



Barbican Residential Committee

Date: MONDAY, 11 DECEMBER 2017
Time: 1.45 pm
Venue: COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

Members: Ann Holmes (Chairman)*
Susan Pearson (Deputy Chairman) *
Randall Anderson
Chris Boden*
Mark Bostock
Deputy David Bradshaw
Mary Durcan
Michael Hudson*
Jeremy Mayhew*
Deputy Joyce Nash
Barbara Newman
Graham Packham*
William Pimlott
Stephen Quilter
Deputy John Tomlinson

**non-resident Members*

Enquiries: Julie Mayer
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Lunch will be served in Guildhall Club at 1PM
NB: Part of this meeting could be the subject of audio or video recording

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 5th June 2017.

Members are asked to note that the meeting of the BRC scheduled for 11 September 2017 was inquorate and did not go ahead.

For Decision
(Pages 1 - 10)
4. **ANNUAL REVIEW OF THE COMMITTEE'S TERMS OF REFERENCE**
Report of the Town Clerk.

For Decision
(Pages 11 - 14)
5. **LEASE ENFORCEMENT**
Report of the Director of Community and Children's Services.

For Decision
(Pages 15 - 38)
6. **FIRE SAFETY**
Report of the Director of Community and Children's Services.

For Information
(Pages 39 - 48)
7. **REVENUE AND CAPITAL BUDGETS - LATEST APPROVED BUDGET 2017/18 AND ORIGINAL BUDGET 2018/19 - EXCLUDING DWELLINGS SERVICE CHARGE INCOME AND EXPENDITURE**
Report of the Chamberlain and the Director of Community and Children's Services.

For Decision
(Pages 49 - 60)
8. **SERVICE CHARGE EXPENDITURE AND INCOME ACCOUNT - LATEST APPROVED BUDGET 2017/18 AND ORIGINAL BUDGET 2018/19**
Report of the Chamberlain and Director of Community and Children's Services.

For Decision
(Pages 61 - 68)
9. **GENERAL DATA PROTECTION REGULATIONS 2018**
City Solicitor to be heard.

For Information

10. **UPDATE REPORT**
Report of the Director of Community and Children's Services.
For Information
(Pages 69 - 82)
11. **SERVICE LEVEL AGREEMENTS QUARTERLY REVIEW**
Report of the Director of Community and Children's Services.
For Information
(Pages 83 - 102)
12. **PROGRESS OF SALES AND LETTINGS**
Report of the Director of Community and Children's Services.
For Information
(Pages 103 - 106)
13. **DECISIONS TAKEN UNDER URGENCY/DELEGATED AUTHORITY SINCE THE LAST MEETING**
Report of the Town Clerk.
For Information
(Pages 107 - 108)
14. **MINUTES OF THE MEETING OF THE BARBICAN RESIDENTS' CONSULTATION COMMITTEE (RCC) - TO FOLLOW**
To receive the draft minutes of the Barbican RCC held on 27 November 2017.
15. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
16. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
17. **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(s) on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of the Schedule 12A of the Local Government Act.
For Decision
18. **NON-PUBLIC MINUTES**
To approve the non-public minutes of the meeting held on 5th June 2017.
For Decision
(Pages 109 - 110)
19. **MINUTES OF THE CAR PARK CHARGES WORKING PARTY**
 - To receive the minutes of the meeting held on 20th July 2017.
 - To receive the DRAFT minutes of the meeting held on 22nd November 2017.**For Information**
(Pages 111 - 120)

20. **BARBICAN ARREARS**
Report of the Director of Community and Children's Services.

For Information
(Pages 121 - 126)

21. **COMMERCIAL ARREARS**
Report of the Director of Community and Children's Services.

For Information
(Pages 127 - 132)

22. **BARBICAN WRITE OFFS**
Two reports of the Director of Community and Children's Services.

The report in respect of the higher amount will also be presented to the Finance Committee on 12th December 2017.

For Decision
(Pages 133 - 136)

23. **DECISION TAKEN UNDER DELEGATED AUTHORITY/ URGENCY PROCEDURES
THE LAST MEETING OF THE COMMITTEE**
Report of the Town Clerk.

For Information
(Pages 137 - 138)

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

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

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 striplights 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 and, 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

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Committee: Barbican Residential Committee	Date: 11 th December 2017
Subject: Terms of Reference and Frequency of Meetings of the Barbican Residential Committee	Public
Report of: Town Clerk Report author: Julie Mayer	For Decision

Summary

1. As part of the post-implementation review of the changes made to the Governance Arrangements in 2011, it was agreed that all Committees/Boards should review their terms of reference annually. This will enable any proposed changes to be considered in time for the reappointment of Committees by the Annual Meeting of the Court of Common Council.
2. The terms of reference of the Barbican Residential Committee are attached as an appendix to this report for your consideration.

Recommendations

1. That, subject to any comments, the terms of reference of the Barbican Residential Committee be approved for submission to the Court, as set out in the appendix.
2. The Committee is also asked to consider the frequency of its meetings going forward.

Contact:

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PARMLEY, Mayor	RESOLVED: That the Court of Common Council holden in the Guildhall of the City of London on Thursday 27th April 2017, doth hereby appoint the following Committee until the first meeting of the Court in April, 2018.
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BARBICAN RESIDENTIAL COMMITTEE

1. **Constitution**

A Non-Ward Committee consisting of,

- 11 Members who are non-residents of the Barbican Estate elected by the Court of Common Council, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment
- three Members nominated by each of the following Wards:-
 - Aldersgate
 - Cripplegate Within
 - Cripplegate Without
- the Chairman or Deputy Chairman of the Community & Children's Services Committee (ex-officio)

The Chairman and Deputy Chairman of the Committee shall be elected from the Members who are non-residents of the Barbican Estate.

2. **Quorum**

The quorum consists of any four Members who are non-residents of the Barbican Estate.

3. **Membership 2017/18**

Non-Residents:-

- 5 (4) Ann Holmes
- 6 (3) Jeremy Paul Mayhew
- 9 (2) Michael Hudson
- 2 (2) Clare James, Deputy
- 1 (1) Adrian Mark Bastow
- 5 (1) Christopher Paul Boden
- 1 (1) Susan Jane Pearson
- Vacancy
- Vacancy
- Vacancy
- Vacancy

Residents:-

Nominations by the Wards of Aldersgate and Cripplegate (Within and Without), each for the appointment of three Members

Aldersgate

Randall Keith Anderson
Joyce Carruthers Nash, O.B.E., Deputy
Barbara Patricia Newman, C.B.E.

Cripplegate

Mark Bostock (Cripplegate Without)
David John Bradshaw, Deputy (Cripplegate Within)
William Pimlott (Cripplegate Within)
Joan Mary Durcan (Cripplegate Without)
John Tomlinson, Deputy (Cripplegate Without)
Stephen Douglas Quilter (Cripplegate Without)

together with the ex-officio Members referred to in paragraph 1 above.

4. **Terms of Reference**

To be responsible for:-

- (a) the management of all completed residential premises and ancillary accommodation on the Barbican Estate, e.g. the commercial premises, launderette, car parks, baggage stores, etc. (and, in fulfilling those purposes, to have regard to any representations made to it by the Barbican Estate Residents' Consultation Committee);
- (b) the disposal of interests in the Barbican Estate pursuant to such policies as are from time to time laid down by the Court of Common Council.

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Committee(s)	Dated:
Barbican Residential Consultation Committee Barbican Residential Committee	27 November 2017 11 December 2017
Subject: Lease Enforcements	Public
Report of: Director of Community & Children's Services	For Decision
Report author: Paul Murtagh Assistant Director Barbican & Property Services	

Summary

The purpose of this report is to raise with Members the issue of lease enforcements for residents on the Barbican Estate and to seek approval from the Committee on how best to take this matter forward.

Recommendations

The Committee is asked to:

1. Consider and discuss the issue of lease enforcements for residents on the Barbican Estate, particularly those specific provisions in the lease outlined in this report.
2. To consider the options outlined in this report on how to proceed with lease enforcements and to agree and approve a preferred option to ensure a consistent and transparent approach that gives officers a formal basis on which to assess individual issues and make decisions.
3. Agree that a further report be brought back to this Committee with officers' proposals for a protocol for the implementation of the Members preferred option for dealing with lease enforcements.

Main Report

Background

1. When signing their lease, leaseholders on the Barbican Estate, as with any other leaseholders, are naturally bound by the specific clauses and conditions contained in the lease. A failure to comply with the conditions of the lease is considered a 'breach' of lease and gives rise to appropriate enforcement action.
2. Whilst the conditions of the lease for residents on the Barbican Estate are explicit, historically, with regard to a number of covenants in the lease, the City has adopted a 'soft' approach to enforcement. The three particular covenants in this case relate to the following:

- Installation of wooden floors;
- Animals;
- Short-term holiday lets.

Installation of wooden floors

3. The installation of wooden floors is not dealt with specifically or explicitly by the Barbican leases. The relevant clauses of the lease that preclude the installation of wooden floors are:
 - Clause 4.5(e) – (the tenant must) “carpet all floors in the premises from wall to wall”;
 - Clause 4.6(e) – (the tenant must not) “insert or drive nails or screws or sink plugs or make any fixing whatsoever to the floors of the premises”.
4. As part of the ‘Landlord’s Approval for Alterations’ letter to leaseholders who have made an application to the City (the landlord) for alterations in their home, leaseholders are reminded that **“The lease for Barbican Estate properties states all floors (except the original kitchen, bathroom and WC) will be carpeted”**. The standard template for the ‘Landlord’s Approval for Alterations’ letter is attached at Appendix ‘A’ to this report.
5. In addition to the above, the Barbican Estate Office (BEO) sends out reminders of the requirement that all floors must be carpeted by way of its regular bulletins. This message is consistently given out to leaseholders by staff when they contact the BEO to discuss alterations and improvements.
6. The use and installation of wooden floors has become increasingly popular in modern homes and, although contrary to the terms of the lease, it is commonly understood that a significant number of residents on the Barbican Estate have installed wooden floors in their homes.
7. Whilst it is true to say that residents who have fitted wooden floors in their homes have done so without the permission of the landlord (the City), it is also true to say that the City has, historically, taken a ‘soft’ approach to enforcing the conditions of the lease (or not as the case may be) in this regard. One of the likely reasons for this is the potential scale of the problem given the significant number of Barbican residents who have, without permission, installed wooden floors in their homes.
8. It is clear from the records that we have and from the experience of longer serving members of staff that the City has only tended to take action against residents who have had wooden floors installed if there is evidence that they are causing a nuisance. Whilst it would seem that this is a reasonable and pragmatic approach that has remained unchallenged for some time, from a legal perspective, it has left the City somewhat exposed.
9. Up until now, in general terms, there appears to have been some inconsistency with the way the City has dealt with this matter even, allowing for the ‘soft’ approach that has been taken. In some cases, for example, in order to be

satisfied that there is a noise nuisance, the City has required evidence in the form of noise monitoring logs and witness statements before taking action. In other cases, action has been taken without any such evidence.

10. We have recently been dealing with a complaint from a Barbican resident relating directly to the installation of wooden floors in the property above. In this particular case, the resident has taken up a formal complaint against the City for non-enforcement of the condition of the lease. The resident has made it very clear that this is not a matter of judgement and he does not accept that it is necessary for him to demonstrate that the wooden floors are causing a nuisance. Although arguing that his family suffer noise nuisance as a result of the wooden floor above, the primary issue for the resident is that the City is not enforcing the conditions of the lease. The resident has now exhausted the City's formal Complaints Process and escalated the matter to the Housing Ombudsman.
11. The advice of the City solicitor is that the long leaseholder who has installed the wooden floor is clearly in breach of the lease specifically, Clause 4 (5) (e), which is the requirement to carpet wall to wall. As such, the City may, if it chooses to do so, issue a Section 146 Notice requiring the leaseholder to remedy the breach within a reasonable time. If the leaseholder does not do so, the City would be able to issue a court claim for the forfeiture of the lease. It is however highly unlikely that the court would forfeit the lease but would, instead, make an order for 'relief from forfeiture on terms' – the terms being that the leaseholder removes the wooden flooring and installs carpets within a certain period of time.

Animals

12. The keeping of animals is dealt with specifically and explicitly by the Barbican lease under Clause 6 of the Sixth Schedule which states that **“the tenant will not keep or suffer to be kept any animal or bird on the premises”**.
13. In a similar way to the issue of wooden floors, the City has for some time taken a 'soft' approach to enforcing the conditions of the lease in this regard. It is again clear from the records that we have and from the experience of longer serving members of staff that the City has only tended to take action against residents who are keeping animals if there is evidence that the animals are causing a nuisance.

Short-term holiday lets

14. The issue of short-term holiday lets is not dealt with specifically or explicitly by the Barbican leases. The City's powers as landlord is included in Clause 4(8) of the standard Barbican long lease which requires tenants to observe the covenants and restrictions in the Sixth Schedule to the lease. The following Sixth Schedule restrictions are relevant to short-term subletting:
 - **“The tenant will not do or allow to be done in or on the premises anything whereby any insurance by the Corporation of the premises or the Building or any part thereof (or any property for the time being owned by the Corporation) may be vitiated or prejudiced nor without the**

consent of the Corporation do or allow to be done anything whereby any additional premium may become payable for the insurance of the premises or the Building or any such other property”.

- **“The tenant will not do or permit or suffer to be done in or upon the premises or any part thereof anything of an illegal or immoral nature or any act matter or thing which in the opinion of the Corporation may be or grow to be or become a danger nuisance or an annoyance to or to the prejudice of the Corporation its tenants or lessees or to the owners lessees or occupiers for the time being of any premises in the neighbourhood”.**
- **“The tenant will not carry on or suffer to be carried on upon the premises any manufacture trade or business whatsoever but will use the premises as a private dwelling in the occupation of one individual only and his or her immediate family. (The City would argue that the use of short-term holiday letting websites is a clear breach of the letter and spirit of this clause. In the event that a court disagreed, the City would look to enforce other Schedule 6 restrictions)”.**

15. The issue of short-term holiday lets has been considered in detail previously by the Barbican Residential Committee (BRC). At its meeting on 14 September 2015, the BRC considered a detailed report on the issue of short-term lets and subsequently approved and endorsed a comprehensive enforcement process. A copy of this report is attached at Appendix ‘B’.
16. This enforcement process has been in place for nearly two years now and seems to have been successful. The issue of short-term holiday lets is now monitored as part of the SLA and forms part of the Key Performance Indicators (KPI’s) that are reported to the BRC on a regular basis.

Conclusions

17. The recent formal complaint relating to the installation of wooden floors has raised concerns with the approach that the City has taken in the past in relation to enforcing the particular conditions of the lease. In the absence of any form of written policy or procedure, the ‘soft’ approach that the City has taken in the past has been called into question and Officers have struggled with being able to justify why the conditions of the lease are not enforced at all times.
18. Whilst it does appear that the City is legally able to decide whether or not to instigate enforcement action for a breach of lease, other than custom and practice, there appears to be no formal process, procedure or policy that sets out how the City will deal with known breaches of lease and the criteria for deciding whether or not to commence enforcement action.
19. Clearly, this is a potentially difficult and sensitive issue particularly, in relation to the installation of wooden floors and the number of Barbican residents who have installed them. It is however important that Members debate this matter and issue clear guidance and instruction to Officers on how to deal with lease enforcements

in future to ensure a consistent and transparent approach and to give officers a formal basis on which to assess individual issues and make decisions.

20. With specific regard to 'short-term holiday lets', it is generally accepted that this matter has been dealt with previously by the BRC and the enforcement process, which has been in place for nearly two years now, has been successful. It is therefore suggested that there is no need for the BRC to consider this matter further at this stage.

