

BARBICAN RESIDENTIAL COMMITTEE
Monday, 22 January 2024

Minutes of the meeting held at Guildhall at 11.00 am

Present

Members:

Mark Wheatley (Chairman)
Anne Corbett (Deputy Chairman)
Helen Fentimen
John Foley
Dawn Frampton
Steve Goodman OBE
Timothy James McNally
Alderwoman Susan Pearson
Ceri Wilkins

In Attendance;

Sandra Jenner – Chair of the Barbican Residents Consultation Committee (RCC)
Jim Durcan – Deputy Chair of the RCC
Alderman Christopher Makin – Deputy Chair of the RCC
Adam Hogg – Chair of the Barbican Association
Mary Durcan – Chair of the Health and Wellbeing Board

Officers:

Judith Finlay	- Executive Director, Community and Children's Services
Mark Jarvis	- Chamberlains
Polly Dunn	- Assistant Town Clerk
Pam Wharfe	- Interim Assistant Director, Housing and Barbican
Jason Hayes	- Community and Children's Services
Anne Mason	- Community and Children's Services
Michael Gwyther-Jones	- Community and Children's Services
Helen Davinson	- Community and Children's Services
Julie Mayer	- Town Clerk's Department
Emma Bushell	- City Surveyors

1. APOLOGIES

Apologies were received from Deputy Madush Gupta, Andrew McMurtrie, Ruby Sayed and Paul Singh. These Members joined the meeting remotely.

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

The Assistant Town Clerk provided clarity in respect of the residential and non-residential status of Barbican Residential Committee Members, noting that some of the Members representing the Wards of Aldersgate and Cripplegate might not actually live on the Barbican Estate. These Members are appointed by the Ward Deputies to represent the Wards' interests, whereas 'non-resident' Members are appointed by the Court of Common Council.

The Assistant Town Clerk and City Solicitor then provided an update on the recent repeal of S.618 of the Housing Act 1985. Members noted that, in practice, this would bring Barbican Residential Committee Members back to the same position as all Court Members serving on other Committees; ie - in terms of applying for dispensations to speak and vote where a pecuniary interest may be engaged. The Comptroller & City Solicitor stressed that this would not provide Members with any additional powers. It was confirmed that, when a dispensation to speak has been granted, Members were able to note how they might have voted,

The Assistant Town Clerk stressed the importance of seeking advice on dispensations as early as possible, noting that all Committee agendas are published five clear working days ahead of the meetings and that exceptional circumstances would be considered on a case by case basis. Members noted that, as this is a very recent development, guidance had been issued to all Members, which would shortly be updated online. Changes to the guidance had been instructed with immediate effect by the Comptroller & City Solicitor.

Members were then invited to declare their interests and Members Helen Fentimen and Steve Goodman, who are residents of the Barbican Estate, advised that they had dispensations to speak on general housing matters.

3. **MINUTES**

RESOLVED, that – the public minutes and non-public summary of the meeting held on 11 September 2023 be approved.

4. **DRAFT MINUTES FROM THE BARBICAN RESIDENTS' CONSULTATION COMMITTEE (RCC) HELD ON 27TH NOVEMBER 2023 AND THE SPECIAL MEETING HELD ON 17TH JANUARY 2024.**

The Chair of the RCC was invited to provide headlines from the meetings of 27th November 2023 and the Special Meeting on 17th January 2024, for which the minutes had been circulated. Members noted the following :

- a) Officers were seeking to source an energy auditor and residents would not be charged for the past year, pending a resolution on incorrect charges.
- b) Issues with Lambert Jones Mews roof and the Brandon Mews canopy are outstanding.
- c) The Service Level Working Party not been able to monitor KPIs due to an IT error but this was being resolved. The KPI workstreams would be reviewed at a meeting this week, together with the role of the Consultant.
- d) A proposal was awaited on the deferred payment scheme, to assist those residents who might be having problems paying their service charges.
- e) Issues with the windows had been outstanding since July 2021 and whilst some had been repaired on an ad-hoc basis, this negates the benefits from having warranties in place.

