



Barbican Estate Residents Consultation Committee

Date: MONDAY, 5 MARCH 2018

Time: 6.30 pm

Venue: COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

Members:

Christopher Makin - Speed House (Chairman)	Nancy Chessum - Andrewes House
Jim Davies - Mountjoy House (Deputy Chairman)	Sandy Wilson - Shakespeare Tower
Graham Wallace - Andrewes House (Deputy Chairman)	David Kirkby - Defoe House
Gordon Griffiths - Bunyan Court	Professor Michael Swash - Willoughby House
Fiona Lean - Ben Jonson House	David Lawrence - Lauderdale Tower
Jane Smith - Barbican Association	Mark Bostock
John Taysum - Bryer Court	Lorne Whiteway - Gilbert House
Janet Wells - John Trundle House	Heather Hawker - Speed House
Averil Baldwin - Thomas More House	
John Tomlinson - Cromwell Tower	
Mary Bonar - Wallside	
Fred Rodgers - Breton House	
David Andrew Graves – Seddon House	

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

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:

1. The minutes of the Barbican Residents' Consultation Committee (RCC) held on 27 November 2017; and

2. The minutes of the RCC's Annual General Meeting held on 29 January 2018.

For Decision
(Pages 1 - 16)

4. **'YOU SAID; WE DID' - ACTIONS LIST FEBRUARY 2018**

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

For Information
(Pages 17 - 18)

5. **SERVICE LEVEL AGREEMENTS QUARTERLY REVIEW OCTOBER - DECEMBER 2017**

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

For Information
(Pages 19 - 32)

6. **PROGRESS OF SALES AND LETTINGS**

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

For Information
(Pages 33 - 36)

7. **FIRE SAFETY UPDATE**

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

For Information
(Pages 37 - 42)

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

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

For Information
(Pages 43 - 58)

9. **LEASE ENFORCEMENT**

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

For Information
(Pages 59 - 64)

10. **CONCRETE REPAIRS TO THE BARBICAN ESTATE**

Report of Director of Community and Children's Services.

For Information
(Pages 65 - 70)

11. **UPDATE REPORT (INCLUDING WORKING PARTIES)**

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

For Information
(Pages 71 - 84)

12. **POTENTIAL CONFLICTS OF INTEREST - BARBICAN RESIDENTIAL COMMITTEE**

Report of the Comptroller and City Solicitor.

As the meeting of the Standards Committee on 26 January 2018 was inquorate, this report was approved under urgency.

For Information
(Pages 85 - 92)

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

14. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

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BARBICAN ESTATE RESIDENTS CONSULTATION COMMITTEE (RCC) **Monday, 27 November 2017**

Minutes of the meeting of the Barbican Estate Residents Consultation Committee
held at Guildhall on Monday, 27 November 2017 at 6.30 pm

Present

Members:

Graham Wallace (Chairman) – Andrewes House
Christopher Makin (Deputy Chairman – Speed House
Jim Davies (Deputy Chairman) – Mountjoy House
Gordon Griffiths - Bunyan Court
Fiona Lean - Ben Johnson House
Averil Baldwin - Thomas More House
Fred Rodgers - Breton House
David Graves - Seddon House
Nancy Chessum - Andrewes House
David Kirkby - Defoe House
David Lawrence - Lauderdale Tower
Mark Bostock – Frobisher Crescent

Officers:

Paul Murtagh	- Assistant Director, Barbican and Property Services, Community and Children's Services
Helen Davinson	- Community and Children's Services
Michael Bennett	- Community and Children's Services
Anne Mason	- Community and Children's Services
Helen Davinson	- Community and Children's Services
Mike Saunders	- Community and Children's Services
Klara Buzas	- Community and Children's Services
Julie Mayer	- Town Clerk's

1. APOLOGIES

Apologies were received from Jane Smith, John Taysum, Sandy Wilson, Michael Swash, John Tomlinson and Lorne Whiteway.

The following Houses sent representatives:

- Shakespeare House – Ted Reilly
- Gilbert House – Viv Fowler
- Cromwell Tower – Mike Bristow
- Helen Kay – Barbican Association and Willoughby House

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

There were no declarations.

3. **ELECTION OF DEPUTY CHAIRMAN**

Members were reminded that, in 2015, the Barbican Residential Committee had agreed that the RCC could elect a second Deputy Chairman, given that the RCC has a large number of Working Parties and the volume of work this might generate for the Chairman. Jim Davies had submitted a statement in support of his nomination which had been circulated and tabled for Members.

RESOLVED, that –

Being the only Member declaring a willingness to serve, Jim Davies be elected as Deputy Chairman of the Barbican RCC for the ensuing year.

4. **MINUTES**

The Minutes of the Meeting held on 4th September 2017 were approved.

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

Members considered the RCC's outstanding actions list. In respect of the General Data Protection Regulations 2018, the Town Clerk advised that, whilst the City of London Corporation's Comptroller and City Solicitor could not directly advise the Barbican Estates' House Groups, he would be providing a verbal update at the next meeting of the Barbican Residential Committee on 11th December 2017. The update would be minuted and Members were further advised to check the Government's web site in respect of managing the personal data of their House Group members.

RESOLVED, that – the outstanding actions list be noted.

6. **LEASE ENFORCEMENTS**

Members received a report of the Director of Community and Children's Services in respect of Lease Enforcements, which would seek a steer from the RCC to the BRC on how best to take this forward. The Assistant Director advised that the extensive consultation, which had taken place since Members received the last report in September, had formulated the 3 options as set out in the report:

- **Option 1 – Strict enforcement of the Lease for all future cases**
- **Option 2 – Formal adoption of current practice for all future cases**
- **Option 3 – Strict enforcement of the Lease in all cases**

Members were reminded that the RCC had no decision-making powers but acted as a consultation committee to the BRC. The Town Clerk advised that, as was usual practice, the BRC would receive the draft minutes from this meeting at their next meeting on 11 December. The Chairman explained that each Member would be invited to express their views, on behalf of their house groups and he would then call a vote on each of the 3 opinions. Members would be able to abstain if they preferred.

During the discussion, the following points were raised/noted:

In the case of Option 1, if the tenant and circumstances were to change, this would be taken into consideration.

New tenants would be made aware of the Conditions of the Lease when questions were raised by their Solicitors as the relevant clause states that tenants must carpet all floors in the premises from wall to wall.

The interpretation of 'no business whatsoever' had been applied literally in the case of Air BnB lets, which had been strongly supported by the Barbican residents and been the subject of a decision by the BRC in 2015.

Many Leases contained wording that was 30 or 40 years out of date and it would therefore be unreasonable to strictly enforce this if residents were working from home, for example. However, it would apply if residents were continually receiving clients at their homes or causing a disturbance.

Members were concerned that if there would be no retrospective enforcement, then there should be active monitoring. Officers advised Members that complainants would not be required to prove the noise nuisance but simply report it. However, there would be a pragmatic approach and each case would be viewed on its merits, to protect residents from vexatious complainers.

14 Members voted as follows:

Option 1 – 4 votes

Option 2 – 3 votes

Option 3 – 1 vote

6 Members abstained.

RESOLVED, that the BRC be asked to note the view of the BRC in this matter.

7. FIRE SAFETY UPDATE

Members considered a report of the Director of Community and Children's Services which provided an update on the City of London Corporation's approach to fire safety on the Barbican Estate and, following the tragic fire at Grenfell Tower in June this year, to inform Members on the subsequent actions taken by the City Corporation. During the discussion, the following points were noted:

- The financial implications on lease holders were not known at this stage.
- Following the Type 3 Risk Assessments, which would commence on the Barbican Estate in January 2018, the results would be analysed and evaluated and an action plan produced. This would be shared with house groups and published as soon as possible. Members asked if printed copies could be made available at the Estate Office.
- There had been second series of Frequently Asked Questions (FAQ's) on the website and a third series was ready to be added and shared via email broadcast. The questions covered those outstanding and those raised during the residents' drop-in session.

- There had been an extremely high demand nationally for fire door testing and there was a current backlog of 12-14 weeks. Officers were looking at alternatives to reduce the timescales.

RESOLVED, that – the report be noted.

8. **SERVICE CHARGE EXPENDITURE AND INCOME ACCOUNT - LATEST APPROVED BUDGET 2017/18 AND ORIGINAL BUDGET 2018/19**

Members considered a report of the Director of Community and Children's Services and the Chamberlain in respect of the service charge expenditure and income account. In response to a question about a 15% increase in employee costs, the officer explained that this had been due to this year's pay award, increments and pension increases.

RESOLVED, that – the report be noted.

9. **REVENUE AND CAPITAL BUDGETS - LATEST APPROVED BUDGET 2017/18 AND ORIGINAL BUDGET 2018/19 - EXCLUDING DWELLINGS SERVICE CHARGE INCOME AND EXPENDITURE**

Members considered a report of the Director of Community and Children's Services and the Chamberlain in respect of the Revenue and Capital Budgets. Members were invited to raise any further queries outside of this meeting.

RESOLVED, that – the report be noted.

10. **BARBICAN RESIDENTIAL COMMITTEE AND RESIDENTS CONSULTATION COMMITTEES WORKING PARTIES:**

The Head of Barbican Estates and the Chairman were heard in respect of items 10 and 11 on the agenda, which were taken together, to help Members consult with their house groups and prepare for their AGM at the end of January 2018. Members noted that some recommendations from the Working Parties had been included in the Update Report at agenda item 14.

During the discussion, the following points were raised/noted:

Working parties were very intensive in terms of officer time and resources and Members were asked to consider whether some could be combined under common themes; i.e. property, corporate assets and service charges. This could be facilitated by using standard templates.

Some working parties were time limited but could continue under a different theme or merged with another current working party. For example, the Roof Working Party had moved on from apportionment to warranties but could be incorporated into the Asset Maintenance Working Party along with the Underfloor Heating Working Party.

There was some concern expressed as to whether such mergers might be cumbersome and make the working parties very large but it was also accepted

that it might allow smaller task groups to form within the working parties, allowing for specialism on technical aspects.

In respect of other matters, which are generally reported at the AGM, Members noted that, due to resourcing issues at the Estate Office and large projects this year; i.e. stores and car park charges, fire safety and lease enforcement, there had not been a resident survey this year but officers hoped to run a survey in 2018.

11. PROGRESS OF SALES AND LETTINGS

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

RESOLVED, that – the report be noted.

12. SERVICE LEVEL AGREEMENTS (SLA) QUARTERLY REVIEW

Members considered a report of the Director of Community and Children's Services in respect of the latest SLA quarterly review.

A Member was concerned that the increase in the September service charges bill had been higher than expected and distressed a number of residents. It was suggested that a timely email broadcast might have alleviated this position. The Officer advised that the Estate Office service charge team was at half its usual level of resources but would take this suggestion on board in the future.

A further concern was raised about ambulance access points on the estate. The Officer advised that contact cards in flats and the role of concierges were being reviewed. The Chairman asked for this to be dealt with as a matter of urgency and updates provided via email bulletin. Subsequent to the meeting, the Officer advised that he had received an email confirming that the London Ambulance Service would be in contact in respect of clarifying communications about postcode/numbered access points across the estate.

RESOLVED, that – the report be noted.

13. UPDATE REPORT

Members considered the update report of the Director of Community and Children's Services.

In respect of the Leaseholder Service Charge Working Party, Members agreed the following 2 recommendations, as set out in Appendix 2 to the report:

Recommendation 1

We recommend that the Key Performance Indicators (KPI) of officers of the BEO include specific and measurable targets to demonstrate that they have controlled or reduced costs recharged to Long Leaseholders, while maintaining service Levels.

Recommendation 2

This working party also recommends that it continues to meet during 2018 in order to monitor progress in the delivery of greater value for money for Long Leaseholders and to consider further how to improve communications with residents on service charges and related issues.

A Member also commented that, generally, she had found residents' opinions on service charge levels satisfactory.

RESOLVED, that – the report be noted.

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

Members noted the questions submitted in advance of the meeting, which had been circulated and tabled at the meeting (at appendix 1 to these minutes).

In respect of the residents' information board at the Thomas Moore Car Park being moved to the Estate Office, the Officer advised that this had not been possible due to resourcing issues this year. A Member expressed a concern that this could exclude those residents without internet. The Officer agreed to consider this again and report back to Members.

15. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There were no items.

The meeting ended at 7.55 pm

Chairman

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

Questions for RCC Meeting, 27 November 2017

1. Since the Mayor of London has accelerated the introduction of an ULEZ (Ultra Low Emission Zone) in London, will the Barbican Estate Office firstly, urge the City of London to accelerate its plans for the introduction of electric charging points in CoL car parks and, secondly, draw up a plan for accelerated introduction of same within the Barbican Estate?

A Please see Item 3 of update report. Any comments received will be fed back to the Electric Vehicle Charging Working Party (which was set up by the BRC).