Consultation

21. At its meeting on 4 September, the Barbican Residential Consultation Committee (RCC) considered this report and a number of members offered their views on the issue of lease enforcements and the approach that the Corporation should take going forward. All but one of the residents who took part in the discussion spoke in favour of a strict implementation of the lease.
22. Unfortunately, due to a procedural matter, the meeting of the Barbican Residential Committee (BRC) scheduled for 11 September was cancelled. In the absence of this meeting, BRC members were asked to consider the report and submit their views, comments and preferences to the Town Clerk for consideration.
23. It was subsequently agreed that the consultation period for this report would be extended to 9 October to allow consideration by members of the RCC and the BRC and their wider membership including, for example, relevant individual Barbican House Groups.
24. A significant number of responses were received through the consultation process and a collation of all the responses received is included at Appendix 'C' to this report. All the responses received have been considered in the preparation of this report.

Options

Option 1 – Strict Enforcement of the Lease for all Future Cases

25. Under this option, going forward, it is agreed that the Corporation will strictly enforce the relevant clauses in the lease for all future cases brought to its attention.
26. For the avoidance of doubt, if this option is agreed, the Corporation will take no retrospective enforcement action against residents who have, for example, previously installed wooden floors with or without the knowledge of the Corporation.

Option 2 – Formal Adoption of Current Practice for all Future Cases

27. Under this option, the Corporation will effectively decide to use its discretion in enforcing the various restrictive clauses within the lease, endorsing the current 'soft' approach of only taking enforcement action against residents who have 'breached' a particular covenant in the lease and such a breach is causing a 'nuisance' to adjacent residents.
28. Under this particular option, there will be no requirement for the 'affected' party to have to demonstrate to the Corporation that the 'breach' is causing a nuisance. In the case of wooden floors, for example, there will be no requirement for the affected party to complete and submit 'noise monitoring sheets' as has been the case previously.

Option 3 – Strict Enforcement of the Lease in all Cases

29. Under this option, it is agreed that the Corporation will strictly enforce the relevant clauses in the lease for all cases, past, present and future, that are brought to its attention.
30. For the avoidance of doubt, if this option is agreed, the Corporation will take retrospective enforcement action against residents who have, for example, previously installed wooden floors with or without the knowledge of the Corporation.

Other Considerations

Resources

31. Depending on which of the three options members decide upon, there could be significant additional resource implications for the Barbican Estate Office (BEO).
32. Whilst it is understood that the BEO will not be expected to actively 'police' the enforcement of the various covenants in the lease, there will likely be an increased volume of work arising from any of the decisions made by members. This will need to be given careful consideration when further work is done on developing processes and procedures to deliver members preferred option.

Appendices

Appendix 'A' - 'Landlord's Approval for Alterations' Letter

Appendix 'B' - Lease Enforcement Issues Report BRC – 14 September 2015

Appendix 'C' – Consultation Responses

Paul Murtagh, Assistant Director, Barbican & Property Services

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APPENDIX A

Department of Community and Children's Services

Paul Murtagh BSc (Hons), MRICS

Assistant Director, Barbican & Property Services



x
Barbican
EC2Y

Telephone 020 7332 3019

Fax 020 7332 3438

Email

steven.murray@cityoflondon.gov.uk

Date As issued

Dear x

Landlords Approval for alterations / refurbishment x as proposed in your letter and plans.

Thank you for the letter you have submitted outlining the proposed alterations to your home

Please ensure you return your completion statement (in the Standard Conditions document) to the Barbican Estate Office within one week of your alterations being completed. Failure to do so may invalidate your landlord's approval as we may wish to complete a post works inspection.

Could you please ensure your contractor and supply chain are fully aware of the contents of this documentation.

If you intend working on the ventilation system would you please contact our Barbican Engineers on 0207 029 3909 to discuss all matters concerning the ventilation system before any alterations are started. We will also need to complete a post works inspection on completion of these works.

If you intend to work on the Garchey would you please contact Mr Paul Gough, The Garchey Manager on 0207 029 3978 prior to the work starting. We will also need to complete a post works inspection on completion of these works.

I would also like to draw your attention to the following points which may relate to your proposal:

- All electrical and plumbing works must conform to the current editions of the Institute of Electrical Engineers Regulations and the Water Supply Regulations. For your electrical work, it would be advisable to use an electrician who is registered with a competent person scheme such as NICEIC or another recognised organisation as they will be able to self-certificate any work completed; certification is required to complete a successful approval. Further information can be obtained at the District Surveyors website www.cityoflondon.gov.uk/buildingcontrol. The Barbican Estate Office must approve any alterations to Common electrical and plumbing services.



- Please be aware of a couple of areas that are not permitted and or require special attention: It is not permitted to use or connect to the existing floor drain.
- Any alterations carried out in the riser duct should be replaced with existing materials, e.g. copper or cast iron for drainage.
- It is not acceptable to cut holes or chases or carry out any alterations to structural concrete or external window/door frames.
- Your attention is drawn for the need to maintain access to all existing service ducts/plant rooms and any services within the property. We also draw your attention to maintain the fire integrity to all areas within your property which also forms part of the fire integrity to the block.
- The lease for Barbican Estate properties states all floors (except the original kitchen, bathroom and WC) will be carpeted.
- It is the responsibility of the owner to ensure that all rubbish is removed from the estate in accordance with current regulations.
- I would draw your attention to the possible presence of asbestos and remind you of the advice given within the standard conditions for alterations to properties on the Barbican Estate.
- This approval is subject to the agreement of the Planning Department for Planning Regulations and Grade 2 listed Building Consent. The District Surveyor for Building Regulations and Building Control. Failure to obtain these agreements may result in the Landlords approval being invalidated.

Once the contents of this document are fully compliant, the Landlord, the City Corporation of London, would have no objection to the proposed works as summarised below being completed. It is your responsibility to keep a copy of this permission.

Summary of works: Proposed alterations / refurbishment x, as proposed within your letter and plans.

Yours sincerely

S. Murray

Steven Murray
Surveyor
Property Services

APPENDIX B	
Residents Consultation Committee – For Information Barbican Residential Committee – For Information	7 September 2015 14 September 2015
Subject: Lease Enforcement Issues – short-term holiday lets	Public
Report of: Director of Community and Children’s Services	For Information

Summary

At its meeting in June the Barbican Residential Committee asked that an update be provided setting out the position in respect of short-term letting following changes in legislation. This report sets 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 will be taking forward.

Recommendation

Officers will be taking forward the proposals as outlined in paragraph 15 of this report.

Members are asked to:

- Note the report and endorse the approach and proposals as set out in paragraph 15 of this report.

Main Report

Background

1. Previously if leaseholders wanted to short let flats in the Barbican for periods of less than 90 days, planning permission would be required. The reason for this was that the use as temporary sleeping accommodation of any residential premises in Greater London required a material change of use of the premises.
2. This was a London wide Planning stipulation rather than a lease issue. When the BEO became aware that a leaseholder was letting their flat out for a period of less than 90 days, they would make contact and advise them that they were in breach of the City of London’s Planning Policy.
3. In 2014 the Department of Communities and Local Government’s ‘*Review of Property Conditions in the Private Rented Sector*’, sought to scrap current

legislation whereby Londoners need to seek planning permission if they wanted to rent out their homes for any period less than three months. This matter was open for consultation and the City responded to the Government consultation.

4. The City objected to the proposed loss of local planning control in London over change of use from permanent housing to short-term lets (temporary sleeping accommodation). This was consistent with the City's policy position in the City Local Plan, where it states that; *'such changes would not normally be permitted within residential areas where it could result in poor residential amenity including excessive noise or disturbance'*. The results of a Barbican residents' survey and their clear majority against the proposed change, formed part of the response.

Current Position

5. In May 2015 S. 44 of the Deregulation Act 2015 inserted a new section into the Greater London Council (General Powers) Act 1973. This provided that use as temporary sleeping accommodation of residential premises in Greater London does not constitute change of use (for which planning consent is required) as long as (1) the number of nights use and (2) the number of nights of any previous use of the same premises as temporary sleeping accommodation in the same calendar year doesn't exceed 90 nights. Also that the person who provided the accommodation is liable to pay Council tax.
6. The City as local planning authority can ask the Secretary of State to agree to localised exemptions from the right to sublet short-term, in order to protect the amenity of the locality. The City's position is as follows:
 - *"Government statements have made it clear that such exemptions would only be allowed where there is a history of amenity issues and would not be appropriate in anticipation of such issues. It has also been stated that local exemptions might be relevant to particular problem dwellings and would not normally be applicable to whole estates or larger areas. There does not currently seem to be historic evidence that short-term lets have led to amenity issues in the Barbican and there seems to be no reason to suppose that the Barbican is sufficiently different to justify a local exemption. Therefore there is no intention at this stage for the local planning authority to seek a local exemption for any parts of the Barbican."*
7. Therefore, provided the criteria at paragraph 5 are met, and in the absence of the (unlikely) consent of the Secretary of State, the City as local planning authority lacks the power to prevent the use of residential flats at the Barbican for short lets.
8. The City's powers as landlord is included in Clause 4(8) of the standard Barbican long lease which requires tenants to observe the covenants and restrictions in the Sixth Schedule to the lease. The following Sixth Schedule restrictions are relevant to short-term subletting:

- *The tenant will not do or allow to be done in or on the premises anything whereby any insurance by the Corporation of the premises or the Building or any part thereof (or any property for the time being owned by the Corporation) may be vitiated or prejudiced nor without the consent of the Corporation do or allow to be done anything whereby any additional premium may become payable for the insurance of the premises or the Building or any such other property*
 - *The tenant will not do or permit or suffer to be done in or upon the premises or any part thereof anything of an illegal or immoral nature or any act matter or thing which in the opinion of the Corporation may be or grow to be or become a danger nuisance or an annoyance to or to the prejudice of the Corporation its tenants or lessees or to the owners lessees or occupiers for the time being of any premises in the neighbourhood*
 - *The tenant will not carry on or suffer to be carried on upon the premises any manufacture trade or business whatsoever but will use the premises as a private dwelling in the occupation of one individual only and his or her immediate family. (The City would argue that the use of short-term holiday letting websites is a clear breach of the letter and spirit of this clause. In the event that a court disagreed, the City would look to enforce other Schedule 6 restrictions).*
9. Following the legal advice above the BEO have set up a three stage enforcement process in dealing with short-term lettings:
- Stage 1 - writing to all leaseholders (including absentee landlords) in June 2015 to make them aware of a number of lease provisions including those related to short-term lettings
 - Stage 2 - writing to the leaseholder advising them that, subject to the detail of any evidence, they are in breach of the covenants set out above and asking that the breaches are remedied within 7 days
 - Stage 3 - if the breaches are not remedied to the satisfaction of the BEO then the Comptroller & City Solicitor be instructed to serve a Section 146 forfeiture notice on the leaseholder whereby they will be required to remedy the breaches or face forfeiture proceedings. This stage will occur where further instances of subletting are identified, subject to the detail of the evidence.
10. The BEO and the RCC presented a workshop in July 2015 for RCC members or their representatives. A representative from each block was encouraged to attend and there were 13 attendees.
11. The notes of the workshop were circulated to RCC members for comment in July and are included in Appendix 1.
12. Some of the general comments from the workshop about defining the problems were that :

- many of the problems already exist when standard sublets are badly managed or problematic, but that short-term lets could intensify these kinds of issues
- there were very few specific examples that residents were aware of where short-term letting had caused problems or that short-term letting was taking place
- in practice it would be difficult for any resident to differentiate between a normal subletting and a short-term holiday let, or even residents lending their flats, and short-term holiday lets. It was felt that any interventions must respect resident's rights to sublet normally, or to allow friends and relatives to borrow their flats
- some of the concerns raised over short-term lets, such as unintended disturbance to residents through lack of familiarity, security (especially tailgating) could also arise from both standard sublets and friends borrowing flats

Options

13. Some of the general comments from the workshop concerning resolving the issues were that:

- residents talking to visitors could promote two useful objectives – it could ensure visitors were familiar with the Barbican, block security etc. and less likely to cause disturbance or annoyance inadvertently, and second, it could provide evidence that a flat was being sublet repeatedly
- there were differing views on whether the policy and guidance from the BEO should be zero tolerance on all short-term lets, or to focus on avoiding nuisance from problems arising from excess – either flats given over to continual year-round short-term lets, or where there was a poor record of problems from a particular flat
- landlords who decide to let their flats year-round on short-term lets were considered the most serious problem, and it may also be easier to enforce against them as continuous short-term letting was not allowed in the recent legislative change either
- a long-leaseholder who has sublet their flat may not be aware that their tenants are subletting for weekends etc through holiday websites – the BEO could make landlords aware of this and suggest landlords specifically prohibit this
- House Groups could provide a useful point of contact for House Officers to approach if problems had been reported, but there was not enough information to act

14. Based on the comments in paragraph 13 and from the workshop there are a number of options for the BEO which include:

- further regular letters to leaseholders (as some may not be aware that tenants are subletting to short-term holiday let sites)
- regular email broadcasts to residents asking them to share evidence with the BEO
- regular contact with House Groups to share information and if necessary help to share evidence with the BEO
- produce '10 reasons to not rent your flat out for the weekend' document for residents including invalidating their insurance (both private contents and landlord buildings) , fire safety (increasing risks associated with people using appliances in an unfamiliar environment, risks of possible flooding flats below not being covered by insurance, security of the building
- briefing sessions with the front line staff eg Estate Concierge/Lobby Porters with guidance on dealing with potential issues from residents and visitors (security, keys) and sharing information with the BEO
- monitoring websites for potential regular reported repeat offenders
- more intensive monitoring of websites with investigations to attempt to identify flats (websites do not identify flats until members have made payment and the arrangements for keys. Therefore this is not an option)
- patrolling of resident balconies to attempt to identify flats from website photograph information (resource intensive and an invasion of residents privacy. Therefore this is not an option)
- patrolling the Estate and making investigations to attempt to identify visitors who may be staying on a short-term holiday let (resource intensive and difficult to differentiate between a normal subletting or even between residents lending their flats to friends and a short-term holiday let. Any interventions must respect residents' rights to sub-let normally or allow friends and relatives to 'borrow' their flats. Therefore this is not an option)

Proposals

15. Officers have started to progress the following measures (see appendix 2) :

- regular letters to leaseholders outlined as stage 1 of the 3 stage enforcement process in paragraph 9 (as some may not be aware that their tenants are subletting to short-term holiday let sites). This is followed by stages 2 and 3 as appropriate as detailed in paragraph 9.
- regular email broadcasts to residents asking them to share evidence with the BEO (there may be resource implications for the BEO)

- regular contact with House Groups to share information and if necessary help to share evidence with the BEO
- produce '10 reasons to not rent your flat out for the weekend' document for residents
- briefing sessions and guidance for frontline staff
- monitoring websites for potential regular reported repeat offenders

Implications

16. The City as local planning authority lacks the power to prevent the use of residential flats at the Barbican for short lets. However, the City retains powers as landlord under the terms of the standard lease to forfeit the lease for specified breaches, subject to the available evidence.

Conclusion

17. The recent changes in legislation have resulted in a number of issues and concerns surrounding short-term letting. Officers recognise the real concerns put forward by residents and have been robust in seeking to address this issue.

18. A number of measures have already been progressed following legal advice and the RCC workshop (see appendix 2) but Officers can only take legal action where lease provisions have been breached. However when any leaseholder is found to be in breach of these conditions action has and will be pursued rigorously.

19. In conclusion the workshop commented that there were very few specific examples that residents were aware of where short-term letting had caused problems or that short-term letting was taking place.

