



## Barbican Estate Residents Consultation Committee

**Date:** MONDAY, 27 NOVEMBER 2017

**Time:** 6.30 pm

**Venue:** COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

**Members:**

Graham Wallace – Chairman (Andrewes House)	David Andrew Graves (Alderman)
Christopher Makin – Deputy Chairman (Speed House)	Christopher Makin - Speed House (Deputy Chairman)
Gordon Griffiths - Bunyan Court	Nancy Chessum - Andrewes House
Fiona Lean - Ben Jonson House	Sandy Wilson - Shakespeare Tower
Jane Smith - Barbican Association	David Kirkby - Defoe House
John Taysum - Bryer Court	Jim Davies - Mountjoy House (Deputy Chairman)
Janet Wells - John Trundle House	Professor Michael Swash - Willoughby House
Averil Baldwin - Thomas More House	David Lawrence - Lauderdale Tower
John Tomlinson, Deputy	Mark Bostock
Graham Wallace - Andrewes House (Chairman)	Lorne Whiteway - Gilbert House
Mary Bonar - Wallside	
Fred Rodgers - Breton House	

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**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. **ELECTION OF DEPUTY CHAIRMAN**

To elect a second Deputy Chairman to the Committee.

**For Decision**

4. **MINUTES**

To agree the minutes of the Barbican Residents' Consultation Committee (RCC) held on 4 September 2017.

**For Decision**  
(Pages 1 - 6)

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

Report of the Director of Community and Children's Services.

**For Information**  
(Pages 7 - 8)

6. **LEASE ENFORCEMENTS**

Report of the Director of Community and Children's Services.

**For Information**  
(Pages 9 - 32)

7. **FIRE SAFETY UPDATE**

Report of the Director of Community and Children's Services.

**For Information**  
(Pages 33 - 42)

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

Joint report of the Chamberlain and the Director of Community and Children's Services.

**For Information**  
(Pages 43 - 50)

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

Joint report of the Chamberlain and the Director of Community and Children's Services.

**For Information**  
(Pages 51 - 62)

10. **BARBICAN RESIDENTIAL COMMITTEE AND RESIDENTS CONSULTATION COMMITTEES WORKING PARTIES:**

Report of the Director of Community and Children's Services.

**For Information**

a) Terms of Reference (Pages 63 - 70)

b) Schedule of Working Parties currently dealing with Barbican Estate Issues (Pages 71 - 76)

11. **WORKING PARTY REVIEW - ISSUES FOR DISCUSSION AT NEXT ANNUAL GENERAL MEETING**

The Head of Barbican Estates and the Chairman to be heard.

**For Discussion**

12. **PROGRESS OF SALES AND LETTINGS**

Report of the Director of Community and Children's Services.

**For Information**  
(Pages 77 - 80)

13. **SERVICE LEVEL AGREEMENTS (SLA) QUARTERLY REVIEW**

Report of the Director of Community and Children's Services.

**For Information**  
(Pages 81 - 100)

14. **UPDATE REPORT**

Report of the Director of Community and Children's Services.

**For Information**  
(Pages 101 - 114)

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

Questions received in advance of the meeting.

(Pages 115 - 118)

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

## BARBICAN ESTATE RESIDENTS CONSULTATION COMMITTEE

**Monday, 4 September 2017**

Minutes of the meeting of the Barbican Estate Residents Consultation Committee  
held at Guildhall at 6.30 pm

### **Present**

#### **Members:**

Jim Davies – Mountjoy House (*in the Chair*)

Brian Parks – Speed House

Gordon Griffiths - Bunyan Court

Fiona Lean - Ben Jonson House

Robert Barker - Barbican Association

John Taysum - Bryer Court

Caroline Reed - Thomas More House

Mike Bristow - Cromwell Tower

Fred Rodgers - Breton House

David Graves – Seddon House

Jacqueline Glonski- Gilbert House

Nancy Chessum - Andrewes House

Prof. Michael Swash - Willoughby House

David Lawrence - Lauderdale Tower

Mark Bostock – Frobisher Crescent

#### **In Attendance**

Ann Holmes – Chairman of the Barbican Residential Committee

Susan Pearson – Deputy Chairman of the Barbican Residential Committee

Mary Durcan – Member of the Barbican Residential Committee

#### **Officers:**

Julie Mayer	-	Town Clerk's
Paul Murtagh	-	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
Mike Saunders	-	Community and Children's Services

#### **1. APOLOGIES**

Apologies were received from Graham Wallace, Christopher Makin, Jane Smith, Janet Wells, John Tomlinson, Richard Dykes, Sandy Wilson and David Kirkby. Representatives were sent, as listed above for Speed House, Barbican Association, Cromwell Tower and Gilbert House. Jim Davies had agreed to take the Chair for this meeting as both the Deputy Chairman and Chairman had become unavoidably indisposed.

As there were several substitute members this evening, the Chairman invited those present to introduce themselves.

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

There were no declarations.

3. **MINUTES**

There were no declarations.

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

Members received a report of the Director of Community and Children's Services in respect of outstanding actions.

5. **SERVICE LEVEL AGREEMENTS QUARTERLY REVIEW: APRIL - JUNE 2017**

Members received a report of the Director of Community and Children's Services which provided an update on the Estate wide implementation of Service Level Agreements (SLAs) and Key Performance Indicators (KPI's) for the quarter April to June 2017. In response to a question about the resourcing review, officers advised that this had arisen following the fire safety review.

RESOLVED, that the report be noted.

6. **PROGRESS OF SALES AND LETTINGS**

Members received a report of the Chamberlain and the Director of Community and Children's Services in respect of the sales and lettings approved since the last meeting.

RESOLVED, that the report be noted.

7. **2016/17 REVENUE OUTTURN (EXCLUDING THE RESIDENTIAL SERVICE CHARGE ACCOUNT)**

Members received a joint report of the Chamberlain and the Director of Community and Children's Services which compared the Revenue Outturn for the services overseen by the Barbican Residential Committee in 2016/17, with the final agreed budget for the year. Members noted that income and expenditure in relation to dwellings service charges was the subject of the following report on this agenda.

In respect of the £45,000 overspend referred to in the report for consultancy costs in relation to a 'hireable' community room in the Barbican Library, which would be added to the 2017/18 budget, the Assistant Director advised that this was under consideration and Members would receive an update at the next meeting.

RESOLVED, that the report be noted.

8. **2016/17 REVENUE OUTTURN FOR THE DWELLINGS SERVICE CHARGE ACCOUNT (INCLUDING RECONCILIATION BETWEEN THE CLOSED ACCOUNTS AND THE FINAL SERVICE CHARGE)**

Members received a report of the Director of Community and Children's Services which provided a summary of service charge expenditure. The report compared the revenue outturn (i.e. actual net costs) for the Barbican Estate residential service charges with the latest agreed budgets for the year ended 31 March 2017. The Service Charges Working Party had also scrutinised this report at a recent meeting.

