

BARBICAN RESIDENTIAL COMMITTEE

Monday, 5 June 2017

Minutes of the meeting of the Barbican Residential Committee held at the Guildhall EC2 at 11.00 am

Present

Members:

Randall Anderson
Adrian Bastow
Chris Boden
Mark Bostock
Deputy David Bradshaw
Mary Durcan
Ann Holmes (Chairman)
Michael Hudson

Deputy Clare James
Jeremy Mayhew
Deputy Joyce Nash
Barbara Newman
William Pimlott
Stephen Quilter
Deputy John Tomlinson

Officers:

Stephanie Basten	-	Public Relations Office
Michael Bennett	-	Community and Children's Services
Alan Bennetts	-	Comptroller and City Solicitor's Department
Michael Bradley	-	City Surveyor's Department
Helen Davinson	-	Community and Children's Services
Mark Jarvis	-	Chamberlain's Department
Anne Mason	-	Community and Children's Services
Julie Mayer	-	Town Clerk's Department
Paul Murtagh	-	Community & Children's Services Department
Mike Saunders	-	Community and Children's Services

1. APOLOGIES

Apologies were received from Susan Pearson.

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

The Standards Committee had granted a number of dispensations allowing Members with pecuniary interests to speak but not vote on this item. All members had been advised of their individual dispensations ahead of the meeting.

At the meeting the following Members declared pecuniary interests in respect of agenda item 9 – Barbican Charging Policy for Car Parking, for which they had received a dispensation to speak but not vote: Mr Bradshaw, Mrs Durcan and Mr Pimlott.

3. **ORDER OF THE COURT OF COMMON COUNCIL**

Members noted the order of the Court dated 27 April 2017 which has appointed the Committee and confirmed its Terms of Reference.

The Town Clerk advised that, Mr Packham had been appointed as a non-resident Member at the Meeting of the Court of Common Council on 25th May and therefore the Committee was carrying 3 and not 4 vacancies.

4. **TO ELECT A CHAIRMAN IN ACCORDANCE WITH STANDING ORDER 29**

Being the only Member willing to serve, Ann Holmes was appointed as Chairman of the Barbican Residential Committee for 2017/18.

On taking the Chair, the Chairman thanked retiring Members: Gareth Moore, John Lumley, Chris Punter, Vivienne Littlechild, Angela Starling, Stanley Ginsburg and Alex Bain-Stewart and welcomed Clare James, Mark Bostock, Mary Durcan, Barbara Newman, Susan Pearson and William Pimlott.

At the start of the meeting, Members stood in silence to remember John Barker, who had served on the Committee for nearly 30 years and the Court for nearly 40 years. Members also remembered those who had lost their lives in the Borough Terrorist attack on Saturday 3rd June.

5. **TO ELECT A DEPUTY CHAIRMAN IN ACCORDANCE WITH STANDING ORDER 30**

Following a ballot between Mr Hudson and Mrs Pearson, in which 8 votes were cast for each, the Committee held another ballot and recount. As the result was still 8 votes each, the result was then determined by drawing lots and Susan Pearson was appointed as Deputy Chairman of the Barbican Residential Committee for 2017/18.

6. **REPRESENTATIVE ON THE CULTURAL HUB WORKING PARTY**

The Chairman advised that it was in her gift to either attend this Working Party or send a representative. This position was currently held by Randall Anderson but the Chairman would seek to take back the position at the start of the next Municipal Year.

7. **MINUTES OF THE PREVIOUS MEETING**

The public minutes and non-public summary of the Meeting held on 13 February 2017 were approved.

Matters arising

The strip lights had been reported in the Barbican Residents Consultation Committee's '*You Said, We Did*' update, as follows: *Officers from the BEO and the Department of the Built Environment have met and a project to replace all City Public lighting, subject to committee approval, will commence in the Autumn. The Edge Beam system on the Barbican Estate will include LED lighting.*

8. **'YOU SAID: WE DID' OUTSTANDING ACTIONS LIST**

Members received the 'You Said; We Did' Outstanding Actions list.

Members were disappointed that the concrete reports from the early 1990's were unavailable and some Members recalled having sight of them at an earlier meeting. Officers advised that the later reports had superseded them but would endeavour to trace them. Members asked for officers to ensure that, going forward, all investigative reports were archived and asked to see the current archiving policy.

9. **BARBICAN CHARGING POLICY FOR CAR PARKING**

Members considered a report of the Director of Community and Children's Services in respect of the Barbican Charging Policy for Car Parking. The Chairman reminded Members of the previous report, presented to Members of the Barbican Residential Committee in December 2016, which had resulted in the report before them today and made the following statement:

'In the light of the many objections raised by residents to these proposals, I want to make a few comments. I rarely speak to a script but, on this occasion, I shall, as I shall be asking for my comments to be minuted.

The role of this committee is to oversee the management of the estate and its ancillary properties on behalf of the City of London Corporation.