Appendices

- Appendix 1 – RCC Workshop for dealing with short-term holiday lets – Notes
- Appendix 2 – Lease enforcement short-term holiday lets action update

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	<p align="center">Lease Enforcement September 2017 report Comments from Residents Consultation Committee (RCC members/House Group Committees) & Barbican Residential Committee Members - October 2017</p>
1	<p>I do not think it is possible to start any logical analysis of interpretation of the terms of the various matters addressed in the Lease Agreements from a position of partial acknowledgement of their content, since this is shaky ground indeed.</p> <p>Surely the CoL should start from a position of absolute compliance? This is particularly important given the strict manner in which compliance with short-term lets has been handled. It's not appropriate to deal differently with other clauses in the Lease agreements, and such a position would be hard to justify in any Court action.</p> <p>That a blind eye has been turned in the past both by residents and by the CoL to wooden floors is clearly unfortunate, but fault lies more with the residents involved who must clearly have understood they were violating their leases and were prepared to take the risk so generated. Since they have not informed the CoL of their intentions (in most cases I believe this is so?) I cannot see that any fault lies with the City.</p> <p>If the City gave permission to any individual Lessee, thus themselves violating the Lease agreements, that is a different matter - but that still does not mean that carpeting should not now be required throughout the Estate, as stated in the Leases.</p> <p>The lesson (this is like School!) is that rules are there to be obeyed.....!!!! A simple requirement to implement the Lease agreements in full will save a lot of trouble and confusion in the long-term, even if it generates some emotion during its implementation.</p>
2	<p>WOODEN FLOORS - It was thought that custom and practice was the BEO not enforcing carpets unless there were complaints from neighbours. It was also thought that many people had them installed for health reasons.</p> <p>The number of wooden floors in existence would make enforcement now very difficult. It's a fashion and will pass.</p> <p>KEEPING PETS - All were in favour of a ban on all pets. It being particularly inappropriate to have dogs. Much of the high walk is not washed by rain and is in danger of becoming smelly with dog's urine.</p>

	<p>SHORT LETS - All of the view that short lets (Air B & B in particular) should not be permitted: security and potential nuisance being the major reasons.</p>
3	<p>Comments from one House Group Committee</p> <p>It probably will not surprise you to learn that there are widely differing views on the issues raised in the paper. On the one hand, there is the view that the City should do its utmost to enforce the lease in the areas of pets, wooden flooring and short -term lets. Residents state that it was, in part, these lease provisions which attracted them to become long -lease holders on the Estate, and they dislike the onus being put on individuals to report on, and prove the impact of, someone else's breach.</p> <p>On the other hand, other residents argue that the City should maintain the status quo. They consider that the current arrangements work well and contribute to living in a concerned and cooperative community. These lease conditions should be regarded as a safeguard, and the guiding principle should be whether a nuisance has occurred. It is suggested that the current low level of oversight is appropriate and to do more would be expensive, over-intrusive and unnecessary.</p> <p>Some residents have also raised the planting of window boxes in the context of lease provision (e.g. although lack of planting cannot be classified as a nuisance, its enforcement would enhance the appearance of the Estate).</p> <p>Original comment from House Group Chairman prior to extension of consultation period.</p> <p>My first obvious point is that there should have been time to consult within the House on this issue - it directly affects all leaseholders and many would have had a view. This should be made clear to the Barbican Residential Committee, which may decide that there is scope to consult further.</p> <p>My own view is that I agree with much of what XXXXX has said and do not wish to repeat those points. However, we are where we are and I imagine it would now be very difficult for the Estate Office to require existing wooden floors to be covered and pets to be removed if they are causing no nuisance and no other resident has complained.</p> <p>What is needed above all is clear and consistent policies. If it is decided to take a "stronger" line on aspects of lease enforcement and that is made clear to existing and new leaseholders, residents would at least know where they stood and the volume of pets and wooden floors would gradually diminish.</p> <p>My final point is whether, if there were to be a review of lease enforcement, other aspects of the lease might need to be highlighted, e.g. the planting of</p>

window boxes. How much better the Estate would look if there were fewer empty ones.

Individual comment to House Group Committee.

I do appreciate that current BEO officers find themselves in a difficult position because of the deliberately ‘soft’, but also inconsistent, approach that has been taken in the past to lease enforcement re wooden floors and pets. As was said at the meeting, once enforcement becomes a matter of an individual officer’s personal judgement on whether or not a lease infringement is causing a nuisance, the whole system is undermined - and difficult to restore.

That said, I feel strongly that very many residents have signed up to the long leases with enthusiasm and with the intention of abiding by them. When we bought our flat one of the selling points for us was that there were clauses in the lease that offered clear protection against a range of potential nuisances - especially noise nuisance. People who live as closely together as we do here do need to be mindful of their impact on their neighbours – but sometimes this needs enforcement and it seemed to us excellent to have a system in place that guaranteed this.

The terms of the lease as regards various aspects of noise nuisance – and also pets - seemed to us to be eminently sensible. While some of the walls between flats are thick and provide good sound insulation, we all know that noise such as weekend drilling – or the pounding of tiny feet on a wood floor can reverberate through our rigid concrete structure up, down and across many floors. Re pets, while many may cause no significant problem, if the quiet ones are tacitly allowed the argument against people having ever more noisy or disruptive animals like dogs must become difficult to sustain.

Individual comment to House Group Committee.

It is a disappointment that enforcement has been let slip. I feel strongly that it should not be left up to individual leaseholders to take responsibility for bringing complaints against their neighbours simply to ensure that the legal provisions of Barbican leases are enforced by the BEO. This must inevitably lead to bad feeling – with the victim of the nuisance being put in a difficult and potentially unpleasant situation. While it is fine to ask a neighbour to turn down their television, reporting and requiring them to replace or cover expensively new flooring is on a different scale.

Individual comment to House Group Committee.

On all three areas: carpeting, no pets and no short-term letting I am in favour of the Corporation doing its utmost to enforce through the lease the obligations which we as long-term leaseholder have to the Corporation and which we

	<p>(should) benefit from the Corporation in turn enforcing everyone to adhere to. In particular one of my reasons for choosing to purchase a flat in the Barbican was the quiet and beautiful environment which was partly the lack of pets (and I was specific about this as I moved from the Golden Lane Estate where small caged birds were allowed) and security given the framework for permissible sub-letting. As to carpets I was buying on the top-floor of Thomas More House, but I have always felt that in return for me remaining in compliance with my lease, the Corporation would enforce all the terms. What I dislike is for the onus on me to have to prove the impact on me of someone else's breach of the lease before the Corporation will act. It should be for the Corporation to ensure that the provisions in the lease are upheld, and thus meet their obligation to provide me with quiet enjoyment.</p> <p>Specifically as to AirBnB, it will be possible in some cases for the Corporation to request AirBnB to take a down a listing of a Barbican flat (once brought to the Corporation's attention) without visual inspection; photographs on the AirBnB site could contain features which are unequivocally from Barbican flats, so the suggestion this can only be done by visual checking from balconies in not correct.</p> <p>Individual comment to House Group Committee.</p> <p>I am in favour of retaining present prohibitions as, I suspect are most. My impression is that the great majority of residents obey the rules; a few don't. Thus I am not in favour of regular inspections which, in my view, would be expensive and over-intrusive. I am in favour of low-level regulation (i.e. In response to a complaint) which, I believe, is the present status quo.</p> <p>I know a number of House Members have contacted you individually but as I have also received/been copied into a number of comments I considered I should compile a House reply.</p>
4	<p>We agreed fully with the enforcement of lease terms and actions in respect of holiday lettings and pets.</p> <p>We feel that across Lauderdale Tower residents the issue of wooden flooring is more divisive. However, we all support the enforcement of conditions where inadequate flooring has been installed.</p>
5	<p>Why have terms in a lease if they are not to be followed? I note that even the Comptroller has not been able to give an opinion as to exceptions that can be made.</p> <p>Officers have been put in an invidious position since one Officer some years ago gave the go ahead for a resident to install a wooden floor.</p>

	<p>Either abide the terms or insert where exceptions can be made on each of the sections under discussion.</p>
6	<p>Short Term Lets: For me this is straightforward - we should take a zero tolerance approach because of the disruption to residents and the insurance implications. Also it's illegal if this is happening for more than 90 days per year.</p> <p>Pets: consider on a case by case basis and allow as long as strictly no disruption to other residents occurs - if this happens insist the pet is removed. The reason I take this stance is some people particularly if they are elderly derive a great deal of benefit and pleasure from pet ownership and this need not cause a nuisance to other residents.</p> <p>Wooden floors: allow this as the only downside is if people are inconsiderate and clomp around in stiletto heeled shoes or drag chairs across floors causing noise disturbance in flats underneath. There are obvious health benefits over carpets particularly for people with serious dust allergies.</p> <p>I realise the legal experts may take a different view on the latter two but particularly with the wooden floors it appears that we have set a precedent anyway and I don't know what the implications would be if we instituted legal proceedings.</p>
7	<p>I think the short term let policy is working reasonably well. We still have a couple ads on AirBnB that extoll the convenience of picking up the keys from the car park attendants. But, in general, the efforts seem to be keeping this reasonably in check.</p> <p>The pet policy also seems to be working reasonably well. My understanding is that complaints lead to fairly robust action. We may want to be a bit stronger in our explanation to new residents but I don't think any substantial policy change is required.</p> <p>On wooden floors I believe we have missed the mark. If the tenant below complains that should be sufficient to require compliance with the no wooden floor policy. In my mind, this would not require removal of the wood floor but would require covering it with a carpet. I do not believe a resident who reports being disturbed by a wooden floor should have to prove disturbance. People who put in wooden floors did so with full knowledge they were not permitted and it is not unreasonable to require abatement of the nuisance caused.</p>
8	<p>This has been shared with the Speed House distribution list and the overall feedback I have received from residents is that the BEO should seek to enforce the terms of the lease.</p>

	<p>To provide a little more detail, let me turn to the three elements of the lease highlighted in the report.</p> <p>Firstly, residents felt most strongly that Short Term Lettings were inappropriate for the Barbican and that the lease should be enforced.</p> <p>Similarly, the enforcement of the 'no pets' clause in the lease was approved by a clear majority.</p> <p>Wooden floors proved to be the most contentious topic. Half the respondents were in favour of enforcement, some were against enforcement, and some considered that a well-installed modern wooden floor could be as good as carpet in terms of sound-proofing. However, residents in the latter group felt that if wooden floors are to be permitted the BEO must set standards for high-quality sound insulation that residents must follow so that their neighbours are not affected by noise - over and above that from carpet plus underlay - once the wooden floor is laid. Without such standards there was a clear preference for enforcement of the carpets-only (excepting kitchen and bathroom per the report) clause.</p> <p>For the avoidance of doubt, I would highlight that just 9% of Speed House residents responded to the survey - despite an email to those on my list and a hard copy note to those who are not.</p> <p>As such, this response rate is on the low side for unsolicited surveys (usually 10-15%) ... but I hope that combined with feedback from other house groups across the estate it will be helpful.</p> <p>If the response rates across the estate remain poor, perhaps a 'survey monkey' survey from the BEO might solicit more feedback if that has proved to be successful in the past.</p>
9	<p>We find that there are differing views within the committee regarding the lease enforcement proposals. Some committee members support strict enforcement of the lease conditions regarding wooden floors and regarding pets ('rules are rules'); others favour a more tolerant enforcement of these conditions ('enforce only if there are complaints').</p> <p>Nevertheless we find two points on which all committee members agree:</p> <ul style="list-style-type: none"> - we are all in favour of strict enforcement of conditions that involve safety and security (particularly those conditions prohibiting short term leases); - we are all worried that a rigorous enforcement policy would lead to significant enforcement costs that we foresee being passed on to residents.

	<p>We have not canvassed opinion across Gilbert House but we are certain that there will be a divergence of views there as well, and we believe that it will be difficult for us as a committee to represent in a simple manner the full range of views held by all our residents. We believe that this issue is likely to be highly controversial and divisive, and we recommend that the City therefore proceeds cautiously, seeking the fullest possible range of opinions.</p>
10	<p>It is unfortunate that the lease has been variably enforced over the years. In general it is not a desirable position that people do not know whether a lease provision applies or not.</p> <p>We therefore welcome the move by the BEO to get some clarity on the position.</p> <p>In general Seddon House Group thinks that the provisions of the lease should be enforced. However, the nature of that enforcement matters, and we make some distinctions below.</p> <ul style="list-style-type: none"> - We say this because leaseholders and prospective leaseholders need clarity about what they can and cannot to. - Also, many leaseholders will have bought their flat in the knowledge that their desire for a flat in the Barbican needed to be traded off against something else they might also have liked but is forbidden in the lease (e.g. having a pet or a stone floor). They made an explicit decision on that trade off. Those who have thus followed the rules are disadvantaged if those rules are not enforced. <p>Type of enforcement</p> <p>In saying that we believe the provisions of the lease should be enforced, we do not believe that means that estate officers should go round inspecting flats seeking out breaches of the lease. Instead the issue of enforcement should arise when breaches are drawn to their attention (with one exception – see below), nearly always because the breach is causing a nuisance to neighbours or breaching the integrity of the estate.</p> <p>If a complaint is made about a breach of the lease – because it is causing a nuisance or breaching the integrity of the estate - we do not think the onus should be on the complainant to prove the nuisance; the onus should be on the breacher to prove that their breach is not causing a nuisance.</p>

Specific instances

The above policy of the BEO not doing inspections or taking other action to detect breaches means that some breaches that are invisible (e.g. internal decorations not being done every 7 years) are not likely to be commented on. On the other hand, should a flat become so dilapidated through lack of decoration that it becomes obvious, then the breach can be acted upon and redecoration required.

Other breaches may or are likely to impact on neighbours and the BEO should be ready to enforce the lease if they do so impact.

Thus Seddon House Group supports the action taken by the City to enforce prohibition on *AirBNB lets*.

Indeed, in this single instance it would support the BEO being proactive in detecting such breaches

It supports the prohibition on *animals and birds*.

Wooden floors are trickier because of the large number that have been installed. Giving an amnesty to those that have been installed but forbidding any new ones seems unfair. The reason that the lease requires carpets with thick underlay is to prevent that transmission of noise to neighbouring flats. So what is important is to maintain that requirement that noise should not be transmitted.

Clearly the lease can't be altered, but the BEO could perhaps consider developing a specification for wooden flooring that would ensure that there is no noise transmission. Leaseholders and prospective leaseholders could then be told that the lease requires flats to be carpeted, but there is an approved specification for wooden flooring that will ensure sound proofing to carpeted standards and if the leaseholder wants wooden floors they must use that specification.

If a neighbour complains about wooden floors, the neighbour should not have to go to great lengths to prove the nuisance. Instead the leaseholder should prove that their wooden floor is not causing a nuisance – showing that they used the approved specification could be part of that proof.

	<p>Other actions</p> <p>We suggest that conveyancing solicitors, new long leaseholders, and registered subtenants should be sent a letter reminding them of the lease conditions – notably, no AirBNB, no pet, and carpeted floors. We realise that the provisions are of course in the lease itself, but we are suggesting a letter in plain English would help reinforce the point.</p> <p>We would also like the BEO to enforce the requirement that long leaseholders register their subtenants – otherwise they can cause the same type of problems as AirBNB renters because they do not know routine housekeeping practices in the Barbican.</p>

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Committee(s)	Dated:
Barbican Residents Consultation Committee Barbican Residential Committee	27 November 2017 11 December 2017
Subject: Fire Safety Update	Public
Report of: Director of Community & Children's Services	For Information
Report author: Paul Murtagh Assistant Director Barbican & Property Services	

Summary

The purpose of this report is to update Members on the City Corporation's approach to fire safety on the Barbican Estate and, following the tragic fire at Grenfell Tower, to inform Members on the subsequent actions taken by the City Corporation. This report outlines:

- Fire safety measures in place prior to the Grenfell Tower fire;
- Our immediate response to the Grenfell Tower fire;
- The next phase of work to be undertaken;
- Issues for consideration for possible future inclusion in programmes of work.

