



Barbican Residential Committee

Date: MONDAY, 17 MARCH 2014
Time: 11.30am
Venue: COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

Members: Gareth Moore (Chairman)*
Henrika Priest (Deputy Chairman)*
Deputy Joyce Nash
Barbara Newman
Graham Packham*
Chris Punter
Stephen Quilter
Angela Starling
Deputy John Tomlinson
Philip Woodhouse*
Randall Anderson
Alex Bain-Stewart*
Christopher Boden*
David Bradshaw
Deputy Billy Dove*
Revd Dr Martin Dudley (Ex-Officio Member)
Deputy Stanley Ginsburg
Ann Holmes
Michael Hudson*
Vivienne Littlechild
Jeremy Mayhew*

** Non Resident Members*

Enquiries: Julie Mayer
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Julie.Mayer@cityoflondon.gov.uk

Lunch will be served in Guildhall Club at 1PM

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 OF THE PREVIOUS MEETING**
To approve the public minutes and non-public summary of the meeting held on 9th December 2013
For Decision
(Pages 1 - 6)
4. **CONCRETE INVESTIGATIONS AND REPAIRS**
Report of the Director of Community and Children's Services
For Decision
(Pages 7 - 88)
5. **BACKGROUND UNDERFLOOR HEATING**
Report of the Director of Community and Children's Services
For Information
(Pages 89 - 108)
6. **SERVICE CHARGE RECONCILIATION 2012/13**
Joint report of the Chamberlain and the Director of Community and Children's Services
For Information
(Pages 109 - 132)
7. **PROGRESS OF SALES AND LETTINGS**
Report of the Director of Community and Children's Services
For Information
(Pages 133 - 136)
8. **UPDATE REPORT**
 - Agenda Plan 2014
 - 'You said; We did'
 - Property Services Update
 - City Surveyors' UpdateReport of the Director of Community and Children's Services
For Information
(Pages 137 - 152)
9. **SERVICE LEVEL AGREEMENTS QUARTERLY REVIEW**
Report of the Director of Community and Children's Services
For Information
(Pages 153 - 162)
10. **CORPORATE GOVERNANCE - SCHEME OF DELEGATIONS AND STANDING ORDERS**
Report of the Town Clerk
For Decision
(Pages 163 - 166)

11. **MINUTES OF THE BARBICAN ESTATE RESIDENTS' CONSULTATION COMMITTEE**
To receive the draft minutes of :
 - The Annual General Meeting held on 3 February 2014 - *attached*
 - The Meeting held on 3 March 2014 – *to follow*

For Information
(Pages 167 - 172)
12. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
13. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
14. **EXCLUSION OF THE PUBLIC**
MOTION – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following item 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.

For Decision
15. **RESIDENTIAL RENT REVIEW**
Report of the Director of Community and Children's Services

For Decision
(Pages 173 - 184)
16. **ARREARS REPORT**
Report of the Director of Community and Children's Services

For Information
(Pages 185 - 188)
17. **BARBICAN WRITE OFFS**
Report of the Director of Community and Children's Services

For Decision
(Pages 189 - 192)
18. **DECISIONS TAKEN UNDER URGENCY/DELEGATED AUTHORITY**
Report of the Town Clerk

For Information
(Pages 193 - 194)
19. **NON PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
20. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

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BARBICAN RESIDENTIAL COMMITTEE **Monday, 9 December 2013**

Minutes of the meeting of the Barbican Residential Committee held at Guildhall on
Monday, 9 December 2013 at 11.30am

Present

Members:

Gareth Moore (Chairman)
Henrika Priest (Deputy Chairman)
Alex Bain-Stewart
Christopher Boden
David Bradshaw
Deputy Stanley Ginsburg
Ann Holmes
Michael Hudson
Vivienne Littlechild
Deputy Joyce Nash
Barbara Newman
Graham Packham
Stephen Quilter
Deputy John Tomlinson

In Attendance

Ade Adetosoye – Director of Community and Children’s Services
Alan Bennetts – City Solicitor
Eddie Stevens – Community and Children’s Services
Roger Adams – City Surveyors
Mark Jarvis – Chamberlain’s Department
Peter Lisley – Town Clerks
James Goodsell – Town Clerks
Barry Ashton – Community and Children’s Services
Helen Davinson – Community and Children’s Services
Michael Bennett – Community and Children’s Services

1 Apologies

Apologies were received from Deputy Billy Dove, Jeremy Mayhew, Philip Woodhouse and Angela Starling

2 Declarations

David Bradshaw, Vivienne Littlechild, Deputy Joyce Nash, Barbara Newman, Stephen Quilter and Deputy John Tomlinson declared themselves residents of the Barbican Estate. The City Solicitor advised members holding a long lease on the Barbican Estate against voting on item 6 as they hold a pecuniary interest.

2 Minutes from the previous meeting

Subject to an amendment adding David Bradshaw to the list of attendee's, the public minutes and summary of the meeting held on 16 September 2013 were approved

3. Draft Minutes of the Barbican RCC

The draft minutes of the Barbican Estate Residents Consultation Committee held on 25 November 2013 were noted.

4 Barbican Residential Committee's Terms of Reference

The Chairman was heard in respect of proposed amendments to the Committee's Terms of Reference. It was suggested that, as the Committee funds part of the Director of Community & Children's Services salary, it should be involved in the appointment of future holders of this post. In addition, as a budget neutral committee, the Chairman challenged the need for the Chairman or Deputy Chairman of the Community & Children's Committee to sit on this committee as an ex-officio member.

RESOLVED - that:

1. The Director of Human Resources who is carrying out a review of the appointment of Chief Officers should be made aware of this Committee's desire to be involved in the appointment the Director of Community and Children's Services; and
2. The Policy and Resources Committee be requested to consider the Chairman or Deputy Chairman of the Community & Children's Services Committee ceasing to hold ex-officio positions on the Barbican Residential Committee and that the Community and Children's Services Committee be informed accordingly.

5 Concrete Investigation and Repairs

Members considered a report of the Director of Community and Children's Services. Concern was raised by both resident and non-resident members that the Solicitor representing the Barbican Association had not commenced discussions with the City Solicitor to address the legal implications of the concrete works. It was therefore moved and subsequently agreed:

RESOLVED – that:

1. A meeting be convened on or before the date of the next Barbican Residential Committee. on Monday 17 March 2014, in order for a decision to be made before the next Ward Mote.
2. The papers presented to this meeting include the view of the Barbican Association and a summary of discussions between the Barbican Association and the City of London Corporation solicitors.

6 Revenue and Capital Budgets – Latest Approved Budget 2013/14 and Original Budget 2013/14 (Excluding Dwellings Service Charge Income and Expenditure)

Members considered a joint report from the Chamberlain and Director of Community & Children's Services. Members suggested that the report, in its current format, could be confusing for non-accountants and requested further clarity in future versions. While the template of such reports was set by the Finance Working Party, the Chamberlain agreed to pass the Committee's comments to the Director of Financial Services. Concern was also raised that revisions to the budget could take place without the oversight of the Committee. The Chamberlain agreed to include a reconciliation of the original to latest budget in future reports.

RESOLVED – that:

1. The provisional 2014/15 revenue budget be approved for submission to Finance Committee.
2. The Chamberlain, in consultation with the Chairman and Deputy Chairman, or non-resident member nominated by the Chairman, be authorised to revise these budgets, to allow for further implications arising from departmental reorganisations and other reviews, corporate projects and changes to the additional works programme.

7 Service Charge Expenditure and Income Account – Latest Approved Budget 2013/14 and Original Budget 2014/5

Members considered a joint report from the Chamberlain and Director of Community & Children's Services. Members were reassured that increases in energy costs had been kept down, in part, due to a tariff based on a long term agreement. The Housing Service Director agreed to bring a report the next meeting on legacy energy costs.

Regarding the consultation process, the Town Clerk explained that service charge expenditure and income accounts were presented initially to the Barbican Residents Consultation Committee, before a final decision was taken at Barbican Residents Committee.

RESOLVED - that:

1. The provisional 2014/15 revenue budget be approved for submission to the Finance Committee.
2. The Chamberlain, in consultation with the Chairman and Deputy Chairmen or non-resident member nominated by the Chairman, be authorised to revise these budgets, to allow for further implications arising from departmental reorganisations and other reviews, corporate projects and changes to the additional works programme.

- 8 Car Park Charging**
Members considered a report from the Director of Community and Children's Services. Concern was raised at the number of vacant car parking bays. Officers reassured member that they would continue to progress income opportunities for these bays, including possible storage facilities.
- RESOLVED – that:**
The recommendations be approved, subject to annual Committee review.
- 9 Update report**
Members received a report from the Director of Community and Children's Services
- 10 Service Level Agreements**
Members received a report from the Director of Community & Children's Services.
- 11 Progress of Sales and Lettings**
Members received a joint report from the Chamberlain and Director of Community & Children's Services.
- 12 Annual Review of Recognised Tenants Associations**
Members received a joint report from the Town Clerk.
- 13 Decisions Taken Under Delegated Authority/Urgency**
The received a report of the Town Clerk.
- 14 Questions on Matters Relating to the Work of the Committee**
There were no questions.
- 15 Any Other Business that the Chairman Considers Urgent**
There were no items of urgent business.
- 16 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 items, on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act.
- 17 Non-public Minutes**
The non-public minutes of the meeting held on 16 September 2013 were approved
- 18 Arrears Update**
Members received a report from the Director of Community and Children's Services.
- 19 Fann Street – EC2 – Disposal Completion to Redrow Homes LTD**
Members received a report from the City Surveyor.

20 Non-Public Questions on matters relating to the work of the committee

There were no questions

21 Any other business that the chairman considers urgent while the public are excluded

There were no items of urgent business

James Goodsell
Committee and Member Services
020 7 332 1971

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Agenda Item 4

Committee(s):	Date(s):	Item no.
Barbican Residential Committee	17 March 2014	
Subject: Barbican Estate – Concrete Investigation and Repairs		Public
Report of: Director of Community and Children’s Services		For Decision
<p style="text-align: center;"><u>Summary</u></p> <p>On 19 April 2012, the following resolution was made from the Ward of Cripplegate, Within & Without to the Court of Common Council :</p> <p>“Since the recent testing and remedial works to the concrete in the three Barbican Tower Blocks relate to structural matters, Barbican residents take the view that the costs for these works should be borne by the Landlord i.e. the City of London Corporation and not Long Lessees of the Barbican Estate. Does the Corporation not agree that this is a reasonable and correct assumption of Barbican residents? On what basis does the Corporation arrive at a different conclusion to residents and furthermore, what provision of the lease would justify charging Long Lessees for these works?”</p> <p>It was resolved by the Court that the resolution be referred to the Barbican Residential Committee for consideration.</p> <p>This report provides the background to the required works and responds to each of the three questions raised in the Wardmote:</p> <ol style="list-style-type: none"> 1. Does the Corporation not agree that this is a reasonable and correct assumption of Barbican residents? 2. On what basis does the Corporation arrive at a different conclusion to residents? 3. What provision of the lease would justify charging Long Lessees for these works? <p>Recommendations</p> <p>That the Barbican Residential Committee considers the findings of the concrete investigation and agrees the conclusion in response to the resolution that the works are not the rectification of a structural defect, but rather general repairs and maintenance, and that the lease stipulates that such work is recoverable through the service charge.</p>		

Main Report

1. Background

1.1 Your Committee received a report in March 2012 (Appendices A) regarding the results of the concrete investigation and repair works, which had been necessary to be undertaken to the three Barbican Towers. The general conclusion was that the concrete had been assessed to be in “remarkably good condition for its age” and “that repairs were of a cosmetic nature rather than structural”. The detailed report, provided by Bickerdike Allen Partners, is in Appendix B

1.2 Following the April 2012 resolution, Barbican Residential Committee received a request from the Barbican Association (BA) to defer the final report to enable further consideration to be given by the BA. The Barbican Estate Office received a request for additional information from the Barbican Association in January 2013. The Questions and Officer’s responses are provided in Appendix C.

1.3 Further to these responses a follow up meeting took place on 30th April 2013, chaired by the then BRC Deputy Chair – Mr Gareth Moore with representatives from the BA and RCC, also present were City of London Officers, Bickerdike Allen Partners and Dr J Broomfield. The minutes of this meeting are provided in Appendix D.

1.4 A report scheduled for Barbican Residential Committee in September 2013 was further deferred, at the request of the Barbican Association (BA), until December 2013. During the intervening period, additional information was requested by the BA, which was subsequently provided by Officers on 27th September 2013. An exchange of correspondence had been entered into between the BA’s solicitors and the City of London Solicitor’s, however, as at December 2013 no additional information had been forthcoming to articulate the BA’s argument in support of their request that the City of London should not charge the cost of the work to the long lessees of the Tower blocks. A report was submitted to BRC in December 2013 and further deferred at the request of the BA.

1.5 On 18th December 2013 additional information regarding the specification of initial repairs was requested by the BA. As at 12th February 2014 all information requested from the BA has been provided and a detailed timeline of such requests and officer responses is provided in Appendix F.

1.6 A further exchange of correspondence has been entered into between the BA’s solicitors and the City of London Solicitor’s, however, as at 12th February 2014 and despite reminders to same, no additional information has been forthcoming to articulate the BA’s argument in support of their request that the City of London should not charge the cost of the work to the Tower

block long lessees. Copies of the exchanges of correspondence are provided in Appendix G.

2. Summary of the work carried out

2.1 Following the safe removal of a loose section of concrete to Shakespeare Tower in June 2011, consultants Bickerdike Allen Partners were called in to provide specialist advice. Following receipt of their recommendations, arrangements were put in place to inspect all three Towers for loose concrete fragments due to the potential health and safety risk, and tests carried out to determine the condition of the concrete generally.

2.2 As the estimated cost of the work exceeded the statutory limit for leaseholders' contributions, a statutory consultation notice was issued to leaseholders concerning the investigative works. A further notice was despatched, when the extent and cost of the repairs became known, following the examination and report by the Engineers. In July 2013 the City of London sought and obtained dispensation from further consultation from the Leasehold Valuation Tribunal (now First Tier Tribunal – Property Chamber), under section 20ZA of the Landlord and Tenant Act 1985, in relation to the works undertaken thus far and the retention of Structural Renovations Ltd for the forthcoming finishing works.

3. The issue of a “structural defect” in relation to the concrete repairs

3.1 The term “structural defect” in this context relates to the original Housing Right to Buy legislation, which stipulated that a local authority landlord could not recover the cost of correcting such defects from leaseholders. However, these costs could be recovered if the purchaser of the flat had been informed of the defect before the purchase or, if the defect did not become apparent to the landlord until at least 10 years after the sale.

3.2 For comparison purposes, in the case of the renewal of the Barbican roofs, carried out in the 1990's, the City Corporation agreed that it would pay for the cost of correcting structural defects as it was clear that a number of problems were caused by inadequate design or workmanship and these had been evident from the building's original completion. The cost of renewing building components associated with the defects that had failed through normal wear and tear were however recovered through the service charge provisions contained in the lease.

4. Concrete Inspections and Nature of Repairs.

4.1 The results of the recent technical investigation carried out by the engineers have been analysed by consultants Bickerdike Allen Partners and their March 2012 report is attached as Appendix B. In general terms, the repairs were entirely expected and usual for buildings of this age and, following laboratory analysis, the concrete was found to be of very high

quality. The isolated problems discovered were typical of a building which is over 40 years old and were very minor in relation to the overall amount of exposed concrete. In contrast, an example of a problem discovered with older concrete buildings was the use of high alumina cement during construction, which eventually results in a weakening of the concrete; fortunately, this material was not used in Barbican concrete.

4.2 The repairs required were of a cosmetic nature rather than structural – i.e. they did not adversely affect the load bearing capacity nor were they to correct an inherent or design defect – although they had to be classified as essential due to the health and safety risk. It is accepted that all elements of a building will deteriorate over time, and it is reasonable to expect that periodic inspection and maintenance work of this nature will be required to keep the property in good condition for the future.

4.3 The works to the concrete do not amount to works to make good a structural defect but are works necessary to effect repairs and maintenance, unlike for comparison the replacement of the Barbican roofs, which were, in part, known not to be fit for purpose, as they were leaking from the outset due to incorrect design.

4.4 This statement is further supported by earlier inspections of the Towers carried out by Ove Arup in 1986 at which time they concluded that:

“The concrete of all three Tower Blocks has, as reported to you, recently been inspected. The condition of the concrete was discovered to be generally good, and free of major defects.

None of these defects are of structural or other particular significance. No such defect has constituted a potential safety hazard, for example, arising from the detachment of concrete from the building surface.

No evidence of defects due to alkali silica reaction, or chloride attack, were evident on inspection, or were expected.”

5. Corporate & Strategic Implications

5.1 The works contribute to the following aims of the City Together strategy: “supports our communities” and “protects, promotes and enhances our environment”.

6. Legal Implications

6.1 The Comptroller and City Solicitor have been consulted in the preparation of this report and his comments are incorporated in the report.

7. Conclusion

7.1 In response to the question *“Does the Corporation not agree that this is a reasonable and correct assumption of Barbican residents?”* our response is as follows:

Following the concrete investigations, the expert opinions of Dr R Casson (Bickerdike Allen Partners) and Dr J Broomfield are that the repairs required were of a cosmetic nature rather than to make good a structural defect (see paragraph 4.2) and we therefore do not agree with the Barbican Association’s view that the costs for these works should be borne by the Landlord.

7.2 In response to the question *“On what basis does the Corporation arrive at a different conclusion to residents?”* our response is as follows:

The expert opinions of Dr R Casson (Bickerdike Allen Partners) and Dr J Broomfield are that the repairs required were of a cosmetic nature rather than to make good a structural defect (see paragraph 4.2). As such the repairs should be regarded as periodic repair and maintenance of a building over the course of its life rather than making good a structural defect.

7.3 In response to the question: *What provision of the lease would justify charging Long Lessees for these works?* our response is as follows:

In relation to the clause in the lease requiring the City to recharge for the cost, Clause 4 (3) of the standard lease provides that the tenant covenants to:-

“Pay to the City in the manner and at the times hereinafter described a reasonable part of the costs of carrying out specified repairs and of insuring against risks involving specified repairs”.

"the costs" means the costs of carrying out specified repairs and of insuring against risks involving specified repairs and "specified repairs" means repairs carried out in order:

to keep in repair the structure and exterior of the premises and of the Building in which they are situated (including drains gutters and external pipes) not amounting to the making good of structural defects;

to make good any structural defect of whose existence the City has notified the tenant before the date hereof (such defects being listed in the Fourth Schedule hereto) or of which the City does not become aware earlier than five years after the grant hereof; and

to keep in repair any other property over or in respect of which the tenant has any deemed rights”

Therefore, even if the repairs amount to the making good of a structural defect, which they do not, long leaseholders still have a contractual obligation to contribute towards the costs incurred as a result of the operation of the second part of sub-clause referred to above.

Background Papers:

Report to the Residents’ Consultative and Barbican Residential Committees: 12 March and 26 March 2012 (Appendix A)

Appendices

- Appendix A – Report to BRC 26 March 2012
- Appendix B – Bickerdiike Allen report dated 16 March 2012
- Appendix C – Response to BA questions Jan 2013
- Appendix D – Minutes of meeting 30th April 2013
- Appendix E – BRC Minutes Mar 2012 – Dec 2013
- Appendix F – Timeline of exchange of information between the BA and BEO
- Appendix G – Exchange of correspondence between the BA’s solicitor, Pemberton Greenish and CoL Comptrollers.

Contact:

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Committee:	Date(s):	Item no.
Residents' Consultation Committee	12 March 2012	8
Barbican Residential Committee	26 March 2012	
Subject: Concrete Investigation – Barbican Towers		
Report of: Director of Community and Children's Services		Public
<p style="text-align: center;"><u>Summary</u></p> <p>1. This report provides a background to the concrete investigations and remedial works being undertaken to the three tower blocks. The general conclusion is that the concrete has been assessed to be in remarkably good condition for its age and that further works of this nature should not be necessary for 20 to 30 years.</p> <p>Recommendation</p> <p>2. The contents of this report are noted.</p>		

Background

1. Cromwell Tower, Lauderdale Tower and Shakespeare Tower were completed respectively in 1973, 1974 and 1976. They are Grade II listed buildings.
2. In June 2011, a section of concrete to Shakespeare Tower was reported as being loose. This was immediately removed and made safe. A firm of building pathology specialists, Bickerdike Allen Partners were engaged to advise on how best to proceed. Their advice was that all three blocks, due to the health and safety risks, should be inspected for loose concrete fragments, for concrete and reinforcement deterioration, and concrete samples taken from all elevations for laboratory analysis.
3. A specification was prepared and tenders invited for the work. The contract was subsequently awarded to Structural Renovations Ltd.

The Inspections

4. The elevations to the three blocks were examined by engineers using abseiling techniques combined with protection at ground level using

scaffolding. Hammer tests were carried out to all parts and any loose material was safely removed.

5. Tests carried out on the concrete included cover to the reinforcement, carbonation, cement content, half cell and resistivity tests (to record corrosion) and chloride contamination.

Results Obtained

6. In general it was noted that although the structures do have a significant number of visible concrete defects in the areas surveyed it is generally free of visible concrete defects as a whole, i.e. considering the amount of exposed concrete and its age, indicating a generally good quality, well-constructed concrete structure. The following extract from the specialist's report provides a summary of the findings:

The test and investigation results obtained indicate that the concrete elements are generally in a good / satisfactory condition although there are localised areas of significant deterioration predominantly as a result of poor compaction and / or low original cover and carbonation.

The visual inspection of the facades found a number of defects to the elements and any immediately loose material found in areas accessed at the time of inspection was safely removed.

The cover and carbonation test results indicated that generally reinforcement is within alkaline (uncarbonated) concrete. The mean covers were all >40mm and the mean carbonation results were around 10mm or less. The mean carbonation results were slightly skewed by the results in localised areas of poor compaction. The minimum recorded covers were generally low and indicative of localised areas of low cover, notably to the balcony top edges and landing beams.

The vast majority of the chloride test results were considered to be of low risk, edging into moderate risk, except for one high risk result (suggesting very localised contamination). Therefore chlorides were not considered a significant factor in the deterioration found at this time (although in some areas they may have exacerbated corrosion).

The half cell test results and resistivity testing (at 9 test areas) generally indicated low, if any, levels of corrosion activity at the time of testing.

Estimated Costs

7. Based on budget costings for the additional repair works, the following costs per block are anticipated:

Shakespeare Tower (works commenced 30th January, for completion w/c 26th March)

The estimated works cost of £143,253.50 plus staff costs (15%) of £21,488.03, gives a total of £164,741.53.

The original Section 20 notice amount was £98,253.70, so the estimated extra over amount for the block would be £66,487.83.

Lauderdale Tower (works expected to commence w/c 13th February for completion w/c 26th March)

The estimated works cost of £137,862.00 plus staff costs (15%) of £20,679.30, gives a total of £158,541.30.

The original Section 20 notice amount was £85,395.55, so the estimated extra over amount for the block would be £73,145.75.

Cromwell Tower (works expected to commence w/c 27th February for completion w/c 26th March)

The estimated works cost of £153,866.50 plus staff costs (15%) of £23,079.98, gives a total of £176,946.48.

The need for a road closure to deal with the Silk Street elevation of Cromwell Tower has been a significant factor in the increased costs for this block, relative to the other two.

The original Section 20 notice amount was £99,004.65, so the estimated extra over amount for the block would be £77,941.83

Under the Landlord and Tenant Act, a further notice will be issued to residents informing them of the increased costs.

Insurance Issues

8. With respect to an insurance claim for the work, the City's Buildings

Insurance Cover specifically excludes damage by wear and tear or damage “that happens gradually”. As the defects have occurred over time, the works are not covered by the City’s insurance.

Conclusion

9. The tests and investigations were required to be undertaken to ensure the safety of residents and the public and to maintain the building fabric. The repair works using specialist products to localised areas, are considered to be very minor in structural terms. This will help preserve the durability of the structure for the future.

Background Papers:

Minutes of Residents’ Consultation Committee 30 January 2012

Joy Hollister

Director of Community and Children’s Services

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**Review report on Concrete Testing
Shakespeare, Cromwell & Lauderdale Towers
The Barbican, London**

**Dr R Casson
BSc, PhD, FCIQB, ACI Arb**

16 March 2012

Prepared for: City of London Corporation

0 Summary

- 0.1 Following the identification of small pieces of concrete that were spalled (ie split from the face of the concrete) but still retained on the external surface of the concrete of Shakespeare Tower, a 100% visual and hammer tap survey by abseilers was commissioned to identify other similar potential safety hazards on all 3 tower blocks.
- 0.2 Every panel was also spot checked for the thickness of the concrete cover to the reinforcement, and a selection of 90 panels per block were tested on their outer external surfaces to assess them for actual and potential deterioration.
- 0.3 The results obtained showed the reinforced concrete to be in very good condition for its age with only minor occurrences of normal types of defects. These have no structural implications but will require some intervention to prevent local deterioration in the future and the risk of detachment of further pieces of concrete.

1 Introduction

- 1.1 The City of London Corporation (the Corporation) has instructed Bickerdike Allen Partners (BAP) to review and comment on the testing and results obtained from some of the concrete in the three tower blocks that form part of the Barbican Estate. Any survey work carried out by BAP in connection with this commission is limited to the scope of that instruction
- 1.2 Following the identification of the spalling / detachment of a number of a number of small but not insignificant pieces of concrete from Shakespeare Tower, a survey of the safety of the external concrete surfaces that were likely to be at risk of generating further such occurrences was commissioned by the Corporation.
- 1.3 The safety survey and testing were carried out by specialist testers using abseil access following a tender process that was awarded on the basis of competence as well as price. A key element of the tender was the inclusion in the report of an interpretation of the test results obtained in terms of their significance to the durability and longevity of the tower structures, and the need for and detailed nature of any repairs required. BAP were also instructed to advise on the selection and evaluation of the bids for the work.
- 1.4 This report reviews the testing carried out by the contractor Structural Renovations Ltd and the interpretation of the results as offered by their specialist testing subcontractor Martech Technical Services Ltd. The full reports of the testing are available via the Corporation.

2 The need for the survey

- 2.1 In reinforced concrete structures, corrosion of embedded reinforcement is initially inhibited by the alkalinity of the concrete. This alkalinity is reduced gradually over time by the effects of exposure to carbon dioxide in the atmosphere, a process known as carbonation.

In good quality concrete, carbonation is likely to begin to put the steel reinforcement at risk after a period of 40-60 years, or less if there is low cover of concrete (ie the thickness of concrete) over the steel. In poor quality concrete (which can occur for several reasons) or if it contains calcium chloride (which in the 1960's and 70's may have been used to accelerate the setting of concrete) the risk of corrosion can be much higher.

- 2.2 The tower blocks in the Barbican were built at different times between the mid 1960's to the mid-1970's. The designs appear very similar and the structural design and concrete design were probably also essentially the same.
- 2.3 Parts of the concrete construction are made from precast concrete units but the majority of the concrete was cast in situ.
- 2.4 The concrete in the Barbican is now typically 40 – 50 years old and is approaching the age at which even good quality concrete may start to show some problems.
- 2.5 The detachment of the concrete pieces is an indication of possible potential problems, so there was a need to establish as quickly as possible the risk of further detachments, and the need for any intervention to prevent any more from developing in the future.
- 2.6 No information is available on the concrete mix as originally specified, and the cover to the steel although specified to be unusually high for the time may vary significantly from the specified thickness. The purpose of the survey was therefore:-
- i) To carry out an overall visual and hammer tapping inspection to identify areas of change or deterioration.
 - ii) To carry out sample checks on cover to the reinforcement
 - iii) To carry out tests on concrete samples to confirm whether it posed any additional risks.

3 The survey

3.1 The survey was undertaken in two distinct parts –

- i) The safety survey where all the external concrete surfaces over public areas were visually examined by an appropriately experienced abseiler, the cover to the reinforcement was assessed and the surfaces were tapped with a hammer to detect any loose concrete. Loose pieces were removed and safely brought down.
- ii) A distributed survey of typical structural elements on every elevation of each tower involving some standard concrete tests to establish if there may be aspects of the concrete condition that require further investigation.

3.2 The distributed testing was carried out to act as an indicator of possible issues with the concrete, as a full survey would have taken an extremely long time to carry out and hence prohibitively expensive. Distributed testing of a sample of structural members is not truly random sampling but is sufficiently representative to give an indication if there are patterns of defects that occur in similar structural members.

3.3 The testing was not designed or intended to identify isolated one-off defects; from experience the visual survey will reveal one-off defects that need immediate attention.

3.4 The testing consisted of a number of standard concrete tests namely cover to reinforcement, depth of carbonation and cement content. Initially some tests to assess the corrosion of the reinforcement were carried out but the results did not suggest that there was any worthwhile data to be obtained so this was discontinued.

4 Results

4.1 The observations and measurements from the safety survey are shown in the elevation drawings which are attached in **Appendix A** to the paper copy of this report at size A1, however in the electronic copy these are not easily read at A3 size.

4.2 The detailed results are given in the contractors reports for each tower block and in the marked-up elevation drawings. The test results from the 90 test areas (30 per elevation) are summarised in Table 1 below.

4.3 The results for the distributed test areas are reported as follows:-

Table 1 Reported concrete test results

The Elements tests are illustrated in Figure 1.

Shakespeare Tower									
Element	Depth of Cover			Depth of Carbonation			Chloride Content		
	(mm)			(mm)			(*) *		
	Min	Max	Mean	Min	Max	Mean	Min	Max	Mean
Landing Beam	3	67	43	<5	15	7	0.08	0.29	0.18
Wall	0	>80	53	<5	>50#	13	0.17	0.33	0.23
Spandrel Panel	29	>100	60	<5	20	8	0.10	0.73	0.20
Balcony	7	>100	42	<5	15	7	0.13	0.26	0.17
Column	0	>100	55	<5	>70#	10	0.08	0.33	0.20
Round Column	45	>80	61	<5	10	4	0.14	0.26	0.19
Cromwell Tower									
Element	Depth of Cover			Depth of Carbonation			Chloride Content		
	(mm)			(mm)			(*) *		
	Min	Max	Mean	Min	Max	Mean	Min	Max	Mean
Landing Beam	8	80	47	<5	40	11	0.08	0.93	0.39
Wall	13	89	54	<5	25	13	0.09	0.36	0.19
Spandrel Panel	22	99	53	<5	10	5	0.08	0.59	0.26
Balcony	0	88	41	<5	20	8	0.10	0.25	0.15
Column	28	95	62	<5	70	11	0.09	0.30	0.18
Round Column	3	81	67	5	10	8	0.22	0.29	0.25
Lauderdale Tower									
Element	Depth of Cover			Depth of Carbonation			Chloride Content		
	(mm)			(mm)			(*) *		
	Min	Max	Mean	Min	Max	Mean	Min	Max	Mean
Landing Beam	6	83	38	<5	40	9	0.16	0.42	0.26
Wall	6	>100	56	<5	15	6	0.13	0.30	0.22
Spandrel Panel	15	80	54	<5	10	5	0.15	0.41	0.25
Balcony	10	82	43	<5	25	7	0.10	0.45	0.18
Column	17	84	60	<5	35	5	0.14	0.34	0.23
Round Column	78	90	84	<5	10	6	0.23	0.35	0.30

Notes # deep results recorded only at poorly compacted / honeycombed areas

*Chlorides expressed as % ions by mass of cement using a calculated mean cement content of

Shakespeare = 20.7%, (17.2% to 22.7%)

Cromwell = 19.4%, (18.8% to 22.3%)

Lauderdale = 20.2%, (13.7% to 26.7%)

Depth of cover

- 4.4 The minimum spot cover for each area is shown in Appendix A and few show values less than 20mm. The minimum values in Table 1 are very localised; where they are 0 they are exposed bar ends or where the steel is visible in honeycombed concrete. Unless associated with spalling of the concrete cover the low cover would usually relate to locally misplaced reinforcement where the next bar would be deeper into the concrete.

Depth of Carbonation

- 4.5 The test results show the depth of carbonation is typically less than 5mm in dense concrete. This is an extremely low value and suggests that the typical concrete was dense and very high quality.
- 4.6 The relationship between depth of carbonation and time is such that if it has taken 40 years to carbonate 5mm the next 5mm will take a further 120 years. Consequently other than at locations of extremely low cover there appears to be little risk of carbonation induced corrosion on the outer faces of the concrete. The accessible and non safety-critical inner faces have not been assessed and it would be prudent to carry out testing of these faces at some time.

Chloride content

- 4.7 The chloride contents are generally below the 0.4% by mass of cement which for 40 year old damp alkaline concrete is the level at which a low risk of corrosion becomes moderate.
- 4.8 There are some isolated results which were higher than this threshold level but none were indicating a high risk of corrosion or appeared to have defects that might be associated with this. In the absence of evidence of deterioration at these locations should be investigated further as soon as practicable to confirm the results, and to identify the source of the chloride contamination. Initially these could be from the balcony for ease of access.
- 4.9 The significance of the chloride content results depends to some extent on the cement content results. The cement content results for Lauderdale appear very variable but they are within a normal range for precast and in-situ concretes, both of which were sampled in this survey. Taking the mean of this range as representing all the concrete is not unreasonable for a first assessment and the indications from the chloride contents is that there is nothing that gives cause for immediate concern, especially when considered with the low depth of carbonation.

