

BARBICAN RESIDENTIAL COMMITTEE
Thursday, 21 June 2018

Minutes of the meeting held at Guildhall at 9.30 am

Present

Members:

Michael Hudson (Chairman) *
Rehana Ameer
Randall Anderson
Matthew Bell
Mark Bostock
Deputy David Bradshaw
Mary Durcan
Michael Hudson (Chairman)
Jeremy Mayhew
Deputy Joyce Nash
Barbara Newman
Graham Packham
William Pimlott
Deputy John Tomlinson

**indicates non-resident Member*

In attendance

Ann Holmes – immediate past Chairman of the Barbican Residential Committee

Officers:

Paul Murtagh	- Assistant Director, Barbican and Property Services, Community and Children's Services
	- Community and Children's Services
	- Community and Children's Services
	- Community and Children's Services
Alan Bennetts	- Comptroller and City Solicitor's Department
Michael Bradley	- City Surveyor's Department
Anne Mason	- Community and Children's Services
Mark Jarvis	- Head of Finance - Citizen Services, Chamberlains
	- Comptroller and City Solicitor's
Julie Mayer	- Town Clerk's Department

1. APOLOGIES

Apologies were received from Chris Boden, Susan Pearson (Deputy Chairman) and Stephen Quilter.

Members noted that the Deputy Chairman had broken her arm following a recent fall and wished her a speedy recovery.

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

The Town Clerk advised that, of those Members who had applied for dispensations, only Mr Mark Bostock and Mr William Pimlott had been granted dispensations to speak but not to vote on the Car Park Charges and Storage Report (at item 3 on this agenda).

The Chairman had agreed that those Members, who had not been granted dispensations, could email their comments to BRC Members and they had also been tabled. Members expressed their frustration at being refused dispensations to speak at this Special Meeting of the BRC, particularly as they had been granted for previous meetings. *NB. This was discussed further under 'Items of Urgent Business' later on the agenda.*

3. CAR PARK CHARGING AND STORAGE ON THE BARBICAN ESTATE

Members considered a report of the Director of Community and Children's Services in respect of a charging policy for car parking and storage. At the meeting of the BRC on 4 June 2018, Members agreed that the Car Park Charges Working Party should convene a further meeting to consider the representations from Members, residents and officers. The Working Party met on 11th June 2018 and the report before Members today comprised an overview of its considerations and recommendations.

Following the discussion and questions, the Chairman advised that many of the points raised had been addressed at the Working Party. Furthermore, three of the recommendations in the report; covering an Equalities Impact Assessment, short-term parking by visitors, tradesmen and 'others', free parking periods and the provision of concierge and related services had been referred to the Working Party for further consideration, before coming back to the BRC for decision.

The following points were also noted.

1. The CPI rate had changed since the report was first drafted but it was not relevant to this decision.
2. There was a general consensus that there should be no cross subsidy.
3. The request for a charging policy for all land on the Barbican Estate was referred to officers.
4. A resident member stressed the difficulties experienced by visiting tradesmen, who were not able to park on the street or on driveways. However, it was noted that, if tradesmen were able to park on the street, they would need to pay parking fees. Members agreed that this matter required further consideration to ensure a fair policy, which was neither too complex nor expensive to administer. It was also suggested that, as

all residents had visiting tradesmen, it might be fair to transfer this to service charges. The height restriction on garages was also an issue, as this forced some tradesmen to park in front of Lauderdale or Cromwell Towers, without paying.

