

BARBICAN RESIDENTIAL COMMITTEE

Thursday, 27 January 2022

Minutes of the meeting held at Guildhall at 11.00 am

Present

Members:

Mark Wheatley (Chairman)
Michael Hudson (Deputy Chairman)
Randall Anderson
Mark Bostock
Deputy David Bradshaw
Mary Durcan
Jeremy Mayhew
Deputy Barbara Newman
Susan Pearson
Jeremy Simons
Deputy John Tomlinson

Officers:

Paul Murtagh	- Assistant Director, Barbican and Property Services
Barry Ashton	- Community and Children's Services
Anne Mason	- Community and Children's Services
Helen Davinson	- Community and Children's Services
Mark Jarvis	- Chamberlains
Alan Bennetts	- Comptroller and City Solicitor's Department
Julie Mayer	- Town Clerks
Tom Nancollas	- Department of the Built Environment

1. APOLOGIES

Were received from Dawn Wright and Andrew McMurtrie.

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

There were no declarations.

3. MINUTES OF THE PREVIOUS MEETING

RESOLVED, that – the minutes of the meeting held on 8th October 2021 be approved, subject to a correction in that '*management costs are null and void as they are not fully service chargeable*'.

4. DRAFT MINUTES FROM THE RESIDENTS' CONSULTATION COMMITTEE (RCC)

The draft minutes of the RCC Meeting on 17th January 2022 were received.

Members noted a resolution from the RCC in respect of the condition of the canopy over Brandon Mews and an unsuccessful attempt at cleaning it. The

Assistant Director advised that the discolouration was due to UV light exposure. Members noted that, originally, the roof was meant to be temporary but was now part of the listing. It was therefore moved by Michael Hudson, Seconded by Jeremy Simons and RESOLVED, that - the BRC receive a full report at the next meeting, setting out options and implications in terms of the listing and available funding.

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

In respect of the Beech Gardens Project, the Assistant Director had provided an update at the recent RCC Meeting. Members noted that there had been a delay to the Gateway 6 (Outcome Report) on Beech Gardens Podium Resurfacing Project - Phase 1. Whilst it was expected that the report would be ready for the next round of RCC and BRC meetings, the Assistant Director would bring an interim outcome report if this was not the case. Members noted that, in respect of Phase 2 of the works, there had been several stakeholder meetings between officers and representatives from the relevant residential blocks. The Project Manager had also set up a Working Party with officers from Building Control, Planning and the Barbican Arts Centre.

6. **UPDATE REPORT**

The Committee received the update report of the Director of Community and Children's Services. Members noted that, in respect of anti-social behaviour, it would be possible to put a report before the Court, seeking an 'Act of Common Council' to amend the Bye Law and increase fines. Officers were asked to work with colleagues in the Remembrancer's Department in respect of presenting a report to the Court after June 2022; i.e. – once a full year of data had been collected. Deputy David Bradshaw was thanked for his work on the Barbican Security Committee.

RESOLVED, that – the report be noted.

7. **BARBICAN AND GOLDEN LANE CONSERVATION AREA CHARACTER SUMMARY AND MANAGEMENT STRATEGY - SUPPLEMENTARY PLANNING DOCUMENTS FOR ADOPTION**

Members received a report of the Executive Director, Environment and noted that the Draft Supplementary Planning Document (SPD) for the Barbican and Golden Lane Conservation Area had been issued for public consultation during May, June and July 2021. In response to comments received, several amendments were proposed as set out in appendices B and C to this report. Members of the RCC had agreed to pass this report on to the Barbican Association Planning Committee for comment, as they have the relevant expertise in this area. There were no further comments or questions at the RCC meeting.

During the discussion on the report the following points were noted:

- 1) The boundary of the Conservation area had not been articulated, just the nature of the area.

- 2) The Wildlife Garden had been included, and there had been some helpful feedback from residents concerning the management and upkeep of the gardens.
- 3) The Church is part of a wider consideration of the boundary and was not under consideration as part of this document. Members asked for their views in terms of including the Church within the boundary to be considered.
- 4) The officer advised that boundary reviews generally took place once every 10 years. The next would be undertaken once the Local Plan review; which had been paused and re-started to take account of the pandemic and other factors, had reached a more advanced stage.
- 5) Members noted that the LED lighting failure on the Dorothy Anan Mural and the Matthew Spender 'Happy Faces' structures fell within the remit of the Barbican Arts Centre and the Estate Officers agreed to pass this on.

RESOLVED, that :

1. The amendments to the Barbican and Golden Lane Conservation Area SPD as set out in appendices B and C to the report be approved.
2. The amended Barbican and Golden Lane Conservation Area SPD (appendix D) be recommended for formal adoption by the Planning and Transportation Committee.