Half cell potential and Resistivity

- 4.10 Half Cell Testing and Resistivity tests were carried out at 9 or 10 locations on each block. In general all the results indicated a low probability of corrosion but at a few locations in each building results indicating a higher probability were obtained. These were all associated with small concrete spalls which confirms that some corrosion was occurring at these locations but also indicates that where conditions were right for corrosion it was already manifested by spalling so it may be inferred that it is not occurring elsewhere.

5 Remedial works

- 5.1 The results indicate that a relatively small number of repairs are needed and only a small proportion of those require a volume of repair materials, the majority are small holes, cracks or shallow spalls.
- 5.2 Where there are indications of corrosion of the steel reinforcement some corrosion inhibition treatment would be justified and the least intrusive of these are the migrating corrosion inhibitors (mci) or vapour phase corrosion inhibitors (vpi). Both are introduced close to the steel via a drilled hole.
- 5.3 The typically low depth of carbonation means there is no need for a general anti-carbonation coating.
- 5.4 The remedial works contractor should propose materials and methods of executing these works, which can then be independently reviewed.

6 Review of the test reports

- 6.1 Bickerdike Allen Partners have reviewed the test reports and prepared the above summaries based on them. In our opinion the analysis, interpretation and recommendations presented by the test contractor are reasonable from the data obtained.
- 6.2 In our opinion it is reasonable to base strategies for any remedial works and maintenance on the reports.


7 Further investigations

The following suggestions for further investigations are offered by Bickerdike Allen Partners as a starting point for the development of a full repair and maintenance programme. They are not intended to be a full or complete analysis of whatever might be necessary to ensure the long term integrity of the structures.

- 7.1 The concrete structures of the Barbican Estate are of an age where deterioration might be expected to start and susceptible locations should be identified early to optimise any intervention for repairs.
- 7.2 The top surfaces of the balcony panels have numerous minor defects including holes drilled for glass balustrade supports and steel exposed by surface spalls. These can be accessed from the balconies and a systematic record should be made of all such items so that a programme of repairs can be carried out.
- 7.3 Similarly the balcony-facing concrete in the outdoor concrete on the inside of the outer envelope, the apartment walls and the ceilings over the balconies should be systematically checked by methods similar to those used to inspect and test the external faces of the envelope.
- 7.4 Even if these tests indicate there is little of current concern the results obtained will provide a baseline for further test results from future surveys that must be implemented to ensure the long term integrity of the structures.
- 7.5 Consideration should be given to carrying out a programme of safety checks on the external surfaces of the medium rise structures as these will be affected by the same physical and chemical deterioration processes as the high rise blocks and concrete falling from the 4th floor can be as injurious as that from the 34th floor.



Dr R Casson
Senior Associate
Bickerdike Allen Partners



R Jowett
Partner
Bickerdike Allen Partners

Figure 1
Elements of the buildings









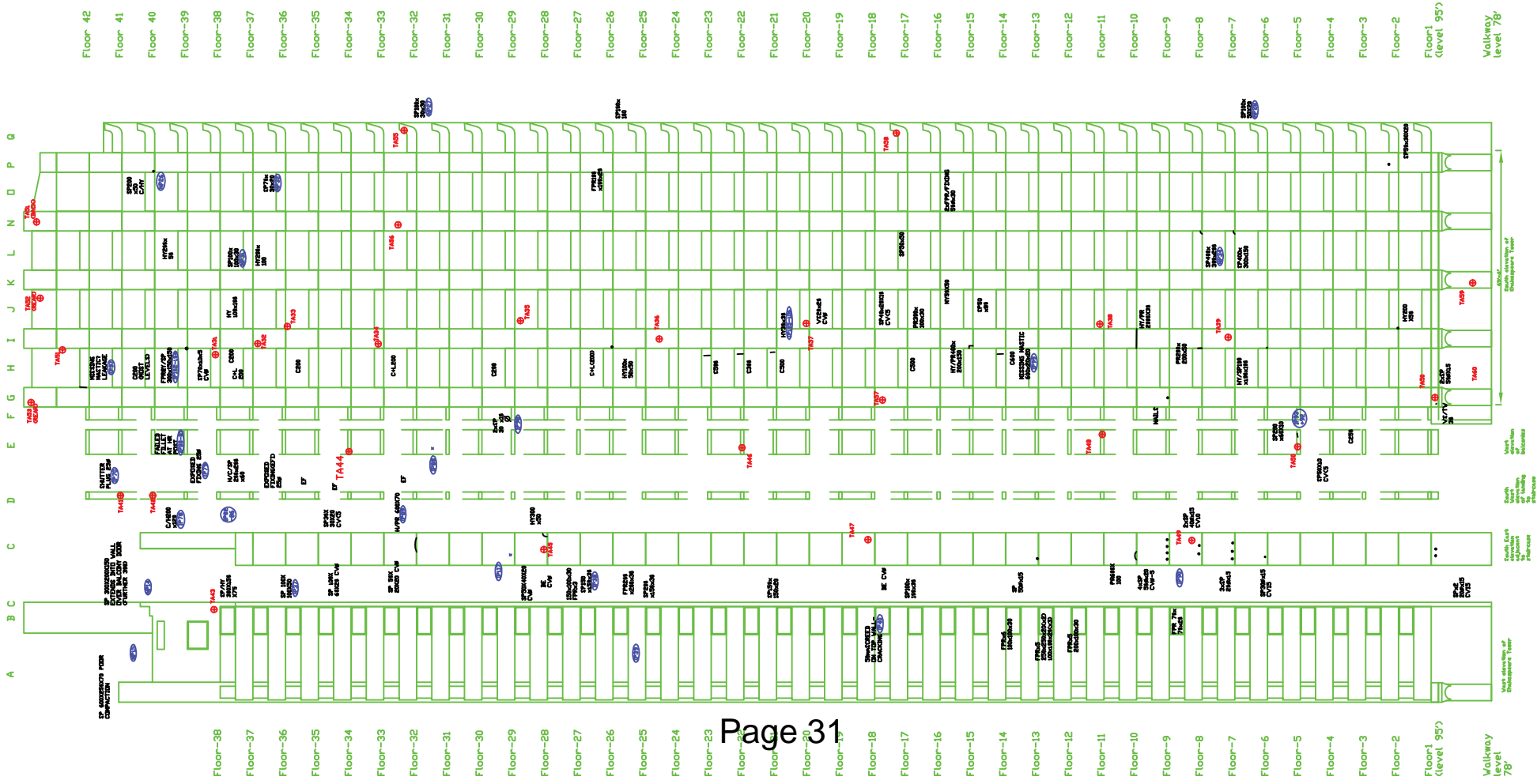
Round Columns

APPENDIX A

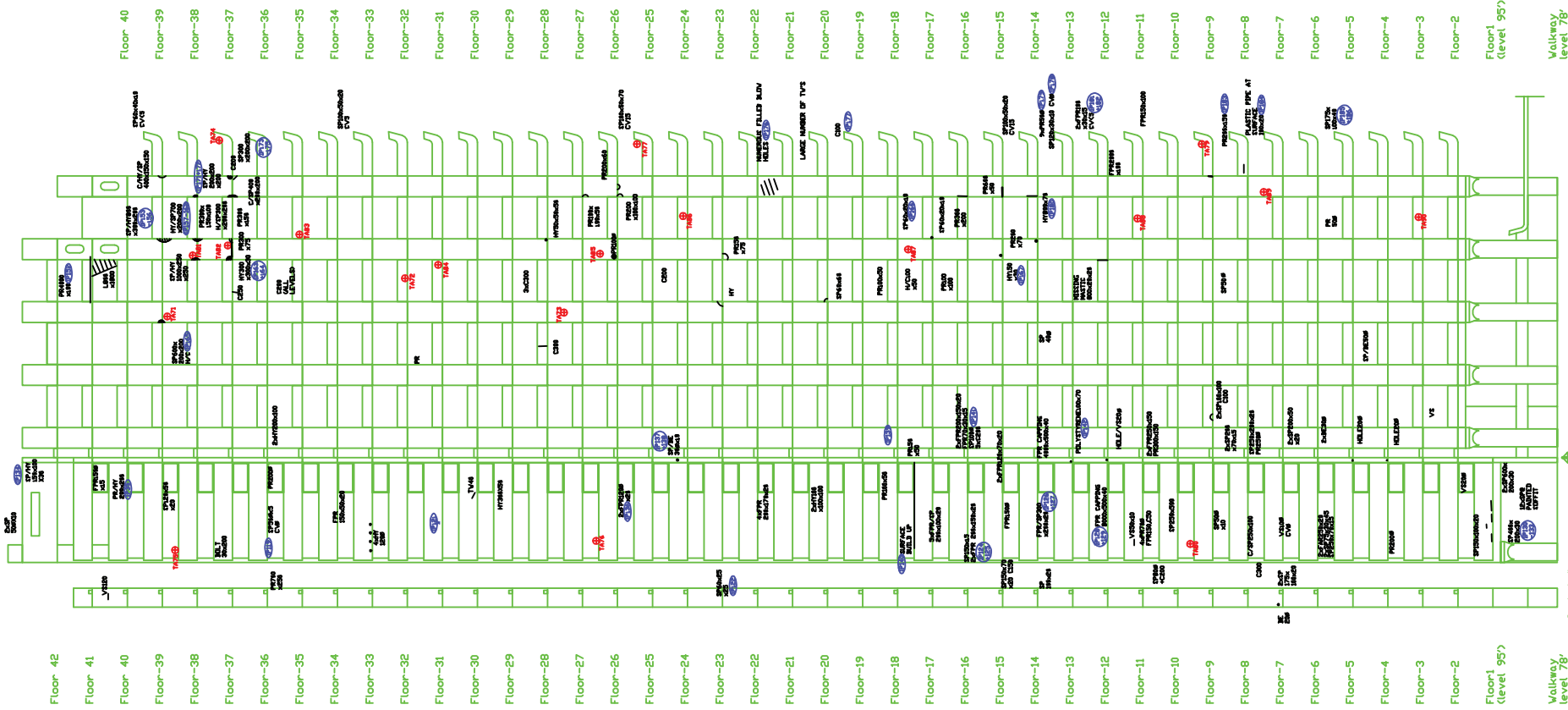
**SURVEY RESULTS FOR SHAKESPEARE, CROMWELL
& LAUDERDALE TOWERS**

LEGEND

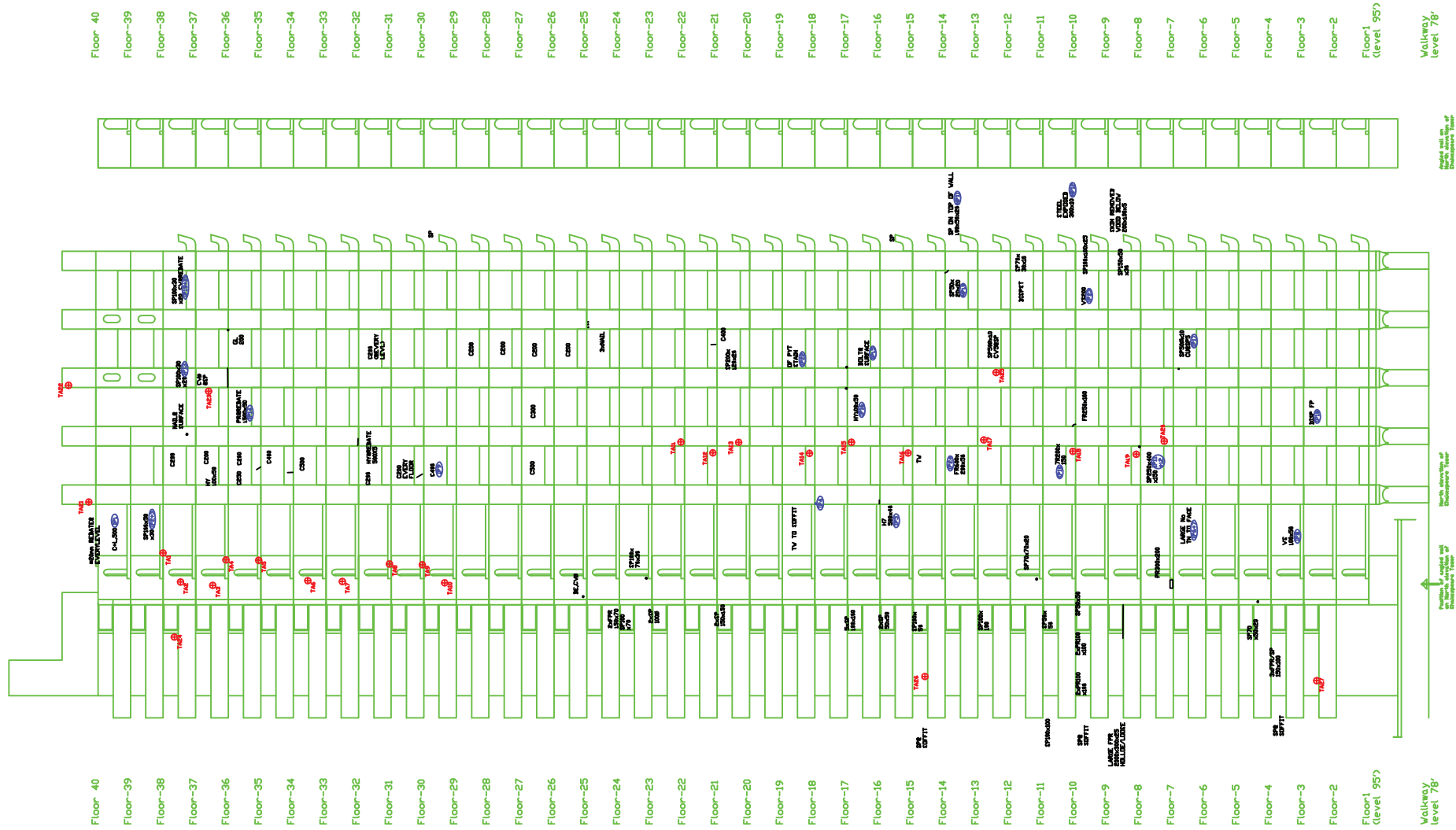
TA	Test Area Location and Reference
⊕ S	Sample Location and Reference
CV	Depth of Cover (mm)
BWK	Brickwork
CB	Depth of Carbonation (mm)
C+P	Clean and Passive Steel
SP	Spall
PR	Previous Repair
RS	Rust Spot/Stain
PY	Pyrite
BE	Bar End
B/O	Breakout to Expose Reinforcement
 c	Crack
VS	Visible Steel
 45	Rebar Location and Depth of Cover (mm)
HY	Honeycombing / poor compaction
SSC	Slight Surface Corrosion
SC	Surface Corrosion
H	Hollow



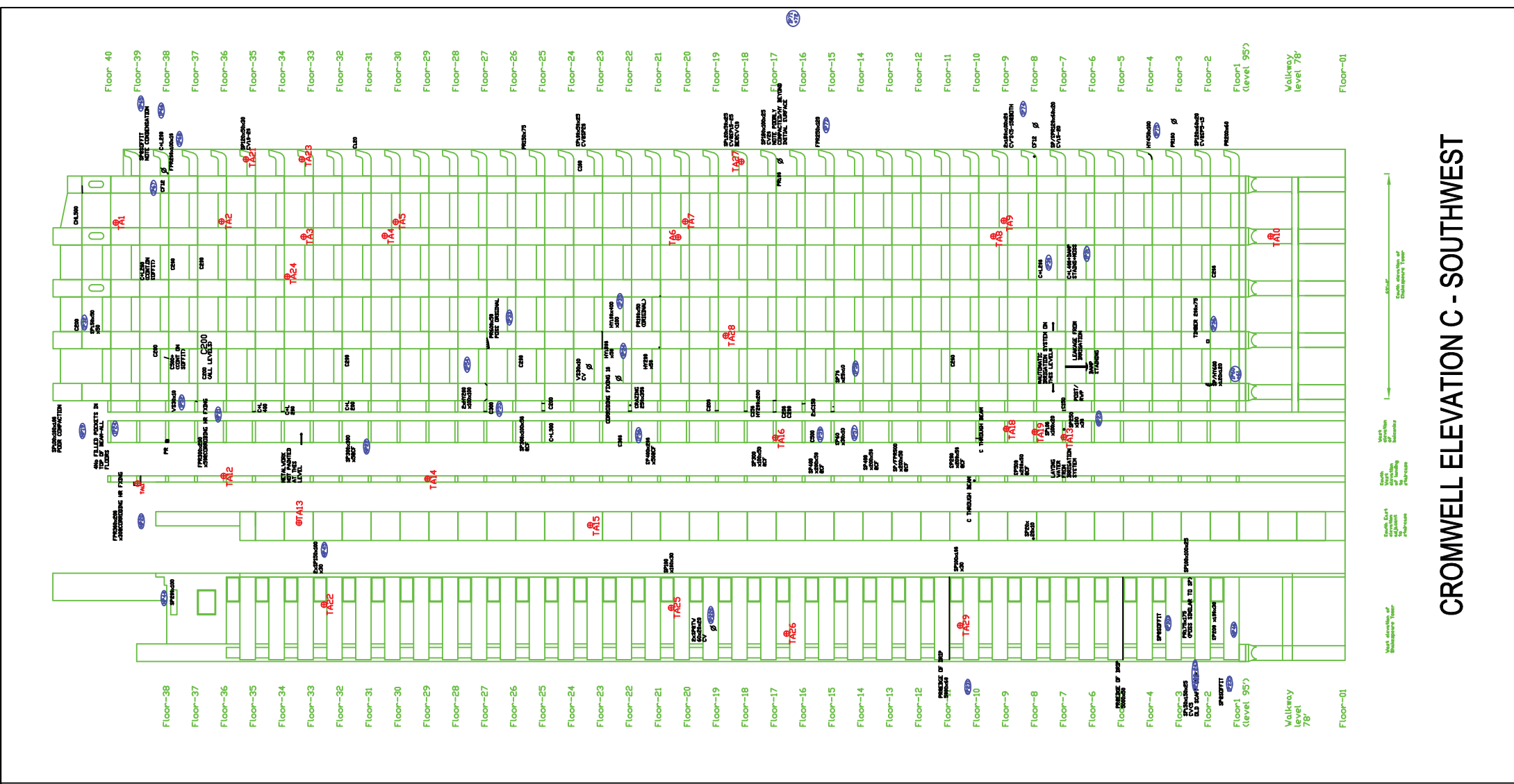
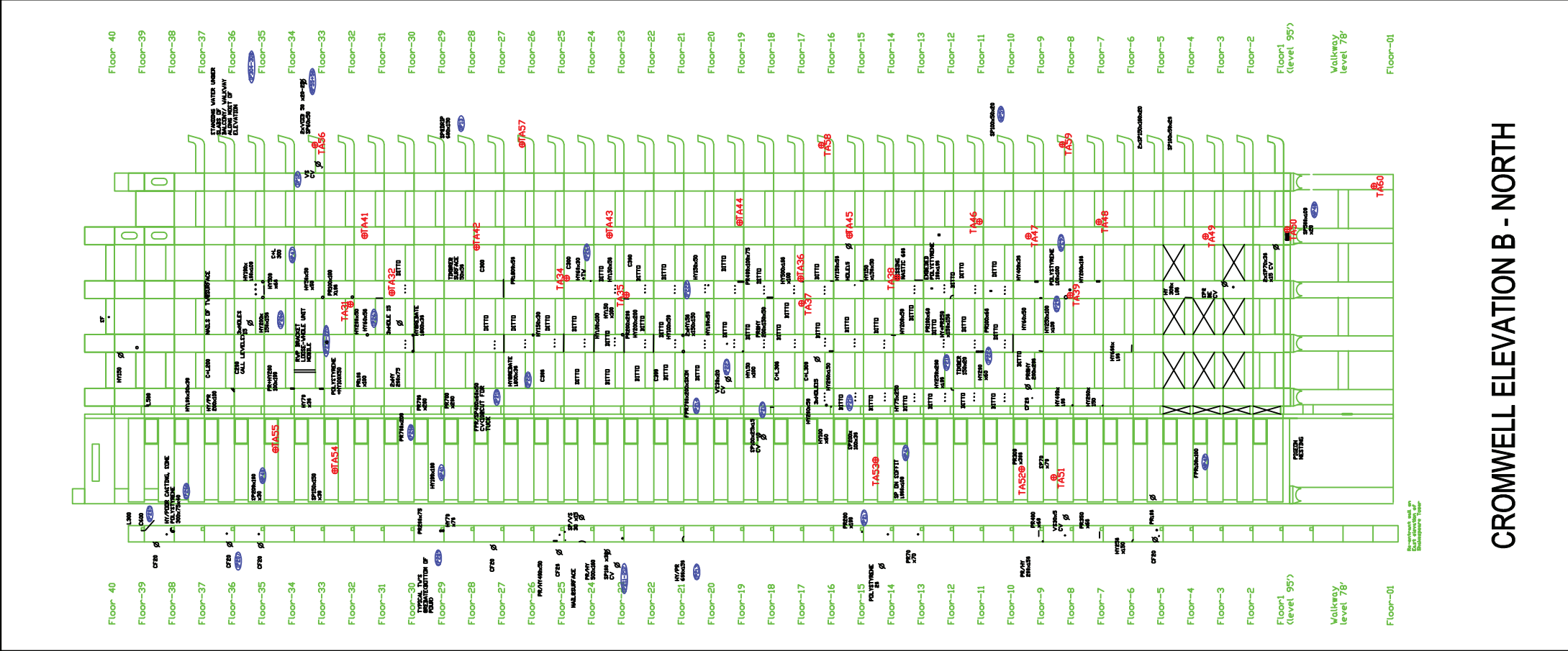
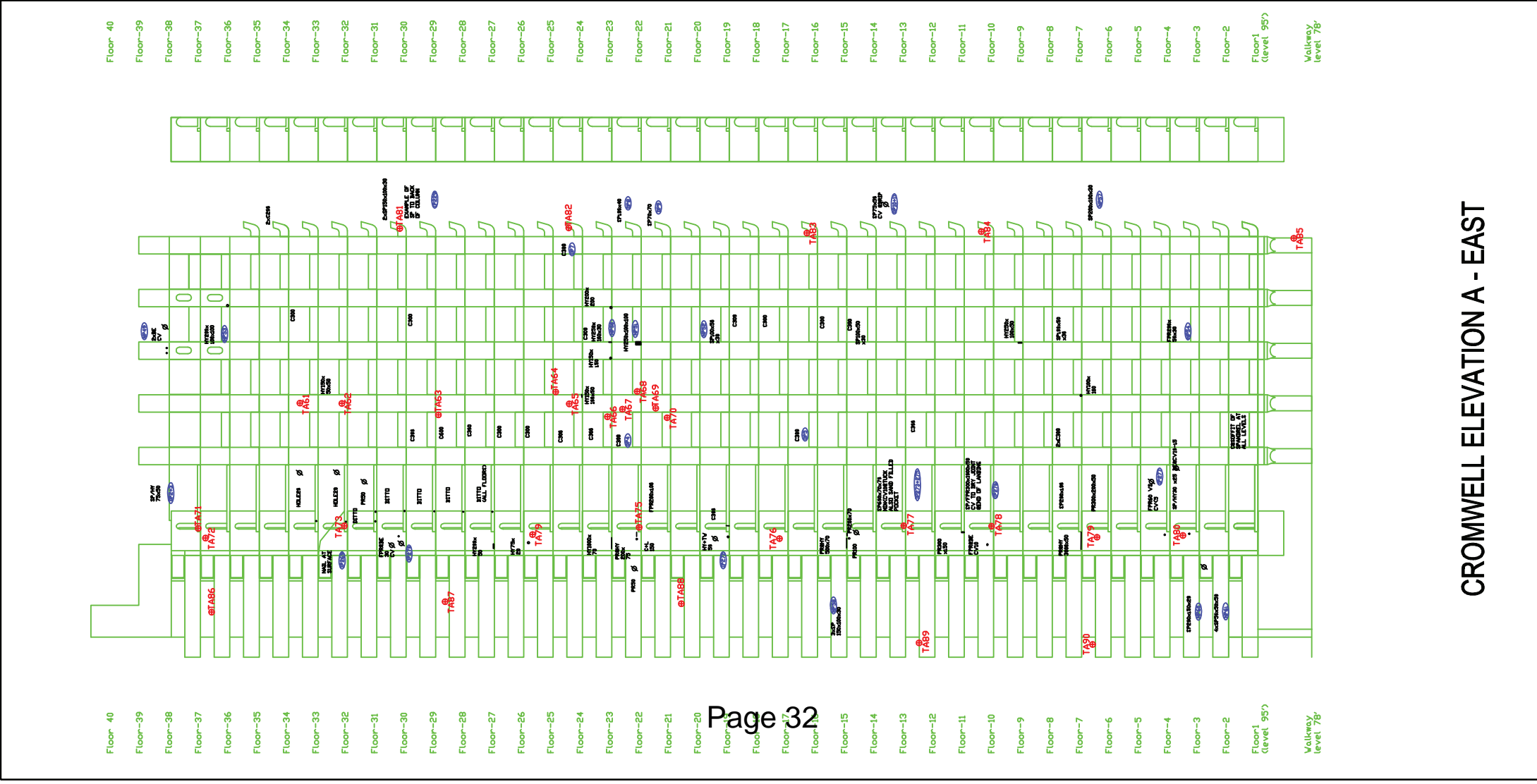
SHAKESPEARE ELEVATION A - SOUTH



SHAKESPEARE ELEVATION B - EAST



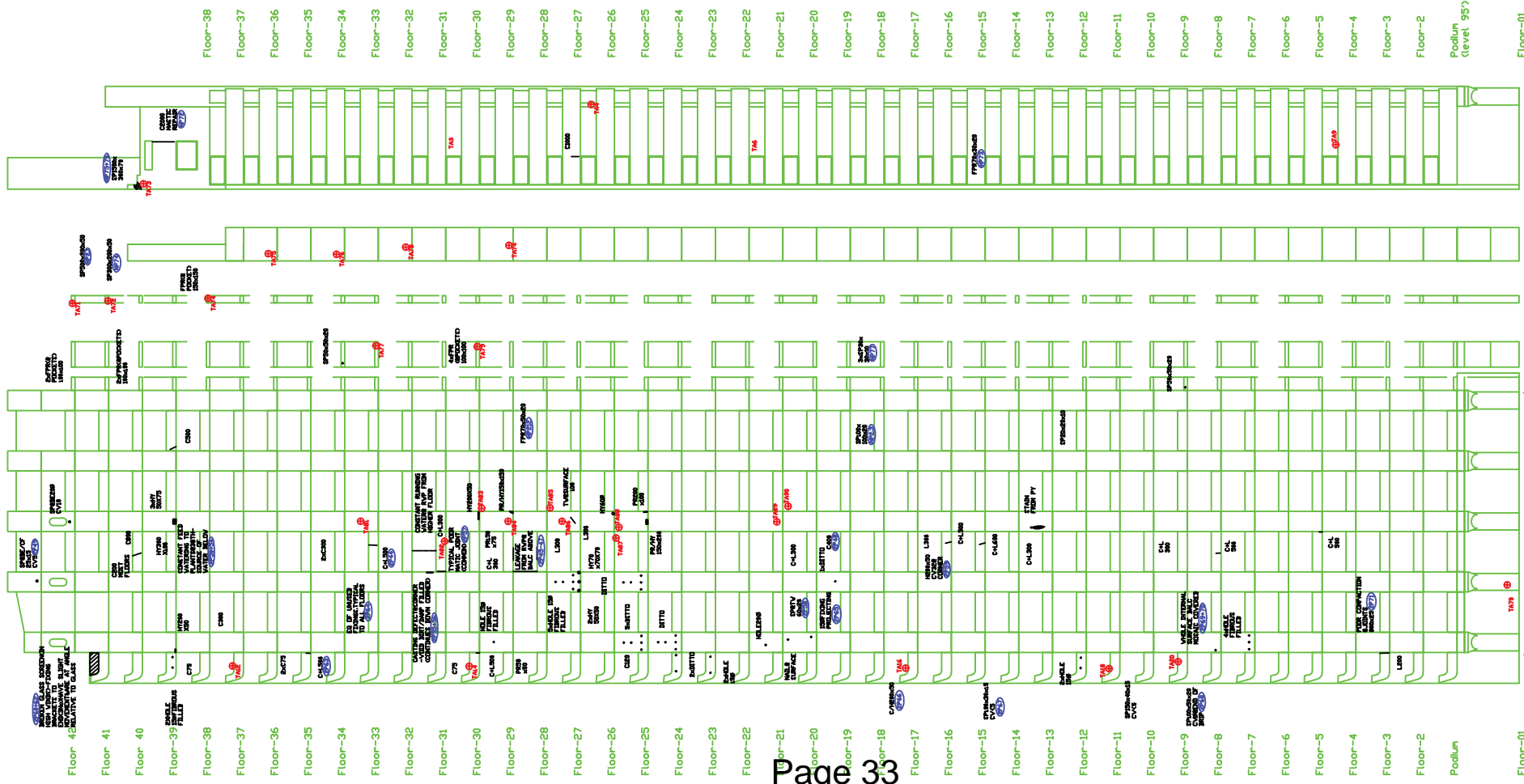
SHAKESPEARE ELEVATION C - NORTHWEST



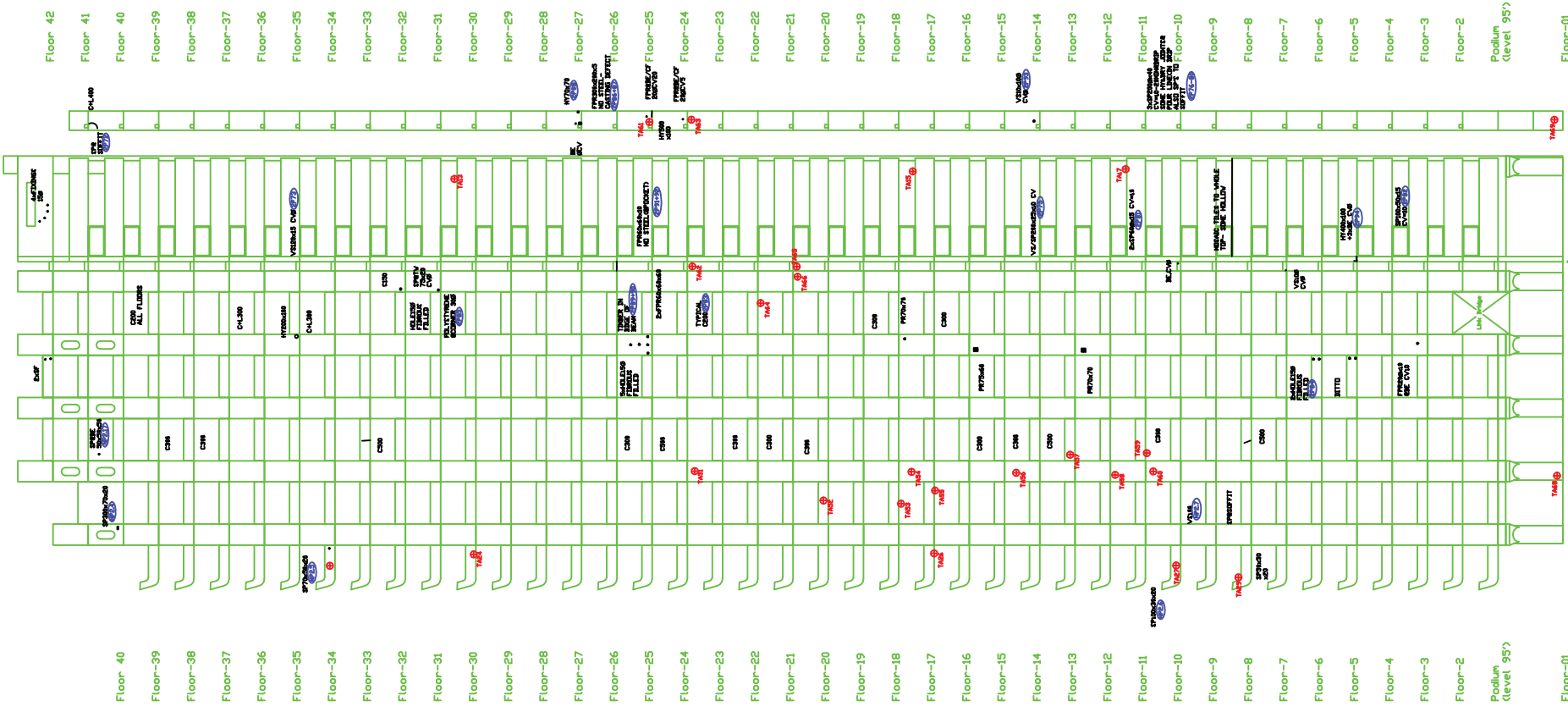
CROMWELL ELEVATION A - EAST

CROMWELL ELEVATION B - NORTH

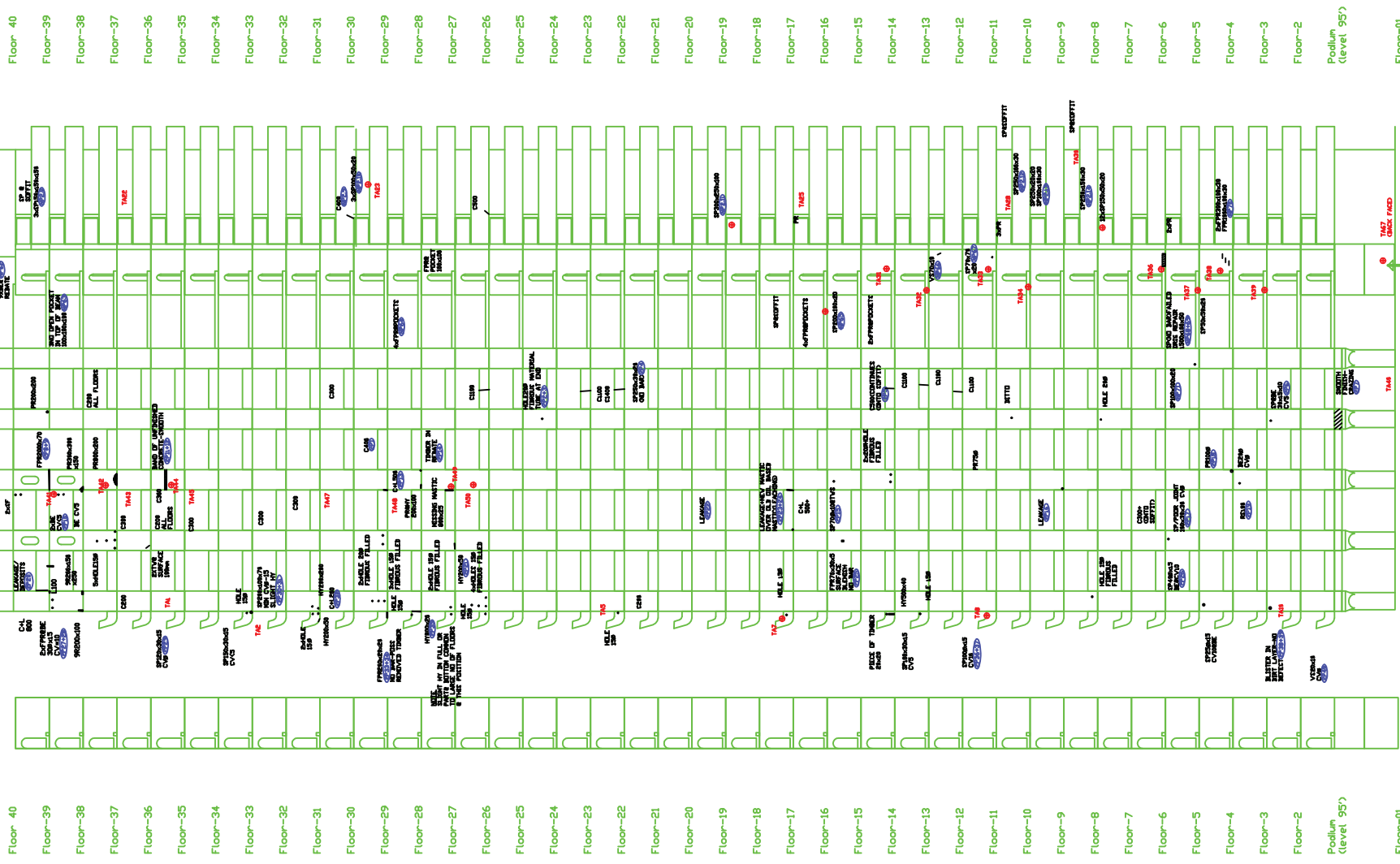
CROMWELL ELEVATION C - SOUTHWEST



LAUDERDALE ELEVATION - WEST



LAUDERDALE ELEVATION - NORTH



LAUDERDALE ELEVATION - SOUTH-EAST

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Barbican estate concrete: surveys, repairs, and charging
Questions / Answers

1. It is clear from the previous reports we have now seen, notably *Barbican Estate—Spalling Concrete*, report dated 5 April 1986 for Barbican Residential Committee, 14 April 1986 and the *Physical Future of the Barbican Estate* 1991, that the existence of some defects to the concrete has been known to the City since at least 1986.