2. The BJHG Committee is particularly concerned that the vents in the corridors draw air in, rather than extracting it. This could facilitate the rapid spread of toxic fumes throughout the building even if the fire is contained, and limited, to a small area. We

believe that the concrete structure of the Barbican is robust enough to prevent fire taking hold as it did in Grenfell Tower, but we want the BEO to reassure us that they are aware of our concerns regarding the air intake and explain why the vents/fans

continue to operate in this manner.

A This matter has been looked at by 2 City of London Fire Safety Officers, the District Surveyor and the London Fire Brigade. The response remains;

The corridor is ventilated by way of natural ventilation and this is achieved by providing openings from the building to fresh air; the area is ventilated by the natural movement of the air. The openings for natural ventilation in the corridor are permanent and I have been informed that this is acceptable.

3. Fire safety

In the minutes of the last meeting under item 10 it was noted that officers were taking legal advice on the implication of charging to Lease holders. The current meeting report does not make clear whether this advice has been received or what it is.

A This advice has yet to be received and discussed

4. Fire risk assessment 3. This new type of risk assessment reaches into a resident's flat. Have Officers yet given consideration to the implications of this? In particular if a long leaseholder has taken steps which may alter their own personal safety, but has not threatened the core issue of fire containment within the flat, will any output from the FRA3 assessment be enforceable? The issue is somewhat akin to residents continuing to use older tumble dryers and similar equipment which a well known supplier has accepted may be a fire risk but is refusing to undertake a full recall.

The result could be deemed to affect the owner and not the surrounding residents if fire containment is sufficient.

A This will be looked at as part of the upcoming FRAS.

5. What immediate improvements have the Estate Office decided to make following the inadequate communications accompanying the September Service Charge demands?

A The service charge communications are being reviewed by the Service Charge Working Party.

6. It is now over eight months since Thomas More House residents asked for the residents' information board in the Thomas More House Car Park to be moved somewhere more suitable, e.g. the Estate Office. What is happening?

A Resourcing limitations within the BEO this summer, have meant several smaller projects have had to be put back and postponed. The BEO is currently reviewing its resourcing for the future.

7. At the last two RCC meetings we wrote to ask what proportion of Roof Costs the City would absorb given the debacle over roof warranties.

a. Is an answer now forthcoming?

b. If not, can this be made an agenda item for the next RCC meeting?

A Please see Agenda Plan 2018. This item will be coming to RCC in March 2018.

8. What were the results of the Speed Garden survey?

A Results from this survey are currently being analysed by the BEO before being reviewed by Gardens Advisory Group. They will then be publicised across the estate. We anticipate this will be in December.

9. Is the £45,000 'carry forward bid' re the potential community room in the Barbican Library a Service Charge item?

a. If yes, why?

A No.

10. Re General Data Protection Regulation compliance, is it still acceptable for blocks to operate membership on an Opt-Out basis?

a. If not, is there not more risk to data being inadvertently mishandled when each block has to hold same?

A There will be an update on General Data Protection Regulations at the BRC on 11 December. This will be forwarded to RCC members following the meeting. We will still refer residents to the Government Website for more specific queries.

11. Service charges: heating costs rose last year after a mild winter. Why was this?

A Overall the consumption across the estate increased by nearly 14% in comparison to 2015/16. Also, the new rates for electricity came into force in October 2016 following a tender exercise in the summer.

12. Underfloor heating: Why does the underfloor heating come on just twice a day? Would it be more effective for it to come on three times (for instance) a day to even out the output of heat?

A The heating for the estate is spread over 3 different profiles due to the high load on the national grid. They vary slightly at which time of day they switch on/off but largely follow the same pattern. They come on between 1pm and 4pm, 8pm and 1.30am then finally 2.30am and 7.30am dependent upon external temperatures.

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BARBICAN ESTATE RESIDENTS CONSULTATION COMMITTEE (RCC)
ANNUAL GENERAL MEETING
Monday, 29 January 2018

Minutes of the meeting of the Barbican Estate Residents Consultation Committee
held at Committee Rooms, 2nd Floor, West Wing, Guildhall

Present

Members:

Christopher Makin - Chairman
Graham Wallace – Deputy Chairman
Gordon Griffiths - Bunyan Court
Fiona Lean - Ben Jonson House
Janet Wells - John Trundle House
Jane Smith - Barbican Association
Averil Baldwin - Thomas More House
Jane Northcote - Cromwell Tower
John Whitehead - Breton House

Natalie Robertson - Andrewes House
Sandy Wilson - Shakespeare Tower
David Kirkby - Defoe House
Gillian Laidlaw - Mountjoy House
David Lawrence - Lauderdale Tower
Mark Bostock - Frobisher Crescent
Lorne Whiteway - Gilbert House

Officers:

Julie Mayer – Town Clerk's

1. APOLOGIES

Apologies were received from John Taysum (Bryer Court), John Tomlinson (Cromwell Tower – represented by Jane Northcote), Fred Rodgers (Breton House – represented by John Whitehead), David Graves – Seddon House, Nancy Chessum (Andrewes House – represented by Natalie Robertson), Jim Davies (Deputy Chairman) – represented by Gillian Laidlaw and Prof. Michael Swash (Willoughby House).

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

There were no declarations.

3. TO ELECT A CHAIRMAN

It was proposed by Gillian Laidlaw and seconded by Averil Baldwin that Christopher Makin be nominated for Chairman of the Barbican Estate Residents' Consultation Committee. The only other Member who had expressed a wish to stand for Chairman was Graham Wallace; Christopher Makin having expressed a wish to stand for Deputy Chairman. With the agreement of both candidates a ballot was held, as follows:

11 – Christopher Makin
3 – Graham Wallace
2 Members abstained

Christopher Makin was therefore duly Elected as Chairman of the Barbican Estate Residents' Consultation Committee.

4. **TO ELECT TWO DEPUTY CHAIRMEN**

In accordance with City of London Protocol, the immediate past Chairman, Graham Wallace agreed to serve as Deputy Chairman for the ensuing year.

Jim Davies, being the only other Member willing to serve, was duly elected as Deputy Chairman for the ensuing year.

On taking the Chair, Christopher Makin thanked Members for their proposal and paid tribute to the Chairmanship of Graham Wallace, who had served as the RCC Chairman for 2 years. Members endorsed this vote of thanks and, in the interests of continuity, were pleased that Graham Wallace had agreed to serve as Deputy Chairman for the ensuing year.

5. **MINUTES**

The Minutes of the RCC's AGM held on 6 March 2017 were approved.

Matters arising

There were a couple of matters in respect of the Terms of Reference, which would be picked up under Agenda item 6.

Mark Bostock was pleased to announce excellent progress with the Frobisher Crescent Protocol, which would be shared with RCC Members.

6. **COMMITTEE'S TERMS OF REFERENCE**

Members considered the RCC's Terms of Reference and noted a couple of amendments, made last year, which had not been picked up on this version; i.e. expansion of ToR 1 and deletion of ToR 7. The Town Clerk would check that the latest version reflected this change.

A Member asked if a copy of the Barbican Estate Lease could be obtained from the Estate Office, as it would help widen the definition in the Terms of Reference. There was a further suggestion that this would assist with the Conservation Area Consultation and should also be forwarded to the Planning Department.

RESOLVED, that the Terms of Reference be agreed.

7. **WORKING PARTY REVIEW**

Members considered the current memberships and Terms of Reference of the Working Parties as follows:

Gardens Advisory Group

A communications strategy was being formed and, as it developed, inspections would be invited from House Group representatives. Ben Jonson House would like a representative on this working group, if possible.

SLA Review Working Party

Jane Smith asked for the membership list to be amended to reflect her membership as the Barbican Association's representative and not Seddon House.

Asset Maintenance Working Party

This group was carrying a vacancy and Gordon Griffiths volunteered.

Background Heating Underfloor Working Party

Members considered a short report from Ted Reilly, who was a long serving member of this Working Party and had been invited, by the Chairman, to address this Annual General Meeting. During the discussion the following points were noted:

Members of the Working Party would not like to merge with the Asset Maintenance Working Party at this time. They suggested that the Asset Maintenance Working Party already had a large agenda and therefore it would struggle to accommodate the Underfloor Heating Working Party. Furthermore, the Asset Maintenance Working Party was also heavily involved in building an asset database.

Residents clearly valued the underfloor heating and would strongly recommend an improvement to the control system.

The Working Party had previously had a Common Councilman as Chairman, who was also the Chairman of the BRC. Members felt that, if the Working Party had a Common Councilman as a Member and possibly as Chairman, it would re-energise it. However, Members would also like the Group to remain as a Working Party of the RCC and not the BRC. Mr Bostock agreed to make enquiries amongst his Ward colleagues to gauge interest.

The Working Party would like to revisit their Terms of Reference and the Chairman invited the Group to submit them the next meeting of the RCC.

A couple of Members of the Working Party had resigned due to lack of progress. However, if the Working Party were to be re-energised those Members were likely to re-join.

Given this was a strategic, forward looking project, which could potentially save costs if upgraded to a more refined system, it should be measured via a KPI.

The expertise of the UHWP could assist the Barbican Estate Office and the Working Party would also welcome attendance from more City of London Corporation Officers.

Leaseholder Service Charge Working Party

Members were concerned at the increase in the September service charge bill, particularly a perceived lack of communications, which had caused confusion. The Working Party were working with the Estate Office to improve communications to residents and would add this to their Terms of Reference.

Members agreed that it was important to report back from RCC meetings as fully as possible. This would enable the House Group, when approaching the BEO for further information/clarification on an ongoing issue, to quote relevant details from the RCC Member's feedback. In turn, this would enable the BEO to process the request more speedily, and without repeating information that had already been disclosed. Members recognised the RCC as a significant committee in the lines of communication between House Groups/Residents and the BEO, and they should ensure that the information flow along these lines makes the most efficient use of the resources of the BEO.

Members felt that the KPI approach would best ensure residents understood the breakdown in costs and the stats should include kw usage and hours of labour.

Working Parties were generally more strategic than RCC meetings, as they represented partnership working between officers and residents. Whilst noting that last year's residents' survey had not gone ahead, due to lack of resources, it could help set priorities which would help the strategic role of the Leaseholder Service Charge Working Party. The Asset Maintenance Working Party was recognised as having a strong strategic role.

The Chairman of the Barbican Association Communications Sub Committee, who was also in attendance at this meeting as the Mountjoy House Group Representative, was disappointed that the regular updates from the Estate Officer had been removed from the BA Newsletter and hoped they could be reintroduced.

Members asked for a report and presentation of the Leaseholder Service Charge Working Party at the next RCC meeting, which would be circulated with the next agenda.

8. GENERAL DATA PROTECTION REGULATIONS AND THIS YEAR'S RECOGNISED TENANT ASSOCIATION (RTA) AUDIT

The Town Clerk was heard in respect of the new GDPR Regulations as follows:

1. Resident's Groups only need to comply with data protection rules, including GDPR where they are processing personal data i.e. holding personal information relating to a living individual.
2. Groups who have deemed membership and don't otherwise process personal data do not need to be GDPR compliant. Those that process

personal data, e.g. maintaining a data base of individual resident's concerns or complaints will.

3. As Resident's Groups are external bodies the Corporation's legal team cannot advise them. Advice is available from the Information Commissioner's website.

In respect of a query about Opt-in/Opt-out Memberships, Members noted that the City of London Corporation had accepted deemed memberships for some time.

Members asked when Blake House would be able to apply for RTA status.

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

There were no questions

10. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

Members asked if the next meeting of the RCC could have an update on the Thomas Moore Car Park project; particularly in respect of the Consultant's role and the Barbican Estate Office's heavy engagement in the project. Members also asked to be sighted on any information passed to the school, from the Estate Office, and why the second planning application had not included a baggage store in Thomas Moore Car Park. Being the only City of London Corporation Officer present, the Town Clerk noted this request and agreed to forward it to the Barbican Estate Office.

In concluding, Members had welcomed the candid nature of this RCC AGM and asked if they could hold a further, extraordinary AGM half way through the year, given the workload of this Consultative Committee and the number of Working Parties reporting to it. The Town Clerk agreed to investigate possible dates in late June.