Members were asked to note the questions submitted in advance of this meeting by the Service Charges Working Party, which had been emailed and laid around the table. The Town Clerk advised that they would be added to the City of London Corporation's website, on the page containing the RCC and BRC agendas.

The Town Clerk reminded Members that an amended version of reports 8 and 9 had been circulated in the supplementary agenda for this meeting and a further amendment to the table showing the actual costs of services had been tabled.

In response to questions, the following points were noted:

- The line showing the S&M technical increase of 50% in 4 years reflected staff increases and additional repair and maintenance work. Members noted that this included inspection staff, which were regularly on site, but not the actual tradesmen. Members suggested that the Service Charge Working Party might want to look at this in more detail.
- Redecorations were up 400% in the past 5 years and Members noted this was dependant on the programme of works.
- There was more project work than reactive work and officers suggested that a 5-7-year comparator was more realistic.
- Residents were charged for the costs incurred during the year.

RESOLVED, that the report be noted.

9. **RELATIONSHIP OF THE BARBICAN RESIDENTIAL COMMITTEE OUTTURN REPORT TO SERVICE CHARGE SCHEDULES**

Members received a report of the Director of Community and Children's Services which sought to clarify how the Service Charge Account 2016/17 Revenue Outturn Report relates to the service charge schedules provided to long lessees. Members noted that the Service Charge Working Party would report to the next meeting of the RCC.

Members suggested that, if changes in accountancy regulations resulted in entries being shown differently, it would be helpful if this could be explained in the notes to the report.

In response to a question about previous years' comparators, officers advised that this web page was currently being upgraded to improve accessibility for sight impaired residents.

RESOLVED, that the report be noted.

10. **FIRE SAFETY UPDATE**

Members received a report of the Director of Community and Children's Services, which updated Members on the City of London Corporation's approach to fire safety on the Barbican Estate and, following the tragic fire at Grenfell Tower and to inform Members on the subsequent actions taken by the City Corporation.

Members noted that the report had been presented to various City of London Corporation Committees, including the Audit and Risk Management Committee. During questions, the following points were noted:

- The City Corporation was committed to providing 60-minute fire doors wherever possible but was mindful of the heaviness of such doors and the implications for vulnerable residents. Current evidence suggested that most of the fire doors on the Barbican Estate were at least 30 minutes, which was the current new-build standard. Members noted that current testing of doors included frames and seals and this was being progressed as a single project.
- The Fire Brigade no longer install fire extinguishers as they require specialist training for safe use. Similarly, they do not recommend that residents purchase them unless fully conversant in their use. Similarly, the Fire Brigade have withdrawn fire blankets.
- The Fire Brigade still strongly enforce a 'stay put' policy.
- Officers were taking legal advice on the implications of charging to Lease holders.
- There had been a handful of fires over the last 10 years. None have gone further than the flat in which they originated.
- Members asked for hard copies of the Fire Risk Assessments to be available at the Estate Office, on request.

In concluding, Members asked for their thanks to be recorded to the Assistant Director and his team at the Estate Office for an excellent report and the responsiveness of staff in assisting the Royal Borough of Kensington and Chelsea.

RESOLVED, that the report be noted.

11. **GENERAL DATA PROTECTION REGULATION COMPLIANCE 2018**

Members received a joint report of the Town Clerk and Comptroller and City Solicitor in respect of the new General Data Protection Regulation Compliance and possible implications on future Recognised Tenant Association (RTA) Audits. The Town Clerk advised that detail on the new legislation was emerging and RCC Members and the Chairmen and Secretaries of House Groups would receive updates when available.



Members were reminded that this year's RTA Audit had been suspended and the City Solicitor had confirmed that House Groups' current RTA status would not be compromised.

The Town Clerk agreed to investigate a suggestion whereby flat numbers, and not the names of the Leaseholder, could be used in the audit.

RESOLVED, that the report be noted.

## 12. **UPDATE REPORT**

Members received a report of the Director of Community and Children's Services which updated Members on issues raised by the Residents Consultation Committee, along with updates on other issues on the estate.

During questions, the following points were noted:

- The planning application for the Stores Project had been submitted and the City of London Corporation's Projects Sub Committee and the Barbican Residential Committee would be considering an update report at their next meetings.
- Members noted that the Underfloor Heating Working Party, which was set up by the RCC, would need to elect a new Chairman. In the absence of any volunteers from the existing members of the Working Party, a Chairman would be recruited from the RCC.
- The Bryer Court representative asked for a meeting with officers in respect of the VFM contract.
- The Bunyan Court representative noted that the floor panels taken up by VFM had never been put back down properly and needed further attention.
- In response to an enquiry from a representative about getting a key to the meter switch room to read his meter monthly, officers have subsequently responded that the BEO's position is that residents are not allowed into the Switch Rooms (where the meters are located) unaccompanied. Access to these areas should be controlled and restricted to competent persons or persons who are under supervision in accordance with the site electrical safe systems of work. In this instance competent persons are our Resident Engineers. If a resident wishes for his meter to be read (and they live in a corridor block) then please contact Barbican Repairs who will arrange for this to be done. Officers also noted that if there is an issue with the timer on any meter, the resident should report it to their Utility company.
- In response to an enquiry about watering points on the podium, Officers agreed to investigate whether the locks could be changed to common parts keys making them more accessible.

RESOLVED, that the report be noted.

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

There were no questions.

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

The Chairman agreed to accept an item of urgent business in respect of Lease Enforcement. Members noted that the report was also due to be presented to the Barbican Residential Committee (BRC) on 11<sup>th</sup> September and comments from this meeting would be included.

Each House Group representative was given the opportunity to comment, as set out below. Some comments were reflected by more than one House Group:

- Noise disturbances generally should be acted on.
- Residents purchase flats thinking that the lease is a guarantee of certain factors; i.e. no pets.
- There should be no leeway on pets and short term holiday lets.
- Rules are rules and should be enforced.
- There are some 'shades of grey', particularly wooden flooring which has been adequately sound insulated and this may, therefore, be difficult to enforce
- Enforcement should be based on objective noise measurements

Members were invited to canvass their House Groups for further comments and to email these to the Town Clerk by 5pm on Thursday 7<sup>th</sup> September.

Other items of Urgent Business

- Members congratulated House Group Officers on the Open House Accreditation of the Barbican Estate and commended the high standard of service provided by the Barbican Estate Officers.
- On behalf of Members and Officers, the Town Clerk asked for thanks to be recorded to Jim Davies, the Mountjoy House representative, who had stood in to take the Chair at short notice, as both the Chairman and Deputy Chairman had to give apologies due to unforeseen circumstances.