Recommendation

Members are asked to note, consider and comment on the report.

Main Report

Background

1. Following the tragic fire at Grenfell Tower in West London on 14 June 2017, which killed at least 80 people, concerns have, understandably, been raised by City Corporation Members and residents about the safety of our homes and the possibility of a similar incident in one of our tower blocks.
2. Although the cause of the fire, and how it appeared to have spread so quickly, are still being investigated and are unlikely to be confirmed formally for some time, government has already been in contact with local authorities and housing associations, collating information relating to their housing stock and the number and type of residential blocks of flats with six or more floors.
3. It is highly likely that, in the aftermath of the Grenfell Tower tragedy, that new legislation will be introduced to improve fire safety in residential blocks of flats. The City Corporation has 33 residential blocks of flats with six or more floors, 17 of which are on the Barbican Estate. A full list of all the City's blocks of flats with four or more floors is attached as Appendix 'A' to this report.

4. Members are advised that a similar report entitled 'Fire Safety Update', focusing primarily on the City Corporation's social housing stock, was submitted to, and considered by, the City Corporation's DCCS and Housing Management & Almshouses Sub-Committees. In addition, this report was also considered by the City Corporation's Audit and Risk Committee. This report focuses primarily on the residential properties on the Barbican Estate.

Existing Fire Safety Measures

5. All the residential blocks on the Barbican Estate have an up-to-date, comprehensive Fire Risk Assessment (FRA). The most recent FRA's were completed in October/November 2016 by Frankham Risk Management Services Limited, a specialist, and accredited consultancy company.
6. Whilst the FRA's do not highlight any particular areas of high risk, they do make a number of medium and low risk recommendations, which have been addressed through the day-to-day repairs programme or through the Estate Inspection process.
7. Our approach to fire safety is not restricted to undertaking a planned programme of FRA's. We have robust procedures in place to ensure, as far as possible, that our residents on the Barbican Estate remain safe in their homes. These procedures include:
 - Carrying out regular reviews of the FRA's to ensure that they remain valid, compliant and fit-for-purpose;
 - Carrying out inspections of fire doors, emergency lighting and alarms and other related fire safety measures;
 - Carrying out regular estate inspections to ensure that any potential fire and other safety hazards are identified and removed;
 - Providing suitable and regular fire safety and fire risk assessment training for our Barbican Estate Officers, cleaners and concierge staff;
 - Educating our residents and raising awareness of fire safety issues such as evacuation procedures, understanding escape routes and keeping fire escape routes on balconies and walkways clear;
 - Publishing and issuing information relating to fire safety through newsletters and the web site.

Immediate Response to the Grenfell Tower Fire

8. As soon as we became aware of the fire at Grenfell Tower, a number of immediate measures were taken including:
 - Checks on fire escapes, emergency lighting, alarms and other fire safety measures that were carried out by BEO staff;
 - A review of the current FRA's to review and reassess the low and medium risks identified;
 - A review of the technical data on all blocks of flats with six or more floors in response to requests for information from the Department for Communities & Local Government (DCLG). This focused on a number of

issues including the construction of the blocks and the nature and composition of any external cladding;

- A statement issued to all residents reminding them of fire safety advice and reassuring them that none of our residential blocks was of a similar construction to Grenfell Tower;
- A new fire safety leaflet was produced and issued to all Barbican residents which, included information on escape routes, our review of enforcement action and what to do in the event of fire etc;
- Fire safety updates were distributed to residents via our regular bulletins including the development of a 'Frequently Asked Questions' bulletin and a dedicated Fire Safety website page.

Decisions Taken as a Result of our Review of Fire Safety

9. Following a review of our current fire safety processes and procedures immediately after the Grenfell Tower fire, a number of decisions were taken including:

- Commissioning specialist independent future FRA's on all our residential blocks of flats on an annual basis. Previously, in line with best practice and guidance, our policy was to commission independent FRA's every three years, with our own trained staff reviewing them annually. Frankham Risk Management Services Limited has been commissioned to undertake new FRA's on all our residential blocks;
- Arranging a series of 'Drop-In' sessions for our residents to discuss with the City Corporation's Senior Managers issues around fire safety, the City Corporation's processes and procedures and its plans for improvements in fire safety in the coming months;
- The majority of entrance doors to individual properties in our blocks are original and, as such, will generally provide notional fire resistance of 15-20 minutes. Whilst there is no legal requirement to replace these doors to provide greater fire resistance, we have done so on our social housing estates as they became due for replacement. However, the decision has been taken to embark on an enhanced front door replacement programme to bring all front entrance doors to individual flats up to 60-minute fire resistance wherever possible and practical. It is intended that our tower blocks will be given priority;
- Barbican Estate staff to respond directly to any requests for advice and guidance in relation to fire safety;
- A much firmer line is being taken with residents who are not complying with guidance on keeping walkways and fire escapes clear.

Issues for Further Consideration

10. In the aftermath of the Grenfell Tower fire, it was clear that the City Corporation would need to continue monitor progress with the investigation to understand the causes of the fire and any subsequent implications this may have in relation to the safety and integrity of its homes. Due consideration would also need to be given to and resulting legislation or recommendations from government.

11. In anticipation of this, the City Corporation has commissioned a feasibility study into the potential retro-fitting of fire suppression (sprinkler) systems and fire alarms in its tower blocks.

Progress to Date

Fire Risk Assessments (FRA's)

12. Frankham Risk Management Services Limited has been commissioned to carry out new FRA's for each of our residential blocks. These new FRA's will be very detailed and will cover not only those areas previously inspected, but also any further concerns raised since the Grenfell Tower fire.
13. Previous FRA's carried out on the City Corporation's residential blocks have been a Type 1 FRA as required by legislation. It has been decided that the new FRA's will be Type 3. A Type 3 FRA, which goes beyond the requirements of the Regulatory Reform (Fire Safety) Order 2005, covers everything required for a Type 1 FRA but also provides for an assessment of the arrangements for means of escape and fire detection (i.e. smoke alarms) within a sample of the flats (typically around 10%). A Type 3 FRA is non-destructive but the fire resistance of doors to rooms within the flat is considered.
14. Work on the new FRA's has now commenced on our social housing estates and it is expected that the new FRA's for the Barbican Estate will commence in January 2018. Once all the assessments have been completed and submitted to us, they will be analysed by Property Services, Estate Management and the City's Fire Safety Advisor for accuracy and detail. Any urgent recommendations will be addressed immediately and a subsequent detailed Action Plan will be developed to plan, programme and implement all other recommendations as appropriate.
15. A summary report outlining the headline findings from the newly completed FRA's will be presented to your Committee at the earliest opportunity after the Action Plan has been finalised.
16. It is intended that the new FRA's will be made available to Barbican residents through the Fire Safety pages on the City's website. The current FRA's have already been made available here.
17. Work has for some time been well underway in addressing urgent issues and medium risks highlighted by the previous (2016) FRA's carried out by Frankham Risk Management Services Limited and the majority of this work is now completed.
18. We have received a number of very helpful and useful comments from the various House Group Committees in relation to the current FRA's for the Barbican Estate. All of these comments have been logged and recorded by the BEO and have been forwarded to Frankham Risk Management Services Limited for consideration, comment and action.

Communication with Residents

19. Detailed information, in the form of 'Frequently Asked Questions' bulletins, has been produced specifically for each of our estates, including the Barbican Estate. This has been distributed to all House Groups and to residents through our email broadcast service and has also been posted on the Housing Fire Safety pages on the City's website. Feedback from residents has been very positive.
20. An informal 'Drop-In' session was arranged and held for Barbican residents on 17 July, which was attended by the Director of Community & Children's Services and the Assistant Director, plus other staff. The session was advertised as an opportunity for any residents with concerns about fire safety to ask questions and talk to senior managers. Attendance was good with between 30 and 40 residents turning up to discuss their concerns and ideas for improvement. It appears that those residents who attended the session found it very useful and expressed their appreciation.
21. The new Fire Safety leaflet that was created and distributed to residents clarifies that the London Fire Brigade (LFB) continues to advise residents to stay in their flat in the event of a fire in their block, but also advising them on what to do if their flat is affected by fire or smoke, or they feel in danger. We hope this will address the confusion that some residents expressed about what to do in the event of a fire.

Fire Doors, Sprinkler Systems and Alarms

22. We have identified a number of front entrance doors from each of our residential blocks of flats, including the Barbican Estate that have been, or will be, sent away to the Building Research Establishment (BRE) for rigorous fire resistance testing. This will give us the information we need in relation to the level of fire resistance these doors and frames currently provide and whether or not that level of fire resistance is adequate. Consequently, we will be able to properly prioritise, plan and cost out our door replacement programme. Priority for testing has been given to our tower blocks.
23. A feasibility study into the potential installation of sprinkler systems in our tower blocks has been commissioned from our consultant, Butler & Young. The first draft of the report has been submitted and this is being analysed by staff in the Property Services Team.
24. The London Fire Brigade continues to advise against the installation of fire alarms in communal areas but, this will be reviewed over time as part of the new FRA process.

Estate Management

25. Barbican Estate staff have stepped up their work to ensure that balconies, walkways and exits are kept clear from hazards. This includes the removal of combustible material from outside properties, along with any items which might cause a trip hazard for residents or firefighting crews in the event of an emergency.
26. The vast majority of residents have understood the need to comply with guidance and have worked with officers to reduce items outside their homes. However, some have been more difficult and have not complied. Having issued notices, given extensive warning and offered help and advice, we are now in a position where we will have no choice but to remove any residents' items which do not meet our Fire Safety Protocol, as agreed by Members. Whilst we are fully entitled to remove any items from communal areas, we do ensure that proper notice is given to residents and items are stored for a period of time to allow owners to collect them.
27. A review of estate walkabouts and checks has been carried out, with a view to improving consistency and monitoring, and to introducing an automated system for recording data and follow up actions.

Resources

28. As Members will appreciate the level of work relating to fire safety that has arisen, and continues to arise, in the aftermath of the Grenfell Tower fire has been unprecedented. The vast burden of this work has fallen on the existing staff within the Housing Property Services and Housing and Barbican Estate Management teams. Staff have responded commendably to the challenge that this considerable amount of extra work has thrown up and their efforts have been reflected in the positive feedback we have received from residents in dealing with, and allaying, their fears in relation to fire safety in their homes.
29. We have recently appointed a new Health and Safety Manager within DCCS, whose main priority is to co-ordinate our work around fire safety with particular focus on the FRA process and the implementation of the resulting Action Plans.
30. It may be prudent at this stage, to alert Members to the potential need for additional resources to ensure that we are able to deal effectively with the fire safety improvement measures that we are considering and have committed to with particular regard to:
- Door replacement programme;
 - Installation of fire suppression systems (sprinklers);
 - Fire safety management planning;
 - Communications and website development.
31. At this stage, until we have the results of the fire resistance testing, feasibility study into sprinklers, completion of the new round of FRA's and information from government in relation to changes in Building Regulations and guidance from the

Grenfell Tower enquiry, we are not in a position to properly identify any additional resources that may be required. We will naturally keep Members informed on this matter, and seek the necessary approvals, when we are in a position to do so.

Corporate & Strategic Implications

32. Clearly, as well as the resources issue outlined above, there are further serious financial implications for the City in carrying out the fire safety improvements included and outlined in this report. There will also likely be a financial impact on homeowners on the Barbican Estate if these works are undertaken.
33. The City must also be mindful of the reputational damage should it decide not to take reasonable measures to improve fire safety. The key issue for Members will be to decide what action and expenditure is reasonable and proportionate to the risk.

Appendices

Appendix 1 – Table of City of London residential blocks with six or more floors.

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Appendix 'A'

City of London residential blocks with 4 or more floors

NAME OF BLOCK	NUMBER OF STOREYS	NUMBER OF FLATS
Centre Point, Avondale Square Estate, Old Kent Road, London SE1	19	75
Colechurch House, Avondale Square Estate, Old Kent Road, London SE1	10	44
East Point, Avondale Square Estate, Old Kent Road, London SE1	19	74
Eric Wilkins House, Avondale Square Estate, Old Kent Road, London SE1	4	20
George Elliston House, Avondale Square Estate, Old Kent Road, London SE1	4	45
Proctor House, Avondale Square Estate, Old Kent Road, London SE1	10	52
Tovy House, Avondale Square Estate, Old Kent Road, London SE1	10	52
Twelve Acres House, Avondale Square Estate, Old Kent Road, London SE1	6	18
West Point, Avondale Square Estate, Old Kent Road, London SE1	19	74
Dron House, Adelina Grove, London E1	4	80
Basterfield House, Golden Lane Estate, London EC1Y	6	22
Bayer House, Golden Lane Estate, London EC1Y	6	14
Bowater House, Golden Lane Estate, London EC1Y	6	14
Cullum Welch House, Golden Lane Estate, London EC1Y	6	72
Great Arthur House, Golden Lane Estate, London EC1Y	15	120
Hatfield House, Golden Lane Estate, London EC1Y	7	22
Petticoat Square, Middlesex Street Estate, London E1 7BS	6	120
Petticoat Tower, Middlesex Street Estate, London E1 7BS	23	81
Collinson Court, Great Suffolk Street, London SE1 1NZ	7	72
Horace Jones House, Duchess Walk, London SE1 2RF	7	43
Stopher House, Webber Street, London SE1	4	60
Sumner Buildings, Sumner Street, London SE1	4	100
Lynton Mansions, William Blake Estate, Herculaes Road, London SE1	4	20
Windsor House Wenlock Road, London SE1	4	104
Kinefold House, York Way Estate, London N7 9QD	7	78
Lambfold House, York Way Estate, London N7 9PY	7	80
Penfields House, York Way Estate, London N7 9QA	7	89
Barbican Estate		
Andrews House	11	192
Ben Johnson House	11	204
Breton House	11	111
Bryer Court	11	56
Bunyan Court	11	69

Cromwell Tower	42	112
Defoe House	11	178
Frobisher Crescent	9	69
Gilbert House	11	88
John Trundle Court	11	133
Lauderdale Tower	45	117
Mountjoy House	11	64
Seddon House	11	76
Shakespeare Tower	45	116
Speed House	11	114
Thomas More House	11	166
Willoughby House	11	148

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Committee(s)	Dated:
Residents Consultation	27 November 2017
Barbican Residential	11 December 2017
Subject: Revenue and Capital Budgets - Latest Approved Budget 2017/18 and Original 2018/19 Excluding dwellings service charge income and expenditure	Public
Report of: The Chamberlain Director of Community & Children's Services	For Decision

Summary

This report is the annual submission of the revenue and capital budgets overseen by your Committee. In particular it seeks approval to the provisional revenue budget for 2017/18, for subsequent submission to the Finance Committee. Details of the Committee's draft capital budget are also provided. The budgets have been prepared within the resources allocated to the Director.

These accounts do not include income and expenditure in relation to dwellings service charges, which is the subject to a separate report before you today, but does include the following:-

- Landlord Services

This includes income and expenditure relating to short term lessee flats, void flats and commercial properties as well as grounds maintenance for public areas.

- Car Parking

The running expenses, capital charges, rent income and service charges relating to 1,508 car spaces of which some 988 (66%) are currently occupied .

- Baggage Stores

The running expenses, capital charges, rent income and service charges relating to 1,234 baggage stores.

- Trade Centre

This is a commercial area of some 117,000 square feet bounded broadly by Beech Street, Aldersgate Street, Fann Street and Bridgewater Square. Capital charges are the main item of expense, although some premises and supervision and management costs are incurred. Income comprises rent and charges for services in respect of Virgin Active, GSMD practice room, Laundrette, Vinci Parking and Creche.

