

BARBICAN RESIDENTIAL COMMITTEE
Friday, 8 October 2021

Minutes of the meeting of the Barbican Residential Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Friday, 8 October 2021 at 11.00 am

Present

Members:

Mark Wheatley (Chairman)
Michael Hudson (Deputy Chairman)
Randall Anderson
Mark Bostock
Deputy David Bradshaw
Mary Durcan
Jeremy Mayhew
Deputy Barbara Newman
Susan Pearson
Jeremy Simons
Deputy John Tomlinson

Officers:

Paul Murtagh	- Assistant Director, Barbican and Property Services
Mark Jarvis	- Chamberlain's
Alan Bennetts	- City Solicitors
Graeme Lowe	- City Surveyors
Barry Ashton	- Community and Children's Services
Helen Davinson	- Community and Children's Services
Anne Mason	- Community and Children's Services
Becky Bello	- Community and Children's Services
Julie Mayer	- Town Clerk's

1. APOLOGIES

Apologies were received from Dawn Wright and Andrew McMurtrie.

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

The following Members had general dispensations to speak but not vote on item 5 on the Agenda (the Resolution in respect of the Car Park Concierge Service):- Mary Durcan, John Tomlinson, Mark Bostock, Randall Anderson and Barbara Newman.

3. MINUTES

RESOLVED, that – the public minutes and non-public summary of the meeting held on 28th June 2021 be approved, subject to correcting an error in that David Bradshaw is the Chair of Barbican Estate Security Committee, and not the Safety Committee.

4. **MINUTES OF THE RESIDENTS' CONSULTATION COMMITTEE (RCC)**

RESOLVED, that – the draft minutes of the RCC meeting held on 27 September 2021 be noted.

Matters arising

Members noted an update from the Gardens Advisory Working Party in respect of a request for an uplift to the service charges, in order to make a permanent gardener appointment.

Given that the next meeting of the Committee was not scheduled until January 2022, it was moved by David Bradshaw, seconded by Susan Pearson and

RESOLVED, That:-

Authority be delegated to the Town Clerk, in consultation with the Chairman and Deputy Chairman of the Barbican Residential Committee (BRC), to approve the temporary uplift in the service charge (averaging less than £25 per flat, per year) being made permanent, and that this be subject to an annual review.

NB. Members asked to be sighted on the report seeking delegated authority as part of the consultation with the Chairman and Deputy Chairman.

5. **CAR PARK CONCIERGE SERVICE**

The Committee received a Resolution from the meeting of the RCC on 27th September in respect of the Car Park Concierge Service. Members noted that the Assistant Director and officers had been working with residents, in a Task and Finish Group, in order to seek a mutually agreeable solution in respect of the future of the concierge service in the car parks. This work had resulted in the Resolution before Members today.

The Chairman thanked the Task and Finish Group and gave an assurance that, as representatives of the City of London Corporation, Members of the BRC would do their utmost to support the services paid for by residents. Members also thanked the Chair for his considerable personal effort in this matter.

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

- a) There was some challenge of the approach taken and a perceived lack of clarity in respect of the remit of the Task and Finish Group.
- b) Whilst there had been consultation on the resolution before the Committee, this had not been the case for any alternative proposals. Achieving an acceptable solution within the next 6 months might be overambitious.

- c) There was a possibility that some leaseholders might not want to pay the additional amount and the City Solicitor's advice had been sought.
- d) The concierge parcel service was highly valued and significant in terms of bringing the service into the 21st Century. It was suggested that there might be a lack flexibility or innovation across the wider City of London Corporation in respect of savings proposals.
- e) The 12% savings target had been required to close the budget deficit, and should not have strayed into something that was service chargeable.
- f) Whilst communications had been received from less than 10% of the terrace block residents it was also suggested that, as this had been unsolicited, it was still significant.
- g) Residents do not pay for the parking service but they make a contribution. The comparison to a commercial car park had been challenged, as had the valuation of the car park.
- h) Retaining just 2 of the attendant points, with the others being automated, represented a saving to the City Fund of approximately 800k pa, and a saving to house block residents of approximately £700 pa each. Therefore, further Estate-wide consultation might present a different perspective. The Deputy Chairman proposed, and it was agreed, that an estate wide consultation should take place with residents given the cost of maintaining the Car Park Attendants/concierge service at its current level and the cost of reducing the number of Car Park Attendants/concierges to the level that would be have been adopted had the estate been constructed in the 2020s and not 1970s so residents could make an informed decision on the future level of concierge service they wished to have.
- i) An officer/resident Service Charge Working Party was looking at how service charges could be contained in the future and the outcome of this work would be reported back the RCC/BRC.

The Assistant Director advised that the Director of CCS had provided a full response to Members, in respect of the consultation process, and earlier committee reports had acknowledged that the decision would be controversial. The most recent report had been explicit in that the level of service would not be cut, despite the closure of one and a half car park offices. Members also noted that any suggestion of a reduction in management costs would be null and void, as they are fully service chargeable and would not have any impact the 12% savings target.

