number of dispensations allowing Members with pecuniary interests to speak but not vote on this item. All members had been advised of their individual dispensations ahead of the meeting.

At the meeting the following Members declared pecuniary interests in respect of agenda item 9 – Barbican Charging Policy for Car Parking, for which they had received a dispensation to speak but not vote: Mr Bradshaw, Mrs Durcan and Mr Pimlott.

3. **ORDER OF THE COURT OF COMMON COUNCIL**

Members noted the order of the Court dated 27 April 2017 which has appointed the Committee and confirmed its Terms of Reference.

The Town Clerk advised that, Mr Packham had been appointed as a non-resident Member at the Meeting of the Court of Common Council on 25th May and therefore the Committee was carrying 3 and not 4 vacancies.

4. **TO ELECT A CHAIRMAN IN ACCORDANCE WITH STANDING ORDER 29**

Being the only Member willing to serve, Ann Holmes was appointed as Chairman of the Barbican Residential Committee for 2017/18.

On taking the Chair, the Chairman thanked retiring Members: Gareth Moore, John Lumley, Chris Punter, Vivienne Littlechild, Angela Starling, Stanley Ginsburg and Alex Bain-Stewart and welcomed Clare James, Mark Bostock, Mary Durcan, Barbara Newman, Susan Pearson and William Pimlott.

At the start of the meeting, Members stood in silence to remember John Barker, who had served on the Committee for nearly 30 years and the Court for nearly 40 years. Members also remembered those who had lost their lives in the Borough Terrorist attack on Saturday 3rd June.

5. **TO ELECT A DEPUTY CHAIRMAN IN ACCORDANCE WITH STANDING ORDER 30**

Following a ballot between Mr Hudson and Mrs Pearson, in which 8 votes were cast for each, the Committee held another ballot and recount. As the result was still 8 votes each, the result was then determined by drawing lots and Susan Pearson was appointed as Deputy Chairman of the Barbican Residential Committee for 2017/18.

6. **REPRESENTATIVE ON THE CULTURAL HUB WORKING PARTY**

The Chairman advised that it was in her gift to either attend this Working Party or send a representative. This position was currently held by Randall Anderson but the Chairman would seek to take back the position at the start of the next Municipal Year.

7. **MINUTES OF THE PREVIOUS MEETING**

The public minutes and non-public summary of the Meeting held on 13 February 2017 were approved.

Matters arising

The striplights had been reported in the Barbican Residents Consultation Committee's *'You Said, We Did'* update, as follows: *Officers from the BEO and the Department of the Built Environment have met and a project to replace all City Public lighting, subject to committee approval, will commence in the Autumn. The Edge Beam system on the Barbican Estate will include LED lighting.*

8. **'YOU SAID: WE DID' OUTSTANDING ACTIONS LIST**

Members received the 'You Said; We Did' Outstanding Actions list.

Members were disappointed that the concrete reports from the early 1990's were unavailable and some Members recalled having sight of them at an earlier meeting. Officers advised that the later reports had superseded them but would endeavour to trace them. Members asked for officers to ensure that, going forward, all investigative reports were archived and asked to see the current archiving policy.

9. **BARBICAN CHARGING POLICY FOR CAR PARKING**

Members considered a report of the Director of Community and Children's Services in respect of the Barbican Charging Policy for Car Parking. The Chairman reminded Members of the previous report, presented to Members of the Barbican Residential Committee in December 2016, which had resulted in the report before them today and made the following statement:

'In the light of the many objections raised by residents to these proposals, I want to make a few comments. I rarely speak to a script but, on this occasion, I shall, as I shall be asking for my comments to be minuted.

*The role of this committee is to oversee the management of the estate and its ancillary properties on behalf of the City of London Corporation.
It's important to be clear that the Barbican Estate has no social housing. Its flats are let and its leases sold at market rates.*

Those who have purchased leases for car parking have a right to a parking space. Otherwise, land currently used for car parking is a city asset and, subject to planning permission, can be used for such purposes as the city sees fit. It can't be used for commercial car parking, however, since current city planning policies prohibit the creation of any further such spaces.

And, under planning law, of course, residents must, be consulted about any proposed change of use to what are currently car parking spaces. Residents do not, however, have any rights in deciding the charging basis for those spaces. Many have mentioned the need to review how the service charge element of payments for car parking are apportioned. They are right and work on this is underway. As many of you know, preparation for consultation regarding the planning application for storage units is also underway. At this stage a working party would be inappropriate and, in any event, a comprehensive plan for the car parking area is not within the gift of this committee.

All that said, however, the proposals before us aren't contingent on those matters being decided. The proposals are based on decisions, already taken by this committee:

- 1 - that car park rental charges should ensure a fair return to the City*
- 2 - to arrive at this, an independent valuation was required*
- 3- that if increases were to be significant, they would be phased in.*

There have been two key objections from residents, which are relevant to these proposals - that the basis of the valuation is unreasonable, and that the increases proposed are unaffordable to significant numbers of users.

Following comments at the RCC, I asked for further valuations to be sought. It has not been possible to secure these in time for today's meetings, but the Surveyors' department have canvassed estate agents and I shall ask Michael Bradley to update us, as soon as I've finished speaking.

*At this meeting today, I suggest we **first**, discuss and then vote as to whether we accept the valuation and the surveyor's update. If we vote against this, I suggest two further valuations be sought and the proposals deferred to our September meeting.*

If we accept the valuation, I suggest we move to discuss and vote on

*1 - the point on the valuation scale at which increases should be set
2 - the number of years over which the increase should be phased in
Having had that discussion, we will move to any amendments needed and then vote on the proposals before us.
If those are defeated, then I will need a proposal as to a different basis of charging and, if this is accepted, officers will need to bring forward new proposals.'*

Members noted the request from the Barbican Estate Residents Consultation Committee for additional valuation reports, as they felt that those provided in this report were inadequate; i.e. the comparison to the Dolphin Estate. Although owned by the City of London, which is a Local Authority, the City Surveyor had worked on the basis that the Barbican was more akin to a private development rather than a council estate or social housing and had never been within the Housing Revenue Account. The City Surveyor therefore instructed Kinney and Green to obtain evidence of comparable parking charges for private developments. Members noted that the report from Kinney and Green advised that a value of between £1,750 - £2,250 could be applied to each car space, instead of the current charge of £1,225 pa. The City Surveyor advised that, since Kinney and Green issued their report they had provided the following additional comparables for resident only car spaces (inclusive of service charge) at the following developments:

- **Imperial Wharf**, Townmead Road, Fulham SW6 (600 apartments): Standard cars. £2,200 pa. Car spaces are only offered to residents. There are 600 resident car spaces of which approximately 25% are vacant.
- **St George's Wharf**, Vauxhall SW8 (1,100 apartments): £2,485 pa. Non-residents may lease spaces but at a higher tariff
- **Chelsea Bridge Wharf**, 372 Queenstown Rd, London SW8 (number of apartments not known. Possibly 500+): £2,020 pa. Non-residents may lease spaces but at a higher tariff.

Members felt that these new evaluations were not particularly helpful as the sites were new developments in affluent areas, which also fell outside of the congestion zone area.

During the discussion, in which all Members were invited to comment, the following points were made:

1. The report should be considered alongside other storage charging policy reports. Members noted that they had been scheduled for consideration at this meeting but the planning application was withdrawn for further consultation.
2. Given that substantial capital funds had been generated by the car parks; i.e. the Heron Development, should they have been credited to the car park account?
3. If 25% were to give up their car park spaces, then would this negate the benefit of the higher charges? Some Members felt that the 25% decrease should be taken into consideration as part of the valuations.
4. If charges were below the market rate, then all spaces would be full but this was not the case.
5. There had been a deficit on the car park account for the past 2 years and many spaces were empty and in poor condition. However, the car parks were costing the City of London Corporation £400,000 pa and therefore it was unsustainable.
6. A breakdown of management and supervision charges, including concierge duties had been requested by the RCC.
7. Concern was expressed about the process and not just market options; i.e. the cost of the Consultant.
8. The views of residents had not been taken into consideration and responses to Ward Members had been unprecedented. There were particular concerns about vulnerable and/or disabled residents.
9. Whilst the outcome of the information provided by the valuations was beyond the control of officers, some Members challenged whether the brief to officers had been fully captured in the report. Some Members felt that it had not provided an explanation of the elasticity of demand but it was accepted that this could be difficult to calculate.
10. The decision in December had sought fair value, not to maximise the asset.
11. The possibility of involving other Committees in the decision, which should be wider than just the price; i.e. it should consider alternative uses and 'balancing the books'.
12. If Members could not reach a decision today, then officers could revert to the default position of an RPI linked increase, which would cover the notice period for a price increase and avoid any unnecessary loss of revenue. The Chamberlain advised that the Committee had used RPI in the past but many other Committees now used CPI and therefore recommended CPI going forward.

It was proposed by Randall Anderson, Seconded by Mark Bostock and
RESOLVED, that:

1. The car park charges for 2016/17 be increased, in line with CPI, in time for the statutory notice period.

It was proposed by Randall Anderson, Seconded by Jeremy Mayhew and
RESOLVED, that:

1. Members receive a further report, in the context of the City's Car parking policy; to include a range of valuations from more comparable developments, a survey of users and study of usage, alternative uses (including storage) and cost allocation (including car park attendants).
2. Members note the earliest stage for the report to come back to the Committee be December 2017 or possibly March 2018; i.e. when storage charges would be due for Review.
3. A Member/Officer working party be established to consider this matter further.

10. **REPAIRS AND MAINTENANCE TO ROOFS/BALCONIES FOLLOWING WATER PENETRATION**

Members received a report of the Director of Community and Children's Services in respect of progress made by the working party in respect of repairs and maintenance to roofs/balconies following water penetration.

During the discussion and questions, the following points were noted:

- All solar reflective paints would be subject to Planning Permission and/or Listed Building Consent.
- The Assistant Director had asked to see the agreements in respect of telecoms masts. Members were assured that electro-magnetic surveys had been conducted for all roofs and the results had been satisfactory.
- Cleaning of rainwater and drainage outlets and gutters was suggested every 4/5 years and a drainage cleaning programme was in place. However, officers advised that rigorous cleaning could cause damage and it was less intrusive to use natural cleaning from the elements.
- A more general programme of maintenance would be agreed with Langleys.
- The Assistant Director would discuss charging with the Working Party and a report would be presented to Members at the next meeting.

RESOLVED, that – the report be noted.

11. **ELECTRIC VEHICLE CHARGING POINTS PILOT PROJECT**

Members considered a report of the Director of Community and Children's Services in respect of the Electrical Vehicle Charging Points Pilot project. The officer thanked the Working Party and the Chairman, John Tomlinson, who had stepped in at short notice.

RESOLVED, that:

1. The pilot project to install electric vehicle charging points in five of the Barbican Estate car parks be approved.
2. The Terms of Reference for the Electric Vehicle Charging Point Project be approved.

12. **SERVICE LEVEL AGREEMENTS QUARTERLY REVIEW (JANUARY - MARCH 2017)**

Members received a report of the Director of Community and Children's Services in respect of the Service Level Agreement Quarterly Review for January to March 2017.

RESOLVED – that the report be noted.

13. **UPDATE REPORT**

Members received the regular update report of the Director of Community and Children's Services. In response to questions, the following points were noted.

- The forecast for car park take up for Blake Tower was based on Frobisher Crescent.
- The concierge service for Blake Tower would be 12 hours a day and outside of these hours - the service would be provided by the Concierge at Bunyan Car Park office.

RESOLVED, That – the report be noted.

14. **PROGRESS OF SALES AND LETTINGS**

Members received a report of the Director of Community and Children's Services in respect of sales and lettings on the Barbican Estate.

RESOLVED, that – the report be noted.

15. **DRAFT MINUTES OF THE RCC MEETING HELD ON 22 MAY 2017**

The draft minutes of the meeting of the Barbican Residents Consultation Committee (RCC) held on 22 May 2017 were received.

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

There were no questions.

17. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

Members received a report of the Director of Community and Children's services in respect of the Departmental Business Plan. The report also presented an early draft of the Corporate Plan 2018-23, to give Members an opportunity to provide informal feedback before wider consultation takes place in the autumn with staff, partners and other external stakeholders. Members were invited to contact the Head of Corporate Strategy and Performance if they had any comments.

A Member asked for it to be minuted that Frobisher Crescent had inherited a commercial system for heating and hot water in 2010 and, as the outcome had been very unsatisfactory, the Member asked for assurance that lessons had been learnt.

18. EXCLUSION OF THE PUBLIC

RESOLVED, that – Under Section 100(a) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information, as defined in Part 1, Schedule 12 (a) of the Local Government Act.

Item No

19-24

Para no

1, 2 and 3

19. NON-PUBLIC MINUTES

The non-public minutes of the meeting held on 13 February 2017 were approved.

20. ARREARS UPDATE

Members received and noted a report of the Director of Community and Children's Services.

21. LEASE RENEWALS

Members considered and approved 2 reports of the Director of Community and Children's Services.

22. DECISIONS TAKEN UNDER DELEGATED AUTHORITY/URGENCY SINCE THE LAST MEETING OF THE COMMITTEE

Members received a report of the Town Clerk

23. NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

There were no questions.

24. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED

There were no items.

The meeting closed at 1.00 pm

Chairman

Contact Officer: Julie Mayer
tel.no.: 020 7332 1410
Julie.Mayer@cityoflondon.gov.uk

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“You Said; We Did” - Action List – August 2017

Actions from June 2017 Barbican Residential Committee (BRC) & other outstanding issues (updates appear in italics)

Issue	Source	Officer	Action Escalation
City’s website			
<p>A resolution be sent to the next Information Technology Sub (Finance) (ITS) Committee expressing Members’ continuous difficulty in using the City’s website.</p> <p><i>Minute from ITS on 26 May and a reference to the Website Stand alone Policy - from Culture, Heritage & Libraries (CHL) Committee on 10 July.</i></p> <p><i>MINUTE FROM ITS ON 26 MAY</i></p> <p><i>Members considered a resolution from the BRC dated 13 February 2017. The resolution noted that Members of the BRC felt that the search engine on the City of London Corporation website was not fit for purpose. The following points were made.</i></p> <ul style="list-style-type: none"> <i>The IT Director noted that he had discussed this issue with the Director of Communications, who was responsible for the team that managed the City of London Corporation’s website and intranet. Consultants had been appointed to advise on improving user experience of the website and would report in June 2017. Following this, a report would be submitted to Members that would outline proposed improvements to the website.</i> <i>Members queried the split in responsibility for website system infrastructure and website maintenance between the IT Director and the Director of Communications, and expressed concern that this illustrated a disjoint in oversight. In response the Chamberlain agreed</i> 	Feb 17 BRC	Town Clerks	

<p><i>to bring a paper to the Sub Committee outlining service responsibilities and business requirements for the City of London Corporation website and intranet.</i></p> <p>MINUTE FROM CHL ON 10 JULY</p> <p><i>The Committee received a report of the Director of Communications in respect of the Standalone Website Policy, which had been approved by the Public Relations and Economic Development Sub Committee on 8th June. The Chairman of the ITS Committee was present and asked that before any new web sites were implemented that officers should check with the IT division, to ensure there would be no systems issues.</i></p> <ul style="list-style-type: none"> • RESOLVED, that – the report be noted. 				
Concrete testing and repairs				
<p>Members were disappointed that the concrete reports from the early 1990's were unavailable and some Members recalled having sight of them at an earlier meeting. Officers advised that the later reports had superseded them but would endeavour to trace them. Members asked for officers to ensure that, going forward, all investigative reports were archived and asked to see the current archiving policy.</p>		Feb 17 BRC	Mike Saunders	Copy of archiving and storage guidelines attached
	<p>Contact: Michael Bennett, Barbican Estate Manager – 020 7029 3923 – barbican.estate@cityoflondon.gov.uk</p>			

Storing and Managing Electronic Records

These guidelines have been created to support departmental officers who are responsible for electronic documents and records. London Metropolitan Archives (LMA) has created this guidance based on best practice advice from The National Archives and the Digital Preservation Coalition.