The provisional nature of the revenue budgets particularly recognises that further revisions may arise from the necessary realignment of funds resulting from corporate projects.

Summary of Table 1	Original Budget 2017/18	Latest Approved Budget 2017/18	Original Budget 2018/19	Movement
	£'000	£'000	£'000	£'000
Expenditure	(2,608)	(3,013)	(3,224)	(211)
Income	5,134	4,927	5,123	196
Net Income (Local and Central Risk)	2,526	1,914	1,899	(15)
Capital Charges and Support services	(4,855)	(4,736)	(4,458)	278
Total Net Expenditure	(2,329)	(2,822)	(2,559)	263

Overall, the 2018/19 provisional revenue budget totals a deficit of £2,559,000 a variance of £263,000 compared with the Latest Approved Budget for 2017/18. The main reason for this decrease is a reduction in the capital charge against operational properties, which reflects a diminution in the most recent valuation (31st March 2017) of the properties.

Recommendations

The Committee is requested to:

- review the provisional 2018/19 revenue budget to ensure that it reflects the Committee's objectives and, if so, approve the budget for submission to the Finance Committee;
- review and approve the draft capital budget;
- authorise the Chamberlain to revise these budgets to allow for further implications arising from departmental reorganisations and other reviews, corporate projects.

Main Report

Introduction

1. This report sets out the proposed revenue budget and capital budgets for 2018/19. The revenue budget management arrangements are to:
 - Provide a clear distinction between local risk, central risk and recharge budgets
 - Place responsibility for budgetary control on departmental Chief Officers
 - Apply a cash limit policy to Chief Officers' budgets

2. The budget has been analysed by service expenditure and compared with the latest approved budget for the current year.

The report also compares the current year's budget with the forecast outturn.

Proposed Revenue Budget for 2018/19

3. The proposed Revenue Budget for 2018/19 is shown in Table 2 overleaf analysed between:
 - Local Risk budgets – these are budgets deemed to be largely within the Chief Officer's control.
 - Central Risk budgets – these are budgets comprising specific items where a Chief Officer manages the underlying service, but where the eventual financial outturn can be strongly influenced by external factors outside of his/her control or are budgets of a corporate nature (e.g. interest on balances and rent incomes from investment properties).
 - Support Services and Capital Charges – these cover budgets for services provided by one activity to another. The control of these costs is exercised at the point where the expenditure or income first arises as local or central risk.
4. The provisional 2018/19 budgets, under the control of the Director of Community & Children's Services being presented to your Committee, have been prepared in accordance with guidelines agreed by the Policy and Resources and Finance Committees. This includes a 2% efficiency saving and no increased allowance for pay and price increases. The budget has been prepared within the resources allocated to the Chief Officer.

Analysis of Service Expenditure	Local or Central Risk	Actual 2016-17 £'000	Original Budget 2017-18 £'000	Latest Approved Budget 2017-18 £'000	Original Budget 2018-19 £'000	Movement 2017-18 to 2018-19 £'000	Paragraph Reference
EXPENDITURE							
Employees	L	(1,584)	(1,633)	(1,749)	(1,806)	(57)	7
Premises Related Expenses							Appendix 3
Repairs and Maintenance	L	(520)	(564)	(891)	(1,040)	(149)	
Other Premises Related Expenditure	L	(223)	(314)	(266)	(271)	(5)	
Supplies & Services	L	(47)	(96)	(106)	(106)	0	
Transport	L	(0)	(1)	(1)	(1)	0	
Supplementary Revenue Projects	C	(35)	0	0	0	0	14
Total Expenditure		(2,409)	(2,608)	(3,013)	(3,224)	(211)	
INCOME							
Customer, Client Receipts (mainly rents and non-dwelling service charges)	L	4,467	4,909	4,702	4,898	196	9
Charge for insurance	C	224	225	225	225	0	
Transfer from Reserves	C	30	0	0	0	0	
Total Income		4,721	5,134	4,927	5,123	196	
NET INCOME BEFORE SUPPORT SERVICES AND CAPITAL CHARGES		2,312	2,526	1,914	1,899	(15)	
SUPPORT SERVICES AND CAPITAL CHARGES							
Central Support Services and Capital charges		(5,596)	(5,201)	(5,549)	(5,272)	277	10
Recharges within Fund & Committee		32	129	132	133	1	
Recharges to Service Charge Account		690	217	681	681	0	
Total Support Services and Capital charges		(4,874)	(4,855)	(4,736)	(4,458)	278	
TOTAL NET EXPENDITURE		(2,562)	(2,329)	(2,822)	(2,559)	263	

Notes - Examples of types of service expenditure: -

- (i) Other Premises Related Expenses – includes energy costs, rates, water services, cleaning and domestic supplies

5. Expenditure and adverse variances are presented in brackets. An analysis of this Revenue Expenditure by Service Managed is provided in Appendix 1. Only significant variances (generally those greater than £100,000) have been commented on in the following paragraphs.
6. Overall there is a decrease in net expenditure of £263,000 in the overall budget between the 2017/18 latest approved budget and the 2018/19 original budget. The main movements are explained by the variances in the following paragraphs.
7. There has been an increase in employee budgets of £57,000. An allowance of 1.5% towards any increases in pay has been applied from 1st April 2018.
8. Analysis of the movement in manpower and related staff costs are shown in Table 2 below.

Table 2 - Manpower statement	Latest Approved Budget		Original Budget	
	2017/18		2018/19	
	Manpower Full-time equivalent	Estimated cost £000	Manpower Full-time equivalent	Estimated cost £000
Supervision and Management	14	(764)	14	(798)
Car Parking - Estate Concierge (2/3)	19	(985)	19	(1,008)
Total	33	(1,749)	33	(1,806)

9. Income has increased by £196,000 mainly relating to additional income expected from new baggage stores.
10. The main reason for the £277,000 decrease is a reduction in the capital charges against operational properties, reflecting a diminution in the most recent valuation of the properties. A detailed breakdown of Central Support Services and Capital Charges is presented in Appendix 2.
11. A detailed breakdown of Repairs and Maintenance costs are provided in Appendix 3.
12. The current forecast outturn for 2017/18 is on budget.

Potential Further Budget Developments

13. The provisional nature of the 2018/19 revenue budget recognises that further revisions may be required.

Draft Capital and Supplementary Revenue Budgets

14. The latest estimated costs of the Committee's draft capital and supplementary revenue projects are summarised in the Table below.

Service	Project	Exp. Pre 01/04/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000	Later Years £'000	Total £'000
Pre-implementation							
Landlord Costs	Residential baggage stores	5	25				30
Landlord Costs	Podium Highwalk Waterproofing options, phase 2		54				54
Landlord Costs	Barbican Turret John Wesley Highwalk	43	100				143
Authority to start work							
Landlord Costs	Beech Gardens waterproofing & soft landscaping	4,402	77				4,479
Landlord Costs	Contractor's Office	6	312				318
TOTAL BARBICAN RESIDENTIAL		4,456	568	0	0	0	5,024

15. Pre-implementation costs comprise feasibility and option appraisal expenditure which has been approved in accordance with the project procedure, prior to authority to start work. It should be noted that the above figures exclude the implementation costs of those schemes which have yet to receive authority to start work.

16. Subject to further approvals are the installation of additional residential baggage stores, the scheme to fit out and market the completed 2 bedroom flat at the Barbican Turret, John Wesley Highwalk and Phase 2 of the Podium Waterproofing, Drainage and Landscaping Works.

17. The Beech Gardens project (Phase 1 Podium Waterproofing works) has now been largely completed.

18. The latest Capital and Supplementary Revenue Project budgets will be presented to the Court of Common Council for formal approval in March 2018.

Appendices

Appendix 1: Revenue Expenditure by Service Managed

Appendix 2: Support Service and Capital Charges from/to Barbican Residential Committee

Appendix 3: Analysis of Repairs, Maintenance and Minor Improvements

Appendix 4: Original Budget to latest approved Budget

Dr Peter Kane
Chamberlain

Andrew Carter
Director of Community & Children's Services

Contact: Goshe Munir (1571) or Mark Jarvis (1221)
Chamberlain's Department

APPENDIX 1

Analysis by Service Managed	Actual 2016-17 £'000	Original Budget 2017-18 £'000	Latest Approved 2017-18 Budget £'000	Original Budget 2017-18 £'000	Movement 2016-17 to 2017-18 £'000
CITY FUND					
Supervision & Management (fully recharged)	0	0	0	0	0
Landlord Services	(3,114)	(2,690)	(3,009)	(2,952)	57
Car Parking	(107)	(382)	(430)	(377)	53
Baggage Stores	93	240	120	247	127
Trade Centre	576	513	519	544	25
Other Non-Housing	(10)	(10)	(22)	(21)	1
TOTAL	(2,562)	(2,329)	(2,822)	(2,559)	263

Supervision and Management – General

This section relates to the requirements of the Barbican Estate Office including staffing, premises, information technology and support from Guildhall. The Estate Office is responsible for the management of the flats, commercial units, car parks and baggage stores. Management includes repairs and maintenance, security, cleanliness of common parts, calculation of service charges and the initial stages of arrears recovery. Total expenditure on this section is fully recharged to other sections of these accounts plus a relevant proportion to the Service Charge account, which is the subject to a separate report before you today. The IT costs are recharged on number of transactions while the other costs are allocated broadly on time sheet information.

Landlord Services

Expenditure includes repairs to the interior of short term lessees' flats and void flats. Grounds maintenance of public areas, insurance (other than that included in the Service Charge Account for lifts and the garchey system), capital charges relating to properties not sold on a long lease, and supervision and management. Income includes rent income from short term tenancies (apart from the service charge element), rent from ten commercial properties, licence fees for various aerial sites, and reimbursements for insurance, dilapidations and other services. Long lessees have the option to arrange alternative insurance to that provided through the City and, consequently, insurance is accounted for in the Landlord Account rather than as part of the Service Charge Account.

Car Parking

The running expenses, capital charges, rent income and service charges relating to 1,508 car spaces of which some 988 (66%) are currently occupied. The budget position for 2017/18 has been helped from the continued commercial car parking and Heron paying service charges for residential car bays. However, although we have retained 15 commercial bays with Deutsche Bank which are based on market value rates, they have surrendered 43 bays over the last two years.

Baggage Stores

The running expenses, capital charges, rent income and service charges relating to 1,234 baggage stores.

Trade Centre

This is a commercial area of some 117,000 square feet bounded broadly by Beech Street, Aldersgate Street, Fann Street and Bridgewater Square. Capital charges are the main item of expense, although some premises and supervision and management costs are incurred. Income comprises rent and charges for services in respect of Virgin Active, GSMD practice room, Laundrette, Vinci Parking and Creche.

APPENDIX 2

Support Service and Capital Charges from/to Barbican Residential Committee	Actual 2016/17 £'000	Original Budget 2017/18 £'000	Latest Approved Budget 2017/18 £'000	Original Budget 2018/19 £'000
Support Service and Capital Charges				
Insurance	(243)	(297)	(276)	(263)
IS Recharges	(215)	(228)	(205)	(244)
Capital Charges	(4,558)	(4,074)	(4,473)	(4,196)
Chamberlain	(325)	(345)	(334)	(317)
Comptroller and City Solicitor	(102)	(135)	(111)	(106)
Town Clerk	(137)	(111)	(135)	(132)
City Surveyor	(2)	(3)	(2)	(2)
Other Services	(14)	(8)	(12)	(12)
Total Support Services and Capital Charges	(5,596)	(5,201)	(5,549)	(5,272)
Recharges Within Funds				
Corporate and Democratic Core - Finance Committee	50	50	50	50
HRA	54	160	160	160
Community and Children's Services Committee	(72)	(81)	(78)	(77)
Service Charge Account	690	217	681	681
TOTAL SUPPORT SERVICE AND CAPITAL Charges	(4,874)	(4,855)	(4,736)	(4,458)

* Various services including central training, corporate printing, occupational health, union costs and environmental and sustainability section.

**ANALYSIS OF REPAIRS, MAINTENANCE AND MINOR IMPROVEMENTS
ALL LOCAL RISK**

	Original Budget 2017/18 £'000	Latest Approved Budget 2017/18 £'000	Original Budget 2018/19 £'000	
<u>Supervision & Management Holding</u>				
<u>Account</u>				
Estate Office - Breakdown Maintenance	(9)	(9)	(9)	E
Total Supervision & Management Holding Account	(9)	(9)	(9)	
<u>Services and Repairs - Landlords</u>				
Breakdown Maintenance	(166)	(522)	(669)	E
Drains	(95)	(95)	(97)	
Insurance Works	(35)	(35)	(35)	
Dilapidations	(15)	(15)	(15)	
Lift contract servicing	(6)	(7)	(7)	
Asbestos data	(5)	(5)	(5)	
Redecorations Works	(35)	(35)	(35)	A
Total Services and Repairs - Landlords	(357)	(714)	(863)	
<u>Car Parking</u>				
Breakdown Maintenance - Building	(143)	(143)	(143)	E
Safety Security	(1)	(1)	(1)	
Total Car Parking	(144)	(144)	(144)	
<u>Stores</u>				
Breakdown Maintenance	(7)	(7)	(7)	E
Total Stores	(7)	(7)	(7)	
<u>Trade Centre</u>				
Breakdown Maintenance	(45)	(15)	(15)	E
Total Trade Centre	(45)	(15)	(15)	
<u>Other Non-Housing</u>				
Breakdown Maintenance	(2)	(2)	(2)	E
Total Other Non-Housing	(2)	(2)	(2)	
TOTAL	(564)	(891)	(1,040)	

E = ESSENTIAL

A = ADVISABLE

D = DESIRABLE

Appendix 4

Original Budget 2017/18 to Latest Approved Budget	£'000
Original Budget Net Expenditure	(2,329)
Compensating resource allocated as a result of sales in prior years.	(225)
Increase in Breakdown maintenance	(356)
Correction of recharge of House Officers and change in capital charges.	119
Other movements	(31)
Latest Approved Budget	(2,822)

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Committee(s)	Dated:
Residents Consultation Barbican Residential	27 November 2017 11 December 2017
Subject: Service Charge Expenditure and Income Account - Latest Approved Budget 2017/18 and Original Budget 2018/19	Public
Report of: The Chamberlain Director of Community & Children's Services	For Decision

Summary

This report sets out the latest approved budget for 2017/18 and original 2018/19 for revenue expenditure proposed to be included within the service charge in respect to dwellings. This does not include any expenditure or income pertaining to car parking or stores. The amount charged to individual lessees will depend on the percentages set out in their lease.

The original budget for 2018/19 total expenditure including net recharges is £9,226,000 compared to the 2017/18 latest approved budget of £9,192,000, an increase of £34,000.

This is only the budget for the years in question and the actual amount charged to lessees will depend on the actual amount spent and the percentage set out in the individual leases.

Summary Of Table 1	Original Budget 2017/18 £'000	Latest Approved Budget 2017/18 £'000	Original Budget 2018/19 £'000	Movement £'000
Expenditure	(7,747)	(7,995)	(8,027)	(32)
Recharges	(899)	(1,197)	(1,199)	(2)
Other Income	8,646	9,192	9,226	34
Total Net Expenditure	0	0	0	0

Recommendations

The Committee is requested to:

- review the provisional 2018/19 revenue budget to ensure that it reflects the Committee's objectives and, if so, approve the budget for submission to the Finance Committee;
- authorise the Chamberlain to revise these budgets to allow for further implications arising from departmental reorganisations and other reviews, and corporate projects.