For example, in para 2.2.6 of the 1986 report it describes a number of minor defects “due to local instances of insufficient cover to reinforcement and less dense concrete.”

The fact that the attendees at the 1986 meeting to consider the report included the town clerk and senior officers from the city engineer’s department suggests that there was concern at a high level within the City about the nature of defects to the concrete at that time.

1) Prior to the April 1986 concrete report there had been a number of issues concerning the Barbican Estate and all of its building components, including health & safety implications, some of which had involved possible litigation against Chamberlin, Powell and Bonn, the architects of the estate. In view of this, subsequent issues that arose at that time concerning the concrete were also reviewed by senior officers. With regards to the concrete aspect, the April 1986 report states that “none of the defects are of structural or other particular significance. No such defect has constituted a potential safety hazard” and “the condition of the concrete was discovered to be generally good, and free from major defects.”

2. Both the 1986 and 1991 reports state that the consultants consulted at the time said that the defects should be mitigated by repairs followed by regular monitoring and maintenance.

For example, in the 1991 report Section 2 on pp. 4-5, covers the “Structure and Exterior”. Within sub-section 2.1, Concrete, it says: “The concrete should be durable, provided that proper maintenance is carried out.”

2) Periodic inspections of the concrete have been carried out; either by commissioned specialists or by Barbican Estate staff and contractors in the course of their normal duties or through carrying out conditions surveys to inform other works specifications e.g. external redecoration. Whenever defects have been identified these have been attended to either individually or as part of a wider programme e.g. mastic works to concrete joints. In all cases these defects have been minor and most did not require any remedial action.

3. The defects identified in the concrete in the 1986 report were not listed in schedule 4 to the leases that were issued by the City when people started to buy long leases to the flats.

3) The defects identified in the 1986 report were not included in schedule 4 of the leases issued to prospective buyers because they are not considered to be a structural defect.

4. The repairs and regular inspections and maintenance recommended in 1986 and again in 1991 were not carried out.

- 4) Following the 1986 report, repair works were carried out. This is confirmed in the Ove Arup report.

5. The work done in 2012, the subject of the current reports, is the first repair and maintenance that has been done to rectify problems first formally identified in 1986. We accept that the concrete generally is in good condition (something residents are pleased about). However, the main areas that have needed repair this year clearly have needed it as a result of low compaction and poor coverage (and inadequate initial repairs to those defects) that were present from the outset, at the time the buildings were built. The costs have primarily arisen from the need to remedy these initial defects.

- 5) The works carried out in 2012 were not unexpected and were considered to be reasonable for a building of this age and type.

6. The costs of the 2012 works to the three Barbican towers are due to be charged in full to the long leaseholders. The known existence of the defects in 1986; the lack of declaration of these defects in leases issued subsequently to 1986; and the lack of the planned monitoring and maintenance recommended in 1986 and 1991 until this year make it manifestly inequitable that all the costs should fall on the long leaseholders.

We therefore seek a discussion with you and your officers about the equitable distribution of the costs for the current concrete works – and any future similar repairs to the terrace blocks.

We also have concerns that the work done in 2012 was more expensive than it need have been (in particular, in the use of the scaffolding).

- 6) The scaffolding was required for the protection of the residents and the public and was a necessary requirement of the CDM Co-ordinator and the contractors. It was cost effective to leave the scaffolding in place whilst the cosmetic repairs were carried out rather than strike the scaffolding and re install it.

7. Given this last concern about a lack of cost control, together with the failure to follow up on the 1986 and 1991 reports, we also want to discuss with you the future procedures for asset management on the estate. As you know, we have long pressed for better asset maintenance planning and this has led to a working party on this issue. However, the only tangible result has been the selection of asset maintenance software. Proper implementation should significantly improve matters but we believe that 1) this effort needs to be accelerated so we can attempt to head off future issues such as this one, and 2) residents need to be more fully involved in the major maintenance decisions.

It is clear to residents that section 20 notices no longer provide long leaseholders with the level of consultation that they need and are entitled to (as major payers) about major works. Such consultation needs to include much more initial discussion of the details of the work, its rationale, its specification, and the methods of working.

We trust that the BRC will not consider further the report it already has before it until we have had a chance to discuss these issues with you and your officers. We will, of course, make ourselves available for a meeting at your earliest convenience.

- 7) Section 20 consultation is required by the Housing Act. However, where possible the BEO exceeds this requirement consistently. We consult through a variety of mediums; house groups, newsletters and individual letters to leaseholders. We use public forums such as the RCC and the BA, and we hold open meetings as evidenced in the Beech Gardens and Redecoration projects.

Asset Management has been provided through planned inspection cycles and condition surveys. In 2010 the Asset management working party was convened with a remit to develop an Asset Maintenance Plan in order to:

- maintain the fabric of the property in good condition, especially in view of its listed status, and therefore extend its life
- manage Health and Safety requirements – for example, the asbestos register and Health and Safety equipment
- gather and analyse information from day to day maintenance work
- avoid unplanned costly major repairs and to plan future financial commitments both for the landlord and residents with a view to saving money in the long term
- identify any opportunities for savings that can be made – for example, whole life cycle costings
- survey and monitor the condition of the buildings, make an assessment of the life expectancy of components so that replacement works can be programmed
- assess the buildings in terms of their sustainability and energy efficiency.

The introduction of the Asset Manager role, within the new Property Services structure, will lead this group in the development of the Asset Management strategy and the implementation of new asset management software will ensure that this aspect of the service is more visible in the future.

Specific projects to maintain or improve the asset will be delivered in accordance within the City of London's project governance arrangements; reporting through a local programme board and Project Sub Committee as required.

Our commitment to resident involvement can be evidenced as mentioned above and we will continue to consult with residents both in terms of development of the strategy and specific asset management plans and projects.

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MEETING TO DISCUSS THE CONCRETE REPAIRS ON THE BARBICAN ESTATE 30 APRIL 2013 – 11 AM – BARBICAN ESTATE OFFICE

PRESENT:

GARETH MOORE – Deputy Chairman of the Barbican Residential Committee (BRC)
TIM MACER – Chairman of the Barbican Residents' Consultation Committee (RCC)
JANE SMITH – Chairman of the Barbican Association (BA)
ROBERT BARKER – Secretary to the Barbican Association
EDDIE STEVENS - Housing and Technical Services Director - Community and Children's Services
KAREN TARBOX - Head of Technical - Community and Children's Services
DR RON CASSON – Concrete Consultant, Bickerdike Allen
DR JOHN BROOMFIELD – Concrete Corrosion Specialist
JULIE MAYER – Town Clerks (Clerk to the BRC and RCC)

This meeting had been called at the request of the RCC and the BRC, who had set today's agenda.

1. APPORTIONMENT OF COST

The BA and RCC considered it essential that the City should apportion the costs equitably and given the history, the research they had undertaken and the opinions they had sought, they did not believe that the City's stance; i.e. that this was a 100% service charge matter, was justifiable.

Mr Barker felt that the fundamental issue was the definition of 'structural defects' and 'defects affecting the structure'. The group were asked to note an extract from the BRC minutes from 1986, which referred to minor defects on the Estate. Mr Barker felt that they should have been mentioned in subsequent leases; that the original workmanship had been inadequate and the City was therefore liable and not the long leaseholders. Mr Barker also urged the City to revisit Counsel's opinion in this matter, which had been sought by the Comptroller and City Solicitor in 1999 and 2000. Mr Stevens later confirmed that this had been done.

The group then studied pictures from a balcony at Willoughby House, where some steel had been exposed. The property was owned by Mr Macer, who confirmed that the balcony had been in this condition for at least 10 years but that there had not been any further deterioration in that time. In concluding, the RCC and BA accepted that some of the defects were due to fair wear and tear but they would like to see a fair apportionment.

Eddie Stevens then invited Dr Casson, a leading UK concrete expert, to explain the structure of concrete and its deterioration.

Dr Casson advised that all concrete structures built in the same era (i.e. 1960's and 70's) were similarly affected and the defects on the Barbican Estate were very typical. Dr Casson referred to the tabled photographs and, whilst unsightly, explained that the concrete's function was not impaired and there was no evidence of creeping corrosion on the exposed steel. In fact, Dr Casson was surprised at the very low level of deterioration on the Barbican Estate, given that many 1960's/70's concrete buildings had now been demolished. The number of affected concrete elements was very low compared with the total number in the estate, and this again reflected the high standards of construction.

In concluding, Dr Casson recommended stabilisation and cosmetic repair but emphasised that the deterioration was neither a 'structural defect' nor a 'defect affecting the structure'. Dr Broomfield concurred with Dr Casson's view and agreed that the Barbican Estate was generally a well-made structure, given that build and design standards of the 1960's and 1970's were greatly inferior to those of today.

Dr Broomfield then explained that there was currently no guidance as to how often concrete buildings should be inspected, although bridges and car parks were covered by legislation. Furthermore, prior to the introduction of robust European standards in 2000, materials and guidance had been unreliable and, therefore, any repairs could reasonably have had to have been undertaken 2 or 3 times in the time up to now, if carried out in accordance with earlier standards.

Mr Barker challenged whether proper maintenance had been carried out. Mr Stevens explained that maintenance works are regular and planned, generally before any fault arises but concrete cannot be maintained in this way. Dr Broomfield suggested that the rate of regression and timing of future repairs could be estimated from the current rate of carbonation and cover depths but this would be a complex task.

Dr Casson confirmed that the concrete on the Barbican Estate was in excellent condition, given its age. Dr Broomfield advised that low compaction occurred in all concrete buildings but new builds use special additives which prevent it. Such additives were not available in the 60's and 70's. Dr Broomfield also advised that structures such as the Barbican reach their 'design life' after about 50 years and therefore concurred with Dr Casson's view as to the Estate's excellent condition. In response to a question about carbonation, Dr Casson advised that this would only be deemed a structural defect if it coincided with low cover, which was generally not found in the surveys that had been carried out.

In concluding, Mr Stevens advised that, having carefully considered the views of leading experts in the field, he would be recommending this as a chargeable repair to long leaseholders.

The BA and RCC accepted the conclusion but, given the evidence presented, asked if there was any merit in making the repairs. Dr Casson and Dr Broomfield advised that whilst there was no pressing need from an engineering perspective, cosmetic repairs should be phased over the next few years. The BA and RCC asked to see the full concrete reports and details of any works carried out between 1991 and the present day. Mr Stevens offered to facilitate at future resident meetings on this matter.

Dr Casson and Dr Broomfield finally explained the rationale behind the amount of scaffolding used. The group noted that, as some of the testing had necessitated 'hammer tapping', there had been a risk of falling concrete. Furthermore, given the height of the tower blocks, simply cordoning off the blocks would not have provided sufficient protection. The scaffolding had remained in place whilst the concrete test results were being analysed, as this was more cost effective than dismantling and re-erecting it.

2. Future maintenance and asset management programme

This issue highlighted the concerns expressed through the RCC and from the BA over the urgent need for an asset maintenance programme, as there will inevitably be aspects of the fabric that will require more maintenance, as the Barbican Estate ages. The BA and RCC felt that progress had been very slow to date, and sought an update on the current status.

Mrs Tarbox advised that Mike Saunders (Asset Manager) is leading on the development of the Barbican Asset Management Strategy, working with the Asset Management working party. Mrs Tarbox advised that the focus of the group to date had been on the procurement and implementation of the asset management software and acknowledged that progress had been protracted. Mrs Tarbox confirmed that work had commenced on a draft strategy, aligning key objectives to those of the City of London's Asset Management Strategy, and that an outline draft would be produced by the end of May in order to commence discussion with the working party, at a meeting to be arranged in June, regarding the further development

of the strategy. (M Saunders will be arranging this meeting). Mrs Tarbox also advised that the target date for wider consultation of the strategy would be some time in August.

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Date	Committee	Details / Resolution
26/03/12	BRC Minutes	<p>EXTERNAL CONCRETE INVESTIGATION WORKS</p> <p>This report provided a background to the concrete investigations and remedial works being undertaken to the three tower blocks. The general conclusion was that the concrete is in remarkably good condition for its age and that further works of this nature should not be necessary for 20 to 30 years. Members noted that the scaffolding was being dismantled and it is expected that this would be complete by early April.</p> <p>The full report from Bickerdike Allen Partners had been circulated to all house groups. As the print on the agenda had been quite small, large, detailed survey drawings were available for Members' inspection.</p> <p>There was considerable debate and discussion as to whether the defects were structural or cosmetic and the Housing Services Director acknowledged that the health and safety concerns would have the same impact in either case. Members noted the following proposed motion for submission to the Grand Court of Wardmote, from the Ward of Cripplegate held on 8 March 2012, which had been agreed unanimously:</p> <p><i>'Since the recent testing and remedial works to the concrete in the three Barbican Tower Blocks relate to structural matters, Barbican residents take the view that the costs for these works should be borne by the Landlord; i.e. the City of London Corporation and not Long Lessees of the Barbican Estate.</i></p> <p><i>Does the Corporation not agree that this is a reasonable and correct assumption of Barbican residents? On what basis does the Corporation arrive at a different conclusion to residents and furthermore, what provision of the lease would justify charging Long Lessees for these works?'</i></p> <p>The Director advised that the City was in discussion with English Heritage about the remedial works and this might take several months. As the scaffolding was being removed, the work would need to be done by abseillers. In response to questions, the Director confirmed that, had the works been carried out whilst the scaffolding was in place, they would have cost less. The Director acknowledged the concerns and debate and would respond fully</p>

		in the next report to the Committee.
11/06/12	BRC Minutes	<p>Concrete Testing</p> <p>In respect of the concrete testing charges, which had been the subject of a ward mote and Resolution of Common Council, Members would receive a report in September. Members noted that letters had been sent out in respect of service charges (relating to the concrete works) but any disputes would be held in abeyance until September and no overdue accounts would be pursued until then.</p>
24/09/12	BRC Minutes	<p>CONCRETE INVESTIGATION AND REPAIRS</p> <p>Members agreed to defer the concrete report to the BRC meeting on Monday 10 December to enable the Barbican Association and the RCC to have more time to consider this matter fully, including any supplementary information and/or reports, so that a properly considered response could be given.</p> <p>The Town Clerk advised that the RCC would be entitled to hold a Special Meeting in the Interim period, if they felt this would be appropriate, but their next scheduled meeting was on 26 November 2012.</p> <p>The Chairman advised that, as this report had been written in response to a Ward mote, it had gone direct to the Barbican Residents' Association (BRC) but members of the RCC had been sent a copy of the report at the same time as BRC Members. Mr Anderson. The Chairman of the RCC, was present at the meeting to represent the views of the RCC Members, if this had been necessary.</p> <p>RESOLVED, that:</p> <p>The Report be deferred to the 10 December BRC Meeting.</p>
10/12/12	BRC Minutes	<p>REMEDIAL TOWER CONCRETE WORKS - THE DIRECTOR OF COMMUNITY AND CHILDREN'S SERVICES TO BE HEARD</p> <p>Members noted that the Chairmen of the Barbican Association and Barbican Residents' Consultation Committees had raised some questions on this report, which had been deferred from the September Barbican Residential Committee Meeting. The Chairmen of the BA and RCC had written to the Chairman of the BRC and asked for a meeting about these issues and the Chairman had agreed. The Chairman and members agreed that this matter needed serious, detailed consideration, given its legal and technical complexities. In the interests of fairness, the BRC would not be prepared to receive a formal report and recommendation until the matter had</p>

		been given the necessary level of exploration.
11/02/13	BRC minutes	<p>MINUTES OF THE PREVIOUS MEETING</p> <p>The public minutes and summary of the Barbican Residential Committee (BRC) of 10 December 2012 were approved, subject to a correction on page 3 in that the area at the base Lauderdale (not Shakespeare Tower) was badly lit.</p> <p>Matters arising:</p> <p>Concrete testing - a letter had been sent to the Chairmen of the Barbican Association (BA) and Residents Consultation Committee (RCC) answering their queries. The Chairman and Deputy Chairman of the BRC would meet with the Chairmen of the BA and RCC before the report is presented to the June meeting of the BRC. Members asked if they could be sent a copy of the letter.</p>
16/09/13	BRC Minutes	<p>TOWER CONCRETE INVESTIGATION AND REPAIRS</p> <p>The Chairman was heard in respect of the above report, which had been scheduled for today's meeting but subsequently deferred.</p> <p>The Committee were advised that, following correspondence from the Barbican Association (BA) and the Barbican Residents Consultation Committee (RCC), the Chairman had agreed to defer this item to December. The BA and RCC had asked for more time to consider the technical points raised during the meeting with the concrete specialists. The Chairman asked for the Committee's approval to defer the report, on the express understanding that there would be no further delays past December 2013; given that the Ward Mote had raised this question prior to the elections.</p> <p>The Chairman and Director of Community and Children's Services gave an assurance that all relevant information, regardless of its history, would be shared with the BA and RCC.</p> <p>RESOLVED – that:</p> <ol style="list-style-type: none"> 1. The Barbican Residential Committee defers taking a decision on the treatment of the concrete repair charges to the December meeting of the Barbican Residential Committee. 2. There be no further delay in taking the above decision, past December 2013.
09/12/13	BRC Minutes (draft)	Concrete Investigation and Repairs

		<p>Members considered a report of the Director of Community and Children’s Services. Concern was raised by both resident and non-resident members that the Solicitor representing the Barbican Association had not commenced discussions with the City Solicitor to address the legal implications of the concrete works. It was therefore moved and subsequently agreed:</p> <p>RESOLVED – that:</p> <ol style="list-style-type: none">1. A meeting be convened on or before the date of the next Barbican Residential Committee. on Monday 17 March 2014, in order for a decision to be made before the next Ward Mote.2. The papers presented to this meeting include the view of the Barbican Association and a summary of discussions between the Barbican Association and the City of London Corporation solicitors.
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Date	From	To	Details
28/03/13	BA Barbican Association	BEO Barbican Estate Office	<p>I am writing to you following the briefings on the concrete works conducted by Karen Tarbox and Chris Bates, with a very specific request for an item to be included in the specification for all future concrete inspections.</p> <p>The request is that the contractor doing the inspections documents for every repair the reason for that repair - eg weathering, low coverage, inadequate compaction, re-repair etc.</p> <p>Looking back at the Martek reports on the three towers, I see that this seems to have been done on the towers in that each repair is identified and a code given for the reason for and type of repair. I imagine therefore it will not be a problem to do it on the terrace block too. Indeed, the recent Q+A document issued by the BEO suggests that the causes of each repair will be documented (Q Will there be records kept in order to identify the cause of areas needing repair i.e. wear and tear, poor coverage etc? A Yes, subject to the cause being ascertainable using the methods available on site), but I would be grateful if you could confirm that this will be done.</p> <p>The reason we are requesting this is because, as you know, the BA is in discussion with the City about the apportionment of costs, believing that the initial errors in construction (such as low coverage and inadequate compaction) should have been declared in the leases if the long leaseholders are to bear the costs. If the costs are ultimately to be apportioned, proper documentation of the reason for each repair will facilitate any apportionment.</p>
10/04/13	BEO	BA	<p>I confirm that the specification for future investigation of exterior concrete will stipulate that testing and documentation is to be carried out in line with that already undertaken on the Barbican towers. For further clarification I confirm that this was also the case in regard to the specification for investigation of exterior concrete at Breton House and Mountjoy House, which was the subject of discussion at the residents meeting. For instance the quotation document for Breton House and Mountjoy House includes a requirement that "All surfaces to [be] tested be inspected for cracks and the findings are to be recorded on drawings. All surfaces to be hammer tested and any loose material identified and carefully taken down (defective areas). All surfaces to be assessed for cover to reinforcement to identify which areas have low cover and most likely to be at risk."</p> <p>If further detail on the content of the specification is required please let me know accordingly.</p>

			<p>On a related matter you may recall from the residents meeting that the original consultation for Breton House and Mountjoy House was cancelled due to an administrative error. We will shortly be commencing the new consultation process and in addition to the statutory consultation requirements we will include a supplementary document, which will provide more detail regarding the proposed work and anticipated costs. In addition to the information already provided in the Q & A brief, I will also ensure that the confirmation as above is included in the supplementary document as I know this was of particular interest to both the Barbican Association and residents.</p>
11/06/13	BA	BEO	<p>Following the meeting with Gareth Moore and the concrete experts, the BA is still considering its response. We have engaged a concrete expert, and he would like to see some typical drawings of the towers, including the concrete construction. He was told by the London metropolitan archives that the BEO still holds a large number of the original drawings of the building on the estate, and I think I have heard Eddie refer to these too.</p> <p>Is it possible to have access to such drawings? If copies are difficult I am sure he could send someone to refer to them in your office.</p>
12/06/13	BEO	BA	<p>Thank you for your email. I will make some enquiries and come back to you asap.</p>
17/06/13	BA	BEO	<p>I am writing to seek two bits of further information relating to the concrete works on the towers.</p> <p>The first is the more urgent because having the information may affect how house groups respond to the letter from the LVT seeking dispensation from section 20 consultation for the finishing off of the repairs (the deadline for the response is this Friday, 21 June).</p> <p>1a. Please can you provide us with details of the specification for the final repairs to the concrete and the method of working?</p> <p>In particular we would like to know about the expected life of the repairs and any guarantees; information on how closely it will visually match the existing concrete; information on how it will withstand extremes of weather.</p>

			<p>Please can you provide copies to me and to the chairs of the house groups of the three towers – though even better would be if you put the specification/methods document on the BEO part of the website, so any resident can view it.</p> <p>Indeed, a briefing/Q+A session for residents might also be useful.</p> <p>If you can't provide this by say Wednesday this week can you instead confirm that you will provide it as soon as possible and give us a date by which we will have it?</p> <p>1b. Please can you tell us the likely costs of the remaining repair work and how you plan to ensure that the costs are reasonable, given that you are not tendering. I am enclosing a breakdown of the costs that Michael Bennett sent us last June. Are these costs still accurate?</p> <p>2. The next question relates to the scaffolding that was used during the tower works – both the costs and the reasons for it.</p> <p>a) Can you give us a further breakdown of the costs of the scaffolding – ie how much were the costs of</p> <p>a) erecting the scaffolding</p> <p>b) hiring it weekly whilst it was there</p> <p>c) disassembling it</p> <p>b) I remember you or Eddie saying at the meeting we had to discuss the concrete works that the reasons for the scaffolding being necessary and its costs were all fully documented. Please could you let us see the documentation on the reasons for and costs of the scaffolding?</p>
17/06/13	BEO	BA	<p>Thank you for your email. I have asked Chris Bate and Anne Mason to provide me with the information relating to specification, works and costs etc requested in your email below and hope to be able to let you have these by Wednesday. If this is not possible I will let you know tomorrow.</p>

			<p>With regards to a briefing / Q & A session I would be very happy to arrange either at your preference. Once I have responded, with the details you have requested, perhaps you could then let me know which you feel would be more appropriate.</p> <p>With regards to your email last week about the original drawings, I am advised that the drawings included in the report by Bickerdike Allen were developed by Bickerdike Allen using original drawings obtained by Arup. The original drawings are retained by Arup and there is a cost attached to opening the archive and obtaining copies of the drawings. Chris Bate has contacted Arup to ascertain details of the fees and process and the information below, extracted from their reply, advises on both. Before proceeding on this basis your expert may wish to review the drawings in the report by Bickerdike Allen to see if these are suitable for his / her purpose and if not, we are of course happy to support you in the access request for additional drawings.</p> <p>We have put in a request for the list of drawings for each of the Tower Blocks, as there is no cost attached to this aspect of the request and will let you have this as soon as we received it. Once your expert has had chance to peruse the BAP information and list of drawings please let me know if we can be of further assistance with this matter.</p> <p>Process for access to archive drawings from Arup:</p> <p><i>Upon request from the BEO;</i></p> <p><i>Arup will supply an excel drawing list. If there are drawings of interest to the client let us know and we will issue you with a Arup Terms & Conditions form.</i></p> <p><i>The T&C form needs to be completed and return in the post accompanied by a letter of permission from the Barbican Estate Management Team naming the client and giving permission to view and buy copies of drawings.</i></p> <p><i>Once we have received these we can arrange a date and time for the client or the client's engineer in to the office to view the drawings and select which ones they wish to buy.</i></p> <p><i>The charges are</i></p>
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			<ul style="list-style-type: none"> • £500.00+VAT to open the archive which gives the client a 2 month window to re-approach us for more drawings. • £20.00+VAT per PDF copy of a drawing. <p><i>Copies of drawings are only released upon payment of invoice.</i></p> <p><i>Arup does not release calculations.</i></p>
17/06/13	BA	BEO	<p>Thank you very much indeed for your prompt response.</p> <p>I will get back to you on the matter of the drawings.</p>
19/06/13	BEO	BA	<p>Chris Bate will be sending a full response direct to you this morning as I am due in committee. As we have also received related questions from Chairmen of the Towers, our approach will be to provide a Q & A , plus supplementary information, which will be sent to yourself and copied to each of the Chairman of the Towers for completeness.</p> <p>I am also writing to advise that I will be on annual leave from lunchtime today, returning on 15th July 2013. In my absence any questions relating to the on-going concrete repairs or the LVT should, in the first instance, be directed to Christopher Bate - Christopher.Bate@cityoflondon.gov.uk. (This will also be advised to all recipients in Chris' follow up email.)</p> <p>Chris has been fully involved in this matter and is therefore best placed to deal with enquiries in my absence. (He will also continue to liaise with Eddie on all such matters)</p>
22/07/13	BA	BEO	<p>Thank you to you and Christopher for providing all the information we asked for about the final repairs to the Tower concrete.</p> <p>May we accept your offer of a Q+A briefing to residents about the latest repair works. We think that the residents of the three towers particularly would welcome an opportunity to have a presentation on what is proposed and its timings and to ask questions - but perhaps you could make the meeting open to all, as with the Beech Street works briefings?</p>

			<p>May I also respond to one suggestion that Chris made in his briefing notes to us that, since we had engaged WJ Marshall to advise us, a meeting of experts to agree the final specification might be appropriate. We appreciate the suggestion but are going to decline! The BA has no wish to usurp the role of the BEO in managing works on the estate by appointing its own experts. We are using WJ Marshall to advise us on one very narrow specific question and we think it would not be appropriate to involve them in wider questions.</p> <p>Finally, thanks to Christopher for liaising with Arup over access to the plans for WJ Marshall; in the end they did not need to refer to the plans.</p>
07/08/13	BEO	BA	<p>I am very sorry for the delay in replying to your email below. Chris and I would be very happy to meet with residents regarding the final concrete repairs and I will ask the House Officers to set this up.</p>
02/09/13	BA	BEO	<p>I am writing to seek some further information about concrete. As you will know, our legal advice is that at least some of the defects identified and repaired in the recent work on the towers does amount to structural defects that should have been declared in the lease.</p> <p>We have been advised to seek further documentation. The following is the list of documents. I have tried to get the BRC minutes from the City's website but they do not appear to be available.</p> <ol style="list-style-type: none"> 1. Background meeting notes and correspondence with Ove Arup & Partners, February 1986, see report to BRC 14 April 1986, Agenda Item 7 – Background material. 2. Any relevant report, but certainly the minutes of the BRC 10 February 1986.