In concluding, the Chairman advised that there would be a public meeting with the Barbican Association on 21st October at 7.30pm, and all residents would be invited. The Chairman would address the residents to provide an update on

the current position and the proposed way forward, giving assurance of a full consultation. The invitation would be extended to BRC Members and the venue would be confirmed shortly, noting that a high attendance was expected. The Assistant Director advised that feedback from the meeting would be considered as part of the decision making process. It was also expected that the advice of the City Solicitor would have been received by then.

RESOLVED, that – the following resolution of the Barbican Residential Committee be accepted as a gesture of goodwill, noting the issues set out above, and on the understanding that legal advice would be required before any service models could be reviewed and/or proposals actioned.

NB. acceptance is not an absolute assurance of an outcome but there is a will for seeking a solution before 1 April 2022.

The Barbican Residents' Consultation Committee note that the terrace block representatives on the Barbican Residents' Consultation Committee (RCC) have voted in favour of retaining the current number of Estate Concierges.

'We will support the City of London Corporation in levying a one-off surcharge on terrace block service charge payers, to cover the pro-rata share (for the remainder of the 2021/2022 financial year) of the direct costs of employment of the 6 Estate Concierge roles scheduled to be removed, pending more detailed negotiations between service charge payers and the City Corporation. These costs were estimated by the Barbican Estate Office to be approximately £232,000 per year.

This is being offered as a matter of goodwill and is not an acceptance that the City Corporation would be entitled to reduce services in this way, or of the calculation of the terrace block car park inputs and outputs used to arrive at service charges. If an agreement is reached with the City Corporation, service charge payers will ask for a commitment (from the City Corporation) to that agreement in writing.

In consideration of accepting the one-off surcharge, service charge payers would ask City Officers to work flexibly and imaginatively with the RCC to find a longer term solution to this issue, within the structure of the current lease and freehold transfers, and to assist the RCC Service Charge Working Party in finding ways to significantly reduce service charges, without materially affecting the level or quality of front line services offered by the Barbican Estate Office'.

6. 'YOU SAID; WE DID' - OUTSTANDING ACTIONS LIST

The Committee received the outstanding actions list and noted that the baggage stores were performing ahead of budget in terms of resident take-up.

RESOLVED, that – the report be noted.

7. HOUSING NET ZERO CARBON ACTION PLAN (RE THE BARBICAN ESTATE)

The Committee considered a report of the City Surveyor, which set out the key points and recommendations from the City of London Corporation's Housing Net Zero Carbon Action Plan. Members noted that the option recommended in the report presented the potential to save additional CO₂ but the position could be reviewed once detailed surveys had been completed.

During the discussion, the following points were noted:

- a) The de-carbonisation of Frobisher Crescent would be part of the recommended scenario but, due to the specialist nature of this work, it would need further investigation.
- b) The social housing decarbonisation fund is available for mixed tenure but, as it requires 70% social housing, this would exclude the Barbican. However, capital funding might be available, together with assistance for those Barbican residents on low incomes.
- c) The application for the initial round of funding does not include the Barbican Estate and the costs in the action plan might need further refinement. However, there was the potential for carbon offset funding from developers and other via private finance schemes.

In concluding, Members noted that this is a high level report and, once the action plan had been agreed, the feasibility studies would commence over the next few months and the outcomes reported to the relevant Committees.

RESOLVED, that:

- 1. The report and its contents be noted.
- 2. The recommended approach to developing priority projects be agreed.
- 3. Future projects to be taken forward will be received separately for approval via the Gateway process.

8. 2020/21 REVENUE OUTTURN (EXCLUDING THE RESIDENTIAL SERVICE CHARGE ACCOUNT)

The Committee received a report of the Chamberlain and Director of Community and Children's Services, which compared the revenue outturn for the services overseen by the Barbican Residential Committee in 2020/21, with the final agreed budget for the year. Members noted that the accounts did not include income and expenditure in relation to dwellings service charges, which would be the subject of the next report on the agenda.

RESOLVED, that – the report be noted.

9. SERVICE CHARGE OUTTURN 2020/21

The Committee received a report of the Director of Community and Children's Services which provided information on residential service charge expenditure for 2020/21 and compared the outturn with the 2020/21 estimate and the 2020/21 actual expenditure.

RESOLVED, that – the report be noted.

10. IMPLICATIONS OF THE FIRE SAFETY ACT 2021

The Committee received a report of the Remembrancer and Director of Community and Children's Services which advised the Committee of the relevant provisions of the Fire Safety Act 2021. Members noted that the Act amended the Regulatory Reform (Fire Safety) Order 2005 and was one of several measures introduced following the 2017 Grenfell fire tragedy.

Members noted that the City Surveyor had accepted responsibility for ESW1 forms on public buildings but not for the City's housing estates, nor the Barbican. The Assistant Director would therefore be presenting a further report to the relevant committees on this matter.