- f) Following the extension of the Repairs and Maintenance Contract, residents felt that it was not necessary to undertake any more surveys.
- g) Officers were thanked for their swift action in respect of the asbestos issue.
- h) There had been concerns about the presentation of the budget reports, which would be covered later on this agenda.

The Chair thanked the RCC Chair for this summary and noted the themes emerging in respect of clarity and commitment, which still need to be addressed. Members noted the additional document circulated at the weekend in respect of variances in service charges and the Chairman asked that, should it become necessary to go into detail on any staffing matters, it must be reserved for the non-public part of the meeting.

Due to technical issues during the meeting, the following update on energy was provided afterwards by the City Surveyor:

- Following a failed procurement exercise the Energy Team have undertaken discussions with a variety of providers and have now received a service proposal. The Energy Team have a meeting scheduled for the 30th January to discuss the proposed scope of service, with the Revenues Manager and three resident representatives, to evaluate whether it meets residents' requirements. The provider has stated a minimum time required of 3 months to conduct the forensic audit of electricity costs associated with the underfloor heating. It is proposed that the findings of the audit will feed into a more traditional audit of the electricity element of the services charges, which will be conducted by the provider currently auditing Barbican service charges.

RESOLVED, that – the draft minutes of the RCC meetings of 27th November 2023 and the Special Meeting on 17th January 2024 be received.

5. **ACTION TRACKER**

Members received the Committee's actions tracker. Members noted that residents would be consulted on the cyclical maintenance programme and they asked to see information in respect of all the blocks.

6. **ANNUAL REVIEW OF THE COMMITTEE'S TERMS OF REFERENCE**

The Committee considered a report of the Town Clerk in respect of the Committee's Terms of Reference. Members were asked to consider this item alongside the Housing Governance Report, at item 9 on this agenda.

RESOLVED, that –

1. The terms of reference of the Committee (set out at Appendix 1) be amended as follows, to include '*oversight of governance and scrutiny of the management*'; ie -To have oversight of the governance and scrutiny of the management of all completed residential premises and ancillary accommodation on the Barbican Estate, e.g. the commercial premises,

laundrette, car parks, baggage stores, etc. (and, in fulfilling those purposes, to have regard to any representations made to it by the Barbican Estate Residents' Consultation Committee);

2. Authority be delegated to the Town Clerk, in consultation with the Chair and Deputy Chairs of the BRC and RCC, to consider any further changes to the Terms of Reference, arising from the discussion on Housing Governance at agenda item 9 on this agenda.

7. **REVENUE & CAPITAL BUDGETS - LATEST APPROVED BUDGET 2023/24 AND ORIGINAL 2024/25 - EXCLUDING DWELLINGS SERVICE CHARGE INCOME & EXPENDITURE**

The Committee considered a report of the Executive Director, Community and Children's Services in respect of the annual submission of the revenue and capital budgets overseen by the Barbican Residential Committee.

The Chair addressed the Committee on this and the following item on the agenda jointly, noting the comments from Members at the Special Meeting of the Barbican Residents Consultation Committee (RCC) on 17th January 2024. Members of the BRC had received their draft minutes ahead of this meeting, together with further information requested in respect of variances to the service charges. The Chair suggested, and Members agreed, that they should not take a decision on agenda items 7 and 8 in their current format.

The Chair suggested that the decisions be taken under delegated authority by the Town Clerk, in consultation with the Chair and Deputy Chair, together with the RCC Chair. The Chair also wished to supplement this process with an urgent, informal meeting of the BRC, to discuss proposals further, The Assistant Town Clerk asked the Committee to note the reporting timescales for the City of London Corporation's obligations in terms of setting its Budget for 2024/25.