			<p>3. Minutes of the BRC 14 April 1986.</p> <p>4. The results of the “walk-round survey” recommended to the BRC 14 April 1986. This survey was done, see the 1991 Physical Future document, paragraphs 2.1.1.1 and 2.1.1.2. Also any report of the survey mentioned in 3.4</p> <p>5. The results of the “reconnaissance survey of the Estate”, by Ove Arup & Partners, recommended to the BRC 14 April 1986. As the budget was £35,000 this must have been a substantial piece of work.</p> <p>6. The report of a second estate-wide survey, see the 1991 Physical Future document, paragraph 2.1.1.2.</p> <p>7. The Ove Arup report referred to in Q+A 4.</p> <p>8. The risk assessments for the scaffolding erected for the inspections and repairs in 2011</p> <p>In addition, in the “Questions / Answers” appended to the current report, on pp. 35-37 of the RCC bundle...</p> <p>Q&A 1 – This reveals that after the settlement of the litigation against the original architects, because of “subsequent issues”, it was necessary to review the concrete. What were these issues?</p> <p>Q&A 2 – The Barbican Association has not seen the reports produced by “commissioned specialists” and others arising out of these “periodic inspections” (until the recent post-2010 surveys). We are also now informed, “In all cases these defects have been minor and most did not require any remedial action.” When were these defects identified and are any of them now included in the current repair programme?</p> <p>Q&A 4 – The BA has not seen a copy of the Ove Arup report referred to.</p>
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			Please don't hesitate to get in touch if you want any clarification.
10/09/13	BA	BEO	<p>I am just wondering if you could give me an estimated time of arrival of the documents we asked for?</p> <p>I'm going on holiday shortly and it would help me plan.</p> <p>You can send them in ones and two if you want. You don't need to wait till you have them all....</p>
10/09/13	BEO	BA	<p>Thank you for your email below.</p> <p>I have requested the 1986 BRC report and minutes from Archive storage via the Town Clerk's office. As soon as these are available to me I will forward to you accordingly (I am awaiting confirmation of the likely timescale).</p> <p>The risk assessments (and related H & S advice to the contractors) have been requested from the CDM co-ordinators and I expect to have these by next week and will forward these to you once received.</p> <p>Other papers (items 4 – 7) are being sought and I will update you as to their availability asap. If I have any further queries regarding these I will come back to you.</p> <p>I will, as you mention, send information to you as I receive it. Is there a second contact that you would like me to include in emails etc during your absence?</p>
25/09/13	BEO	BA	<p>Further to our exchange of emails, I believe we now have all of the documentation requested, with the exception of part of one report. You requested background information to the 1986 BRC report and we have located reference to an earlier (Nov 1985) report by Ove Arup for the Towers, which is separated into three parts i.e. one for each Tower. Unfortunately we have not been able to locate the section for Cromwell Tower and whilst we will continue our internal search, we are also approaching Ove Arup to see if they can assist us from their archive records, so there may be some delay in providing this information.</p>

			<p>I have received agreement from the City's Assistant Solicitor regarding circulation of the Non-public minutes for the 1986 BRC and for this item I have copied the selection of the minutes as they relate only to the Concrete report.</p> <p>Due to many of the archived copies being in hard copy only we have had a minor issue in making these electronic – simply that due to the binding method these have had to be scanned upside down! The PDF can be rotated, but for ease, we have also made up a hard copy of all documentation (appropriately segmented in a lever arch binder). I will be meeting with Eddie tomorrow just to advise him of the documentation being provided and I will then be able to have these sent to you. I wonder if it would be possible to arrange to meet with you, to hand the hard copies to you and to check that we have understood your requirements correctly and to clarify some documents. This will not of course preclude you from asking for any additional information or seeking clarification at a later stage.</p> <p>I would also like to also discuss a meeting date for mid – late November, so that I can secure Dr's Casson and Broomfield's availability, if required in order to respond to any further questions you may have prior to the Dec BRC committee meeting.</p> <p>I am in meetings this afternoon but available tomorrow morning if you would prefer to call me to discuss this further and I would be happy to make arrangements to meet out of hours (with some notice) if that is more convenient for you. My contact numbers are below.</p>
25/09/13	BA	BEO	<p>Thank you for this. Let me respond more fully to your email later - but for now, I'm wondering about meeting up with you (presumably it wouldn't take longer than 15 minutes?) first thing on Friday morning.</p> <p>I'm not sure what time you get in but would sometime around 8.30 or 9.00 be OK? I need to be away by 9.15. I'll then be back around 4.30 pm and could pop into the estate office then if necessary.</p> <p>Alternatively I may be around at about 4.30- 5 pm tomorrow afternoon - but I won't know till it</p>

			happens
25/09/13	BEO	BA	<p>Thank you for your email. Friday am would be fine as I am clear of meetings until 10:00. I am always in by 8:30 so that will be fine and it should only take a few minutes just to show you how the documentation has been pulled together etc.</p> <p>Assuming this is ok, I'll meet you in the BEO reception at 8:30 unless I hear from you to the contrary.</p>
27/09/13	BEO	BA	Meeting between JS & KT for KT to handover e-copy and hard copy of documents.
27/09/13	KT	ES/RH	<p>Email:</p> <p>I met with Jane Smith, BA Chair, this morning to hand over additional documentation requested.</p> <p>I had previously requested that the BA consider dates for a further meeting (probably Nov) with our concrete specialists so that we may respond to any queries the BA or their consultant may have, prior to the Dec BRC meeting (see email 25/9/13).</p> <p>Jane advised that she would be writing to Eddie and Myself next week, advising that the BA do not think that a further meeting with our specialists would be required as "their consultant had come to the same conclusion as BAP re the concrete and there not being a structural defect" (meant in building terms) " but that the matter was now a legal one – in terms of the lease and therefore they would most likely want to meet with the City's solicitors".</p>
07/10/13	JS	GM	<p>Thank you very much for your suggestion, via Karen, of another meeting with your concrete experts to help resolve the concrete discussions between the BA and the City.</p> <p>In the interests of resolving the issue we have in fact engaged a solicitor, Kerry Glanville of Pemberton Greenish, to advise us, and I am writing now to tell you that she will shortly be writing to the City solicitor to seek a meeting with him. Our advice is that the issue is not an engineering one but a legal one and we think it needs a meeting with lawyers present.</p> <p>I will forward you a copy of her letter when she sends it. In the meantime may I also thank you</p>

			both and Karen and her staff for being so helpful in getting us the documents we have asked for.
08/10/13	GM	JS	Many thanks for the update.
13/10/13	JS	GM/ES	Here, as promised, is a copy of the letter from our solicitor to the City solicitor.
17/12/13	BA	BEO	<p>I wonder if we can ask you for one more bit of information relating to the concrete works on the towers?</p> <p>Is it possible to the written specification of the repairs that Structural Renovations actually did in their initial repairs?</p> <p>The Bickerdiak Allen report of March 2012 is actually all about the investigations and refers to the repairs as needing to be done.</p> <p>We know from what officers have said verbally that most of the repairs (except for the upper floors of Lauderdale and the surface finishes) were done immediately after the inspections while the scaffolding was still up. We also know about the finishing off repairs in 2013 from the Q+A session after English Heritage had given the go ahead, but I can't find any document that specifies what the initial repairs were. If we could have a copy that would be very helpful. If we could have it before Christmas that would be even more helpful!</p>
18/12/13	BEO	BA	<p>Thank you for your email. I am sure we can get the information to you before Christmas. However, may I just clarify your requirements with regards to "specification"?</p> <p>Are you referring to the technical specification of the product used in the initial repairs? – if so, please find attached the technical sheets for your perusal.</p> <p>Or</p> <p>Are you seeking further information regarding the requirement and location of the works to be carried out? The technical drawings of the towers show where the repairs were required and I understand that instruction to Structural Renovation was to carryout repairs to locations in accordance with the BAP drawings and attached technical specifications.</p>

			I'll check with Chris regarding any further detailed instruction to Structural Renovations and perhaps, in the meantime, you could clarify your requirements so that we can get the right additional information to you asap.
18/12/13	BA	BEO	<p>Thank you very much for your prompt response. And thank you for the technical specification of the product.</p> <p>I think we are looking for a wider specification than that - ie the piece of paper that gave the instructions to Structural Renovations to do {what sort of?} repairs at the locations identified on the BAP drawings (the drawings that give the locations we have already). I imagine the instructions would include things like</p> <ul style="list-style-type: none"> -coat any exposed steel with X -apply the restoration mortar and the Betofix RM - in accordance with technical instructions etc..
24/12/13	BA	BEO	Any luck with this further document?
24/12/13	BEO	BA	<p>I am very sorry but I will now not be able to get the remaining information to you before Christmas.</p> <p>The instruction to Structural Renovation was by way of a procurement process that included a specification for testing and potential repairs, their proposal, subsequent appointment of SR via purchase order in accordance with the proposal, further provisional instructions and further instructions following site visits...so there are several documents that make up the instruction. Whilst I have much of the information to hand, unfortunately it is not within the BEO permissions to recreate the electronic purchase orders and we have requested this information from the Central Procurement team. Also, Chris Bate is on leave until 2nd January and I would prefer that he validates the documentation before I send it to you as I was not involved at that stage.</p> <p>Chris is back on 2nd January 2014 and I will make this request a priority on his return, by which time I should have documentation from the procurement team.</p>

			I apologise that I cannot get this information to you sooner but am confident that we will be able to get this to you by the end of the first week in January.
10/01/14	BA	BEO	Forgive me for emailing now, but I shall be out all day (and therefore not able to email later on today) and I'm just checking to hope that you will send me the remaining specification for the concrete repairs today - I think you said the end of the first week in January?
10/01/14	BEO	BA	<p>I have now received the copy purchase orders and have attached those relevant to the “build-up repairs”, which are those referred to in your request.</p> <p>As previously indicated and for clarification there is not one single instruction, as this is made up of the original tender documents for the investigation works (attached), which included some provision for repairs, the outcomes of the investigation work, which identified the location of required repairs (i.e. Bickerdike Allen Partners report – which you already have), the purchase orders to carry out the repairs in accordance with the work identified in the report and the Remmer’s technical information sheets, which shows the product detail and working methods of repair.</p> <p>I trust the use of these documents together with the Bickerdike Allen Report and Drawings provides the information you require regarding the location and nature of build-up repairs. If you require any further information regarding the final finish repairs please let me know accordingly. Regards</p>
02/02/14	BA	BEO	<p>In the last set of documents that you sent us in response to our request for information on the actual specification for the repairs to the concrete on the towers, we noticed that the quotation from Structural Renovations included in item 4.5:</p> <p>“We would be able to offer a significant saving by the use of an alternative scaffolding contractor who is familiar with the Corporation and has previously worked on the Barbican site.”</p> <p>Can you tell us what the City’s response was to that item? Was it followed up? If so with what result? If not, can you tell us for what reason was it not followed up?</p>

			<p>I would be very grateful for any information you can provide.</p> <p>Also, is there a report yet on the outcome of the inspections to Mountjoy and Breton House?</p>
12/02/14	BEO	BA	<p>Having checked with Officers and Consultants involved at the time, my understanding is that the reason for not pursuing the alternative contractor option was that to do so would have delayed the process and the works were of an urgent health and safety nature, in response to Bickerdike Allen's advice that all the blocks should be dealt with by the end of the year (2011). The Mattison quote was based on their site meeting with an abseiling specialist (Vertical Technology) and the CDM coordinator. Ensuring that any alternative quotation complied with the same requirements would have entailed a delay to the project, due to requiring a further procurement process to ensure a fair process; including further on site meetings with any potential scaffolding companies and was deemed not feasible to pursue in the context of urgent works being required.</p> <p>With regards to Mountjoy and Breton House, we have now received the results of the testing, which have been sent to Dr Broomfield for his review and we expect to receive his report and recommendations shortly. As soon as we have his report this information will be shared with the house groups and residents.</p>

Barbican Tower blocks – Requests for Information from Pemberton Greenish and Officer response

Date	Ref	From /To	
7/10/13	1	Letter: Pemberton Greenish to City of London	Advising that following Counsel opinion this matter is of a legal nature (lease) rather than a technical matter
10/10/13	2	Letter: CoL to PG	Request to see Counsel opinion and enclosing copy of First Tier Tribunal dispensation order
1/11/13	3	Email: CoL to PG	<p>Dear Ms Glanville, following my receipt of your chaser letter dated the 30th October I did ring yesterday to obtain your email address in order that I could send through to you the letter and it's enclosures I sent on the 10th October 2013.</p> <p>I haven't heard from you. I am therefore sending a copy of my letter dated 10th October to your generic email address by way of a PDF in the hope that it reaches you. Perhaps at some point you will acknowledge safe receipt.</p>
7/11/13	4	Telephone: CoL & PG	<p>PG will not waive privilege, and release their Counsel's opinion.</p> <p>PG have not set out in clear terms what their arguments are. They have merely said in their opening letter that the issue is a legal as opposed to a technical one, and that we did not give notice; by which they must mean historic notice as opposed to notice in 2011.</p> <p>Phone call ended with Ms Glanville saying she would acknowledge my 10th October letter, and confirm that their Barristers opinion would not be released. When asked what the City's response would be I stated that I would have to take instructions as to whether the City consider a meeting is appropriate.</p>
22/11/13	5	Letter: PG to CoL	Confirming not prepared to disclose Counsel opinion and other
26/11/13	6	Letter CoL to PG	Requesting clarification of claims made by client and evidence to support. Letter confirms the City would consent to a meeting
4/12/13	7	Letter: CoL to PG	Letter sets out legal precedent of definitions of structural defects, reinforcing the City's position that the works to the Towers were not to correct structural defects.
20/12/13	8	Letter: PG to CoL	Acknowledgement of letter 4 th Dec
27/01/14	9	Letter CoL to PG	Querying no correspondence received as correspondence of 20 th December advised a response in the New Year.
30/01/14	10	Letter: PG to CoL	Advising still investigating and will advise when they are in a position to meet with City Officers

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Mr M Cogher
Comptroller and City Solicitor
City of London
Guildhall
PO Box 270
London
EC2P 3EJ

7 October 2013

Our Ref KDG/Barbican/SMD
Your Ref

Dear Sirs

The Barbican Estate – Remedial Works to Exterior Concrete

We are instructed on behalf of the Barbican Association in connection with the investigations which have been carried out and the remedial works which are currently being undertaken to the exterior concrete of the buildings comprising the Estate.

We understand it is the intention of the City to recover the entirety of the cost of these works from the leaseholders under the terms of their leases as part of the service charge. You will be aware that the Association has received an opinion from specialist counsel to the effect that, contrary to the conclusions set out in the report of the Director of Community and Children's Services to the Barbican Residents Consultation Committee and the Barbican Residential Committee dated 16 September 2013, such costs are not recoverable under clause 4(3) of the leases as the works are necessary to remedy defects in the structure of the building of which no notice has been given to the leaseholders, either expressly in their leases, or within 5 years following the grant of those leases. We concur with the advice counsel has given.

There seems to be no, or no significant, dispute regarding the existence of the defects, the probable cause of the defects or the remedial works that are needed (although our client reserves its position as to whether the cost of the works is reasonable and/or whether they have been carried out to a reasonable standard). The principal point of difference between the parties appears to turn on whether the works are necessary to repair a defect in the "structure" of the building. The documents we have seen indicate that the debate thus far has focused on whether or not the effect of the spalling concrete has impacted adversely upon the structural/loadbearing integrity of the buildings. In concluding that the defects are not structural the City appears to have been influenced by the advice of its engineers to the effect the structural/loadbearing integrity of the buildings has not been affected, at least for the time being.

The issue is a legal rather than a technical one; the question of whether any element of a building is part of its "structure" for these purposes is a matter of law and not an issue on which an engineer is qualified to express an opinion.

The cost of the remedial works is substantial. Whether it is recoverable from leaseholders or payable by the City is a matter of great concern to all parties and needs, as we are sure you will agree, to be addressed

sooner rather than later. In this regard our client is willing to attend a further meeting to explore whether this can be resolved without having the matter referred to the First Tier Tribunal for a determination. If, however, such a meeting is to take place we respectfully suggest that it should be attended, not by engineers and construction industry experts, but by you, our Ms Glanville and no more than one or two representatives of the parties. Perhaps you could let us know as soon as possible whether this proposal is of interest to you and, if so, let us have two or three dates when a meeting would be convenient.

Yours faithfully



Pemberton Greenish LLP

Comptroller and City Solicitor

Michael Cogher LLB (Hons), Dip.L.G., Solicitor
Comptroller and City Solicitor

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London SW3 2AQ

Telephone 020 7332 1690
Fax 020 7332 1992

Your ref KDG/BARBICAN/SMD
Our ref BR1502/001/RH/TB

Date 10 October 2013

Dear Sirs

**The Barbican Residential Estate
Remedial Works to Exterior Concrete**

I thank you for your letter dated 7 October and note your instructions on behalf of the Barbican Association.

As I am sure you are aware, the City made an application earlier this year for a Dispensation Order pursuant to Section 20ZA of the Landlord and Tenant Act 1985 to dispense with consultation in respect of remedial works to the concrete exterior of the three tower blocks at the Barbican Estate. I attach a copy of the Tribunal decision granting the City dispensation. I understand the remedial work is virtually complete.

You are correct that it is the City's intention to recover a proportionate part of the total costs incurred from long Leaseholders further to the operation of the standard form of long Lease. On that point, I am informed that the costs billed to date to long Leaseholders have in the vast majority of cases been paid without more.

I am not aware of the opinion of specialist Counsel to which you refer, and I would invite you to make that opinion available in order that I can consider it in conjunction with my client department.

If, following receipt of the opinion it is considered the proposed meeting to which you refer would be beneficial then of course a meeting can be arranged.

Yours faithfully


R Howlett
For Comptroller and City Solicitor

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Mr M Cogher
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COMPTROLLER and
CITY SOLICITOR
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Seen
✓
To: RJ

7 October 2013

Our Ref KDG/Barbican/SMD
Your Ref

Dear Sirs

The Barbican Estate – Remedial Works to Exterior Concrete

We are instructed on behalf of the Barbican Association in connection with the investigations which have been carried out and the remedial works which are currently being undertaken to the exterior concrete of the buildings comprising the Estate.

We understand it is the intention of the City to recover the entirety of the cost of these works from the leaseholders under the terms of their leases as part of the service charge. You will be aware that the Association has received an opinion from specialist counsel to the effect that, contrary to the conclusions set out in the report of the Director of Community and Children's Services to the Barbican Residents Consultation Committee and the Barbican Residential Committee dated 16 September 2013, such costs are not recoverable under clause 4(3) of the leases as the works are necessary to remedy defects in the structure of the building of which no notice has been given to the leaseholders, either expressly in their leases, or within 5 years following the grant of those leases. We concur with the advice counsel has given.

There seems to be no, or no significant, dispute regarding the existence of the defects, the probable cause of the defects or the remedial works that are needed (although our client reserves its position as to whether the cost of the works is reasonable and/or whether they have been carried out to a reasonable standard). The principal point of difference between the parties appears to have turned on whether the works are necessary to repair a defect in the "structure" of the building. The documents we have seen indicate that the debate thus far has focused on whether or not the effect of the spalling concrete has impacted adversely upon the structural/loadbearing integrity of the buildings. In concluding that the defects are not structural the City appears to have been influenced by the advice of its engineers to the effect the structural/loadbearing integrity of the buildings has not been affected, at least for the time being.

The issue is a legal rather than a technical one; the question of whether any element of a building is part of its "structure" for these purposes is a matter of law and not an issue on which an engineer is qualified to express an opinion.

The cost of the remedial works is substantial. Whether it is recoverable from leaseholders or payable by the City is a matter of great concern to all parties and needs, as we are sure you will agree, to be addressed

sooner rather than later. In this regard our client is willing to attend a further meeting to explore whether this can be resolved without having the matter referred to the First Tier Tribunal for a determination. If, however, such a meeting is to take place we respectfully suggest that it should be attended, not by engineers and construction industry experts, but by you, our Ms Glanville and no more than one or two representatives of the parties. Perhaps you could let us know as soon as possible whether this proposal is of interest to you and, if so, let us have two or three dates when a meeting would be convenient.

Yours faithfully



Pemberton Greenish LLP

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From: Howlett, Richard
Sent: 01 November 2013 09:36
To: 'law@pglaw.co.uk'
Subject: Barbican Estate Exterior Concrete Works.

ATTENTION MS.GLANVILLE.

Dear Ms Glanville, following my receipt of your chaser letter dated the 30th October I did ring yesterday to obtain your email address in order that I could send through to you the letter and it's enclosures I sent on the 10th October 2013.

I haven't heard from you. I am therefore sending a copy of my letter dated 10th October to your generic email address by way of a PDF in the hope that it reaches you. Perhaps at some point you will acknowledge safe receipt.

Regards.

Richard Howlett
Chief Legal Assistant
Comptroller & City Solicitors Department
020 7332 1690
richard.howlett@cityoflondon.gov.uk

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Outcome of telephone conversation with Pemberton Greenish 1st November 2013

PG will not waive privilege, and release their Counsel's opinion.

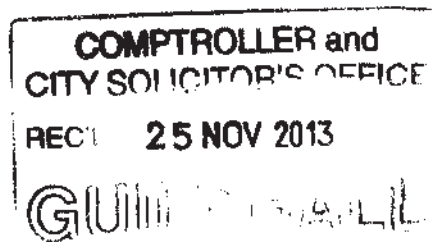
PG have not set out in clear terms what their arguments are. They have merely said in their opening letter that the issue is a legal as opposed to a technical one, and that we did not give notice; by which they must mean historic notice as opposed to notice in 2011.

Phone call ended with Ms Glanville saying she would acknowledge my 10th October letter, and confirm that their Barristers opinion would not be released. When asked what the City's response would be I stated that I would have to take instructions as to whether the City consider a meeting is appropriate.

R Howlett
1st Nov 2013

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Mr M Cogher
Comptroller and City Solicitor
City of London
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London
EC2P 3EJ



And by email: richard.howlett@cityoflondon.gov.uk

22 November 2013

Our Ref KDG/18162.1/LM
Your Ref BR 1502/001/RH/TB

Dear Sirs

The Barbican Estate - Remedial Works to Exterior Concrete

We refer to your letter of 5 November and the subsequent telephone conversation between your Mr Howlett and our Miss Glanville.

Your letter does not address the points made in the third paragraph of our letter of 7 October. Whilst we are not prepared to waive privilege and disclose to you the written opinion obtained from Counsel on behalf of our client (nor should this be necessary in order to illicit your response), we are content to amplify the basis on which we say that our client is not liable to contribute towards the cost of the repairs carried out to the concrete exterior to the tower blocks on the Estate in order to assist you.

The flats comprising the Estate are demised in some cases by leases granted under the provisions of the "right to buy" legislation (Part V of the Housing Act 1985, formerly Part 1 of the Housing Act 1980) with the majority being demised under the terms of voluntary sales leases. The landlord's repairing obligations are not set out expressly in the right to buy leases; they are implied by the relevant legislation. There are express covenants in the voluntary sales leases. However, in all material respects (save for the notice period) the provisions are the same. The City's obligation is "to keep in repair the structure and exterior of the premises and of the Building". The leaseholders are to pay to the City "a reasonable part of the costs of carrying out specified repairs". "Specified repairs" are defined as repairs carried out in order "to keep in repair the structure and exterior of the premises and of the Building in which they are situated (including drains gutters and external pipes) not amounting to the making good of structural defects" and repairs carried out "to make good any structural defect of whose existence the Corporation has notified the tenant..... or of which the Corporation does not become aware earlier than ten [or 5] years after the grant". It is the second limb of the definition which is relevant here.

We trust there is no dispute between the parties that the works which have been carried out to the exterior concrete of the tower blocks, the cost of which you are seeking to recover (and in most cases have recovered) from the leaseholders, are works of repair to remedy a defect. In our letter of 7 October we anticipated, on the basis of the documents we have seen, that the City's contention is that the works were not necessary to remedy a defect in the "structure".

Whilst we accept that what is meant by "structure" depends on the proper interpretation of the particular lease in question, the case law provides some useful guidance as to how the courts are likely to construe that word. In this respect, there are a number of relevant decisions. The first is *Pearlman v The Keepers and Governors of Harrow School* [1979] QB 56, CA in which Eveleigh LJ approved the following passage from the unreported decision of His Honour Judge White in *Pickering v Phillimore* [1976] in which the Court of Appeal had to consider whether the installation of a central heating system was "an improvement made by the execution of works amounting to structural alteration, extension or addition" for the purposes of the Housing Act 1974.

"A house is a complex unity, particularly a modern house. "Structural" implies concern with the "constituent or material" parts of that unity. What are the "constituent" or "material" parts? In my judgment in any ordinary sense they involve more than simply the loadbearing elements, for example, the four walls, the roof and the foundations. The constituents are more complex than that. [He then suggested a definition of "structural" as] appertaining to the basic fabric and parts of the house as distinguished from its decorations and fittings."

A similar approach was taken in *Irvine v Moran* [1991] 1 EGLR 261, where the Court had to consider the meaning of "structure" in the landlord's covenant to keep in the repair the "structure and exterior" implied pursuant to Section 11 of the Landlord & Tenant Act 1985. Thayne Forbes QC, sitting as a Deputy High Court Judge, adopted the following approach:

"The structure of the dwelling house is something less than the overall dwelling house itself and the exterior of the dwelling house is also something less than the overall dwelling house itself... I am not persuaded... that one should limit the expression "the structure of the dwelling house" to those aspects of the dwelling house which are loadbearing in the sense that sort of expression is used by professional consulting engineers and the like; but what I do feel is, as regards the words "structure of a dwelling house", that in order to be part of the structure of the dwelling house a particular element must be a material or significant element in the overall construction. To some extent, in every case there will be a degree of fact to be gone into to decide whether something is or is not part of the structure of the dwelling house."

In *Ibrahim v Dovecorn Reversions Limited* [2001] 2 EGLR 46, Rimer J cited the above passage with apparent approval and in *Marlborough Park Services Limited v Rowe* [2006] 2 EGLR 27, Neuberger LJ referred to it as "a good working definition".

In the decided cases the essential distinction to be drawn, therefore, is not between loadbearing and non-loadbearing aspects of a building but between the constituent elements of a building and its decorative or other finishes and fittings. In *Grand v Gill* [2011] EWCA Civ 554, Rimer LJ held in relation to plasterwork as follows:

"In the days when lath and plaster ceiling and internal partition walls were more common than now, the plaster was, I should have thought, an essential part of the creation and shaping of the ceiling or partition wall, which serve to give a dwelling house its essential appearance and shape. I would also regard plasterwork generally, including that applied to external walls, as being ordinarily in the nature of a smooth constructional finish to walls and ceilings, to which the decoration can then be applied, rather than a decorative finish in itself. I would therefore hold that it is part of the "structure"."

In the light of these decisions we consider that the exterior concrete to the tower blocks will be held to be part of the structure of those buildings.

We accept that the leaseholders are liable to contribute to the cost of repairing those defects to the structure of which notice was given on or before the grant of the leases or of which the City has not become aware earlier than five or ten years (as the case may be) from the grant of the leases.

It has been suggested by Mr Howlett that the City was not aware of the defects to the concrete until 2011; this is disputed. The report of the Director of Building & Services to the Barbican Residential Committee for the purposes of a meeting on 14 April 1986 clearly shows that the City was aware, by 5 April 1986, that there were some defects affecting the concrete and that it was at least suspected that there were "local instances of insufficient cover to reinforcement and less dense concrete" (para 2.2.6). The 1986 report referred (at para 2.2.9) to defects found in five locations including Flat 373 in the Cromwell Tower and Flats 12 and 251 in the Lauderdale Tower, in relation to which "the potential hazard was averted due to timely intervention and repair although it is not clear what work was done. The defects were ascribed to "a repair or other interference with the concrete work effected during the construction or shortly after construction had been completed". The 1986 report recommended that a walk-round survey and report, followed by a "reconnaissance survey" be conducted over a total period of about 45 weeks and at an estimated cost (at that time) of £35,000.

The 1991 report headed "The Physical Future of the Barbican Estate" refers, under the heading "Spalling in Concrete" to the walk-round survey being carried out and the report of the reconnaissance survey being received in April 1991.

A report commissioned by the Association from William J Marshall & Partners refers to and considers the results of fairly extensive testing in relation to the tower blocks by Martech. This reveals that although Marshall did not consider the results to be "exceptional" for buildings of their age and class, between 17% to 20% of more than 2,400 cover meter readings were at or below the depth of 40mm which was the recommended depth at the time of construction. Furthermore, although the area affected in each case was generally around only half a metre square, there were about 120 locations where compaction was found to be inadequate, a significant number of which were on the north elevation of the Cromwell Tower (para 3.10). Although 95% of 200 tests revealed the carbonation depth to be 20mm or less (para 3.14), in some locations carbonation had occurred to a depth of over 50mm (in other words to a depth greater than that of 42% of the areas where depth of cover had been tested). Even on these figures around 1 in 20 of the tested areas showed carbonation to a depth which matched or exceeded the cover levels recorded in around 1 in 50 of all the tested areas (para 3.7). About 280 areas of spalling concrete were identified and about 50 areas of exposed reinforcement (para 3.18). Intrusive investigation revealed one instance of "significant corrosion" of a reinforcement bar (para 3.22). It is not suggested that defects in these affected areas had been caused by previous repair work as opposed to the original construction.

Accordingly, the extent of the low cover and poor compaction combined with instances of spalling concrete and exposed reinforcement suggests significant and widespread defects in the concrete, albeit in patches generally of half a metre square. These defects have occasionally resulted in significant damage. There are apparent parallels between the results of the Martech testing, as analysed in the Marshall report, and the "local instances of insufficient cover to reinforcement and less dense concrete" recorded in the 1986 report (para 2.2.6). At the very least, the information presently available demonstrates longstanding defects in the original construction of a kind which the Corporation knew about from 1986 and which were then sufficiently widespread to warrant wide ranging surveys. Further, it is apparent that localised repair of the concrete surface in an area where it had become disrupted or loose by reason of corrosion of the embedded reinforcement caused (at least in part) by inadequate cover and/or compaction would not address other areas of inadequate cover or compaction in which the same surface damage may later become manifest.

We consider that, at least by the time of 1991 report, the City was aware of unremedied defects in the concrete because it had decided that a second cycle of inspections was required. The reports do not

suggest that there is any material difference in the construction of the concrete as between the various different buildings. The City was, therefore, aware of such defects across the Barbican Estate including the tower blocks, in two of which actual defects had been discovered by 1986.

It is a fact that no notification was given to any lessee of any structural defect in relation to the concrete either at or before the leases were granted or within the relevant five or ten year period notwithstanding the City's knowledge of their existence. It is in this context that our letter of 7 October refers to no notice having been given to the leaseholders. It has been suggested by Mr Howlett that the Notice of Intention served on the leaseholders pursuant to Section 20 of the Landlord & Tenant Act 1985 (referred to in the decision of the Leasehold Valuation Tribunal dated 30 July 2013) constitutes "notice" for this purpose. In view of the compelling evidence as to when the City became aware of the problems, this cannot be the case.

The City's application for dispensation from the consultation requirements proceeded unopposed and on the assumption (on the part of the City and not questioned by the Tribunal) that the costs incurred in carrying out the remedial works were recoverable as part of the service charge. The Tribunal was not asked to make a decision in respect of this issue of substance. Its determination cannot bring within the service charge regime costs which are not recoverable under the terms of the leases, nor is it the case that a failure to oppose the application by the leaseholders and/or the payment of the sums demanded of them, affect their liability under the leases or preclude them from challenging the City's entitlement to recover these costs and/or seek reimbursement of the sums already paid.

We have been asked by the leaseholders to put you on notice that they intend to seek redress in respect of those sums which have been improperly recovered from them in respect of the cost of carrying out repairs to the concrete structure to the tower blocks. This is quite apart from any arguments they may have as to the reasonableness of the sums demanded and/or the standard of the works carried out.

We hope that on reflection you will feel that there may be some benefit in having a meeting to explore whether this matter can be resolved without the need for applications to the Court and/or Tribunal. Our client is prepared to make available to you in advance of any meeting a copy of William J Marshall & Partners' report.

We look forward to hearing from you.

Yours faithfully


Pemberton Greenish LLP

Comptroller and City Solicitor

Michael Cogher LLB (Hons), Dip.L.G., Solicitor
Comptroller and City Solicitor

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Your ref KDG/18162.1.LM
Our ref BR1502/001/RH/TB

Date 26 November 2013

Dear Sirs

The Barbican Estate - Remedial Works to Exterior Concrete

I thank you for your letter dated 22 November sent late that day by e-mail, the hard copy arriving by post on 25 November.

Firstly, I did not write to you on 5 November?!. Other than a brief e-mail sent on 1 November, I have written to you once, and that was on 10 October.

I am pleased that you have now begun to articulate your arguments. It was my understanding/impression rightly or wrongly, that your clients acknowledge the necessary works to the concrete do not amount to the making good of a structural defect having accepted at a previous meeting(s) expert opinion on that point. If your clients' position has changed, perhaps you will confirm.

If your clients' position has not changed, your arguments appear to be that as the concrete forms part of the structure of the block (and the City's position is presently reserved in that respect for the purposes of this correspondence), then remedial work undertaken to that structure amounts to work being carried out to make good a defect with the structure which the City were aware of, or should have been aware of in 1986, and notification given then.

If that is your clients' position, then it appears to ignore the operation of the Lease which, in my view, envisages two types of repair: (i) repairs carried out in order to keep in repair the structure and exterior and (ii) repairs to make good any "structural defect". If your clients accept that the first type of repair has proved necessary, that is work to repair the structure and exterior, as opposed to the making good of a structural defect, then as a mere running repair, the City's position is that the associated costs are recoverable.

As far as the 1986 position is concerned, I am instructed that a fair conclusion of Ove Arups' findings is as follows:

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“The condition of the concrete was discovered to be generally good and free from major defects”

“None of these defects are of structural or other particular significance”

Moreover, just because part of a buildings structure or exterior requires repair, does not in my view mean, applying the provisions of the standard form of Lease, the associated costs are irrecoverable.

Referring back to your opening letter of 7 October, you asserted that no notice of the remedial works to remedy defects in the structure of the building was given. That is not right. Your assertion, now that you have begun to articulate your arguments, is obviously aimed at the position in 1986. I am grateful for the explanation.

I obviously appreciate that the Order for Dispensation does not affect liability or preclude your clients’ challenging cost recovery; that much is even made clear in the Order itself if it needed to be made clear. If your clients have issues regarding reasonableness of sums demanded and to be demanded and/or the standard of the works carried out, perhaps they would provide full reasoning and evidence in support.

As a first measure and following receipt of your letter only yesterday, I will take further instructions from my client Director. I anticipate an Instruction to Counsel where after it is entirely possible a meeting to explore matters will be considered appropriate in the not too distant future.

Yours faithfully

R Howlett
For Comptroller and City Solicitor

Comptroller and City Solicitor

Michael Cogher LLB (Hons), Dip.L.G., Solicitor
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Your ref KDG/18162.1.LM
Our ref BR1502/001/RH/TB

Date 4 December 2013

Dear Sirs

The Barbican Estate - Remedial Works to Exterior Concrete

Further to your letter of 22 November 2013, and my reply of 26 November, 2013, I have now taken instructions from my client and considered the issues raised in your letter with Counsel. This letter sets out the City of London's response to the arguments raised in your letter.

There is no dispute between the parties as to the terms of the leases relevant to this matter, nor that the works in question to the exterior concrete of the towers are works of repair to the structure and/or the exterior of the blocks affected. We do not, however, agree with your description of the works, contained in the third paragraph of your letter, as "works of repair to remedy a defect".

One of the key difficulties with this description of the works is that it does not use the language contained in the lease but, rather, elides the two separate concepts in clause 5(4) of the lease, *i.e.* that of "keep[ing] in repair the structure and exterior" of the premises and of the building and that of "mak[ing] good any defect affecting the structure". While we accept that, as a matter of definition, the lease uses the term "specified repairs" to mean both kinds of work, as a convenient shorthand, that does not, in our view, affect the proposition that they are conceptually distinct and intended, by the lease, to be so.

It is clear in our view that the leases were drafted in this way, reflecting the provisions of Part V of the Housing Act 1985, so as to distinguish between works of what might be called ordinary "repair" to the structure and/or exterior and works to "make good" what are described as "structural defects" or "defects affecting the structure". It is to be noted, that in relation to the latter, that the activity referred to is one of making good the defect rather than repairing it, and that the phrase "structure and exterior" is not used.