The main challenge presented by electronic documents (our Word, Excel, PDF files etc.) is long term preservation. At LMA we have City of London documents written on paper and parchment which are nearly 1000 years old. We can say that the long term preservation of the information they contain has been managed successfully so far!

1. Recommended Storage Media for Long Term Preservation

Server based hard disk storage is the most effective and secure storage regime for electronic records provided it is well managed and supported by an effective back-up routine.

The second best option is an external hard drive with a second copy on a second (mirror) hard drive stored elsewhere as a backup – this is absolutely essential if you have to use an external drive.

The use of CD's, DVD's, USB and pen drives for long term storage of any data is not recommended. Where the use of removable media (CD, DVD, Tape etc.) is unavoidable, gold coated CD-R and DVD-R's should be used and stored in a cool, dry, secure environment. Where a larger data solution is required, LTO Ultrium tapes should be used and again, stored in a cool, dry, secure environment. Memory sticks or solid state storage devices (such as SmartMedia cards) should not be used for long term data storage.

In the unlikely event that these suggestions do not adequately meet your requirements, the following criteria for selecting removable media should be considered:

- Longevity – the media should have a proven lifespan of at least 10 years. Longer is not necessarily useful as drive technology obsolescence usually predates the end of the active life of a format (e.g. Betamax video – most tapes are still playable, **if** you can find a player)
- Capacity – The capacity needs to be enough to cope with the file formats you are storing. A DVD can store the same volume of data as dozens of CD's.

- Viability – Media and drives should provide error detection facilities, provision for testing the integrity of data after writing a file is also useful and data recovery techniques should be available. Media should be 'write once' or have a reliable write protect mechanism to prevent accidental overwriting.
- Obsolescence – Media and drives should be mature products in the market and widely available. Technology based on open standards should generally be preferred to those proprietary to a single manufacturer if the manufacturer is small and without widespread use.
- Cost – Cost comparisons for media should always be made on a price per MB/GB/TB basis. Total cost of ownership should include the cost of hardware required to use the media.
- Susceptibility – The media should be robust and difficult to physically damage. It should be tolerant to a wide range of environmental conditions without data loss.

2. Care and Handling of Storage Media

Storage

In the recommendations below, 'media' refers to external hard drives, LTO style tapes and CD/DVD's.

- Media storage areas must be cool, dry, stable and secure.
- Media should always be stored in correct cases. The containers of many magnetic tape formats are designed to minimise risk from magnetic fields and should therefore always be used. Archival quality cases made from inert polyester are recommended where available. Rigid jewel cases should always be used for optical disks as they provide greater protection.
- Media should not be left in a drive when not in use as this causes unnecessary heat and mechanical damage.
- Do not allow media to come into contact with liquids, dust or smoke, and keep it away from direct heat and sunlight.
- All media should be stored in an appropriate position (vertically for tapes) and kept within storage areas which are secure and fire resistant.
- Store magnetic media away from strong magnetic fields.
- Storage and access areas must be free of dust, smoke, dirt and other contaminants.

Handling and Use

- Drives used to access digital archive media must be high quality devices. All media access devices must be clean and well maintained.
- Transport magnetic tape media in packaging with enclosures with space clearances of 50 mm.
- Where media is stored in a controlled cold environment, it should be allowed to acclimatise for 24 hours before use.
- Do not place labels on CD/DVD's and avoid writing on them using a pen or pencil. The case should be used for identification and the CD/DVD must therefore not be detached from the casing. Follow manufacturers' recommendations for labelling. If you are worried about the disc becoming separated from the case, make sure that your storage processes do not allow this to happen!
- Always check your files after writing them to a CD/DVD or external drive. It's essential that you check that the copy you have made is usable and exactly the same as the source.

3. Specifying File Formats to Support Long Term Preservation

A file format encodes information into a form which can only be read or made accessible for processing by specific combinations of hardware and software. In a market where technology is constantly changing, this leaves our data in a very vulnerable position. The Microsoft Office formats are generally preferable as they are easy to access through our desktop software.

If you have the opportunity to specify file formats for office use within your area, consider the following criteria:

- Ensure that formats you want to use are already supported by the City of London IS Division. If not, make sure that you discuss your requirement with the IS Division as soon as possible.
- Widespread Use – use popular formats which are in widespread use and are likely to have longer periods of support from manufacturers.
- Stability – formats should not be subject to regular major changes over time. New versions of the software should be backwards compatible.
- Metadata Support – There should preferably be automatic or manual recording of metadata.

- Interoperability – The ability to be able to open a file format within a number of different software systems is very desirable. This supports long term sustainability and migration.
- Error Detection – Some formats, such as .PNG, include byte sequences which check error types within the data. Such formats are more robust than those without error detection and are therefore desirable.
- Authenticity – The format must preserve the content (data and structure) or the record and any inherent contextual, provenance, referencing or fixing information.

Common Formats in City of London Archive at LMA

MS Word Document

MS Excel Document

PDF

JPEG

TIFF

MPEG4

MP3

MOV

Committee:	Date(s):
Residents' Consultation Committee	4 September 2017
Barbican Residential Committee	11 September 2017
Subject: Update Report	Public
Report of: Director of Community & Children's Services Report author: Michael Bennett – Barbican Estate Manager	For information
<p style="text-align: center;"><u>Summary</u></p> <p>Barbican Estate Office</p> <ol style="list-style-type: none"> 1. Blake Tower (formally the YMCA) Service Charge related issues 2. Service Based Review (generating income for car parking & stores 2017/18) 3. Electric Vehicle Charging Points 4. Agenda Plan <p>Property Services (see appendix)</p> <ol style="list-style-type: none"> 5. Redecorations 6. Public lift availability 7. Concrete Repairs 8. Underfloor Heating Working Party 9. Asset Maintenance Working Party Update 10. Broadband/TV services <p>Recommendation: that the contents of this report are noted.</p>	

Background

This report updates members on issues raised by the Residents' Consultation

Committee and the Barbican Residential Committee at their meetings in May/June 2017. This report also provides updates on other issues on the estate.

Barbican Estate Office Issues

1. Blake Tower (formally the YMCA) Service Charge related issues (No change from previous update)

Issue	Update
Will it be managed by the BEO as part of the Barbican Estate?	Yes.
If so, when from? Day 1 – or after a period?	After 2 years.
If after a period, are there any arrangements that are different before and after the BEO takes over management?	No Garchey or Underfloor Heating. The Concierge Service will be provided by the Lobby Porter for 12 hours and Estate Concierge (Car Park Attendants) for the other 12 hours.
Where do Blake Tower residents park their cars? Bunyan car park? Are there enough spaces?	Bunyan car park. Yes.
Do they have ASSA keys to the gardens and the rest of the estate?	Yes.
If so do the ASSA keys of existing residents allow them access to Blake Tower?	No. There is a fob system. Potentially, Asser keys could be retro-fitted as has been the case with Frobisher Crescent.
When does the adjustment of estate wide service charges to accommodate Blake Tower take place? From day 1 or from when the BEO takes over?	Day 1.

2. Service Based Review (generating income for car parking & stores 2017/18)

The Barbican Residential Committee at its meeting in June 2017 approved the setting up of a Car Park Charging Working Party. At the first meeting in July the Working Party agreed the following Terms of Reference:

‘To proceed in the reference of the Grand Committee to review the charging policy for car parking and storage in the car parking areas of the Barbican and to report back thereon, with recommendations’.

The methodology, valuation brief and timetable was also agreed at this meeting and an update will be provided to the next Working Party meeting in late September.

Following pre-planning consultation with residents a planning application for the additional stores in the car parks is being progressed with the estimated timelines below:

- Late summer 2017 – planning application submitted
- Winter - contractors on site
- Spring 2018 onwards - phased completion and available to rent

3. Electric Vehicle Charging Points (update from the Low Emission Neighbourhood (LEN) Project Manager)

The procurement of the electric vehicle charging points for Cromwell, Willoughby, Breton, Bunyan and Thomas More car parks is progressing, with the final connection and provision of metering currently being undertaken by UK Power Networks (UKPN).

There has however been a delay to the procurement of the supply and installation of the charging points. We were under instruction to use the City of London's framework contract with Chargemaster; however the procurement policy team in the Chamberlain's Office have now determined that the use of this contract for the supply and installation of charging points on the Barbican Estate residential car parks will be non-compliant with the terms of this contract and we will need to tender the works out to the market. A request for quotation (RFQ) is due to be published by early September and it is anticipated that the successful contractor can be appointed by mid-September with installations expected to take place in October. This is about six weeks later than originally anticipated.

4. Agenda Plan

The table below includes a list of pending committee reports:

Residents' Consultation Committee & Barbican Residential Committee

Report Title	Officer	RCC Meeting Date	BRC Meeting Date
"You Said; We Did" Actions (Separate list for RCC & BRC)	Michael Bennett	27 Nov	11 Dec
SLA Review	Michael Bennett		
Repairs & Maintenance to roofs/balconies following water penetration (TBC)	Paul Murtagh		
Repairs & Maintenance Contract	Mike Saunders		
Service Charge Expenditure & Income Account - Latest Approved Budget 2017/18 & Original Budget 2018/19	Chamberlains		
Revenue & Capital Budgets - Latest Approved Budget 2017/18 and Original 2018/19 - Excluding dwellings service charge income & expenditure	Chamberlains		
Working Party Review – Minutes of Leaseholder Service Charge Working Party (RCC Only)	Anne Mason		
Progress of Sales & Lettings	Anne Mason		
Arrears Report (BRC Only)	Anne Mason		
Update Report (deadline 13 November): <ul style="list-style-type: none"> Main update - Blake Tower service charge related issues/Service Based Review/Electric Vehicle Charging/Agenda Plan 2017 Property Services Update 	Michael Bennett		

Background Papers:

Minutes of Residents' Consultation Committee 22 May 2017.

Minutes of the Barbican Residential Committee 5 June 2017.

Contact: Michael Bennett, Barbican Estate Manager
Tel: 020 7029 3923
E:mail: barbican.estate@cityoflondon.gov.uk

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2016/17-2019/20 Programme

Works continue to progress well on the 2017/18 programme

At the time of this report (22 August 2017)

- Andrewes House – Complete
- Gilbert House – 50% Complete
- Willoughby House – 25% Complete
- Brandon Mews, Cromwell Tower – Due to start in October
- Speed House – Due to start in November
- Bunyan Court – Due to start in January 2018

Feedback from residents on the performance of the contractor and quality of work continues to remain positive.

5. Public Lift Availability

Availability of the public lifts under the control of Property Services is detailed below:

Lift	From April 2016 to March 2017	From April 2017 to June 2017
Turret (Thomas More)	99.95%	99.90%
Gilbert House	99.96%	99.98%

6. Concrete Repairs

Tenders for the repairs element, following the testing, are due back at the beginning of September 2017. Once evaluated, we will begin the Section 20 process with works commencing at the end of the calendar year

7. Underfloor Heating Working Party Update

The underfloor heating working party continues to work effectively. Unfortunately the current Chairman has had to step down and we look to the RCC to nominate a new Chair

8. Asset Maintenance Working Party Update

Attached are the minutes of the last AMWP meeting

9. Broadband/TV update

Broadband and television services continue to operate well with the exception of Bryer Court 7th floor. We are working with VFM to determine a suitable route to connect those residents who wish to take up the service.

BT has exercised their legal right to provide fibre to the Barbican Estate. This will involve installing fibre to the basement areas and services will be provided using existing copper wiring through the blocks. The existing license with VFM negates the City from promoting these services but residents will receive information direct from BT

Asset Maintenance Working Party Meeting 15th August 2017 630pm Lilac Room, Barbican Estate

Attendee

Paul Murtagh

Mike Saunders

David Downing

Michael Bennett

Shaunna McFarlane

Randall Anderson

Robert Barker

Ted Reilly

Fiona Lean

Graham Wallace

Organisation

CoL Assistant Director Housing Property Services & Barbican Estate Office

Chair - CoL Housing Property Services

CoL Housing Property Services

Barbican Estate Office

CoL Housing Property Services

Resident

Resident

Resident

Resident

Resident

Apologies from Henry Irwig, Richard Godber & Mike Greensmith

Minutes

Item	Key discussion & action points	Who
1	<p>Review Of Minutes From Preceding Meeting</p> <p><u>Garchey Review</u> MS confirms the letters have now been finalised and approved, the letter will be going to properties that are believed to have had their Garcheys removed without landlord's permission and properties that have had their Garcheys removed with permission. Letters to go out before end of the month.</p> <p><u>Service Charge queries</u> MS still to speak with Anne Mason in regards to the service chargeable items stated in the lease & report back to WP.</p> <p><u>Possible Stop Valve Replacement Programme</u> MS confirms that if we were to change stop valves in properties as part of a programme work schedule it would cost approx. £190, as a reactive repair it currently costs approx. £228.</p> <p>MS advises that there is also a risk, where residents who have functioning stop valves may not allow easy access for contractors carrying out the programmed works.</p> <p>RA raises concerns in regards to stop valve leaks that have an effect on other properties and queries whether the cost of decorative works is factored into the above.</p>	MS

Item	Key discussion & action points	Who
	<p>MS advises that we will have a look to identify how many of the stop valve orders raised did cause damage to another property and whether these were claimed through insurance.</p> <p>All other arising matters were covered under this meeting's agenda items.</p>	
2	<p>Conditions Survey Update</p> <p>MS advises that the surveys are now to be done under a framework agreement, the specification has been drawn up and stock condition surveys are to be done.</p> <p>Results from the above will be able to help identify the areas where regular planned works could be beneficial.</p> <p>PM confirms that a brief will be confirmed with the contractor and the brief can be shared with the party once drafted.</p> <p>MS confirms the above is hoped to be done this financial year.</p> <p>RB queries the draft minutes from the RCC as it suggests that cleaning of the drainage, gutters and rain water pipes should be done every 4-5 years.</p> <p>PM confirms that we have an annual schedule and he will raise the concerns in getting the minutes rectified.</p>	
3	<p>Repairs & Maintenance Contract Tender</p> <p>PM confirms that COL does not have a formal Contract with the Barbican contractors Metwin, we have been advised by City Procurement that the contract will go out to tender so this is changed.</p> <p>It has been suggested that the BEO & HRA contract be combined.</p> <p>PM confirms that the same standards will apply; the BEO repair time frames and standards of work will not be affected.</p> <p>RB makes reference to the COL standard of 60% quality & 40% price.</p> <p>A business case is to be drawn up and reviewed by the working party, once agreed it will be reviewed by the RCC, if agreed by the RCC it will then go to the BRC.</p> <p>Next AMWP is to be brought forward to October (before RCC) and a draft paper will be circulated to the party.</p>	PM/MS

Item	Key discussion & action points	Who
4	<p>Fire Risk Assessment Plan</p> <p>The fire risk assessments have been published on the website and sent out to the various housing groups.</p> <p>A lot of queries and questions have come through and Frankums and the COL fire officer have responded the FAQ's are to be published on the website and circulated via the email broadcast soon.</p> <p>It has been identified in the assessments that all doors and its surrounding areas are to be tested to check all areas are fire resistant.</p> <p>TR advises that it may be worth looking at a more intrusive Fire Risk Management assessment and identifying systems within the barbican. These concerns will be raised with Andrew Carter.</p>	
5	<p>Review of Asset Maintenance Plan</p> <p>No changes have been made since the last meeting.</p>	
6	<p>AOB:</p> <p>New meeting is to be bought forward, proposed new date below.</p> <p>Richard Godber has left the Barbican and so can no longer be a member of this working party, he has asked the Defoe House group to identify a replacement.</p> <p>Next meeting:</p> <p>Wednesday 11th October 2017</p>	

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Committee(s)	Dated:
Residents' Consultation Committee	4 September 2017
Barbican Residential Committee	11 September 2017
Subject: 2016/17 Revenue Outturn for the Dwellings Service Charge Account including reconciliation between the closed accounts and the final service charge.	Public
Report of: The Chamberlain Director of Community & Children's Services	For Information
Report author: Mark Jarvis Head of Finance, Chamberlains	

Summary

This report provides a summary of service charge expenditure. It compares the revenue outturn (i.e. actual net costs) for the Barbican Estate's Residential service charges with the latest agreed budgets for the year ended 31st March 2017. A summary is provided in the table below:

Table 1 - Summary Comparison of 2016/17 Revenue Outturn with Final Agreed Budget			
	Latest Agreed Budget	Revenue Outturn	Variations Increase/ (Reduction)
	£000	£000	£000
Expenditure	8,170	8,240	70
Income	(9,371)	(9,598)	(227)
Net Income	(1,201)	(1,358)	(157)
Net Recharges	1,201	1,358	157
Overall Totals	0	0	0

A summary of the service charge reconciliation of the 2016/17 actuals as per the closed accounts above and the amount to be charged as a service charge is set out in the table below.

