

# BARBICAN ESTATE RESIDENTS CONSULTATION COMMITTEE

**Monday, 7 September 2015**

Minutes of the meeting of the Barbican Estate Residents Consultation Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Monday, 7 September 2015 at 7.00 pm

## **Present**

### **Members:**

Tim Macer (Chairman)	Robin Gough – Defoe House
Robert Barker (Deputy Chairman)	Fred Rodgers – Breton House
Mark Bostock - Frobisher Crescent	Richard Dykes – Gilbert House
Gordon Griffiths - Bunyan Court	Brian Parkes – Speed House
Gillian Laidlaw - Mountjoy House	
Fiona Lean – Ben Jonson House	
Helen Kay – Barbican Association	
John Taysum – Bryer Court	
Janet Wells – John Trundle House	
Prof. Michael Swash – Willoughby House	

### **In Attendance:**

Gareth Moore – Chairman of the BRC  
Ann Holmes – Deputy Chairman of the BRC  
Deputy John Barker – Member of the BRC  
Prof. John Lumley – Member of the BRC

### **Officers:**

Julie Mayer	Town Clerk's
Helen Davinson	Community and Children's Services
Michael Bennett	Community and Children's Services
Anne Mason	Community and Children's Services
David Padfield	Community and Children's Services
Mark Jarvis	Chamberlain's Department

## **1. APOLOGIES**

Apologies were received from Graham Wallace; Jane Smith (represented by Helen Kay); Averil Baldwin; Randall Anderson; John Tomlinson and David Graves.

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

There were no declarations.

## **3. MINUTES**

The minutes of the meeting held on 18<sup>th</sup> May 2015 were approved.

4. **"YOU SAID; WE DID" : ACTIONS AUGUST 2015**

The Committee received the actions list from August 2015 and in response to queries, it was noted that:

- Funding for the CCTV installation had been approved and the procurement process had started. There would be a further update in the next edition of 'You Said; We Did'.
- The parkour activities appeared to have subsided and temporary signage had been installed. The signage 'Cube' was back in position and had been weighted.
- The bicycle storage facility at Bunyan Court was patrolled every 2 hours but it was suggested that the site might benefit from CCTV coverage. Officers agreed to raise this with the Car Park Manager.

**RESOLVED: that** - the '*You Said; We Did*' Outstanding Actions update for August 2015 be noted.

5. **SERVICE LEVEL AGREEMENT (SLA) REVIEW: APRIL - JUNE 2015**

The Committee received a report of the Director of Community and Children's Services, which updated Members on the implementation of SLA's and Key Performance Indicators (KPI's) on the Estate. Two questions had been received in advance of the meeting (appended to this set of minutes).

In response to a supplementary question on Frobisher Crescent drainage, the Member was astonished at the length of time it had taken to resolve but commended the action of the previous Assistant Housing Director in progressing this. The new Interim Director was in attendance; he advised that he had received a full handover and had visited the family affected by internal damage. Officers advised that the internal damage would be remedied once the external works had been completed and there would be a further update in the next SLA report.

**RESOLVED: that** - the SLA report be noted.

6. **INSURANCE - PROTOCOL AND PROCESSES - SEPTEMBER 2015**

The Committee received a report of the Director of Community and Children's Services, which informed Members of the current arrangements and procedures covering insurance for the Barbican Estate. Members commended the clear layout; approved the current arrangements and noted that the Q&A document had been approved by the City of London Corporation's Insurers and was now on the website. It was suggested that the website should be clear in that only the relevant sections of the City's Insurance Policy Document would be available and not the full Policy.

**RESOLVED: that** – the report be noted.

7. **RESIDENTS' SURVEY**

The Committee received a report of the Director of Community and Children's Services, which advised Members of the results of the Residents' Satisfaction Survey which took place in July 2015. Members were particularly pleased to note the excellent results for communications (91% satisfaction) and the Concierge Team (98% satisfaction). There would be a 'Frequently Asked Questions' section as part of the next email broadcast, covering questions outside of the survey. The Chairman advised that he had contributed two questions in the survey on the work of the RCC and resident representation in decision-making, and offered further input from the next RCC's Annual General Meeting in reviewing these.

**RESOLVED: that** - the results of the Residents Survey 2015 be noted.

8. **LEASE ENFORCEMENT ISSUES - SHORT TERM HOLIDAY LETS**

The Committee received a report of the Director of Community and Children's Services in respect of short term holiday lets. At its meeting in June 2015, the Barbican Residential Committee asked that an update be provided, setting out the position in respect of short-term letting, following changes in planning legislation.

The report set out the actions to date; including communications with leaseholders, advice from the Comptroller and City Solicitor, a joint workshop between the Barbican Estate Office (BEO) and the Residents Consultation Committee (RCC) and recommendations for proposals that Officers would be taking forward.

During the discussion the following matters were raised/noted:

- The Barbican Estate Office Manager thanked the Chairman of the RCC and the Members, Residents and Officers who had participated in the presentation and workshop. The same presentation had been delivered to all concierge staff and some evidence had been forthcoming immediately. However, it also transpired that some concierge staff had no knowledge of short term holiday lets, nor the websites used to advertise them.
- Barbican Estate Officers were monitoring short term holiday let websites weekly but Members noted that, given the operation of these websites, exact locations were only identified when customers collected their keys.
- As a result of the first letter despatch to all leaseholders (including absentee landlords), it transpired that some long-leaseholders were not aware of the actions of their tenants and a couple of adverts had since been taken down.
- The Chairman and Members were very pleased to see the action plan and were reassured that the City of London Corporation would follow the process robustly; with the ultimate sanction being lease forfeiture.