This distinction is meaningful, particularly in the context of whether or not the cost of undertaking the works is recoverable from leaseholders under the service charge provisions of the lease. Ordinary repairs and maintenance to the structure or exterior of the buildings on the estate, such as the replacement of rotten window frames, or repointing of brickwork, or the reapplication of mastic seals, is different in kind from works for the making good of structural defects. The City

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believes that the repair of localised areas of loose and/or spalling concrete, caused essentially by wear and tear to the buildings (*i.e.* their exposure over time to the elements) rather than by any inherent defect to the concrete, falls into the former category of works.

The City therefore does not accept your contention that any work to the structure to repair some aspect of it that has gone out of repair amounts to the making good of a structural defect. While we do not dispute the various authorities to which you refer on the meaning of the word “structure”, we do not consider them to be particularly relevant because the critical issue is not whether the external walls of the blocks are part of their structure but, rather, what is meant by the term “structural defect”. Our interpretation of the lease, which accords with the way that the courts have construed the use of the same language under Part V of the 1985 Act (see below), is that “structural defects” are confined to inherent or design defects.

This interpretation has the advantage of preserving the distinctions in the lease between repairs to the structure and exterior and the making good of structural defects, to which I have already referred, above. Your interpretation, on the other hand, as we understand it, collapses that distinction. This seems unlikely to be correct because it deprives of any effect, so far as the structure of the buildings is concerned, the provisions relating to repairing the structure and exterior: in other words, all works to remedy wants of repair to the structure would also amount to repairs to remedy a defect and would thus be works to make good a structural defect. This would mean that notice on or before the grant of the lease (or absence of knowledge of the “defect” for 5 or 10 years) would always be required for recovery of the costs through the service charge to be possible.

The construction of the lease provisions I have suggested above is supported by the case of *Payne v Barnet LBC* (1998) 30 HLR 295, CA, which considered the meaning of the provisions of s.125, 1985 Act and the equivalent, predecessor provisions in the Housing Act 1980. The third holding in the headnote reads:

“ ‘Structural defects’ are defects affecting the structure which require making good, as opposed to ordinary items of repair or maintenance; in the context of right to buy applications, structural defects are limited to the narrow category of inherent defects.”

Brooke LJ, at p.300, said this.

“...Part III of Schedule 2 to the 1980 Act, as amended, ...set out the terms of any lease which might be granted under these provisions. Paragraph 13(1A) of this schedule imposed on the landlord (a) an implied covenant ‘to keep in repair the structure and exterior of the dwelling-house and of the building in which it is situated (including drains, gutters and external pipes) and to make good any defect affecting that structure;’ and (b) an implied covenant to keep in repair any other property over or in respect of which the tenant has any rights by virtue of this schedule. We will call the repairs referred to in these two paragraphs ‘ordinary external repairs’ as distinct from making good structural defects.

“We make this distinction because it appears to us that the draftsman of this schedule was well aware of the vexed problem in landlord and tenant law of distinguishing between a liability to repair and a liability to make good an inherent defect in the property demised (see *Woodfall on Landlord and Tenant*, Volume 1, paras 13.029-13.037 and the well-

known cases there cited). In *Post Office v. Aquarius Properties Ltd* [1987] 1 All E.R. 1055, for instance, this court held that a covenant by a tenant to keep demised premises in good and substantial repair did not impose any obligation on him to remedy a defect in the structure of the premises, whether that defect resulted from faulty design or workmanship, if it had been present from the time the building was constructed and had caused no damage to it. In the Housing Act scheme the landlord is fixed not only with the liability to keep the dwellinghouse's structure and exterior in repair, but also with the liability to make good any defect affecting that structure. However, the requirements he must fulfil if he is to be able to pass on to the tenant any of the expense he may incur in meeting these liabilities are different in each case."

At p.312, he added:

"Parliament has required the landlord to tell the tenant of any structural defects, meaning defects affecting the structure which require making good, as opposed to ordinary items of repair or maintenance..."

The repair of isolated areas of spalling concrete on buildings which are more than 40 years old is not, in the City's view, works to make good structural defects, but ordinary works of repair and maintenance much like the examples I have given above (re-pointing brickwork or replacing rotten window frames). Neither the design nor the construction of the buildings' external walls was defective in any respect; over time, however, concrete repairs will become necessary due to wear and tear including, in particular, the exposure of the external surface of the concrete to the elements. It is clear from the expert reports which we commissioned and which your clients have seen that the quality of the concrete in general is extremely high and still generally providing good cover to the steel reinforcement.

I cannot therefore agree with the central thesis of your letter that recovery of the costs of the works depends on the giving of notice or the date of the City's knowledge of the need for the works. Accordingly, I do not propose to comment in detail on your assertions derived from the William J Marshall report or the Martech testing. In any event, having not been given sight of the Marshall report, the City has no option but to reserve its position on the contents of that report. I have already commented in general terms on the 1986 conclusions of Ove Arup, in my letter of 26 November.

The one point I would make, in general terms at this stage, is that I do not accept that knowledge of a need for localised concrete repair works in either 1986 or 1991 would be such as to put the City on notice of the need for further concrete repairs in 2011. This is because, as I have said, the damage to the concrete is caused by the effects of exposure to the elements over time. While it is to be expected therefore that from time to time further such repairs will be required, it was only in about June 2011 that officers of the City became aware of an area of unsound concrete on the 37th floor of Shakespeare Tower which led to the current investigative and repair works. In *Payne*, where the issue of knowledge was considered in the context of the notice requirements of Part V, 1985 Act, the Court of Appeal pointed out (at p.312) that:

"It is, of course, knowledge, not suspicion about a possibility, that is required before the obligation of disclosure under section 125(4A) of the Act can have any effect."

If, in the light of this response, your clients still wish to have a meeting with us to explore whether the matter can be resolved, then I am instructed that officers are willing to meet with you. It is important, however, that any such meeting should not proceed on the misunderstanding that the City accepts the proposition that the works undertaken related to anything other than routine repairs and maintenance to give effect to its obligation to keep in repair the structure and exterior of the blocks in question.

Yours faithfully

R Howlett
For Comptroller and City Solicitor

Mr M Cogher
Comptroller and City Solicitor
City of London
Guildhall
PO Box 270
London
EC2P 3EJ

20 December 2013

Our Ref KDG/18162.1/SMD
Your Ref BR 1502/001/RH/TB



Dear Sirs

The Barbican Estate - Remedial Works to Exterior Concrete

We thank you for your letter of 4 December. Although we had hoped to respond substantively prior to Christmas this has not been possible. You will hear from us in the New Year.

Yours faithfully

Pemberton Greenish LLP

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Comptroller and City Solicitor

Michael Cogher LLB (Hons), Dip.L.G., Solicitor
Comptroller and City Solicitor

Pemberton Greenish Solicitors
45 Cadogan Gardens
London
SW3 2AQ

Telephone 020 7332 1690
Fax 020 8332 1992

Your ref BR1502/001
Our ref KDG/18162.1/SMD

Date 27 January 2014

Dear Sirs

The Barbican Residential Estate - Remedial works to exterior concrete

I refer to correspondence in respect of the above. Upon a review of my file, I note I replied substantively to your points on the 4th December 2013 in which I indicated that officers were prepared to meet with you.

You responded just before Christmas stating that I would hear from you in the New Year. I am a little surprised I have had nothing further from you, particularly as February is fast approaching.

If there are any points that I did not cover in my 4th December letter (and I do not believe there are) perhaps you will let me know in due course.

Yours faithfully

Mr Richard Howlett
for Comptroller and City Solicitor

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Mr Richard Howlett
Comptroller and City Solicitor
City of London
Guildhall
PO Box 270
London
EC2P 3EJ

30 January 2014

Our Ref KDG/18162.1/LM
Your Ref BR 1502/001

Dear Sirs

The Barbican Estate - Remedial Works to Exterior Concrete

We refer to your letter of 27 January.

We are continuing, at present, to investigate with our clients the issues that arise in connection with this matter and will contact you to let you know when we shall be in a position to meet the City's officers.

In the meantime, we confirm that there are no points, additional to those covered in your letter of 4 December, that we would like you to address.

Yours faithfully



Pemberton Greenish LLP

COMPTROLLER and
CITY SOLICITOR
RECEIVED
04 FEB 2014
GUILDHALL

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Committee(s):	Date(s):	Item
Residents' Consultation Committee	3 March 2014	
Barbican Residential Committee	17 March 2014	
Subject: Barbican Estate Background Underfloor Heating System		For Information
Report of: Director of Community & Children's Services		Public
<p style="text-align: center;"><u>Summary</u></p> <ol style="list-style-type: none"> 1. In September 2013 your committee approved the setting up of a working party to review the current background underfloor heating system and potential alternatives. This report, which is for information, updates Members on the progress made by the working party. 2. The working party was formed and first met on 8th October 2013 comprising of officers and resident members. A list of the members can be found in Appendix 1. The terms of reference for the working party can be found in Appendix 2. 3. The initial focus of the working party has been to review the current contract with EDF Energy and the future energy provider from 1st October 2014. The working party has also started to look at the performance of the existing system by setting up temperature monitoring trials in various flats across the Barbican Estate. <p>Recommendation</p> <ol style="list-style-type: none"> 4. That the Committee notes the progress of the Background Underfloor Heating Working Party. 		

Main Report

Background

5. The electric background underfloor heating system on the Barbican Estate has been in existence for over 40 years and has been an integral part of the electrical services provided to flats during this time.

6. The background underfloor heating system remains unchanged from its original design. A high standard of maintenance, servicing and minor repairs has enhanced the life of the system.
7. With the approval of your committee on 26 February 2004 a full technical survey was undertaken by specialist consultants NIFES Consulting Group following a successful tender bid. The purpose of their survey was to determine the life expectancy of the existing system and to consider possible replacement heating systems taking into consideration latest legislation, best practice and modern techniques. The survey was completed on 19 May 2006.
8. The survey concluded that the existing background heating system, embedded electric heating cables on an off-peak supply, was the most appropriate for the Barbican Estate at that time.
9. EDF Energy and UKPN were formerly part of London Electricity Board (LEB). The current contract for the supply of electricity was taken out in 1982 with LEB and provides for a 13-hour off-peak charging period with prices per kWh fixed every 2 years. However, due to the changes in the electrical supply industry, UKPN and EDF Energy now operate as separate companies.
10. There is no formal agreement between either EDF Energy or UKPN to maintain the Cyclo-Control or indeed between UKPN and CoLC. EDF Energy stated that they intended to withdraw from the electricity supply agreement with the COLC for the supply of electricity to the background underfloor heating system. This is in accordance with the termination notices contained within the original contract set up with LEB

Current Position

11. A working party has been established and consists of residents and officers. The working party is chaired by the Chairman of the Barbican Residential Committee. A list of members can be found in Appendix 1. As there were a number of residents who offered to be a member of the working party it was agreed that a separate advisory group be set up. This group would provide an additional resource and expertise via an online forum. The advisory group is administered by the RCC Chairman.

12. At the time of this report the working party has met on 6 occasions and a summary of their work to date is as follows:

- Terms of Reference agreed (Appendix 2)
- Communications Plan agreed (Appendix 3)
- Review 3 year breakdown costs and faults over the previous financial year (Appendix 4). The underfloor heating system continues to function well with less than £10,000 per year being spent on repairs. The majority of call outs attended by Property Services Officers have been for trimmer adjustment, no fault found, failure of trimmer (temperature control unit) or blown fuses.
- Review of current contract with EDF Energy. The existing contract with EDF Energy for the supply of electricity to the underfloor heating system came to an end in January 2014. The City has negotiated an extension to May 2014 (the end of the current heating season). The tariff during the extended contract is similar to the current tariff and based on previous usage, the cost will be slightly lower. A condition of the extension is to replace the existing single rate meters with dual rate meters. The working party is considering changing the meters to ½ hourly meters. This would satisfy the condition set by EDF Energy but may also increase the tariff options available for any future energy supply contract.
- Review the progress of the new electricity supply contract from September 2014. The working party have discussed the options available for a 1-2 year contract whilst the review of the underfloor heating system continues.
- Review of existing control systems. Appendix 5 details how the current system is controlled. The working party is reviewing this system and has commissioned a trial to monitor temperatures across a range of Barbican flat types. Details of the monitoring project can be found in Appendix 6. It is important to note that the project is being delivered at zero cost. The equipment has been provided by Reading University and the data will be analysed by working party members
- Produce a consultant's brief for the future options of the background underfloor heating system.
- The RCC Chairman has produced an update for Leaseholders on the work of the working party which will be included in a letter that is shortly to be sent by the Revenues and Service Charge section to all long leaseholders. A copy can be found in Appendix 7.

13. The working party will continue to meet on a regular basis and thanks should go to all the resident members who have been actively involved in all areas of work.

Contact:

Mike Saunders

Asset Manager

020 7332 3012

Mike.saunders@cityoflondon.gov.uk

APPENDIX 1

Working Party Members

Gareth Moore – Chair and BRC Chair
Tim Macer – Willoughby House Resident and RCC Chairman
Ted Reilly – Shakespeare Tower Resident
Renu Gupta – Willoughby House Resident
Craig Allen – Shakespeare Tower Resident
Garth Leder – Defoe House Resident
Kate Wood – Brandon Mews Resident
Sarah Bee – Shakespeare Tower Resident
Mary Hickman – Andrewes House Resident
Helen Davinson - Resident Services Manager
Sarah Styles – House Officer
Mike Saunders – Asset Manager, Barbican & Housing
Lochlan MacDonald – Asset Programme Manager, Barbican & Housing
Michael Bennett – Barbican Estate Manager
Paul Kennedy – Corporate Energy Manager, City Surveyor's Dept
Anne Mason – Revenues Manager
Mick McGee – Senior Engineer, Barbican & Housing
David Downing – Asset Monitoring Officer, Barbican & Housing

In addition to the working party members listed above an advisory group has been set up consisting of approximately 13 resident members. Information to and from this group is managed by the RCC Chairman.

APPENDIX 2

Background Underfloor Heating Working Party (“UHWP”) **Terms of Reference**

1. EDF Energy have given notice of their intention to withdraw from their contract with the City of London Corporation (COLC) for the supply of electricity for the Barbican Residential Estate’s background underfloor heating system (currently 13 hours off-peak energy) by either January 2014/April 2014. Therefore, the COLC must tender a new contract for the supply of electricity from either January or October 2014 (the next winter heating period). The UHWP should:

- propose a (i) energy supply profile and (ii) tariff structure for the supply of electricity for the background underfloor heating system from 2014 onwards;
- determine whether that new supply contract should be on a short, medium or long-term basis (in part on the basis of their findings in relation to the second point below).

The UHWP should also consider, amongst other things:

- COL (and Barbican Residential Estate) economies of scale and negotiating power.
- Alternative supply arrangements, such as using energy brokers, direct negotiation with energy wholesalers/electricity generating companies, international suppliers.

The UHWP should inform the RCC and BRC of its recommendations.

Milestone: as a matter of urgency, with a requirement of 31 January 2014 to prepare a report with recommendations for the RCC and BRC, to allow the COLC to get a new contract in place by 1 October 2014.

2. The current electric background underfloor heating system on the Barbican Residential Estate has been in place for over 40 years. UKPN have given notice that it will cease to maintain the Cyclo-Control (control and switching system) beyond March 2015. The lease requires the provision of *background heating* to the flats from 1 October to 30 April in each year and at other reasonable times. The UHWP should determine its view on, *inter alia*, each of the following options (or a combination thereof):

- **Maintain both the current heating and control systems with on-going repairs as and when required.** Consider, amongst other things: the efficiency of the systems; cost of the electricity supply; current/future projected maintenance costs; availability of a maintenance provider; and basic terms of any Service Level Agreement. Also consider potential improvements, such as: hours of charge; triggers for charge (forecast/current temperature); and adding individual heating controls;
- **Replace both the current heating and control systems.** Consider: efficiency and sustainability; different heating systems both at an individual flat level (e.g. storage heaters, radiators) and at a Barbican Residential Estate level; systems used on other COL and local estates and buildings (including the system used in Frobisher Crescent (which is out of the scope of this UHWP)); feasibility and costs of retro-fitting a new heating system in all flats (whether underfloor heating or other); and other appropriate issues and feasible solutions. This includes consideration of various energy generation sources (including, but not limited to, Ground Source Heat Pumps (GSHP), Combined Heat & Power (CHP), Micro-generation sources (eg solar PC, micro-wind), biomass, and heat recovery systems) and, where possible, swift elimination of those sources which are not feasible for use on the Barbican Residential Estate. In terms of the control system, consider, amongst other things: the desirability, availability and cost of new controllers; remote Cyclo-Control transmitters; and individual flat/room controls;
- **Replace the current control mechanism, but maintain the rest of the heating system.** As above, consider the desirability, availability and cost of new controllers; transmitters; individual flat/room controls; and whether any improvements to the rest of the heating system are available/desirable;
- **Replace the current heating system, but retain the control mechanism.** Consider same points as above in relation to replacement of the heating system, and whether any improvements to the control mechanism are available/desirable.

In addition, the UHWP should also address:

- **Benchmarking.** Evaluation of the current system to allow for meaningful comparison to any proposed or implemented changes. This will include, without limitation:

- review of the data from EDF Energy’s proposal to carry out half hourly monitoring in 2 blocks on the Barbican Residential Estate; and
- the collection of temperature data in a selection of flats on the Barbican Residential Estate
- analysis and modelling the gathered data and comparison with each other and any other relevant sources of information;
- **Minimising heat loss/wastage.** Consider improving insulation of flats, repair/replacement of windows and doors (in flats and common areas), level of double glazing, increased maintenance standards;
- **What the requirements of the lease are.** The UHWP’s view of “background heating” and how that should be monitored/judged going forward;
- **Any possible funding options.**

Following consideration of these issues, the UHWP should inform the BRC and RCC of its findings and recommendations. The UHWP should also consider whether an on-going residents committee is advisable to consider these issues on a long-term basis.

Milestone: To prepare a report on the options considered and give recommendations on which are most feasible. **Timescale:** to the extent that it impacts on the first point, as soon as possible, otherwise, on a timescale to be determined by the RCC.

3. The UHWP should determine whether they require a specialist consultant(s) to advise it, and if so, specify (i) the scope of each consultant’s remit and (ii) their preferred consultant(s). The scope of each consultant’s report and the indicative costs are to be approved by the RCC and BRC, so the information should be provided to them as soon as possible.

APPENDIX 3**Background Underfloor Heating Communications Plan – November 2013**

Communication	What for?	Responsibility	Frequency	Comments
Email broadcast	Minutes Links to Committee papers General updates	BEO	As required Quarterly As required	
Website	Working Party page – minutes/General updates	BEO	As required	
Letters	Consultations Surveys	BEO	As required	
Noticeboards	General updates General Meetings	BEO	As required	
RCC/BRC	Reports Update reports	BEO	Quarterly	
Minutes Minutes - Actions & requests for information via email	Working Party	BEO BEO – HD/MB	As required	
Closed Online Forum	Share technical skill/expertise for WP & Advisory Group	RCC Chair - TM	As required	
Barbicanews	General updates	BEO	June/December	
Service Charge Letters	Summary Updates	BEO/WP	February/May/September/ November(separate communication)	

APPENDIX 4

BRIEF HISTORY OF HEATING FAULTS **2012 – 2013 HEATING SEASON**

1. The total number of recorded faults to the background heating system during 2012/2013 heating season was **518**.
2. The first visit to each reported fault is attended to initially by one of the Barbican Estate Resident Property Service Officers (PSO's).
3. Of the **518** reported faults approx. **50%** were for one of two reasons:
 - An adjustment to the trimmer only. The reasons for this vary but can often be attributed to previous adjustments carried out during a period of high or low charge.
 - 'No fault found'. This is linked to the above reported faults. There is a perception that the system is faulty if external conditions prevail. i.e if a cold day follows a mild evening or vice versa. Checks are still carried out by the PSO's to make sure the system is functioning correctly.
4. The remaining **50%** of calls were genuine faults or failures and were for various reasons:-

Failure of trimmer device (total for 2012/2013 was 37)

Failure of main fuse to property.

Failure of main fuse supplying the main riser to a number of properties.

Failure of individual heating mat fuse.

Failure of individual heating mat, this is referred on to a specialist contractor (total for 2013/2014 was 12) the contractor is usually able to accurately locate the break in the heating cable and repair accordingly. During this period there were heating mats at three properties that were not repaired due to installation of wooden or laminate floors.

Fault or failure of distribution boards within property. We now replace with modern type boards incorporating RCD and MCB circuit breakers

Failure of main 400amp contactors. Two incidents of this during 2012/13. The contactors were rebuilt by specialist contractor using spare parts held in stock by the Barbican Estate Office.

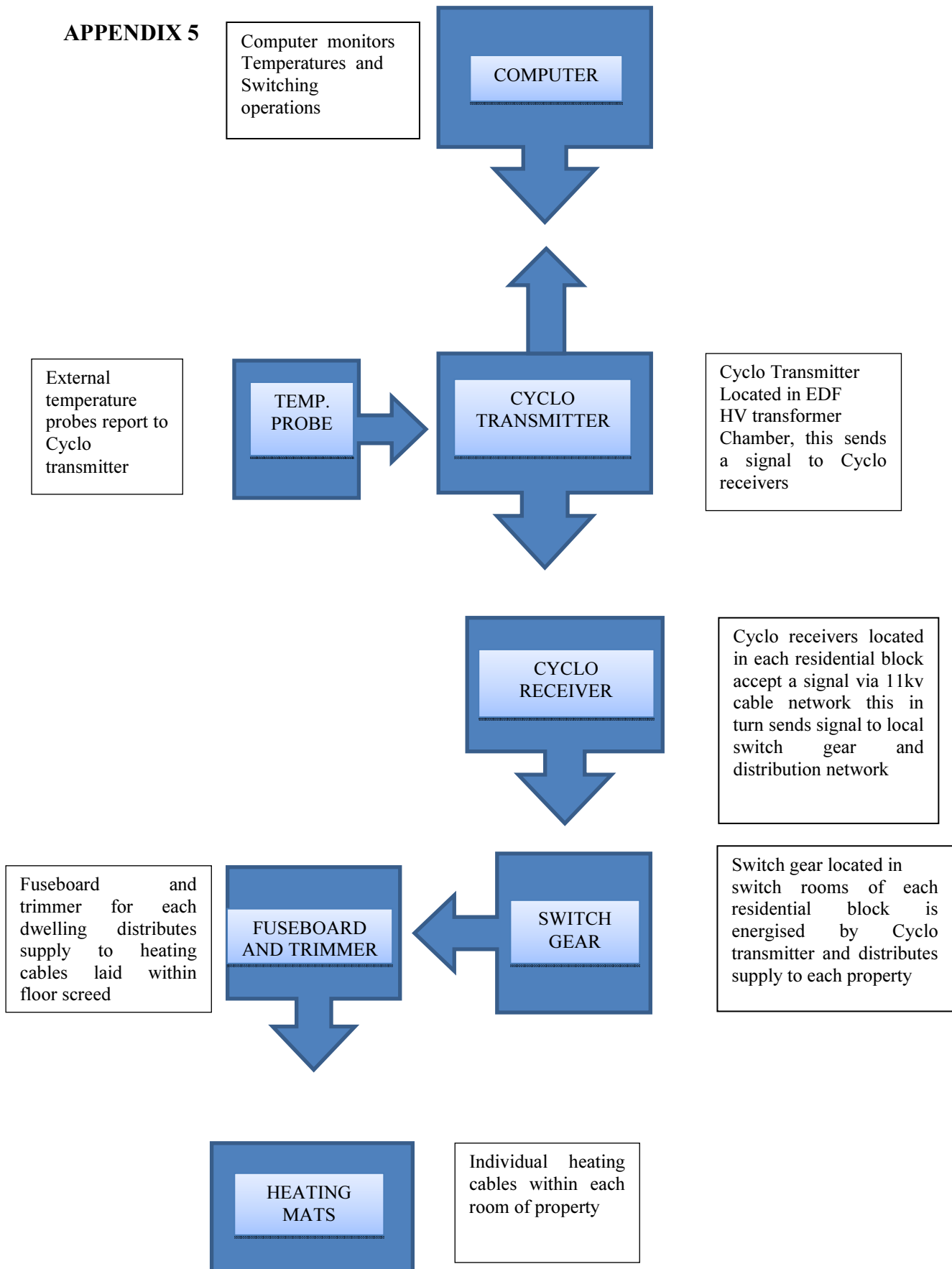
APPENDIX 4

Barbican Background Underfloor Heating

Breakdown of Costs

	Repairs	Parts	Other	Total	Notes
2011/12	£4,740	£60	£1,269	£6,069	Other relates to upgrade of BMS Repairs includes £2,247 in respect of storage heater repairs/replacement
2012/13	£7,496	£643		£8,139	Repairs includes £685 in respect of storage heater repairs/replacement
April 2013 - Nov 2013	£7,943	£6,202		£14,145	Repairs includes 2 major repairs to underfloor heating controls totalling £5,403 Parts includes cost for 40 spare trimmers - £5,800

APPENDIX 5



Temperature Monitoring Project

Proposal to the Barbican Estate Underfloor Heating Working Party

1. Background

This project is a response to the urgent need to get an idea of the range of temperatures which can be found in Barbican flats during the heating season.

Its scope and management must be viewed in the context of very limited, if any, funds which are currently available for this work.

As the Working Party continues its investigations it may be that more comprehensive investigations will need to be carried out, which may involve some expenditure.

2. Objectives

To compare actual temperatures in flats with external temperatures over the winter heating period to test the effectiveness of the existing heating regime. The measured temperature will be related to energy consumption data provided by EDF Energy. This data will then be available to model the effectiveness of any future heating proposals. The data will give an indication of the variation of temperature with height and aspect in Barbican flats.

3. Measurement method

The aim is to obtain a continuous record of internal air temperatures over the winter heating period in a vertical profile of flats in a terrace block and a 360° profile on two tower block floors. The air temperature will be recorded in 15 flats at 30-minute intervals over the winter heating period starting on December 1st.

The temperature will be recorded at one fixed location in each flat. Wherever possible the temperature will be measured in the main sitting room on an internal wall away from heating sources and out of direct sunlight.

Temperatures will be recorded on each floor of a terrace block (9 monitors) and on each aspect of two tower block floors (6 monitors).

Once a changeover protocol has been developed it may be possible to include other flat types. A record of external air temperatures over the same period will be obtained from publicly available sources and from our Cyclo switch. The switching cycle times for the Cyclo system will also be recorded, which will provide a good proxy for energy consumption.

4. Additional variables to consider

There are many other factors that can affect the temperature achieved in any flat, some of which will be more difficult to control for in this measurement exercise than others.

4.1 External

The three major external variables, which need to be considered, are

- Ambient temperature,
- Sunshine,
- Wind speed and direction.

Data for these variables are available from public sources. The data for Sunshine, solar radiation in megajoules per square metre (MJ/m²) is available for two stations about 12 miles from here

4.2 Internal

The major factor here is the level of underfloor heating that is deployed in the flat, including trimmers and any fuses that have been removed to isolate heating pads. This information can be provided by the resident, but it would be better checked by our resident engineers, as residents are sometimes unaware of the exact situation.

Additionally the way the flat is managed needs to be recorded. The information and the manner of its collection are specified in the questionnaire. The major factors will be use of supplementary heating, the use of doors and windows for heat control and occupancy patterns of the flat including periods of absence.

5. Recruitment

The location of flats used during the monitoring period will be driven by the location of the EDF Energy half-hourly meters. Volunteers will be sought by direct approach in the relevant blocks with the help of the relevant RCC representatives for the selected blocks and their respective House Group Chairs. At the end of the measurement period volunteers, if they choose, will

be presented with a confidential detailed analysis of their own flat temperature profile comparing it with external variables

Residents will fill in a questionnaire providing additional information during recruitment. There may also be additional questionnaires for them to complete during the measurement programme.

In the past, residents have been very willing to cooperate with such measurement activities and it should not be difficult to recruit volunteers.

Once the panel has been established, flats can be selected on the basis of their location with respect to the sample frame.

6. Consent

Participation by residents in the research will require informed consent. A consent form will be prepared this will be based on the University's standard consent form modified for our special circumstances. Information to be processed will be anonymised. There is no need for any personally identifiable data to be retained once meters and any other data have been collected, and it will be uncoupled from the data collected and destroyed after a reasonable period.

Energy information will be supplied by EDF Energy, with the consent of the City of London Corporation, in its role of the provider of residential services to the Barbican Estate.

20 measurement devices are being provided free of charge by the Department of Meteorology at The University of Reading as a part of the wider research undertaken by the University. In return the Barbican Residential Estate will give permission to the University to use data obtained from this measurement programme, in its own research, provided it is anonymised and no personal data are involved.

Personal data will include the name and any other contact information for residents participating the measurement programme, their flat number or exact location within the block (to less than one in ten flats) and any other data which may make that individual identifiable.

7. Technical

Fourtec Microlite monitors will be used to record the temperature and humidity. These devices, which are slightly larger than a USB pen drive. They can record 16,000 readings with an accuracy of $\pm 0.3^{\circ}\text{C}$, which is adequate for our purposes. With half hourly readings these readings will cover the winter heating period, but the data will be downloaded on a monthly basis. 15

monitors will be deployed for recording and five monitors will be retained for exchange during these changeover times. At the end of the period the equipment will be returned to the University of Reading.

8. Management of the programme

The monitors will be distributed and set up by House Officers or others from the Barbican Estate Office,) in conjunction with volunteers from the Working Party, and under the guidance of Prof. Sue Grimmond.

APPENDIX 7

Background Under-floor Heating: An update for Long leaseholders.

Since the news in September that EDF Energy would be ending the advantageous tariff the Barbican Estate enjoys for its under-floor heating by the end of the year, a working party chaired by the Barbican Residential Committee Chairman, Gareth Moore CC, and comprising BEO and other City officers, plus eight residents, has set to work on finding the best way to keep our heating going without incurring a major increase in costs.

This working party is also supported by a 20-strong advisory group of residents who also responded to my appeal last year for volunteers. There have been very many good ideas and practical suggestions emerging from both groups.

The core of the problem is that the Estate had long benefited from a tariff with 13 hours off-peak electricity per day, whereas standard tariffs on offer now tend to provide only seven hours off-peak energy. That is not enough to provide the warmth we are used to, especially in colder periods. A major concern was that drawing up to five hours at peak rate would see our heating bills soar, and could lead to demands from some residents to decrease the amount of heating – which would not be satisfactory to other residents.

Our working party is pleased to report that is very unlikely to happen, thanks to some very detailed investigations carried out by both officers and resident volunteers. At the end of our first stage of work, we have achieved five outcomes we would like all long-leaseholders to be aware of:

1.A successful renegotiation of the existing tariff from EDF Energy from January 2014 to the end of the current heating season in May has been achieved, so that there will be no price increase during the current financial year.

2.A detailed investigation into the reliability and cost effectiveness of the current system has concluded that the system is in a good state of repair, that there is no justifiable reason to replace it. The failure rate is

low, and is not increasing. Where failures do occur, they are easily and inexpensively repaired. (Even a failed floor pad, which happens rarely, can be revived in most cases with a small in-situ spot repair, unless the occupier has installed hard flooring, as that makes repairs very difficult).

3.The same investigation identified that there would be benefit in changing the Estate-wide control system, to determine the level of overnight charge using predicted temperature rather than actual temperature, which is used at present. This will mean the system can anticipate cold snaps, and also avoid waste when a cold night is followed by a much warmer day.

4.A separate investigation into the detailed load distribution – the actual energy used – and how this varies, hour by hour across the heating season, has shown that we could be paying a lower price overall (compared to the new EDF Energy tariff) by moving to a wholesale contract shaped around our demand profile and based on negotiated 30-minute fixed cost periods throughout the day. Most of our consumption falls at times when prices on 30-minute wholesale tariffs are at their lowest.

5.Some recent exploration by the working party into some of the special energy deals offered to local government buyers (which are still ‘dual tariff’, based on a peak and an off-peak rate) have shown these too could result in a much better rate than that offered by our current supplier.

As the City starts the actual procurement process for a new supplier, we are therefore in the much more comfortable position of having a well-defined and predictable demand profile worked out, and several supply options already identified. We are confident that this will result in a new supplier being selected for the next heating season with a tariff that will see very little overall increase in energy costs than at present.

The other part of the working party’s investigations are continuing – and that is to look for ways in which the Estate can make more efficient use of the heating energy it consumes. At present, with the generous support of the University of Reading, we have put in place a detailed monitoring programme in a sample of flats in both one of the towers and a terrace block.

We will need to collect data until the end of the heating season in May, and it will then take time to analyse the data and make sense of it. In the meantime, the working party is starting to look at more sophisticated control systems, and some of the viable options for cutting down on wastage through improved insulation in flats, for example, and whether such measures can be cost-justified.

No improvement schemes will be pursued, however, or costs incurred without extensive consultation with residents first. The primary assumption of the working party is to maintain or improve the heating provided without incurring cost – which includes seeking ways to avoid exposing ourselves to increased costs over the long term, as energy becomes more expensive.

If you would like to know more, please speak to your House Officer, or take a look at the minutes of the Underfloor Heating working party. These will be included in the RCC papers for its March meeting, and will be available for download from the Committees microsite of City of London's website at <http://democracy.cityoflondon.gov.uk>. Look under "Committees" then "Consultative Committees" for the Barbican Estate Residents Consultative Committee page.

The Working Party will provide another update in a few months' time. The officers and resident volunteers who have collaborated on this working party are to be congratulated for their diligent work in achieving a better outcome for all residents in such a short period of time.