Table 2 - Service Charge Reconciliation 2016/17	£000
Actual Service Charge Expenditure Per Accounts	9,743
Less recharges and Barbican Estate Office adjustments	(436)
Final Service Charge Expenditure	9,307

Recommendation

- It is recommended that this revenue report for 2016/17 and the service charge reconciliation are noted.

Main Report

Revenue Outturn for 2016/17

1. This report compares the revenue outturn for the dwellings service charge account overseen by your committee in 2016/17, with the final agreed budget for the year.
2. A summary of the expenditure with the final agreed budget for the year is shown below in table 3. In the various tables, figures in brackets indicate income or in hand balances, increases in income or decreases in expenditure. Note a more detailed analysis of all service charge expenditure is attached at Appendix 2.
3. A reconciliation of the original budget to the latest approved budget is provided in Appendix 1.

Actual 2015-16 £'000	TABLE 3 - Service Charge Account	Original Budget £'000	Latest Approved Budget £'000	Actual 2016-17 £'000	Variances £'000	Para
	Expenditure					
2,018	Direct Employee Expenses	2,149	2,136	2,130	(6)	
1	Indirect Employee Expenses	7	8	6	(2)	
2,019	Total Employees	2,156	2,144	2,136	(8)	
2,670	Repairs and Maintenance	3,288	3,094	3,253	159	4
1,863	Energy Costs	2,356	2,346	2,298	(48)	5
97	Rents	126	126	129	3	
10	Rates	15	18	16	(2)	
2	Water Services	3	3	2	(1)	
228	Cleaning and Domestic Supplies	242	217	198	(19)	
118	Grounds Maintenance Costs	123	123	145	22	
4,988	Total Premises Related Expenses	6,153	5,927	6,041	114	
37	Equipment, Furniture and Materials	68	65	33	(32)	
0	Catering	1	1	0	(1)	
5	Clothes, Uniform and Laundry	12	12	7	(5)	
1	Printing, Stationery	5	5	7	2	
0	Fees and Services	1	2	1	(1)	
13	Communications and Computing	14	14	16	2	
56	TOTAL Supplies and Services	101	99	63	(36)	
7,063	TOTAL Expenditure	8,410	8,170	8,240	70	
(8,170)	Income	(9,308)	(9,371)	(9,598)	(227)	
(1,107)	Net Income	(898)	(1,201)	(1,358)	(157)	
1,259	Recharges					
(152)	Expenditure	1,085	1,346	1,503	157	6
	Income	(187)	(145)	(145)	0	
1,107	Total Recharges	898	1,201	1,358	157	
(0)	Total Service Charge Account	0	0	(0)	(0)	

4. The overspend of £159,000 on repairs and maintenance costs is due to the following:

- Unforeseen increase in the level of work relating to water penetration (not roof related)
- Glazing costs were higher than expected due to access (scaffolding)
- Water supply costs were higher due to works following water testing – tank coating and tank replacements
- Safety and security costs were higher than anticipated due to the installation of eyebolts and fall arrest systems
- Underfloor heating – higher than anticipated costs relating to the replacement of the heating control system

5. The lower than budgeted energy costs was due to mild weather during winter months.
6. The adverse variance on recharges is due to the following:
 - Higher than expected charge received from Technical Services.
 - Increase in the provision for bad debt resulted in a charge to this year's accounts.
 - Insurance charges were higher than previously predicted.

Service Charge Reconciliation 2016/17

7. The table below sets out the service charges reconciliation of the 2016/17 actuals as per the closed accounts and the amount charges to the lessees.

Table 4 - Service Charge Reconciliation 2016/17	£000
Actual Service Charge Expenditure Per Accounts (direct 8240k+ gross recharge 1503k)	9,743
Less Fees, charges and cleaning and lighting recharges.	(157)
Add Barbican Estate Office adjustments	(279)
Final Service Charge Expenditure	9,307

8. Time constraints imposed on the City Corporation to close the annual accounts do not allow adequate time for a full detailed examination of all the expenditure figures. Therefore during the following months up to September, a close examination of the figures is carried out as part of drawing up the schedule of items to be recharged to long leaseholders. This usually results in some adjustments which are noted as Barbican Estate Office adjustments in Table 4, full details are set out in Appendix 1.

Appendices

- Appendix 1 – Relationship of the Barbican Residential Committee Outturn Report to Service Charges Schedules.

Mark Jarvis

Head of Finance - Chamberlains

T: 020 7332-1223

E: Mark.Jarvis@Cityoflondon.gov.uk

Appendix 1

Reconciliation of Original Budget to Latest Approved Budget for Barbican Service Charge account.

	£'000
Original Budget	0
Decrease in Repairs and Maintenance budget mainly related to Redecoration Works.	(194)
Correction of of supervision & management estimated charge.	303
Balancing increase in expected service charge income	(109)
Latest Approved Budget	0

Committee(s)	Dated:
Residents' Consultation Committee	4 September 2017
Barbican Residential Committee	11 September 2017
Subject: 2016/17 Revenue Outturn (Excluding the Residential Service Charge Account)	Public
Report of: The Chamberlain Director of Community & Children's Services	For Information
Report author: Mark Jarvis Head of Finance, Chamberlains	

Summary

This report compares the revenue outturn for the services overseen by your committee in 2016/17, with the final agreed budget for the year.

These accounts do not include income and expenditure in relation to dwellings service charges, which is the subject of a separate report before you today, but does include the following:-

- Landlord Services

This includes income and expenditure relating to short term lessee flats, void flats and commercial properties as well as grounds maintenance for public areas.

- Car Parking

The running expenses, capital charges, rent income and service charges relating to 1,508 car spaces of which some 1,077 (71.4%) are currently occupied.

- Baggage Stores

The running expenses, capital charges, rent income and service charges relating to 1,290 baggage stores.

- Trade Centre

This is a commercial area of some 117,000 square feet bounded broadly by Beech Street, Aldersgate Street, Fann Street and Bridgewater Square. Capital charges are the main item of expense, although some premises and supervision and management costs are incurred. Income comprises rent and charges for services in respect of Virgin Active, GSMD practice room, Laundrette, Indigo Park Services UK Ltd and Creche.

1. Total net expenditure during the year was £2,562,000, whereas the total agreed budget was net expenditure of £2,797,000, representing an underspend of £235,000. This is summarised in the table below:

- 2.

Summary Comparison of 2016/17 Revenue Outturn with Final Agreed Budget – Barbican Residential Committee			
	Latest Agreed Budget £000	Revenue Outturn £000	Variations Increase/ (Reduction) £000
Expenditure	2,616	2,375	(241)
Income	(4,476)	(4,467)	9
Net Local Risk	(1,860)	(2,092)	(232)
Central Risk	(206)	(220)	(14)
Recharges	4,863	4,874	11
Overall Totals	2,797	2,562	(235)

3. The Director of Community and Children's Services has had a carry forward of £45,000 of his local risk underspend agreed and this will be added to the Director's budgets for 2017/18. This funding will contribute towards the cost of staff and consultancy costs in investigating the feasibility, design, cost and construction of a 'hireable' community room in the Barbican Library.

Recommendation(s)

4. It is recommended that this revenue outturn report for 2016/17 and the budgets carried forward to 2017/18 are noted.

Main Report

Revenue Outturn for 2016/17

5. This report compares the revenue outturn for the services overseen by your Committee in 2016/17, excluding the dwellings service charge account, which is the subject of a separate report, with the final agreed budget for the year.
6. Actual net revenue expenditure for your Committee's services during 2016/17 totalled £2,562,000. A summary comparison of this expenditure with the final agreed budget for the year of £2,797,000 is tabulated below. In the various tables, figures in brackets indicate income or in hand balances, increases in income or decreases in expenditure.

Comparison of 2016/17 Revenue Outturn with Latest Agreed Budget					
	<i>Original Budget</i> £000	Latest Agreed Budget £000	Revenue Outturn £000	Variations Increase/ (Reduction) £000	
<u>Local risk</u>					
Employees	1,616	1,578	1,584	6	
Repairs and Maintenance	629	532	521	(11)	
Other Property Related	341	315	223	(92)	8
Supplies and Services	111	191	47	(144)	9
Total Expenditure	2,697	2,616	2,375	(241)	
Total Income	(4,869)	(4,476)	(4,467)	9	
Net Local Risk	(2,172)	(1,860)	(2,092)	(232)	
Central Risk	(225)	(206)	(220)	(14)	
Total Recharges	5,212	4,863	4,874	11	
Total	2,815	2,797	2,562	(235)	

7. Annex A1 sets out an analysis of the £235,000 underspend by service area.

Annex A2 shows the reconciliation of the original budget to the latest agreed budget.

8. The favourable variance on "Other Property Related" expenditure of £92k is due to the following:
 - Reduction in expenditure on rates due to the surrender of a number of car parking bays.
 - Underspend on grounds maintenance costs and premises cost.

9. The favourable variance on “Supplies and Services” expenditure of £144k is due to the following:
- Reduction in expenditure for equipment, furniture and materials.
 - Lower than expected expenditure for agency fees incurred in the sale of a number of properties – the expenditure is offset by the income received from the proceeds of sales.
 - Reduction in debt provision has resulted in a credit on the account.

Local Risk Carry Forward 2016/17

10. £45,000 of the local risk underspend of this Committee has been agreed to be carried forward. This funding will contribute towards the cost of staff and consultancy costs in investigating the feasibility, design, cost and construction of a 'hireable' community room in the Barbican Library.

City of London overall Financial Position and context for the Efficiency and Sustainability Plan

11. The Court of Common Council approved the published Efficiency and Sustainability Plan on the 13th October 2016. This plan focuses on the existing Service Based Review programme which is now nearing completion, other agreed transformation initiatives and developing a framework for continuous efficiency improvement for 2017/18 and later years. This plan needs to be viewed in the context of the overall Medium Term Financial Strategy to have a five year plan with sufficient cashable savings to present a balanced budget for all four funds and adopting an investment approach utilising the headroom to invest in one-off projects such as the Museum of London relocation project and 'bow wave' list of outstanding repairs.

Appendices

- Annex A1 - Barbican Residential Committee – Comparison of 2016/17 Revenue Outturn with Latest Agreed Budget by Service Areas.
- Annex A2 - Barbican Residential Committee – Comparison of 2016/17 Original Budget with Latest Agreed Budget.
- Annex A3 - Efficiency & Sustainability Plan – Core Messages on the City of London Corporation's Finances – January 2017

Dr Peter Kane
Chamberlain

Andrew Carter
Director of Community & Children Services

CONTACTS

Chamberlain's Department – Senior Accountant (Housing)
T: 020 7332-1571
E: Goshe.Munir@Cityoflondon.gov.uk

Barbican Estate Office – Anne Mason, Budget and Service Charge Manager
T: 020 7029-3912
E: Anne.Mason@Cityoflondon.gov.uk

**Barbican Residential Committee – Comparison of 2016/17
Revenue Outturn with Latest Agreed Budget**

Comparison of 2016/17 Revenue Outturn with Latest Agreed Budget by Service Area				
	<i>Original Budget</i>	<i>Latest Agreed Budget</i>	<i>Revenue Outturn</i>	<i>Variations Increase/ (Reduction)</i>
	<i>£000</i>	<i>£000</i>	<i>£000</i>	<i>£000</i>
<u>Local risk</u>				
Supervision and Management -General	812	807	733	(74)
Landlords Services	(1,371)	(1,105)	(1,035)	70
Car Parking	(140)	(115)	(298)	(183)
Stores	(387)	(382)	(360)	22
Trade Centre	(1,084)	(1,061)	(1,130)	(69)
Other Non-Housing	(2)	(4)	(0)	4
Total Local Risk	(2,172)	(1,860)	(2,092)	(232)
Central Risk	(225)	(206)	(220)	(14)
Recharges	5,212	4,863	4,874	11
Total	2,815	2,797	2,562	(235)

Recharges include recharges from the Service Charge Account to Landlord and Car Park Accounts for cleaning and electricity as well as and Central and Departmental Recharges.

**Barbican Residential Committee – Comparison of 2016/17 Original Budget
With Latest Agreed Budget**

	£'000
Original Budget	2,815
Decrease in Repairs and Maintenance Costs	(97)
Corrected budget estimate allocation of rental income and supervision and management recharges with service charge account	153
Decrease in Capital Charges	(100)
Other movements	26
Latest Approved Budget	2,797

CORE MESSAGES ON THE CITY OF LONDON CORPORATION'S FINANCES – January 2017

Our aim:

Our funds are there to help the City of London Corporation promote financial, professional and business services, provide excellent public services and support the City, capital and country as a whole.

They must be used economically, efficiently and effectively to maintain the City's underlying infrastructure and services and so we can prioritise paying for initiatives which meet our long-term ambitions.

How we do this:

The City has four funds.

Two of these are paid for by ratepayers and taxpayers:

- City Fund - money used to cover local authority activities in the square mile and beyond.
- Police Fund – the money used to pay for the City of London Police Force

Two are provided at no cost to the taxpayer:

- City's Cash - an endowment fund built up over 800 years and passed from generation to generation used to fund services that benefit London and the nation as a whole.
- Bridge House Estates - the money used to look after five bridges over the Thames with any surpluses being used for charitable purposes and awarded through the City Bridge Trust.

It is a duty on us to make the best use of the resources we have. This can only be done through continually reviewing the economy, efficiency and effectiveness of our services, the outcomes that are achieved and how they meet our long-term ambitions.

Everyone has a role to play in constantly challenging what we do and thinking about how we could do things better.

Are there further cuts being made?

Yes, but only 2% and only to ensure continuous improvement. In 2014, we estimated that due to cuts in government funding City Fund would be facing deficits

approaching £11m by 2017/18 so we had to deal with this by scrutinising all our activities in what we called the Service Based Review.

We could, of course, have just made efficiencies in those areas paid out of public funds. But we decided it was not fair or equitable to ask some parts of our organisation to be more efficient and not others.