**The meeting ended at 8 10 pm**

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Chairman

**Contact Officer: Julie Mayer**

**tel.no.: 020 7332 1410 – E: Julie.Mayer@cityoflondon.gov.uk**

## “You Said; We Did” - Action List – October 2017

### Actions from September 2017 Residents Consultation Committee (RCC) & other outstanding issues (*updates appear in italics*)

Issue	Source	Officer	Action Escalation
<b>The background to the consultancy costs highlighted in the Revenue Outturn report in relation to investigating the feasibility, design, cost and construction of a ‘hireable’ community room in the Barbican Library</b>	RCC Sept 2017	Paul Murtagh	
<i>In recognition of the need to provide more community facilities in the north of the City, we are exploring the opportunity to build more community space in the Barbican Library possibly, by way of a hireable community room similar in size to the Multi Room at the Artizan Street Library and Community Centre. The Chamberlain, Chairman of Finance and Director of Community &amp; Children’s Services (Neal Hounsell at the time), agreed a £45,000 carry forward bid to fund the necessary feasibility study and options appraisal.</i>			
<b>General Data Protection Regulation Compliance 2018 and possible implications on future Recognised Tenant Association Audits</b>	RCC Sept 2017	Town Clerks	
<i>The Town Clerk has confirmed that flat numbers, and not the names of the Leaseholder, could not be used in future audits.</i>			
<b>Access to VFM’s broadband services via “fibre to the flat” for residents on the top floor of Bryer Court</b>	RCC Sept 2017	Mike Saunders	
<i>A meeting is being set up by Property Services officers with resident representatives of Bryer Court.</i>			
<b>Watering points on the Podium</b>			
<i>Investigation of whether locks could be changed to common parts keys to make them more accessible.</i>	RCC Sept 2017	Helen Davinson	<i>Completed</i>
<b>Contact:</b> Michael Bennett, Barbican Estate Manager – 020 7029 3923 – <a href="mailto:barbican.estate@cityoflondon.gov.uk">barbican.estate@cityoflondon.gov.uk</a>			

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<b>Committee(s)</b>	<b>Dated:</b>
Barbican Residential Consultation Committee Barbican Residential Committee	27 November 2017 11 December 2017
<b>Subject:</b> Lease Enforcements	<b>Public</b>
<b>Report of:</b> Director of Community & Children's Services	<b>For Information</b>
<b>Report author:</b> 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

T: 020 7332 3015 E: [paul.murtagh@cityoflondon.gov.uk](mailto:paul.murtagh@cityoflondon.gov.uk)

## 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](http://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

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

### **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"><b>Lease Enforcement September 2017 report</b>  <b>Comments from Residents Consultation Committee (RCC</b>  <b>members/House Group Committees) &amp; Barbican Residential</b>  <b>Committee Members - October 2017</b></p>
<p align="center">1</p>	<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>
<p align="center">2</p>	<p><b>WOODEN FLOORS</b> - 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><b>KEEPING PETS</b> - 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 &amp; B in particular) should not be permitted: security and potential nuisance being the major reasons.</p>
3	<p><b>Comments from one House Group Committee</b></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><b>Original comment from House Group Chairman prior to extension of consultation period.</b></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><b>Individual comment to House Group Committee.</b></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"> <li>- we are all in favour of strict enforcement of conditions that involve safety and security (particularly those conditions prohibiting short term leases);</li> <li>- we are all worried that a rigorous enforcement policy would lead to significant enforcement costs that we foresee being passed on to residents.</li> </ul>



	<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"> <li>- We say this because leaseholders and prospective leaseholders need clarity about what they can and cannot to.</li> <li>- 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.</li> </ul> <p><b>Type of enforcement</b></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><b>Other actions</b></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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<b>Committee(s)</b>	<b>Dated:</b>
Barbican Residents Consultation Committee Barbican Residential Committee	27 November 2017 11 December 2017
<b>Subject:</b> Fire Safety Update	<b>Public</b>
<b>Report of:</b> Director of Community & Children's Services	<b>For Information</b>
<b>Report author:</b> 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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<b>Committee(s)</b>	<b>Dated:</b>
Residents Consultation Barbican Residential	27 November 2017 11 December 2017
<b>Subject:</b> Service Charge Expenditure and Income Account - Latest Approved Budget 2017/18 and Original Budget 2018/19	<b>Public</b>
<b>Report of:</b> The Chamberlain Director of Community & Children's Services	<b>For Decision</b>

## 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.

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

## **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.



<b>Table 1</b> - 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	
<b>Total Expenditure</b>		<b>(8,240)</b>	<b>(7,747)</b>	<b>(7,995)</b>	<b>(8,027)</b>	<b>(32)</b>	
<b>Income</b>							
Local Risk	L	7,778	7,836	8,382	8,416	34	
Central Risk	C	1,820	810	810	810	0	
<b>Net Income</b>		<b>1,358</b>	<b>899</b>	<b>1,197</b>	<b>1,199</b>	<b>2</b>	
<b>Recharges</b>							
Expenditure	R	(1,503)	(1,074)	(1,372)	(1,374)	(2)	
Income	R	145	175	175	175	0	
<b>Total Recharges</b>		<b>(1,358)</b>	<b>(899)</b>	<b>(1,197)</b>	<b>(1,199)</b>	<b>(2)</b>	
<b>Total Service Charge Account</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

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.

<b>Table 2 - Manpower statement</b>	<b>Latest Approved Budget 2017/18</b>		<b>Original Budget 2018/19</b>	
	<b>Manpower Full-time equivalent</b>	<b>Estimated cost £'000</b>	<b>Manpower Full-time equivalent</b>	<b>Estimated cost £'000</b>
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)
<b>Total Barbican Residential</b>	<b>58</b>	<b>(2,384)</b>	<b>60</b>	<b>(2,446)</b>

### **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.

<b>Service</b>	<b>Project</b>	<b>Exp. Pre 01/04/17 £'000</b>	<b>2017/18 £'000</b>	<b>2018/19 £'000</b>	<b>2019/20 £'000</b>	<b>Later Years £'000</b>	<b>Total £'000</b>
<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
<b>TOTAL BARBICAN RESIDENTIAL</b>		<b>1,153</b>	<b>951</b>	<b>752</b>	<b>126</b>	<b>0</b>	<b>2,982</b>

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
<b>Support Service and Capital Charges</b>				
Insurance	(79)	(47)	(49)	(51)
IS Staff Recharge	(37)	(207)	(39)	(39)
<b>Total Support Services</b>	(116)	(254)	(88)	(90)
<b>Recharges within Committee</b>				
Cleaning and Lighting	121	126	126	126
Barbican Supervision and Management	(888)	(343)	(807)	(807)
<b>Recharges Within Funds</b>				
DCCS	(475)	(428)	(428)	(428)
Contributions to Funds and Provisions				
<b>TOTAL SUPPORT SERVICE AND CAPITAL CHARGES</b>	(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
<b>Latest Approved Budget Net Expenditure</b>	<b>0</b>