Main Report

Introduction

1. This report sets out the proposed revenue budget for 2018/19. The revenue budget management arrangements are to:
 - Place responsibility for budgetary control on departmental Chief Officers
 - Apply a cash limit policy to Chief Officers' budgets
2. The budget has been analysed by service expenditure and compared with the latest approved budget for the current year.

Proposed Revenue Budget for 2018/19

3. The proposed Revenue Budget for 2018/19 is shown in table 1 overleaf. A reconciliation of the 2017/18 latest agreed budget to the 2018/19 original budget is provided in Appendix 3.
 - Local Risk budgets – these are budgets deemed to be largely within the Chief Officer's control.
 - Central Risk budgets – these are budgets comprising specific items where a Chief Officer manages the underlying service, but where the eventual financial outturn can be strongly influenced by external factors outside of his/her control or are budgets of a corporate nature (e.g. interest on balances and rent incomes from investment properties).
 - Support Services and Capital Charges – these cover budgets for services provided by one activity to another. The control of these costs is exercised at the point where the expenditure or income first arises as local or central risk.

Table 1 - Analysis of Service Expenditure	Local, Central Risk or Recharges	Actual 2016-17 £'000	Original Budget 2017-18 £'000	Latest Approved Budget 2017-18 £'000	Original Budget 2018-19 £'000	Movement 2017-18 to 2018-19 £'000	Paragraph Reference
Expenditure							
Employees	L	(2,136)	(2,156)	(2,384)	(2,446)	(62)	7
Premises Related Expenses							
Repairs and Maintenance	L	(2,161)	(1,687)	(1,687)	(1,805)	(118)	4
Supplementary Revenue Projects	C	(1,092)	(940)	(951)	(752)	199	5
Energy Costs	L	(2,298)	(2,369)	(2,369)	(2,405)	(36)	6
Rents	L	(128)	(129)	(131)	(134)	(3)	
Rates	L	(16)	(15)	(15)	(18)	(3)	
Water Services	L	(2)	(3)	(3)	(3)	0	
Cleaning and Domestic Supplies	L	(198)	(220)	(223)	(228)	(5)	
Grounds Maintenance	L	(145)	(124)	(124)	(126)	(2)	
Supplies and Services							
Equipment, Furniture and Materials	L	(33)	(70)	(70)	(71)	(1)	
Catering	L	(0)	(1)	(1)	(1)	0	
Uniforms	L	(7)	(12)	(12)	(12)	0	
Printing, Stationery and Office Exp.	L	(7)	(5)	(6)	(7)	(1)	
Fees and Services	L	(1)	(1)	(1)	(1)	0	
Contributions to Provisions	L	0	0	0	0	0	
Communication and Computing	L	(16)	(15)	(18)	(18)	0	
Total Expenditure		(8,240)	(7,747)	(7,995)	(8,027)	(32)	
Income							
Local Risk	L	7,778	7,836	8,382	8,416	34	
Central Risk	C	1,820	810	810	810	0	
Net Income		1,358	899	1,197	1,199	2	
Recharges							
Expenditure	R	(1,503)	(1,074)	(1,372)	(1,374)	(2)	
Income	R	145	175	175	175	0	
Total Recharges		(1,358)	(899)	(1,197)	(1,199)	(2)	
Total Service Charge Account		0	0	0	0	0	

4. Repairs and maintenance costs have increased by £118,000 compared to the latest approved budget due to increase in costs for miscellaneous works and asset management. Full analysis is provided in Appendix 1.
5. Actual 2016/17 costs of £1,092,000 were incurred in 2016/17 for supplementary revenue projects. The bulk of the costs were related to concrete testing, and communal repairs. The original budget for 2017/18 also mainly relates to communal repairs/decorations and concrete testing.
6. Energy costs have also increased by £36,000 due to expected higher tariffs.
7. Analysis of the movement in manpower and related staff costs are shown in Table 2 below.

Table 2 - Manpower statement	Latest Approved Budget 2017/18		Original Budget 2018/19	
	Manpower Full-time equivalent	Estimated cost £'000	Manpower Full-time equivalent	Estimated cost £'000
Garchey Operatives	3	(120)	3	(124)
Cleaners	34	(1,108)	36	(1,152)
Estate Concierge (1/3)	9	(499)	9	(513)
Lobby Porters	12	(657)	12	(657)
Total Barbican Residential	58	(2,384)	60	(2,446)

Draft Capital and Supplementary Revenue Budgets

8. The latest estimated costs of the Committee's draft capital and supplementary revenue projects are summarised in the Table below.

Service	Project	Exp. Pre 01/04/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000	Later Years £'000	Total £'000
<u>Pre-implementation</u>							
Service Charge	Water system testing	4	38				42
<u>Authority to start work</u>							
Service Charge	Concrete testing	295	321				616
Service Charge	Communal repairs / redecorations	854	592	752	126		2,324
TOTAL BARBICAN RESIDENTIAL		1,153	951	752	126	0	2,982

9. Pre-implementation costs comprise feasibility and option appraisal expenditure which has been approved in accordance with the project procedure, prior to authority to start work. It should be noted that the above figures exclude the implementation costs of those schemes which have yet to receive authority to start work.
10. The programme of water system testing will be subject to further approvals, following completion of the risk assessments.
11. Concrete testing work will be completed in the current financial year, and work has started for the phase 2 blocks in the communal repairs and redecorations project.
12. A proportion of the costs for these schemes will be recoverable from residents via service charges.
13. The latest Capital and Supplementary Revenue Project budgets will be presented to the Court of Common Council for formal approval in March 2018.

Appendices

Appendix 1 = Analysis of Repairs, Maintenance and Minor Improvements

Appendix 2 = Support Services and Capital Charges

Appendix 3 = Reconciliation of 2017/18 Original Budget to Latest Approved Budget

Contact: Goshe Munir (1571) or Mark Jarvis (1221)
Chamberlain's Department

Dr. P. Kane
Chamberlain

Andrew Carter
Director of Community and Children's Services

Appendix 1

Analysis of Repairs, Maintenance and Minor Improvements

Costs to be charged to Long Lessees and Landlord. (The latter responsible for short term tenancies and voids)	Original Budget 2017/18 £000	Latest Budget 2017/18 £000	Original Budget 2018/19 £000
Responsive and Contract Servicing including Building			
Miscellaneous Works	(1,115)	(1,115)	(1,181)
IRS maintenance	(30)	(30)	(30)
Responsive and Contract Servicing - Lifts	(262)	(262)	(272)
Drainage Repairs / Remedial Work	(60)	(60)	(61)
Sub Total Responsive and Contract Servicing	(1,467)	(1,467)	(1,544)
Asbestos Removal	(110)	(110)	(110)
Electrical Testing	(10)	(10)	(10)
Upgrade Safety/Security Installations	(35)	(35)	(36)
Consultants Fees	(35)	(35)	(35)
Heating Condition Survey	0	(10)	0
Emergency lighting to stairs, corridors and plant rooms	(20)	(10)	(20)
Asset Management	(10)	(10)	(50)
TOTAL	(1,687)	(1,687)	(1,805)

Appendix 2

Support Service and Capital Charges from/to Barbican Service Charges	Actual 2016/17 £0	Original Budget 2017/18 £0	Latest Approved Budget 2017/18 £0	Original Budget 2018/19 £0
Support Service and Capital Charges				
Insurance	(79)	(47)	(49)	(51)
IS Staff Recharge	(37)	(207)	(39)	(39)
Total Support Services	(116)	(254)	(88)	(90)
Recharges within Committee				
Cleaning and Lighting	121	126	126	126
Barbican Supervision and Management	(888)	(343)	(807)	(807)
Recharges Within Funds				
DCCS	(475)	(428)	(428)	(428)
Contributions to Funds and Provisions				
TOTAL SUPPORT SERVICE AND CAPITAL CHARGES	(1,358)	(899)	(1,197)	(1,199)

Appendix 3

Reconciliation of 2017/18 Original Budget to Latest Approved Budget	£'000
Original Budget Net Expenditure	0
Increase in Supplementary Revenue Projects	(11)
Revised estimates of employee costs.	(228)
Correction of recharge for House Officers	(307)
Balancing increased income.	546
Latest Approved Budget Net Expenditure	0

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Committee:	Date(s):
Residents' Consultation Committee	27 November 2017
Barbican Residential Committee	11 December 2017
Subject: Update Report	Public
Report of: Director of Community and Children's Services Report author: Michael Bennett, Head of Barbican Estates	For information

Summary

Barbican Estate Office

1. Blake Tower (formally the YMCA) Service Charge related issues
2. Service Based Review (generating income for car parking & stores 2017/18)
3. Electric Vehicle Charging Points
4. Gardens Advisory Group Update – **see Appendix 1**
5. Leaseholder Service Charge Working Party Annual Review - **see Appendix 2**
6. Agenda Plan

Property Services – see appendix 3

7. Redecorations
8. Public lift availability
9. Concrete Repairs
10. Underfloor Heating Working Party
11. Asset Maintenance Working Party Update
12. Broadband/TV services

Recommendation: that the contents of this report be noted.

Background

This report updates members on issues raised by the Residents' Consultation Committee and the Barbican Residential Committee at their meetings in September 2017. This report also provides updates on other issues on the estate.

Barbican Estate Office Issues

1. Blake Tower (formally the YMCA) Service Charge related issues (No change from previous update)

Issue	Update
Will it be managed by the BEO as part of the Barbican Estate?	Yes.
If so, when from? Day 1 – or after a period?	After 2 years.
If after a period, are there any arrangements that are different before and after the BEO takes over management?	No Garchey or Underfloor Heating. The Concierge Service will be provided by the Lobby Porter for 12 hours and Estate Concierge (Car Park Attendants) for the other 12 hours.
Where do Blake Tower residents park their cars? Bunyan car park? Are there enough spaces?	Bunyan car park. Yes.
Do they have ASSA keys to the gardens and the rest of the estate?	Yes.
If so do the ASSA keys of existing residents allow them access to Blake Tower?	No. There is a fob system. Potentially, Asser keys could be retro-fitted as has been the case with Frobisher Crescent.
When does the adjustment of estate wide service charges to accommodate Blake Tower take place? From day 1 or from when the BEO takes over?	Day 1.

2. Service Based Review (generating income for car parking & stores 2017/18)

Car Park Charging Working Party

The Barbican Residential Committee at its meeting in June 2017 approved the setting up of a Car Park Charging Working Party. At the first meeting in July the Working Party agreed the following Terms of Reference:

‘To proceed in the reference of the Grand Committee to review the charging policy for car parking and storage in the car parking areas of the Barbican and to report back thereon, with recommendations’.

The methodology, valuation brief and timetable was also agreed at this meeting and an update will be provided to the next Working Party meeting in late November.

Stores project

Following pre-planning consultation with residents for the additional stores in the car parks the latest estimated timelines are:

- Late summer 2017 – planning application submitted (deadline for comments was 19 October)
- Report to Planning and Transportation Committee 12 December 2017
- Winter - contractors on site
- Spring 2018 onwards - phased completion and available to rent

3. Electric Vehicle Charging Points (update from the Low Emission Neighbourhood (LEN) Project Manager)

The procurement of the electric vehicle charging points for Cromwell, Willoughby, Breton, Bunyan and Thomas More car parks is progressing, with the final connection and provision of metering currently being undertaken by UK Power Networks (UKPN).

There has however has been a delay to the procurement of the supply and installation of the charging points. We were under instruction to use the City of London’s framework contract with Chargemaster; however the procurement policy team in the Chamberlain’s Office have now determined that the use of this

contract for the supply and installation of charging points on the Barbican Estate residential car parks will be non-compliant with the terms of this contract and we will need to tender the works out to the market. It is anticipated that the successful contractor will be appointed in November with installations expected to take place in the New Year.

In the meantime, officers are reviewing the marketing, stakeholder engagement and communications for the pilot.

4. **Gardens Advisory Group Update – see Appendix 1**
5. **Leaseholder Service Charge Working Party Annual Review - see (Appendix 2)**
6. **Agenda Plan**

The table below includes a list of pending committee reports:

Residents’ Consultation Committee & Barbican Residential Committee

Report Title	Officer	RCC Meeting Date	BRC Meeting Date
“You Said; We Did” Actions (Separate list for RCC & BRC)	Michael Bennett	5 March	19 March
Service Level Agreement Review	Michael Bennett		
Lease Enforcement	Paul Murtagh		
Fire Safety Update	Paul Murtagh		
Repairs & Maintenance to roofs/balconies following water penetration	Paul Murtagh		
Car Park Charging Working Party - Recommendations	Michael Bennett		
Progress of Sales & Lettings	Anne Mason		
Arrears Report (BRC Only)	Anne Mason		
Residential Rent Review (BRC Only)	Anne Mason		

Update Report: <ul style="list-style-type: none"> Main update - Blake Tower service charge related issues/Service Based Review/Electric Vehicle Charging/ Gardens Advisory Group (Appendix 1)/Agenda Plan 2018 Property Services Update (Appendix 2) 	Michael Bennett		
"You Said; We Did" Actions (Separate list for RCC & BRC)	Michael Bennett	21 May	4 June
SLA Review	Michael Bennett		
Progress of Sales & Lettings	Anne Mason		
Arrears Report (BRC Only)	Anne Mason		
Update Report: <ul style="list-style-type: none"> Main update - Blake Tower service charge related issues/Service Based Review/Electric Vehicle Charging/ Gardens Advisory Group (Appendix 1)/Agenda Plan 2018 Property Services Update (Appendix 2) 	Michael Bennett		
"You Said; We Did" Actions (Separate list for RCC & BRC)	Michael Bennett	3 Sept	17 Sept
SLA Review	Michael Bennett		
2017/18 Revenue Outturn (Excluding the Residential Service Charge Account)	Anne Mason/Chamberlain		
2017/18 Revenue Outturn for the Dwellings Service Charge Account including Reconciliation between the closed accounts and the final service charge	Chamberlains		
Relationship of BRC Outturn Report to Service Charge Schedules – RCC Only	Anne Mason		
Progress of Sales & Lettings	Anne Mason		
Arrears Report (BRC Only)	Anne Mason		

Update Report: <ul style="list-style-type: none"> • Main update - Blake Tower service charge related issues/Service Based Review/Electric Vehicle Charging/ Gardens Advisory Group (Appendix 1)/Agenda Plan 2018 • Property Services Update (Appendix 2) 	Michael Bennett		
“You Said; We Did” Actions (Separate list for RCC & BRC)	Michael Bennett	26 Nov	10 Dec
SLA Review	Michael Bennett		
Service Charge Expenditure & Income Account - Latest Approved Budget 2018/19 & Original Budget 2019/20	Chamberlains		
Revenue & Capital Budgets - Latest Approved Budget 2018/19 and Original 2019/20 - Excluding dwellings service charge income & expenditure	Chamberlains		
Annual Review of RTAs	Town Clerks		
Working Party Review – Update of Leaseholder Service Charge Working Party (RCC Only)	Anne Mason		
Progress of Sales & Lettings	Anne Mason		
Arrears Report (BRC Only)	Anne Mason		
Update Report: <ul style="list-style-type: none"> • Main update - Blake Tower service charge related issues/Service Based Review/Electric Vehicle Charging/ Gardens Advisory Group (Appendix 1)/ Leaseholder Service Charge Working Party Annual Review (Appendix 2)/Agenda Plan 2019 • Property Services Update (Appendix 3) 	Michael Bennett		

Background Papers:

Minutes of Residents' Consultation Committee 4 September 2017.
Reports to the Barbican Residential Committee 11 September 2017.

Contact: Michael Bennett, Head of Barbican Estates
Tel: 020 7029 3923
E:mail: barbican.estate@cityoflondon.gov.uk

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Gardens Advisory Group (GAG) Update report to RCC

GAG meeting held 5 May 2017

The meeting heard that the RCC had accepted the presentation submitted by GAG regarding a change to the terms of reference. It was agreed that in future a written report of GAG's meetings would supplement the minutes sent to the RCC. This note represents the first of these reports.