Tim Macer
Chairman
Residents Consultation Committee

Agenda Item 6

Committee(s):	Date(s):	Item no.
Barbican Residential Committee	17 March 2014	
Subject: Service Charge Reconciliation 2012/13		
Report of: The Chamberlain Director of Community & Children's Services		Public For Information
<p style="text-align: center;"><u>Summary</u></p> <p>This report summarises the service charge reconciliation of the 2012/13 actuals as per the closed accounts and the amount charged to the lessees. The detailed service charge reconciliation was presented to the Barbican Residents Consultation Committee on 2nd September 2013 which is attached as Appendix 1.</p> <p><u>Recommendations</u></p> <p>The Committee is requested to note the service charge reconciliation.</p>		

Main Report

Introduction

1. This report shows the service charge reconciliation of the 2012/13 actuals as per the closed accounts and the amount charged to the lessees.

Table 1 – Service Charge Reconciliation 2012/13	£'000
Actual Service Charge Expenditure Per Accounts	7,323
Less Fees, charges and cleaning and lighting recharges	(133)
Less Barbican Estate Office adjustments	(156)
	7,033
Less portion of tenants rent attributed to service charges and voids	(401)
Final Amount due from Lessees	6,633

Lessees charges on account during 2012/13	6,761
Balance repaid in Sept 2013	(128)
Final Charge to Lessees	6,633

2. Time constraints imposed on the City Corporation to close the annual accounts does not allow adequate time for a full detailed examination of all the expenditure figures. Therefore during the following months up to September, a close examination of the figures is carried out as part of drawing up the schedule of items to be recharged to lessees. This usually results in some adjustments which are noted as Barbican Estate Office adjustments in Table 1, details are set out in the attached report.
3. Part of the rents paid by tenants is deemed to be in respect of service charges and this is taken into account in agreeing the final figure that is then chargeable to lessees.
4. Lessees are billed quarterly during the year on an estimated sum and balance being payable or repaid in the following September.

• Appendices

Appendix 1: Report to Residents Consultation Committee on 2nd September 2013 - Relationship of the Barbican Residential Committee Outturn Report to Service Charge Schedules

Contact: Mark Jarvis (1221) or David Bacon (1078)
Chamberlain's Department

Committee(s): Residents' Consultation Committee	Date(s): 02 September 2013	APPENDIX 1
Subject: Relationship of the Barbican Residential Committee Outturn Report to Service Charge Schedules		
Report of: Director of Community and Children's Services		Public
Ward (if appropriate):		
<p style="text-align: center;"><u>Executive Summary</u></p> <p>This report seeks to clarify how the Service Charge division of service in the 2012/13 Revenue Outturn Report relates to the service charge schedules provided to long lessees.</p> <p><u>Recommendation</u> That the report be noted.</p>		

Main Report

BACKGROUND

1. This report is presented annually to this Committee to demonstrate the relationship of the Corporate outturn report on the revenue expenditure and income for the Barbican Estate with the service charge made to residents.

THE OUTTURN REPORT

2. The report comprises revenue expenditure and income that has been properly identified and coded to the Barbican Estate on the City of London's general ledger system (known as CBIS). The general ledger also records capital expenditure but this is generally not included in outturn reports to City of London Committees as such expenditure is the subject of separate control arrangements. The revenue and capital expenditure on the general ledger forms the basis for the calculation of individual long lessee service charges along with the inclusion of any subsequent adjustments as explained later in this report. However, no capital expenditure was incurred this year.

3. The annexes on the Barbican Residential Committee revenue outturn report now reflect the format requested by this Committee.

RECONCILIATION ANNEXES

4. A number of annexes have been produced to demonstrate the linkages between the 2012/13 revenue outturn report and the service charge schedules. The important features of each annex are outlined below.

ANNEX 1 – Extract from the Barbican Residential Committee Revenue Outturn Report

5. Annex 1 sets out the service charge page (Annex C3) from the outturn report to the Barbican Residential Committee.
6. The general ledger records each expenditure and income transaction e.g. monthly salaries, bills paid, service charge invoices raised. Each transaction is coded in various ways including by activity (e.g. cleaners, hall porters, car park attendants), by type of expenditure (e.g. employees, repairs and maintenance, supplies and services), and by block or estate wide. These codings are summarised to produce the revenue outturn report to the Barbican Residential Committee and the initial service charge schedule.
7. Expenditure incurred in the financial year to 31 March relates to;
 - i) services and works for which an invoice/charge has been paid; and
 - ii) accruals for services and works provided but for which an invoice had not been paid before the year-end. Accruals are proper accounting practice and are made at the year end so that the accounts correctly reflect the expenditure and income for the year rather than just the payments and receipts.

ANNEXES 2 and 3 – General Ledger Service Charge Revenue Account in More Detail

8. Annex 2 expands each of the headings in Annex 1 (the staff groups under employees, the types of repairs and maintenance etc.) whilst Annex 3 converts the same information, through use of the cross reference key, to the headings used in the service charge schedules provided to long lessees (electricity, lift maintenance, resident engineers etc).

ANNEX 4 – Comparison of the General Ledger and Final Service Charge Schedule.

9. Annex 4 indicates the adjustments made by the Estate Office to the general ledger costs in order to produce the final service charge schedule. These adjustments are typically due to the fact that more accurate information relating to expenditure items is available at the time individual service charges are being prepared after the financial year end.
10. A total of £7,033,420.72 revenue expenditure was included on service charge schedules which, due to adjustments made by the BEO is £156,276.69 lower than the expenditure on the general ledger. The main reasons for this decrease are explained in paragraphs 12 and 13.

ANNEX 5 – Adjustments to General Ledger Expenditure by Barbican Estate Office.

11. The reasons for each of the adjustments are explained in this annex. As indicated above, the adjustments mainly result from a further examination of entries after the closure of the general ledger. The City Fund accounts must be approved by the City of London in accordance with statutory deadlines and, therefore, the general ledger is closed several weeks before the final service charge invoices are prepared for the September quarter day. Without such timing constraints it would be possible to alter the general ledger to exactly reflect the final service charges.
12. The various adjustments are mainly due to miscoding and adjustments to accruals. These include the reversal of an adjustment made in 2011/12 of £114,102.08 for the concrete works to the towers.
13. Other adjustments include a reduction of £14,416.42 in the cleaning materials budget for non-chargeable items, an account transfer of £7,689.75 in respect of House Officer costs to the Landlord account in respect of time spent on Landlord issues and the accrued charge for gas for Frobisher Crescent was reduced by £5,335.62 to reflect invoices received early in this financial year. The lift maintenance charge was adjusted by £3,899.98 to reflect the inter-departmental charges from the Barbican Centre in respect of Frobisher Crescent.

ANNEX 6 – Attribution of the 2012/13 Service Costs Across Blocks

14. This annex shows for each expenditure heading on the service charge schedule, the amount attributed to each block together with the main basis of attribution. The accompanying commentary provides more detail on the basis of attribution and the annex also includes a list of the estate wide and terrace block percentages and a comparison between the actual service charges for 2011/12 with the 2012/13 actual charges and the estimates for 2012/13.
15. The comparison with the 2011/12 actuals shows a marked variation for several service heads.
16. The increase in electricity costs was mainly due to increases in unit costs.
17. The decrease in resident engineers' costs was due to a staff vacancy for part of the year.
18. The increase in window cleaning costs is due to the increase uplift in contract costs.
19. The increase in expenditure on furniture and fittings was due to the number of carpet renewals. The renewal of carpets is carried out in consultation with the housegroups and the amount spent can vary considerably from year to year.
20. Expenditure on cleaning staff is higher due to more of the cleaners' time being allocated to block cleaning and for cover for staff sickness. Expenditure on additional refuse cleaning is optional service and is demand led by housegroups.
21. Most of the general maintenance expenditure is demand led and varies from year to year. The overall expenditure under these headings increased by 4.79% over 2011/12 but was slightly lower than in 2010/11. The cost of estate wide repairs was higher than the previous year due increased expenditure on drains, consultant's fees for the IRS system, and metalwork and locks.
22. The increase in garchey costs is mainly due to an increase in the cost of repairs.

23. The Technical Supervision and Management recharge is higher than in 2011/12. The charge is based on timesheet information and reflects the time being spent on general repairs and maintenance issues on the Barbican.
24. Expenditure on the redecoration projects reflects the cost of the works, staff time spent on the project and consultant's fees. The programme of works can vary considerably from year to year.
25. Charges were raised for fan and duct cleaning. However, there has been a delay in the works programme. The credit reflects the outturn cost for Willoughby House for works carried out in 2011/12.
26. The overall supervision and management increased by 14.33% and reflects officer time spent on service charge matters. However, it is around 4.75% lower than the overall charge in the previous two years.
27. The increase in underfloor heating costs was due to a combination of an increase in consumption of over 35% over the previous year and an increase in the unit cost. The unit cost for off-peak electricity rose from 7.47p to 7.96p per unit in February 2013. The previous increase in the unit rate was in February 2012 when it rose from 7.17 to 7.47p per unit.

ANNEX 7 Attribution to a Typical Flat

28. The information in Annex 6 for Andrewes House is analysed further to give the costs for a typical flat.

Conclusion

29. The Actual Service Charge schedules and an explanatory letter of the various items included on the schedule will be sent to residents by early September. The schedules will also be published on the City of London's internet site.

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Service Charge Account

	Actual 2011/12 £'000	Actual 2012/13 £'000	Variance last year B/(W) £'000	Variance last year B/(W) %	Latest Budget 2012/13 £'000	Variance from Budget B/(W) £'000	Variance from Budget B/(W) %	Actual 2011/12 % of Total	Actual 2012/13 % of Total
Customer receipts									
Fees & Charges	13	11	(2)	(15)	15	(4)	(27)		
Long lessees	6,223	6,779	556	9	7,059	(280)	(4)		
Short term tenancies	346	365	19	5	373	(8)	(2)		
Recharges									
Cleaning & Lighting	138	122	(16)	(12)	158	(36)	(23)		
	6,720	7,277	557	8	7,605	(328)	(4)		
Direct Costs									
Employees	(1,998)	(2,139)	(141)	(7)	(2,195)	56	3	30	29
Premises	(3,773)	(4,230)	(457)	(12)	(4,456)	226	5	56	58
Transport	0	0	0	0	0	0	0	0	0
Supplies and services	(34)	(77)	(43)	(126)	(98)	21	21	1	1
	(5,805)	(6,446)	(641)	(11)	(6,749)	303	4	86	88
Recharges									
Insurance	(24)	(25)	(1)	(4)	(24)	(1)	(4)	0	0
Supervision & Management	(499)	(472)	27	5	(478)	6	1	7	6
Technical Services	(413)	(380)	33	8	(391)	11	3	6	5
	(936)	(877)	59	6	(893)	16	2	14	12
Total Costs	(6,741)	(7,323)	(582)	(9)	(7,642)	319	4	100	100
Surplus / (Deficit)	(21)	(46)	(25)	(119)	(37)	(9)	(24)		

B = Better, (W) = Worse

GENERAL LEDGER SERVICE CHARGE REVENUE ACCOUNT - OUTTURN REPORT ORDER

Local Risk		CBIS Actual ANNEX 3 £	CBIS Actual ANNEX 1 £
Employees			
	22 House Officer	153,792.96	
	3 Additional Pension (Resident Housekeeper)	250.04	
9 10	Estate Cleaners	871,880.27	
	12 Car Park Attendants (one third)	447,684.97	
	13 Hall Porters	552,849.97	
	4 Relocation expenses	997.89	
	9 Recruitment expenses	890.00	
9 12	Training Expenses	1,979.00	
	9 Medical/Counselling expenses	70.00	
	9 Retirement provision	1,037.00	
	14 Garchey Operatives	108,044.26	
		<u>2,139,476.36</u>	2,139,476.36
Premises Related Expenditure			
Repairs and Maintenance			
	2 Lifts General Maintenance	27,949.73	
	2 Lifts Contract Servicing	205,603.55	
	14 Garchey Repairs	67,026.41	
	16 General Maintenance Estate Wide	73,580.06	
	17 Electrical Repairs Common Parts	73,924.76	
	18 Electrical Repairs Exterior	3,542.17	
	19 General Repairs Common Parts	123,229.66	
	20 General Repairs Exterior	640,991.38	
25 33	Redecoration Programme (fees)	22,634.36	
	25 Redecoration Programmes	150,431.02	
	26 Special Works - Safety/Security	82,707.48	
	27 Water Supply Works	30,552.01	
	28 Cromwell/Shakespeare Tower lobby refurbishment	4,138.00	
20 29	Concrete works	66,886.35	
	30 RCD Socket outlets	6,279.00	
	31 Emergency Lighting	29,484.96	
	32 Fan and duct work cleaning	-200.00	
	Total	<u>1,608,760.90</u>	
Energy Costs			
	1 Electricity (Common Parts and Lifts)	402,788.72	
	4 Electricity Resident Engineers	603.16	
	14 Electricity Garchey	6,682.21	
	34 Electricity heating	1,730,493.04	
	35 Gas Heating Frobisher	21,368.45	
	Total	<u>2,161,935.58</u>	
Rents			
	4 Resident Engineers	102,278.10	
	Total	<u>102,278.10</u>	102,278.10
Rates/Council tax			
	9 Cleaners	4,214.21	
	4 Resident Engineers	8,812.61	
	Total	<u>13,026.82</u>	13,026.82
Water			
	14 Garchey	4,024.64	
	4 Resident Engineers	2,652.00	
	Total	<u>6,676.64</u>	6,676.64
Cleaning and Domestic Supplies			
	6 Window Cleaning	174,720.62	
9 12 13	Hygiene services	3,002.82	
	15 Cleansing charges	200.00	
6, 9, 13, 16 19	Contract cleaning	3,413.25	
	7 Cleaning Materials	41,243.80	
	15 Pest Control	10,222.84	
	Total	<u>232,803.33</u>	232,803.33
Garden Maintenance			
	11 Grounds maintenance costs	104,110.66	
		<u>104,110.66</u>	104,110.66

		Total Premises Related Expenses		4,229,592.03
9 12 13		Travel expenses		
		Staff travelling expenses	<u>131.70</u>	131.70
				131.70
		Supplies and Services		
4 5		Equipment Furniture and Materials		
8 13 14 19 26		Furniture and Fittings	29,331.06	
		Cleaning Equipment	<u>10,785.71</u>	
		Total		40,116.77
		Clothing Uniforms and Laundry		
9 12 13 14		Estate Cleaners/Hall Porters/Car Park Attendants/Garchey	<u>9,886.51</u>	
		Total		9,886.51
12 23		13 Provisions		608.03
		Subsistence		<u>109.56</u>
2 9 13 14 16		Communications & Computing		<u>21,801.92</u>
16 23		Printing and stationery		<u>3,344.20</u>
		23 Consultants fees		1,200.00
12		Medical fees		<u>76.00</u>
				1,276.00
		Total Supplies and Services		<u>77,142.99</u>
		TOTAL DIRECT COSTS		6,446,343.08
		Recharges		
2		Lift Insurance	21,908.71	
14		Premises insurance	<u>2,689.97</u>	
		Total Insurance		<u>24,598.68</u>
9 12 13 22 23		Supervision and Management - Estate Wide	472,397.72	
24		Supervision and Management - Block	0.00	
				<u>472,397.72</u>
2, 4, 19, 21, 25, 26, 27, 29		Community Services Technical Division		<u>379,667.06</u>
		Total recharges		876,663.46
		Total expenditure		7,323,006.54
		Income		
		Fees and Charges		
N/C	23	Charges for Services (solicitor's enquiries)	(10,020.71)	
		Other charges	(1,229.24)	
		Total		<u>(11,249.95)</u>
		Service Charges Long Lessees		(6,778,592.10)
		Service Charges Short Term Tenants		(365,133.76)
		Total Income		<u>(7,154,975.81)</u>
		RECHARGES		
		Recharges within fund		
9		Estate cleaners to HRA	(6,137.64)	
1		Electricity to HRA	(2,593.64)	
1		Electricity - Recharge to Car Parks	(24,026.66)	
9		Estate Cleaners - Recharge to Car Parks	<u>(89,301.25)</u>	
		/Stores/Landlord		<u>(122,059.19)</u>
		Total income		(7,277,035.00)
		TOTAL NET REVENUE EXPENDITURE		<u><u>45,971.54</u></u>

GENERAL LEDGER SERVICE CHARGE REVENUE ACCOUNT - SCHEDULE ORDER

Cross Reference
Key to
ANNEXES 2 & 4

2012/13

**Final CBIS
Actual
ANNEX 4
£**

		£	
	Electricity		
1	Energy Costs - Electricity Common Parts and Lifts	402,788.72	
1	Recharges to/from other divisions - Electricity Recharge to Car Parks	(24,026.66)	
1	Recharge to HRA	(2,593.64)	
			376,168.42
	Lift Maintenance		
2	Technical Division - Resident Engineers	14,671.86	
2	Repairs & Maintenance - Lifts General Maintenance	27,949.73	
2	Repairs & Maintenance - Lifts Contract Servicing	205,603.55	
2	Communications and Computing	10,034.64	
2	Central Recharges - Lift Insurance	21,908.71	
			280,168.49
3	Employees - Resident Housekeeper - Additional Pension	250.04	
			250.04
	Resident Engineers		
4	Technical Division - Resident Engineers	188,733.81	
4	Electricity	603.16	
4	Rents - Resident Engineers	102,278.10	
4	Rates - Resident Engineers Council Tax	8,812.61	
4	Relocation costs	997.89	
4	Furniture/Fittings	1,550.00	
4	Water - Residents Engineers Water Rates	2,652.00	
			305,627.57
5	Equipment Furniture and Materials - Furniture and Fittings Furniture and fittings		27,781.06
6	Cleaning and Domestic Supplies - Window Cleaning	174,720.62	
6	Contract cleaning	855.00	
			175,575.62
7	Cleaning and Domestic Supplies - Cleaning Materials		41,243.80
	Equipment Furniture and Materials - Cleaning Equipment		
8	Equipment Furniture and Materials - Cleaning Equipment	5,816.83	
			5,816.83
	Cleaners		
9	Employees - Estate Cleaners	856,150.30	
9	Supervision & Management on costs	15,318.28	
9	Recruitment	890.00	
9	Clothing Uniforms and Laundry - Estate Cleaners	5,854.43	
9	Travelling expenses - Estate Cleaners	91.70	
9	Rates for mess room	4,214.21	
9	Hygiene	1,000.94	
9	Medical/counselling	70.00	
9	Training	1,904.00	
9	Retirement provision	1,037.00	
9	Contract cleaning	695.00	
9	Communications and computing	459.51	
9	Recharge within fund	(6,137.64)	
9	Recharges from/to Other Divisions - Cleaners Recharge to Car Parks etc	(89,301.25)	
			792,246.48
10	Additional Refuse Collection		15,729.97
	Garden Maintenance		
11	Repairs & Maintenance - Garden Maintenance	104,110.66	
			104,110.66
	Car Park Attendants		
12	Employees - Car Park Attendants (one third)	447,684.97	

12	Travelling expenses - CPA	100.00	
12	Training	75.00	
12	Hygiene services	1,000.94	
12	Medical	76.00	
12	Subsistence	7.33	
12	Supervision & Management on costs	9,796.48	
12	Uniforms	1,864.11	
			460,604.83
	Hall Porters		
13	Employees - Hall Porters	552,849.97	
13	Uniforms	2,066.27	
13	Traveling expenses - Hall Porters	(60.00)	
13	Equipment	2,852.93	
13	Provisions	608.03	
13	Supervision & Management on costs	5,832.76	
13	Contract cleaning	353.25	
13	Communications and Computing	332.63	
13	Hygiene services	1,000.94	
			565,836.78
	Garchey Maintenance		
14	Employees - Garchey Operatives	108,044.26	
14	Repairs & Maintenance - Garchey Repairs	67,026.41	
14	Energy Costs	6,682.21	
14	Water rates	4,024.64	
14	Communications and computing	21.51	
14	Equipment	73.65	
14	Uniforms	101.70	
14	Central Recharges - Premises Insurance	2,689.97	
			188,664.35
	Pest Control		
15	Cleaning and Domestic Supplies - Pest Control	10,222.84	
15	Cleansing charges	200.00	
			10,422.84
	General Maintenance (Estate wide)		
16	Repairs & Maintenance - General Maintenance	73,580.06	
16	Refuse collection	1,235.00	
16	Computers and communication	10,953.63	
16	Printing and stationery	731.50	
16	Reallocation of Technical Division Projects Costs	3,507.41	
			90,007.60
	Electrical Repairs Common Parts		
17	Repairs & Maintenance - Electrical Repairs Common Parts	73,924.76	
			73,924.76
	Electrical Repairs Exterior		
18	Repairs & Maintenance - Electrical Repairs Exterior		3,542.17
	General Repairs Common Parts		
19	Repairs & Maintenance - General Repairs Common Parts	123,229.66	
19	Equipment	944.33	
19	Refuse collection/cleaning	275.00	
			124,448.99
	General Repairs Exterior		
20	Repairs & Maintenance - General Repairs Exterior	640,991.38	
			640,991.38
21	Technical Services Division		125,275.95
	House Officer		
22	Employees	153,792.96	
22	Supervision & Management on costs	65,256.14	
			219,049.10
23	Supervision and Management Estate Wide		
23	Supervision and Management Estate Wide	376,194.07	
23	Subsistence	102.23	
23	Fees and Charges - Charges for Services (soil and enquiries)	(10,020.71)	

23	Printing and stationery	2,612.70	
23	Consultants' fees	1,200.00	370,088.29
24	Supervision and Management Blocks		0.00
	Redecorations Programmes		
25	Repairs & Maintenance - Redecoration Contracts	171,634.74	
25	Reallocation of Technical Division Projects Costs	26,291.39	197,926.13
	Safety/Security - Repairs and Maintenance		
26	Repairs and Maintenance - Safety/Security	82,707.48	
26	Equipment	1,097.97	
26	Reallocation of Technical Division Projects Costs	9,843.43	93,648.88
	Water Supply		
27	Repairs and Maintenance - Special Works - Water testing and treatment of communal	30,552.01	30,552.01
	Shakespeare /Cromwell Lobby		
28	Cromwell Tower lobby refurbishment		4,138.00
	Concrete Works		
29	Concrete works	66,886.35	
29	Reallocation of Technical Division Projects Costs	11,343.22	78,229.57
	RCD socket outlets		
30	RCD socket outlets		6,279.00
	Emergency lighting		
31	Emergency lighting		29,484.96
	Fan and ductwork cleaning		
32	Fan and ductwork cleaning		(200.00)
33	Water Tank Works		1,430.64
	Heating		
34	Energy Costs - Electricity	1,730,493.04	
35	Energy costs - gas	21,368.45	1,751,861.49
N/C	Other charges		(1,229.24)
	TOTAL CHARGEABLE EXPENDITURE - GENERAL LEDGER		<u>7,189,697.40</u>
	Service Charges Long Lessees		(6,778,592.10)
	Service Charges Short Term Tenants		(365,133.76)
	TOTAL NET REVENUE EXPENDITURE		<u><u>45,971.54</u></u>

<u>Narration</u>	<u>Cross- Reference</u>	<u>CBIS Actual</u> £	<u>BEO Adjustment</u> £	<u>Service Charge Schedule</u> £
Electricity (Common Parts and Lifts)	1	376,168.42	(0.03)	376,168.39
Lift Maintenance	2	280,168.49	3,387.33	283,555.82
Resident Housekeepers (Additional Pension)	3	250.04	0.00	250.04
Resident Engineers	4	305,627.57	(0.00)	305,627.57
Furniture & Fittings	5	27,781.06	0.00	27,781.06
Window Cleaning	6	175,575.62	(1,508.70)	174,066.92
Cleaning Materials including refuse sacks	7	41,243.80	(14,416.42)	26,827.38
Cleaning Equipment	8	5,816.83	0.00	5,816.83
Estate Cleaners	9	792,246.48	(695.40)	791,551.08
Additional Refuse Collection	10	15,729.97	0.00	15,729.97
Garden Maintenance	11	104,110.66	0.00	104,110.66
Car Park Attendants	12	460,604.83	0.00	460,604.83
Hall Porters	13	565,836.78	(0.00)	565,836.78
Garchey Maintenance	14	188,664.35	(1,681.33)	186,983.02
Pest Control	15	10,422.84	0.00	10,422.84
General Maintenance (Estate)	16	90,007.60	(7,477.17)	82,530.43
Electrical Repairs (Common Parts)	17	73,924.76	0.00	73,924.76
Electrical Repairs (Exterior)	18	3,542.17	0.00	3,542.17
General Repairs (Common Parts)	19	124,448.99	0.00	124,448.99
General Repairs (Exterior)	20	640,991.38	(137,916.55)	503,074.83
Technical Services	21	125,275.95	0.00	125,275.95
House Officer	22	219,049.10	(7,689.65)	211,359.44
Estate-Wide proportion of Supervision & Management costs	23	370,088.29	6,279.71	376,368.00
Directly attributed Supervision & Management costs	24	0.00	0.00	0.00
Redecorations	25	197,926.13	(267.41)	197,658.72
Safety/Security	26	93,648.88	0.00	93,648.88
Water Supply Works	27	30,552.01	0.00	30,552.01
Shakespeare / Cromwell Lobbies	28	4,138.00	(4,138.00)	0.00
Concrete Works	29	78,229.57	14,972.13	93,201.70
RCD socket outlets	30	6,279.00	0.00	6,279.00
Emergency lighting	31	29,484.96	0.00	29,484.96
Fan and ductwork cleaning	32	-200.00	0.00	-200.00
Water tank works	33	1,430.64	0.00	1,430.64
Heating - Electricity	34	1,730,493.04	(1,018.83)	1,729,474.21
Heating - Gas	35	21,368.45	(5,335.62)	16,032.83
Other charges	N/C	(1,229.24)	1,229.24	0.00
TOTAL		7,189,697.40	(156,276.69)	7,033,420.72

ADJUSTMENTS TO GENERAL LEDGER EXPENDITURE BY BARBICAN ESTATE OFFICE

Reference	Item	£	Reasons for Adjustments
1	Electricity	(0.03)	Rounding
2	Lift Maintenance	(512.65)	Reallocation to Landlords for non service charge account lifts reallocation in respect of Frobisher Crescent lift contracts
		3,899.98	
		3,387.33	
6	Window Cleaning	(1,214.40)	Charge to Barbican Centre regarding cleaning of public areas of Frobisher Crescent adjustment re 999 year lease sold
		(294.30)	
		(1,508.70)	
7	Cleaning equipment	(14,416.42)	Not chargeable
		(14,416.42)	
9	Cleaners	(695.40)	reallocated to LL account
		(695.40)	
14	Garchey Maintenance	(1,681.33)	Reallocated to non residential users
		(1,681.33)	
16	General repairs Estate Wide	3,390.83	Reallocated from concrete works for estate wide consultancy re Listed Accrual reallocated to Land Lords account
		(10,868.00)	
		(7,477.17)	

20	General Repairs Exterior	(451.51) (114,102.08) (5,000.00) <u>(18,362.96)</u> (137,916.55)	Reduction respect of repairs chargeable to the Rectory Reversal of 2011/12 adjustment for concrete works. Accrual reallocated to Land Lords account Reallocated to Concrete works project
22	House Officer	<u>(7,689.65)</u> (7,689.65)	Reallocation of officer costs to LL account
23	Supervision and Management	<u>6,279.71</u> 6,279.71	Adjustment to salaries following closure of accounts.
25	Redecorations	<u>(267.41)</u> (267.41)	Reduction respect of cost chargeable to the Rectory
28	Lobby refurbishment	(4,138.00)	Adjustment allowed for in last years actual service charges.
29	Concrete works	(3,390.83) <u>18,362.96</u> 14,972.13	Reallocated to General repairs Reallocated from general repairs
34	Heating	<u>(1,018.83)</u> (1,018.83)	Reallocated for non service charge account properties
35	Heating gas	(5,335.62)	Adjustment to year end creditor following receipt of actual invoices
N/C	Other charges	1,229.24	Miscoded to SCA
	Total BEO Adjustment	<u><u>(156,276.69)</u></u>	

ACTUAL COST OF SERVICES 1.4.12- 31.3.13 (LONG LESSEES)								
	ITEM		AMOUNT TO APPORTION	ANDREWES HOUSE	BEN JONSON HOUSE	BRANDON MEWS	BRETON HOUSE	BRYER COURT
1	Electricity (Common Parts and Lifts)	Actual	376,168	31,912	33,036	53	16,698	11,577
2	Lift Maintenance	Actual	283,556	37,177	12,960	0	9,744	6,114
3	Resident Housekeepers (Additional Pension)	E. wide lease %	250	18	22	3	8	3
4	Resident Engineers	E. wide lease %	305,628	21,814	26,806	3,388	9,243	3,923
5	Furniture & Fittings	Actual	27,781	0	0	0	0	0
6	Window Cleaning	Contract base	174,067	14,092	17,433	2,905	6,246	5,629
7	Cleaning Materials including refuse sacks	No of cleaners	26,827	3,076	2,585	209	1,289	627
8	Cleaning Equipment	No of cleaners	5,817	498	419	34	209	102
9	Estate Cleaners	No. cleaners	791,551	90,762	76,269	6,167	38,032	18,502
10	Additional Refuse Collection	No. cleaners	15,730	0	0	0	0	0
11	Garden Maintenance	E. wide lease %	104,111	7,431	9,131	1,154	3,148	1,336
12	Car Park Attendants	Terrace lease %	460,605	47,466	58,368	7,400	20,146	8,528
13	Hall Porters	Towers one third each plus individual costs	565,837	0	0	0	0	0
14	Garchey Maintenance (Andrewes & Wallside/Postern reduced for	E. wide lease %	186,983	13,723	16,976	2,145	5,851	2,484
15	Pest Control	E. wide lease % plus individual block costs	10,423	715	878	111	303	129
16	General Maintenance (Estate)	E. wide lease % and no of repairs orders	82,530	5,890	7,239	915	2,496	1,059
17	Electrical Repairs (Common Parts) (N1041111)	Actual	73,925	3,769	7,225	1,326	1,619	1,207
18	Electrical Repairs (Exterior) (N1061111)	Actual	3,542	19	0	1,279	116	36
19	General Repairs (Common Parts) (N1041113)	Actual	124,449	9,439	7,177	1,108	4,245	1,824
20	General Repairs (Exterior) (N1061113)	Actual	503,075	33,714	80,479	3,081	15,985	14,828
22	House Officer	E. wide lease %	211,359	15,085	18,538	2,343	6,392	2,713
Sub-total of apportioned services			4,334,214	336,600	375,541	33,622	141,768	80,621
21	S & M Technical	Actual Time and No of repairs orders	125,276	11,235	15,334	1,388	5,139	3,020
23	Estate-Wide proportion of Supervision & Management costs	Ratio see B below	376,368	29,229	32,611	2,920	12,311	7,001
24	Directly attributed Supervision & Management costs	Actual Time	0	0	0	0	0	0
25	Redecorations	Actual	197,659	20,313	0	0	0	6,160
26	Safety/Security (aggregated with Water Supply Works as I	Actual/E. wide lease%	93,649	6,351	8,355	6,306	2,769	1,645
27	Water Supply Works (aggregated with Safety/Security as Health	Actual/Ewide lease %	30,552	1,020	1,620	1,050	744	120
28	Shakespeare/Cromwell Lobby	Actual	0	0	0	0	0	0
29	Concrete works	Actual	93,202	0	0	0	0	0
30	RCD sockets	Actual	6,279	1,794	0	0	0	0
31	Emergency Lighting	Actual	29,485	862	12,196	106	365	155
32	Fan and ductwork cleaning	Actual	-200	0	0	0	0	0
33	Water tank replacements	Actual	1,431	0	0	1,431	0	0
34	Heating - Electricity	Actual	1,729,474	152,051	152,189	25,891	46,851	28,236
35	Heating - Gas	Actual	16,033	0	0	0	0	0
Total Services & Heating			7,033,421	559,454	597,846	72,713	209,947	126,958

A - More detail can be found in the accompanying commentary which also includes a list of estatewide and terrace block percentages.

B - The cost of recurrent items (excluding heating and Technical Services) to each block relative to the estate as a whole.

