

RISK COMMITTEE OF THE BARBICAN CENTRE BOARD

Thursday, 11 October 2012

Minutes of an **inquorate** meeting of the Risk Committee of the Barbican Centre Board held at Guildhall on Thursday, 11 October 2012 at 2.00 pm

Present

Members:

John Tomlinson (Chairman)
Deputy Catherine McGuinness (Deputy Chairman) - via telephone conference
Keith Salway (External Member)

Officers:

Sir Nicholas Kenyon	- Managing Director, Barbican Centre
Sandeep Dwesar	- Barbican Centre
Shaun Kerfoot	- Barbican Centre
Peter Martin	- Barbican Centre
Julie Mayer	- Town Clerk's
Paul Nagle	- Chamberlain's
Dan Doherty	- Chamberlain's

1. APOLOGIES

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

The Town Clerk advised that, due to the absence of the above Members, the Committee was inquorate. However, Deputy McGuinness (Deputy Chairman) was available to join the meeting via telephone conference. Prior to the meeting, the Town Clerk had sought the following legal advice:

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

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

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

Members also noted that there is specific provision under Companies Act legislation to allow for video conferencing arrangements at Board and Directors' meetings, but that it does not extend to local authority meetings.

Members were reminded that the Barbican Risk Committee had advisory powers to the Board and the reports on this agenda were for information. However, the Minutes from this inquorate meeting would be reported to the Barbican Finance Committee and the Board, as is usual practice.

The Town Clerk reminded Members that the Risk Committee was carrying a vacancy the Deputy Chairman suggested that this be filled at the next Board Meeting. Members agreed and recommended that the Board appoint two Members and that one of these might be the Finance Committee's ex-officio Member of the Board. This would mitigate future risks of the Risk Committee being inquorate.

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

There were no declarations.

3. **MINUTES**

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

The Chairman took Members and Officers through matters arising, some of which would also be cross-referenced under the Outstanding Actions list at item 9. The Chairman suggested and Members agreed that, in future, the list should be split into public and non-public sections.

In respect of 'old contracts', Members noted that the Finance Committee receives this as a regular update and it should therefore be removed from the Risk Committee agenda.

4. **INTERNAL AUDIT UPDATE- SEPTEMBER 2012**

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

An External Member asked that the committee be given an update in respect of the Health and Safety audit review concerned with the Construction Design and Management (CDM) legislation of 2007. Internal Audit explained that there were a number of difference between this and earlier legislation and that these required various changes in respect of departmental project management. This review of the Barbican Centre's practices was the most recent of those carried out in co-ordination with the City's various technical departments, and was done to increase compliance with the legislation, help reduce the likelihood of accidents, and thereby mitigate the risks of fines and/or prosecutions."

Internal Audit commended the Barbican for their co-operation and confirmed that all recommendations had been accepted. The Chairman suggested that CDM be considered for inclusion in the Barbican's Risk Register. The Head of Internal Audit and Risk Management confirmed that the most significant areas of the City where CDM applies had been targeted and offered to provide an information summary for all chief officers. The Chairman suggested that this should also be reported to the central Audit and Risk Management Committee.

The External Member suggested that, as the recommendations had been formulated by 26 July, a final report could have been produced sooner. Officers explained that the usual 4 week response time had been extended to 8 weeks, due to the Olympics.

In response to a further question on the Events Expenditure and Income review, the Head of Audit and Risk Management explained that generic user ID's were kept to a minimum on the Artifax System and this system is not used for authorising payments.

The Chief Operating and Financial Officer explained that closing down accounts for events can take several months following complex theatre productions, given the number of different suppliers, but all transactions are tracked and well documented.

With regard to the forward internal audit programme, in some instances, i.e. a review of box office process and applications, the technical upgrades might impact on audit timetables but not to a significant degree.

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

There were no questions

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

There were no items of urgent business.

7. **EXCLUSION OF THE PUBLIC**

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

8. **MINUTES**

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

9. **OUTSTANDING ACTIONS**

The Chairman suggested that future outstanding action lists include the dates on which the action became live. As requested earlier, future lists should also be split into public and non-public sections. The Chairman and Members were pleased to note that all outstanding actions from the meeting of 21 May had been discharged.

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10. **LOSS OF HEATING AND HOT WATER**

This report explained the arrangements for heating and cooling services in place at the Barbican Centre/GSMD

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11. **THEATRE FLYING SYSTEM**

The Interim Buildings Director provided a verbal update.

12. **INSURANCE UPDATE**

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

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13. **FIRE SAFETY UPDATE**

Members received a report of the Interim Buildings Director.

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14. **GOODS LIFT**

The Interim Building Director provided a verbal update on the situation regarding the goods lift.

15. **RISK REGISTER UPDATE**

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

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16. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
17. **ANY ITEMS OF BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

The meeting ended at 3.45pm

Chairman

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