5. There was a general consensus that more work was required in respect of residents who owned their car parking spaces, concierge charges, CCTV and security. Members noted that the Management Plan (as required by the planning permission) would include details of additional security including dual lock systems for the new stores and CCTV.
6. A resident Member related an incident from 2014 whereby a car park roof collapsed on a vehicle and challenged whether the charges should increase above inflation.
7. Given that elasticity of demand cannot be measured, the phased increases over 3 years; i.e. £1340; £1420 and £1500 would be reviewed after one year, to see if there was a significant drop in demand.
8. Members were reminded that the BRC was a Landlord and not a Social Housing Committee.
9. In respect of the new stores, Members noted that the planning permission required a management plan before they could be constructed. Also, under the planning conditions, the stores could not be let to non-residents until 6 months after they had first been let to residents. Depending on take up by residents, the BRC would be asked to take a decision as to whether or not to let to non-residents. Members were reminded that a decision was required today, to enable construction to begin and for the first stores to be let by the end of the year, in order to receive income within the current financial year.
10. Disabled or 'similar' would include the infirm, elderly and carers and an Equalities Impact Assessment of the Car Park Charging Policy would be undertaken by the Working Party for approval by the BRC. Members noted that 3 months' notice was required to increase charges but none was required to reduce them or make concessions.
11. Members referred to a 1957 report to the Court of Common Council in respect of providing amenities to the Barbican Estate; *'even if this meant foregoing a more remunerative return on the land'*. It was suggested that circumstances had changed in 61 years.
12. Trends for car usage across London continued to fall; the City car parks were particularly underused and, therefore, any downward trend would not just be from elasticity of demand.
13. Members noted that there were 2 resident Members on the Working Party who were entitled to participate and make recommendations to the BRC. There were also 2 non-resident Members and 2 officers; 6 was

considered an adequate membership for a Working Party looking at a project of this scale.

14. In drawing the debate to a close, the Chairman acknowledged that the recommendations, as set out in the report, represented a compromise. He thanked the Working Party, Residents and Members for their constructive input in reaching this position and particularly commended the work of the Lauderdale Tower House Group for presenting a viable alternative set of proposals.

On putting the recommendations to the vote, the following final points were raised:

- Members noted that the rent for stores within the Barbican Buildings (£27.50 per square foot) had been £40 but the Working Party had reduced this following further comparisons with storage space in London Wall buildings, which were dry and lit. It was proposed by Jeremy Mayhew, seconded by Matthew Bell and carried that the charge for internal stores be £25.00 per sq ft and not £27.50, thereby representing a 25% increase and not 37%.
- It was proposed by Michael Hudson, Seconded by Matthew Bell and carried that the charge for non-resident users be £40.00, including VAT.

RESOLVED, that:

1. The Barbican car park charge, per parking space and for the ensuing year, be increased to £1,340 per annum, subject to a review in one year.
2. Officers be instructed to carry out an Equalities Impact Assessment and report back to the Working Party, so that recommendations as to whether a reduced charge should apply to disabled or similar users and, if so, what the reduction should be.
3. Officers be asked to consider whether the provision of free short-term parking by visitors, tradesmen and others, could, and if so should, be allocated to the service charge account, and whether the free period of parking should be altered, and report to a future meeting of the Working Party.
4. Officers be asked to consider how an adjustment can be made, consistent with complying with the lessor's obligations and service charge provisions within the leases, in the way concierge and related services are provided and charged, and to make recommendations to the Working Party to consider, prior to it making recommendations to the BRC.
5. The rents for stores within Barbican buildings (that is, stores not constructed in the car parks) be increased to £25.00 per square foot, per annum (which are all classed as small/standard stores) and be subject to review after one year.

6. The rents of all existing stores within the car parks be increased to £20.00 per square foot per annum.
7. The increase of rents for existing stores in the car parks, currently let to existing users, be phased in over over a three-year period and that they be let at £14.00 per square foot, per annum for the ensuing year.
8. Rents for the new stores, to be constructed in the car parks, be charged at £20.00 per square foot, per annum and subject to review after one year.
9. Agree the lettings policy for the new stores in the car parks in order that:
 - a) stores be first offered to Barbican residents and not offered to non-Barbican residents, for at least 6 months after the first letting of a new store;
 - b) the minimum Barbican resident use of the new stores be set at 90 per cent (subject to review and depending on the take up of the new stores);
 - c) non-resident users be restricted to City residents whose home is not more than one half mile from the entrance to the car parks containing the store such residents would use;
 - d) the minimum rent to be charged to non-resident users be set at £40.00, including VAT, per square foot per annum, subject to review;
 - e) officers be instructed to finalise the management plan and submit it to the planning authority for approval.