Whilst this suggestion was welcomed, concerns were raised about the budget papers being late this year and the Chamberlain explained that this had been due to delays with recharges. The Chair asked for assurance of better planning in the future.

Members expressed concerns in that the revised budget appeared to represent an overspend, which would have implications for Leaseholders, and it should have been flagged earlier in the process. Given that the Corporation has charged leaseholders for work outside of the original budget, then Leaseholders need to understand unit costs, in order to have assurance that their service charges are being managed appropriately. The presentation should also be more transparent in terms of miscellaneous and support services.

Whilst the updates provided to the RCC and BRC Members over the weekend were welcomed, it was suggested that the format and monitoring of future reports should align with the aims of the Transformation Board.

The Chair of the RCC was in attendance and supported this approach.

RESOLVED, that – the approval of the provisional 2024/25 revenue budget and its recommendation for submission to the Finance Committee be delegated to the Town Clerk, in formal consultation with the Chair and Deputy Chair of the BRC, who would in turn exercise their own discretion and courtesy to consult the RCC.

8. SERVICE CHARGE EXPENDITURE & INCOME ACCOUNT - LATEST APPROVED BUDGET 2023/24 & ORIGINAL BUDGET 2024/25

The Committee considered a report of the Executive Director, Community and Children's Service, which set out the original budget for 2023/24 and 2024/25 for revenue expenditure included within the service charge in respect of dwellings.

RESOLVED, that – approval of the provisional 2024/25 net £Nil revenue budget and its recommendation for submission to the Finance Committee be delegated to the Town Clerk, in formal consultation with the Chair and Deputy Chair of the BRC, who would in turn exercise their own discretion and courtesy to consult the RCC.

9. HOUSING GOVERNANCE

The Committee considered a report of the Executive Director, Community and Children's Services in respect of the current housing governance arrangements and how they might be provided in the future.

The report recommended that there be no immediate change to the current governance arrangements, due to the dedicated focus on improving operational performance, and the new management arrangements for the Barbican Residential Estate and the Housing Revenue Account (HRA). The Chair endorsed this view, noting that a housing governance review will have implications for other Committee and City residents might be better served in the future by a stand-alone Housing Committee.

RESOLVED, that:

1. There be no immediate change to the current governance arrangements because of the dedicated focus on improving operational performance with new management arrangements for the Barbican Residential Estate and the HRA.
2. Authority be delegated to the Town Clerk, in consultation with the Chair and Deputy Chairs of the BRC and RCC, to consider any further changes to the Terms of Reference arising from the discussion (agenda item 6).
3. Consideration be given to options for the establishment of a separate forum for Housing Revenue Account (HRA) residents, including proposals for a body comparable to the Barbican Residential Consultative Committee.

4. It be noted that Terms of Reference are routinely reviewed on an annual basis, and that there should be a further, more comprehensive, review of housing governance arrangements in two years' time, on the understanding that the dedicated focus on both the Barbican Residential Estate and HRA should have delivered significant improvements to performance and the customer experience.

10. **BARBICAN ESTATE OFFICE TRANSFORMATION PROGRAMME UPDATE**

The Committee received a report of the Executive Director, Community and Children's Services which updated Members on recent progress made in delivering the actions set out within the Transformation Programme Action Plan. The Interim Assistant Director advised that this would be considered at a meeting later this week and referred to an update on the action tracker on this agenda.

Members noted that the new Assistant Director of the Barbican Estate would be starting on 11th March 2024 and an Interim Contract Manager had been appointed, with recruitment underway for the permanent position.

RESOLVED, that – the report be noted.

11. **FIRE SAFETY UPDATE**

The Committee received a report of the Executive Director, Community and Children's Services which provided Members with an update on compliance with current health and safety legislation, best practice and regulatory standards relating to fire safety.

RESOLVED, that – the report be noted.

12. **MAJOR WORKS UPDATE**

The Committee received a report of the Executive Director, Community and Children's Services in respect of progress with Major Works on the Barbican Estate.