It's important to be clear that the Barbican Estate has no social housing. Its flats are let and its leases sold at market rates.

Those who have purchased leases for car parking have a right to a parking space. Otherwise, land currently used for car parking is a city asset and, subject to planning permission, can be used for such purposes as the city sees fit. It can't be used for commercial car parking, however, since current city planning policies prohibit the creation of any further such spaces.

And, under planning law, of course, residents must, be consulted about any proposed change of use to what are currently car parking spaces. Residents do not, however, have any rights in deciding the charging basis for those spaces. Many have mentioned the need to review how the service charge element of payments for car parking are apportioned. They are right and work on this is underway. As many of you know, preparation for consultation regarding the planning application for storage units is also underway. At this stage a working party would be inappropriate and, in any event, a comprehensive plan for the car parking area is not within the gift of this committee.

All that said, however, the proposals before us aren't contingent on those matters being decided. The proposals are based on decisions, already taken by this committee:

- 1 - that car park rental charges should ensure a fair return to the City*
- 2 - to arrive at this, an independent valuation was required*
- 3- that if increases were to be significant, they would be phased in.*

There have been two key objections from residents, which are relevant to these proposals - that the basis of the valuation is unreasonable, and that the increases proposed are unaffordable to significant numbers of users.

Following comments at the RCC, I asked for further valuations to be sought. It has not been possible to secure these in time for today's meetings, but the Surveyors' department have canvassed estate agents and I shall ask Michael Bradley to update us, as soon as I've finished speaking.

*At this meeting today, I suggest we **first**, discuss and then vote as to whether we accept the valuation and the surveyor's update. If we vote against this, I suggest two further valuations be sought and the proposals deferred to our September meeting.*

If we accept the valuation, I suggest we move to discuss and vote on

1 - the point on the valuation scale at which increases should be set

2 - the number of years over which the increase should be phased in

Having had that discussion, we will move to any amendments needed and then vote on the proposals before us.

If those are defeated, then I will need a proposal as to a different basis of charging and, if this is accepted, officers will need to bring forward new proposals.'

Members noted the request from the Barbican Estate Residents Consultation Committee for additional valuation reports, as they felt that those provided in this report were inadequate; i.e. the comparison to the Dolphin Estate. Although owned by the City of London, which is a Local Authority, the City Surveyor had worked on the basis that the Barbican was more akin to a private development rather than a council estate or social housing and had never been within the Housing Revenue Account. The City Surveyor therefore instructed Kinney and Green to obtain evidence of comparable parking charges for private developments. Members noted that the report from Kinney and Green advised that a value of between £1,750 - £2,250 could be applied to each car space, instead of the current charge of £1,225 pa. The City Surveyor advised that, since Kinney and Green issued their report they had provided the following additional comparables for resident only car spaces (inclusive of service charge) at the following developments:

- **Imperial Wharf**, Townmead Road, Fulham SW6 (600 apartments): Standard cars. £2,200 pa. Car spaces are only offered to residents. There are 600 resident car spaces of which approximately 25% are vacant.
- **St George's Wharf**, Vauxhall SW8 (1,100 apartments): £2,485 pa. Non-residents may lease spaces but at a higher tariff
- **Chelsea Bridge Wharf**, 372 Queenstown Rd, London SW8 (number of apartments not known. Possibly 500+): £2,020 pa. Non-residents may lease spaces but at a higher tariff.

Members felt that these new evaluations were not particularly helpful as the sites were new developments in affluent areas, which also fell outside of the congestion zone area.

During the discussion, in which all Members were invited to comment, the following points were made:

1. The report should be considered alongside other storage charging policy reports. Members noted that they had been scheduled for consideration at this meeting but the planning application was withdrawn for further consultation.
2. Given that substantial capital funds had been generated by the car parks; i.e. the Heron Development, should they have been credited to the car park account?
3. If 25% were to give up their car park spaces, then would this negate the benefit of the higher charges? Some Members felt that the 25% decrease should be taken into consideration as part of the valuations.
4. If charges were below the market rate, then all spaces would be full but this was not the case.
5. There had been a deficit on the car park account for the past 2 years and many spaces were empty and in poor condition. However, the car parks were costing the City of London Corporation £400,000 pa and therefore it was unsustainable.
6. A breakdown of management and supervision charges, including concierge duties had been requested by the RCC.
7. Concern was expressed about the process and not just market options; i.e. the cost of the Consultant.
8. The views of residents had not been taken into consideration and responses to Ward Members had been unprecedented. There were particular concerns about vulnerable and/or disabled residents.
9. Whilst the outcome of the information provided by the valuations was beyond the control of officers, some Members challenged whether the brief to officers had been fully captured in the report. Some Members felt that it had not provided an explanation of the elasticity of demand but it was accepted that this could be difficult to calculate.
10. The decision in December had sought fair value, not to maximise the asset.
11. The possibility of involving other Committees in the decision, which should be wider than just the price; i.e. it should consider alternative uses and 'balancing the books'.
12. If Members could not reach a decision today, then officers could revert to the default position of an RPI linked increase, which would cover the notice period for a price increase and avoid any unnecessary loss of revenue. The Chamberlain advised that the Committee had used RPI in the past but many other Committees now used CPI and therefore recommended CPI going forward.

