



## Barbican Estate Residents Consultation Committee

**Date:** MONDAY, 28 APRIL 2025

**Time:** 6.30 pm

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

**Members:**

Jo Boait - Ben Jonson House (Chair)	Dave Taylor - Gilbert House
Sandra Jenner (Deputy Chair)	Pauline Fasoli - John Trundle Court
Lucy Sisman - Cromwell Tower (Deputy Chair)	Claire Hersey - Lambert Mews
Adam Michael Hogg	David Lawrence - Lauderdale Tower
Lionel Meyringer - Andrewes House	Stuart Lynas - Mountjoy House
Andrew Tong - Brandon Mews	John Holme - Postern
Fiona Lean - Ben Jonson House	Jane Smith - Seddon House
Andy Hope - Breton House	Sandy Wilson - Shakespeare Tower
John Taysum - Bryer Court	Frits van Kempen - Speed House
Gordon Griffiths - Bunyan Court	Rodney Jagelman - Thomas More House
Helen Hudson - Defoe House	Nicola Baker - Wallside
Sally Spensley - Frobisher Crescent	Petre Reid - Willoughby House

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**Ian Thomas CBE**  
**Town Clerk and Chief Executive**

# **AGENDA**

1. **APOLOGIES**

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

3. **MINUTES**

To agree the minutes of the Barbican Residents' Consultation Committee (RCC) held on 3 February 2025.

**For Decision**  
(Pages 5 - 16)

4. **APPOINTMENT OF A FORENSIC ARCHITECT (EXPERT WITNESS)**

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

**For Information**  
(Pages 17 - 20)

5. **REPCOM REPORT**

Report of The Executive Director, Community and Children's Services.

**For Information**  
(Pages 21 - 24)

6. **THE BARBICAN ESTATE OFFICE GOVERNANCE REVIEW - TERMS OF REFERENCE**

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

**For Information**  
(Pages 25 - 30)

7. **REPAIRS & MAINTENANCE UPDATE**

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

**For Information**  
(Pages 31 - 32)

8. **MAJOR WORKS PROGRAMME BOARD UPDATE**

Report of The Executive Director, Community and Children's Services.

**For Information**  
(Pages 33 - 34)

9. **LIFT PROJECT - TERMS OF REFERENCE (WORKING GROUP) & STRATEGY UPDATE**

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

**For Information**  
(Pages 35 - 42)

10. **ASSISTANT DIRECTOR'S REPORT (INC HEATING SURVEY, BRANDON MEWS CANOPY & APP PROJECT)**

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

**For Information**  
(Pages 43 - 48)

11. **WORKING PARTY UPDATES**

To receive the minutes and reports of the various working parties.

**For Information**

- a) Service Level Agreement Working Party (Pages 49 - 60)
- b) Garden Advisory Group (Pages 61 - 62)
- c) Climate and Zero Carbon Working Party (To Follow)
- d) Asset Maintenance Working Party (To Follow)
- e) Service Charge Working Party (To Follow)

12. **OUTSTANDING ACTIONS**

To note the actions tracker for the Barbican Estate Residents' Consultation Committee (RCC) and the Barbican Residential Committee (BRC).

**For Information**  
(Pages 63 - 66)

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

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

## **1 BARBICAN ESTATE RESIDENTS CONSULTATION COMMITTEE** **Monday, 3 February 2025**

Minutes of the meeting of the Barbican Estate Residents Consultation Committee held at Committee Room 3 - 2nd Floor West Wing, Guildhall on Monday, 3 February 2025 at 6.30 pm

### **Present**

#### **Members:**

Sandra Jenner - (Chair)	Dave Taylor - Gilbert House
Jim Durcan - (Deputy Chair)	Rodney Jagelman - Thomas More House
Lucy Sisman - (Deputy Chair)	Stuart Lynas - Mountjoy House
Jane Smith - Seddon House	Petre Reid – Willoughby House
Adam Hogg - Chair, Barbican Association	Claire Hersey – Lambert Mews
Jo Boait - Ben Jonson House	Graham Wallace – Andrewes House
Fritz van Kempen – Speed House	Sally Spensley – Frobisher Crescent
Pauline Fasoli – John Trundle Court	

#### **In attendance:**

David Lawrence - Lauderdale Tower  
Sandy Wilson – Shakespeare Tower  
Mary Bonar – Wallside  
Helen Hudson – Defoe House  
Dawn Frampton – Cripplegate, Ward Member  
Anne Corbett – Deputy Chair, Barbican Residential Committee  
Michael Gwyther-Jones – Head of Services, Community and Children's Services  
Tam Pollard – Chair, Asset Maintenance Working Party

#### **Officers:**

Judith Finlay	- Executive Director, Community and Children's Services
Dan Sanders	- Assistant Director, Barbican Residential Estate
Dan Castle	- Interim Head of Property Services
Rhys Campbell	- Town Clerk's Department

### **1. APOLOGIES**

Apologies were received from Mary Bonar, David Lawrence, John Taysum, Helen Hudson and Sandy Wilson in advance of this meeting. However, Mary, David, Helen and Sandy attended this meeting virtually.