The meeting ended at 8.05 pm

Chairman

Contact Officer: Julie Mayer
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Julie.Mayer@cityoflondon.gov.uk

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“You Said; We Did” - Action List – February 2018

Actions from November 2017 Residents Consultation Committee (RCC) & other outstanding issues (*updates appear in italics*)

Issue	Source	Officer	Action Escalation
General Data Protection Regulation Compliance 2018 and possible implications on future Recognised Tenant Association Audits	RCC Sept 2017	Town Clerks	
<i>Please refer to RCC AGM minutes.</i>			
Access to VFM’s broadband services via “fibre to the flat” for residents on the top floor of Bryer Court	RCC Sept 2017	Mike Saunders	
<i>Following discussions between Property Services and VFM the option to route cabling along the balcony is being progressed to allow access to broadband services.</i>			
London Ambulance Service – communications concerning numbered access points across the Estate and use of postcodes	RCC Nov 2017	Michael Bennett	
<i>Following meetings with the London Ambulance Service (LAS) clear guidance is being drafted for all stakeholders including residents, Estate Concierge and the LAS. This will be distributed in February.</i>			
Residents Information Board at Barbican Estate Office Reception	RCC Nov 2017	Michael Bennett	Completed
<i>A new Information Board at the BEO Reception specifically for notices for Barbican residents gives residents who are not signed up for the weekly email broadcasts, an opportunity to see the information being sent round.</i>			
Contact: Michael Bennett, Head of Barbican Estates – 020 7029 3923 – barbican.estate@cityoflondon.gov.uk			

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Committee(s)	Dated:
Residents' Consultation Committee Barbican Residential Committee	05 March 2018 19 March 2018
Subject: Service Level Agreements Quarterly Review October – December 2017	Public
Report of: Director of Community and Children's Services Report author: Michael Bennett – Head of Barbican Estates	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 October – December 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 October – December 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 October – December.
3. House Officers, Resident Services Manager and the Head of Barbican Estates attended the recent SLA Working Party review meeting in February 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 October – December 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 September 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 June 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 January to March will take place in April and details of this review will be presented at the May/June 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

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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>
227	Oct-Dec 17	SLA	Email Broadcasts - can the style be looked at? Would sections work better?		
226	Oct-Dec 17	SLA	Group to consider using Basecamp for this Working Party.	To be considered	
225	Oct-Dec 17	BEO	Next round of Fire Risk Assessments due to commence in January 2018. These will be level 3 FRAs. November 2016 FRAs were level 1.	For comment only.	✓
224	Oct-Dec 17	RCC	Current Working Party structure is being reviewed by RCC.	On agenda for end of January RCC AGM to be held at the end of January.	
222	July-Sept 17	HO	Comments received from residents about the explanations sent out with the service charges not being sufficient.	Currently being reviewed by Leasehold Service Charge Working Party and Service Charge & Revenues Team.	
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. Any outstanding queries have been logged and have been covered in the December FAQ.	✓
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	Thomas More House Group have asked for a central Information Point to be established	Complete. Now in Barbican Estate reception.	✓

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

	Quarter	Source	COMMENT/QUERY	RESPONSE/ACTION	COMPLETED
213	Oct - Dec 17	SLA	Noticeboards. Notices can be up for a very long time and well past their expiry. Can this be reiterated to the cleaners to check them more frequently.	Reiterated to Supervisors	✓
212	Oct - Dec 17	SLA	Comments received that the temporary signage around the lake peapods and St Giles' Terrace are very tatty. Are they necessary? Can they be removed?		
211	Oct-Dec 17	BEO	Increase in graffiti on the Estate has been noted.	Barbican Estate Office have liaised with both Barbican Centre and CoL Community Safety Officers. Barbican Estate cleaning off any graffiti as soon as possible.	
209	Oct-Dec 17	BEO	Follow up balcony inspections were carried out on Gilbert House, Seddon House and John Trundle Court.	These blocks were visited again to see if items had been put back out and to see if any other balconies were blocked. Overall the result was good with very few items needing to be removed on this round of inspections.	
208	July-Sept 17	WP	Reminder on fire routes was suggested.	The weekly EBs will remind residents to check their fire routes.	
207	July-Sept 17	WP	Ambulance points for emergency services.	Following meetings with the London Ambulance Service (LAS) clear guidance is being drafted for all stakeholders including residents, Estate Concierge and the LAS. This will be distributed in February.	
206	July-Sept 17	SLA	Cleanliness of Gilbert Bridge and other hotspots at the weekend.	Information passed on to the Cleaning Supervisors for follow up and these areas are being monitored whilst on duty at the weekend. (Residents are reminded to contact their Concierge or Porter if they need to report a particular issue at the weekend).	
205	July-Sept 17	BEO	Slight dip in KPIs for block cleaning.	Increased monitoring by Supervisors especially reporting issues related to private contractors working in the blocks.	
202	Apr-June 17	BEO	Annual Fire Occupancy 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.	FAQ being regularly distributed via email broadcast and easily viewable on the Barbican Estate Website. Outstanding FAQs being reviewed by BEO subject to current resourcing issues which are being reviewed. Latest FAQ was sent out on the email broadcast in December.	✓

APPENDIX 2

SERVICE LEVEL AGREEMENT REVIEW - ESTATE MANAGEMENT 2017-18

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.	
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APPENDIX 3

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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>
157	Oct - Dec 17	SLA	Please ensure the Gardens are included within the Asset Maintenance schedule (regarding hard landscaping).		
156	Oct - Dec 17	HO	Property Services to provide a programme of works for damaged asbestos removal in communal areas. This to include accurate information regarding areas being worked on.	HO will be updated as to which blocks have been completed and can advise residents accordingly, as HOs have been receiving queries about this.	
155	Oct-Dec 17	BEO	External redecoration work for Brandon Mews and Willoughby House completed. Resident surveys due to be sent out in due course.	For comment only.	✓
154	Jul-Sept	HO	Paint code information provided to House Officers by Property Services for redecoration works - some information incorrect.	Being reviewed with Property Services officers with possibility of linking to Asset Maintenance software.	✓
153	Jul-Sept	HO	External redecoration work - feedback from residents about fire doors from flats being painted shut following external redecoration programmes.	Policy on external redecoration on fire doors from Tower flats (and Bunyan and Ben Jonson north side) - does this need to be reviewed within the specification?	
152	Jul-Sept	PS	Internal redecoration works for 17/18 put on hold due to the possibility of front door replacement programme.	Communicated to the House Group Chairs only.	
149	Oct-Dec 16	HO	Asking for an update as to when the repairs to the balcony soffits, following the concrete testing, will be completed.	Following re-tender of the repairs concrete works second stage consultation was carried out in January 2018. We expect to commence works in late Spring 2018.	

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>
171	Oct - Dec	BEO	New Barbican Supervisor has started on site.	For comment only.	
169	July-Sept 17	SLA	New City Gardens Manager made positive start and seems enthusiastic	For comment only.	✓
168	July-Sept 17	BEO	Comments from several Thomas More House residents regarding noise from lawnmower in the private garden.	New lawnmower has been acquired. The new one is much quieter which should hopefully help with noise for residents overlooking the private gardens.	✓
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 shrubbery covering the ironmongery grills & Listed Building issues. No plans to replace.	✓
162	July-Sept 15	SURV	Is there sufficient investment in the large private gardens?	Being reviewed by the GAG in the first instance. Survey sent out in Nov/Dec 2017 re Speed Lawn. 83 responses received. No mandate for large project but lots of support for smaller investment in planting and play equipment. Further analysis being carried out by GAG who will then consult widely with the Estate.	✓

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%	100%	100%		😊	71/71	
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%	100%	100%		😊	113/113	
To resolve written complaints satisfactorily within 14 days	100%	100%	100%	100%		%	100%	100%		😊	3 complaints.	
Repairs & Maintenance												
% 'Urgent' repairs (complete within 24 hours)	95%	95%	95%	99.8%		100%	99%	99%		😊		
% 'Intermediate' repairs (complete within 3 working days)	95%	95%	95%	99.3%		98%	99%	99%		😊		
% 'Non-urgent' repairs (complete within 5 working days)	95%	95%	95%	99.0%		98%	99%	96%		😊		

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%	98%	99%		☺		
Availability % of Barbican lifts	99%	99%	Tower lifts 99%	Tower lifts 99%		Tower lifts 98.43%	Tower Lifts 92.77%	Tower Lifts 99.57%	Tower lifts %	☺		
			Terrace lifts 99%	Terrace lifts 98.9%		Terrace lifts 99.74%	Terrace Lifts 99.24%	Terrace Lifts 98.86%	Terrace lifts %	☹	KPI missed by 0.04%	
Percentage of communal light bulbs - percentage meeting 5 working days target	90%	90%	90%	96%		91%	82%	77%		☹	Estate office is currently one Resident Engineer short since early September 2017 (219 out of 285 lights met 5 working day target)	
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 100% Partial %100	Total % Partial %	☺		
Communal locks & closures - percentage of repeat orders raised within 5 working days of original order	0%	0%	0%	0%		0%	0%	0%		☺		

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
Replacement of lift car light bulbs - percentage meeting 5 working days target	90%	90%	90%	100%		100%	100%	96%		☺	27 out of 28 lights met 5 working day target	
Estate Management												
House Officer 6-weekly joint inspections with House Group representatives monitoring block cleaning - good and very good standard (& outstanding)	90%	90%	90%	94%		97%	86%	89%		☹	33/37 inspections	
House Officer 6-weekly joint inspections with House Group representatives monitoring communal window cleaning - good and very good standard	80%	80%	80%	92%		92%	90%	81%		☺		

[illegible]

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
% Overall Resident satisfaction of completed Major Works Projects (£50k+)	90%	90%	90%	95%		92%	n/a	Willoughby 100% Brandon Mews 75%			Willoughby 9/148 Brandon Mews 8/26 response rate	
Short Term Holiday Lets												
Possible STHL reported to BEO because of noise or nuisance	NA	NA	NA	NA		2	0	0				
STHL reported to BEO after being found on a website and being investigated	NA	NA	NA	NA		0	1	0				
STHL at Stage 1	NA	NA	NA	NA		2	1	0				
STHL at Stage 2	NA	NA	NA	NA		0	0	0				

Agenda Item 6

Committee(s) Residents Consultation Committee Barbican Residential Committee	Date(s): 5 March 2018 19 March 2018
Subject: Progress of Sales & Lettings	For information
Report of: Director of Community and Children's Services Report author: Ann Mason – Revenues Manager	Public

Summary

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.

Recommendation:

That the report be noted.

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	20	1	£24,550	01/07/2017 30/06/2020	Move to more suitable flat	21/12/2017
2	F2A	1	£14,150	12/10/2015 11/10/2018	Retirement	23/04/2018

3	F2A	1	£13,550	02/12/14 01/12/17	None given	01/03/2018
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RIGHT TO BUY SALES

3.

	30 January 2018	20 October 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.

	30 January 2018	20 October 2017
Sales Completed	852	850
Market Value	£151,873,771.97	£150,358,771.97

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 SALE

8.

CASE	Block	Floor	Type	Price	Remarks as at 12/2/2018
1	Breton	5th	F1A	£415,000	Proceeding

COMPLETED SALES

9. Since the last report two sales have completed. The sale of 308 Seddon House completed on 21 December 2017 and the sale of 240 Ben Jonson House completed on 22 January 2018.

APPROVED LETTING

10.

CASE	Block	Floor	Type	Annual Rent	Remarks as at 2018
1	Ben Jonson House	5/6/7	M3B 2 bed	£30,250	Completed 21/12/17

SALES PER BLOCK

11.

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	196	14,877,454.83	96.08
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	75	8,445,677.50	98.68
SPEED HOUSE	114	107	11,568,148.50	93.86
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)	1591 (1589)	137,060,573.33 (135,545,573.33)	96.72 (96.60)
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)	1917 (1915)	214,220,569.72 (212,705,569.72)	96.33 (96.23)

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.

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Committee(s)	Dated:
Barbican Residents Consultation Committee Barbican Residential Committee	5 March 2018 19 March 2018
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 progress that has been made in relation to fire safety matters since the last update reports submitted to Committee in September and November 2017.

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 were, understandably, 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. In September 2017, a detailed report was brought to this Committee 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 outlined:
 - 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.

3. An update report was brought back to Committee in November 2017 and this paper is intended as a further update.

Fire Risk Assessments

4. Frankham Risk Management Services Limited has been commissioned to carry out new Fire Risk Assessments (FRA's) for each of our residential blocks including those on the Barbican. 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.
5. Previous FRA's carried out on Barbican have been Type 1 FRA's as required by legislation. The new FRA's are Type 3, which go beyond the requirements of the Regulatory Reform (Fire Safety) Order 2005, covering all that is required for a Type 1 FRA but also providing for an assessment of the arrangements for means of escape and fire detection (i.e. smoke alarms) within a sample of the properties (typically around 10%). A Type 3 FRA is a non-destructive survey but, the fire resistance of doors to rooms and compartmentation within the property is considered.
6. At the time of writing this report, the survey work to the communal areas on the Barbican Residential Estate was complete and the internal survey work on a sample of properties is well underway. The draft reports are due to be submitted by 31 March 2018. As the assessments are completed and submitted to us, they are being analysed by staff in Property Services, Estate Management and by the City's Fire Safety Advisor for accuracy and detail.
7. It was a requirement of the contract with Frankham's that any serious fire safety issues or concerns identified during the survey process would be immediately reported to the City Corporation. There have been no such issues.
8. As part of the new FRA process, urgent recommendations are being addressed as a priority and a detailed Action Plan will be developed to plan, programme and implement all other recommendations as appropriate.
9. 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.
10. It is intended that the new FRAs will be made available to the public through the Fire Safety pages on the City's website. The current FRAs, which are not due for review until November 2018, have already been made available here.
11. We have continued to carry out work to address the risks highlighted by the previous (2016) FRAs, including, for example, removing barriers to fire escape routes.