Proposals totalling £20m in efficiencies/extra income were identified and are well underway to being implemented. Following the completion of the Service Based Review programme, a continuous 2% per annum budget reduction target will be introduced across all our services. Departments will be expected to meet this through efficiency and performance improvements.

Why are we continuing to make budget reductions?

Firstly, we have a duty to ensure the most effective and efficient use of our resources.

Secondly, we continue to have big cost pressures. We live in an historic and ageing City. Many of our properties are deteriorating which requires an increased level of investment and our IT infrastructure and service needs investment. In addition the City of London Police needs to address the changing nature of policing and the increasing demands placed on the service in the context of increased security threats from terrorism, growing cybercrime and online economic crime and intelligence requirements.

Thirdly, by being economic, efficient and making savings and focusing our efforts where we are most effective we can enhance existing services and pursue new priorities and increasingly ambitious outcomes for the benefit of the City, London and the nation.

Why not utilise the City's Cash fund endowment?

This is money which has been passed down to us over the years, produces income for us and is not to be used lightly as we want to pass it on to future generations to sustain services in the medium to longer term. Its income comes mainly from property and investments and is used to finance activities for the benefit of the City, London and the nation as a whole. Any sale of the underlying investments reduces the ability of the fund to generate income in future years.

The City's Cash budget will be running a deficit over the next three years to allow us to carry out essential investment before returning to a small surplus in 2020/21.

So what does the future look like for these funds?

The financial forward look for two of our funds is relatively healthy but uncertainties remain.

- City Fund: we have been planning for a continuing reduction in government grant and the underlying budget position is robust. We will be using the

headroom to invest in essential repairs and maintenance and to fund the building of the new Museum of London to the benefit of all Londoners and the country as a whole.

- **City's Cash:** The forecast deficit over the next three years reflects our commitment to carry out essential investment and to support cultural development before returning to a small surplus in 2020/21.
- **Bridge House Estates:** the rising surplus will increase the resources available to the City Bridge Trust for charitable giving across London.
- **The Police Fund:** The underlying financial position remains very challenging with the recent Police core grant settlement marginally lower than anticipated. Additional cost pressures have meant the fund has moved into deficit, utilising the remaining ring fenced reserves in 2016/17 and 2017/18. An interim strategy has been developed and proposed for dealing with the deficit to the end of 2017/18. The Town Clerk, the Chamberlain and the Commissioner, have commissioned a review of the Police operating model, focusing on future demand modelling and how best to secure VFM, to identify options to address the, as yet unfunded, projected deficits of £5.6m in 2018/19 and £3.8m in 2019/20.

What are your total assets?

The City of London Corporation has assets of around £4bn. Income from these assets fund our services and any sale of assets to fund on-going services in the short term would harm our ability to protect services in the medium to longer term. Sale of many of our local authority assets to fund day to day services is also effectively prohibited by Local Government accounting rules.

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Committee(s)	Dated:
Residents' Consultation Committee Barbican Residential Committee	4 September 2017 11 September 2017
Subject: Service Level Agreements Quarterly Review April – June 2017	Public
Report of: Director of Community and Children's Services Report Author: Michael Bennett – Barbican Estate Manager	For Information

Summary

This report, which is for noting, updates Members on the review of the estate wide implementation of Service Level Agreements (SLAs) and Key Performance Measures (KPIs) for the quarter April – June 2017. This report details comments from the House Officers and the Resident Working Party and an ongoing action plan for each of the SLAs.

Recommendation

Members are asked to note the report.

Main Report

Background

1. This report covers the review of the quarter for April – June 2017 following the estate-wide implementation of the SLAs and KPIs with comments from the House Officers and the resident Working Party as well as an ongoing action plan for each of the service areas.

Current Position

2. All of the agreed six weekly block inspections have been completed in the quarter April – June.
3. House Officers, Resident Services Manager and the Barbican Estate Manager attended the recent SLA Working Party review meeting in July to review the SLAs and KPIs.
4. New comments from the residents Working Party (Randall Anderson, Jane Smith, David Graves, Robert Barker, Graham Wallace, Fiona Talbot, Fred Rogers, John Tomlinson), House Officers, surveys, House Group meetings, RCC and resident general comments/complaints are incorporated into the April – June comments.

5. Actions identified following each quarterly review have been implemented where appropriate and comments are included in the action plans in Appendices 1 to 5.
6. The KPIs are included in Appendix 6. The action plans monitor and show the progress made from each of the quarterly reviews together with all of the comments and responses/actions from the House Officers and resident working party.
7. All of the unresolved issues from the previous quarterly reviews to March have been carried forward to this current quarterly review. The House Officers as residents' champions determine whether the issue has been dealt with and completed.
8. All of the resolved issues to March have been filed as completed by the House Officers in conjunction with the resident working party. Once comments are completed, they will be removed and filed.

Proposals

9. The Barbican Estate Office will continue to action and review the comments from the House Officers and Resident Working Parties related to the Customer Care, Supervision and Management, Estate Management, Property Maintenance, Major Works and Open Spaces SLAs.
10. The review of the SLAs and KPIs for the quarter July to September will take place in October and details of this review will be presented at the November/December committees.

Conclusion

11. The reviews will continue on a quarterly basis with the Resident SLA working party and actions will be identified and implemented where appropriate, to improve services.

Appendices

- Appendices 1- 5 - SLA Action plans
- Appendix 6 – Key Performance Indicators

Background Papers

Quarterly reports to committee from 2005

Michael Bennett
Barbican Estate Manager

T: 020 7029 3923

E: Michael.bennett@cityoflondon.gov.uk

APPENDIX 1

SERVICE LEVEL AGREEMENT REVIEW- CUSTOMER CARE, SUPERVISION AND MANAGEMENT 2017-18

	<u>Quarter</u>	<u>Source</u>	<u>COMMENT/QUERY</u>	<u>RESPONSE/ACTION</u>	<u>COMPLETED</u>
221	Apr-June 17	BEO	Review of Residents Information Pack & SLA booklet on hold due to other priorities & resourcing issues.	Resourcing of BEO currently being reviewed.	
220	Apr-June 17	BEO	2017 Residents Survey on hold due to other priorities & resourcing issues.	Resourcing of BEO currently being reviewed.	
219	Apr-June 17	BEO/ Housing	Senior Managers Fire Safety Drop-in Session in July.	Over 30 residents attended, rolling Q&A updated.	
218	Apr-June 17	PS	Feedback from residents suggest that the information in the water penetration letters are refreshed. Some of the letters sent out are not clear regarding contact details, no signatures etc.	Property Services, Customer Support Officer to review letters.	
217	Jan-Mar 17	BEO	Following the review of the Home Improvements Pack in 2016 and some further comments/complaints could or should a review of the hours of noisy works take place.	As discussed with the SLA WP BEO to review the outcome of the Citywide Consultation before any further review.	
Page 47	Jan-Mar 17	BEO/HG	Procedure for dealing with lift outages has recently been reviewed, with reporting protocol clarified for both BEO and residents. This includes both the notices that are put up when lifts are out of service and comms. with people who are stuck in a lift. Additionally the BEO will review signage within the lifts as to who to call if there is a problem.	For comment only	✓
215	Jan-Mar 17	BEO	BEO to compile a list of routine articles for the quarterly bulletins.	Schedule for quarterly/annual bulletins on hold due to other priorities & resourcing issues. Resourcing of BEO currently being reviewed.	
213	Jan-Mar 17	BEO	Procedure for dealing with water hammer being reviewed.	Current method has proved successful but time consuming, due to lack of response/ feedback from residents. On hold due to other priorities & resourcing issues. Resourcing of BEO currently being reviewed.	
209	July-Sept 16	BEO/ AGM	Paper survey is to be sent out to get feedback on the Information Point at Thomas More Car Park.	Paper survey for local blocks in Autumn. Completed. Results have been reviewed but were inconclusive. Potential rollout to rest of the Estate being reviewed. At the Thomas More AGM it was requested that the Information Point be moved to the BEO as the car park was unsuitable. On hold due to other priorities & resourcing issues. Resourcing of BEO currently being reviewed.	

APPENDIX 1

SERVICE LEVEL AGREEMENT REVIEW- CUSTOMER CARE, SUPERVISION AND MANAGEMENT 2017-18

			Completed Actions - House Officers as residents' champions determine whether the issue has been dealt with and completed satisfactorily		
			GAG Gardens Advisory Group	PS Property Services	
			CPA Car Park Attendant	LL/SC Landlord/Service Charge cost	
			LP Lobby Porter	DCCS Department of Children & Community Services	
			BAC Barbican Centre	BOG Barbican Operational Group	
			Source of comments		
			HO House Officers	COM Complaint	
			RCC Residents Consultation Committee	SURV Survey	
			RCC ? RCC Pre Committee Question	HGM House Group Meeting	
				AGM House Group Annual General Meeting	

APPENDIX 2

SERVICE LEVEL AGREEMENT REVIEW - ESTATE MANAGEMENT 2017-18

	<u>Quarter</u>	<u>Source</u>	<u>COMMENT/QUERY</u>	<u>RESPONSE/ACTION</u>	<u>COMPLETED</u>
202	Apr- June 2017	BEO	Annual Fire escape/balcony inspections commenced May 2017 & action plan reviewed in June. First inspections of all blocks completed July. Second follow up enforcement inspections completed end of July. Comms. plan reviewed for Fire safety in June (including Fire booklets/Email bulletins/FAQs both general & specific/website/Fire Risk Assessments). All correspondence to House Officers for response.		
201	Apr-June 17	BEO	Morale low for some Estate Cleaners in relation to grading of Cleaning standards carried out for inspections not being the same as the City's appraisal system (issues of communication & misunderstanding).	Block inspections to be regraded (outstanding/very good/good/improvement required) for cleaning standards from October 2017 as agreed at SLA WP in July.	
200	Apr-June 17	BEO	Daily reporting of any faulty fire doors and lights by front line staff.	Cleaning Manager & supervisors reinforced at team meetings.	
199	Apr-June 17	BEO	Issues regarding items left outside of baggage stores in store area.	Cleaning Manager & supervisors reinforced at team meetings to ensure Block Cleaners are proactive in reporting these items and arranging for their removal.	
198	Apr-June 17	BEO	Bike Amnesty taking place in Lauderdale and Thomas More Car Parks.	comment only	
197	Apr-June 17	BEO	Positive feedback received about new staff (Lobby Porters/Car park Concierge).	comment only	
188	Apr-June 16	BEO	Meeting to be arranged with Cleansing, Barbican Cleaning Manager and the relevant House Groups about use of Garchey Bay.	Possible changes to the use of this area especially in relation to the bulky items being disposed of being reviewed. Meeting held. Request for Barrier to be reinstated in Garchey bay by Shakespeare HG not being progressed. Additional CCTV has been installed which is being monitored by the Estate Concierge. An update on Pros & mainly Cons has been provided to the Shakespeare House Group.	✓
186	Jan - Mar 16	SLA	New powers of Fixed Penalty Notices (FPN) for fly tipping. Will BEO be liaising with Cleansing about various problem areas around the Estate?	Meeting held with Cleansing and BEO - Agreed that:- comms with contractors would be increased; review signage and review enforcement (but there may be resourcing issues). New signage is currently on order.	

APPENDIX 3

SERVICE LEVEL AGREEMENT REVIEW - PROPERTY MAINTENANCE 2017-18

	<u>Quarter</u>	<u>Source</u>	<u>COMMENT/QUERY</u>	<u>RESPONSE/ACTION</u>	<u>COMPLETED</u>
194	Jan - Mar 17	SLA WP	Is the Lift Consultant contract due to be retendered soon?	Yes - this is scheduled for later in 2017.	
193	Jan - Mar 17	BEO/PS	New point of contact has been provided for BEO/PS by lift consultants	Following meeting with Butler and Young (Lift Consultants) we have been introduced to a new contact to raise issues. Outcome of this meeting should mean improved comms and better delivery of service. This will be monitored closely going forward	✓
204	Jan- Mar 2017	BEO	Recruitment proposed for new Property Services Manager. Temporary cover has been organised whilst recruitment is ongoing.	For comment only	✓
203	Jan- Mar 2017	BEO	House Officers now receiving communal repairs orders to check that they are meeting target date (10% of orders being checked).	For comment only	✓
202	Oct-Dec 2016	HO/BEO	New Contractor calling cards being generated.	Following input from House Officers, Property Services are printing new calling cards to help when balcony & similar works are being carried out.	✓
201	Oct-Dec 2016	BEO	Balcony Slabs - difficulty in sourcing.	Balcony slabs are being sourced & repurposed from Blake Tower where possible as they meet the Listed Building Guidelines and match Barbican originals and PS sourcing another supplier.	
200	Apr - June 2016	BEO	Repairs & Maintenance contract to be tendered - resident representatives required to volunteer to help determine the new contract.	There are 2 Volunteers from SLA Working Party (WP) to be involved in the new contract, review tender specification and to review tenders (Request for volunteers to receive thorough briefing prior). Officers meeting with City Procurement in August to review next stages with a view to have the new contract in place by April 2018.	

APPENDIX 4

SLA AGREEMENT REVIEW - MAJOR WORKS 2017-18

	<u>Quarter</u>	<u>Source</u>	<u>COMMENT/QUERY</u>	<u>RESPONSE/ACTION</u>	<u>COMPLETED</u>
151	Jan-Mar 2017	HO	Very positive feedback received from residents on redecoration surveys.	For comment only	✓
150	Oct-Dec 16	PS	Survey on external redecs for Lauderdale has been completed. Defoe near to completion and regular meetings still being held.	19 responses received and very positive feedback.	✓
149	Oct-Dec 16	residents	Asking for an update as to when the repairs to the balcony soffits , following the concrete testing, will be completed.	Autumn 2017.	
144	Apr-Jun 2016	PS	Estatewide Concrete Surveys update.	SLA WP wanted the costs involved to be made transparent to residents. On request of the WP, the reports have now been distributed to the HG Chairs and RCC reps.	✓

APPENDIX 5

SERVICE LEVEL AGREEMENT REVIEW - OPEN SPACES 2017-18

	<u>Quarter</u>	<u>Source</u>	<u>COMMENT/QUERY</u>	<u>RESPONSE/ACTION</u>	<u>COMPLETED</u>
165	Apr-Jun 17	BEO	Issue flagged by concerned residents about the spraying/use of weed killer in the private gardens.	Open Spaces have agreed to inform the BEO in advance of the spraying taking place. The BEO will then send this information out via the email broadcast system to Barbican Residents.	
164	Jan- Mar 2017	HG	Following non-residents gaining access to Speed House gardens and the Igloos, potential accessible areas being reviewed.	Works being carried out by Open Spaces for new planting on the back edge of this flower bed due to be completed in the Autumn.	
163	Oct - Dec 16	RCC Qs	BEO to review whether the old ironmongery grilles that was removed during the recent works by Speed Lawn, should be replaced.	Officers reviewing following growth of new shrubery covering the ironmongery grilles & Listed Building issues.	
162	Jul - Sept 16	BEO	The Barbican lake and waterfall	Currently only operating on one side at a reduced rate. Meeting Between Open Spaces, Barbican Centre Engineers, BEO and Contrator has taken place to ensure joined up approach. Work due to be completed May/June 2017. Work has been completed and waterfall is operating correctly and lake circulation has been improved.	✓
158	July-Sept 15	SURV	Is there sufficient investment in the large private gardens?	Being reviewed by the GAG in the first instance.	
150	Oct - Dec 14	RCC	BEO reviewing drainage problems in Thomas More Garden	Initial drainage survey carried out by new Housing Surveyor and now awaiting options. April 17 - options received and being reviewed by Open Spaces.	