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

## 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.

<b>Summary of Table 1</b>	<b>Original Budget 2017/18</b>	<b>Latest Approved Budget 2017/18</b>	<b>Original Budget 2018/19</b>	<b>Movement</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Expenditure	(2,608)	(3,013)	(3,224)	(211)
Income	5,134	4,927	5,123	196
<b>Net Income (Local and Central Risk)</b>	<b>2,526</b>	<b>1,914</b>	<b>1,899</b>	<b>(15)</b>
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
<b>EXPENDITURE</b>							
Employees	L	(1,584)	(1,633)	(1,749)	(1,806)	(57)	7
Premises Related Expenses							
Repairs and Maintenance	L	(520)	(564)	(891)	(1,040)	(149)	Appendix 3
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
<b>Total Expenditure</b>		<b>(2,409)</b>	<b>(2,608)</b>	<b>(3,013)</b>	<b>(3,224)</b>	<b>(211)</b>	
<b>INCOME</b>							
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	
<b>Total Income</b>		<b>4,721</b>	<b>5,134</b>	<b>4,927</b>	<b>5,123</b>	<b>196</b>	
NET INCOME BEFORE SUPPORT SERVICES AND CAPITAL CHARGES		2,312	2,526	1,914	1,899	(15)	
<b>SUPPORT SERVICES AND CAPITAL CHARGES</b>							
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	
<b>Total Support Services and Capital charges</b>		<b>(4,874)</b>	<b>(4,855)</b>	<b>(4,736)</b>	<b>(4,458)</b>	<b>278</b>	
<b>TOTAL NET EXPENDITURE</b>		<b>(2,562)</b>	<b>(2,329)</b>	<b>(2,822)</b>	<b>(2,559)</b>	<b>263</b>	

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 1<sup>st</sup> 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)
<b>Total</b>	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.

<b>Service</b>	<b>Project</b>	<b>Exp. Pre 01/04/17 £'000</b>	<b>2017/18 £'000</b>	<b>2018/19 £'000</b>	<b>2019/20 £'000</b>	<b>Later Years £'000</b>	<b>Total £'000</b>
<u>Pre-implementation</u>							
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
<u>Authority to start work</u>							
Landlord Costs	Beech Gardens waterproofing & soft landscaping	4,402	77				4,479
Landlord Costs	Contractor's Office	6	312				318
<b>TOTAL BARBICAN RESIDENTIAL</b>		<b>4,456</b>	<b>568</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5,024</b>

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

**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
<b>CITY FUND</b>					
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
<b>TOTAL</b>	<b>(2,562)</b>	<b>(2,329)</b>	<b>(2,822)</b>	<b>(2,559)</b>	<b>263</b>

### 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

<b>Support Service and Capital Charges from/to Barbican Residential Committee</b>	<b>Actual 2016/17 £'000</b>	<b>Original Budget 2017/18 £'000</b>	<b>Latest Approved Budget 2017/18 £'000</b>	<b>Original Budget 2018/19 £'000</b>
<b>Support Service and Capital Charges</b>				
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)
<b>Total Support Services and Capital Charges</b>	<b>(5,596)</b>	<b>(5,201)</b>	<b>(5,549)</b>	<b>(5,272)</b>
<b>Recharges Within Funds</b>				
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)
<b>Service Charge Account</b>	<b>690</b>	<b>217</b>	<b>681</b>	<b>681</b>
<b>TOTAL SUPPORT SERVICE AND CAPITAL Charges</b>	<b>(4,874)</b>	<b>(4,855)</b>	<b>(4,736)</b>	<b>(4,458)</b>

\* 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	
<b><u>Supervision &amp; Management Holding</u></b>				
<b><u>Account</u></b>				
Estate Office - Breakdown Maintenance	(9)	(9)	(9)	E
<b>Total Supervision &amp; Management Holding Account</b>	<b>(9)</b>	<b>(9)</b>	<b>(9)</b>	
<b><u>Services and Repairs - Landlords</u></b>				
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
<b>Total Services and Repairs - Landlords</b>	<b>(357)</b>	<b>(714)</b>	<b>(863)</b>	
<b><u>Car Parking</u></b>				
Breakdown Maintenance - Building	(143)	(143)	(143)	E
Safety Security	(1)	(1)	(1)	
<b>Total Car Parking</b>	<b>(144)</b>	<b>(144)</b>	<b>(144)</b>	
<b><u>Stores</u></b>				
Breakdown Maintenance	(7)	(7)	(7)	E
<b>Total Stores</b>	<b>(7)</b>	<b>(7)</b>	<b>(7)</b>	
<b><u>Trade Centre</u></b>				
Breakdown Maintenance	(45)	(15)	(15)	E
<b>Total Trade Centre</b>	<b>(45)</b>	<b>(15)</b>	<b>(15)</b>	
<b><u>Other Non-Housing</u></b>				
Breakdown Maintenance	(2)	(2)	(2)	E
<b>Total Other Non-Housing</b>	<b>(2)</b>	<b>(2)</b>	<b>(2)</b>	
<b>TOTAL</b>	<b>(564)</b>	<b>(891)</b>	<b>(1,040)</b>	

E = ESSENTIAL

A = ADVISABLE

D = DESIRABLE



## Appendix 4

<b>Original Budget 2017/18 to Latest Approved Budget</b>	<b>£'000</b>
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)
<b>Latest Approved Budget</b>	<b>(2,822)</b>

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## **Residents Consultation Committee (RCC) and Barbican Residential Committee (BRC) Working Parties Terms of Reference October 2017**

### **Gardens Advisory Group (GAG)**

The Barbican gardens, which include the private areas at Speed House, Thomas More as well as the planted podium raised beds and planters, are managed on behalf of residents by the Barbican Estate Office (BEO) in accordance with a Service Level Agreement with the actual work being carried out by the City Gardens team of the City of London's Open Spaces Department. Whilst the Fann Street Wildlife Garden is part of the Barbican gardens, it is developed and looked after by a collaboration between volunteers in the Barbican Wildlife Group and the Open Spaces Team. Please note, the GAG has no budget and therefore there will be no funding decisions without full consultation with the RCC.

The Residents' Consultation Committee (RCC) purpose in establishing the Gardens Advisory Group (GAG) was to have a partnership approach (of BEO officers and residents actively and co-operatively seeking improvements) to influence the presentation and future developments of the hard and soft landscaping on the Barbican Estate.

The Terms of Reference for GAG will be as follows:

- (a) **Strategic** – that GAG should be involved if the City of London decides, at any time, to implement the recommended overarching Estate Landscape Management Strategy (ELMS) which among other aims should set out the Future Vision of the Barbican Estate landscape and a prioritised ten year action plan for the planning, enhancement, renovation and management of the Estate landscape. Also the ELMS and in particular the ten year action plan, should be linked to an overall Estate Landscape Masterplan.