Communication with residents

12. Detailed information, in the form of 'Frequently Asked Questions' bulletins, was produced specifically for the Barbican Estate. This was 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.
13. There have been no new significant fire safety issues raised by residents since the last update report in November 2017. Detailed information on fire safety is available on the City's website.
14. Once we have completed our research into fire safety improvements and have all the relevant information, we will write to residents again to outline the City's position regarding retrofitting sprinklers, fire alarms and new fire doors.

Fire Doors, Sprinkler Systems and Alarms

15. We have identified a number of front entrance doors from our residential blocks of flats that are being tested for fire resistance. Some of these have been, or will be sent away to the Building Research Establishment (BRE) but, due to capacity issues, the BRE has a turnaround period in excess of 20 weeks. Once the testing has been done and the reports received, we will be able to decide whether or not the doors on the Barbican Estate require upgrading and, if they do, we can properly prioritise, plan and cost a door replacement programme.
16. As part of all the projects included in our Major Works Programme, including those on the Barbican, fire safety has been given the highest priority. New methods of containment to protect fire escape routes have been introduced and fire stopping is being checked and improved wherever necessary.
17. The feasibility study into the potential installation of sprinkler systems in our tower blocks has now been received from our consultant, Butler & Young Group Ltd and has been analysed by staff in the Property Services Team. It is intended that once the work on the new FRA's is complete, along with our research into fire alarms, sprinklers and fire doors, a detailed holistic report on fire safety will be brought back to this Committee outlining proposals for fire safety improvements on the Barbican Estate.

Estate Management

18. Barbican Estate staff continue 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.
19. A further 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.

Inspections by the LFB

20. As part of the government's response to the Grenfell Tower tragedy, fire services across the country have been instructed to carry out ad-hoc inspections on residential flat blocks to ensure that they comply with the requirements of the Regulatory Reform (Fire Safety) Order 2005 and to ensure that appropriate FRAs are being carried out.
21. The LFB has carried out several ad-hoc inspections on the City Corporation's residential blocks in the last few months. Subsequently, we have received Fire Safety Deficiency Notices on a number of our premises but, only one of those was on the Barbican Estate. The Deficiency Notice issued for Willoughby House was challenged by the City's own Fire Safety Advisor as being incorrect and we are currently awaiting a response.

Resources

22. 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.
23. 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.
24. We have previously alerted 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.
25. 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

26. 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.
27. 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.

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Committees:	Dates:
Residents' Consultation Committee Barbican Residential Committee	05/03/2018 19/03/2018
Subject: Repairs and maintenance to roofs/balconies following water penetration	Public
Report of: Director of Community and Children's Services Paul Murtagh: Assistant Director, Barbican & Property Services	For Information

Summary

The purpose of this report is to update Members on the progress made by the Working Party in relation to the City of London Corporation's (the City Corporation) approach to dealing with repairs and maintenance to roofs and balconies to the residential units on the Barbican Estate.

Recommendations

The Committee is asked to note the progress made by the Working Party and the contents of this report and make any observations and comments as it sees fit.

Main Report

Background

1. At previous meetings of the Barbican Residential Committee (BRC) and the Residents' Consultation Committee (RCC), there have been discussions and questions relating to roof and balcony repairs to the various blocks on the Barbican Estate. Some of the discussion has revolved around the application and validity of the various warranties that were taken out at the time major roof or balcony replacement works were undertaken by the City of London.
2. Over a period of 10 years between 1996 and 2005, the surfaces to the flat roofs, barrel roofs and balconies to most blocks on the Barbican Estate were recovered. The scope of these works included the provision of warranties for the materials and workmanship. Such warranties typically ranged from 10 to 20 years and were largely underwritten by the manufacturer of the roofing system chosen at the time.
3. One of the key reasons for obtaining the warranties was the independent assurance they provided that the roof works were adequately designed and

executed. The warranty provider would have carried out an inspection of the works upon completion before issuing the warranty.

4. A Working Party comprising officers and members of the RCC was set up to review the City Corporation's approach to dealing with repairs and maintenance to roofs and balconies to the residential units on the Barbican Estate with particular regard to the application of the warranties that were taken out at the time major roof or balcony replacement works were undertaken.

Considerations

5. At its meeting in December 2016, Members of the BRC and RCC received a report from the Working Party outlining its initial findings from its review into the City Corporation's approach to dealing with repairs and maintenance to roofs and balconies to the residential units on the Barbican Estate.
6. An update report was subsequently brought back to the RCC (22/5/17) and BRC (5/6/17) setting out the progress made by the Working Party in relation to the City of London Corporation's (the City Corporation) approach to dealing with repairs and maintenance to roofs and balconies to the residential units on the Barbican Estate.
7. Members of the BRC and the RCC noted that the Working Party had made good progress particularly in respect of the following:
 - The agreement of Langley Waterproofing Systems (LWS) to work with the City Corporation to evaluate the condition of its 14 'live' warranties on the Barbican Estate.
8. The agreement of LWS, as a gesture of goodwill, that it will continue to honour its 14 'live' warranties for the remainder of the guarantee periods subject to the following:
 - the full replacement of the failed section of the main roof at Mountjoy House to the Langley Waterproofing standard and specification;
 - the completion of all minor repair works to areas identified during the survey process and included in the report;
 - the implementation of a standard routine maintenance schedule to include the clearing of all rainwater outlets, gutters and other drainage outlets, as well as removing any vegetation, loose debris and repair of any paving slabs as required;
 - the reapplication of white solar reflective paint every 5 years to all exposed asphalt areas to protect against UV degradation.
9. The further agreement of LWS, again as a gesture of goodwill, to carry out minor repair works at Ben Jonson House and Breton House, which are not covered by its own warranties, free of charge.

10. The agreement of LWS to carry out a similar evaluation on the condition of roof areas on the Barbican Estate whose warranties are guaranteed by others to give officers and Members an indication as to whether there are any particular issues with these roofs and expected remaining lifespans of the roofs.

Progress

11. Since the last report of the Working Party to the RCC and the BRC in May and June 2017 respectively, there has been further work done and some progress made as outlined below.
12. LWS has now been able to complete its survey of those high-level roofs, which were not previously surveyed due to access restrictions at the time. One example is Lauderdale Place which was not surveyed due to the risk of disturbing and disrupting the nesting wildlife. LWS has subsequently issued a revised final report on its findings, which is attached as Appendix 'A'.
13. Now that we have robust information on the condition of the roofs to the residential units, this will be used to inform any future Asset Management Strategy for the Barbican Estate. It will also be used to determine future major works programmes for the estate as well as providing a basis for sound financial planning and future works estimates.
14. It has been agreed with LWS that the minor repair works to areas identified during the survey process and outlined in the attached report, will be started in the Spring this year, with an anticipated completion date at the end of the Summer.
15. With regard to the full replacement of the failed section of the main roof at Mountjoy House, tenders have been invited and received and the contract awarded. The work is due to be completed by the end of April and, once completed, a new 25-year warranty for that section of roof will be issued. It has been agreed that leaseholders will not be recharged for this work.
16. Provision has been made for an ongoing planned programme of routine standard maintenance on the roofs including cleaning, maintaining and unblocking drainage and refixing lightening strips.

Further Work and Wider Issues

17. It is generally felt that there is nothing more that can be done with the other warranty providers to reinstate those warranties that have not yet expired. As such, there appears to be no alternative but to continue with the ad-hoc approach of dealing with leaks to these roofs as and when they occur. It should be noted however, that the planned programme of routine standard maintenance on the roofs, outlined above, should go some way to ensuring that problems with the roofs are kept to a minimum.

18. If and when major works are to be done in future, explicit consideration, with resident involvement, must be given to the question as to whether manufacturer's warranties or guarantees are a sensible investment. At the time the roof works on the Barbican were done, the warranties gave residents some assurance that the quality of the works had been independently assessed and validated. In future however, residents may wish to explore alternative methods of independently assuring the quality of the works carried out around their homes. It is suggested that this task could be picked up by the Asset Management Working Group.
19. Similarly, due consideration needs to be given to the most economic and efficient way to procure such large estate-wide projects in future as, from the information we have seen previously, it is clear that original roof replacement costs and subsequent repairs vary widely between blocks. Similarly, this may be something that the Asset Management Working Group may wish to consider.
20. Now that we have robust information on the condition of the roofs to the residential units, this should be used to inform any future Asset Management Strategy for the Barbican Estate. It should also be used to determine future major works programmes for the estate as well as providing a basis for sound financial planning and future works estimates.

Appendices:

Appendix A: Langley Roofing Systems Report (updated)
 Non-Langley Waterproofing System Guaranteed Roofs

Background Papers:

RCC and BRC Reports: November/December 2016
 May/June 2017

Langley Roofing Systems Report:
Existing Langley Waterproofing System Guaranteed Roofs

Paul Murtagh

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Report Document

Project: – Barbican Estate
Non-Langley Roof Areas

Barbican Estate
City of London
EC2Y

Client:

Paul Murtagh
City of London Corporation
City of London
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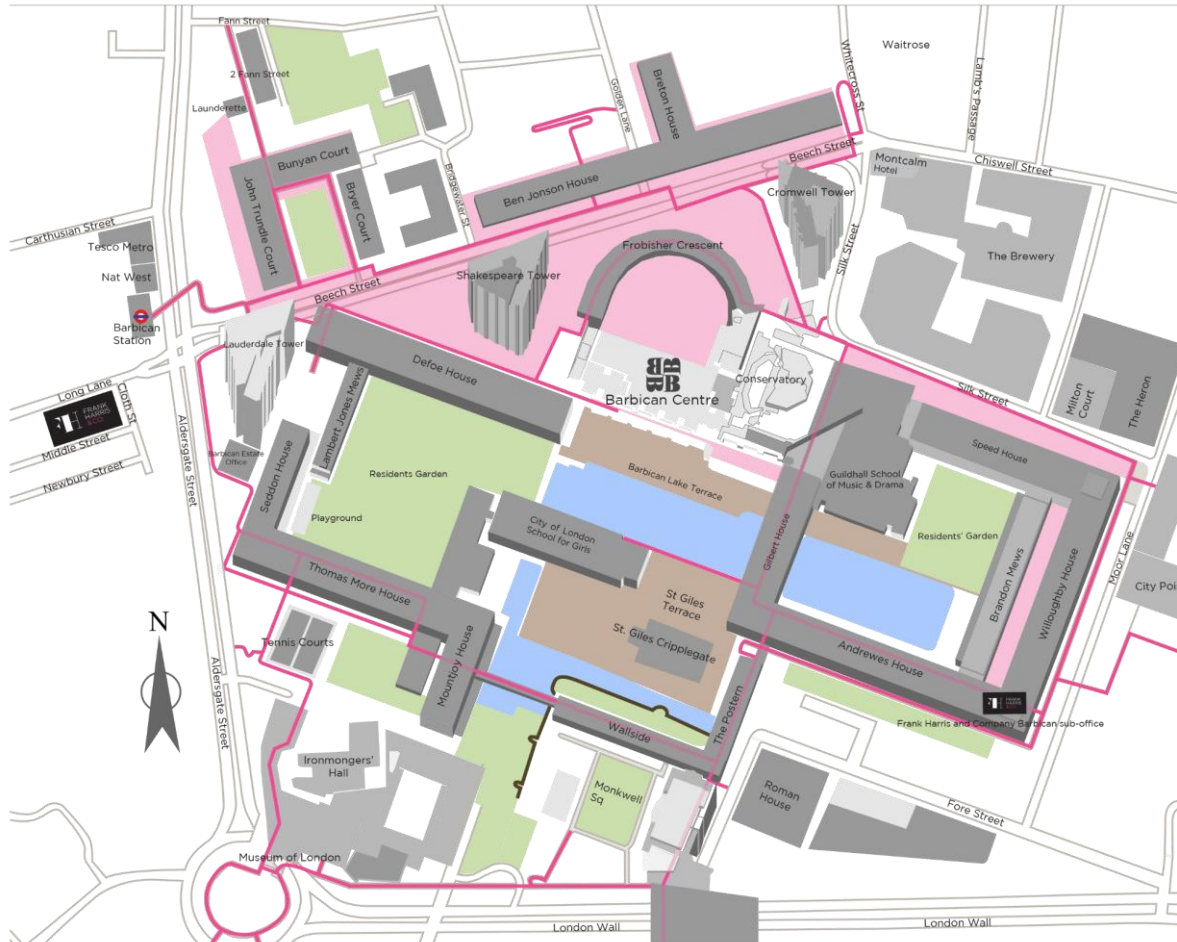


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Roof Survey Report & Recommendations

Roof areas covered by this report: as identified below.



1.0 Outline Description:

- This report has been produced for Mr Paul Murtagh of the City of London Corporation for the express use in evaluating the condition of the current waterproofing of the Non-Langley roof areas.
- The report is based upon our site inspection survey undertaken in March 2017 and should be read in conjunction with the enclosed photographs.
- All buildings are under City of London Corporation.
- Access to the roofs is via communal staircases and tank room doors.
- Weather conditions at time of survey Dry and Mild.

