

BARBICAN ESTATE RESIDENTS CONSULTATION COMMITTEE

Monday, 27 November 2017

Minutes of the meeting of the Barbican Estate Residents Consultation Committee
held at Guildhall on Monday, 27 November 2017 at 6.30 pm

Present

Members:

Graham Wallace (Chairman) – Andrewes House
Christopher Makin (Deputy Chairman – Speed House
Jim Davies (Deputy Chairman) – Mountjoy House
Gordon Griffiths - Bunyan Court
Fiona Lean - Ben Johnson House
Averil Baldwin - Thomas More House
Fred Rodgers - Breton House
David Graves - Seddon House
Nancy Chessum - Andrewes House
David Kirkby - Defoe House
David Lawrence - Lauderdale Tower
Mark Bostock – Frobisher Crescent

Officers:

Paul Murtagh	- Assistant Director, Barbican and Property Services, Community and Children's Services
Helen Davinson	- Community and Children's Services
Michael Bennett	- Community and Children's Services
Anne Mason	- Community and Children's Services
Helen Davinson	- Community and Children's Services
Mike Saunders	- Community and Children's Services
Klara Buzas	- Community and Children's Services
Julie Mayer	- Town Clerk's

1. APOLOGIES

Apologies were received from Jane Smith, John Taysum, Sandy Wilson, Michael Swash, John Tomlinson and Lorne Whiteway.

The following Houses sent representatives:

- Shakespeare House – Ted Reilly
- Gilbert House – Viv Fowler
- Cromwell Tower – Mike Bristow
- Helen Kay – Barbican Association and Willoughby House

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

There were no declarations.

3. **ELECTION OF DEPUTY CHAIRMAN**

Members were reminded that, in 2015, the Barbican Residential Committee had agreed that the RCC could elect a second Deputy Chairman, given that the RCC has a large number of Working Parties and the volume of work this might generate for the Chairman. Jim Davies had submitted a statement in support of his nomination which had been circulated and tabled for Members.

RESOLVED, that –

Being the only Member declaring a willingness to serve, Jim Davies be elected as Deputy Chairman of the Barbican RCC for the ensuing year.

4. **MINUTES**

The Minutes of the Meeting held on 4th September 2017 were approved.

5. **'YOU SAID; WE DID' - OUTSTANDING ACTIONS LIST**

Members considered the RCC's outstanding actions list. In respect of the General Data Protection Regulations 2018, the Town Clerk advised that, whilst the City of London Corporation's Comptroller and City Solicitor could not directly advise the Barbican Estates' House Groups, he would be providing a verbal update at the next meeting of the Barbican Residential Committee on 11th December 2017. The update would be minuted and Members were further advised to check the Government's web site in respect of managing the personal data of their House Group members.

RESOLVED, that – the outstanding actions list be noted.

6. **LEASE ENFORCEMENTS**

Members received a report of the Director of Community and Children's Services in respect of Lease Enforcements, which would seek a steer from the RCC to the BRC on how best to take this forward. The Assistant Director advised that the extensive consultation, which had taken place since Members received the last report in September, had formulated the 3 options as set out in the report:

- **Option 1 – Strict enforcement of the Lease for all future cases**
- **Option 2 – Formal adoption of current practice for all future cases**
- **Option 3 – Strict enforcement of the Lease in all cases**

Members were reminded that the RCC had no decision-making powers but acted as a consultation committee to the BRC. The Town Clerk advised that, as was usual practice, the BRC would receive the draft minutes from this meeting at their next meeting on 11 December. The Chairman explained that each Member would be invited to express their views, on behalf of their house groups and he would then call a vote on each of the 3 opinions. Members would be able to abstain if they preferred.

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

In the case of Option 1, if the tenant and circumstances were to change, this would be taken into consideration.

New tenants would be made aware of the Conditions of the Lease when questions were raised by their Solicitors as the relevant clause states that tenants must carpet all floors in the premises from wall to wall.

The interpretation of 'no business whatsoever' had been applied literally in the case of Air BnB lets, which had been strongly supported by the Barbican residents and been the subject of a decision by the BRC in 2015.

Many Leases contained wording that was 30 or 40 years out of date and it would therefore be unreasonable to strictly enforce this if residents were working from home, for example. However, it would apply if residents were continually receiving clients at their homes or causing a disturbance.

Members were concerned that if there would be no retrospective enforcement, then there should be active monitoring. Officers advised Members that complainants would not be required to prove the noise nuisance but simply report it. However, there would be a pragmatic approach and each case would be viewed on its merits, to protect residents from vexatious complainers.

14 Members voted as follows:

Option 1 – 4 votes

Option 2 – 3 votes

Option 3 – 1 vote

6 Members abstained.

RESOLVED, that the BRC be asked to note the view of the BRC in this matter.