Appendix 6. Barbican KPIs 2017-18

Title of Indicator	TARGET 2015/16	TARGET 2016/17	TARGET 2017/18	ACTUAL 2016/17		APR- JUN 2017	JULY- SEPT 2017	OCT- DEC 2017	JAN - MAR 2018	PROGRES S AGAINST TARGET	SUMMARY	Actual 2017/18
Customer Care												
Answer all letters satisfactorily with a full reply within 10 working days	100%	100%	100%	100%		100%				😊	58/58	
Answer all emails to public email addresses within 1 day and a full reply to requests for information within 10 days	100%	100%	100%	100%		100%				😊	102/102	
To resolve written complaints satisfactorily within 14 days	100%	100%	100%	100%		%				😊	0 complaints	
Repairs & Maintenance												
% 'Urgent' repairs (complete within 24 hours)	95%	95%	95%	99.8%		100%				😊		
% 'Intermediate' repairs (complete within 3 working days)	95%	95%	95%	99.3%		98%				😊		
% 'Non-urgent' repairs (complete within 5 working days)	95%	95%	95%	99.0%		98%				😊		

Title of Indicator	TARGET 2015/16	TARGET 2016/17	TARGET 2017/18	ACTUAL 2016/17		APR- JUN 2017	JULY- SEPT 2017	OCT - DEC 2017	JAN - MAR 2018	PROGRES S AGAINST TARGET	SUMMARY	Actual 2017/18
% 'Low priority' repairs (complete within 20 working days)	95%	95%	95%	98.2%		99%				☺		
Availability % of Barbican lifts	99%	99%	Tower lifts 99%	Tower lifts 99%		Tower lifts 98.43%	Tower Lifts %	Tower Lifts %	Tower lifts %	☹	Target missed by 0.57%. Lift in Lauderdale Tower was out of service for 2 days.	
			Terrace lifts 99%	Terrace lifts 98.9%		Terrace lifts 99.74%	Terrace Lifts %	Terrace Lifts %	Terrace lifts %	☺		
Percentage of communal light bulbs - percentage meeting 5 working days target	90%	90%	90%	96%		91%				☺		
Background heating - percentage serviced within target. Total loss 24hrs/ Partial loss 3 working days	Total 90% Partial 90%	Total 90% Partial 90%	Total 90% Partial 90%	Total 100% Partial 98.5%		N/A	N/A	Total % Partial %	Total % Partial %	☺		
Communal locks & closures - percentage of repeat orders raised within 5 working days of original order	0%	0%	0%	0%		0%				☺		

Actual 2017/18	SUMMARY	PROGRES S AGAINST TARGET	JAN - MAR 2018	OCT - DEC 2017	JULY- SEPT 2017	APR- JUN 2017		ACTUAL 2016/17	TARGET 2017/18	TARGET 2016/17	TARGET 2015/16	Title of Indicator
		☺				100%		100%	90%	90%	90%	Replacement of lift car light bulbs - percentage meeting 5 working days target
												Estate Management
		☺				97%		94%	90%	90%	90%	House Officer 6- weekly joint inspections with House Group representatives monitoring block cleaning - good and very good standard
		☺				92%		92%	80%	80%	80%	House Officer 6- weekly joint inspections with House Group representatives monitoring communal window cleaning - good and very good standard
		☺				81%		84%	80%	80%	80%	House Officer 6- weekly joint inspections with House Group representatives monitoring podium cleaning - good and very good standard

Title of Indicator	TARGET 2015/16	TARGET 2016/17	TARGET 2017/18	ACTUAL 2016/17		APR- JUN 2017	JULY- SEPT 2017	OCT - DEC 2017	JAN - MAR 2018	PROGRES S AGAINST TARGET	SUMMARY	Actual 2017/18
House Officer 6-weekly joint inspections with House Group representatives monitoring car park cleaning - good and very good	80%	80%	80%	89%		97%				☺		
Open Spaces												
To carry out variations/additional garden works (other than seasonal works and unless other timescale agreed) within 6 weeks (30 working days) of BEO approval	80%	80%	80%	100%		n/a				☺		
Major Works												
% Overall Resident satisfaction of completed Major Works Projects (£50k+)	90%	90%	90%	95%		92%				☺	11 out of 12 graded the works as satisfactory or above.	
Short Term Holiday Lets												
Possible STHL reported to BEO because of noise or nuisance	NA	NA	NA	NA		2						

Actual 2017/18	SUMMARY	PROGRES S AGAINST TARGET	JAN - MAR 2018	OCT - DEC 2017	JULY- SEPT 2017	APR- JUN 2017		ACTUAL 2016/17	TARGET 2017/18	TARGET 2016/17	TARGET 2015/16	Title of Indicator
						0		NA	NA	NA	NA	STHL reported to BEO after being found on a website and being investigated
						2		NA	NA	NA	NA	STHL at Stage 1
						0		NA	NA	NA	NA	STHL at Stage 2

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Agenda Item 9

Committee(s): Residents Consultation Committee Barbican Residential Committee	Date(s): 4 September 2017 11 September 2017
Subject: Progress of Sales & Lettings	For information
Report of: Director of Community and Children's Services Report author: Anne Mason	Public
<p style="text-align: center;"><u>Summary</u></p> <p>This report, which is for information, is to advise members of the sales and lettings that have been approved by officers since your last meeting. Approval is under delegated authority and in accordance with Standing Orders. The report also provides information on surrenders of tenancies received and the number of flat sales to date.</p> <p>Recommendation: That the report be noted.</p>	

Main Report

BACKGROUND

1. The acceptance of surrenders of tenancies and the sale and letting of flats are dealt with under delegated authority and in accordance with Standing Orders 77a and 77b.

SURRENDERS

2.

Case No	Type	Floor	Rent Per Annum	Tenancy commenced/ expired	Reason for Surrender	Date of Surrender
1	1B	31	£53,300	Periodic Tenant	Tenancy no longer required	30/04/2017

RIGHT TO BUY SALES

3.

	9 August 2017	24 April 2017
Sales Completed	1079	1079
Total Market Value	£94,546,908.01	£94,546,908.01
Total Discount	£29,539,064.26	£29,539,064.26
NET PRICE	£65,007,843.75	£65,007,843.75

OPEN MARKET SALES

4.

	9 August 2017	24 April 2017
Sales Completed	849	846
Market Value	£149,493,771.97	£147,298,771.97

5. Fifteen exchanges of sold flats have taken place with the sum of £720,254 being paid to the City of London.
6. The freeholds of 14 flats in Wallside have been sold with the sum of £35,000 being paid to the City of London.
7. A 999 year lease has been completed with the sum of £43,200 being paid to the City of London.

APPROVED SALES

8.

CASE	Block	Floor	Type	Price	Remarks as at 9 August 2017
1	Speed	4	20	£865,000	Proceeding

COMPLETED SALES

9. Since the last report three sales have completed. The sale of 119 Defoe House completed on 8 June 2017, the sale of 52 Speed House completed on 23 June 2017 and the sale of 53 Breton House completed on 24 July.

SALES PER BLOCK

10.

BLOCK	TOTAL NO. OF FLATS	TOTAL NO. SOLD	NET PRICE £	% NO. OF FLATS SOLD
ANDREWES HOUSE	192	184	16,648,760.00	95.83
BEN JONSON HOUSE	204	195	14,132,454.83	95.59
BRANDON MEWS	26	24	1,057,460.00	92.31
BRETON HOUSE	111	107	7,626,712.50	96.40
BRYER COURT	56	55	2,307,338.50	98.21
BUNYAN COURT	69	66	4,693,780.00	95.65
DEFOE HOUSE	178	172	16,489,782.50	96.63
GILBERT HOUSE	88	87	11,046,452.50	98.86
JOHN TRUNDLE COURT	133	131	4,467,527.50	98.50
LAMBERT JONES MEWS	8	8	1,400,000.00	100.00
MOUNTJOY HOUSE	64	63	5,925,723.50	98.44
THE POSTERN/WALLSIDE	12	8	2,499,630.00	66.67
SEDDON HOUSE	76	74	7,675,677.50	97.37
SPEED HOUSE	114	106	10,703,148.50	92.98
THOMAS MORE HOUSE	166	162	13,668,455.00	97.59
WILLOUGHBY HOUSE	148	146	14,337,670.50	98.65
TERRACE BLOCK TOTAL	1645 (1645)	1588 (1585)	134,680,573.33 (132,485,573.33)	96.53 (96.35)
CROMWELL TOWER	112	102	25,305,801.00	91.07
LAUDERDALE TOWER	117	114	24,553,779.63	97.44
SHAKESPEARE TOWER	116	110	27,300,415.76	94.83
TOWER BLOCK TOTAL	345 (345)	326 (326)	77,159,996.39 (77,159,996.39)	94.49 (94.49)
ESTATE TOTAL	1990 (1990)	1914 (1911)	211,840,569.72 (209,645,569.72)	96.18 (96.03)

The freeholds of 14 flats in Wallside have been sold. The net price achieved for the purchase of the original leasehold and subsequent freehold interest is £3,459,500.

Anne Mason

Revenues Manager

T: 020 7029 3912

E: anne.mason@cityoflondon.gov.uk

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Committee(s)	Dated:
Barbican Residential Committee	11 September 2017
Subject: Lease Enforcements	Public
Report of: Director of Community & Children's Services	For Information/ discussion
Report author: Paul Murtagh Assistant Director Barbican & Property Services	

Summary

The purpose of this report is to raise with Members the issue of lease enforcements for residents on the Barbican Estate and to seek advice and guidance from the Committee on how best to take this matter forward.

Recommendations

The Committee is asked to:

1. Consider and discuss the issue of lease enforcements for residents on the Barbican Estate, particularly those specific provisions in the lease outlined in this report.
2. To provide advice and guidance to officers on how to proceed with lease enforcements to ensure a consistent and transparent approach and to give officers a formal basis on which to assess individual issues and make decisions.

Main Report

Background

1. When signing their lease, leaseholders on the Barbican Estate, as with any other leaseholders, are naturally bound by the specific clauses and conditions contained in the lease. A failure to comply with the conditions of the lease is considered a 'breach' of lease and gives rise to appropriate enforcement action.
2. Whilst the conditions of the lease for residents on the Barbican Estate are explicit, historically, with regard to a number of covenants in the lease, the City has adopted a 'soft' approach to enforcement. The three particular covenants in this case relate to the following:
 - Installation of wooden floors;
 - Pets;
 - Short-term holiday lets.

Installation of wooden floors

3. The installation of wooden floors is not dealt with specifically or explicitly by the Barbican leases. The relevant clauses of the lease that preclude the installation of wooden floors are:
 - Clause 4.5(e) – (the tenant must) “carpet all floors in the premises from wall to wall”;
 - Clause 4.6(e) – (the tenant must not) “insert or drive nails or screws or sink plugs or make any fixing whatsoever to the floors of the premises”.
4. As part of the ‘Landlord’s Approval for Alterations’ letter to leaseholders who have made an application to the City (the landlord) for alterations in their home, leaseholders are reminded that **“The lease for Barbican Estate properties states all floors (except the original kitchen, bathroom and WC) will be carpeted”**. The standard template for the ‘Landlord’s Approval for Alterations’ letter is attached at Appendix ‘A’ to this report.
5. In addition to the above, the Barbican Estate Office (BEO) sends out reminders of the requirement that all floors must be carpeted by way of its monthly bulletins. This message is consistently given out to leaseholders by staff when they contact the BEO to discuss alterations and improvements.
6. The use and installation of wooden floors has become increasingly popular in modern homes and, although contrary to the terms of the lease, it is commonly known that a significant number of residents on the Barbican Estate have installed wooden floors in their homes.
7. Whilst it is true to say that residents who have fitted wooden floors in their homes have done so without the permission of the landlord (the City), it is also true to say that the City has, historically, taken a ‘soft’ approach to enforcing the conditions of the lease (or not as the case may be) in this regard. One of the likely reasons for this is the potential scale of the problem given the significant number of Barbican residents who have, without permission, installed wooden floors in their homes.
8. It is clear from the records that we have and from the experience of longer serving members of staff that the City has only tended to take action against residents who have had wooden floors installed if there is evidence that they are causing a nuisance. Whilst it would seem that this is a sensible and reasonable approach that has remained unchallenged for some time, from a legal perspective, it has left the City somewhat exposed.
9. Up until now, in general terms, there appears to have been some inconsistency with the way the City has dealt with this matter even, allowing for the ‘soft’ approach that has been taken. In some cases, for example, in order to be satisfied that there is a noise nuisance, the City has required evidence in the form of noise monitoring logs and witness statements before taking action. In other cases, action has been taken without any such evidence.

10. We have recently been dealing with a complaint from a Barbican resident relating directly to the installation of wooden floors in the property above his. In this particular case, the resident has taken up a formal complaint against the City for non-enforcement of the condition of the lease. The resident has made it very clear that this is not a matter of judgement and he does not accept that it is necessary for him to demonstrate that the wooden floors are causing a nuisance. The issue for this particular resident is that the City is not enforcing the conditions of the lease. The resident has now exhausted the City's formal Complaints Process and escalated the matter to the Housing Ombudsman.
11. It should be noted that the City Solicitor has been consulted on this particular case as there is some doubt as to whether or not there has actually been a breach of the lease. The leaseholder who has laid the wooden floor has submitted a detailed technical assessment of the construction of the floor that suggests that not only is it a 'floating' structure, but it also provides far greater sound insulation than carpets could ever do. A number of meetings have been held to discuss our response but, at the time of writing this report, the City Solicitor has not been able to finalise its advice on this matter.

Pets

12. The keeping of pets is dealt with specifically and explicitly by the Barbican lease under Clause 6 of the Sixth Schedule which states that **"the tenant will not keep or suffer to be kept any animal or bird on the premises"**.
13. In a similar way to the issue of wooden floors, the City has for some time taken a 'soft' approach to enforcing the conditions of the lease in this regard. It is again clear from the records that we have and from the experience of longer serving members of staff that the City has only tended to take action against residents who are keeping pets if there is evidence that the pets are causing a nuisance.

Short-term holiday lets

14. The issue of short-term holiday lets is not dealt with specifically or explicitly by the Barbican leases. The City's powers as landlord is included in Clause 4(8) of the standard Barbican long lease which requires tenants to observe the covenants and restrictions in the Sixth Schedule to the lease. The following Sixth Schedule restrictions are relevant to short-term subletting:
- **"The tenant will not do or allow to be done in or on the premises anything whereby any insurance by the Corporation of the premises or the Building or any part thereof (or any property for the time being owned by the Corporation) may be vitiated or prejudiced nor without the consent of the Corporation do or allow to be done anything whereby any additional premium may become payable for the insurance of the premises or the Building or any such other property"**.

- **“The tenant will not do or permit or suffer to be done in or upon the premises or any part thereof anything of an illegal or immoral nature or any act matter or thing which in the opinion of the Corporation may be or grow to be or become a danger nuisance or an annoyance to or to the prejudice of the Corporation its tenants or lessees or to the owners lessees or occupiers for the time being of any premises in the neighbourhood”.**
- **“The tenant will not carry on or suffer to be carried on upon the premises any manufacture trade or business whatsoever but will use the premises as a private dwelling in the occupation of one individual only and his or her immediate family. (The City would argue that the use of short-term holiday letting websites is a clear breach of the letter and spirit of this clause. In the event that a court disagreed, the City would look to enforce other Schedule 6 restrictions)”.**

15. The issue of short-term holiday lets has been considered in detail previously by the Barbican Residential Committee. At its meeting on 14 September 2015, the BRC considered a detailed report on the issue of short-term lets and subsequently approved and endorsed a comprehensive enforcement process. A copy of this report is attached at Appendix ‘B’.