2.0 Scope of Report:

- Information contained within this report relates to the property as identified in the title headers of this document only.
- This report is not a structural survey.
- Any comments on roof structure or other building related issues in this report should not be taken to imply that its integrity has been assessed or deemed acceptable. A qualified party should verify any concerns relating to the integrity and/or capabilities of any part of the structure.
- Langley Waterproofing Systems Ltd reports are written on the basis that the substrates, roof deck and structure are sound and durable. We cannot accept responsibility for the consequences of the latent defects in the roof deck and structure.
- No tests were carried out to establish the presence of deleterious materials on, around or within the property. However, suspected items will be highlighted within this report that may require further investigation if noted.
- No tests were carried out to service installations.
- *General Note: "Listed Building Status" It is the responsibility of the building surveyor and/or client to ascertain the status of the building/s in question.*

3.0 Analysis:

The inspections were carried out to analyse the current condition of all roof areas currently that are non-Langley roof areas to ascertain if the specified areas were one of the following: -

- | | |
|-----------|--|
| A | In good condition and no refurbishment needed at this present time with a lifespan of 8-10 years. |
| B | In average condition with 4-5 years of lifespan. Some maintenance work required such as unblocking drainage. |
| B2 | Barrel Vault roofs only- In average condition with 3-5 years of lifespan. Some maintenance work needed such as unblocking drainage and would benefit from cleaning of waterproofing. Note: Some have been coated in what appears to be simply a coat of paint or poor quality liquid system, which would negate the original guarantee. |
| C | In poor condition with signs that the waterproofing is likely to fail within 1-2 years' lifespan. |
| D | Urgent attention needed with 0 years' lifespan and the waterproofing non-effective. |

The inspections were carried out by a member of the LWS technical team, Graham Jackson, along with an Assistant Area Manager, **Page 49**

Overview of All Roof Areas inspected:-

	Area	System	Lifespan	Condition	Comments
John Trundle Court	Barrel Roofs	Liquid	4-5 Years	B2. Average	Would benefit from cleaning, and drainage to be maintained/unblocked. In areas, lightning strips need to be re-fixed.
Bunyan Court	Barrel Roofs	Liquid	4-5 Years	B2. Average	Would benefit from cleaning, and drainage to be maintained/unblocked. In areas, lightning strips need to be re-fixed.
Bryer Court	Barrel Roofs	Liquid	4-5 Years	B2. Average	Would benefit from cleaning, and drainage to be maintained/unblocked. In areas, lightning strips need to be re-fixed.
Defoe House	Barrel Roofs	Liquid	4-5 Years	B2. Average	Would benefit from cleaning, and drainage to be maintained/unblocked. In areas, lightning strips need to be re-fixed.
Ben Jonson House	Barrel Roofs	Liquid	4-5 Years	B2. Average	Would benefit from cleaning, and drainage to be maintained/unblocked. In areas, lightning strips need to be re-fixed.
Breton House	Barrel Roofs	Liquid	4-5 Years	B2. Average	Would benefit from cleaning, and drainage to be maintained/unblocked. In areas, lightning strips need to be re-fixed.
Seddon House	Barrel Roofs	Liquid	4-5 Years	B2. Average	Would benefit from cleaning, and drainage to be maintained/unblocked. In areas, lightning strips need to be re-fixed.
Seddon House	Main Roof	BUR Felt	8-10 Years	A. Good	No signs of failure with good detailing – Keep the outlets clear.
Thomas More	Barrel Roofs	Liquid	4-5 Years	B2. Average	Would benefit from cleaning, and drainage to be maintained/unblocked. In areas, lightning strips need to be re-fixed.
Mountjoy House	Barrel Roofs	Liquid	4-5 Years	B2. Average	Would benefit from cleaning, and drainage to be maintained/unblocked. In areas, lightning strips need to be re-fixed.
Shakespeare Tower	Lower Roofs	BUR Felt	4-5 Years	B. Average	Average condition with good detailing. Boxed gutter needs to be unblocked.
	Middle Roofs	BUR Felt	8-10 Years	A. Good	No signs of failure with good detailin, recent overlay apparent– Outlets to be cleared/ unblocked.
	Balcony Roofs	BUR Felt	4-5 Years	B. Average	Ceramic tiles over BUR felt – detailing looks good with no signs of failure – average condition.
	Link Roofs	BUR Felt	4-5 Years	B. Average	Tiny blisters, however waterproofing in average condition with good detailing.
	Higher Roof	BUR Felt	2-3 Years	B. Average	Blistering and mineral migration, Apparent repairs around the perimeter.

	Area	System	Lifespan	Condition	Comments
Cromwell Tower	Lower Roofs	BUR Felt	4-5 Years	B. Average	Small amounts of mineral migration, felt waterproofing showing no signs of failure with average detailing.
	Middle Roofs	BUR Felt	2-3 Years	C. Poor	Mineral migration, felt waterproofing showing signs of failure including blistering with average detailing.
	Balcony Roofs	Asphalt	1-2 Years	C. Poor	Poor condition with slumping in asphalt. Felt repairs have taken place and no counter flashing is present. Refurbishment needed soon.
	Link Roofs	BUR Felt	4-5 Years	B. Average	Average condition with detailing all in good condition.
	Higher Roofs	BUR Felt	2-3 Years	B. Average	Blistering and mineral migration, Apparent repairs around the perimeter.
Barbican Centre	Main Roof	Single Ply	1-2 Years	C. Poor	1no. repair with liquid, in overall average condition with no signs of failure. Guarantee will no longer be in force. Roof lights in OK condition.
	Lift/Stairwell Roofs	Asphalt	4-5 Years	B. Average	Average condition with vegetation growth. Some areas have been overlaid with BUR felt.
Frobisher Crescent	Barrel Roofs	Liquid	4-5 Years	B2. Average	Would benefit from cleaning, and drainage to be maintained/unblocked. In areas, lightning strips need to be re-fixed.
Gilbert House	Barrel Roofs	Liquid	4-5 Years	B2. Average	Would benefit from cleaning, and drainage to be maintained/unblocked. In areas, lightning strips need to be re-fixed.
	Main Roof	BUR Felt	4-5 Years	B. Average	Average condition with good detailing. No major repairs. Small amounts of moss and lichen build up
Andrewes House	Barrel Roofs	Liquid	4-5 Years	B2. Average/ D Urgent (outlets)	Would benefit from cleaning, and drainage to be maintained/unblocked. In areas, lightning strips need to be re-fixed. Reported leaking within 2no scupper outlets within one valley section, cracking de-bonding of liquid material is evident around the outlets- This will need urgent repair
	Main Roof	Asphalt	4-5 Years	B. Average/ C. Poor	Asphalt waterproofing has had repairs with felt in places. Detailing with termination bar is showing no signs of failure.
	Tank Room Roofs	Asphalt	4-5 Years	B. Average	Asphalt waterproofing in average condition with minimal slumping in areas. Metal capping all intact. Outlets to be cleaned and maintained.
	Terrace Areas	Asphalt	4-5 Years	B. Average	Hard to identify condition due to concrete paving slabs not being lifted. All details and asphalt skirtings in average condition.

Guildhall School of Music and Drama	Barrel Roofs	Liquid	4-5 Years	B2. Average	Would benefit from cleaning, and drainage to be maintained/unblocked. In areas, lightning strips need to be re-fixed.
Willoughby House	Barrel Roofs	Liquid	4-5 Years	B2. Average	Would benefit from cleaning, and drainage to be maintained/unblocked. In areas, lightning strips need to be re-fixed.
	Main Roof	BUR Felt	4-5 Years	B. Average	Felt in average condition with no signs of failure or repairs. Maintain drainage and keep unblocked.
Speed House	Barrel Roofs	Liquid	4-5 Years	B2. Average	Would benefit from cleaning, and drainage to be maintained/unblocked. In areas, lightning strips need to be re-fixed.
Lambert Jones Mews	Main Roofs	Asphalt covered with block paving	4-5 Years	B. Average	Asphalt has been covered with block paving. Detailing looks in average condition with no signs of failure. Keep drainage maintained.
The Postern	Main roof	Asphalt	1-2 years	C. Poor	Moisture found within the insulation, and therefore consideration should be made for refurbishment
Wallside	Main roof	Asphalt	1-2 years	C. Poor	Roof appears to be in reasonable condition, but moisture within the insulation at the low point.
Lauderdale	Top Roof	BUR Felt	4-5 years	B. Average	In reasonable condition, and appeared to have been refurbished not too long in the past.
	Mid roof	BUR Felt	2-3 years	Below Average	In fair condition, but much mineral migration and defects evident
	Lower Roof/Terrace	Partly felt	Nk		Due to inaccessible nature (private balcony) it was not possible to fully assess this roof area.

3.8 Photographic Record:



1. General condition of all barrel roofs that would benefit from being cleaned.



2.
In many areas, lightning strips need to be re-fixed. This is evident on many of the Barrel roof areas.



3.
As above.



4.
Barrel roof area that has been painted/coated.



5.
Close up of the existing lead and gutter that has been painted/coated.



6. Barrel roof drainage needs to be maintained and unblocked in places.



7. Main roof for Cromwell and Shakespeare Tower; BUR felt in average condition and no signs of repairs or failure.



8. Overview of Cromwell and Shakespeare Tower link roofs that are in average condition.



8. Cromwell Tower balcony roof
Overview of Cromwell Tower balcony roof; in poor condition and has previous repairs.



9. Cromwell Tower balcony roof

Felt repair has started to fail leaving an aperture for potential water ingress.



10. Cromwell Tower balcony roof

Felt repair has become ruckled and blistered and liquid repairs have taken place to the concrete upstand.



11. Cromwell Tower balcony roof

Existing asphalt underneath the door threshold has started to slump.



12. Barbican Centre roof

Overview of the Barbican Centre roof.



13. Barbican Centre roof

Liquid repair indicating previous water ingress issues.



14. Barbican Centre roof

Vegetation growth on existing asphalt stairwell roof.



15. Andrewes House Barrel Roof Areas

Liquid has de-bonded from the concrete upstand with cracking also evident causing water ingress.



16.
As Above.



17.
As Above.

4: Works required

Based on the above analysis, we would therefore recommend the following works be carried out:-

All Barrel Roof Areas

Barrel roof areas are generally in average condition and have been waterproofed with a liquid material. Some barrel roofs have been re-painted/coated with others being dirty and dark in appearance. In areas, lightning strips have broken and lightning strip pads have de-bonded from the existing liquid material. Drainage is through an internal outlet or through an internal lead gutter that drains onto the main roof area.

We recommend that drainage is be maintained and kept unblocked, all lightning strips are to be re-fixed were needed. All barrel roof areas could be prepared, primed and coated with 2 additional re-enforced layers of liquid offering a 20-year guarantee.

Andrewes House Barrel Roof Area

One valley of the existing barrel roof area is leaking with reported water ingress from failed 2 no. scupper outlets through an expansion joint and down to the bottom of the building. The existing liquid waterproofing has de-bonded from the concrete upstand causing repeated leaking, with cracking of the existing liquid waterproofing also evident around both the failing scupper outlets with the metal guards currently loose and unfixed. This area will need to be repaired with a reinforced liquid system, and may require some substrate repairs also. Please note that a repair only would not carry any guarantee, and consideration should be made to upgrade the complete roofing area, depending on guarantee period remaining.

Cromwell Tower Balcony Roof

The existing roof area has been repaired with various materials such as BUR felt and liquid in different areas indicating previous water ingress issues; in places the repairs have started to fail becoming ruckled, blistered and worn. The existing asphalt has started to slump underneath the wooden door threshold.

We recommend that the repairs are to be stripped back and the existing asphalt is to be overlaid with 2 layers of bituminous elastomeric felt with counting flashing protection to the concrete upstand and door threshold.

All Roof Areas **MAINTENANCE**

It is recommended that standard routine maintenance continue to include the clearing of all rainwater outlets, gutters and other drainage outlets, as well as removing any vegetation, loose debris and repair of any paving slabs as required.

In addition all asphalt areas exposed to UV degradation (i.e. not protected by Spartan tiles) should be painted with White Solar reflective paint at least every 5 years, and all areas should be ensured to be protected.

Please note that Langley Waterproofing Systems Limited does not accept any responsibility or liability for all repairs that have been carried out during the guarantee period, and have prepared this report purely on the basis of the inspection recently carried out.

Committee(s)	Dated:
Barbican Residential Consultation Committee Barbican Residential Committee	5 March 2018 19 March 2018
Subject: Lease Enforcement	Public
Report of: Director of Community & Children's Services	For Decision
Report author: Paul Murtagh Assistant Director Barbican & Property Services	

Summary

The purpose of this report is to seek approval from the Barbican Residential Committee for the formal procedure for dealing with breaches of lease, specifically the installation of wooden floors and animals for residents on the Barbican Estate.