7. FIRE SAFETY UPDATE

Members considered a report of the Director of Community and Children's Services which provided an update on the City of London Corporation's approach to fire safety on the Barbican Estate and, following the tragic fire at Grenfell Tower in June this year, to inform Members on the subsequent actions taken by the City Corporation. During the discussion, the following points were noted:

- The financial implications on lease holders were not known at this stage.
- Following the Type 3 Risk Assessments, which would commence on the Barbican Estate in January 2018, the results would be analysed and evaluated and an action plan produced. This would be shared with house groups and published as soon as possible. Members asked if printed copies could be made available at the Estate Office.
- There had been second series of Frequently Asked Questions (FAQ's) on the website and a third series was ready to be added and shared via email broadcast. The questions covered those outstanding and those raised during the residents' drop-in session.

- There had been an extremely high demand nationally for fire door testing and there was a current backlog of 12-14 weeks. Officers were looking at alternatives to reduce the timescales.

RESOLVED, that – the report be noted.

- **SERVICE CHARGE EXPENDITURE AND INCOME ACCOUNT - LATEST APPROVED BUDGET 2017/18 AND ORIGINAL BUDGET 2018/19**

Members considered a report of the Director of Community and Children's Services and the Chamberlain in respect of the service charge expenditure and income account. In response to a question about a 15% increase in employee costs, the officer explained that this had been due to this year's pay award, increments and pension increases.

RESOLVED, that – the report be noted.

9. **REVENUE AND CAPITAL BUDGETS - LATEST APPROVED BUDGET 2017/18 AND ORIGINAL BUDGET 2018/19 - EXCLUDING DWELLINGS SERVICE CHARGE INCOME AND EXPENDITURE**

Members considered a report of the Director of Community and Children's Services and the Chamberlain in respect of the Revenue and Capital Budgets. Members were invited to raise any further queries outside of this meeting.

RESOLVED, that – the report be noted.

- **BARBICAN RESIDENTIAL COMMITTEE AND RESIDENTS CONSULTATION COMMITTEES WORKING PARTIES:**

The Head of Barbican Estates and the Chairman were heard in respect of items 10 and 11 on the agenda, which were taken together, to help Members consult with their house groups and prepare for their AGM at the end of January 2018. Members noted that some recommendations from the Working Parties had been included in the Update Report at agenda item 14.

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

Working parties were very intensive in terms of officer time and resources and Members were asked to consider whether some could be combined under common themes; i.e. property, corporate assets and service charges. This could be facilitated by using standard templates.

Some working parties were time limited but could continue under a different theme or merged with another current working party. For example, the Roof Working Party had moved on from apportionment to warranties but could be incorporated into the Asset Maintenance Working Party along with the Underfloor Heating Working Party.

There was some concern expressed as to whether such mergers might be cumbersome and make the working parties very large but it was also accepted that it might allow smaller task groups to form within the working parties, allowing for specialism on technical aspects.

In respect of other matters, which are generally reported at the AGM, Members noted that, due to resourcing issues at the Estate Office and large projects this year; i.e. stores and car park charges, fire safety and lease enforcement, there had not been a resident survey this year but officers hoped to run a survey in 2018.

11. PROGRESS OF SALES AND LETTINGS

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

RESOLVED, that – the report be noted.

12. SERVICE LEVEL AGREEMENTS (SLA) QUARTERLY REVIEW

Members considered a report of the Director of Community and Children's Services in respect of the latest SLA quarterly review.

A Member was concerned that the increase in the September service charges bill had been higher than expected and distressed a number of residents. It was suggested that a timely email broadcast might have alleviated this position. The Officer advised that the Estate Office service charge team was at half its usual level of resources but would take this suggestion on board in the future.

A further concern was raised about ambulance access points on the estate. The Officer advised that contact cards in flats and the role of concierges were being reviewed. The Chairman asked for this to be dealt with as a matter of urgency and updates provided via email bulletin. Subsequent to the meeting, the Officer advised that he had received an email confirming that the London Ambulance Service would be in contact in respect of clarifying communications about postcode/numbered access points across the estate.

RESOLVED, that – the report be noted.

13. UPDATE REPORT

Members considered the update report of the Director of Community and Children's Services.

In respect of the Leaseholder Service Charge Working Party, Members agreed the following 2 recommendations, as set out in Appendix 2 to the report:

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.

A Member also commented that, generally, she had found residents' opinions on service charge levels satisfactory.

RESOLVED, that – the report be noted.

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

Members noted the questions submitted in advance of the meeting, which had been circulated and tabled at the meeting (at appendix 1 to these minutes).

In respect of the residents' information board at the Thomas Moore Car Park being moved to the Estate Office, the Officer advised that this had not been possible due to resourcing issues this year. A Member expressed a concern that this could exclude those residents without internet. The Officer agreed to consider this again and report back to Members.

15. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There were no items.

The meeting ended at 7.55 pm