1. **APOLOGIES**

Apologies were received from Chris Boden, Susan Pearson (Deputy Chairman) and Stephen Quilter.

Members noted that the Deputy Chairman had broken her arm following a recent fall and wished her a speedy recovery.

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

The Town Clerk advised that, of those Members who had applied for dispensations, only Mr Mark Bostock and Mr William Pimlott had been granted dispensations to speak but not to vote on the Car Park Charges and Storage Report (at item 3 on this agenda).

The Chairman had agreed that those Members, who had not been granted dispensations, could email their comments to BRC Members and they had also been tabled. Members expressed their frustration at being refused dispensations to speak at this Special Meeting of the BRC, particularly as they had been granted for previous meetings. *NB. This was discussed further under 'Items of Urgent Business' later on the agenda.*

1. CAR PARK CHARGING AND STORAGE ON THE BARBICAN ESTATE

Members considered a report of the Director of Community and Children's Services in respect of a charging policy for car parking and storage. At the meeting of the BRC on 4 June 2018, Members agreed that the Car Park Charges Working Party should convene a further meeting to consider the representations from Members, residents and officers. The Working Party met on 11th June 2018 and the report before Members today comprised an overview of its considerations and recommendations.

Following the discussion and questions, the Chairman advised that many of the points raised had been addressed at the Working Party. Furthermore, three of the recommendations in the report; covering an Equalities Impact Assessment, short-term parking by visitors, tradesmen and 'others', free parking periods and the provision of concierge and related services had been referred to the Working Party for further consideration, before coming back to the BRC for decision.

The following points were also noted.

1. The CPI rate had changed since the report was first drafted but it was not relevant to this decision.
2. There was a general consensus that there should be no cross subsidy.
3. The request for a charging policy for all land on the Barbican Estate was referred to officers.
4. A resident member stressed the difficulties experienced by visiting tradesmen, who were not able to park on the street or on driveways. However, it was noted that, if tradesmen were able to park on the street, they would need to pay parking fees. Members agreed that this matter required further consideration to ensure a fair policy, which was neither too complex nor expensive to administer. It was also suggested that, as all residents had visiting tradesmen, it might be fair to transfer this to service charges. The height restriction on garages was also an issue, as this forced some tradesmen to park in front of Lauderdale or Cromwell Towers, without paying.
5. There was a general consensus that more work was required in respect of residents who owned their car parking spaces, concierge charges, CCTV and security. Members noted that the Management Plan (as required by the planning permission) would include details of additional security including dual lock systems for the new stores and CCTV.
6. A resident Member related an incident from 2014 whereby a car park roof collapsed on a vehicle and challenged whether the charges should increase above inflation.

7. Given that elasticity of demand cannot be measured, the phased increases over 3 years; i.e. £1340; £1420 and £1500 would be reviewed after one year, to see if there was a significant drop in demand.
8. Members were reminded that the BRC was a Landlord and not a Social Housing Committee.
9. In respect of the new stores, Members noted that the planning permission required a management plan before they could be constructed. Also, under the planning conditions, the stores could not be let to non-residents until 6 months after they had first been let to residents. Depending on take up by residents, the BRC would be asked to take a decision as to whether or not to let to non-residents. Members were reminded that a decision was required today, to enable construction to begin and for the first stores to be let by the end of the year, in order to receive income within the current financial year.
10. Disabled or 'similar' would include the infirm, elderly and carers and an Equalities Impact Assessment of the Car Park Charging Policy would be undertaken by the Working Party for approval by the BRC. Members noted that 3 months' notice was required to increase charges but none was required to reduce them or make concessions.
11. Members referred to a 1957 report to the Court of Common Council in respect of providing amenities to the Barbican Estate; *'even if this meant foregoing a more remunerative return on the land'*. It was suggested that circumstances had changed in 61 years.
12. Trends for car usage across London continued to fall; the City car parks were particularly underused and, therefore, any downward trend would not just be from elasticity of demand.
13. Members noted that there were 2 resident Members on the Working Party who were entitled to participate and make recommendations to the BRC. There were also 2 non-resident Members and 2 officers; 6 was considered an adequate membership for a Working Party looking at a project of this scale.
14. In drawing the debate to a close, the Chairman acknowledged that the recommendations, as set out in the report, represented a compromise. He thanked the Working Party, Residents and Members for their constructive input in reaching this position and particularly commended the work of the Lauderdale Tower House Group for presenting a viable alternative set of proposals.