16. This enforcement process has been in place for nearly two years now and seems to have been successful. The issue of short-term holiday lets is now monitored as part of the SLA and forms part of the Key Performance Indicators (KPI’s) that are reported to the BRC on a regular basis.

Conclusions

17. The recent formal complaint relating to the installation of wooden floors has raised concerns with the approach that the City has taken in the past in relation to enforcing the particular conditions of the lease. In the absence of any form of written policy or procedure, the ‘soft’ approach that the City has taken in the past has been called into question and Officers have struggled with being able to justify why the conditions of the lease are not enforced at all times.

18. Whilst it does appear that the City is legally able to decide whether or not to instigate enforcement action for a breach of lease, other than custom and practice, there appears to be no formal process, procedure or policy that sets out how the City will deal with known breaches of lease and the criteria for deciding whether or not to commence enforcement action.

19. Clearly, this is a potentially difficult and sensitive issue particularly, in relation to the installation of wooden floors and the number of Barbican residents who have installed them. It is however important that Members debate this matter and issue clear guidance and instruction to Officers on how to deal with lease enforcements in future to ensure a consistent and transparent approach and to give officers a formal basis on which to assess individual issues and make decisions.

Appendices

Appendix 'A' - 'Landlord's Approval for Alterations' Letter

Appendix 'B' - Lease Enforcement Issues Report BRC – 14 September 2015

Paul Murtagh, Assistant Director, Barbican & Property Services

T: 020 7332 3015 E: paul.murtagh@cityoflondon.gov.uk

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APPENDIX A

Department of Community and Children's Services

Paul Murtagh BSc (Hons), MRICS

Assistant Director, Barbican & Property Services



x
Barbican
EC2Y

Telephone 020 7332 3019

Fax 020 7332 3438

Email

steven.murray@cityoflondon.gov.uk

Date As issued

Dear x

Landlords Approval for alterations / refurbishment x as proposed in your letter and plans.

Thank you for the letter you have submitted outlining the proposed alterations to your home

Please ensure you return your completion statement (in the Standard Conditions document) to the Barbican Estate Office within one week of your alterations being completed. Failure to do so may invalidate your landlord's approval as we may wish to complete a post works inspection.

Could you please ensure your contractor and supply chain are fully aware of the contents of this documentation.

If you intend working on the ventilation system would you please contact our Barbican Engineers on 0207 029 3909 to discuss all matters concerning the ventilation system before any alterations are started. We will also need to complete a post works inspection on completion of these works.

If you intend to work on the Garchey would you please contact Mr Paul Gough, The Garchey Manager on 0207 029 3978 prior to the work starting. We will also need to complete a post works inspection on completion of these works.

I would also like to draw your attention to the following points which may relate to your proposal:

- All electrical and plumbing works must conform to the current editions of the Institute of Electrical Engineers Regulations and the Water Supply Regulations. For your electrical work, it would be advisable to use an electrician who is registered with a competent person scheme such as NICEIC or another recognised organisation as they will be able to self-certificate any work completed; certification is required to complete a successful approval. Further information can be obtained at the District Surveyors website www.cityoflondon.gov.uk/buildingcontrol. The Barbican Estate Office must approve any alterations to Common electrical and plumbing services.



- Please be aware of a couple of areas that are not permitted and or require special attention: It is not permitted to use or connect to the existing floor drain.
- Any alterations carried out in the riser duct should be replaced with existing materials, e.g. copper or cast iron for drainage.
- It is not acceptable to cut holes or chases or carry out any alterations to structural concrete or external window/door frames.
- Your attention is drawn for the need to maintain access to all existing service ducts/plant rooms and any services within the property. We also draw your attention to maintain the fire integrity to all areas within your property which also forms part of the fire integrity to the block.
- The lease for Barbican Estate properties states all floors (except the original kitchen, bathroom and WC) will be carpeted.
- It is the responsibility of the owner to ensure that all rubbish is removed from the estate in accordance with current regulations.
- I would draw your attention to the possible presence of asbestos and remind you of the advice given within the standard conditions for alterations to properties on the Barbican Estate.
- This approval is subject to the agreement of the Planning Department for Planning Regulations and Grade 2 listed Building Consent. The District Surveyor for Building Regulations and Building Control. Failure to obtain these agreements may result in the Landlords approval being invalidated.

Once the contents of this document are fully compliant, the Landlord, the City Corporation of London, would have no objection to the proposed works as summarised below being completed. It is your responsibility to keep a copy of this permission.

Summary of works: Proposed alterations / refurbishment x, as proposed within your letter and plans.

Yours sincerely

S. Murray

Steven Murray
Surveyor
Property Services

Committee(s)	APPENDIX B
Residents Consultation Committee – For Information Barbican Residential Committee – For Information	7 September 2015 14 September 2015
Subject: Lease Enforcement Issues – short-term holiday lets	Public
Report of: Director of Community and Children’s Services	For Information

Summary

At its meeting in June the Barbican Residential Committee asked that an update be provided setting out the position in respect of short-term letting following changes in legislation. This report sets out the actions to date including communications with leaseholders, advice from the Comptroller and City Solicitor, a joint workshop between the Barbican Estate Office (BEO) and the Residents Consultation Committee (RCC) and recommendations for proposals that Officers will be taking forward.

Recommendation

Officers will be taking forward the proposals as outlined in paragraph 15 of this report.

Members are asked to:

- Note the report and endorse the approach and proposals as set out in paragraph 15 of this report.

Main Report

Background

1. Previously if leaseholders wanted to short let flats in the Barbican for periods of less than 90 days, planning permission would be required. The reason for this was that the use as temporary sleeping accommodation of any residential premises in Greater London required a material change of use of the premises.
2. This was a London wide Planning stipulation rather than a lease issue. When the BEO became aware that a leaseholder was letting their flat out for a period of less than 90 days, they would make contact and advise them that they were in breach of the City of London’s Planning Policy.
3. In 2014 the Department of Communities and Local Government’s ‘*Review of Property Conditions in the Private Rented Sector*’, sought to scrap current

legislation whereby Londoners need to seek planning permission if they wanted to rent out their homes for any period less than three months. This matter was open for consultation and the City responded to the Government consultation.

4. The City objected to the proposed loss of local planning control in London over change of use from permanent housing to short-term lets (temporary sleeping accommodation). This was consistent with the City's policy position in the City Local Plan, where it states that; *'such changes would not normally be permitted within residential areas where it could result in poor residential amenity including excessive noise or disturbance'*. The results of a Barbican residents' survey and their clear majority against the proposed change, formed part of the response.

Current Position

5. In May 2015 S. 44 of the Deregulation Act 2015 inserted a new section into the Greater London Council (General Powers) Act 1973. This provided that use as temporary sleeping accommodation of residential premises in Greater London does not constitute change of use (for which planning consent is required) as long as (1) the number of nights use and (2) the number of nights of any previous use of the same premises as temporary sleeping accommodation in the same calendar year doesn't exceed 90 nights. Also that the person who provided the accommodation is liable to pay Council tax.
6. The City as local planning authority can ask the Secretary of State to agree to localised exemptions from the right to sublet short-term, in order to protect the amenity of the locality. The City's position is as follows:
 - *"Government statements have made it clear that such exemptions would only be allowed where there is a history of amenity issues and would not be appropriate in anticipation of such issues. It has also been stated that local exemptions might be relevant to particular problem dwellings and would not normally be applicable to whole estates or larger areas. There does not currently seem to be historic evidence that short-term lets have led to amenity issues in the Barbican and there seems to be no reason to suppose that the Barbican is sufficiently different to justify a local exemption. Therefore there is no intention at this stage for the local planning authority to seek a local exemption for any parts of the Barbican."*
7. Therefore, provided the criteria at paragraph 5 are met, and in the absence of the (unlikely) consent of the Secretary of State, the City as local planning authority lacks the power to prevent the use of residential flats at the Barbican for short lets.
8. The City's powers as landlord is included in Clause 4(8) of the standard Barbican long lease which requires tenants to observe the covenants and restrictions in the Sixth Schedule to the lease. The following Sixth Schedule restrictions are relevant to short-term subletting:

- *The tenant will not do or allow to be done in or on the premises anything whereby any insurance by the Corporation of the premises or the Building or any part thereof (or any property for the time being owned by the Corporation) may be vitiated or prejudiced nor without the consent of the Corporation do or allow to be done anything whereby any additional premium may become payable for the insurance of the premises or the Building or any such other property*
 - *The tenant will not do or permit or suffer to be done in or upon the premises or any part thereof anything of an illegal or immoral nature or any act matter or thing which in the opinion of the Corporation may be or grow to be or become a danger nuisance or an annoyance to or to the prejudice of the Corporation its tenants or lessees or to the owners lessees or occupiers for the time being of any premises in the neighbourhood*
 - *The tenant will not carry on or suffer to be carried on upon the premises any manufacture trade or business whatsoever but will use the premises as a private dwelling in the occupation of one individual only and his or her immediate family. (The City would argue that the use of short-term holiday letting websites is a clear breach of the letter and spirit of this clause. In the event that a court disagreed, the City would look to enforce other Schedule 6 restrictions).*
9. Following the legal advice above the BEO have set up a three stage enforcement process in dealing with short-term lettings:
- Stage 1 - writing to all leaseholders (including absentee landlords) in June 2015 to make them aware of a number of lease provisions including those related to short-term lettings
 - Stage 2 - writing to the leaseholder advising them that, subject to the detail of any evidence, they are in breach of the covenants set out above and asking that the breaches are remedied within 7 days
 - Stage 3 - if the breaches are not remedied to the satisfaction of the BEO then the Comptroller & City Solicitor be instructed to serve a Section 146 forfeiture notice on the leaseholder whereby they will be required to remedy the breaches or face forfeiture proceedings. This stage will occur where further instances of subletting are identified, subject to the detail of the evidence.
10. The BEO and the RCC presented a workshop in July 2015 for RCC members or their representatives. A representative from each block was encouraged to attend and there were 13 attendees.
11. The notes of the workshop were circulated to RCC members for comment in July and are included in Appendix 1.
12. Some of the general comments from the workshop about defining the problems were that :

- many of the problems already exist when standard sublets are badly managed or problematic, but that short-term lets could intensify these kinds of issues
- there were very few specific examples that residents were aware of where short-term letting had caused problems or that short-term letting was taking place
- in practice it would be difficult for any resident to differentiate between a normal subletting and a short-term holiday let, or even residents lending their flats, and short-term holiday lets. It was felt that any interventions must respect resident's rights to sublet normally, or to allow friends and relatives to borrow their flats
- some of the concerns raised over short-term lets, such as unintended disturbance to residents through lack of familiarity, security (especially tailgating) could also arise from both standard sublets and friends borrowing flats

Options

13. Some of the general comments from the workshop concerning resolving the issues were that:

- residents talking to visitors could promote two useful objectives – it could ensure visitors were familiar with the Barbican, block security etc. and less likely to cause disturbance or annoyance inadvertently, and second, it could provide evidence that a flat was being sublet repeatedly
- there were differing views on whether the policy and guidance from the BEO should be zero tolerance on all short-term lets, or to focus on avoiding nuisance from problems arising from excess – either flats given over to continual year-round short-term lets, or where there was a poor record of problems from a particular flat
- landlords who decide to let their flats year-round on short-term lets were considered the most serious problem, and it may also be easier to enforce against them as continuous short-term letting was not allowed in the recent legislative change either
- a long-leaseholder who has sublet their flat may not be aware that their tenants are subletting for weekends etc through holiday websites – the BEO could make landlords aware of this and suggest landlords specifically prohibit this
- House Groups could provide a useful point of contact for House Officers to approach if problems had been reported, but there was not enough information to act

14. Based on the comments in paragraph 13 and from the workshop there are a number of options for the BEO which include:

- further regular letters to leaseholders (as some may not be aware that tenants are subletting to short-term holiday let sites)
- regular email broadcasts to residents asking them to share evidence with the BEO
- regular contact with House Groups to share information and if necessary help to share evidence with the BEO
- produce '10 reasons to not rent your flat out for the weekend' document for residents including invalidating their insurance (both private contents and landlord buildings) , fire safety (increasing risks associated with people using appliances in an unfamiliar environment, risks of possible flooding flats below not being covered by insurance, security of the building
- briefing sessions with the front line staff egg Estate Concierge/Lobby Porters with guidance on dealing with potential issues from residents and visitors (security, keys) and sharing information with the BEO
- monitoring websites for potential regular reported repeat offenders
- more intensive monitoring of websites with investigations to attempt to identify flats (websites do not identify flats until members have made payment and the arrangements for keys. Therefore this is not an option)
- patrolling of resident balconies to attempt to identify flats from website photograph information (resource intensive and an invasion of residents privacy. Therefore this is not an option)
- patrolling the Estate and making investigations to attempt to identify visitors who may be staying on a short-term holiday let (resource intensive and difficult to differentiate between a normal subletting or even between residents lending their flats to friends and a short-term holiday let. Any interventions must respect residents' rights to sub-let normally or allow friends and relatives to 'borrow' their flats. Therefore this is not an option)

Proposals

15. Officers have started to progress the following measures (see appendix 2) :

- regular letters to leaseholders outlined as stage 1 of the 3 stage enforcement process in paragraph 9 (as some may not be aware that their tenants are subletting to short-term holiday let sites). This is followed by stages 2 and 3 as appropriate as detailed in paragraph 9.
- regular email broadcasts to residents asking them to share evidence with the BEO (there may be resource implications for the BEO)

- regular contact with House Groups to share information and if necessary help to share evidence with the BEO
- produce '10 reasons to not rent your flat out for the weekend' document for residents
- briefing sessions and guidance for frontline staff
- monitoring websites for potential regular reported repeat offenders

Implications

16. The City as local planning authority lacks the power to prevent the use of residential flats at the Barbican for short lets. However, the City retains powers as landlord under the terms of the standard lease to forfeit the lease for specified breaches, subject to the available evidence.

Conclusion

17. The recent changes in legislation have resulted in a number of issues and concerns surrounding short-term letting. Officers recognise the real concerns put forward by residents and have been robust in seeking to address this issue.

18. A number of measures have already been progressed following legal advice and the RCC workshop (see appendix 2) but Officers can only take legal action where lease provisions have been breached. However when any leaseholder is found to be in breach of these conditions action has and will be pursued rigorously.

19. In conclusion the workshop commented that there were very few specific examples that residents were aware of where short-term letting had caused problems or that short-term letting was taking place.

Michael Bennett
Barbican Estate Manager

T: 020 7029 3923

E: Michael.bennett@cityoflondon.gov.uk

Committees:	Dates:	
Projects Sub Barbican Residential Committee	07 September 2017 11 September 2017	
Subject: Barbican Estate Residential Stores	Issues Report	Public
Report of: Director of Community & Children's Services Report Author: Barry Ashton		For Decision

Summary

Project Status	Green
Time Line	September 2017 – planning application November 2017 – appoint contractor January 2018 – commence works June 2018 – complete works
Programme status	Green - Gateway 3/4 Options Appraisal approved 23 November 2016. Approval of issues report requesting for the new stores in the car parks to be let to non-Barbican residents within walking distance should there be insufficient demand from Barbican Estate residents. Approval of £3,250 for additional funding for architects fees including a Transport impact assessment.
Estimated cost of works	£498,985
Total estimated project budget	£551,085 (including fees and staff costs)
Expenditure to date	£14,964

Last Gateway Approved including resources expended

A Gateway 3/4 Options Appraisal was presented to Projects sub Committee on 23 November 2016 and Barbican Residential Committee on 12 December 2016. The recommended option of progressing the installation of metal stores was approved. £14,964 has so far been expended on this project for fees.