A number of issues were discussed, the main ones being the Speed Garden redesign; setting up a new resident-led inspections process; the development of a communications strategy.

Following comments from residents near Speed Garden it was agreed that a document should be drafted setting out the reasons why a redesign of the garden was desirable. This could then be circulated among residents, accompanied by a survey seeking views, which would be valuable in developing the new design.

A system of inspections of the open spaces around the Estate was proposed and agreed. The plan is to set up five teams of four people, each led by a member of GAG but including other volunteer residents. Prior to each GAG meeting, the teams would inspect specified areas of the Estate and report to GAG. GAG members were selected to head each team. It was agreed that a checklist should be drafted so that teams would know what they should look for and to achieve some consistency in their reports.

It was felt that a communications strategy for GAG was needed. To that end, it was agreed that a proposal for the strategy should be presented as a discussion document at the next GAG meeting.

Other topics discussed included:

- a report from the Fann Street Wildlife gardening group saying that the new pond was settling in and a bird hide was about to be erected in the garden,
- details of the annual Blooming Balconies event to be held on 3 June,
- during the pre-meeting walkaround Beech Gardens were considered to be doing well, Bryer Pond had some blanket weed but was noted to be teeming with wildlife.

GAG Meeting held 9 October 2017

It was noted that the heavy workload of the Estate Office over the summer had caused the postponement of the planned summer meeting. This meeting was largely taken up with reports back on the issues raised at the previous meeting.

The draft document explaining the proposal to redesign Speed Garden, and the draft of the residents' survey, were discussed and agreed with minor amendments suggested. Once finalised, these would be circulated to residents through the BEO's weekly email.

A draft invitation to residents to join the proposed inspection teams was also discussed. It was felt a good idea to revise this to more of an advert style to attract attention, and that those who expressed an interest would then receive the fuller document. The draft checklist was agreed, although it was noted that it was likely to change as the teams got to work. The invitation, once revised, would be distributed in the BEO weekly email.

The discussion paper regarding GAG's communications strategy was received, but given the small number of members present it was agreed to recirculate this to the whole group and discuss it at the next meeting.

During the walkaround the question was raised of the maple tree in Thomas More Garden which has restricted views to some residents in Seddon House. The tree had been pruned last autumn to address this issue, however the tree had grown again, if anything more vigorously, and residents had asked that the tree be cut back again. It was agreed that annual pruning should be requested.

Leaseholder Service Charge Working Party Annual Update report to RCC

Members

Anne Mason - Chair (BEO), Michael Bennett (BEO), Helen Davinson (BEO), Graham Wallace (Chair of the RCC) , Helen Wilkinson, Mary Gilchrist, Jane Northcote, Phillip Burgess, David Lawrence, David Graves.

The resident members of the service charge working party propose the following recommendations to the RCC.

Recommendation 1

We recommend that the Key Performance Indicators (KPI) of officers of the BEO include specific and measurable targets to demonstrate that they have controlled or reduced costs recharged to Long Leaseholders, while maintaining service Levels.

Recommendation 2

This working party also recommends that it continues to meet during 2018 in order to monitor progress in the delivery of greater value for money for Long Leaseholders and to consider further how to improve communications with residents on service charges and related issues.

Background

The working group has been meeting for just over a year.

After defining more specific Terms of Reference it has spent a significant time in the early months coming to terms with the complexity of the service charge arrangements, the process for allocating costs, controls, and recharges.

The group then moved on to improve their understanding of two major areas of the service charges namely staff costs and general repairs.

Whilst the work in understanding and thinking through the issue of general repairs has only just started, the work around staff costs has moved forward with clearer thoughts about the issues here. These are set out below and whilst they may be of no surprise to the RCC, they will hopefully reinforce their understanding.

It is clear from the effort we have had to make to understand what happens that the average resident is unlikely to have much grasp of the detail behind the information they currently receive. So, we think it would be helpful for all if we spent some time in the coming months undertaking more work around communications. This should help both the BEO and the resident understand service charges.

Staff costs

The BEO produced analysis of staff costs for areas such as the lobby porters, cleaners and car park attendants from 2013/14 to 2017/18 estimates. We looked through these to test our understanding of how these are made up, any apparent issues of value for money and any opportunities for cost savings / efficiency.

We noted that there was a marked drop in costs for 2014/15 with an upswing in 2015/16. The explanation for this historical issue was not clear, although we would have expected commentary on variances of this type. However, as it is an historical issue we will follow up on the use of management / financial reports in the review of general repairs.

Whilst we are still looking at issues such as sickness our broad conclusions exploring these costs with BEO members of the group are twofold:-

Cost changes are driven by the pay and pension arrangements of the Corporation of London.

Smaller reductions in costs may be available. In particular the BEO are now considering whether a full time floating staff member could be utilised to reduce agency or overtime costs in areas such as the Lobby Porters where the combined agency and overtime estimate for 2017/18 is £114,000, with a further £89,000 of similar costs for the car park attendants.

Conclusion

At this stage it is too early to form a conclusion on value for money across the range of service charges. However, there is strong support to maintain the level of services provided by staff throughout the Estate and, whilst potential efficiencies so far identified may be available vis-a-vis areas such as the use of floating staff, these will be relatively small.

Property Services Update

5. Redecorations

2016/17-2019/20 Programme

Works continue to progress well on the 2017/18 programme

At the time of this report (8 November):

- Andrewes House – Complete
- Gilbert House – Complete. Excellent results from the satisfaction survey
- Willoughby House – 80% Complete
- Brandon Mews – Due to start in November, weather affecting programme and causing a slight delay from October start
- Cromwell Tower– Delayed start date pending results of fire safety inspections to front doors and surrounds
- Speed House – Delayed start date pending results of fire safety inspections to front doors and surrounds
- Bunyan Court – Delayed start date pending results of fire safety inspections to front doors and surrounds
- Thomas More House, Mountjoy House & The Postern, Due to start early 2018 – 3rd stage consultation during November

Feedback from residents on the performance of the contractor and quality of work continues to remain positive.

6. Public Lift Availability

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

Lift	From April 2016 to March 2017	From April 2017 to September 2017
Turret (Thomas More)	99.95%	99.92%
Gilbert House	99.96%	99.97%

7. Concrete Repairs

Only one tender was received for the Barbican Estate which was above our consultant's estimate. Advice from City Procurement was to re-tender the works and this is currently progressing

8. Underfloor Heating Working Party Update

Currently, the Underfloor Heating Working Party does not have a Chair or Deputy Chair. It has also been difficult to arrange meetings that suit everyone and for the Working Party to be quorate. In addition, BEO and Property Services currently have resourcing issues to service the large number of current working parties.

The Underfloor Heating Working Party was initially set up to review the future of the underfloor heating. This has since moved on to review the controls and future options. The RCC will carry out a review of all working parties in the spring. It is possible that the UFHWP will form part of the Asset Maintenance Working Party

9. Asset Maintenance Working Party Update

At the last Asset Maintenance Working Party, it was confirmed that the tender for a full condition survey was in progress. We are currently awaiting tender returns.

The current repairs and maintenance contract is under review and a small sub-group will be formed to review the current specification and KPI's

Garchey – Property Services has conducted a survey to determine properties that still have a Garchey. The survey excluded properties that have formally applied for landlord's permission for its removal. We are currently reviewing the responses and the results will be discussed with the AMWP.

Committee(s)	Dated:
Residents' Consultation Committee Barbican Residential Committee	27 November 2017 11 December 2017
Subject: Service Level Agreements Quarterly Review July – September 2017	Public
Report of: Director of Community and Children's Services Report author: Michael Bennett, Head of Barbican Estates	For Information

Summary

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 July – September 2017. This report details comments from the House Officers and the Resident Working Party and an ongoing action plan for each of the SLAs.

Recommendation

Members are asked to note the report.

Main Report

Background

This report covers the review of the quarter for July – September 2017 following 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

1. All of the agreed six weekly block inspections have been completed in the quarter July – September.
2. House Officers, Resident Services Manager and the Barbican Estate Manager attended the recent SLA Working Party review meeting in October to review the SLAs and KPIs.
3. New comments from the residents Working Party (Randall Anderson, Jane Smith, David Graves, Robert Barker, Graham Wallace, Fiona Talbot, Fred Rogers, John Tomlinson), House Officers, surveys, House Group meetings,

RCC and resident general comments/complaints are incorporated into the July – September comments.

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

8. Proposals

9. 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.
10. The review of the SLAs and KPIs for the quarter October to December will take place in February and details of this review will be presented at the March 2018 committees.

11. Conclusion

12. 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.

Appendices

- Appendices 1- 5 - SLA Action plans
- Appendix 6 – Key Performance Indicators

Background Papers

Quarterly reports to committee from 2005

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APPENDIX 1

SERVICE LEVEL AGREEMENT REVIEW- CUSTOMER CARE, SUPERVISION AND MANAGEMENT 2017-18

			<u>Appendix 1, Customer Care, Service Level Agreement 2017-18</u>		
	<u>Quarter</u>	<u>Source</u>	<u>COMMENT/QUERY</u>	<u>RESPONSE/ACTION</u>	<u>COMPLETED</u>
222	July-Sept 17	HO	Comments received from residents about the explanations sent out with the service charges not being sufficient.	Currently being reviewed by Leasehold Service Charge Working Party and Service Charge & Revenues Team.	
221	Apr-June 17	BEO	Review of Residents Information Pack & SLA booklet on hold due to other priorities & resourcing issues.	Resourcing of BEO currently being reviewed.	
220	Apr-June 17	BEO	2017 Residents Survey on hold due to other priorities & resourcing issues.	Resourcing of BEO currently being reviewed.	
219	Apr-June 17	BEO/ Housing	Senior Managers Fire Safety Drop-in Session in July.	Over 30 residents attended, rolling Q&A updated. Any outstanding queries have been logged and will be covered in the Autumn FAQ.	
218	Apr-June 17	PS	Feedback from residents suggest that the information in the water penetration letters are refreshed. Some of the letters sent out are not clear regarding contact details, no signatures etc.	Property Services, Customer Support Officer to review letters.	✓
217	Jan-Mar 17	BEO	Following the review of the Home Improvements Pack in 2016 and some further comments/complaints could or should a review of the hours of noisy works take place.	As discussed with the SLA WP BEO to review the outcome of the Citywide Consultation before any further review.	
215	Jan-Mar 17	BEO	BEO to compile a list of routine articles for the quarterly bulletins.	Schedule for quarterly/annual bulletins on hold due to other priorities & resourcing issues. Resourcing of BEO currently being reviewed.	
213	Jan-Mar 17	BEO	Procedure for dealing with water hammer being reviewed.	Current method has proved successful but time consuming, due to lack of response/ feedback from residents. On hold due to other priorities & resourcing issues. Resourcing of BEO currently being reviewed.	

APPENDIX 1

SERVICE LEVEL AGREEMENT REVIEW- CUSTOMER CARE, SUPERVISION AND MANAGEMENT 2017-18

209	July-Sept 16	BEO/ AGM	Paper survey is to be sent out to get feedback on the Information Point at Thomas More Car Park.	Paper survey for local blocks in Autumn. Completed. Results have been reviewed but were inconclusive. Potential rollout to rest of the Estate being reviewed. At the Thomas More AGM it was requested that the Information Point be moved to the BEO as the car park was unsuitable. On hold due to other priorities & resourcing issues. Resourcing of BEO currently being reviewed.	
			Completed Actions - House Officers as residents' champions determine whether the issue has been dealt with and completed satisfactorily		
			GAG Gardens Advisory Group	PS Property Services	
			CPA Car Park Attendant	LL/SC Landlord/Service Charge cost	
			LP Lobby Porter	DCCS Department of Children & Community Services	
			BAC Barbican Centre	BOG Barbican Operational Group	
			Source of comments		
			HO House Officers	COM Complaint	
			RCC Residents Consultation Committee	SURV Survey	
			RCC ? RCC Pre Committee Question	HGM House Group Meeting	
				AGM House Group Annual General Meeting	

APPENDIX 2

SERVICE LEVEL AGREEMENT REVIEW - ESTATE MANAGEMENT 2017-18

			<u>Appendix 2, Estate Management, Service Level Agreement, 2017-18</u>		
	<u>Quarter</u>	<u>Source</u>	<u>COMMENT/QUERY</u>	<u>RESPONSE/ACTION</u>	<u>COMPLETED</u>
208	July-Sept 2017	WP	Reminder on fire routes was suggested.	The weekly EBs will remind residents to check their fire routes and the BEO will update the Residents Information Pack as a future task.	
207	July-Sept 2017	WP	Ambulance points for emergency services.	When speaking to the call handler, who could be in any part of the UK; you will be asked for a postal address with the road where the incident is in and main road intersecting this. It is then looked up on a digital map to confirm. BEO are reviewing the original information in the Residents Information Pack and liaising with the Emergency Services to offer clear guidance.	
Page 206 209	July-Sept 17	SLA	Cleanliness of Gilbert Bridge and other hotspots at the weekend	Information passed on to the Cleaning Supervisors for follow up and these areas are to be monitored while on duty at the weekend. (Residents are reminded to contact their Concierge or Porter if they need to report a particular issue at the weekend)	
	July-Sept 17	BEO	Slight dip in KPIs for block cleaning.	Increased monitoring by Supervisors especially reporting issues related to private contractors working in the blocks	
	July-Sept 17	BEO	New Interim Health & Safety Officer appointed started July 31st	Permanent post is being recruited in the Winter	✓
202	Apr-June 17	BEO	Annual Fire escape/balcony inspections commenced May 2017 & action plan reviewed in June. First inspections of all blocks completed July. Second follow up enforcement inspections completed end of July. Comms. plan reviewed for Fire safety in June (including Fire booklets/Email bulletins/FAQs both general & specific/website/Fire Risk Assessments). All correspondence to House Officers for response.	FAQ being regularly distributed via email broadcast and easily viewable on the Barbican Estate Website. Outstanding FAQs being reviewed by BEO subject to current resourcing issues which are being reviewed.	

APPENDIX 2

SERVICE LEVEL AGREEMENT REVIEW - ESTATE MANAGEMENT 2017-18

201	Apr-June 17	BEO	Morale low for some Estate Cleaners in relation to grading of Cleaning standards carried out for inspections not being the same as the City's appraisal system (issues of communication & misunderstanding).	Block inspections to be regraded (outstanding/very good/good/improvement required) for cleaning standards from October 2017 as agreed at SLA WP in July.	✓
200	Apr-June 17	BEO	Daily reporting of any faulty fire doors and lights by front line staff.	Cleaning Manager & supervisors reinforced at team meetings.	✓
199	Apr-June 17	BEO	Issues regarding items left outside of baggage stores in store area.	Cleaning Manager & supervisors reinforced at team meetings to ensure Block Cleaners are proactive in reporting these items and arranging for their removal.	✓
198	Apr-June 17	BEO	Bike Amnesty taking place in Lauderdale and Thomas More Car Parks.	comment only	✓
197	Apr-June 17	BEO	Positive feedback received about new staff (Lobby Porters/Car park Concierge).	comment only	✓
196	Jan - Mar 16	SLA	New powers of Fixed Penalty Notices (FPN) for fly tipping. Will BEO be liaising with Cleansing about various problem areas around the Estate?	Meeting held with Cleansing and BEO - Agreed that:- comms with contractors would be increased; review signage and review enforcement (but there may be resourcing issues). New signage is currently on order.	