RESOLVED, that – the report be noted.

11. FIRE SAFETY ORAL UPDATE

The Assistant Director, Barbican and Property Services was heard in respect of progress on fire safety works on the Estate and provided the following update:

- a) The Fire Signage Strategy had been finalised and the Chairs of the relevant House Groups were being consulted.
- b) The Fire Door Audit was underway, which would inform which doors would need replacement.
- c) The London Fire Brigade (LFB) were auditing all residential blocks over a certain height in London, on a quarterly basis, and the first had taken place at the end of August. With regard to the Barbican, this includes the 3 towers. This had been satisfactory and a couple of minor recommendations were being corrected. In respect of LFB access to Shakespeare Tower, it might be necessary to move the Premises Information Box.
- d) An Officer/Member Working Party had been convened to consider the initial 'Stay Put' Policy and this would be convened once the Fire Signage Strategy had been agreed.

In concluding, Members were reminded that they had agreed to receive the Arup report, once it had been finalised, but anything requiring urgent attention would be actioned immediately. However, given the depth of their local knowledge, Members asked if the respective House Groups Chairs could see the draft Arup reports, once they became available.

12. RECOGNISED TENANTS' ASSOCIATION (RTA) AUDIT 2021

The Committee received a report of the Town Clerk in respect of a Review of the Estate's Recognised Tenant Association. The Town Clerk reported that all of the House Groups, which applied for Recognised Tenant Association (RTA) status, had been successful in meeting the requirements for recognition.

Members noted that the 50% Membership requirement was statutory and the Deputy Chairman stressed the importance of obtaining RTA status, noting the advantages set out in the report.

RESOLVED, that – the House Groups set out in paragraph 8 of the report, together with the Barbican Association, be formally recognised as having Recognised Tenants' Association Status.

13. SERVICE LEVEL AGREEMENT (SLA) QUARTERLY REVIEW: APRIL - JUNE 2021

The Committee received a report of the Director of Community and Children's Services which updated Members on the review of the estate wide implementation of Service Level Agreements (SLAs) and Key Performance Measures (KPIs) for the quarter April – June 2021. The report also provided comments from the House Officers and the Resident Working Party and an ongoing action plan for each of the SLAs.

RESOLVED, that – the report be noted.

14. PROGRESS OF SALES AND LETTINGS

The Committee received a report of the Director of Community and Children's Services, which advised Members of the sales and lettings approved by officers since the last meeting, under delegated authority and in accordance with Standing Orders. The report also provided information on surrenders of tenancies received and the number of flat sales to date.

RESOLVED, That – the report be noted.

15. UPDATE REPORT

The Committee received a report of the Director of Community and Children's Services which updated Members on issues raised by the Residents' Consultation Committee and the Barbican Residential Committee at their meetings in June 2021. This report also provided updates on other issues on the Estate.

RESOLVED, that – the report be noted.

16. BLAKE TOWER ORAL UPDATE

The Assistant Director, Barbican and Property Services provided an update on progress with the handover of Blake Tower to the Barbican Estate Office.

The Assistant Director advised that communications with the developer had improved recently and progress was being made on Saville's survey of the

communal areas, particularly in terms of compartmentation and fire safety. Work was now underway in terms of setting a date for transfer to the City Corporation. Members also noted that Blake Towers residents would receive the weekly Barbican News bulletins on request.

At 12.45 pm and 1.10 pm Members agreed to extend the meeting to 1.30 pm in order to conclude the business on the agenda.

17. ARREARS UPDATE

The Committee received a report of the Director of Community and Children's Services which provided an update on current arrears in respect of tenants and leaseholders on the Barbican Estate. Members noted a non-public appendix at agenda item 22.

RESOLVED, that – the report be noted.

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

There were no questions.

19. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There were no items.

20. EXCLUSION OF THE PUBLIC

RESOLVED, that - under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A of the Local Government Act.

21. NON-PUBLIC MINUTES

RESOLVED, that – the non-public minutes of the meeting held on 28th June 2021 be approved.

22. ARREARS (NON PUBLIC APPENDIX)

The Committee received a non-public appendix in respect of agenda item 17.

23. BARBICAN ESTATE RESIDENTIAL TENANCY RENEWALS

The Committee considered and approved a report of the Director of Community and Children's Services.

24. LEASE APPROVAL

The Committee considered and approved a report of the Director of Community and Children's Services.

25. GATEWAY 5 - FIRE SAFETY IMPROVEMENT WORKS - FROBISHER CRESCENT RESIDENTIAL PREMISES

The Committee considered and approved a report of the Director of Community and Children's Services.

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

There were 3 questions whilst the public was excluded.

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

There were no items.

28. CONFIDENTIAL MINUTES

RESOLVED, that – the confidential minutes of the meeting held on 28th June 2021 be approved.

The meeting ended at 1.20 pm

Chairman

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