Recommendations

The Committee is asked to:

1. Approve the Barbican Estate Office protocol for dealing with breaches of lease as laid out in Appendix A.

Main Report

Background

1. In December 2017, officers presented a report concerning Lease Enforcements to Committee. Various options were considered as to the approach officers should take regarding breaches of lease (specifically the installation of wooden floors and animals).
2. It was resolved at the Barbican Residential Committee that:
 - a. Formal adoption of the current practice for all future cases be adopted as follows:
 - i. The Corporation will effectively decide to use its discretion in enforcing the various restrictive clauses within the lease, endorsing the current "soft" approach of only taking enforcement action against residents who have breached a particular covenant in the lease and such a breach is causing a "nuisance" and/or "annoyance" to adjacent residents.
 - ii. Under this option, there will not be a requirement for the "affected" party to have to demonstrate, to the City Corporation, that the "breach" is causing a nuisance. In the case of wooden floors, for

example, there would be no requirement for the affected party to complete and submit “noise monitoring sheets” as has been the case previously.

3. The two covenants that have caused most concern for Barbican residents, are:
 - i. Installation of wooden floors
 - ii. Animals
4. The protocol as laid out in Appendix A, demonstrates the procedure that Barbican Estate Officers will follow in dealing with these breaches.
5. Whilst created with these two covenants in mind, the protocol is not restricted to dealing with only these two covenants.

Conclusions

6. For the avoidance of doubt, if a new Leaseholder moves in and complains of a breach that has been in place for many years and has not caused a nuisance and/or annoyance to the previous Leaseholder, this will still be subject to the same enforcements.
7. The Barbican Estate will continue to remind Leaseholders of lease compliance via the regular email bulletins.

Other Considerations

Resourcing

8. Whilst it is understood that the Barbican Estate Office will not be expected to actively ‘police’ the enforcement of the various covenants in the lease, it is anticipated that there will be an increased volume of work arising from the formal adoption of this protocol for both the Barbican Estate Office and the Comptroller and City Solicitor.
9. The Barbican Estate Office and the Comptroller and City Solicitor will monitor all time spent on lease enforcement for the first year and provide an update to this Committee in March 2019.

Appendices

Appendix ‘A’ – Barbican Estate Office Breach of Lease Protocol

Background Papers

Lease Enforcements, December 2017

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

Appendix A – Barbican Estate Office (BEO) Breach of Lease Protocol

(specifically the installation of wooden floors and animals)

1	Resident complains. BEO to ascertain if the resident is a Long Leaseholder, Short Leaseholder or Subtenant. If Subtenant and not registered, then BEO to refer them to their Landlord. BEO to begin a log.	
2	BEO to establish if there is an actual breach of lease within 10 working days e.g. Non-carpeted floor or animal present. To telephone first.	
2a	If the response is “No, I don't have a wooden floor/animal”, then BEO to arrange a visit to confirm. The aim is to complete this within 10 working days.	If the response is “Yes, I do have a wooden floor/animal”, then no visit required.
3	If a breach is established by BEO, either by admission or inspection, then BEO to arrange a “Rent Stop” on the Leaseholder’s service charge account i.e. the City is neither to demand or accept rent from the Leaseholder until the issue has been resolved.	
4	BEO to update complainant	
5	If a breach is established by BEO, then BEO is to inform Long Leaseholder that they will be receiving a letter within 10 working days from Comptroller and City Solicitor (C&CS) asking the Leaseholder to rectify the breach.	
6	If a breach is established by BEO, then BEO to instruct C&CS (Mr Paul Chadha, Chief Lawyer, Litigation Team) to send a letter the Leaseholder requiring the breach to be remedied.	
7	Within 15 working days of instruction by BEO, letter to be sent by C&CS to flat, external address (if there is one), Managing Agent (if there is one) and BEO (for House File).	
7a	If within 20 working days from date of C&CS letter the Leaseholder informs C&CS that breach has been rectified, then C&CS instruct BEO to organise compliance inspection within 5 working days to confirm. BEO confirm result of inspection to C&CS.	If 20 working days pass from date of C&CS letter and (i) C&CS does not receive a confirmation from the Long Leaseholder that the breach has been rectified or (ii) Long Leaseholder states they have not rectified the breach, then C&CS to begin the enforcement process.

7b	BEO to update complainant.	<p>The C&CS enforcement process will be in three stages:</p> <ol style="list-style-type: none"> 1. Before a section 146 notice can be issued, the City will require a determination of the breach by the court. C&CS will apply to the court for a determination of the breach on instructions from the BEO. 2. If the court determines that a breach has occurred, then the City can serve a section 146 notice on the Leaseholder requiring the breach to be remedied. C&CS will serve a section 146 notice on instructions from the BEO. 3. If the breach is not remedied, then C&CS can issue proceedings for the forfeiture of the lease. C&CS will issue forfeiture proceedings on instructions from the BEO.
8		C&CS advises BEO of outcome of forfeiture proceedings.
9		If at any time during enforcement process, the Leaseholder advises C&CS that the breach has been remedied, then the BEO is to organise a compliance inspection within 5 working days. BEO confirm result of inspection to C&CS.
10		BEO to update complainant.

Vexatious Complainants

If BEO House Officer considers a complaint to be vexatious, they will be logged and a brief report must be submitted to Head of Barbican Estate (or Resident Services Manager, in their absence) for decision as to whether to proceed or not.

Examples of vexatious complaints include (but are not limited to): -

- Complaining about a floor not yet laid (e.g. the floor has been seen being brought into the property)
- Complaining about a wooden floor not directly affecting them. Complaints will only be heard from neighbours directly above, below or adjacent
- Complaining about a wooden floor seen in an Estate Agent's window or other publication
- Complaining about seeing animal products (e.g. cat litter) being delivered to the Car Park Concierge
- Complaining about seeing an animal on the podium or entering a block

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Committees:		Dates:	
Corporate Projects Board Barbican Estate Residents Consultation Committee (For Information Only) Resource Allocation Sub Committee Barbican Residential Committee Projects Sub Committee		16/02/2018 05/03/2018 15/03/2018 19/03/2018 18/04/2018	
Subject: Concrete repairs to the Barbican Estate		Issue Report: Regular	Public
Report of: Director of Community & Children's Services Report Author: David Downing			For Decision
<u>Summary</u>			
Project Status	Red (programme delay due to requirement to retender works, tender results in excess of approved estimates)		
Project Risk	Green – Low		
Programme status	Pending Approval of Budget Increase prior to Gateway 5		
Timeline	1. Contractor Appointment – April 2018 2. Third stage S20 Consultation – May 2018 3. Works Commence – June 2018 4. Works Complete – May 2019		
Expenditure to date	Concrete Testing: £285,480.22 Fees & Staff Costs: £11,127.50 Total: £296,607.72		
Last approved estimate (at Gateway 4)	Concrete Testing: £285,000.00 Repairs to Residential Blocks: £300,000.00 Repairs to Car Parks: £220,000.00 Fees & Staff Costs: £100,000.00 Total: £905,000.00		

Current estimate (following tender, prior to Gateway 5)	Concrete Testing: £285,480.22 Tendered repairs to Residential Blocks: £403,186.71 Tendered repairs to Car Parks: £506,108.29 Fees & Staff Costs: £100,000.00 Total: £1,294,775.22
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Last Gateway Approved

A Gateway 4 – Detailed Options Appraisal was presented to Barbican Residential Committee (13 February 2017), DCCS Grand Committee and Projects Sub Committee (both 17 February 2017). The recommended option of tendering concrete repair works in two lots (Lot 1 - the Barbican Estate at an estimated total budget of £905,000, Lot 2 – Golden Lane & Middlesex Street Estates at an estimated budget of £1,370,000) was approved.

This Issues Report concerns the outcome of the tender for Lot 1 – Barbican Estate only. The award of a contract for the concrete repair works to other City Housing estates as tendered as Lot 2 has been approved by a separate Gateway 5 report and will not be considered further in the below.

Progress to date including resources expended

A comprehensive concrete testing programme was completed for the Barbican Estate at a cost of £285,480.22. A further £11,127.50 has been on fees and staff costs to date. A full and compliant tender process has been completed in conjunction with City Procurement. During the first issue of the tender only one bid was received for the Barbican Estate which was insufficient to meet Section 20 consultation regulations. On the second issuing of the tender for the Barbican Estate, four qualifying tenders for the work were received. These were carefully evaluated on the quality and cost criteria as laid out in the procurement process and a successful bidder was identified.

Summary of Issue

Following the procurement process the total project budget for the concrete testing and repairs programme at the Barbican Estate, encompassing the successful tender, the costs already expended on the testing programme and associated staff costs & fees, exceeds the estimated budget range approved at Gateway 4 by £389,775.22.

Proposed way forward

Increase the project budget by £389,775.22 to £1,294,775.22 and submit a Gateway 5 – Authority to Start Work report for Chief Officer approval.

Recommendations

The **Barbican Estate Residents Consultation Committee** is asked to note this report for information only.

The **Resource Allocation Sub Committee** is asked to approve the following:

1. Approve an increase in the non-recoverable expenditure to the Car Park Account to

£506,108.29 (an increase of £286,108.29).

The **Barbican Residential Committee** and the **Projects Sub Committee** are asked to note and approve the following:

1. Approve an increase in the project budget to a total of £1,294,775.22, comprised of £909,295.00 for the tendered repair works, £285,480.22 for the completed concrete testing programme, £40,000 for consultancy fees and £60,000 to cover staff costs.
2. Note that a Gateway 5 – Authority to Start Work report will be submitted for Chief Officer approval as per the regular approval track.

Main Report

1. Issue description	<p><u>1. Background.</u></p> <p>A comprehensive concrete testing programme was completed at the Golden Lane, Middlesex Street and Barbican Estates. At the previous Gateway, approval was given to tender for a programme of concrete repair works split into two lots (Lot 1: Barbican Estate, Lot 2: Golden Lane & Middlesex Street Estates) to ensure that the contracts were attractive to a range of potential contractors from specialist SMEs to the large construction corporations.</p> <p>A full and compliant tender process has been completed in conjunction with City Procurement with tenders advertised on the open market via the CapitalESourcing portal. During the first issue of the tender only one bid was received for the Barbican Estate which was insufficient to meet Section 20 consultation regulations. Sufficient bids within approved Gateway 4 estimates were however received to progress the Golden Lane and Middlesex Street Estate repairs independently; the contract award for these other estates has been authorised via a separate Gateway 5 report. This Issues Report concerns concrete repairs to the Barbican Estate only.</p> <p>On the second issuing of the tender for the Barbican Estate, four qualifying tenders for the work were received. These were carefully evaluated on the quality and cost criteria as laid out in the procurement process with Structural Renovations subsequently identified as the successful contractor. The bid from Structural Renovations was the second lowest priced tender and the second highest scorer on the quality criteria.</p> <p>Following the procurement process the proposed total project budget for the Barbican Estate concrete repairs project, encompassing the</p>
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successful tender for the repairs, the completed concrete testing programme and the associated fees and staff costs for both, exceeds the estimated budget approved at Gateway 4 by £389,775.22.

2. Financial Implications.

An estimated budget of £905,000 for the Barbican Estate repairs was notified to Committee at Gateway 4, this was broken down as follows:

Estimated Project Costs at Gateway 4	
Barbican Estate	
Testing costs (rounded)	£285,000
Estimated repair costs (blocks)	£300,000
Estimated repair costs (car parks)	£220,000
Fees and staff costs	£100,000
Total	£905,000
Funding strategy	City Fund (works to residential blocks circa 95% recoverable from leaseholders, works to car parks from the Car Park Account)

Following the tender process, budget estimates are revised as follows:

Revised Project Costs following tender	
Barbican Estate	
Testing costs	£285,480.22
Tendered Repairs costs (blocks)	£403,186.71
Tendered Repairs costs (car parks)	£506,108.29
Fees and staff costs	£100,000.00
Total	£1,294,775.22
Funding strategy	City Fund (works to residential blocks circa 95% recoverable from leaseholders, works to car parks from the Car Park Account)

Total project costs for Barbican Estate concrete repairs are thus revised upwards by £389,775.22.

Analysis of the tendered pricing submission identifies two main areas where costs were underestimated at Gateway 4.

