

**BARBICAN ESTATE RESIDENTS CONSULTATION COMMITTEE**  
**Monday, 29 April 2024**

Minutes of the meeting at Guildhall at 6.00 pm

**Present**

**Members**

Sandra Jenner - Defoe House (Chair)	Andrew Tong - Brandon Mews
Jim Durcan - Andrewes House (Deputy Chair)	Andy Hope - Breton House
Christopher Makin (Alderman) (Deputy Chair)	Dave Taylor - Gilbert House
Sandy Wilson - Shakespeare Tower	Monique Long - Mountjoy House
David Lawrence - Lauderdale Tower	Fionnuala Hogan - Willoughby House
Adam Hogg - Chair, Barbican Association	Lucy Sisman - Cromwell Tower
Fiona Lean - Ben Jonson House	Gordon Griffiths – Bunyan Court
Sally Spensley – Frobisher Crescent	
Fritz van Kempen – Speed House	

**In Attendance**

- Tam Pollard – Chair of the Asset Maintenance Working Party
- Ted Reilly – Chair of the Repairs and Maintenance Working Party
  
- Alderwoman Susan Pearson – Ward of Cripplegate
- Deputy Randall Anderson – Ward of Aldersgate
- Deputy Anne Corbett – Deputy Chair of the Barbican Residential Committee

**Officers:**

Judith Finlay	- Executive Director, Community and Children's Services
Pam Wharfe	- Interim Assistant Director, Housing and Barbican
Dan Sanders	- Assistant Director, Barbican
Michael Gwyther-Jones	- Community and Children's Services
Damon Ellis	- Community and Children's Services
Stephen Johnson	- Community and Children's Services
Michael Gwyther-Jones	- Community and Children's Services
Julie Mayer	- Town Clerk's Department

**1. APOLOGIES**

Apologies were received from Claire Hersey, Lambert Mews.

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

There were no declarations.

### 3. **HOUSING REPAIRS AND MAINTENANCE CONTRACTS - PROCUREMENT STAGE 1 REPORT**

The Committee received a report of the Executive Director, Community and Children's Services which sought City of London Corporation (CoLC) Member approval for the recommended procurement strategy and evaluation criteria to be used in the selection of the preferred suppliers for the CoLC Repairs and Maintenance Contracts, which are due to expire on 31st March 2025. The report noted how this is required under Section 16.2 of the Procurement Code (Part 1) as the value exceeds £2m.

Members noted that this was a Special Meeting of the Committee to consider one item of business. The report presented to the Barbican Estate Residents Consultation Committee (BERCC) had been redacted as the full version contained '*commercial sensitivities*', which are exempt under the Local Government Act of 1972.

**The Chair set out how the business would be conducted and made the following opening comments, reflecting the views of the BERCC:**

- There should have been separate reports for the Barbican Estate Office and the HRA.
- The report had been heavily redacted on costs and a number of residents were disappointed at this, given that they pay for the contract.
- There was no mention in the report of the Altair evidence base and Landlord obligations but it was noted that this would be covered during the Officer's presentation of the report.

**Officers responded as follows:**

1. Officers had consulted the Town Clerk and the Procurement Team, who agreed that the best approach would be to have one report, seeking different Committee decisions. There are separate and distinct appendices covering the communications.
2. The redactions had been necessary to remove commercially sensitive material from the non-public version of the Committee report, as prescribed under the Local Government Act of 1972. However, the new Assistant Director had been working with the Chamberlain to allow the Working Groups to see pertinent financial information, in such a way so as not to compromise the integrity of the tender, noting that residents are already sighted on some of the information as part of their service charge statements.
3. The Altair report had been shared with consultants and their recommendations would form part of the tender documents.
4. Lot 3 would cover just the responsive repairs in respect of waterproofing issues, with the capital works being procured separately.

5. The 'handy-person' service would fall outside of the main contract for the Barbican Estate.

**The Chair of the Repairs and Maintenance Working Party was invited to comment.**

6. The Chair agreed with the Chair (of the BRCC) in respect of her opening comments but wanted to stress how the Working Party had enjoyed a productive working relationship with officers and noted the positives; i.e. - a dedicated Contracts Manager for the Barbican; a far more realistic price/quality ratio than previously and residents acting as '*unpaid Clerks of Works*' for the project.
7. Residents had found the description of the current contract somewhat anodyne, given the extreme dissatisfaction about performance and would like the relevant Committees to fully acknowledge this before the extension is put in place.
8. There should be more explanation as to why waterproofing for Barbican and Golden Lane is on the same contract.
9. Resident Members should have been given more input in terms of the positioning of the handy person.
10. The Working Party would like to see a clearer commitment to the contract starting date and more detail in respect of sub contract management.
11. The Chair (of the Working Party) was confident that, over the next couple of months, these issues would be resolved, given the positive working relationships referred to above.