8. **TASK AND FINISH GROUP: CONCIERGE SERVICE - ORAL UPDATE**

The Assistant Director, Barbican and Property Services, advised that the work of the original Task and Finish Group was now complete, culminating in the resolution put forward to the Barbican Residential Committee (BRC) at its last meeting. Members were reminded that the Resolution had agreed to the collection of an interim payment, from the leaseholders of terrace blocks, to enable further options to be considered in terms of savings targets and the Car Park Attendants. However, there had been some confusion amongst the Barbican Association/ Barbican RCC Members as to whether this should be a voluntary payment or mandated as part of the Lease.

The Assistant Director now sought approval from the BRC to collect this additional amount, on a pro rata basis, given that it would not apply to a full financial year. The Director and Assistant Director would be writing to residents in March/early April, and there would be further consultation on the various options with the Leaseholder Service Charges Working Party and the Barbican Association.

During the discussion on this matter, the following points were noted:

- 1) There was a perception of a lack of communication on the ongoing process, with no further updates since the residents' meeting in October

2021. The Chairman had been very impressed by residents' contributions at the October meeting.

- 2) The employee part of the consultation and consequences in changes to scale and services should not have come ahead of consultation with service charge payers.
- 3) Whilst choice is always preferable over compulsion, legal advice has been sought in this matter and the City of London Corporation is able to mandate the charge. Members noted that Parts 4 and 5 to the Fixed Schedule of the Lease contains a wide discretion on the City of London Corporation to recharge staff costs without a Lease Variation. The one-third to the City and two-thirds to Service Charges can be changed, provided that the split is reasonable, and any costs levied on long lessees reflect the cost of services provided to them. All evidence based information has to be kept up to date.
- 4) There are smarter ways for Car Park Attendants (CPAs) to carry out their work. There was a perception, however, that these might not have been investigated fully due to the lack of management resources available to consider such efficiencies, and this might have reduced the need for redundancies. The CPAs are highly valued by Barbican residents and their services are more akin to concierges.
- 5) The Chairman thanked the Task and Finish Group for their work in seeking a way forward in this matter.

It was Proposed by Jeremy Simons, seconded by Michael Hudson and RESOLVED, that - the charge for the CPA be mandatory, based on actual evidence and capped at an average amount of £127.50 for the current financial year, with any further increases by reference to evidence given.

9. **BLAKE TOWER - ORAL UPDATE**

The Assistant Director was heard, and Members noted that, despite some progress and co-operation towards the end of 2021, there had been a recent surge in the number of complaints and issues with the quality of workmanship. Therefore, the Barbican Estate Office was still some way off taking over the management of Blake Tower. Some residents had taken independent legal action against Redrow, and the City Corporation could not engage further in these individual disputes. However, work was ongoing in terms of resolving issues to the common areas.

The Assistant Director had visited the site in December to inspect the issues, which included considerable damage from a burst sprinkler. The Assistant Director would also be writing to residents again with a further update on the action being taken by the City Corporation. Whilst it was acknowledged that the Assistant Director was doing his utmost to resolve this matter, concerns were expressed about lessons which should have been learnt from Frobisher Crescent, and Members were disappointed at the Estate Office having been put in this position once again.

10. FIRE SAFETY UPDATE

The Committee received a report of the Director of Community and Children's Services which provided an update on progress made in relation to fire safety matters since the last update report submitted to Committee in June 2021.

In respect of the EWS1 forms, Members would receive a more detailed report at the next meeting.

However, given that the forms might become mandatory during that time, it was RESOLVED, that – authority be delegated to the Chairman and Deputy Chairman to agree to a Policy on this matter, should the EWS1 forms become mandatory before the next meeting of the BRC in June 2022.

Whilst the pandemic was a factor in the delay, Members were very concerned that the Arup Survey had been commissioned in March 2020 and the issue appeared to lack a sense of urgency. Furthermore, the findings of the survey were still outstanding, together with issues in respect of compartmentation in the Tower Blocks, and discrepancies in notices as to whether residents should stay put or evacuate.

The Assistant Director advised that the Fire Safety Working Party reconvene once the Arup Survey was complete. Members were told that the Arup report had been more detailed than expected, and their recommendations in respect of Cromwell Tower were expected this month.

In concluding, the Chairman suggested that the Working Party should reconvene and arrange to meet urgently, and that Fire Safety Reports should be higher on future BRC agenda. Additionally, the Arup report should be circulated to all Members of the Committee, as soon as it is completed, and a briefing session arranged for BRC Members ahead of a full report to the next Committee.

RESOLVED, That – the report be noted.

11. REVENUE & CAPITAL BUDGETS: LATEST APPROVED BUDGET 2021/22 AND ORIGINAL BUDGET 2022/23 (EXCLUDING DWELLINGS SERVICE CHARGE INCOME & EXPENDITURE)

The Committee considered a report of the Chamberlain and the Director of Community and Children's Services, which provided the annual submission of the revenue and capital budgets overseen by the BRC. In particular it sought approval to the provisional revenue budget for 2022/23, for subsequent submission to the Finance Committee, and details of the Committee's draft capital budget were also provided.