However, until such time as ELMS is adopted, then an annual action plan covering the same areas as the ELMS should be agreed including:

- details of any longer-term future plans for the landscape in the Estate,
  - details of what the budgets might be for any projects, including the source of the funding.
  - details, both the work and the financial costs, of the on-going management of the Estate.
  - details of the overall income and expenditure figures for the Garden Maintenance,
  - the percentage paid by the residents whilst
  - giving GAG the authority to consider the amount paid by residents and make recommendations for changes to RCC.
- (b) **Quality** – related to the standards to be applied to projects and on-going management and maintenance of all areas, contribute to establishing standards for design of the landscape, to see this translated into appropriate budgets split between the public and residents areas, to contribute to balancing cost efficiency with providing a high quality visual amenity setting for residents and the public.

- (c) **Operational** – to see that the agreed quality outcomes are delivered day-to-day and to manage/oversee the active contribution from residents and other volunteers.
- (d) **Encouragement** – to encourage residents to ‘green’ their personal space on balconies and patios by use of troughs and pots as well as involving them in the communal areas by, for example, resident planting days.
- (e) **Links** – provide a means for links with and among organisations with common interest in managing, developing and promoting the Barbican landscape. This will include working with the Guildhall School of Music and Drama (GSMD) to co-ordinate its roof garden into the overall landscape strategy for planting as it is visible from the residential blocks and the Highwalks.
- (f) **Communications** – ensure that information about the development of the Barbican landscape is fully and accurately communicated to all residents, also ensure that details of how residents can contact GAG are published in the appropriate places. Quarterly reports to RCC.

To achieve the aims set out in the Terms of Reference, the necessary and appropriate communications between GAG, the BEO and any other bodies should be set up.

## 2 GAG Operational Notes and Inspection Areas

The following are the operational guidelines agreed with the RCC for GAG.

- 1 GAG is set up by RCC as a Working Party, where the RCC selects the residents who will serve.
- 2 There will be 10 residents on GAG, of which 1 resident will be identified in the Minutes as a representative of the RCC, Barbican Wildlife Group, Barbican Allotment Group and Barbican Horticultural Society. Residents will serve for a period of 5 years with a maximum of 3 members standing down in any one year. However residents standing down can be re-selected by the RCC if it so wishes.
- 3 Resident members will advise details of their other involvement with Barbican organisations and give details of their relevant skills so that it can be seen that all aspects of the hard and soft landscaping are covered. If there is a skill gap, then GAG will have the power to consult with other residents to cover this.
- 4 In addition to the residents, there should be a representative of the Barbican Estate Office (BEO) who will produce the Agenda. In addition, the City Gardens Manager and a working gardener of City Gardens should attend.
- 5 The Chairman’s role and that of producing the Minutes will be undertaken by the residents on a rotating basis. The individuals to undertake these roles will be agreed at the previous meeting.
- 6 Meetings should be scheduled for the following calendar year.
- 7 There should be 4 meetings a year, evenly spread throughout the calendar year.

- 8 The Agenda for the meeting should be issued at least 7 working days before the meeting. If anyone has an item for the Agenda, this should be notified to the BEO at least 14 working days before the meeting.
- 9 Draft Minutes should be issued within 10 working days of the meeting, any comments and changes should be given within the subsequent 7 working days.
- 10 GAG should produce an Annual Report on its activities to present to RCC for its June meeting.
- 11 A list showing all the areas that GAG is concerned with is attached and will be kept up to date. In addition, GAG will maintain a relationship with the GSMD regarding its roof garden.
- 12 GAG will set up inspections by small groups of resident members to ensure that all the areas on the attached list are regularly considered and any remedial actions are taken. Other residents recruited via the House Groups can be involved in the inspections.
- 13 Lines of communication will be established to ensure that GAG has all the information to comply with its Terms of Reference.
- 14 GAG will ensure that residents are aware of its existence and official communications will be issued.
- 15 GAG will help to arrange residents planting days and other events aimed at engaging residents with their landscape.

### **Service Level Agreement (SLA) Working Party**

#### **Objectives**

- To review the quality and performance of the SLAs (Customer Care, Estate Management, Property Maintenance, Major Works and Open Spaces) that are charged for in accordance with the terms set out in the lease against targets and Key Performance Indicators (KPI) in the appropriate SLA or contract specification

#### **This objective will be fulfilled through:**

- SLA action plans and KPIs presented quarterly to the SLA Working Party, Residents Consultation Committee (RCC) and Barbican Residential Committee
- Reviewing service delivery monitoring reports/action plans and KPIs and other comments/complaints raised via House Officers, SLA Working Party, RCC (including pre committee questions), surveys, House Groups, residents general comments
- Engaging in discussion with officers to understand the processes and policies around achieving the targets and KPIs in the appropriate SLA or contract specification

- Reviewing a House Officer's decision as 'residents champion' that issues have been resolved
- Updating and reviewing the SLAs to be presented to the RCC for approval
- Reviewing the House Officer's decision as 'residents champion' that issues have been resolved
- Updating and reviewing the SLAs to be presented to the RCC for approval

### **Asset Maintenance Working Party**

Aim: To have oversight of and provide comment on the Asset Maintenance of the Barbican Estate.

The objective of this is to:

- Maintain the Estate in very good condition, noting its listed status and therefore extend its life.
- Avoid unplanned costly major repairs and to plan future financial commitments both for the landlord and residents with a view to saving money in the long term and avoiding lumpy expenditure.

These objectives will be fulfilled by:

- Surveying and monitoring the condition of the structure and exterior, plant and equipment, supply services, windows and doors and making an assessment of their life expectancy so that replacement works can be programmed.
- Evaluating historical expenditure and practice and analysing information from current day to day repairs and maintenance systems in conjunction with the asset software systems.
- Analysing the validity of the Asset Maintenance plan to ensure that it is comprehensive.
- Assessing the assets in terms of their sustainability and energy efficiency.
- Monitoring current technology and developments and identifying any opportunities for savings that can be made – for example, whole life cycle costing.

## Background Underfloor Heating Working Party

1. EDF Energy have given notice of their intention to withdraw from their contract with the City of London Corporation (COLC) for the supply of electricity for the Barbican Residential Estate's background underfloor heating system (currently 13 hours off-peak energy) by either January 2014/April 2014. Therefore, the COLC must tender a new contract for the supply of electricity from either January or October 2014 (the next winter heating period). The UHWP should:
  - determine a preferred (i) supplier and (ii) tariff for the supply of electricity for the background underfloor heating system from 2014 onwards;
  - determine whether that new supply contract should be on a short, medium or long-term basis (in part on the basis of their findings in relation to the second point below).