On putting the recommendations to the vote, the following final points were raised:

- Members noted that the rent for stores within the Barbican Buildings (£27.50 per square foot) had been £40 but the Working Party had

reduced this following further comparisons with storage space in London Wall buildings, which were dry and lit. It was proposed by Jeremy Mayhew, seconded by Matthew Bell and carried that the charge for internal stores be £25.00 per sq ft and not £27.50, thereby representing a 25% increase and not 37%.

- It was proposed by Michael Hudson, Seconded by Matthew Bell and carried that the charge for non-resident users be £40.00, including VAT.

RESOLVED, that:

10. The Barbican car park charge, per parking space and for the ensuing year, be increased to £1,340 per annum, subject to a review in one year.
11. Officers be instructed to carry out an Equalities Impact Assessment and report back to the Working Party, so that recommendations as to whether a reduced charge should apply to disabled or similar users and, if so, what the reduction should be.
12. Officers be asked to consider whether the provision of free short-term parking by visitors, tradesmen and others, could, and if so should, be allocated to the service charge account, and whether the free period of parking should be altered, and report to a future meeting of the Working Party.
13. Officers be asked to consider how an adjustment can be made, consistent with complying with the lessor's obligations and service charge provisions within the leases, in the way concierge and related services are provided and charged, and to make recommendations to the Working Party to consider, prior to it making recommendations to the BRC.
14. The rents for stores within Barbican buildings (that is, stores not constructed in the car parks) be increased to £25.00 per square foot, per annum (which are all classed as small/standard stores) and be subject to review after one year.
15. The rents of all existing stores within the car parks be increased to £20.00 per square foot per annum.
16. The increase of rents for existing stores in the car parks, currently let to existing users, be phased in over over a three-year period and that they be let at £14.00 per square foot, per annum for the ensuing year.
17. Rents for the new stores, to be constructed in the car parks, be charged at £20.00 per square foot, per annum and subject to review after one year.
18. Agree the lettings policy for the new stores in the car parks in order that:
 - a) stores be first offered to Barbican residents and not offered to non-Barbican residents, for at least 6 months after the first letting of a new store;

- b) the minimum Barbican resident use of the new stores be set at 90 per cent (subject to review and depending on the take up of the new stores);
- c) non-resident users be restricted to City residents whose home is not more than one half mile from the entrance to the car parks containing the store such residents would use;
- d) the minimum rent to be charged to non-resident users be set at £40.00, including VAT, per square foot per annum, subject to review;
- e) officers be instructed to finalise the management plan and submit it to the planning authority for approval.

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

There were no questions.

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

Resident Members of the BRC, who had not been granted dispensations, expressed their disappointment at having been granted them for previous BRC meetings. Furthermore, they had not been given an explanation as to why they had been refused this time. Whilst accepting that they might not be able to vote, resident and non-resident Members agreed that the Cripplegate and Aldersgate Ward Members should be allowed to represent the views of their constituents. Members were reminded that all meetings of the Standards and Dispensations Sub Committees were held in public and encouraged to attend if their dispensations were being heard.

The Chairman, also a Member of the Standards Committee, advised that Co-opted Standards Committee Members had raised this issue and the Standards Committee had taken a Resolution to Policy and Resources Committee in respect of the BRC's governance arrangements. The matter was also the subject of a question to the Court of Common Council later today.

Members noted that the BRC was carrying 5 non-resident vacancies, which compounded its' governance issues. In the event of today's Court question not answering the above points, it was Proposed by Jeremy Mayhew, Seconded by David Bradshaw and RESOLVED, that:

The Standards Committee be asked to justify why Members of the BRC had been refused dispensations to speak at today's meeting, given that they had been granted for previous meetings.

The meeting ended at 10.45 am

Chairman

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