**Officers responded as follows:**

12. The Members allocated to the project and officers had met on ten occasions since September 2023 and this spirit of collaboration would extend into shaping the quality questions. The Chair of the Repairs and Maintenance Working Party would also be engaged in the evaluation.
13. There are a lot of common factors affecting waterproofing for Golden Lane and the Barbican, and there had been extensive engagement across both resident groups. Officers considered the historical data and are confident that this is the correct approach, noting that the scope of the contract is still a work in progress
14. The handy person for the Barbican Estate will create an opportunity for insourcing under the break clauses.
15. It will take 3 months to de-mobilise the old contractor and mobilise the new one.
16. The use of sub-contractors would be kept to a minimum and managed by the Estate Contract Manager. Whilst it is usual practice to procure separate lots, they will form part of a single contract.

17. The appropriate forum for reviewing validity of historic charges is the repairs charging group, this work is being done and although not directly relevant to the procurement of the new contract which this forum is dealing with we acknowledge the frustrations with regards to the lack of management/oversight of the current contract and the impact that has had.
18. The Minutes from this Meeting, which will be presented to the Special Meeting of the Barbican Residential Committee (BRC) on 9<sup>th</sup> May 2024, will note the comments about poor performance of the current contractor. The Executive Director advised that previous reports had presented more detail on history and high levels of dissatisfaction.

**The Chair of AMWP made the following comments**

19. The various decision-making committees should note that the 12 months extension only came about because the expiry of the existing contract with Metwin was not properly managed.

20. How confident are officers in respect of sufficient contingencies?

**Officers responded as follows:**

21. A very detailed programme was prepared last year and each target had been met. The Team remains extremely focussed and weekly meetings take place with all parties, who are confident in terms of achieving the targets and deadlines. The Assistant Director stressed that the timelines in Appendix 4 to the report are realistic.
22. The break clauses will accommodate greater levels of insourcing but it may take a number of years to work through. A previous employee made an unrealistic commitment to review this at a much earlier stage. The new Assistant Director is very experienced in insourcing and outsourcing, which is a complex area, and has given a more realistic timescale. The Chair of the AMWP feels that this should be reflected more strongly in the report.
23. The Chair (of the BRCC) noted that the Altair review suggested the Handy Person, which would cover the less technical aspects of maintenance. The Assistant Director agreed to discuss this further with the Chair, after the meeting.
24. The issues with Civica are part of a Transformation Board workstream and they received a positive update at the last meeting.
25. The Assistant Director will be chairing the Strategy Group across the Barbican Estate, which will seek to work collaboratively to achieve economies of scale.
26. The Chair (of the BRCC) felt that the risk exposure should include legal implications in terms of a potential breach of lease under the Landlord and Tenant Act. The Assistant Director agreed to incorporate this into future reports.
27. The Assistant Director had been looking at specialist nominated suppliers of certain bespoke materials, with a recent focus on tiling.

**28. During questions there was a high level of dissatisfaction with the percentages applied to the tender evaluation in terms of:**

- I. The percentage splits of the evaluation criteria.
- II. The way in which the assessment criteria would be used, with specific reference to the contract award.
- III. The proposed question set with reference to 'quality' had not been determined.
- IV. The extent to which the evaluation criteria could potentially not provide the best 'value for money' Contractor was not adequately portrayed.

29. Officers offered mitigating explanations but the agreement was to host an online conversation to work through these concerns. It was noted that a particular requirement would be attendance from the Procurement Team, who would be able to offer the best insight and guidance. The Chair asked that the Deputy Chair, the Member who raising the above queries (the representative from Willoughby House), the Allocated Members and Chairs of the Working Groups be invited. The Executive Director asked Members to be mindful of the need to move quickly on this, in order to keep pace with the Committee reporting cycle.

30. The Chair (of the BRCC) noted the internal audit of some of the Metwin charges which had showed irregularities. The progress on recommendations from the Audit Report would be presented to the June meeting of the BRC. The Executive Director advised that the action plan would be shared with both RCC and BRC Members.

Whilst noting some of the positive aspect set out above, the Chair (of the BRCC) asked for assurance that the Estate would not be in this position again. The Assistant Director emphasised the culture shift within the Estate Office, noting the arrival of the new Executive Director and Senior Leadership Team, who also have better quality management information than was previously the case.

RESOLVED, that – the BRC be asked to note the comments above, particularly in respect of the percentages when taking a decision on the report.

**The meeting ended at 7.20 pm**

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Chairman

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