It was proposed by Randall Anderson, Seconded by Mark Bostock and RESOLVED, that:

1. The car park charges for 2016/17 be increased, in line with CPI, in time for the statutory notice period.

It was proposed by Randall Anderson, Seconded by Jeremy Mayhew and RESOLVED, that:

1. Members receive a further report, in the context of the City's Car parking policy; to include a range of valuations from more comparable developments, a survey of users and study of usage, alternative uses (including storage) and cost allocation (including car park attendants).
2. Members note the earliest stage for the report to come back to the Committee be December 2017 or possibly March 2018; i.e. when storage charges would be due for Review.
3. A Member/Officer working party be established to consider this matter further.

10. **REPAIRS AND MAINTENANCE TO ROOFS/BALCONIES FOLLOWING WATER PENETRATION**

Members received a report of the Director of Community and Children's Services in respect of progress made by the working party in respect of repairs and maintenance to roofs/balconies following water penetration.

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

- All solar reflective paints would be subject to Planning Permission and/or Listed Building Consent.
- The Assistant Director had asked to see the agreements in respect of telecoms masts. Members were assured that electro-magnetic surveys had been conducted for all roofs and the results had been satisfactory.
- Cleaning of rainwater and drainage outlets and gutters was suggested every 4/5 years and a drainage cleaning programme was in place. However, officers advised that rigorous cleaning could cause damage and it was less intrusive to use natural cleaning from the elements.
- A more general programme of maintenance would be agreed with Langleys.
- The Assistant Director would discuss charging with the Working Party and a report would be presented to Members at the next meeting.

RESOLVED, that – the report be noted.

11. ELECTRIC VEHICLE CHARGING POINTS PILOT PROJECT

Members considered a report of the Director of Community and Children's Services in respect of the Electrical Vehicle Charging Points Pilot project. The officer thanked the Working Party and the Chairman, John Tomlinson, who had stepped in at short notice.

RESOLVED, that:

1. The pilot project to install electric vehicle charging points in five of the Barbican Estate car parks be approved.
2. The Terms of Reference for the Electric Vehicle Charging Point Project be approved.

12. SERVICE LEVEL AGREEMENTS QUARTERLY REVIEW (JANUARY - MARCH 2017)

Members received a report of the Director of Community and Children's Services in respect of the Service Level Agreement Quarterly Review for January to March 2017.

RESOLVED – that the report be noted.

13. UPDATE REPORT

Members received the regular update report of the Director of Community and Children's Services. In response to questions, the following points were noted.

- The forecast for car park take up for Blake Tower was based on Frobisher Crescent.
- The concierge service for Blake Tower would be 12 hours a day and outside of these hours - the service would be provided by the Concierge at Bunyan Car Park office.

RESOLVED, That – the report be noted.

14. PROGRESS OF SALES AND LETTINGS

Members received a report of the Director of Community and Children's Services in respect of sales and lettings on the Barbican Estate.

RESOLVED, that – the report be noted.

15. DRAFT MINUTES OF THE RCC MEETING HELD ON 22 MAY 2017

The draft minutes of the meeting of the Barbican Residents Consultation Committee (RCC) held on 22 May 2017 were received.

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

There were no questions.

17. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

Members received a report of the Director of Community and Children's services in respect of the Departmental Business Plan. The report also presented an early draft of the Corporate Plan 2018-23, to give Members an opportunity to provide informal feedback before wider consultation takes place in the autumn with staff, partners and other external stakeholders. Members were invited to contact the Head of Corporate Strategy and Performance if they had any comments.

A Member asked for it to be minuted that Frobisher Crescent had inherited a commercial system for heating and hot water in 2010, with no defining line. As the outcome had been very unsatisfactory, the Member asked for assurance that lessons had been learnt.

18. 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 of business on the grounds that they involve the likely disclosure of exempt information, as defined in Part 1, Schedule 12 (a) of the Local Government Act.

Item No
19-24

Para no
1, 2 and 3

19. NON-PUBLIC MINUTES

The non-public minutes of the meeting held on 13 February 2017 were approved.

20. ARREARS UPDATE

Members received and noted a report of the Director of Community and Children's Services.

21. LEASE RENEWALS

Members considered and approved 2 reports of the Director of Community and Children's Services.

22. DECISIONS TAKEN UNDER DELEGATED AUTHORITY/URGENCY SINCE THE LAST MEETING OF THE COMMITTEE

Members received a report of the Town Clerk

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

There were no questions.

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

There were no items.

The meeting closed at 1.00 pm

Chairman