(i) Repairs to car parks. Circa £215,000 of the £286,000 increase from pre-to post-tender car park works estimates is attributable to the post Gateway 4 addition of crack injection works to the previously advised remedial works to address the corrosion induced damage to the concrete in the nine Barbican Estate car parks. Sealing the large number of cracks within the car parks will help prevent water penetration to these structures and thus reduce the risk of further corrosion induced damage to the concrete which can be exacerbated

	<p>by continued wetting and drying. Addressing this issue will also prevent dripping onto vehicles. It is cost efficient to combine these works to prevent water penetration with the repairs to the corrosion induced damage to the concrete and will also minimise disruption to car park users.</p> <p>(ii) Repairs to residential terrace blocks. The cost discrepancy between pre-tender estimates and the tendered cost for the concrete repairs to the Barbican residential blocks (circa £103,000) is attributable to an underestimation of roped access costs to complete the repairs to the terrace blocks. Other access solutions proposed by prospective bidders (scaffold, cradles or the installation of mast climbers) saw an even greater increase over Gateway 4 estimates in the range of £380,000 - £2,900,000. Should the bid from Structural Renovations be accepted the average repair cost per terrace flat would be £195.</p> <p>Tendered costs for repairs to the three tower blocks, where works are restricted to the internal faces of balconies only and thus require no specialist access equipment, were priced in line with pre-tender estimates. Should the bid from Structural Renovations be accepted the average repair cost per tower flat would be £293.</p> <p><u>3. Options.</u></p> <ol style="list-style-type: none"> 1. Approve the increase in project budget to a total of £1,294,775.22 and authorise the submission of a Gateway 5 report for Chief Officer approval. This is the recommended option. 2. Undertake a third tender for the concrete repair works to the Barbican Estate. <p><u>4. Recommendations.</u></p> <ol style="list-style-type: none"> 1. Approve an increase in the project budget to a total of £1,294,775.22, comprised of £909,295.00 for the tendered repair works, £285,480.22 for completed concrete testing programme, £40,000 for consultancy fees and £60,000 to cover staff costs. 2. Note that a Gateway 5 – Authority to Start Work report will be submitted for Chief Officer approval as per the regular approval track.
2. Last approved limit	Of the overall concrete repair budget approved at Gateway 4 of £2,275,000, a sum of £905,000 was designated for the Barbican Estate.
3. Options	1. Approve the increase in project budget to a total of £1,294,775.22 and authorise the submission of a Gateway 5 report for Chief Officer

	<p>approval. This is the recommended option.</p> <p>2. Undertake a third tender for the concrete repair works to the Barbican Estate.</p>
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Appendices

None

Contact

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Committee:	Date(s):
Residents' Consultation Committee	05 March 2018
Barbican Residential Committee	19 March 2018
Subject: Update Report	For information
Report of: Director of Community and Children's Services	Public
<p style="text-align: center;">Summary</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. Gardens Advisory Group Update – see Appendix 1 (RCC only) 5. Leaseholder Service Charge Working Party Update - see Appendix 2 (RCC only) 6. Agenda Plan <p>Property Services – see Appendix 3</p> <ol style="list-style-type: none"> 7. Redecorations 8. Public lift availability 9. Concrete Repairs 10. Background Underfloor Heating Working Party Update – Working Party's Terms of Reference – see appendix 4 (RCC only) 11. Asset Maintenance Working Party Update <p>Recommendation: that the contents of this report be noted.</p>	

Background

This report updates members on issues raised by the Residents' Consultation Committee and the Barbican Residential Committee at their meetings in November/December 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

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 (from September 2019) .
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)

Car Park Charging Working Party

The Barbican Residential Committee at its meeting in June 2017 approved the setting up of a Car Park Charging Working Party. At the recent meetings in November and January the Working Party has been reviewing the “opinions of value” for car parking and stores and the subsequent worked examples of how these would affect the financial position of the car park and stores accounts. Dependant on the outcome of the report on new stores to the Planning and Transportation Committee, it is anticipated that a report of the work of the Car Park Charging Working Party will be presented to the May/June committees.

Stores project

Following pre-planning consultation with residents for the additional stores in the car parks and a planning application the latest estimated timelines are:

- Report to Planning and Transportation Committee 26 March 2018
- Summer - contractors on site
- Autumn 2018 onwards - phased completion and available to rent

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

The LEN project is funding a pilot scheme to roll out EV charging points on the Barbican Estate, with a view to determining the best strategy for the wider roll-out of EV charging points in City of London Corporation managed car parks. Charging points are being installed in 30 parking bays across 5 car parks on the Barbican Estate. From February to July 2018, a 6-month trial will take place, monitoring usage and engaging with residents. A survey was carried out in January to establish the current and near-future interest in and demand for electric vehicle charging points, which will be used as an information base on which the 6-month trial will be built.

4. Gardens Advisory Group Update – see Appendix 1 (RCC only)

5. Leaseholder Service Charge Working Party Update - see Appendix 2 (RCC only)

6. 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	21 May	4 June
SLA Review	Michael Bennett		
Car Park Charging Working Party - Report	Michael Bennett		
Car Park Charging Working Party - Recommendations	Michael Bennett		
Progress of Sales & Lettings	Anne Mason		
Arrears Report (BRC Only)	Anne Mason		
Update Report: <ul style="list-style-type: none"> Main update - Blake Tower service charge related issues/Service Based Review/Electric Vehicle Charging/ Gardens Advisory Group (Appendix 1)/Agenda Plan 2018 Property Services Update (Appendix 2) 	Michael Bennett	3 Sept	17 Sept
"You Said; We Did" Actions (Separate list for RCC & BRC)	Michael Bennett		
SLA Review	Michael Bennett		
2017/18 Revenue Outturn (Excluding the Residential Service Charge Account)	Anne Mason/Chamberlains		
2017/18 Revenue Outturn for the Dwellings Service Charge Account including Reconciliation between the closed accounts and the final service charge	Chamberlains		
Relationship of BRC Outturn Report to Service Charge Schedules – RCC Only	Anne Mason		

Progress of Sales & Lettings	Anne Mason		
Arrears Report (BRC Only)	Anne Mason		
Update Report: <ul style="list-style-type: none"> Main update - Blake Tower service charge related issues/Service Based Review/Electric Vehicle Charging/ Gardens Advisory Group (Appendix 1)/Agenda Plan 2018 Property Services Update (Appendix 2) 	Michael Bennett		
"You Said; We Did" Actions (Separate list for RCC & BRC)	Michael Bennett	26 Nov	10 Dec
SLA Review	Michael Bennett		
Service Charge Expenditure & Income Account - Latest Approved Budget 2018/19 & Original Budget 2019/20	Chamberlains		
Revenue & Capital Budgets - Latest Approved Budget 2018/19 and Original 2019/20 - Excluding dwellings service charge income & expenditure	Chamberlains		
Annual Review of RTAs	Town Clerks		
Working Party Review – Update of Leaseholder Service Charge Working Party (RCC Only)	Anne Mason		
Progress of Sales & Lettings	Anne Mason		
Arrears Report (BRC Only)	Anne Mason		
Update Report: <ul style="list-style-type: none"> Main update - Blake Tower service charge related issues/Service Based Review/Electric Vehicle Charging/ Gardens Advisory Group (Appendix 1)/ Leaseholder Service Charge Working Party Annual Review (Appendix 2)/Agenda Plan 2019 Property Services Update (Appendix 3) 	Michael Bennett		

Background Papers:

Minutes of Residents' Consultation Committee 27 November 2017.
Reports to the Barbican Residential Committee 11 December 2017.

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Appendix 1 - GAG Report to RCC

GAG meeting held 6th February 2018

The meeting opened with introductions to Jake Tibbetts, the new City Gardens Manager. Jake outlined his previous experience and said how keen he had been to work in the City. A tree specialist by background, Jake explained his holistic approach to the “green infrastructure” of the City rather than having silos of expertise.

The Barbican gardens team also has a new leader, Paul Baldassari, and Jake said the Barbican team was being expanded, although with the additional responsibility of a couple of extra sites. Jake is keen to increase the plant knowledge and horticultural skills of the gardeners. He has also set up a meeting with Nigel Dunnett to discuss the management of Beech Gardens which needs a different regime to the other green spaces.

Speed Garden’s future was the main topic for the meeting. Comments from residents during the consultation suggested there was not a widespread demand for a radical redesign of the garden. It was agreed that the idea of retaining design consultants to come up with a scheme would be dropped.

However, residents’ comments did support a rethink of the children’s play area with many suggesting more naturalistic play equipment. There was also support for refreshing the planting, while many wished to retain the lawn as a place for relaxing. Some ideas were discussed during the walkabout which focussed on Speed Garden. It was agreed that a sub-group would examine the many comments in more detail, and Jake would begin researching possible play equipment. The aim is to give children a more interesting play space, while retaining areas for other residents to enjoy in peace. This group would meet again next month (March) and report to the next full GAG meeting scheduled for 19th April.

The new inspection teams had not all been able to complete their work because of illness and holidays, although reports were received from 3 of the 5 areas. It was noted that a lot of work was being carried out in the Breton/Ben Jonson area, so the inspection report for that area would be rapidly out of date.

Sadly, the large mimosa tree in Thomas More garden is riddled with fungus and is decaying. It needs to be removed and this work has been scheduled for the week beginning 19th February. At the same time the tree near Seddon House will be pruned as previously agreed. A replacement mimosa is being sought although a suitable tree may take some time to find. Once planted it should be fast growing.

The GAG meeting was relatively poorly attended with some resident members away or unwell. It was agreed to add Wendy Spurry to the membership, and her joining would help to boost attendances. However, with fewer members present the question of the communications strategy was set aside for the moment. The discussion paper will be re-circulated to members with a request for email comments which would lead to an on-line debate.

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Leaseholders Service Charge Working Party

Report to RCC March 2018

Members

Anne Mason - Chair (BEO), Michael Bennett (BEO), Helen Davinson (BEO), Jim Davies (Deputy Chair of RCC), Helen Wilkinson, Mary Gilchrist, Jane Northcote, Phillip Burgess, David Lawrence, David Graves

Background

At the RCC AGM it was agreed that the objectives for the LSCWP would be presented back to the RCC in March.

The LSCWP met on 12 February and discussed what the objectives should be.

LSCWP strategic focus

Objective 1

Build a database of service charge data from which the breakdown of costs over a period of time can be reviewed and analysed across the Estate as well as by Terrace / Tower block

The benefit of this approach is that it is not only easier to identify, for review, those areas with consistently higher increases than the norm and which are also a substantial element of the overall charge, but this information, with an explanation of the reasons behind the trend, can be used to provide better information for leaseholders.

Progress - Anne Mason and her team have already provided the base level data across the Estate and this information will now be broken down by Terrace / Tower block.

Objective 2

Work with the BEO to improve communications to the leaseholder in order to provide a better understanding of the charges, the trends and the reasons behind the trends

The benefit of this approach is that leaseholders have a better understanding of what they are paying for and why changes have or will occur against estimates for a year or in the future.

Progress - The working party has reviewed changes proposed by Anne Mason, and her team, for revised letters to leaseholders covering both the annual estimate of charges for the coming year and the review of actual costs against estimates at the

end of the year. These will be reviewed again in April before a trial run is undertaken in three or four Terrace / Tower blocks during early 2018. There will also be a check to see if there is any drain on resources in producing different communication.

The working party have also discussed current Section 20 notices and suggested improvements which will be checked with the legal department. Improvements to the repairs survey form were also discussed.

Objective 3

Work with the BEO to identify where we can find improvements in value for money, and to set some KPIs for these value deliveries to leaseholders.

The benefit of this approach is the development of a relationship with the BEO that demonstrates the delivery by the BEO of value to leaseholders.

The working party discussed underfloor heating during the meeting. As this cost is currently some 20% of the total service charge, improvements here could have the significant “value” benefit for long leaseholders. The working party concluded that, working with the outputs from the underfloor working party, the development of KPIs should initially be focussed here.

It was noted that the UFHWP are investigating “selling back” energy (interruptible supply) and using weather forecasting to anticipate weather conditions and switch heating on and off accordingly and that this has the potential to deliver savings and VFM for Leaseholders.

It was recognised that the interruptible supply work is at a very early stage. However, it could be an aspiration to have this in place for the next heating season i.e. 6 months’ time. The LSCWP would like to work with the UFHWP to formulate a KPI for improved value from UFH which includes improved comfort and cost indicators.

Further Work

Use the database of service charge costs and their trends to identify further areas where value improvements can be derived.

At the next meeting the LSCWP will discuss the method of the calculation of the supervision and management charge.

Also, the BEO will provide information on the procurement process for goods and services to establish that tendering has provided real value to Leaseholders.

Conclusion

The above workstreams should inform leaseholders and improve understanding and communication of how service charges are formulated and provide value for money for residents.

7. Redecorations

2016/17-2019/20 Programme

Works continue to progress well on the 2017/18 programme

At the time of this report (8 February 2018)

- Willoughby House – Complete
- Brandon Mews – Complete
- Cromwell Tower– Delayed start date pending results of fire safety inspections to front doors and surrounds
- Speed House – Delayed start date pending results of fire safety inspections to front doors and surrounds
- Bunyan Court – Delayed start date pending results of fire safety inspections to front doors and surrounds
- Thomas More House – Due to commence 12 February 2018
- Mountjoy House – Due to commence April 2018
- The Postern - Due to commence April 2018

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

8. 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 December 2017
Turret (Thomas More)	99.95%	99.93%
Gilbert House	99.96%	99.99%

9. Concrete Repairs – see separate report.

10. Background Underfloor Heating Working Party Update – Terms of Reference (RCC only) – see Appendix 4

11. Asset Maintenance Working Party Update

Following a review of Working Parties at the recent RCC AGM, it was agreed that the Asset Maintenance Working Party will continue in its current format. Membership is currently being finalised and dates will be set to take us through 2018.