ACTUAL COST OF SERVICES 1.4.12- 31.3.13 (LONG LESSEES)								
	ITEM		AMOUNT TO APPORTION	BUNYAN COURT	CROMWELL TOWER	DEFOE HOUSE	FROBISHER CRESCENT	GILBERT HOUSE
1	Electricity (Common Parts and Lifts)	Actual	376,168	9,298	36,216	29,293	2,369	18,658
2	Lift Maintenance	Actual	283,556	3,657	17,759	38,293	3,900	10,388
3	Resident Housekeepers (Additional Pension)	E. wide lease %	250	8	24	17	8	10
4	Resident Engineers	E. wide lease %	305,628	9,183	29,897	21,308	10,015	12,690
5	Furniture & Fittings	Actual	27,781	0	16,805	0	0	0
6	Window Cleaning	Contract base	174,067	7,336	12,902	11,695	10,747	4,648
7	Cleaning Materials including refuse sacks	No of cleaners	26,827	662	1,289	2,585	102	1,150
8	Cleaning Equipment	No of cleaners	5,817	107	733	419	17	186
9	Estate Cleaners	No. cleaners	791,551	19,530	38,032	76,269	3,022	33,920
10	Additional Refuse Collection	No. cleaners	15,730	355	4,815	0	2,772	0
11	Garden Maintenance	E. wide lease %	104,111	3,128	10,184	7,259	3,412	4,323
12	Car Park Attendants	Terrace lease %	460,605	19,987	0	46,352	21,923	27,652
13	Hall Porters	Towers one third each plus individual costs	565,837	0	188,853	0	0	0
14	Garchey Maintenance (Andrewes & Wallside/Postern reduced for c	E. wide lease %	186,983	5,813	18,928	13,491	0	8,035
15	Pest Control	E. wide lease % plus individual block costs	10,423	301	1,139	698	328	416
16	General Maintenance (Estate)	E. wide lease % and no of repairs orders	82,530	2,480	8,073	5,754	2,704	3,427
17	Electrical Repairs (Common Parts) (N1041111)	Actual	73,925	3,390	5,511	6,589	5,746	3,284
18	Electrical Repairs (Exterior) (N1061111)	Actual	3,542	66	153	28	1,460	0
19	General Repairs (Common Parts) (N1041113)	Actual	124,449	2,612	18,172	8,191	1,907	4,845
20	General Repairs (Exterior) (N1061113)	Actual	503,075	37,010	40,459	26,526	3,971	16,057
22	House Officer	E. wide lease %	211,359	6,351	20,676	14,736	6,926	8,776
Sub-total of apportioned services			4,334,214	131,272	470,621	309,502	81,328	158,466
21	S & M Technical	Actual Time and No of repairs orders	125,276	5,668	9,433	4,173	2,373	6,694
23	Estate-Wide proportion of Supervision & Management costs	Ratio see B below	376,368	11,399	40,867	26,876	7,062	13,761
24	Directly attributed Supervision & Management costs	Actual Time	0	0	0	0	0	0
25	Redecorations	Actual	197,659	0	0	0	0	0
26	Safety/Security (aggregated with Water Supply Works as I	Actual/E.wide lease%	93,649	3,218	10,607	6,251	8,338	1,296
27	Water Supply Works (aggregated with Safety/Security as Health	Actual/Ewide lease %	30,552	552	8,589	1,212	0	468
28	Shakespeare/Cromwell Lobby	Actual	0	0	0	0	0	0
29	Concrete works	Actual	93,202	0	42,702	0	0	0
30	RCD sockets	Actual	6,279	0	0	1,794	0	0
31	Emergency Lighting	Actual	29,485	335	1,181	842	396	501
32	Fan and ductwork cleaning	Actual	-200	0	0	0	0	0
33	Water tank replacements	Actual	1,431	0	0	0	0	0
34	Heating - Electricity	Actual	1,729,474	49,311	151,793	154,516	0	81,591
35	Heating - Gas	Actual	16,033	0	0	0	16,033	0
Total Services & Heating			7,033,421	201,755	735,793	505,166	115,529	262,777

A - More detail can be found in the accompanying commentary which also includes a list of estatewide and terrace block percentages.

B - The cost of recurrent items (excluding heating and Technical Services) to each block relative to the estate as a whole.

ACTUAL COST OF SERVICES 1.4.12- 31.3.13 (LONG LESSEES)								
	ITEM		AMOUNT TO APPORTION	J.TRUNDLE COURT	L.JONES MEWS	LAUDERDALE TOWER	MILTON COURT	MOUNTJOY HOUSE
1	Electricity (Common Parts and Lifts)	Actual	376,168	21,527	237	31,559	0	9,850
2	Lift Maintenance	Actual	283,556	12,756	0	19,269	0	7,165
3	Resident Housekeepers (Additional Pension)	E. wide lease %	250	9	1	26	0	8
4	Resident Engineers	E. wide lease %	305,628	11,234	1,753	32,156	0	9,540
5	Furniture & Fittings	Actual	27,781	0	0	10,976	0	0
6	Window Cleaning	Contract base	174,067	6,319	1,017	13,292	0	4,648
7	Cleaning Materials including refuse sacks	No of cleaners	26,827	1,289	105	1,289	0	941
8	Cleaning Equipment	No of cleaners	5,817	209	17	776	0	152
9	Estate Cleaners	No. cleaners	791,551	38,032	3,084	38,032	0	27,753
10	Additional Refuse Collection	No. cleaners	15,730	0	0	6,420	0	0
11	Garden Maintenance	E. wide lease %	104,111	3,827	597	10,954	0	3,250
12	Car Park Attendants	Terrace lease %	460,605	24,429	3,793	0	0	20,782
13	Hall Porters	Towers one third each plus individual costs	565,837	0	0	188,847	0	0
14	Garchey Maintenance (Andrewes & Wallside/Postern reduced for	E. wide lease %	186,983	7,112	1,110	20,358	0	6,040
15	Pest Control	E. wide lease % plus individual block costs	10,423	368	57	1,203	0	313
16	General Maintenance (Estate)	E. wide lease % and no of repairs orders	82,530	3,033	473	8,683	0	2,576
17	Electrical Repairs (Common Parts) (N1041111)	Actual	73,925	5,573	147	3,848	0	1,958
18	Electrical Repairs (Exterior) (N1061111)	Actual	3,542	0	166	96	0	0
19	General Repairs (Common Parts) (N1041113)	Actual	124,449	11,410	271	19,624	0	4,767
20	General Repairs (Exterior) (N1061113)	Actual	503,075	19,943	3,322	48,260	0	17,632
22	House Officer	E. wide lease %	211,359	7,769	1,213	22,238	0	6,597
	Sub-total of apportioned services		4,334,214	174,838	17,364	477,906	0	123,972
21	S & M Technical	Actual Time and No of repairs orders	125,276	6,766	728	9,575	0	4,582
23	Estate-Wide proportion of Supervision & Management costs	Ratio see B below	376,368	15,182	1,508	41,500	0	10,765
24	Directly attributed Supervision & Management costs	Actual Time	0	0	0	0	0	0
25	Redecorations	Actual	197,659	0	9,427	3,013	0	1,306
26	Safety/Security (aggregated with Water Supply Works as I	Actual/E.wide lease%	93,649	2,038	319	9,537	0	947
27	Water Supply Works (aggregated with Safety/Security as Health	Actual/Ewide lease %	30,552	1,020	228	3,972	0	372
28	Shakespeare/Cromwell Lobby	Actual	0	0	0	0	0	0
29	Concrete works	Actual	93,202	0	0	17,593	0	0
30	RCD sockets	Actual	6,279	0	0	0	0	0
31	Emergency Lighting	Actual	29,485	444	69	1,270	0	6,707
32	Fan and ductwork cleaning	Actual	-200	0	0	0	0	0
33	Water tank replacements	Actual	1,431	0	0	0	0	0
34	Heating - Electricity	Actual	1,729,474	62,460	15,020	154,613	0	59,569
35	Heating - Gas	Actual	16,033	0	0	0	0	0
	Total Services & Heating		7,033,421	262,747	44,663	718,978	0	208,220

A - More detail can be found in the accompanying commentary which also includes a list of estatewide and terrace block percentages.

B - The cost of recurrent items (excluding heating and Technical Services) to each block relative to the estate as a whole.

ACTUAL COST OF SERVICES 1.4.12- 31.3.13 (LONG LESSEES)							
	ITEM		AMOUNT TO APPORTION	SEDDON HOUSE	SHAKESPEARE TOWER	SPEED HOUSE	THOMAS MORE HOUSE
1	Electricity (Common Parts and Lifts)	Actual	376,168	10,003	30,519	23,819	29,158
2	Lift Maintenance	Actual	283,556	10,669	19,248	26,345	32,567
3	Resident Housekeepers (Additional Pension)	E. wide lease %	250	9	26	11	15
4	Resident Engineers	E. wide lease %	305,628	11,234	32,007	13,433	17,950
5	Furniture & Fittings	Actual	27,781	0	0	0	0
6	Window Cleaning	Contract base	174,067	5,503	12,902	9,443	11,985
7	Cleaning Materials including refuse sacks	No of cleaners	26,827	1,184	1,289	2,099	2,588
8	Cleaning Equipment	No of cleaners	5,817	192	590	340	419
9	Estate Cleaners	No. cleaners	791,551	34,948	38,032	61,930	76,372
10	Additional Refuse Collection	No. cleaners	15,730	0	1,368	0	0
11	Garden Maintenance	E. wide lease %	104,111	3,827	10,903	4,576	6,115
12	Car Park Attendants	Terrace lease %	460,605	24,429	0	29,217	39,045
13	Hall Porters	Towers one third each plus individual costs	565,837	0	188,137	0	0
14	Garchey Maintenance (Andrewes & Wallside/Postern reduced for	E. wide lease %	186,983	7,112	20,265	8,505	11,365
15	Pest Control	E. wide lease % plus individual block costs	10,423	368	1,149	440	588
16	General Maintenance (Estate)	E. wide lease % and no of repairs orders	82,530	3,033	8,643	3,627	4,847
17	Electrical Repairs (Common Parts) (N1041111)	Actual	73,925	3,004	7,520	1,459	6,444
18	Electrical Repairs (Exterior) (N1061111)	Actual	3,542	0	78	19	28
19	General Repairs (Common Parts) (N1041113)	Actual	124,449	3,930	8,613	6,736	4,789
20	General Repairs (Exterior) (N1061113)	Actual	503,075	27,250	22,264	23,852	36,031
22	House Officer	E. wide lease %	211,359	7,769	22,135	9,290	12,414
	Sub-total of apportioned services		4,334,214	154,466	425,689	225,141	292,718
21	S & M Technical	Actual Time and No of repairs orders	125,276	6,368	7,122	6,840	9,970
23	Estate-Wide proportion of Supervision & Management costs	Ratio see B below	376,368	13,413	36,965	19,550	25,419
24	Directly attributed Supervision & Management costs	Actual Time	0	0	0	0	0
25	Redecorations	Actual	197,659	57,158	28,588	0	69,486
26	Safety/Security (aggregated with Water Supply Works as I	Actual/E. wide lease%	93,649	1,533	9,289	4,892	3,970
27	Water Supply Works (aggregated with Safety/Security as Health	Actual/Ewide lease %	30,552	324	6,981	744	840
28	Shakespeare/Cromwell Lobby	Actual	0	0	0	0	0
29	Concrete works	Actual	93,202	0	32,906	0	0
30	RCD sockets	Actual	6,279	0	0	1,196	1,495
31	Emergency Lighting	Actual	29,485	444	1,264	531	709
32	Fan and ductwork cleaning	Actual	-200	0	0	0	0
33	Water tank replacements	Actual	1,431	0	0	0	0
34	Heating - Electricity	Actual	1,729,474	70,810	155,014	90,213	122,943
35	Heating - Gas	Actual	16,033	0	0	0	0
	Total Services & Heating		7,033,421	304,516	703,818	349,106	527,551

A - More detail can be found in the accompanying commentary which also includes a list of estatewide and terrace block percentages.

B - The cost of recurrent items (excluding heating and Technical Services) to each block relative to the estate as a whole.

ACTUAL COST OF SERVICES 1.4.12- 31.3.13 (LONG LESSEES)							
	ITEM		AMOUNT TO APPORTION	3-16 WALLSIDE	1-2 WALLSIDE & THE POSTERN	WILLOUGHBY HOUSE	TOTALS CHARGED
1	Electricity (Common Parts and Lifts)	Actual	376,168	549	438	29,398	376,168
2	Lift Maintenance	Actual	283,556	0	0	15,543	283,556
3	Resident Housekeepers (Additional Pension)	E. wide lease %	250	3	3	17	250
4	Resident Engineers	E. wide lease %	305,628	4,167	3,322	20,565	305,628
5	Furniture & Fittings	Actual	27,781	0	0	0	27,781
6	Window Cleaning	Contract base	174,067	0	2,030	13,293	174,067
7	Cleaning Materials including refuse sacks	No of cleaners	26,827	0	92	2,378	26,827
8	Cleaning Equipment	No of cleaners	5,817	0	15	385	5,817
9	Estate Cleaners	No. cleaners	791,551	0	2,714	70,153	791,551
10	Additional Refuse Collection	No. cleaners	15,730	0	0	0	15,730
11	Garden Maintenance	E. wide lease %	104,111	1,419	1,132	7,006	104,111
12	Car Park Attendants	Terrace lease %	460,605	9,069	7,230	44,787	460,605
13	Hall Porters	Towers one third each plus individual costs	565,837	0	0	0	565,837
14	Garchey Maintenance (Andrewes & Wallside/Postern reduced for c	E. wide lease %	186,983	2,587	2,063	13,021	186,983
15	Pest Control	E. wide lease % plus individual block costs	10,423	137	109	674	10,423
16	General Maintenance (Estate)	E. wide lease % and no of repairs orders	82,530	1,125	897	5,553	82,530
17	Electrical Repairs (Common Parts) (N1041111)	Actual	73,925	299	238	3,767	73,925
18	Electrical Repairs (Exterior) (N1061111)	Actual	3,542	0	0	0	3,542
19	General Repairs (Common Parts) (N1041113)	Actual	124,449	0	218	4,572	124,449
20	General Repairs (Exterior) (N1061113)	Actual	503,075	0	3,727	28,685	503,075
22	House Officer	E. wide lease %	211,359	2,882	2,297	14,222	211,359
	Sub-total of apportioned services		4,334,214	22,237	26,525	274,018	4,334,214
21	S & M Technical	Actual Time and No of repairs orders	125,276	78	1,320	7,470	125,276
23	Estate-Wide proportion of Supervision & Management costs	Ratio see B below	376,368	1,931	2,303	23,795	376,368
24	Directly attributed Supervision & Management costs	Actual Time	0	0	0	0	0
25	Redecorations	Actual	197,659	0	2,208	0	197,659
26	Safety/Security (aggregated with Water Supply Works as I	Actual/E. wide lease%	93,649	157	821	5,009	93,649
27	Water Supply Works (aggregated with Safety/Security as Health	Actual/Ewide lease %	30,552	0	516	180	30,552
28	Shakespeare/Cromwell Lobby	Actual	0	0	0	0	0
29	Concrete works	Actual	93,202	0	0	0	93,202
30	RCD sockets	Actual	6,279	0	0	0	6,279
31	Emergency Lighting	Actual	29,485	165	131	812	29,485
32	Fan and ductwork cleaning	Actual	-200	0	0	-200	-200
33	Water tank replacements	Actual	1,431	0	0	0	1,431
34	Heating - Electricity	Actual	1,729,474	26,100	14,379	115,927	1,729,474
35	Heating - Gas	Actual	16,033	0	0	0	16,033
	Total Services & Heating		7,033,421	50,668	48,203	427,013	7,033,421

A - More detail can be found in the accompanying commentary which also includes a list of estatewide and terrace block percentages.

B - The cost of recurrent items (excluding heating and Technical Services) to each block relative to the estate as a whole.

CROSS REF. KEY	ITEM	MAIN BASIS OF ATTRIBUTION (A)	ACTUAL 2011/12	ACTUAL 2012/13	Variance Last Year %	ESTIMATE 2012/13	ESTIMATE 2013/14
1	Electricity (Common Parts and Lifts)	Actual	336,129	376,168	11.91%	376,715	401,749
2	Lift Maintenance	Actual	316,321	283,556	(10.36%)	312,084	320,991
3	Resident Housekeepers (Additional Pens	E. wide lease %	238	250	5.16%	0	0
4	Resident Engineers	E. wide lease %	343,395	305,628	(11.00%)	250,918	322,295
5	Furniture & Fittings	Actual	5,779	27,781	380.75%	22,000	25,000
6	Window Cleaning	Contract base	164,910	174,067	5.55%	170,922	174,320
7	Cleaning Materials including refuse sack	No. cleaners	18,473	26,827	45.22%	28,603	28,603
8	Cleaning Equipment	No. cleaners	4,479	5,817	29.87%	21,700	21,700
9	Estate Cleaners	No. cleaners	678,839	791,551	16.60%	715,838	788,323
10	Additional Refuse Collection	No. cleaners	12,786	15,730	23.02%	11,572	15,730
11	Garden Maintenance	E. wide lease %	109,097	104,111	(4.57%)	120,000	120,000
12	Car Park Attendants	Terrace lease %	436,088	460,605	5.62%	430,796	446,873
13	Hall Porters	Towers one third each plus individual costs	535,826	565,837	5.60%	549,114	571,716
14	Garchey Maintenance	E. wide lease %	169,411	186,983	10.37%	220,089	220,822
15	Pest Control	E. wide lease % + individual block costs	11,019	10,423	(5.41%)	10,000	12,001
16	General Maintenance (Estate)	E. wide lease % and no of repairs orders	48,038	82,530	71.80%	120,029	108,378
17	Electrical Repairs (Common Parts)	Actual	65,676	73,925	12.56%	89,515	99,012
18	Electrical Repairs (Exterior)	Actual	4,566	3,542	(22.43%)	2,227	2,567
19	General Repairs (Common Parts)	Actual	81,730	124,449	52.27%	160,769	132,651
20	General Repairs (Exterior)	Actual	551,535	503,075	(8.79%)	570,615	683,849
22	House Officer	E. wide lease %	214,203	211,359	(1.33%)	215,339	230,001
	Sub Total - Basis for apportionment of estate wide Supervision and Management Costs		4,108,540	4,334,214	5.49%	4,398,845	4,726,581
21	S&M technical	No of repairs orders	110,167	125,276	13.72%	79,753	122,780
23	Estate-Wide Supervision & Management	Ratio	284,464	376,368	32.31%	417,227	335,881
24	Directly attributed Supervision & Manage	Actual time	44,743	0	(100.00%)	inc above	inc above
25	Redecorations	Actual	198,293	197,659	(0.32%)	206,782	185,232
26	Safety/Security (included in general repa	Actual/E. wide lease %	96,333	93,649	(2.79%)	inc in repairs	inc in repairs
27	Water Supply Works(included in genera	Actual/E. wide lease %	16,509	30,552	85.06%	inc in repairs	inc in repairs
28	Shakespeare /Cromwell Lobby	Actual	-4,149	0		0	0
29	Concrete works	Actual	420,210	93,202		329,040	391,915
	Fire pumps	Actual	17,496	0		0	0
30	RCD sockets	Actual	7,609	6,279		20,900	11,001
31	Emergency Lighting	Actual	46,761	29,485		38,500	35,000
32	Fan and ductwork cleaning	Actual	19,459	-200		102,300	0
	Digital TV consultation	Actual	10,289	0		0	0
	Electrical testing	Actual	6,486	0		0	0
33	Water tank replacements	Actual	21,176	1,431		0	0
	Total Services		5,404,385	5,287,914		5,593,347	5,808,390
34	Heating - Electricity	Actual	1,219,798	1,729,474		1,588,874	1,696,036
35	Heating - Gas	Actual	13,950	16,033			
	Total Services & Heating		6,638,133	7,033,421		7,182,221	7,504,426

Cross ref key	ITEM	MAIN BASIS OF ATTRIBUTION (A)	AMOUNT TO APPORTION	ANDREWES HOUSE £	Type 21 £
1	Electricity (Common Parts and Lifts)	Actual	376168	31912	172
2	Lift Maintenance	Actual	283556	37177	201
3	Resident Housekeepers (Additional Pension)	E. wide lease %	250	18	0
4	Resident Engineers	E. wide lease %	305628	21814	118
5	Furniture & Fittings	Actual	27781	0	0
6	Window Cleaning	Contract base	174067	14092	76
7	Cleaning Materials including refuse sacks	No of cleaners	26827	3076	17
8	Cleaning Equipment	No of cleaners	5817	498	3
9	Estate Cleaners	No. cleaners	791551	90762	490
10	Additional Refuse Collection	No. cleaners	15730	0	0
11	Garden Maintenance	E. wide lease %	104111	7431	40
12	Car Park Attendants	Terrace lease %	460605	47466	256
13	Hall Porters	Towers one third each plus individual costs	565837	0	0
	Garchey Maintenance (Andrewes & Wallside/Postern reduced for charges elsewhere)	E. wide lease %	186983	13723	74
14	Pest Control	E. wide lease % plus individual block costs	10423	715	4
15	General Maintenance (Estate)	E. wide lease % and no of repairs orders	82530	5890	32
16	Electrical Repairs (Common Parts) (N1041111)	Actual	73925	3769	20
17	Electrical Repairs (Exterior) (N1061111)	Actual	3542	19	0
18	General Repairs (Common Parts) (N1041113)	Actual	124449	9439	51
19	General Repairs (Exterior) (N1061113)	Actual	503075	33714	182
20	House Officer	E. wide lease %	211359	15085	81
21	Sub-total of apportioned services		4334214	336600	1818
22	S & M Technical	Actual Time and No of repairs orders	125276	11235	61
23	Estate-Wide proportion of Supervision & Management costs	Ratio see B below	376368	29229	158
24	Directly attributed Supervision & Management costs	Actual Time	0	0	0
25	Redecorations	Actual	197659	20313	110
	Safety/Security (aggregated with Water Supply Works as Health/Safety/Security)	Actual/E.wide lease%	93649	6351	34
26	Water Supply Works (aggregated with Safety/Security as Health/Safety/Security)	Actual/Ewide lease %	30552	1020	6
27	Shakespeare/Cromwell Lobby	Actual	0	0	0
28	Concrete works	Actual	93202	0	0
29	RCD sockets	Actual	6279	1794	10
30	Emergency Lighting	Actual	29485	862	5
31	Fan and ductwork cleaning	Actual	-200	0	0
32	Water tank replacements	Actual	1431	0	0
33	Heating - Electricity	Actual	1729474	152051	821
34	Heating - Gas	Actual	16033	0	0
35	Total Services & Heating		7033421	559454	3021

Agenda Item 7

Committee(s): Residents' Consultation Committee Barbican Residential Committee	Date(s): 3 March 2014 17 March 2014	Item no.
Subject: Progress of Sales & Lettings		
Report of: Director of Community and Children's Services	Public	
<p style="text-align: center;"><u>Executive Summary</u></p> <p>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.</p> <p>Recommendation: That the report be noted.</p>		

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	8C	18	£39,700	Periodic tenant	Non given	31/01/2014
2	67/68	02/2	£44,300	Periodic tenant	Moving abroad	13/12/2013

RIGHT TO BUY SALES

3.

	06 February 2014	08 November 2013
Sales Completed	1075	1074
Total Market Value	£90,761,908.01	£89,611,908.01
Total Discount	£29,130,964.26	£29,030,964.26
NET PRICE	£61,630,943.75	£60,580,943.75

OPEN MARKET SALES

4.

	06 February 2014	08 November 2013
Sales Completed	833	832
Market Value	£130,994,262.97	£130,234,262.87

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 SALES

8.

CASE	Block	Floor	Type	Price	Remarks as at 10 February 2014
1	Ben Jonson House	3/4	4 bed	£710,000.10	Completed 06/02/14

APPROVED LETTINGS

9.

CASE	Block	Floor	Type	Rent £pa	Tenancy Commences/ Expires
1	The Postern	02/2 (4 bed)	67/68	£51,750	To be agreed

11. SALES PER BLOCK

BLOCK	TOTAL NO. OF FLATS IN EACH BLOCK	TOTAL NO. SOLD IN EACH BLOCK	NET PRICE £	% NO. OF FLATS SOLD IN EACH BLOCK
ANDREWES HOUSE	192	182	14,913,260.00	94.79
BEN JONSON HOUSE	204	195	14,132,454.83	95.59
BRANDON MEWS	26	24	1,057,460.00	92.31
BRETON HOUSE	111	105	6,806,712.50	94.59
BRYER COURT	56	55	2,307,338.50	98.21
BUNYAN COURT	69	66	4,693,780.00	95.65
DEFOE HOUSE	178	170	14,644,782.50	95.51
GILBERT HOUSE	88	84	8,706,852.50	95.45
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	74	7,675,677.50	97.37
SPEED HOUSE	114	104	8,933,148.50	91.23
THOMAS MORE HOUSE	166	161	13,217,455.00	96.99
WILLOUGHBY HOUSE	148	145	13,542,670.50	97.97
TERRACE BLOCK TOTAL	1645 (1645)	1575 (1574)	124,924,473.33 (124,214,473.23)	95.74 (95.68)
CROMWELL TOWER	112	99	20,663,501.00	88.39
LAUDERDALE TOWER	117	113	22,703,779.63	96.58
SHAKESPEARE TOWER	116	107	21,622,406.76	92.24
TOWER BLOCK TOTAL	345 (345)	319 (318)	64,989,687.39 (63,939,687.39)	92.46 (92.17)
ESTATE TOTAL	1990 (1990)	1894 (1892)	189,914,160.72 (188,154,160.62)	95.18 (95.08)

The freeholds of 14 Flats in Wallside have been sold. The net price achieved for the purchase of the original leasehold interest and the subsequent freehold interest is £3,459,500. The figures in brackets are as stated at your last meeting.

Committee:	Date(s):	Item no.
Residents' Consultation Committee	03 March 2014	
Barbican Residential Committee	17 March 2014	
Subject: Update Report		
Report of: Director of Community and Children's Services		Public
<p><u>Executive Summary</u></p> <p>Barbican Estate Office</p> <ol style="list-style-type: none"> 1. "You Said; We Did" Action List – see appendix 1 2. Open Spaces 3. Podium/Car Park Works 4. Agenda Plan <p>Property Services – see appendix 2</p> <ol style="list-style-type: none"> 5. Redecorations 6. Roof apportionments 7. Beech Gardens Podium Works 8. Asset Maintenance Plan 9. Public lift availability 10. Upgrade of the Barbican Television Network 11. Concrete Works <p>City Surveyors Department – see appendix 3</p> <ol style="list-style-type: none"> 12. St Alphage House 13. Public Lifts 14. Frobisher Crescent 		

Recommendation:

That the contents of this report are noted.

Background

This report updates members on issues raised by the Residents' Consultation Committee and the Barbican Residential Committee at their meetings in November/December 2013. This report also provides updates on other issues on the estate.

Barbican Estate Office Issues**1. "You Said; We Did" Action List**

Appendix 1 includes issues raised by the RCC and BRC at their meetings in September and other outstanding issues.

2. Open Spaces

The Open Spaces team are carrying their usual winter works including the staining of benches within the private gardens.

The replacement concrete planters in various locations across the estate are due to be in place before the end of March.

3. Podium/Car Park Works

Works have commenced across the Podium and in the Car Parks to carry out the following:

- Treat/restain and repair all the benches across the podium
- Repaint all the covered walkway ceilings
- Repaint the following car parks - Andrewes, Speed, Defoe, Thomas More, Willoughby
- Carry out replacement tiling works on Lauderdale Place, Defoe Place, Ben Jonson Highwalk, St Giles Terrace via extra resources/funding

The plinths along Ben Jonson Highwalk will now be repaired by the Barbican Estate Office alongside our colleagues in the Department of the Built Environment. Our Technical officers are liaising with Planning officers to find a permanent solution to the tiles continually falling off and

we have earmarked funds for this in financial year 2014/15.

An email broadcast was sent to residents in February to let them know of this good news and that none of these works are charged to the Service Charge account.

4. Agenda Plan

The table below includes a list of pending committee reports:

Residents' Consultation Committee & Barbican Residential Committee - Agenda Plan 2014

Report Title	Officer	RCC Meeting Date	BRC Meeting Date
Update Report	Michael Bennett	2 June	16 June
SLA Review	Michael Bennett		
Working Party Review – Minutes of Gardens Advisory Group	Helen Davinson		
Working Party Review – Minutes of Upgrading the Television System Working Party	Mike Saunders		
Garchey 5 Year Review	Mike Saunders		
Automated Payment System for Temporary Car Parking Review	Barry Ashton		
Roof Apportionments for Shakespeare, Breton & Ben Jonson House	Mike Saunders		
Progress of Sales & Lettings	Anne Mason		
Arrears Report (BRC Only)	Anne Mason		

Update Report	Michael Bennett	8 Sept	22 Sept
SLA Review	Michael Bennett		
Working Party Review – Minutes of Beech Gardens Future Landscaping Working Party	Karen Tarbox		
Working Party Review – Minutes of Beech Gardens Project Board	Karen Tarbox		
Annual Residents Survey	Helen Davinson		
Progress of Sales & Lettings	Anne Mason		
Arrears Report (BRC Only)	Anne Mason		
Annual Review of RTAs	Town Clerks		
Relationship of BRC Outturn Report to Service Charge Schedules – RCC Only	Anne Mason		
Revenue Outturn	Anne Mason		
Update Report	Michael Bennett	24 Nov	8 Dec
SLA Review	Michael Bennett		
Progress of Sales & Lettings	Anne Mason		
Arrears Report (BRC Only)	Anne Mason		
Service Charge Expenditure & Income Account - Latest Approved Budget 2014/15 & Original Budget 2015/16	Chamberlains		
Revenue & Capital Budgets - Latest Approved Budget 2014/15 and Original 2015/16 - Excluding dwellings service charge income & expenditure	Chamberlains		

Working Party Review – Minutes of Asset Maintenance Working Party	Karen Tarbox		
Working Party Review – Minutes of Parcel Tracking System Working Party	Barry Ashton		
Car Park & Baggage Stores Charging Policy	Barry Ashton		

Background Papers:

Minutes of the Barbican Residential Committee 25 November 2013.

Minutes of Residents' Consultation Committee 9 December 2014.

Contact Name Michael Bennett, Barbican Estate Manager
Tel: 020 7029 3923
E:mail: barbican.estate@cityoflondon.gov.uk

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“You Said; We Did” - Action List – February 2014

Actions from November/December 2013 RCC/BRC & other outstanding issues

Issue	Officer	Action Date
Customer Care		
Communications		
<ul style="list-style-type: none"> Minutes of Working Parties & Barbican Occupiers User Group (from next March meeting) to be available on website – Working Party page set up - minutes to be loaded. Publicise election of new Chairmen – December Barbicanews Formal Q&A Annual Residents meeting – BEO reviewing for Winter 2013/14 Inductions for new RCC members – RCC Information Pack presented with February RCC papers 	<p>Helen Davinson</p> <p>Michael Bennett</p>	<p>Ongoing</p> <p>Completed</p> <p>Ongoing</p> <p>Completed</p>
Revenue & Capital Budgets and Service Charge & Income Account Reports		
<ul style="list-style-type: none"> Review of language e.g. original /latest approved budgets/variance columns/dates Future revised budgets – Chamberlain to revise in consultation with BRC Chair/Deputy & nominated non-resident BRC member Costs – Transport costs of £1,000 – staff travelling Costs – ‘City widened Line’ underground tunnel – additional electricity costs – for ongoing costs for changes made to the underground line 	Mark Jarvis	<p>Ongoing</p> <p>Completed</p> <p>Completed</p>
Residents Survey		
<ul style="list-style-type: none"> BEO to consider annual survey due to success of online survey & show comparative data in next survey Advertise out of hours service - December Barbicanews 	Helen Davinson	<p>May 2014</p> <p>Completed</p>
Estate Services		
Services		
<ul style="list-style-type: none"> Litter outside Gilbert House particularly at weekends – Cleaning Supervisors to carry out inspections in Spring – staffing levels/cleaning frequencies to then be reviewed Willoughby/Speed Car parks – clarification of areas relating to Heron & blocking Bin Store areas now complete 	<p>Michael Bennett</p> <p>Helen Davinson</p>	<p>April</p> <p>Completed</p>
Car Park Charging		
<ul style="list-style-type: none"> Report redrafted for BRC to reflect RPI charges based on 9 months i.e. three quarters of the RPI to be base for 2014 increases 	Barry Ashton	Completed

Property Maintenance		
Asbestos Works <ul style="list-style-type: none"> Budgets - routine annual inspections to monitor the condition of asbestos are carried out – budgets are set to ensure any possible remedial works are covered in the budget. 	Karen Tarbox	Completed
Major Works		
Completion of concrete repairs to the tower blocks	Christopher Bate/Karen Tarbox	Completed
Concrete Investigation & Repairs <ul style="list-style-type: none"> Report to March BRC. 	Karen Tarbox	March
Beech Gardens <ul style="list-style-type: none"> Black grilles on top of turrets installed during the recent reglazing works – necessary for health and safety to prevent unauthorised persons access - due to oversight installed without Listed Building Consent – painted black as less obvious than a galvanised finish - which has been approved by Planning. Brief summary of project to date – email broadcast Timelines of project – to residents on request & to RCC members Landscaping – pre-condition/types of planting to next Landscaping Working Party meeting 	Christopher Bate Eddie Stevens Karen Tarbox	Completed Completed February
Asset Management Strategy <ul style="list-style-type: none"> Update included in update report. 	Mike Saunders	March
Open Spaces		
SLA Review <ul style="list-style-type: none"> Wooden planters at Cromwell & Lauderdale Place in disrepair to be replaced with concrete – orders raised October – delivery of project before end of March 	Helen Davinson	March
Department of Built Environment (DBE)		
Podium Tiling <ul style="list-style-type: none"> An alternative stair edging is being developed using a grooved tile, matching what appears to be the original design that incorporates yellow finish material into the grooves. The City's Head of Access has agreed in principle that this would be acceptable, subject to review of a trial area near Breton House – we are liaising with Planning. Tiling review required for ramp at Alban Gate, upper podium above Arts Centre & Defoe Place - priorities are Lauderdale Place, Defoe Place, Ben Jonson Highwalk, St Giles Terrace - being carried out over next few months. The plinths along Ben Jonson Highwalk will now be repaired by the Barbican Estate Office alongside our colleagues in the Department of the Built Environment. Our Technical officers are liaising with Planning officers to find a permanent solution to the tiles continually falling off and we have earmarked 	Helen Davinson Helen Davinson Michael Bennett/Helen Davinson	Ongoing Ongoing Ongoing

funds for this in financial year 2014/15.		
Barbican Area Streetscene Enhancement Works – St Giles Terrace/Ben Jonson Highwalk <ul style="list-style-type: none"> A consultation framework for schemes in and around the Barbican Estate presented with February RCC papers 	Michael Bennett	Ongoing
Barbican Arts Centre		
Barbican Exhibition Hall 1 – Proposed Tenant - London Film School (LFS) (Update as previous) <ul style="list-style-type: none"> The City has yet to reach agreement on lease terms with LFS. City has agreed funding for the enabling works required to provide the tenancy space for the LFS. This will include works to relocate the Barbican Centre Marketing Department & works to re-provide engineering services to the retained spaces in ExHall1 and Exhall2 The enabling works are planned to take place during 2014, will be subject to subject to committee approvals and planning permission. With the completion of the enabling works in December 2014 we now expect the LFS to take over the space & commence their fit out works in early 2015. We will be consulting with residents as the programme develops 	Michael Bennett	Ongoing
Contact: Michael Bennett, Barbican Estate Manager – 020 7029 3923 – barbican.estate@cityoflondon.gov.uk		

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4. Redecorations

2013/14 Programme

Satisfaction surveys for the 2013/14 redecoration programme to Bryer Court, Bunyan Court and John Trundle Court have been carried out and although the response level was not high, residents were generally satisfied with the contractor and the work carried out.