The UHWP should also consider, amongst other things:

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

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

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

2. The current electric background underfloor heating system on the Barbican Residential Estate has been in place for over 40 years. UKPN have given notice that it will cease to maintain the Cyclo-Control (control and switching system) beyond March 2015. The lease requires the provision of *background heating* to the flats from 1 October to 30 April in each year and at other reasonable times. The UHWP should determine its view on, *inter alia*, each of the following options (or a combination thereof):
  - **Maintain both the current heating and control systems with on-going repairs as and when required.** Consider, amongst other things: the efficiency of the systems; cost of the electricity supply; current/future projected maintenance costs; availability of a maintenance provider; and basic terms of any Service Level Agreement. Also consider potential improvements, such as: hours of charge; triggers for charge (forecast/current temperature); and adding individual heating controls;
  - **Replace both the current heating and control systems.** Consider: efficiency and sustainability; different heating systems both at an individual flat level (e.g. storage heaters, radiators) and at a Barbican Residential Estate level; systems used on other COL and local estates and buildings (including the system used in

Frobisher Crescent (which is out of the scope of this UHWP)); feasibility and costs of retro-fitting a new heating system in all flats (whether underfloor heating or other); and other appropriate issues and feasible solutions. This includes consideration of various energy generation sources (including, but not limited to, Ground Source Heat Pumps (GSHP), Combined Heat & Power (CHP), Micro-generation sources (e.g. solar PC, micro-wind), biomass, and heat recovery systems) and, where possible, swift elimination of those sources which are not feasible for use on the Barbican Residential Estate. In terms of the control system, consider, amongst other things: the desirability, availability and cost of new controllers; remote Cyclo-Control transmitters; and individual flat/room controls;

- **Replace the current control mechanism, but maintain the rest of the heating system.** As above, consider the desirability, availability and cost of new controllers; transmitters; individual flat/room controls; and whether any improvements to the rest of the heating system are available/desirable;
- **Replace the current heating system, but retain the control mechanism.** Consider same points as above in relation to replacement of the heating system, and whether any improvements to the control mechanism are available/desirable.

In addition, the UHWP should also address:

- **Benchmarking.** Evaluation of the current system to allow for meaningful comparison to any proposed or implemented changes. This will include, without limitation:
  - review of the data from EDF's proposal to carry out half hourly monitoring in 2 blocks on the Barbican Residential Estate; and
  - the collection of temperature data in a selection of flats on the Barbican Residential Estate
  - analysis and modelling the gathered data and comparison with each other and any other relevant sources of information;
- **Minimising heat loss/wastage.** Consider improving insulation of flats, repair/replacement of windows and doors (in flats and common areas), level of double glazing, increased maintenance standards;
- **What the requirements of the lease are.** The UHWP's view of "background heating" and how that should be monitored/judged going forward;
- **Any possible funding options.**

Following consideration of these issues, the UHWP should inform the BRC and RCC of its findings and recommendations. The UHWP should also consider whether an



on-going residents committee is advisable to consider these issues on a long-term basis.

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

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

## **Leaseholder Service Charge Working Party**

### **Objectives**

- To examine Leaseholder Service Charges (LSC) and basis of their calculation, and ensure that information about charges is transparent and is communicated effectively to the RCC and Working Party.
- To understand and where possible improve, processes and policies within the BEO that ensure charges made under the LSC provide good value in delivering services as defined in the Service Level Agreement and engage with officers to achieve this.

### **The objectives will be fulfilled through:**

- Meetings to review financial reports to be presented to the Residents Consultation Committee (RCC) relating to the LSC account.
- Review and examine historical LSC expenditure and comparing this with current or planned levels of expenditure.
- Reviewing draft budgets for the LSC and discussing with officers the basis on which these estimates have been made.
- Engaging in discussion with officers to understand the processes and policies around achieving value for money within the LSC.
- Consider whether more forecasting is required and to consider what is and isn't currently forecasted.
- Forwarding any relevant comments that may impact on service delivery to the Working Parties of the RCC including the Asset Maintenance Working Party and Service Level Agreement Working Party for comment.
- Report annually to the RCC.

## **Electrical Vehicle Charging Points Working Party**

### **Objectives**

Purpose of working group is to determine the most suitable options and solutions for introducing electric vehicle charging points to the Barbican Estate car parks. The solution will need to:

- Meet the needs and requirements of residents charging their vehicles
- Be future-proofed to accommodate continued growth in electric vehicles
- Be cost neutral for other residents and the BE office
- Easy to manage with need for minimal oversight and input from the BE office

### **Key issues to be considered and resolved include:**

1. What do residents require to support the shift from ICEs to EVs?
2. What is the most suitable infrastructure for the BE?
3. What is the most suitable way of allocating bays to EV users and charging points?
4. What is the best pricing mechanism to recover costs?
5. Use a 6 month pilot or trial period to test out the different models/options.
6. How will it be delivered?
7. What are the timescales?
8. Ensure accessibility of EV bays is considered
9. How will the pilot/trial be monitored and evaluated?

## **Car Park Charging Working Party**

### **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.

## Working Parties (WP) October 2017

Please find detailed below a list of working parties dealing with Barbican Estate issues.

Name	Chairman	Attended by:
<b>Residents Consultation Committee WP</b>		
<b>Gardens Advisory Group (GAG)</b>  Meeting Dates: 03/02/17 05/05/17 09/10/17  <i>Quarterly update to RCC – Update report</i>	Helen Davinson	BEO Officers: Helen Davinson  Jake Tibbetts, City Gardens Manager, Open Spaces  9 resident representatives: Paula Tomlinson (Cromwell Tower) Nathalie Robinson (Andrewes House) Maggie Urry (Lauderdale Tower) Candice Gillies-Wright (Lauderdale Tower) Colin Slaughter (Thomas More House) Mary Winch (Andrewes House) Mark Mallindine (Seddon House) Jenny Addison (Frobisher Crescent) Jo Rodgers (Breton House)  <b>Vacancies: 0</b>
<b>SLA Review</b>  Meeting Dates: 16/01/17 24/04/17 24/07/17 23/10/17	Michael Bennett	BEO Officers: Michael Bennett, Helen Davinson, Sarah Styles, Sheila Delaney, Luke Barton, Mike Saunders  8 resident representatives: David Graves (Seddon House) Randall Anderson (Breton House) Robert Barker (Lauderdale Tower) Jane Smith (Seddon House)

		Graham Wallace (Andrewes House) Fiona Talbot (Ben Jonson House) Fred Rodgers (Breton House) John Tomlinson (Cromwell Tower)  <b>Vacancies: 0</b>
<i>Quarterly Report to RCC/BRC</i>  <b>Asset Maintenance</b>  Meeting Dates: 20/02/17 01/06/17 15/08/17 11/10/17  Page 72 <i>Quarterly update to RCC/BRC (Property Services Update Report)</i>	Mike Saunders	BEO Officers: Mike Saunders, David Downing, Shauna McFarlane, Michael Bennett, Sheila Delaney  8 resident representatives: Graham Wallace (Andrewes House) Randall Anderson (Breton House) Robert Barker (Lauderdale Tower) Ted Reilly (Shakespeare Tower) Fiona Lean (Ben Jonson House) Mike Greensmith (Ben Jonson House) Henry Irwig (Bryer Court)  <b>Vacancies: 1</b>
<b>Background Underfloor Heating</b>  Meeting Dates: 17/01/17 13/03/17 13/06/17	Vacancy  Deputy Chairman – Vacancy  (Lead Officer Mike Saunders)	BEO Officers: Mike Saunders, Shaun Moore, Shauna McFarlane, Michael Bennett  8 resident representatives: Mary Hickman (Andrewes House) Ted Reilly (Shakespeare Tower) Kate Wood (Brandon Mews) Sarah Bee (Shakespeare Tower) Renu Gupta (Willoughby House)