Summary of Issue

There is currently a waiting list of over 260 residents for a store. This project would include an additional 316 stores within unoccupied car park areas and former car bays in order to provide future proofing for residents demands for stores. Overall current car park occupancy is 67% (498 vacant bays).

In order for the City to make the best use of its assets the option for the new stores in the car parks to be let to non-Barbican residents within walking distance should there be insufficient demand from Barbican Estate residents' needs to be considered.

It is proposed that this letting policy would come into effect from 6 months following the completion of the new stores project, subject to planning permission and approval from the Barbican Residential Committee.

It is proposed that if this policy is agreed it would be subject to a twelve month review by the Barbican Residential Committee.

The original planning application for stores in April 2017 was withdrawn to consider some of the objections received regarding the plans and to provide clarity on the stores being made available to non-residents. A pre-planning consultation with Barbican Estate residents was then carried out in July 2017.

Planning officers have advised that a Transport Impact Assessment be carried out as part of the planning application and the additional costs of providing these and the associated architects fees for redrafting the plans is £3,250.

Proposed Way Forward

In order for the City to make the best use of its assets the option for the new stores in the car parks to be let to non-Barbican residents within walking distance should there be insufficient demand from Barbican Estate residents.

Financial Implications

Description	Installation of Stores
Works Costs	£498,985
Fees & Staff Costs	£52,100
Total	£551,085
Funding Strategy	
Source	City Fund with a payback period of approx. 3.5 years (subject to a review of charging policy by the Barbican Residential Committee).

Recommendations

1. Approve the policy for the new stores in the car parks to be let to non-Barbican residents within walking distance should there be insufficient demand from Barbican Estate residents.
2. Approve that this letting policy comes into effect after 6 months following the completion of the new stores project, by the Barbican Residential Committee, subject to planning permission.
3. Approve that this policy be subject to a twelve month review by the Barbican Residential Committee.
4. That the budget for fees is increased by a further £3,250 is approved to reach the next Gateway.

Appendices

Appendix 1	Barbican Estate Residential Baggage Store/Storage Space Installation Report November/December 2016
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Contact

Report Author	Barry Ashton
Email Address	barry.ashton@cityoflondon.gov.uk
Telephone Number	0207 029 3920

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Committees:	APPENDIX	
Projects Sub Barbican Residential Committee	23 November 2016 12 December 2016	
Subject: Barbican Estate Residential Baggage Store/Storage Space Installation	Gateway 3/4 Options Appraisal(Regular)	Public
Report of: Director of Community & Children's Services Report Author: Barry Ashton		For Decision
<p style="text-align: center;"><u>Summary</u></p> <p>Baggage Stores are very popular and the Barbican Estate Office has an opportunity to install a further 336 stores/storage space as part of a development project within unoccupied car park areas and former car bays.</p> <p>The stores provide a good financial income for the Barbican Estate and there are currently over 260 residents on the waiting list for a new store.</p> <ul style="list-style-type: none"> • New baggage stores/storage space for all residents on waiting list (currently 260) and immediate future. • Estimated annual income of circa £180k from letting based on full occupancy. • Best use of BEO asset and making use of an unoccupied space with an infill opportunity. Overall car park occupancy at 67% (498 vacant bays). • Stakeholder consultation with Cultural Hub Project Board and the Beech Street Project Board to ensure best use of assets. • Contribution to BEO's Service Based Review target of £154k income generation for 2017/18. • To reach the next Gateway £18,850 is required for Staff and Consultants fees. 		
Project Status	Green	
Time Line	November 2016 – commence procurement and planning application December 2017 – appoint contractor Spring 2017 – commence works Autumn 2017 – complete works	
Programme status	Green - Pending Approval of Gateway 3/4 Options Appraisal	
Estimated cost of works	£570,000	
Total estimated project budget	£610,000 (including fees and staff costs)	
Expenditure to date	£7,850 – Approved £7k, however £850 allocated to project from revenue risk account and if approved a journal will be arranged.	

Progress to Date

- Gateway 2 approved by Committee June 2016.
- Further Residents Survey completed in July regarding the supply of larger stores and number required.
- The DCCS Property Services team have been working with a Quantity Surveyor and an Architect for the enclosed costs and store plans within the car parks.
- A budget of £18,850 is approved to reach the next Gateway.

Overview of Options

- Progress with installation of Metal stores - **Recommended** – Lower Cost and potentially a reusable and transferable product.
- Progress with installation of Block work stores – **Not Recommended** – Much higher cost.
- Do nothing – **Not Recommended** - If no action is taken an opportunity to improve the operation efficiency will be lost as well as a potential income of £180k pa, the waiting list will not reduce and if there is anticipated to be a shortfall in achieving the 2017/18 budget plan of income generation for the service based review then an option for a reduction in staff costs &/or increase to charges would need to be considered.

Proposed Way Forward

Larger stores will provide an increased income, estimated at £180k pa – this is subject to Barbican Residential Committee approval for new recommended charges for the new stores.

To progress with installation of 336 large and extra-large stores of a metal construction, as detailed in option 1 of the appendix.

Procurement Approach

It is recommended that these works are advertised on the City of London's E-sourcing portal with Contractors invited to express an interest in the works by submitting a complete tender. The process would be managed by City Procurement.

Financial Implications

Description	Option 1: Installation of Stores
Works Costs	£570,000
Fees & Staff Costs	£48,850
Total	£618,850
Funding Strategy	
Source	City Fund with a payback period of approx. 3.5 years.

Recommendations

1. That Option 1 is approved for proceeding to Procurement and Gateway 5.
2. That the estimated budget of £618,850 is noted.
3. That a budget of £18,850 is approved to reach the next Gateway.
4. Approve increase of staff costs to £18,850

Options Appraisal Matrix

See attached.

Appendices

Appendix 1	Options Appraisal Matrix
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Contact

Report Author	Barry Ashton
Email Address	barry.ashton@cityoflondon.gov.uk
Telephone Number	0207 029 3920

Options Appraisal Matrix

	<i>Option 1</i>	<i>Option 2</i>	<i>Option 3</i>
1. Brief description	<p>Baggage Stores are very popular and the Barbican Estate Office has an opportunity to install a further 336 stores/storage space as part of a development project within unoccupied car park areas.</p> <p>The stores provide a good financial income for the Barbican Estate and there are currently over 260 residents on the waiting list for a new store.</p>		
2. Scope and exclusions	<p>Scope:</p> <p>336 Stores.</p> <p>67% (2.0 x 2.1m), 17% (3.0 x 2.1m) and 16% (4.0 x 2.1m)</p> <p>Exclusions:</p> <p>None.</p>		<p>Scope:</p> <p>Do nothing; do not install 336 new stores.</p> <p>Exclusions:</p> <p>None.</p>
<i>Project Planning</i>			
3. Programme and key dates	<p>November 2016 – commence procurement and planning application</p> <p>December 2017 – appoint contractor</p> <p>Spring 2017 – commence works</p> <p>Autumn 2017 – complete works</p>		None
4. Risk implications	<p>Low overall risk.</p> <ul style="list-style-type: none"> Planning Application required for change of use from resident car park amenity to resident storage facilities. 		If no action is taken an opportunity to improve the operation efficiency will be lost and the waiting list will not reduce.

	Option 1	Option 2	Option 3
5. Benefits and dis-benefits	<p>Benefits</p> <ul style="list-style-type: none"> • Best use of the City of London Corporation's assets. • Eliminate resident's waiting list for a storage facility (currently over 260). • Increase annual income of circa £180k from letting the baggage stores. • Low payback period and shorter than Option 2. • Cost is lower than Option 2. <p>Dis-benefits</p> <ul style="list-style-type: none"> • Loss of Car Bays – however due to low occupancy level sufficient bays will still be available for residents use. 	<p>Benefits</p> <ul style="list-style-type: none"> • Best use of the City of London Corporation's assets. • Eliminate resident's waiting list for a storage facility (currently over 260). • Increase annual income of circa £180k from letting the baggage stores. • Low payback period. <p>Dis-benefits</p> <ul style="list-style-type: none"> • Loss of Car Bays – however due to low occupancy level sufficient bays will still be available for residents use. • Cost is Higher than Option 1 • Payback period is longer than Option 1 	<p>Dis-benefits</p> <ul style="list-style-type: none"> • Will not be providing best use of the City of London Corporation's assets. • Over 260 residents will remain waiting for a storage facility. • The opportunity to receive additional annual income of circa £180k from letting the baggage stores will be missed. • A shortfall in achieving the 2017/18 budget plan of income generation for the service based review. • Would need to consider an option for a reduction in staff costs &/or increase to charges.
6. Stakeholders and consultees	<ul style="list-style-type: none"> • Property Services officers, BE Office staff, Town Clerk's Cultural Hub Property Director, City Surveyors, Chamberlains, City Planning and BE residents. 		N/A
Resource Implications			
7. Total Estimated	£618,850	£848,850	N/A

	<i>Option 1</i>	<i>Option 2</i>	<i>Option 3</i>
cost			
8. Funding strategy	The project will be funded by a bid to City Fund New Projects reserve for 2017/18.		N/A
9. Estimated capital value/return	<ul style="list-style-type: none"> • Additional annual income of circa £180k • Baggage Stores - City Fund with a payback period of approx. 3.5 years. 	<ul style="list-style-type: none"> • Additional annual income of circa £180k • Baggage Stores - City Fund with a payback period of approx. 4.7 years. 	None
10. Ongoing revenue implications	<p>Low Risk</p> <p>The additional income generated will help fund the required overall annual SBR savings.</p> <p>On-going costs associated with stores contained within existing revenue budgets.</p>		Anticipate a shortfall in achieving the 2017/18 budget plan of income generation for the service based review, would need to be considered an option for a reduction in staff costs &/or increase to charges.
11. Investment appraisal	<p>Cost - £618,850</p> <p>Income per annum – £180,000 (Estimated)</p> <p>Payback period – 3.5 years</p> <p>Generating income as part of our Service Based Review.</p>	<p>Cost - £848,850</p> <p>Income per annum – £180,000 (Estimated)</p> <p>Payback period – 4.7 years</p> <p>Generating income as part of our Service Based Review.</p>	Opportunity to improve the operation efficiency will be lost.
12. Affordability	Yes with costs recovered within 3.5	Yes with costs recovered within 4.7	N/A

	<i>Option 1</i>	<i>Option 2</i>	<i>Option 3</i>
	years	years	
13. Legal implications	Listed Building Consent Application required to assess the impact of the proposal to the heritage significance of the Barbican Estate.		None
14. Corporate property implications	Possible Cultural Hub and Beech Street project implications. Officers have been working with the CH Director to align each other's requirements, where there is combined potential use of the car parks.		None
15. Traffic implications	None		
16. Sustainability and energy implications	Lighting		None
17. IS implications	None		
18. Equality Impact Assessment	An equality impact assessment will be undertaken		
19. Recommendation	Recommended	Not Recommended	Not Recommended
20. Next Gateway	Gateway 5 - Authority to Start Work		

	<i>Option 1</i>	<i>Option 2</i>	<i>Option 3</i>
21. Resource requirements to reach next Gateway			
	Item	Reason	Cost (£)
	Staff	Staff Costs	£2,000
	Consultant	Develop options for the locations	£16,850
		Funding Source	
		Local Risk	
		Local Risk	

Committee(s)	Dated:
Barbican Residents Consultation Committee Barbican Residential Committee	04 September 2017 11 September 2017
Subject: Fire Safety Update	Public
Report of: Director of Community & Children's Services	For Information
Report author: Paul Murtagh Assistant Director Barbican & Property Services	

Summary

The purpose of this report is to update Members on the City Corporation's approach to fire safety on the Barbican Estate and, following the tragic fire at Grenfell Tower, to inform Members on the subsequent actions taken by the City Corporation. This report outlines:

- Fire safety measures in place prior to the Grenfell Tower fire;
- Our immediate response to the Grenfell Tower fire;
- The next phase of work to be undertaken;
- Issues for consideration for possible future inclusion in programmes of work.

Recommendation

Members are asked to note, consider and comment on the report.

Main Report

Background

1. Following the tragic fire at Grenfell Tower in West London on 14 June 2017, which killed at least 80 people, concerns have, understandably, been raised by City Corporation Members and residents about the safety of our homes and the possibility of a similar incident in one of our tower blocks.
2. Although the cause of the fire, and how it appeared to have spread so quickly, are still being investigated and are unlikely to be confirmed formally for some time, government has already been in contact with local authorities and housing associations, collating information relating to their housing stock and the number and type of residential blocks of flats with six or more floors.
3. It is highly likely that, in the aftermath of the Grenfell Tower tragedy, that new legislation will be introduced to improve fire safety in residential blocks of flats. The City Corporation has 33 residential blocks of flats with six or more floors, 17 of which are on the Barbican Estate. A full list of all the City's blocks of flats with four or more floors is attached as Appendix 'A' to this report.

4. Members are advised that a similar report entitled 'Fire Safety Update', focusing primarily on the City Corporation's social housing stock, has been submitted to, and considered by, the City Corporation's DCCS and Housing Management & Almshouses Sub-Committees. In addition, this report was also considered by the City Corporation's Audit and Risk Committee. This report focuses primarily on the residential properties on the Barbican Estate.

Existing Fire Safety Measures

5. All the residential blocks on the Barbican Estate have an up-to-date, comprehensive Fire Risk Assessment (FRA). The most recent FRA's were completed in October/November 2016 by Frankham Risk Management Services Limited, a specialist, and accredited consultancy company.
6. Whilst the FRA's do not highlight any particular areas of high risk, they do make a number of medium and low risk recommendations, which were, or are, being addressed through the day-to-day repairs programme or through the Estate Inspection process.
7. Our approach to fire safety is not restricted to undertaking a planned programme of FRA's. We have robust procedures in place to ensure, as far as possible, that our residents on the Barbican Estate remain safe in their homes. These procedures include:
 - Carrying out regular reviews of the FRA's to ensure that they remain valid, compliant and fit-for-purpose;
 - Carrying out inspections of fire doors, emergency lighting and alarms and other related fire safety measures;
 - Carrying out regular estate inspections to ensure that any potential fire and other safety hazards are identified and removed;
 - Providing suitable and regular fire safety and fire risk assessment training for our Barbican Estate Officers, cleaners and concierge staff;
 - Educating our residents and raising awareness of fire safety issues such as evacuation procedures, understanding escape routes and keeping fire escape routes on balconies and walkways clear;
 - Publishing and issuing information relating to fire safety through newsletters and the web site.

Immediate Response to the Grenfell Tower Fire

8. As soon as we became aware of the fire at Grenfell Tower, a number of immediate measures were taken including:
 - Checks on fire escapes, emergency lighting, alarms and other fire safety measures were carried out by BEO staff;
 - A review of the current FRA's to review and reassess the low and medium risks identified;
 - A review of the technical data on all blocks of flats with six or more floors in response to requests for information from the Department for Communities & Local Government (DCLG). This focused on a number of

issues including the construction of the blocks and the nature and composition of any external cladding;

- A statement issued to all residents reminding them of fire safety advice and reassuring them that none of our residential blocks was of a similar construction to Grenfell Tower;
- A new fire safety leaflet was produced and issued to all Barbican residents which, included information on escape routes, our review of enforcement action and what to do in the event of fire etc;
- Fire safety updates were distributed to residents via our regular bulletins including the development of a 'Frequently Asked Questions' bulletin and a dedicated Fire Safety website page.