Members noted that the new Interim Contract Manager would be looking at scaffolding on the Estate, noting that there should not be any in respect of current projects. Members suggested that there could be better cohesion with scheduled works to ensure that scaffolding is in place for the minimum amount of time.

RESOLVED, that – the report be noted.

13. **PROGRESS OF SALES AND LETTINGS**

The Committee received a report of the Executive Director, Community and Children's Services in respect of sales and lettings approved under delegated authority since the last meeting of the Committee. The report also provided information on surrenders of tenancies received and the number of flat sales to date.

RESOLVED, that – the report be noted.

14. **VERBAL UPDATES**

Members noted the detailed updates provided in draft RCC minutes, which had been circulated ahead of this meeting, noting particularly the following:

14.1 **Ben Jonson House Survey Response**

The Interim Assistant Director had found a solution to protect data in a more managed way, which could be rolled out across the Estate.

14.2 **Blake Tower**

To be covered in more detail in the Non-public part of the meeting, noting that the Town Clerk/Chief Executive and Chair of Policy and Resources are very engaged.

14.3 **Lease Protocol**

To be combined with HRA properties.

14.4 **Asset Management Strategy**

Concerns were expressed at the delay, given that we are almost at the end of the financial year. The Interim Assistant Director had approached two possible companies, one of which is familiar with the Barbican Estate, and was awaiting the second response. Whilst accepting Members frustrations, the Interim Assistant Director explained that two quotes are necessary to ensure procurement diligence.

14.5 **Asbestos Management**

A compliance review would be undertaken.

15. **COMMERCIAL ARREARS**

The Committee received the annual report of the Executive Director, Community and Children's Services in respect of commercial property tenants on the Barbican Estate and the action being taken with arrears. Members noted a more detailed report in the non-public part of the meeting.

RESOLVED, that – the report be noted.

16. **BARBICAN ARREARS**

The Committee received a report of the Executive Director, Community and Children's Services in respect of current tenant and leaseholder arrears on the Barbican Estate and the action being taken. Members noted a more detailed report in the non-public part of the meeting.

RESOLVED, that – the report be noted.

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

In response to a question about the procurement process for the windows replacement, Members noted that a minimum of three quotations are required,

to comply with due diligence in procurement, considerations in respect of the Estate's Grade 2 Listed status and the objective in seeking to repair rather than replace wherever possible.

18. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

Members received an update in respect of Barbican Salvage, a resident volunteer group which curate original fittings from the Estate. Members noted that these are in short supply and the group are keen to source as many as possible following refurbishments. Colleagues in the City Corporation's Planning Department have assisted in terms of larger projects. The Officer advised that a meeting had been scheduled for later this week and agreed to provide an update to Members following this. Officers also confirmed that ironmongery and fittings are saved following window repairs and the hardwood can be recycled. Additionally, replaced doors can be used in areas where fire integrity is not as important.

19. EXCLUSION OF THE PUBLIC

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

20. NON-PUBLIC MINUTES

RESOLVED, that – the non-public minutes of the meeting held on 11 September 2023 be approved.

21. BARBICAN ARREARS - NON-PUBLIC

The Committee received a report of the Executive Director, Community and Children's Services.

22. COMMERCIAL ARREARS - NON-PUBLIC

The Committee received a report of the Executive Director, Community and Children's Services.

23. BARBICAN ESTATE RESIDENTIAL TENANCY RENEWALS

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

24. EXTENSION OF REPAIRS AND MAINTENANCE CONTRACT

The Committee received a report of the Executive Director, Community and Children's Services.

25. REPORT OF ACTION TAKEN

The Committee received a report of the Town Clerk.

at 12.50 Members agreed to extend the meeting to conclude the business on the agenda.

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

There was one question whilst the public were excluded.

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

There was one item of urgent business whilst the public were excluded.

The meeting ended at 1.05 pm

Chairman

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