APPENDIX 3

SERVICE LEVEL AGREEMENT REVIEW - PROPERTY MAINTENANCE 2017-18

			<u>Appendix, 3 Repairs & Maintenance, Service Level Agreement, 2017-18</u>		
	<u>Quarter</u>	<u>Source</u>	<u>COMMENT/QUERY</u>	<u>RESPONSE/ACTION</u>	<u>COMPLETED</u>
197	Jul-Sept 17	HO/BEO	New calling cards (for appointments & scheduled works) for some on-site Barbican contractors - does this need reviewing? Feedback from residents advises that some cards look like general maintenance flyers. Review inserting COL logo?		
196	Jul-Sept 17	PS	New procedure set up by new Property Services Team Manager (who manages Resident Engineer/Duty Manager team) to monitor works to balconies.	HOs will be able to view a shared directory sheet with details of ongoing works and the works schedules. Contractor has been asked to provide weekly schedules of planned work	✓
195	Jul-Sept 17	PS	Following retirement of Property Services Team Manager last month, replacement has been recruited. Recruitment for another Resident Engineer for a full team in due course.	For comment only	✓
194	Jan - Mar 17	SLA WP	Is the Lift Consultant contract due to be retendered soon?	Yes - this is scheduled for early 2018	
201	Oct-Dec 2016	BEO	Balcony Slabs - difficulty in sourcing.	Balcony slabs are being sourced & repurposed from Bernard Morgan House where possible as they meet the Listed Building Guidelines and match Barbican originals and PS sourcing another supplier.	
200	Apr - June 2016	BEO	Repairs & Maintenance contract to be tendered - resident representatives required to volunteer to help determine the new contract.	Meeting took place with City Procurement and has been agreed the Barbican R&M contract will be tendered separately from the Housing contract. 2 volunteers will be sought from the Asset Maintenance Working Party. Anticipated new contract commencing July 2018.	

APPENDIX 3
SERVICE LEVEL AGREEMENT REVIEW - PROPERTY MAINTENANCE 2017-18

APPENDIX 4

SLA AGREEMENT REVIEW - MAJOR WORKS 2017-18

			<u>Appendix 4, Major Works, Service Level Agreement, 2017-18</u>		
	<u>Quarter</u>	<u>Source</u>	<u>COMMENT/QUERY</u>	<u>RESPONSE/ACTION</u>	<u>COMPLETED</u>
154	Jul-Sept	HO	Paintcode information provided to House Officers by Property Services for redecoration works - some information incorrect	Being reviewed with Property Services officers with possibility of linking to Asset Maintenance software.	
153	Jul-Sept	HO	External redecoration work - feedback from residents about fire doors from flats being painted shut following external redecoration programmes	Policy on external redecoration on fire doors from Tower flats (and Bunyan and Ben Jonson north side) - does this need to be reviewed within the specification?	
152	Jul-Sept	PS	Internal redecoration works for 17/18 put on hold due to the possibility of front door replacement programme.	Communicated to the House Group Chairs only	
149	Oct-Dec 16	residents	Asking for an update as to when the repairs to the balcony soffits , following the concrete testing, will be completed.	The repairs contract project is being re-tendered following advice form City Procurement as there was only 1 tender submission which exceeded the consultants estimate. We are expecting to commence works, subject to satisfactory tender returns, in Spring 2018. The concrete repairs are not combined with Golden Lane (although they did go out to tender together).	

APPENDIX 5

SERVICE LEVEL AGREEMENT REVIEW - OPEN SPACES 2017-18

			<u>Appendix 5, Open Spaces, Service Level Agreement, 2017-18</u>		
	<u>Quarter</u>	<u>Source</u>	<u>COMMENT/QUERY</u>	<u>RESPONSE/ACTION</u>	<u>COMPLETED</u>
169	July-Sept 17	SLA	New City Gardens Manager made positive start and seems enthusiastic	Comment only.	
168	July-Sept 17	BEO	Comments from several Thomas More House residents regarding noise from lawnmower in the private garden.	New lawnmower has been acquired. The new one is much quieter which should hopefully help with noise for residents overlooking the private gardens.	
167	July-Sept 17	BEO	Barbican Centre currently working on Lakeside tiling - water levels have been dropped in order to carry out the works	Comment only.	✓
166	July-Sept 17	BEO	Open Spaces Supervisor has left the Barbican. Open Spaces currently recruiting for his replacement.	Comment only.	✓
165	Apr-Jun 17	BEO	Issue flagged by concerned residents about the spraying/use of weed killer in the private gardens.	Open Spaces have agreed to inform the BEO in advance of the spraying taking place. The BEO will then send this information out via the email broadcast system to Barbican Residents.	✓
164	Jan- Mar 2017	HG	Following non-residents gaining access to Speed House gardens and the Igloos, potential accessible areas being reviewed.	Anti-climb paint has already been re-applied to all the surrounding gates of Speed Lawn (including across the lake by the Wood St Bar). At the request of residents the bed from the GSMD to the Speed Lawn has been replanted to discourage people climbing over. As previous, the Barbican Estate urges residents who see people climbing in to contact the Local Car Park Concierge or Police at the time.	✓
163	Oct - Dec 16	RCC Qs	BEO to review whether the old ironmongery grilles that was removed during the recent works by Speed Lawn, should be replaced.	Officers reviewing following growth of new shrubbery covering the ironmongery grilles & Listed Building issues.	

APPENDIX 5
SERVICE LEVEL AGREEMENT REVIEW - OPEN SPACES 2017-18

158	July-Sept 15	SURV	Is there sufficient investment in the large private gardens?	Being reviewed by the GAG in the first instance.	

Appendix 6. Barbican KPIs 2017-18

Title of Indicator	TARGET 2015/16	TARGET 2016/17	TARGET 2017/18	ACTUAL 2016/17		APR - JUN 2017	JULY - SEPT 2017	OCT - DEC 2017	JAN - MAR 2018	PROGRES S AGAINST TARGET	SUMMARY	Actual 2017/18
Customer Care												
Answer all letters satisfactorily with a full reply within 10 working days	100%	100%	100%	100%		100%	100%			😊	70/70	
Answer all emails to public email addresses within 1 day and a full reply to requests for information within 10 days	100%	100%	100%	100%		100%	100%			😊	71/71	
To resolve written complaints satisfactorily within 14 days	100%	100%	100%	100%		%	100%			😊	3 complaints. Repair issues, roof costs & tree removal.	
Repairs & Maintenance												
% 'Urgent' repairs (complete within 24 hours)	95%	95%	95%	99.8%		100%	99%			😊		
% 'Intermediate' repairs (complete within 3 working days)	95%	95%	95%	99.3%		98%	99%			😊		
% 'Non-urgent' repairs (complete within 5 working days)	95%	95%	95%	99.0%		98%	99%			😊		

Actual 2017/18	SUMMARY	PROGRES S AGAINST TARGET	JAN - MAR 2018	OCT - DEC 2017	JULY- SEPT 2017	APR- JUN 2017		ACTUAL 2016/17	TARGET 2017/18	TARGET 2016/17	TARGET 2015/16	Title of Indicator
		☺			98%	99%		98.2%	95%	95%	95%	% 'Low priority' repairs (complete within 20 working days)
	A fault with the reporting software was identified. On some occasions the lifts were in service but reported as out of service on the monitoring software. This has now been resolved. This was a software issue, not an availability issue and an adjustment for this quarter's KPI figure will be included next quarter	☹	Tower lifts %	Tower Lifts %	Tower Lifts 92.77%	Tower lifts 98.43%		Tower lifts 99%	Tower lifts 99%	99%	99%	Availability % of Barbican lifts
		☺	Terrace lifts %	Terrace Lifts %	Terrace Lifts 99.24%	Terrace lifts 99.74%		Terrace lifts 98.9%	Terrace lifts 99%			

[illegible]

Title of Indicator	TARGET 2015/16	TARGET 2016/17	TARGET 2017/18	ACTUAL 2016/17		APR- JUN 2017	JULY- SEPT 2017	OCT - DEC 2017	JAN - MAR 2018	PROGRES S AGAINST TARGET	SUMMARY	Actual 2017/18
House Officer 6-weekly joint inspections with House Group representatives monitoring block cleaning - good and very good standard (& outstanding)	90%	90%	90%	94%		97%	86%			☹	14% were either satisfactory or needed improvement (see Estate Management SLA comment 205)	
House Officer 6-weekly joint inspections with House Group representatives monitoring communal window cleaning - good and very good standard	80%	80%	80%	92%		92%	90%			☺		
House Officer 6-weekly joint inspections with House Group representatives monitoring podium cleaning - good and very good standard	80%	80%	80%	84%		81%	96%			☺		

Title of Indicator	TARGET 2015/16	TARGET 2016/17	TARGET 2017/18	ACTUAL 2016/17		APR- JUN 2017	JULY- SEPT 2017	OCT - DEC 2017	JAN - MAR 2018	PROGRES S AGAINST TARGET	SUMMARY	Actual 2017/18
House Officer 6-weekly joint inspections with House Group representatives monitoring car park cleaning - good and very good	80%	80%	80%	89%		97%	95%			☺		
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	80%	80%	80%	100%		n/a	n/a			☺		
Major Works												
% Overall Resident satisfaction of completed Major Works Projects (£50k+)	90%	90%	90%	95%		92%	n/a					
Short Term Holiday Lets												
Possible STHL reported to BEO because of noise or nuisance	NA	NA	NA	NA		2	0					

Actual 2017/18	SUMMARY	PROGRES S AGAINST TARGET	JAN - MAR 2018	OCT - DEC 2017	JULY- SEPT 2017	APR- JUN 2017		ACTUAL 2016/17	TARGET 2017/18	TARGET 2016/17	TARGET 2015/16	Title of Indicator
					1	0		NA	NA	NA	NA	STHL reported to BEO after being found on a website and being investigated
					1	2		NA	NA	NA	NA	STHL at Stage 1
					0	0		NA	NA	NA	NA	STHL at Stage 2

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Committee(s) Residents Consultation Committee Barbican Residential Committee	Date(s): 27 November 2017 11 December 2017
Subject: Progress of Sales & Lettings	Public
Report of: Director of Community and Children's Services Report author: Anne Mason – Revenues Manager	For information

Summary

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.

Recommendation:

That the report be noted.

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	F3C	5	£20,800	03/05/2016 02/05/2019	Tenant deceased	08/09/2017
2	20	2	£24,550	Periodic Tenant	Tenant deceased	28/09/2017

3	F1A	5	£12,000	05/05/2016 04/05/2019	Moving away	08/01/2018
4	M3B	5/6/7	£28,150	30/01/2015 29/01/2018	Move to more suitable flat	TBA

RIGHT TO BUY SALES

3.

	20 October 2017	9 August 2017
Sales Completed	1079	1079
Total Market Value	£94,546,908.01	£94,546,908.01
Total Discount	£29,539,064.26	£29,539,064.26
NET PRICE	£65,007,843.75	£65,007,843.75

OPEN MARKET SALES

4.

	20 October 2017	9 August 2017
Sales Completed	850	849
Market Value	£150,358,771.97	£149,493,771.97

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 20 October 2017
1	Seddon	3	26 (1 bed)	£770,000	Proceeding
2	Ben Jonson	1/2	M2A (1 bed)	£745,000	Proceeding

COMPLETED SALES

9. Since the last report one sale has completed. The sale of 24 Speed House completed on 4 September 2017.

APPROVED LETTING

10.

CASE	Block	Floor	Type	Annual Rent	Remarks as at 20 October 2017
1	Cromwell Tower	15	1B 4 bed	£36,200	Transfer of tenant to more suitable accommodation Proceeding

SALES PER BLOCK

11.

BLOCK	TOTAL NO. OF FLATS	TOTAL NO. SOLD	NET PRICE £	% NO. OF FLATS SOLD
ANDREWES HOUSE	192	184	16,648,760.00	95.83
BEN JONSON HOUSE	204	195	14,132,454.83	95.59
BRANDON MEWS	26	24	1,057,460.00	92.31
BRETON HOUSE	111	107	7,626,712.50	96.40
BRYER COURT	56	55	2,307,338.50	98.21
BUNYAN COURT	69	66	4,693,780.00	95.65
DEFOE HOUSE	178	172	16,489,782.50	96.63
GILBERT HOUSE	88	87	11,046,452.50	98.86
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	107	11,568,148.50	93.86
THOMAS MORE HOUSE	166	162	13,668,455.00	97.59
WILLOUGHBY HOUSE	148	146	14,337,670.50	98.65
TERRACE BLOCK TOTAL	1645 (1645)	1589 (1588)	135,545,573.33 (134,680,573.33)	96.60 (96.53)
CROMWELL TOWER	112	102	25,305,801.00	91.07
LAUDERDALE TOWER	117	114	24,553,779.63	97.44
SHAKESPEARE TOWER	116	110	27,300,415.76	94.83
TOWER BLOCK TOTAL	345 (345)	326 (326)	77,159,996.39 (77,159,996.39)	94.49 (94.49)
ESTATE TOTAL	1990 (1990)	1915 (1914)	212,705,569.72 (211,840,569.72)	96.23 (96.18)

The freeholds of 14 flats in Wallside have been sold. The net price achieved for the purchase of the original leasehold and subsequent freehold interest is £3,459,500.

Anne Mason

Revenues Manager

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Committee: Barbican Residential Committee	Date: 17 December 2017
Subject: Decision taken under Delegated Authority/ Urgency procedures the last meeting of the Committee	Public
Report of: Town Clerk Report author: Julie Mayer	For Information

Summary

This report advises Members of action taken by the Town Clerk, in consultation with the Chairman and Deputy Chairman, since the last meeting of the Committee and in accordance with Standing Order No. 41.

Urgent Decision: Cultural Hub Public Realm Temporary Artistic Projects Look and Feel ‘Quick Wins’ - Phase 1

The Cultural Hub Working Party and its Chairman expressed a strong desire to see a series of ‘Quick Wins’ across the Cultural Hub, ahead of the proposed major capital interventions, and an indicative programme was endorsed by the Working Party on 1 February 2017. A Gateway 1/2/3/4 report was approved by Members in March 2017 to initiate the programme.

A creative producer was subsequently appointed to put the programme together; artists were appointed to do some pre-evaluation work; designs were drawn up and costs clarified.

Reasons for Urgency

The artworks needed to be in situ for a 3 month duration starting, on 20 July 2017, to coincide with the launch of the new name and identity for the Cultural Hub. Given the short time-frame involved, the lead-times to deliver the projects were extremely tight and did not align with the Committee cycle. An urgent decision was therefore sought.

Action Taken:

The Town Clerk, in consultation with the Chairman and most senior Member of the Barbican Residential Committee approved the temporary installation along the façade of Speed House Car Park on Silk Street

Barbican Estate Residential Stores (issue report)

There is currently a waiting list of over 260 residents for a store. This project would include an additional 316 stores within unoccupied car park areas and former car bays in order to provide future proofing for residents demands for stores. Overall current car park occupancy is 67% (498 vacant bays).

In order for the City to make the best use of its assets the option for the new stores in the car parks to be let to non-Barbican residents within walking distance should there be insufficient demand from Barbican Estate residents' needs to be considered. It is proposed that this letting policy would come into effect from 6 months following the completion of the new stores project, subject to planning permission and approval from the Barbican Residential Committee.

Reason for urgency

The Barbican Residential Committee was due to meet on 11th September 2017 but it did not make a quorum of 4 non-resident Members and therefore this decision was taken under urgency provision.

Action taken

1. The policy for the new stores in the car parks, to be let to non-Barbican residents within walking distance should there be insufficient demand from Barbican Estate residents, was approved.
2. The letting policy to come into effect after 6 months following, the completion of the new stores project, by the Barbican Residential Committee, subject to planning permission.
3. The policy be subject to a twelve-month review by the Barbican Residential Committee.
4. The budget for fees be increased by a further £3,250 to reach the next Gateway.

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