Decisions Taken as a Result of our Review of Fire Safety

9. Following a review of our current fire safety processes and procedures immediately after the Grenfell Tower fire, a number of decisions were taken including:

- Commissioning specialist independent future FRA's on all our residential blocks of flats on an annual basis. Previously, in line with best practice and guidance, our policy was to commission independent FRA's every three years, with our own trained staff reviewing them annually. Frankham Risk Management Services Limited has been commissioned to undertake completely new FRA's on all our residential blocks;
- Arranging a series of 'Drop-In' sessions for our residents to discuss with the City Corporation's Senior Managers issues around fire safety, the City Corporation's processes and procedures and its plans for improvements in fire safety in the coming months;
- The majority of entrance doors to individual properties in our blocks are original and, as such, will generally provide notional fire resistance of 15-20 minutes. Whilst there is no legal requirement to replace these doors to provide greater fire resistance, we have done so on our social housing estates as they became due for replacement. However, the decision has been taken to embark on an enhanced front door replacement programme to bring all front entrance doors to individual flats up to 60-minute fire resistance wherever possible. It is intended that our tower blocks will be given priority;
- Barbican Estate staff to respond directly to any requests for advice and guidance in relation to fire safety;
- A much firmer line is being taken with residents who are not complying with guidance on keeping walkways and fire escapes clear.

Issues for Further Consideration

10. In the aftermath of the Grenfell Tower fire, it was clear that the City Corporation would need to continue monitor progress with the investigation to understand the causes of the fire any subsequent implications this may have in relation to the safety and integrity of its homes. Due consideration would also need to be given to and resulting legislation or recommendations from government.

11. In anticipation of this, the City Corporation also decided to commission a feasibility study into the potential retro-fitting of fire suppression (sprinkler) systems and fire alarms in its tower blocks.

Progress to Date

Fire Risk Assessments (FRA's)

12. Frankham Risk Management Services Limited has been commissioned to carry out new FRA's for each of our residential blocks. These new FRA's will be very detailed and will cover not only those areas previously inspected, but also any further concerns raised since the Grenfell Tower fire.
13. Work on the new FRA's has now commenced on our social housing estates and it is expected that the new FRA's for the Barbican Estate will be completed by the end of November. Once all the assessments have been completed and submitted to us, they will be analysed by Property Services, Estate Management and the City's Fire Safety Advisor for accuracy and detail. Any urgent recommendations will be addressed immediately and a subsequent detailed Action Plan will be developed to plan, programme and implement all other recommendations as appropriate.
14. A summary report outlining the headline findings from the newly completed FRA's will be presented to your Committee at the earliest opportunity after the Action Plan has been finalised.
15. It is intended that the new FRA's will be made available to Barbican residents through the Fire Safety pages on the City's website. The current FRA's have already been made available here.
16. Work has for some time been well underway in addressing urgent issues and medium risks highlighted by the previous (2016) FRA's carried out by Frankham Risk Management Services Limited and the majority of this work is now completed.
17. We have received a number of very helpful and useful comments from the various House Group Committees in relation to the current FRA's for the Barbican Estate. All of these comments have been logged and recorded by the BEO and have been forwarded to Frankham Risk Management Services Limited for consideration, comment and action.

Communication with Residents

18. Detailed information, in the form of 'Frequently Asked Questions' bulletins, has been produced specifically for each of our estates, including the Barbican Estate. This has been distributed to all House Groups and to residents through our email broadcast service and has also been posted on the Housing Fire Safety pages on the City's website. Feedback from residents has been very positive.

19. A further follow-up letter is being sent to residents in September, updating them on actions being taken, and addressing any specific concerns raised since the question and answer sheets were distributed.
20. An informal 'Drop-In' session was arranged and held for Barbican residents on 17 July, which was attended by the Director of Community & Children's Services and the Assistant Director, plus other staff. The session was advertised as an opportunity for any residents with concerns about fire safety to ask questions and talk to senior managers. Attendance was good with between 30 and 40 residents turning up to discuss their concerns and ideas for improvement. It appears that those residents who attended the session found it very useful and expressed their appreciation.
21. The new Fire Safety leaflet that was created and distributed to residents clarifies that the London Fire Brigade (LFB) continues to advise residents to stay in their flat in the event of a fire in their block, but also advising them on what to do if their flat is affected by fire or smoke, or they feel in danger. We hope this will address the confusion that some residents expressed about what to do in the event of a fire.

Fire Doors, Sprinkler Systems and Alarms

22. We have identified a number of front entrance doors from each of our residential blocks of flats, including the Barbican Estate that have been, or will be, sent away to the Building Research Establishment (BRE) for rigorous fire resistance testing. This will give us the information we need in relation to the level of fire resistance these doors and frames currently provide and whether or not that level of fire resistance is adequate. Consequently, we will be able to properly prioritise, plan and cost out our door replacement programme. Priority for testing has been given to our tower blocks.
23. A feasibility study into the potential installation of sprinkler systems in our tower blocks has been commissioned. All the relevant surveys have now been completed and we are now awaiting submission of the final report from our consultant, Butler & Young. We expect to be in a position to present the findings from the feasibility study to Members of this Committee before the end of the calendar year.
24. The London Fire Brigade continues to advise against the installation of fire alarms in communal areas but, this will be reviewed over time as part of the new FRA process.

Estate Management

25. Barbican Estate staff have stepped up their work to ensure that balconies, walkways and exits are kept clear from hazards. This includes the removal of combustible material from outside properties, along with any items which might cause a trip hazard for residents or firefighting crews in the event of an emergency.

26. The vast majority of residents have understood the need to comply with guidance and have worked with officers to reduce items outside their homes. However, some have been more difficult and have not complied. Having issued notices, given extensive warning and offered help and advice, we are now in a position where we will have no choice but to remove any residents' items which do not meet our Fire Safety Protocol, as agreed by Members. Whilst we are fully entitled to remove any items from communal areas, we do ensure that proper notice is given to residents and items are stored for a period of time to allow owners to collect them.
27. A review of estate walkabouts and checks has been carried out, with a view to improving consistency and monitoring, and to introducing an automated system for recording data and follow up actions.

Resources

28. As Members will appreciate the level of work relating to fire safety that has arisen, and continues to arise, in the aftermath of the Grenfell Tower fire has been unprecedented. The vast burden of this work has fallen on the existing staff within the Housing Property Services and Housing and Barbican Estate Management teams. Staff have responded commendably to the challenge that this considerable amount of extra work has thrown up and their efforts have been reflected in the positive feedback we have received from residents in dealing with, and allaying, their fears in relation to fire safety in their homes.
29. We have recently appointed a new Health and Safety Manager within DCCS, whose main priority is to co-ordinate our work around fire safety with particular focus on the FRA process and the implementation of the resulting Action Plans.
30. It may be prudent at this stage, to alert Members to the potential need for additional resources to ensure that we are able to deal effectively with the fire safety improvement measures that we are considering and have committed to with particular regard to:
- Door replacement programme;
 - Installation of fire suppression systems (sprinklers);
 - Fire safety management planning;
 - Communications and website development.
31. At this stage, until we have the results of the fire resistance testing, feasibility study into sprinklers, completion of the new round of FRA's and information from government in relation to changes in Building Regulations and guidance from the Grenfell Tower enquiry, we are not in a position to properly identify any additional resources that may be required. We will naturally keep Members informed on this matter, and seek the necessary approvals, when we are in a position to do so.

Corporate & Strategic Implications

32. Clearly, as well as the resources issue outlined above, there are further serious financial implications for the City in carrying out the fire safety improvements included and outlined in this report. There will also likely be a financial impact on homeowners on the Barbican Estate if these works are undertaken.
33. The City must also be mindful of the reputational damage should it decide not to take reasonable measures to improve fire safety. The key issue for Members will be to decide what action and expenditure is reasonable and proportionate to the risk.

Appendices

Appendix 1 – Table of City of London residential blocks with six or more floors.

Paul Murtagh, Assistant Director, Barbican & Property Services
T: 020 7332 3015 E: paul.murtagh@cityoflondon.gov.uk

Appendix 'A'

City of London residential blocks with 4 or more floors

NAME OF BLOCK	NUMBER OF STOREYS	NUMBER OF FLATS
Centre Point, Avondale Square Estate, Old Kent Road, London SE1	19	75
Colechurch House, Avondale Square Estate, Old Kent Road, London SE1	10	44
East Point, Avondale Square Estate, Old Kent Road, London SE1	19	74
Eric Wilkins House, Avondale Square Estate, Old Kent Road, London SE1	4	20
George Elliston House, Avondale Square Estate, Old Kent Road, London SE1	4	45
Proctor House, Avondale Square Estate, Old Kent Road, London SE1	10	52
Tovy House, Avondale Square Estate, Old Kent Road, London SE1	10	52
Twelve Acres House, Avondale Square Estate, Old Kent Road, London SE1	6	18
West Point, Avondale Square Estate, Old Kent Road, London SE1	19	74
Dron House, Adelina Grove, London E1	4	80
Basterfield House, Golden Lane Estate, London EC1Y	6	22
Bayer House, Golden Lane Estate, London EC1Y	6	14
Bowater House, Golden Lane Estate, London EC1Y	6	14
Cullum Welch House, Golden Lane Estate, London EC1Y	6	72
Great Arthur House, Golden Lane Estate, London EC1Y	15	120
Hatfield House, Golden Lane Estate, London EC1Y	7	22
Petticoat Square, Middlesex Street Estate, London E1 7BS	6	120
Petticoat Tower, Middlesex Street Estate, London E1 7BS	23	81
Collinson Court, Great Suffolk Street, London SE1 1NZ	7	72
Horace Jones House, Duchess Walk, London SE1 2RF	7	43
Stopher House, Webber Street, London SE1	4	60
Sumner Buildings, Sumner Street, London SE1	4	100
Lynton Mansions, William Blake Estate, Herculaes Road, London SE1	4	20
Windsor House Wenlock Road, London SE1	4	104
Kinefold House, York Way Estate, London N7 9QD	7	78
Lambfold House, York Way Estate, London N7 9PY	7	80
Penfields House, York Way Estate, London N7 9QA	7	89
Barbican Estate		
Andrews House	11	192
Ben Johnson House	11	204
Breton House	11	111
Bryer Court	11	56
Bunyan Court	11	69

Cromwell Tower	42	112
Defoe House	11	178
Frobisher Crescent	9	69
Gilbert House	11	88
John Trundle Court	11	133
Lauderdale Tower	45	117
Mountjoy House	11	64
Seddon House	11	76
Shakespeare Tower	45	116
Speed House	11	114
Thomas More House	11	166
Willoughby House	11	148

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Committee	Date
Barbican Residents Consultation Committee	4 th September 2017
Subject: General Data Protection Regulation Compliance 2018	Public
Report of: Town Clerk	For Information
Report author: Julie Mayer	

Summary

This report sets out the new requirements of the General Data Protection Regulation (GDPR) 2018 and the implications on the Barbican Estate's RTAs, in order to ensure they remain GDPR compliant.

Recommendations

That the report be noted.

1. Introduction

The current data protection regime is based on an EU Directive from 1995, implemented in the UK by the Data Protection Act 1998. Since then there have obviously been significant advances in IT and fundamental changes to the ways in which organisations and individuals communicate and share information.

As a result the EU has introduced, updated and harmonised data protection regulations, known as the General Data Protection Regulation ("GDPR") which is due to come into force on 25 May 2018. It will be implemented in the UK, notwithstanding Brexit, by legislation announced in the Queen's Speech.

The City Solicitor and Information Officer have been consulted on this report.

2. Current Position

The Information Commissioner's Office (ICO) which is responsible for guidance and enforcement of data protection has said:

"Many of the principles in the new legislation are much the same as those in the current Data Protection Act. If you are complying properly with the current law, then you have a strong starting point to build from. But there are some important new elements, and some things will need to be done differently".

3. Implications

Whilst much detail and, in particular, the domestic legislation and ICO guidance is not yet available, RTAs are asked to note the following key change and its implications:

Consent will be harder to obtain

Consent is one of the various conditions which can be relied on for processing and the GDPR will require a higher standard of consent by clear, affirmative action, demonstrating a freely given, specific informed and unambiguous consent. Members are asked to note that the burden of proof for establishing this will be on the Data Controller. It will therefore be necessary for RTAs to review current processing based on consent, to ensure that it will meet the new standards, or identify alternative grounds for processing.

In respect of the definition of '*personal data*', under the current law, i.e. the DPA 1998; personal data means data which relates to a living individual who can be identified:

(a) 'from those data, or

(b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller, and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual'.

Under the GDPR, with effect from 25 May 2018, '*personal data*' means:

'any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person'.

The term 'processing' is specifically defined in both the DPA and the GDPR as doing anything at all with personal data. Therefore, any conclusions drawn from the processing of personal data also fall within the above definition of personal data, unless sufficiently anonymised. Membership consent will, therefore, need to be explicit, not assumed and members of an RTA would need to opt-in themselves, not automatically be opted-in. Members are asked to note that RTAs will need to amend their Constitutions to reflect this.

3. Options

1. The Barbican Association achieves RTA status without an opt in membership, and therefore fulfils the necessary criteria to be an RTA on behalf of the Barbican Estate.

2. With regard to the other RTAs, they may wish to continue but will need to be mindful that the necessary changes to their Constitutions may result in the failure to fulfil the new criteria.

As House Group Chairmen and Secretaries will be aware, this year's RTA Audit has been postponed to allow RTAs to consider their position in time for the new legislation in May 2018. Members are asked to note that this will not affect House Groups current RTA status in the interim.

4. Conclusion

Members are asked to note the implications of the GDPR 2018 compliance: i.e. the definitions of 'personal data' as set out above and the necessity for RTAs to review current processing based on consent, to ensure that it will meet the new standards, or identify alternative grounds for processing as set out in the 'options' section of this report.

Julie Mayer
Committee and Member Services
020 7 332 1410
Julie.mayer@cityoflondon.gov.uk

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Committee: Barbican Residential Committee	Date: 11 September 2017
Subject: Decision taken under Delegated Authority/ Urgency procedures the last meeting of the Committee	Public
Report of: Town Clerk Report author: Julie Mayer	For Information

Summary

This report advises Members of action taken by the Town Clerk, in consultation with the Chairman and Deputy Chairman, since the last meeting of the Committee and in accordance with Standing Order No. 41.

Urgent Decision: Cultural Hub Public Realm Temporary Artistic Projects Look and Feel ‘Quick Wins’ - Phase 1

The Cultural Hub Working Party and its Chairman expressed a strong desire to see a series of ‘Quick Wins’ across the Cultural Hub, ahead of the proposed major capital interventions, and an indicative programme was endorsed by the Working Party on 1 February 2017. A Gateway 1/2/3/4 report was approved by Members in March 2017 to initiate the programme.

A creative producer was subsequently appointed to put the programme together; artists were appointed to do some pre-evaluation work; designs were drawn up and costs clarified.

Reasons for Urgency

The artworks needed to be in situ for a 3 month duration starting, on 20 July 2017, to coincide with the launch of the new name and identity for the Cultural Hub. Given the short time-frame involved, the lead-times to deliver the projects were extremely tight and did not align with the Committee cycle. An urgent decision was therefore sought.

Action Taken:

The Town Clerk, in consultation with the Chairman and most senior Member of the Barbican Residential Committee agreed to approve the temporary installation along the façade of Speed House Car Park on Silk Street

Julie Mayer
Committee and Member Services Officer
0207 442 1410 julie.mayer@cityoflondon.gov.uk

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