BACKGROUND UNDERFLOOR HEATING WORKING PARTY TERMS OF REFERENCE

Background

The current electric background underfloor heating system on the Barbican Residential Estate has been in place for over 40 years. During the last three years the system (underfloor pads, fuses, switches, risers and distribution systems) have been found to be in excellent condition and should be useable for the foreseeable future with minimal maintenance cost.

Until May 2017 the underfloor heating was controlled in three basically similar cycles system was switched on or off by a cyclo control system managed by EDF. The on/off status was determined by comparing the outside air temperature with a pre-determined profile. These profiles were loaded in the 80s or before and the control system was effectively a black box with no user serviceable access.

During 2017 a new control system was installed, which enables a much finer control of the heating system. This control system is now easily modified by the Barbican Estate Office building management system and can operate switching on a block by block basis.

Further, during 2016/17 the opportunity was discovered of achieving substantial savings by offering the national grid the potential to switch off or on our heating system for very short periods of time. This Demand Side Response could be implemented either directly or through an aggregator.

Objectives

The Background Underfloor Heating Working Party (BUHWP) will take the opportunity to capitalise the opportunities presented by these two developments to improve the comfort of Barbican residents and reduce the costs of our underfloor heating bills. It will immediately evaluate;

- the feasibility of using Demand Side Response and its potential for reducing costs,
- the potential for increasing the level of heat provision during the shoulder periods of October and May, either by shifting some of the total consumption from the peak winter months of January and February or by increasing total annual consumption,

- the potential for incorporating feedback into the control system, so that our control system operates more like a standard domestic thermostatically controlled system,
- the potential for incorporating weather forecasts into our control system, and
- the potential for installing controls that would enable residents to control their own heating.

Modus operandi

The BUHWP will recruit its members from residents and City officers. It will be chaired by a resident, preferably a Common Councillor who serves on the BRC. However, the full working party, including City Officers will need to meet only occasionally. Most of the work will be carried out by a sub-group of residents who will from time to time call upon the officer members for technical support. This sub-group may also need to call for assistance from other City officers. This sub-group will be chaired by a resident who will be Deputy Chair of the working party. The Chair and Deputy Chair will be elected annually from members of the BUHWP

The BUHWP will report progress to and seek guidance from the RCC. This will take place at each RCC meeting.

The full BUHWP and the sub-group will keep minutes, and provide an annual report, all of which will be submitted to the RCC.

Committee: Standards Committee	Date: 26 January 2018
Subject: Potential Conflicts of Interest on the Barbican Residential Committee	Public
Report of: Comptroller & City Solicitor	For Decision
Report author: Edward Wood, Chief Solicitor	

Summary

Your Committee requested a report on potential conflicts of interest for Members who serve on the Barbican Residential Committee and who have an interest in property on the Barbican Estate. This report covers the constitutional arrangements of the Barbican Residential Committee, the position in relation to disclosable pecuniary interests under the Localism Act 2011, the granting of dispensations and the history of declarations and attendance at meetings of the Barbican Residential Committee.

It should be noted that on 14 December 2017, the Policy & Resources Committee asked for the governance of the City Corporation's residential housing to be examined on a more strategic level with the aim of producing proposals which consolidate the governance arrangements of the City Corporation's residential housing offer.

Recommendation:

Members are asked to:

- a) note that the Policy & Resources Committee have asked for the governance of the City Corporation's residential housing to be examined on a more strategic level with the aim of producing proposals which consolidate the governance arrangements of the City Corporation's residential housing offer: and
- b) consider whether, in light of the Policy & Resources Committee's review referred to above, it is appropriate to make a recommendation to that Committee regarding any future composition of the Barbican Residential Committee.

Main Report

Background

1. At the last regular meeting of this Committee on 6 October 2017, Members requested that the Comptroller & City Solicitor produce a report on the Barbican Residential Committee and the potential for conflicts of interest arising in relation to Members who serve on that Committee and who have an interest in property on the Barbican Estate. Members also requested that the Chairman of the Policy and Resources Committee be advised of this, as the Policy and Resources Committee had separately requested a review of the housing services by the Director of Community & Children's Services, including the governance arrangements.
2. Subsequently, on 14 December 2017, the Policy & Resources Committee asked for the governance of the City Corporation's residential housing to be examined on a more strategic level with the aim of producing proposals which consolidate the governance arrangements of the City Corporation's residential housing offer. This review is now being co-ordinated by the Town Clerk.

Constitutional arrangements

3. The Barbican Residential Committee is a non-ward committee appointed by the Court of Common Council. It was first established in the early 1980's and its current constitution and terms of reference are attached at Appendix 1.
4. The Barbican Residential Committee is responsible for the management of all completed residential premises and ancillary accommodation on the Barbican Estate, as well as the disposal of interests in the Barbican Estate.
5. The Barbican Residential Committee acts on behalf of the City Corporation as landlord of the Barbican Estate, and is not to be confused with the Barbican Estate Residents' Consultation Committee, which is an independent body which exists to represent the views of the Barbican Estate residents. In carrying out its management functions, the Barbican Residential Committee must have regard to any representations made to it by the Barbican Estate Residents' Consultation Committee.
6. Potential conflicts of interest are essentially 'hard wired' into the Barbican Residential Committee itself by the fact that nine Members of that Committee are nominated by the residential wards encompassing the Barbican Estate, being Aldersgate, Cripplegate Within and Cripplegate Without. Presumably this arrangement was put in place to ensure that

the views of residents were fully represented on the Barbican Residential Committee, as well as via the Barbican Estate Residents' Consultation Committee. I understand that as a matter of practice the Members nominated by the wards of Aldersgate, Cripplegate Within and Cripplegate Without are always residents of the Barbican Estate (referred to as "resident Members" in this report).

7. However, the Court of Common Council has attempted to offset any concerns over potential conflicts of interests by itself electing a further eleven Members of the Barbican Residential Committee who are non-residents of the Barbican Estate (referred to as "non-resident Members" in this report). Even when the one ex-officio position to the Chairman or Deputy Chairman of the Community & Children's Services Committee is taken into account, this ensures that a majority of the Members of the Barbican Residential Committee should be non-residents of the Barbican Estate.
8. This does of course only protect the City Corporation's position if the non-resident vacancies are filled and those Members attend meetings in sufficient numbers. At the time of writing there are five vacancies for non-resident Members of the Barbican Residential Committee. Recent attendance at meetings is considered later on in this report.
9. Further safeguards include the fact that the Chairman and Deputy Chairman of the Barbican Residential Committee shall be elected from the Members who are non-residents of the Barbican Estate, and that the quorum consists of any four Members who are non-residents of the Barbican Estate.
10. It may be worth noting that non-resident Members from the wards of Aldersgate, Cripplegate Within and Cripplegate Without can also be elected to fill the quota of non-resident Members of the Barbican Residential Committee, stand for the Chairmanship and Deputy Chairmanship and count towards the quorum. Currently therefore eleven out of the fifteen Members of the Barbican Residential Committee represent Aldersgate or Cripplegate. However, this is of course within the gift of the Court of Common Council.

Position under the Localism Act 2011

11. Members will know that under the Localism Act 2011 and The Relevant Local Authorities (Disclosable Pecuniary Interests) Regulations 2012 there are a number of disclosable pecuniary interests that prevent a Member from participating in any discussion or vote on a connected item of business. The disclosable pecuniary interest that is primarily engaged in relation to housing matters is:

- (a) any beneficial interest in land which is within the area of the relevant authority.
- 12. The Localism Act 2011 does not provide any additional guidance on judging whether a disclosable pecuniary interest is engaged or not. It simply states that the prohibition on speaking or voting on a matter is engaged where a Member:
 - (a) is present at a meeting;
 - (b) has a disclosable pecuniary interest in any matter to be considered, or being considered, at the meeting; and
 - (c) is aware that the condition in paragraph (b) is met.
- 13. It is up to individual Members to make a judgement whether they have a disclosable pecuniary interest in relation to any particular item of business. It is a moot point for example whether a Member of the Barbican Residential Committee who owned a flat on the Barbican Estate, but did not own a car, would have a disclosable pecuniary interest in the setting of resident car parking charges. Whilst the Member concerned would not be liable to pay any parking charge at that time, their circumstances could change in the future, and the level of such a charge could conceivably also have an impact on the saleability and value of the Member's flat.
- 14. A Member commits a criminal offence if, without reasonable excuse, they participate in any discussion or vote on any matter in which they have a disclosable pecuniary interest. For this reason, we would always advise a Member to err on the side of caution. A Member who is found guilty of such an offence can be fined up to £5,000 and disqualified from holding office for up to five years. A prosecution may only be instigated by or on behalf of the Director of Public Prosecutions (DPP).
- 15. Members will also know however that a relevant authority may, on a written request made to the proper officer of the authority by a Member of the authority, grant a dispensation relieving the Member from either or both of the restrictions on speaking or voting in cases described in the dispensation. The granting of such dispensations is a function of this Committee and its Dispensations Sub-Committee. A relevant authority may only grant a dispensation if, after having had regard to all relevant circumstances, the authority:
 - (a) considers that without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business;

- (b) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;*
- (c) considers that granting the dispensation is in the interests of persons living in the authority's area;
- (d) if it is an authority operating executive arrangements, considers that without the dispensation each Member of the authority's executive would be prohibited from participating in any particular business to be transacted by the authority's executive;* or
- (e) considers that it is otherwise appropriate to grant a dispensation.

* Grounds (b) and (d) are not directly applicable to the City Corporation but are included for completeness and context.

Comparison with previous regime

16. The previous standards regime under the Local Government Act 2000 expressly allowed Members to vote on a number of matters in which they would otherwise have had a 'prejudicial interest' (the equivalent of a disclosable pecuniary interest). In the context of a beneficial interest in land in an authority's area, this included business relating to the functions of the authority in respect of:-
 - (a) housing, where the Member was a tenant of the authority, provided that those functions did not relate particularly to their tenancy or lease.
17. Therefore, under the previous standards regime, Members of the Barbican Residential Committee who had an interest in property on the Barbican Estate were automatically allowed to speak and vote on all matters relating to the management of the Barbican Estate that did not relate to their tenancy or lease in particular.

Dispensations granted under the Localism Act 2011

18. Your Committee will recall that you most recently considered a number of requests for dispensations from Members of the Barbican Residential Committee at your meeting on 19 May 2017. The requests were largely prompted by an upcoming report relating to the charging policy for car parking and stores on the Barbican Estate. In that case, where sufficient information had been provided, your Committee granted dispensations to speak on those specific matters but not to vote.

Declarations made under the Code of Conduct

19. Inspection of the minutes of the Barbican Residential Committee for the last two years reveals that the following disclosable pecuniary interests were declared:

Date of meeting	Item of business	Number
11/12/2017	Lease enforcement	5
11/09/2017	No declarations – meeting inquorate	-
05/06/2017	Charging policy for car parking	3
13/02/2017	Rent review	2
12/12/2016	Charging policy for car parking and storage	5
19/09/2016	No declarations	-
13/06/2016	No declarations	-
14/03/2016	Service based review	1
14/03/2016	Car park charging	2
14/03/2016	Rent review	2

Attendance at meetings of the Barbican Residential Committee

20. Inspection of the minutes of the Barbican Residential Committee for the last two years indicates the following level of attendance by resident and non-resident Members:

Date of meeting	Resident Members	Non-resident Members
11/12/2017	7	6
11/09/2017	-	-
05/06/2017	9	6
13/02/2017	7	9
12/12/2016	6	7
19/09/2016	7	9
13/06/2016	7	7
14/03/2016	8	10

21. Your Committee will note that at the two most recent quorate meetings of the Barbican Residential Committee the resident Members were in the majority.

Assessment of legal position

22. There is no doubt that the current arrangements are lawful. The Barbican Residential Committee is covered by the rules on disclosable pecuniary interests in the Localism Act 2011 and The Relevant Local Authorities (Disclosable Pecuniary Interests) Regulations 2012. Members of the Barbican Residential Committee can deal with any disclosable pecuniary interests that arise by not participating in the

discussion and vote on that item, or by seeking an appropriate dispensation from your Committee.

Other considerations

23. Members may wish to consider whether the constitutional arrangements of the Barbican Residential Committee might give rise to a public perception that conflicts of interest could occur. Members may also wish to consider whether any aspect of the current arrangements constitutes an impediment to the proper consideration of business at meetings of the Barbican Residential Committee.

Conclusion

24. The current constitutional arrangements of the Barbican Residential Committee are lawful. However, Members may wish to consider whether the current arrangements might give rise to a negative public perception that conflicts of interest could occur. Members may also wish to consider whether any aspect of the current arrangements could be improved upon.

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