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

There were no declarations.

### 3. **MINUTES**

RESOLVED, that – the minutes of the previous meeting be approved as a correct record, subject to the amendment that Gordon Griffiths was in attendance at this meeting.

#### **Matters Arising**

- Wording regarding page 6, 'an application for a grant from the Community Infrastructure Levy was expected to help support these costs' to be changed to 'might be expected'.
- Assistant Director to review if leaseholders could receive an invoice for repairs to be an action.
- Credit attributed to non-residential blocks via the Purchase Power Agreement to be included in Action Tracker.
- Regarding page 11, 'Tower Blocks' to be changed to 'Terrace Blocks'.
- The Apportionment Review of Service Charges would be undertaken in consultation with the Service Charge Working Party.

### 4. **OUTSTANDING ACTIONS**

The Committee received the action tracker for the Barbican Estate Residents' Consultation Committee (RCC) and the Barbican Residential Committee (BRC).

During the discussion the following points were raised:

1. The Assistant Director, Barbican advised the Committee that the Anti-Social Behaviour Report and Asbestos Report shall be submitted to the RCC in Q2, April 2025. He also noted a correction at point three of the as it should be '23/24' and not '22/23'.
2. The Purchase Power Agreement (PPA) non-consumer blocks were still being assessed and once confirmed then this would be included onto the Action Tracker.
3. The explanation of the variance of the £575,000 for Repairs and Maintenance in the 23/24 outturn report would also be included in the Action Tracker.
4. It was confirmed that the Salvage Store was still active, and the Assistant Director advised Members that the BEO was very committed to supporting it

5. A Member asked for clarification on the difference between The Barbican Estate Office Review and the Transformation Programme Update. It was confirmed that the Transformation Programme Update encompasses all aspects of transformation, including several workstreams outside of staffing. In response to a further question, the Chair also confirmed that she would ask the BRC Chair if the title "Transformation Programme Update" was appropriate.
6. The Deputy Chair highlighted the discussion at the previous meeting regarding leaseholders receiving invoices for work done on their property and asked if leaseholders would receive copies of invoices. The Committee were advised that work was being undertaken with a new contractor and report on how this would work in practice was expected to be brought to Committee at a later date. The action tracker would be updated to reflect this.

## **5. WORKING PARTY UPDATES**

### **5a. SERVICE LEVEL AGREEMENT WORKING PARTY**

A Member noted that the report on repairs orders showed that there were five houses in one quarter which had significantly more orders than the rest. The Assistant Director agreed to follow up outside of the meeting but recognised that there were various reasons why certain blocks may have disproportionate orders.

Another meeting between the SLAWP and officers was expected to take place to finalise a decision of adopting the Housing Ombudsman. Questions were being drafted to obtain legal advice from the Federation for Private Residential Associations.

### **5b. SERVICE CHARGE WORKING PARTY**

The Service Charge Working Party update was discussed at item 19.

The Chair stressed the Working Parties dissatisfaction with the lack of any explanation from the Chamberlain's Department for the £1.3 Million recharged for City overheads. However, this and other supplementary questions were addressed at item 19.

## **6. REPORTING COMMITTEE UPDATE - TERMS OF REFERENCE**

The Committee received a report of The Executive Director, Community and Children's Services in respect of an update of the Reporting Committee and its Terms of Reference.

The Assistant Director advised the Committee of a small correction on page 33 where it should have stated 'Reporting Committee' instead of 'Monitoring Committee'; that the disclaimer paragraph on page 30 was being double-

checked by the Comptrollers Department and the inclusion of terms of office was being considered by the Town Clerk's Department.

A Member was concerned that the Reporting Committee would be chaired by the Assistant Director and noticed that this may be a conflict of interest. The Chair advised that this was a recommendation from the house groups. The Executive Director, Community and Children's Services advised that if any issues were to arise it would be reviewed and if necessary, she would independently review of the Assistant Director's stewardship of the estate. The Assistant Director assured the Committee that he would step aside in the event of a conflict of interest.

The Assistant Director advised the Committee that a timetable for meetings for the year had been developed with the Major Works Programme Board (MWPB) meeting before the Reporting Committee so that the Reporting Committee could include the most up to date information in its report to the RCC and BRC.

RESOLVED, that - the report and its contents be noted.