2014/15 Programme

The 2014/15 programme includes the following blocks:

- Cromwell Tower (External)
- Ben Jonson House (External)
- Breton House (External)
- Bunyan Court (Internal)
- Frobisher Crescent (Internal & External)

Condition surveys have been carried out and the work is deemed to be necessary to the blocks listed above. Statutory consultation is currently being carried out

5. Roof Apportionments.

BLOCK	CURRENT STATUS	Estimated Final Account Verification	Estimated Final Apportionments
Breton House	Draft final apportionment being completed before passing to Working Party	N/A	June 2014
Ben Jonson House	Draft final apportionment being completed before passing to Working Party	N/A	June 2014

Shakespeare Tower	Final Apportionment to be carried out. Passed to Working Party Dec 2009	N/A	June 2014
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At the time of this report, the Barbican Association Roof Sub-Committee and the City of London have agreed the draft final apportionment for Shakespeare Tower. A report detailing the final apportionment will be presented to your June Committee.

6. Beech Gardens Podium Works (As at 18 February 2014)

Procurement

The main contractor, VolkerLaser Ltd, commenced initial works in November 2013, started work on the main project in January 2014. The new tiles have been granted approval as a reserved matter under each of the Listed Building Consents issued in respect of White Lyon Court and the main Beech Gardens area. A further approval is required for the material and finished colour of the pond lining and a sample is being prepared for this purpose by VolkerLaser Ltd.

Soft Landscaping

An initial meeting of the Landscaping Working Party have been convened, and Johanna Gibbons, Landscape Architect has been commissioned to provide design consultancy. The next meetings of the Beech Gardens landscaping working party are to be held on 6th and 27th of March. Following these it is anticipated that a consultation exercise will be carried out in order to inform the final design of the landscaping scheme.

Work in progress

VolkerLaser Ltd are presently working at the south end of White Lyon Court, above GSMD and adjacent to the Virgin Active gym, and above the Beech Street Tunnel. Works are about to commence around the pond beneath Bryer Court. The recent wet weather has meant that the liquid applied waterproofing system cannot be used, and this element of the works is now moving forward with the advent of improved conditions. In the interim, VolkerLaser Ltd have been concentrating on removal of the tiles and screed, and preparation of the underlying surface in order to receive the waterproofing solution.

7. Asset Maintenance Plan

The Asset Management software has been deployed onto a COL server and all Barbican assets have been loaded. Over the next 3 months asset data held in various formats will be populated onto the system which will allow Property Services to produce a detailed forward programme which will be included in the Asset Management Strategy. A meeting has taken place with the Barbican Asset Management Working Party to go through a draft of the strategy.

8. Public Lift Availability

Availability of the public lifts under the control of Property Services is detailed below:

Lift	From April 2012 to March 2013	From April 2013 to December 2013
Turret (Thomas More)	99.9%	98.62%
Gilbert House	100%	99.99%

9. Upgrade of the Barbican Television Network

Work has commenced in the subway to upgrade the existing television network and install a new fibre optic broadband network. Email broadcasts have been sent out and information has been posted on the noticeboards. Fortnightly updates will be provided detailed the progress of works.

An open day has been organised for 26th February 2014 where residents can visit and find out more about the services on offer.

10. Concrete Works

A report following the resolution from the Grand Court of Ward Mote (Court of Common Council 19th April 2012) is to be presented to the Barbican Residential Committee on 17th March 2014.

City Surveyors Update

Officers from the City Surveyors Department have provided the following updates:

12. St Alphage House

Demolition underway. Building due to start in July 2014 leading to completion of the buildings by March 2017. More information will be provided by Brookfield Multiplex in the news letter sent to Barbican residents and consultation meetings taking place 18 and 19th of February. Schroders a global asset management company have signed a legal agreement to occupy 1 London Wall Place (Eastern building) as their new HQ from late summer 2017.

13. Six Public Lifts serving the Barbican Estate

Public Lift report for the period 06/11/2013 to 31/01/2014

Location And Age	Status	% of time in service between 06/11/2013 and 31/01/2014	Period of time Not in Use Between 6/11/2013 to 31/01/2014	Comments Where the service is 95% or less or by exception
Little Britain Modernised 2007	IN SERVICE	97.67%	48 Hours	
London Wall (No.1) Lift Eastern Pavilion 2003	IN SERVICE	99.81%	4 Hours	
London Wall (No.1) Lift Western Pavilion 2003	IN SERVICE	98.74%	26 Hours	
London Wall (No.1) Western Pavilion Escalator (DOWN) 2003	IN SERVICE	94.36%	116.5 Hours	Common occurrences of unit needing reset due to user issues. Also lost time due to required investigations surrounding an incident of item of clothing becoming trapped in escalator

Location And Age	Status	% of time in service between 06/11/2013 and 31/01/2014	Period of time Not in Use Between 6/11/2013 to 31/01/2014	Comments Where the service is 95% or less or by exception
London Wall (No.1) Western Pavilion Escalator (UP) 2003	IN SERVICE	98.74%	26 Hours	
Moor House 2005	IN SERVICE	100%	0 Hours	
Moorgate Escalator (UP) 1973	IN SERVICE	96%	82.5 Hours	
Wood Street Public Lift (Royex House) 2008	IN SERVICE	99.71%	6 Hours	
Speed House	IN SERVICE	99.35%	13.5 Hours	

***Operating times of in service are based on 86 days equalling 2064 hours**

14. Frobisher Crescent

The planned health checks to each flat have now been completed with no issues reported. There have been no system shut downs or outages since the last report. The DSL planned main boiler maintenance has also been completed.

Investigation of compartmentation between flats 703/803 is ongoing. The recent excessive rainfall has highlighted a potential issue with the adequacy of drainage from balconies and water penetration has caused damage to a flat on the 8th floor. This is currently being investigated.

Committee(s): Residents’ Consultation Committee Barbican Residential Committee	Date(s): 03 March 2014 17 March 2014	Item no.
Subject: Service Level Agreements Quarterly Review October – December 2013		
Report of: Director of Community and Children’s Services	Public	
<p>Executive Summary</p> <p>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 to December 2013. This report details comments from the House Officers and the Resident Working Party and an ongoing action plan for each of the five SLAs.</p> <p>Recommendation</p> <p>That the Committee notes the work undertaken by the Barbican Estate Office and the Resident Working Party to monitor and review the implementation of SLAs and KPIs estate-wide and to identify and implement actions where appropriate, to improve services.</p>		

Background

1. This report covers the review of the quarter for October to December of the eighth year of 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 to December.
3. House Officers, Resident Services Manager and the Barbican Estate Manager attended the recent SLA Working Party review meeting in January to review the SLAs and KPIs. Any new comments from the residents Working Party (Tim Macer, Randall Anderson, Jane Smith,

David Graves, Robert Barker), House Officers, surveys, House Group meetings and complaints are incorporated into the October to December comments.

4. Actions identified following each quarterly review have been implemented where appropriate and comments are included in the action plans in Appendices 1, 2, 3, 4 and 5. 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. All of the unresolved issues from the previous quarterly reviews to September 2013 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.
5. All of the resolved issues to September 2013 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

6. 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.
7. The review of the SLAs and KPIs for the quarter January to March 2014 will take place in April and details of this review will be presented at the June committees.

Conclusion

8. 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.

Background Papers: Quarterly reports to committee from 2005.

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APPENDIX 1

SERVICE LEVEL AGREEMENT REVIEW- CUSTOMER CARE, SUPERVISION AND MANAGEMENT 2013

	<u>Quarter</u>	<u>LL/SC</u>	<u>COMMENT/QUERY</u>	<u>RESPONSE/ACTION</u>	<u>COMPLETED</u>
156	April - June 2012	SC	House Officers sporadically receiving copies of complaint letters to Technical Services (now Property Services).	BEO Manager attending Property Services weekly meetings which should improve communications but as the issue remains, further work needs to be done. PS responses to copy in the relevant HO.	
161	Apr - Jun 2013	SC	From Resident Survey. Could a standard letter (or Bbnews article) be produced explaining security on doors and windows to make Contents Insurance easier to apply for?	This will be in the December issue of Barbicanews in the form of an FAQ	✓
164	Apr - Jun 2013	SC	To review communication with off site long lessees (in terms of blockwide notices).	Currently being reviewed as part of the BEO Communications Strategy. Email address could also be used once this information has been gathered.	
167	July - Sept 2013	SC	The Section 20 notices have been improved with more background information on them.	Positive comments about the changes have been received.	✓
168	Oct-Dec 2013	SC	Property Services are looking to use all the resident data to improve the service eg. sending water pen letters to absentee landlords		
169	Oct-Dec 2013	LL	Website being monitored and updated weekly.	For comment only.	✓
170	Oct-Dec 2013	LL	Beech Gardens Project Communication Plan has been discussed and approved with the Project Board and is currently in operation.		
	Jan-14		Extra column added to clarify where these comments sit - is it a Landlords area or the Service Charge?	For comment only.	✓
			Quarter - at the end of each quarter issues are raised by the House Officers and SLA Working Party which are then presented to service providers		
			Completed Actions - House Officers as residents' champions determine whether the issue has been dealt with and completed satisfactorily		
			SLA Service Level Agreement	LS Leasehold Services	
			CPA Car Park Attendant	DCCS Department of Children and Community Services	
			LP Lobby Porter	COG Core Operational Group	
			ES Estate Services	BOG Barbican Operational Group	
			BAC Barbican Arts Centre	ESM Estate Service Management	
			OS Open Spaces	DMT Departmental Management Team	
			WP Working Party	PS Property Services	
			GAG Gardens Advisory Group	LL/SC Landlord/Service Charge cost	

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APPENDIX 2

SERVICE LEVEL AGREEMENT REVIEW - ESTATE MANAGEMENT 2013

	<u>Quarter</u>	<u>LL/SC</u>	<u>COMMENT/QUERY</u>	<u>RESPONSE/ACTION</u>	<u>COMPLETED</u>
139	Oct - Dec 12	LL	Cromwell railings - to monitor if bicycles being locked on, is now more of an issue with the cinemas open.	BEO has requested an update from BC as to their bicycle railings outside the cinemas.	
144	Apr - Jun 13	LL	Following Resident Survey. Cleaning Manager reviewing podium cleaning levels/staffing at weekends	Supervisors will be carrying out weekend inspections in the Spring and staffing levels and cleaning frequencies will be altered then.	
150	Apr - Jun 13	SC	Following Resident Survey. Handover to temporary concierge can be problematic.	Line Manager reviewing.	
151	Jul - Sep 13	LL	Cleaning team will now be carrying out the weed spraying on the podium in addition to the Open Spaces team.	For comment only.	✓
152	Jul - Sep 13	SC	Cleaning Supervisors to pick up and action cleaning issues as outlined in inspection reports.	House Officers continuing to monitor.	
153	Oct - Dec 13	SC	Cleaning team now based in BEO. This helps with getting letters out and communicating with the team.	For comment only.	✓
154	Oct - Dec 13	SC/LL	Cleaning KPIs have dropped this quarter. Cleaning Manager to ensure action plans are followed.		
155	Oct - Dec 13	CP	Pay By Phone proving to be very successful with 413 new users in December.	For comment only.	✓

APPENDIX 3

SERVICE LEVEL AGREEMENT REVIEW - PROPERTY MAINTENANCE 2013

	<u>Quarter</u>	<u>LL/SC</u>	<u>COMMENT/QUERY</u>	<u>RESPONSE/ACTION</u>	<u>COMPLETED</u>
145	Oct-Dec 2011	SC	Water penetration procedure - the letters to update residents on the cause of a leak seem to be being sent out sporadically. Letters not being sent out could lead to complaints and problems caused by residents making late insurance claims.	Reviewed and letters updated. Further monitoring following changes. Letters still not being sent to off site addresses. Reiterated to PS.	
163	Jan - Mar 13	SC	Asset Maintenance WP - more detail about the actual assets and current cyclical programmes to be forthcoming	Draft Asset Management Strategy was discussed at the Jan 2014 WP meeting. Further WP meetings to follow.	
165	Apr - Jun 2013	SC	From Resident Survey. Communication and follow up from Repairs can be patchy.	Fed back to PS team but still being monitored	
167	July - Sept 2013	LL	Lighting in public areas is being looked at eg Defoe/John Trundle. Some improvements have already taken place.	For comment only. John Trundle lighting project proving a success.	✓
168	July - Sept 2013	LL	Podium tiling (Landlords items) are being reviewed and prioritised by BEO.	Priorities are Lauderdale Place, Defoe Place, Ben Jonson Highwalk, St Giles Terrace - to be carried out over next few months. Work has commenced and is on-going.	
169	July - Sept 2013	SC	Resident comment - reasons for things to be included in letters to residents (such as water outages)	Noted and for comment only.	✓
170	Oct-Dec 2013	SC	Repairs Call Centre - issues with raising orders and updating feedback following leak investigations.		
171	Oct-Dec 2013	SC	Accuracy of water penetration letters can cause problems when incorrect information is sent out regarding the cause of a leak or what remedial work is planned to cure a leak.		
172	Oct-Dec 2013	SC	PS short staffed at moment. New Surveyor starting soon.		

APPENDIX 4 **SLA AGREEMENT REVIEW - MAJOR WORKS 2013**

	<u>Quarter</u>	<u>LL/SC</u>	<u>COMMENT/QUERY</u>	<u>RESPONSE/ACTION</u>	<u>COMPLETED</u>
88	April-June 2011		Tower blocks - concrete spalling - TS are arranging for surveys to be carried out to the 3 tower blocks. Any necessary remedial works will be carried out following the surveys.	Works now complete to the tower blocks.	✓
94	Jan-March 2012		Concrete survey - are other blocks to be tested?	The concrete consultants in their report on the Towers recommended that a programme of checks and tests be carried out on the low rise blocks. Following expiry of the S20 notice period, orders have been placed for both Breton House and Mountjoy House. Following installation of abseiling anchors to both blocks the testing works are now complete and surveys are awaited from PS.	
104	Jan - Mar 2013	SC	Roof guarantee information - an article for barbianews about next blocks to expire?	For Dec 2013 issue. Next block is Andrewes in Oct/Nov 2014. Completed.	✓
111	July - Sept 2013	SC	The 'Lessons Learnt' exercise will be done after the redecoration projects of 2013/14.	Carried out and used to inform specific details for the 2014/15 projects.	✓
112	July - Sept 2013	SC	No major issues have been raised by residents during the recent concrete repairs to the 3 towers carried out since Sept 13	For Comment Only.	✓
113	Oct-Dec 2013	SC	2014/15 redecoration project is a large project with a number of blocks included - work is on-going with tendering. Condition surveys are complete.		
114	Oct-Dec 2013	SC	Scaffolding arrangements for redecoration projects are being reviewed. The scaffolding is going to be more precisely specified to prevent the issues encountered in 2013/14		
115	Oct-Dec 2013	SC	Redecoration project - where scaffolding is being used for inaccessible areas of a block - all other repairs in that area should also be covered.		

APPENDIX 5

SERVICE LEVEL AGREEMENT REVIEW - OPEN SPACES 2013

	<u>Quarter</u>	<u>LL/SC</u>	<u>COMMENT/QUERY</u>	<u>RESPONSE/ACTION</u>	<u>COMPLETED</u>
126	Apr - Jun 12	LL	Irrigation under BJH has been cut off by cinema project.	OS to hand water where required. In 2014/15 BEO will charge Barbican Centre for any extra hand watering incurred because of this.	✓
127	Jul - Sep 12	SC&LL	Various difficult to access areas - problems with safety equipment currently being reviewed.	TM hanging gardens - quote from VT. PS now looking at design for LBC application	
				Frobisher Buttresses - a satisfactory method now found. Contractors will abseil in Spring 2014. One (possibly 2) visits per year.	
133	Oct - Dec 12	LL	Concrete Planters @ Cromwell Tower and Lauderdale Tower. To speak with House groups about BEO's option of moving the larger concrete planters to replace the worn out smaller wooden tubs.	Orders placed with Open Spaces for replacement planters	✓
134	Oct - Dec 13	LL	Allotment project to be extended in the Spring		
135	Oct - Dec 13	SC	Issues with OS contractors using loud machinery at weekends. Open Spaces Officers will monitor more carefully in future.		
136	Oct - Dec 13	SC	Tree removal in Thomas More Garden went well. Now it's gone, lots of positive comments received about how much lighter the garden is.	For comment only.	✓

APPENDIX 6

Barbican KPIs 2013-14

Title of Indicator	Actual 2012/13	TARGET 2013/14	OCT-DEC 2012	JAN - MAR 2013	APR - JUN 2013	JUL Y-SEPT 2013	OCT -DEC 2103	JAN - MAR 2014	PROGRESS AGAINST TARGET	SUMMARY
Customer Care										
Answer all letters satisfactorily with a full reply within 10 working days	83%	100%	91%	98%	93%	92%	96%		☹	3 out of 75 letters were responded to past the target date
Answer all emails to public email addresses within 1 day and a full reply to requests for information within 10 days	96%	100%	97%	100%	95%	100%	89%		☹	4 out of 38 emails were responded to past their target date
To resolve written complaints satisfactorily within 14 days	92%	100%	100%	100%	96%	97%	100%		☺	
Repairs & Maintenance										
% 'Urgent' repairs (complete within 24 hours)	98%	95%	97%	99%	97%	96%	98%		☺	
% 'Intermediate' repairs (complete within 3 working days)	96%	95%	95%	98%	96%	98%	98%		☺	
% 'Non-urgent' repairs (complete within 5 working days)	96%	95%	97%	97%	96%	97%	98%		☺	
% 'Low priority' repairs (complete within 20 working days)	95%	95%	95%	98%	98%	97%	96%		☺	
Availability % of Barbican lifts	N/A	New			Tower lifts 99.78%	Tower lifts 98.47%	Tower lifts 97.08%		☹	Tower Lift availability suffered due to major repair works undertaken to Lift C in Shakespeare and Lift A in

Availability % of Barbican lifts	N/A	Target			Terrace lifts 99.52%	Terrace lifts 99.27%	Terrace lifts 99.42%		😊	Shakespeare and LMA in Lauderdale. The former causing the lift to be out of service for over thirteen days.
Percentage of communal light bulbs - percentage meeting 5 working days target	85%	90%	87%	85%	83%	98%	96%		😊	
Background heating -percentage serviced within target. Total loss 24hrs/ Partial loss 3 working days	Total 74% Partial 92%	Total 90% Partial 90%	Total 62% Partial 95%	Total 86% Partial 89%	n/a	n/a	Total 85% Partial 100%		😞	await info from PSOs for update
Communal locks & closures - percentage of repeat orders raised within 5 working days of original order	Will 0% Ben J 0% Sed 0%	0%	0%	0%	0%	0%	0%		😊	
Replacement of lift car light bulbs - percentage meeting 5 working days target	90%	90%	94%	87%	85%	95%	83%		😞	Due to the age of/different types of fittings, replacing tubes does not always work. Parts sometimes need to be ordered which can prolong job beyond target date
Estate Management										
House Officer 6-weekly joint inspections with House Group representatives monitoring block cleaning - good and very good standard	94%	90%	100%	82%	92%	87%	82%		😞	5 inspections were Satisfactory, 2 were Poor. Action plans in place for affected blocks. (31 of the 38 were good or very good)
House Officer 6-weekly joint inspections with House Group representatives monitoring communal window cleaning - good and very good standard	91%	80%	95%	97%	80%	94%	79%		😞	7 of 34 were Satisfactory
House Officer 6-weekly joint inspections with House Group representatives monitoring podium cleaning - good and very good standard	94%	80%	97%	95%	92%	87%	96%		😊	

House Officer 6-weekly joint inspections with House Group representatives monitoring car park cleaning - good and very good	94%	80%	100%	90%		97%	94%	84%		😊	
Open Spaces											
To carry out variations/additional garden works (other than seasonal works and unless other timescale agreed) within 6 weeks (30 working days) of BEO approval	94%	80%	100%	100%		100%	100%	100%		😊	
Major Works											
% Overall Resident satisfaction of completed Major Works Projects (£50k+)	96%	90%	n/a	n/a		n/a	n/a	91%		😊	based on low response rate

Committee: Barbican Residential Committee	Date: 17 March 2014
Subject: Corporate Governance – Scheme of Delegations and Standing Orders	Public
Report of: Town Clerk	For Decision
<p style="text-align: center;">Summary</p> <p>As part of the City Corporation's arrangements for ensuring good governance, the Scheme of Delegation to Chief Officers has been reviewed and a number of changes have been proposed. The changes, which principally reflect changes to legislation and previously agreed City Corporation's policies, were considered by Policy and Resources Committee on 23 January 2014, before being submitted to the Court of Common Council.</p> <p>The Policy and Resources Committee is responsible for the review and co-ordination of the City Corporation's governance arrangements. The Committee will therefore be considering the Scheme in its entirety, including the general framework and conditions of the delegations and an amendment to Standing Orders, relating to the declaration of operational property assets which are surplus to requirements.</p> <p>All service committees are required to consider those elements for which they have responsibility. A copy of the revised section applicable to the Barbican Residential Committee is attached as an appendix to this report for your consideration.</p> <p>Recommendations</p> <ol style="list-style-type: none">1. Subject to the approval of the Policy and Resources Committee of the overall Scheme of Delegation, the delegations relating to the Director of Community and Children's Services, in respect of the Barbican Estate, as set out in the appendix to this report be approved; and2. to note the proposed amendment to Standing Orders relating to the declaration of operation property assets which are surplus to requirements.	

Main Report

Background

1. As a corporate body all decisions are vested in the Court of Common Council. To facilitate the administration of the City Corporation's many and complex functions, the Court delegates the majority of its functions to its committees and officers. The Committee Terms of Reference set out the functions delegated to committees, whilst the Scheme of Delegations sets out those functions which have been delegated to officers.

Scheme of Delegations

2. The Scheme of Delegations has recently been reviewed and a number of changes are proposed which, on the whole, reflect changing legislation, amendments to corporate policy and operational needs. A copy of the revised Chief Officer delegations, relevant to the Barbican Residential Committee is attached as an appendix to this report.
3. A full copy of the Scheme is available for Members to view in the Members' Reading Room and is also available on request.
4. The Policy and Resources Committee are responsible for the review and co-ordination of the City Corporation's governance arrangements which includes, amongst other things, Committees and Standing Orders.

Standing Orders – Declaring Assets Surplus

5. The drive for efficiency savings, including the Corporate Asset Realisation Programme and the more recent Service Based Reviews, have highlighted the need for the City to identify, more effectively, those assets which are surplus to departmental need, so they can be considered for alternative uses or disposal.
6. Whilst there are a number of officer groups considering the efficient and effective use of assets and resources, it is felt that their work would be assisted by a change to Standing Orders, which would formalise the process for Chief Officers and Committees identifying assets as surplus. It should be noted that, prior to the approval of the Court, the Policy and Resources Committee is being asked to consider adding the following with regard to this.

Standing Order No 55 - Identification of Property Assets Surplus to Departmental Requirements

(1) Committees are required to consider the effective and efficient use of all operational property assets. This will be monitored by the Corporate Asset Sub Committee.

(2) Where assets are no longer required, in whole or in part, for the provision of operational services for which they are currently held, a report on the circumstances must be made to the Corporate Asset Sub Committee. This does not apply where lettings are an integral part of the service e.g. market or housing tenancies.

Corporate & Strategic Implications

7. The proposed changes to the Scheme of Delegations and Standing Orders are intended to support the effective governance of the City of London and ensure that decision making is effective and transparent.

- Appendix 1 – Revision(s) to Scheme of Delegations

Scheme of Delegations

Director of Community and Children's Services

1. In relation to the **Barbican Estate**:-
 - a. to approve lettings and sales between Committee meetings;
 - b. to authorise sale prices above or below consultant values;
 - c. to approve sales of residential property on the Estate;
 - d. to approve assignments, sub-tenancies and tenancies at will to suitably qualified applicants between Committee meetings;
 - e. to authorise signage on private areas of the Estate;
 - f. to approve the occupation of accommodation by Estate Office staff in and around the Barbican;
 - g. to approve the occupation of accommodation managed by the Barbican Estate to other City of London Corporation Departments.
2. To approve, where appropriate, filming and photography on the Estate.
3. To agree commercial rent levels in consultation with the City Surveyor, subject to reporting to the Barbican Residential Committee.
4. To approve valuations of flats submitted by consultant valuers.
5. To appoint consultants in accordance with Standing Orders.

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**BARBICAN ESTATE RESIDENTS CONSULTATION COMMITTEE
ANNUAL GENERAL MEETING
Monday, 3 February 2014**

Minutes of the meeting of the Barbican Estate Residents Consultation Committee
held at Guildhall on Monday, 3 February 2014 at 6.30 pm

Present

Members:

Tim Macer - Willoughby House	Gillian Laidlaw - Mountjoy House
Randall Anderson - Shakespeare Tower	Fiona Lean - Ben Jonson House
Averil Baldwin - Thomas More House	Professor Chris Mounsey - Breton House
Robert Barker - Lauderdale Tower	Natalie Robinson - Andrewes House
Mary Bonar - Wallside	Jane Smith - Barbican Association
Mark Bostock - Frobisher Crescent	Professor Michael Swash - Willoughby House
Dr Gianetta Corley - Gilbert House	John Taysum - Bryer Court
David Graves - Seddon House	Janet Wells - John Trundle House
Gordon Griffiths - Bunyan Court	Robin Gough – Defoe House
Helen Wilkinson - Speed House	
John Tomlinson - Cromwell Tower	

Officers:

Julie Mayer – Town Clerk's

1. APOLOGIES

Apologies were received from Jane Smith (Barbican Association) and Helen Wilkinson (Speed House), who was represented by Brian Parkes.

The Town Clerk welcomed Averil Baldwin as the new representative of Thomas More House. Members noted that Matt Collins had stepped down as one of the Defoe House representatives.

2. DECLARATIONS BY MEMBERS IN RESPECT OF ITEMS ON THE AGENDA

There were no declarations.

3. TO ELECT A CHAIRMAN

The Committee proceeded to elect a Chairman. The current Chairman, Mr Tim Macer, being the only member willing to serve, was duly elected Chairman for the ensuing year and took the Chair.

4. TO ELECT A DEPUTY CHAIRMAN

The Committee proceeded to elect a Deputy Chairman. Professor Chris Mounsey, being the only member willing to serve, was duly elected Deputy Chairman for the ensuing year.

5. **BA/RCC CONSULTATION WITH RESIDENTS ON THE CITY'S NEW RESIDENT CONSULTATION MODEL**

Members received the Chairman's report on the Barbican Association (BA) and Residents Consultation Committee (RCC) consultation with residents and House Groups. The Chairman took this item in conjunction with the next item on the agenda, the Committee's Terms of Reference.

During the discussion the following items were raised/noted:

- The RCC had been established 10 years ago, following residents voting 2/3^{rds} in its favour.
- The Consultation Model had been designed to avoid duplication of the business presented at RCC and BA meetings.
- Members noted that there might be some instances; i.e. the YMCA Building, which would initially fall within the remit of City Surveyors (and therefore a BA issue) but once the development impacted on residents (as a Barbican Estate issue), it might need to be reported to the RCC.
- The Consultation Model had received good response from residents and had been discussed at length at the BA General Council. The BAGC had recommended that the model should run for a year or 18 months then and be reviewed.
- Members noted that the Chairmen of the RCC and BA would draft a report to the Town Clerk, setting out the results of the consultation.
- The RCC had the benefit of being able to make representations to the Barbican Residential Committee (BRC) on all service charge matters, on behalf of both long and short leaseholders. Members noted that the Chairman and Deputy Chairman of the RCC attended the RCC/BRC agenda planning meetings with officers and the Chairman and Deputy Chairman of the BRC.
- Members were encouraged to consult their elected representatives when appropriate. The Housing Service Director had regular briefings with all Barbican Ward Members.
- The BA was an independent, subscription paying membership association, which could instruct legal counsel and Planning, Licensing and Environmental Health matters were within their remit. Members felt that the BA could therefore be used as a last resort to represent residents' interests, if the RCC was unable to achieve a satisfactory outcome.

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

Members received the RCC's current terms of reference. In light of the previous discussion, members felt that the existing Terms of Reference remained fit for purpose and did not require amendment.

- Members particularly commended the Update Report and the 'You Said, We Did' document.
- There was a general agreement that the questions asked in advance of the meetings were very helpful and kept the agendas focussed.
- Given that the City Surveyor contributed to the update report, it would be helpful if a City Surveyor representative could attend RCC meetings when there was relevant business.

7. **MEMBERS INFORMATION PACK**

Members received the new Members Information pack, which had been drafted by the Chairman and the Barbican Estate officers.

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

- The pack was commended as an excellent document and members asked if it could be more widely available; i.e. with the link attached to an email broadcast and advertised on noticeboards and in lifts etc. The full document had been emailed to all House Group Chairmen.
- Members noted there were some ongoing issues with unregistered sub tenancies. The Chairman offered to raise this with the Chairman of the BRC, with a view to including it as a future agenda item at a future meeting.
- A summary version would be helpful, for circulating to all Barbican residents/tenants/sub tenants.
- Members agreed that it would be a helpful induction tool for new members.
- Members asked if it would be possible to hold some induction sessions for new members, or any members who wished to attend. The Chairman agreed hold such sessions periodically, when there was a demand.

8. **PROPOSED RESOLUTION IN RESPECT OF BEECH GARDENS**

Members received a briefing note on Beech Gardens, which had been circulated after the last meeting of the RCC on 25 November 2013. At this meeting, members had proposed a resolution to the BRC in respect of the slow progress on the Beech Gardens project.

There was a general agreement that this had provided a satisfactory explanation and, given there were no members present from either Bunyan or John Trundle Court, it was agreed that, for now, the proposed resolution would fall. Members noted that the Beech Gardens Project Board, scheduled for

Wednesday 4th February, would analyse the document further. The Chairman suggested that, if necessary, there could be a further debate at the RCC meeting scheduled for 3rd March 2014. Members asked if a link to the briefing could be provided on an email broadcast.

Whilst accepting that current EU procedures delayed large projects, members felt that communications could have been more effective. Members also noted that a previous attempt to correct the podium had failed within a couple of years and, therefore, the works had to be thorough and sustainable.

The Town Clerk reminded members that all City of London Projects were subject to Gateway 7 (Outcome Reports), which were presented to the City of London Corporation's Projects Sub Committee meetings, which were held in public. All Gateway 7 reports set out the lessons learnt, for members' scrutiny.

9. **REVIEW OF WORKING PARTIES AND SUB COMMITTEES**

Members received the current list of working parties and the Chairman thanked the volunteers who served on them. Members noted that the minutes of some of the working parties were included in the RCC/BRC agenda packs and the Chairman would continue to encourage all groups to share their minutes. Each Group was responsible for setting their own terms of reference.

The Chairman then went through each group in turn:

Gardens Advisory Group - 2 vacancies (members noted that gardening experience/interest and aesthetic awareness would be helpful). The chairman agreed to seek to fill these vacancies by appealing to House Group chairmen. In response to a question about the location of allotments, the Chairman suggested that this could be covered under a future RCC agenda item.

Service Level Agreement Review Group – 2 vacancies.

Asset Maintenance Group – 2 vacancies. Fiona Lean advised that she was a member of this group but was missing from the membership list. Robin Gough volunteered to fill one of the vacancies.

Beech Gardens – Members of the Gardens Advisory Group and the Asset Maintenance Group were co-optees. Members felt that the balance of the group was appropriate.

Television System – Randall Anderson was happy to continue chairing this group.

Underfloor Heating – this was a new group and had attracted a lot of interest.

Parcel Tracking – this was a new group and the following members volunteered during the meeting: Chris Mounsey, Brian Parkes, John Taysum, Rob Barker, Matt Collins (via Robin Gough). Further volunteers would be sought via the House Groups.

Members agreed that it would be helpful to look at 2 working groups, in depth, at each meeting of the RCC.

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

There were no questions.

11. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

The Chairman advised that residents would be receiving a communication on 4th February, from Visionfibre Media, in respect of the television upgrade.

Members noted that the infrastructure would be installed between February and May 2014, with roll out to all blocks by July 2014. Two drop in sessions had been planned for 26 February (10 – 2) and (3 – 7) and members asked if this could be repeated.

The meeting ended at 8.25 pm

Chairman

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Agenda Item 15

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Agenda Item 16

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Agenda Item 17

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Agenda Item 18

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