RESOLVED, that:

1. The provisional 2022/23 revenue budget be approved for submission to the Finance Committee.
2. The draft capital budget be approved.

3. The Chamberlain revise these budgets to allow for further implications arising from departmental reorganisations and other reviews, including corporate projects.

12. SERVICE CHARGE EXPENDITURE & INCOME ACCOUNT: LATEST APPROVED BUDGET 2021/22 & ORIGINAL BUDGET 2022/23

The Committee considered a report of the Chamberlain and Director of Community and Children's Services which set out the original budget for 2021/22 and 2022/23 for revenue expenditure included within the service charge in respect of dwellings. The report did not include any expenditure or income pertaining to car parking or stores.

In respect of energy charges, the officer advised that the contract was renewed in September 2021. The City Corporation now had a 4-year variable purchase contract in place and energy would be purchased when the market is most advantageous.

The Chairman advised that the RCC had asked for budgetary reports to be set out as clearly as possible, noting that local authority systems can be complex. The RCC had also asked to see the Department's structure, setting out where budgetary responsibility lies.

RESOLVED, that:

1. The provision 2022/23 net £Nil revenue budget be approved for submission to the Finance Committee.
2. The Chamberlain be authorised to revise these budgets to allow for further implications arising from departmental reorganisations and other reviews, and corporate projects.

13. PROGRESS OF SALES AND LETTINGS

The Committee received a report of the Director of Community and Children's services which advised Members of the sales and lettings approved by officers since the last meeting, under delegated authority and in accordance with Standing Orders. The report also provided information on surrenders of tenancies received and the number of flat sales.

RESOLVED, that – the report be noted.

14. REPORT OF ACTION TAKEN

The Committee received a report of the Town Clerk which advised Members of action taken by the Town Clerk, in consultation with the Chairman and Deputy Chairman, in accordance with Standing Order No. 41 (b) since the last meeting.

Members noted that the Town Clerk, in consultation with the Chairman and Deputy Chairman and Members of the Barbican Residential Committee, had approved :

- 1) an uplift in the service charge, of approximately £25 per flat, per annum, to allow the continued employment of an extra gardener to work in the private gardens of the Barbican Estate; and
- 2) instructed officers to review this annually, in consultation with the Residents' Consultation Committee. *NB. Following further consideration of item (2) above, Members agreed that a bi-annual review would suffice.*

15. BARBICAN ARREARS UPDATE

The Committee received a report of the Director of Community and Children's Services, which advised Members of the current arrears in respect of tenants and leaseholders on the Barbican Estate.

RESOLVED, that – the report be noted.

16. BARBICAN COMMERCIAL ARREARS UPDATE

The Committee received a report of the Director of Community and Children's Services, which is presented annually, and advised Members of the current arrears in respect of commercial property tenants on the Barbican Estate and the action being taken with these arrears.

At 12.50 pm, the Committee agreed to extend the meeting to conclude the business on the agenda.

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

A member asked about major works being undertaken at Mountjoy House, resulting in unacceptably high noise levels, including Sundays. There had been further problems in that the leaseholder was not contactable, and it was difficult to decipher which of two properties being worked on was in transgression at any given time. Members noted that the Considerate Contractor Scheme offered redress and residents should also report incidents of noise nuisance to the City Corporation's Public Health Team, who are on duty 24 hours. The Chairman and Deputy Chairman agreed to attend a meeting of all parties to discuss a resolution.

18. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

The Chairman said farewell to those Members choosing not to stand again in the forthcoming City of London Common Council elections and thanked them for their contributions to the Committee.

Members noted that, for the time being, and under the terms of the City Corporation's Governance Review, the Barbican Residential Committee is still convened as a Committee of the City of London Corporation.

19. EXCLUSION OF THE PUBLIC

RESOLVED, that - under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on

the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A of the Local Government Act.

Item no (s)	Para no (s)
20-26	1, 2 & 3

20. **NON-PUBLIC MINUTES**

Resolved, that - the non-public minutes of the meeting held on 8 October 2021 be approved.

21. **BARBICAN ESTATE RESIDENTIAL TENANCY RENEWALS**

The Committee considered and approved a report of the Director of Community and Children's Services.

22. **BARBICAN ARREARS UPDATE - APPENDIX**

The Committee received an appendix in respect of agenda item 15.

23. **BARBICAN COMMERCIAL ARREARS - APPENDIX**

The Committee received an appendix in respect of agenda item 16.

24. **LEASE APPROVAL**

The Committee considered and approved a report of the Director of Community and Children's Services.

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

There were no questions.

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

There were no items.

The meeting ended at 1.25pm

Chairman

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