<i>Quarterly update to RCC/BRC (Property Services Update Report)</i>		Craig Allen (Shakespeare Tower) <b>Vacancies: 2</b>
<b>Leaseholder Service Charge</b>  Meeting Dates: 25/01/17 27/04/17 30/08/17 30/10/17  <i>Annual Update Report to RCC: Update report November</i>	Anne Mason	BEO Officers: Anne Mason, Michael Bennett, Helen Davinson, Sarah Styles  6 resident representatives: David Graves (Seddon House) David Lawrence (Lauderdale Tower) Phillip Burgess (Andrewes House) Jane Northcote (Cromwell Tower) Mary Gilchrist (Shakespeare Tower) Helen Wilkinson (Speed House)  <b>Vacancies: 2</b>
<b>Roofs</b> Page 73  <i>Update reports to RCC/BRC</i>	Paul Murtagh	BEO Officers: Paul Murtagh, Mike Saunders, Michael Bennett  3 resident representatives: Jane Smith (Seddon House) Robert Barker (Lauderdale Tower) Helen Hulson (Ben Jonson House)

Barbican Residential Committee WP		
<p><b>Electric Vehicle Charging</b></p> <p>Meeting Dates: 17/01/17 01/03/17 25/04/17 05/12/17 – TBC</p> <p>Quarterly updates to RCC/BRC – Update report</p>	<p>Barry Ashton</p> <p>Deputy – John Tomlinson</p>	<p>BEO Officers: Barry Ashton, Muhammed Muhid</p> <p>Ben Kennedy, Low Emission Neighbourhood Project Manager, Department of Markets and Consumer Protection</p> <p>7 Member/resident representatives: John Tomlinson (Member &amp; Cromwell Tower) David Graves (Member &amp; Seddon House) Randall Anderson (Member &amp; Breton House) Justin Daminato (Speed House) Sarah Hudson (Shakespeare Tower) David Kirkby (Defoe House) Jim Davies (Mountjoy House)</p> <p><b>Vacancies: 0</b></p>
<p><b>Car Park Charging</b></p> <p>Meeting Dates: 20/07/17 22/11/17 16/01/18</p>	<p>Ann Holmes</p>	<p>BEO Officers: Anne Mason, Michael Bradley (City Surveyors)</p> <p>Members: Ann Holmes Susan Pearson Randall Anderson John Tomlinson Paul Murtagh Michael Bennett</p> <p><b>Vacancies: 0</b></p>

**Officers:**

Barry Ashton, Car Park & Security Manager

Luke Barton, House Officer

Michael Bennett, Head of Barbican Estates

Helen Davinson, Resident Services Manager

Sheila Delaney, House Officer

David Downing, Asset Programme Manager, Barbican & Housing

Shauna McFarlane, Asset Monitoring Officer, Barbican & Housing

Anne Mason, Service Charge & Revenues Manager

Shaun Moore, Property Services Team Manager

Muhammed Muhid, Estate Services Officer

Paul Murtagh, Assistant Director, Barbican and Property Services

Mike Saunders, Head of Asset Maintenance, Barbican & Housing

Sarah Styles, House Officer

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

## 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.

	<b>20 October 2017</b>	<b>9 August 2017</b>
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.

	<b>20 October 2017</b>	<b>9 August 2017</b>
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
<b>TERRACE BLOCK TOTAL</b>	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
<b>TOWER BLOCK TOTAL</b>	345 (345)	326 (326)	77,159,996.39 (77,159,996.39)	94.49 (94.49)
<b>ESTATE TOTAL</b>	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

T: 020 7029 3912 E: [anne.mason@cityoflondon.gov.uk](mailto:anne.mason@cityoflondon.gov.uk)

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

## 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

**Michael Bennett**

**Head of Barbican Estates**

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## APPENDIX 1

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

			<b><u>Appendix 1, Customer Care, Service Level Agreement 2017-18</u></b>		
	<b><u>Quarter</u></b>	<b><u>Source</u></b>	<b><u>COMMENT/QUERY</u></b>	<b><u>RESPONSE/ACTION</u></b>	<b><u>COMPLETED</u></b>
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.	
			<b>Completed Actions - House Officers as residents' champions determine whether the issue has been dealt with and completed satisfactorily</b>		
			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	
			<b>Source of comments</b>		
			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 26 205	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	
203	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). <b>New signage is currently on order.</b>	

# APPENDIX 3

## SERVICE LEVEL AGREEMENT REVIEW - PROPERTY MAINTENANCE 2017-18

			<u>Appendix, 3 Repairs &amp; 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

			<b>Appendix 4, Major Works, Service Level Agreement, 2017-18</b>		
	<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 grills & 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
<b>Customer Care</b>												
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.	
<b>Repairs &amp; Maintenance</b>												
% '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]

<b>Title of Indicator</b>	<b>TARGET 2015/16</b>	<b>TARGET 2016/17</b>	<b>TARGET 2017/18</b>	<b>ACTUAL 2016/17</b>		<b>APR- JUN 2017</b>	<b>JULY- SEPT 2017</b>	<b>OCT - DEC 2017</b>	<b>JAN - MAR 2018</b>	<b>PROGRES S AGAINST TARGET</b>	<b>SUMMARY</b>	<b>Actual 2017/18</b>
House Officer 6-weekly joint inspections with House Group representatives monitoring block cleaning - good and very good standard (& outstanding)	<b>90%</b>	<b>90%</b>	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	<b>80%</b>	<b>80%</b>	80%	92%		92%	90%			☺		
House Officer 6-weekly joint inspections with House Group representatives monitoring podium cleaning - good and very good standard	<b>80%</b>	<b>80%</b>	80%	84%		81%	96%			☺		