However, it was emphasised that, in the interest of fairness, the various stages in the enforcement process exist to provide safeguards to leaseholders who are in breach, and these would be adhered to. For example, enforcement would not follow an individual, technical breach; there had to be sustained evidence of nuisance. Furthermore, Members felt that the action plan was both realistic and achievable.

- Members noted that any possible (and highly unlikely) reinstatement of the planning regulations would require extensive and long term evidence. It would therefore be more efficient for the City of London Corporation to proceed with lease forfeiture, if necessary.
- The Estate Office Manager advised that Stages 1 and 2 of the process could also cover other issues; such as pets and wooden floors.
- Members were fully committed to supporting the Barbican Estate Office in encouraging all residents to be vigilant in providing evidence in the case of any breach.

**RESOLVED: that** - the Barbican Residential Committee be asked to note that the Barbican Estate Residents Consultation Committee unanimously endorses the approach set out in the report on short term holiday lets and strongly supports the action plan and lease enforcement process that officers would be taking forward.

9. **PROGRESS OF SALES AND LETTINGS**

The Committee received a report of the Director of Community and Children's Services, which advised Members of the sales and lettings approved since the last meeting.

**RESOLVED: that** – the report be noted.

10. **2014/15 REVENUE OUTTURN (excluding the residential service charge account)**

The Committee received a report of the Chamberlain and the Director of Community and Children's Services which compared the revenue outturn for the services overseen by the Barbican Residential Committee in 2014/15, with the final agreed budget for the year. A separate question and answer session, in respect of items 11-12 agenda, had been arranged for Members prior to this meeting.

**RESOLVED: that**, the Revenue Outturn Report for 2014/15 and the budgets carried forward to 2015/16 be noted.

11. **2014/15 REVENUE OUTTURN FOR RESIDENTIAL SERVICE CHARGE ACCOUNT (including reconciliation between the closed accounts and amount to be charged to long leaseholders)**

The Committee received a report of the Chamberlain and the Director of Community and Children's services, which provided a summary of service charge expenditure. The report compared the revenue outturn (i.e. actual net costs) for the Barbican Estate's residential service charges with the latest agreed budgets for the year ended 31<sup>st</sup> March 2015. Members noted that, in response to their request for more detailed information, the following report on this agenda elaborated on this one and, therefore, both reports would be taken together.

In addition, officers agreed to investigate the following:

- Whether repairs and maintenance works were not claimable under the guarantees for Andrewes House roof.
- Redecoration costs at Frobisher Crescent.

Members were reminded that, whilst they were invited to examine and question the Outturn Reports, they were being asked to receive and not approve them.

**RESOLVED:** that, the Revenue Outturn report for 2014/15 and the service charge reconciliation be noted.

12. **RELATIONSHIP OF BARBICAN RESIDENTIAL COMMITTEE (BRC) OUTTURN REPORT TO SERVICE CHARGE SCHEDULES**

The Committee received a report of the Director of Community and Children's Services which clarified how the service charge's division of service in the 2014/15 Revenue Outturn Report related to the service charge schedule provided to long lessees. This report was taken alongside the previous agenda item and would also be appended to Agenda Item 11, when presented to the Barbican Residential Committee next week.

13. **UPDATE REPORT**

The Committee received its regular update report and during the discussion the following matters were raised/noted:

1. There had been a question in advance in respect of Bernard Morgan House (see appendix).
2. There was an outstanding issue in respect of apportionment of the concrete works at Frobisher Crescent. However, officers advised that the lease stipulated a 50% split between the lower levels (Barbican Arts Centre) and upper levels (Frobisher Crescent residential).

3. As Blake Tower would be having a 12 hour concierge service it had been agreed that they contribute to the car park concierge service for their percentage of useage.
4. Officers agreed to provide feedback on the re-instatement of the fountain at Beech Gardens.

**RESOLVED:** – **that**, the update report be noted.

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

Two questions had been received in advance of the meeting (please see the appendix to this set of minutes)

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

A Member commended the gardeners for the remedial works to speed lawn, which had been replenished to its former high standard following the Beech Gardens works.

**The meeting ended at 8.35 pm**

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Chairman

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**Pre RCC Member QUESTIONS  
For 7 September 2015 RCC**

**1. Agenda Item 5 SLA Major Works. Q. Is there an update for the drainage works at Frobisher Crescent?**

A. Tenders have been received for the Frobisher Crescent works to the west gable end and are currently being reviewed. Following meetings week beginning 7 September a decision will be made as to the successful contractor and it is anticipated that the works will commence October/November and are expected to take 4/5 months.

**2. Agenda Item 5 SLA Property Maintenance. Q. Rainwater flooding into lift shaft and lift at Bunyan Court staircase 59 - costly repairs are currently being carried out – who will be paying? What measures have been taken to prevent this from happening again? Has a budget or plan to resolve the podium drains/flooding been agreed yet and with who?**

A. These works are being charged to the landlord account and are currently part of an insurance claim. Following on from the damage caused by the blocked drain, we have completed a temporary repair by diverting the drain to another outlet. This drain is scheduled to be renewed and will be completed within the next couple of weeks. The drains in and round Beech gardens have just undergone a full camera survey. There are several areas of pipe work that need to be cut out and replaced. Property Services Officers are working with our commercial tenants to organise access for this work to be carried out. In the meantime our contractors will continue to unblock the drains as best they can. There is a current budget which has been increased for 2015/16 which is awaiting approval from Chamberlains.

**3. Agenda Item 13 Q. Is there an update from City Surveyors regarding Bernard Morgan House?**

A. Court of Common Council approved the disposal in July 2015. The sale has been delayed by a local resident applying to Heritage England to list the building and subsequently, when Heritage England turned the application down, appealing the decision. This has now been refused by the Government. It is now hoped that the disposal to the residential developer can proceed quickly.