<b>Title of Indicator</b>	<b>TARGET 2015/16</b>	<b>TARGET 2016/17</b>	<b>TARGET 2017/18</b>	<b>ACTUAL 2016/17</b>		<b>APR- JUN 2017</b>	<b>JULY- SEPT 2017</b>	<b>OCT - DEC 2017</b>	<b>JAN - MAR 2018</b>	<b>PROGRES S AGAINST TARGET</b>	<b>SUMMARY</b>	<b>Actual 2017/18</b>
House Officer 6-weekly joint inspections with House Group representatives monitoring car park cleaning - good and very good	<b>80%</b>	<b>80%</b>	80%	89%		97%	95%			☺		
<b>Open Spaces</b>												
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	<b>80%</b>	<b>80%</b>	80%	100%		n/a	n/a			☺		
<b>Major Works</b>												
% Overall Resident satisfaction of completed Major Works Projects (£50k+)	<b>90%</b>	<b>90%</b>	90%	95%		92%	n/a					
<b>Short Term Holiday Lets</b>												
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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<b>Committee:</b>	<b>Date(s):</b>
Residents' Consultation Committee	27 November 2017
Barbican Residential Committee	11 December 2017
<b>Subject:</b> Update Report	<b>Public</b>
<b>Report of:</b> Director of Community and Children's Services <b>Report author:</b> Michael Bennett, Head of Barbican Estates	<b>For information</b>

## 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)**

<b>Issue</b>	<b>Update</b>
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**

<b>Report Title</b>	<b>Officer</b>	<b>RCC Meeting Date</b>	<b>BRC Meeting Date</b>
“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 <b>(BRC Only)</b>	Anne Mason		
Residential Rent Review <b>(BRC Only)</b>	Anne Mason		

Update Report: <ul style="list-style-type: none"> <li>Main update - Blake Tower service charge related issues/Service Based Review/Electric Vehicle Charging/ Gardens Advisory Group (Appendix 1)/Agenda Plan 2018</li> <li>Property Services Update (Appendix 2)</li> </ul>	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 ( <b>BRC Only</b> )	Anne Mason		
Update Report: <ul style="list-style-type: none"> <li>Main update - Blake Tower service charge related issues/Service Based Review/Electric Vehicle Charging/ Gardens Advisory Group (Appendix 1)/Agenda Plan 2018</li> <li>Property Services Update (Appendix 2)</li> </ul>	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 – <b>RCC Only</b>	Anne Mason		
Progress of Sales & Lettings	Anne Mason		
Arrears Report ( <b>BRC Only</b> )	Anne Mason		

Update Report: <ul style="list-style-type: none"> <li>• Main update - Blake Tower service charge related issues/Service Based Review/Electric Vehicle Charging/ Gardens Advisory Group (Appendix 1)/Agenda Plan 2018</li> <li>• Property Services Update (Appendix 2)</li> </ul>	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 <b>(RCC Only)</b>	Anne Mason		
Progress of Sales & Lettings	Anne Mason		
Arrears Report <b>(BRC Only)</b>	Anne Mason		
Update Report: <ul style="list-style-type: none"> <li>• 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</li> <li>• Property Services Update (Appendix 3)</li> </ul>	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  
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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 – 3<sup>rd</sup> 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.

## Questions for RCC Meeting, 21 November 2017

**1. Since the Mayor of London has accelerated the introduction of an ULEZ (Ultra Low Emission Zone) in London, will the Barbican Estate Office firstly, urge the City of London to accelerate its plans for the introduction of electric charging points in CoL car parks and, secondly, draw up a plan for accelerated introduction of same within the Barbican Estate?**

A Please see Item 3 of update report. Any comments received will be fed back to the Electric Vehicle Charging Working Party (which was set up by the BRC).

**2. The BJHG Committee is particularly concerned that the vents in the corridors draw air in, rather than extracting it. This could facilitate the rapid spread of toxic fumes throughout the building even if the fire is contained, and limited, to a small area. We**

**believe that the concrete structure of the Barbican is robust enough to prevent fire taking hold as it did in Grenfell Tower, but we want the BEO to reassure us that they are aware of our concerns regarding the air intake and explain why the vents/fans**

**continue to operate in this manner.**

A This matter has been looked at by 2 City of London Fire Safety Officers, the District Surveyor and the London Fire Brigade. The response remains;

The corridor is ventilated by way of natural ventilation and this is achieved by providing openings from the building to fresh air; the area is ventilated by the natural movement of the air. The openings for natural ventilation in the corridor are permanent and I have been informed that this is acceptable.

**3. Fire safety**

**In the minutes of the last meeting under item 10 it was noted that officers were taking legal advice on the implication of charging to Lease holders. The current meeting report does not make clear whether this advice has been received or what it is.**

A This advice has yet to be received and discussed

**4. Fire risk assessment 3. This new type of risk assessment reaches into a resident's flat. Have Officers yet given consideration to the implications of this? In particular if a long leaseholder has taken steps which may alter their own personal safety, but has not threatened the core issue of fire containment within the flat, will any output from the FRA3 assessment be enforceable? The issue is somewhat akin to residents continuing to use older tumble dryers and similar equipment which a well known supplier has accepted may be a fire risk but is refusing to undertake a full recall.**

**The result could be deemed to affect the owner and not the surrounding residents if fire containment is sufficient.**

A This will be looked at as part of the upcoming FRAS.

**5. What immediate improvements have the Estate Office decided to make following the inadequate communications accompanying the September Service Charge demands?**

A The service charge communications are being reviewed by the Service Charge Working Party.

**6. It is now over eight months since Thomas More House residents asked for the residents' information board in the Thomas More House Car Park to be moved somewhere more suitable, e.g. the Estate Office. What is happening?**

A Resourcing limitations within the BEO this summer, have meant several smaller projects have had to be put back and postponed. The BEO is currently reviewing its resourcing for the future.

**7. At the last two RCC meetings we wrote to ask what proportion of Roof Costs the City would absorb given the debacle over roof warranties.**

**a. Is an answer now forthcoming?**

**b. If not, can this be made an agenda item for the next RCC meeting?**

A Please see Agenda Plan 2018. This item will be coming to RCC in March 2018.

**8. What were the results of the Speed Garden survey?**

A Results from this survey are currently being analysed by the BEO before being reviewed by Gardens Advisory Group. They will then be publicised across the estate. We anticipate this will be in December.

**9. Is the £45,000 'carry forward bid' re the potential community room in the Barbican Library a Service Charge item?**

**a. If yes, why?**

A No.

**10. Re General Data Protection Regulation compliance, is it still acceptable for blocks to operate membership on an Opt-Out basis?**

**a. If not, is there not more risk to data being inadvertently mishandled when each block has to hold same?**

A There will be an update on General Data Protection Regulations at the BRC on 11 December. This will be forwarded to RCC members following the meeting. We will still refer residents to the Government Website for more specific queries.



**11. Service charges: heating costs rose last year after a mild winter. Why was this?**

A Overall the consumption across the estate increased by nearly 14% in comparison to 2015/16. Also, the new rates for electricity came into force in October 2016 following a tender exercise in the summer.

**12. Underfloor heating: Why does the underfloor heating come on just twice a day? Would it be more effective for it to come on three times (for instance) a day to even out the output of heat?**

A The heating for the estate is spread over 3 different profiles due to the high load on the national grid. They vary slightly at which time of day they switch on/off but largely follow the same pattern. They come on between 1pm and 4pm, 8pm and 1.30am then finally 2.30am and 7.30am dependent upon external temperatures.

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