## **7. MAJOR WORKS PROGRAMME BOARD - LIFT TOWER REPORT**

The Committee received a report of the Executive Director, Community and Children's Services in respect of Major Works Programme Board and a recommendation of a full capital replacement of the tower lifts situated on the Barbican Estate.

The report sought approval from the BRC for £75,000 (£25,000 per tower) to draft specifications of works and tender lift replacement works across all three towers. The Assistant Director recognised the urgency of lift replacement at the towers and full capital replacement was favoured over refurbishment since this would ensure longevity, reliability and value for money. It was specified that an open protocol system would be implemented to avoid monopolisation by a contractor. The costs of this programme shall be spread over two financial years. A further report considering leaseholder funding options would be submitted to Committee at a later date.

He assured the Committee that lifts would be replaced sequentially in the same financial year, replacing one lift per tower, with replacements taking approximately six to eight weeks. A Member raised a further concern about modernisation and full replacement, and whether the relevant house groups would be well informed of the process, the Assistant Director wanted resident and leaseholder involved and was also keen to establish a Tower Lifts Working Party with leaseholders representatives from each tower (preferably 2-3 per tower). However, it was a professional recommendation that these lifts needed to be replaced.

A Member noted comments made by residents of Shakespeare Tower and increased estimate from £1.5 Million to £2.65 Million and it was noted that the delay by the City Corporation in progressing the original program may have contributed to these increased costs. He asked if the £2.65 Million was based



on inflated costs for when the programme was expected to be completed or costed at current costs and would inflate further. The Assistant Director advised the Committee that the estimate was based over the project timeline (2 years). The Member asked for further explanation of costs and reasoning for going for replacement and not refurbishment, he also suggested spreading the costs over several years. The Assistant Director agreed to investigate and discuss further outside of the meeting.

A Member asked why the replacement of lifts at Cromwell Tower was £20,000 cheaper compared to other lift replacements. The Assistant Director agreed to investigate further, however attributed this decrease to a lift component. A Member asked whether Grants for improving disabled access were available and whether this could be classed as a landlord improvement. The Assistant Director agreed to investigate further.

RESOLVED, that – the report and its contents be noted.

**8. BARBICAN ESTATE OFFICE - RESTRUCTURE UPDATE**

The Committee received a report of the Executive Director, Community and Children's Services in respect of the restructuring of the Barbican Estate Office.

The Assistant Director responded to questions regarding management layers, in particular supervisory roles. These were frontline roles with four-six hours per week of holiday/sickness absence management. Job holders would still be fulfilling their cleaning or concierge duties. Career progression and a gateway for staff into the BEO was envisaged. Car Park Attendants and Lobby Porters would be retitled 'Estate Concierge'. The name change reflecting that over time their responsibilities had extended. The Deputy Chair wondered if those taking on supervisory roles would receive the appropriate training required and it was confirmed that they would be appropriately trained and receive the necessary equipment to carry out works required.

RESOLVED, that – the report and its contents be noted.

**9. BRANDON MEWS CANOPY - OPTIONS APPRAISAL**

The Committee received a report of The Executive Director, Community and Children's Services in respect of the Brand Mews Canopy.

The Assistant Director provided the Committee with an update regarding an options appraisal and impact assessment of the canopy which was to be conducted by Avanti. This was proposed to be City Funded, however any work resulting from this appraisal would be based upon Avanti recommendations.

RESOLVED, that – the report and its contents be noted.

**10. TRANSFORMATION PROGRAMME UPDATE**

The Committee received a report of the Executive Director, Community and Children's Services in respect of the Transformation Board.

The Assistant Director informed the Committee that the Transformation Board had considered a meaningful and good communication strategy as difficulties existed on how to report more frequently on sensitive work streams. A Member was concerned that the Transformation Programme had decided to dissolve itself at the end of March 2025 despite the BRC requesting a standard agenda item and the work of the Board had not been concluded. Start and end date for each workstream should have been provided for each quarter. The Member asked particularly how to deliver service level agreements were commercially sensitive. The Assistant Director advised that commercial sensitivity and how to deliver service level agreements related to the BEO restructure. The Executive Director, as Chair of the Transformation Board, highlighted to the Committee that the Board had been established 18 months prior to this meeting with an assignment to improve services for Barbican Residents by working with residents to understand existing issues. The Executive Director was satisfied that the Transformation Board had served its purpose by doing this. The creation of the Assistant Director, BEO role, other Officer roles and other works had been conducted within these 18 months to improve services. She maintained that the Transformation Board had been true to the requirements of the Altair Report and further work will be undertaken by officers as 'business as usual'.

The Deputy Chair referenced the review of Frontline Service which was listed in the report and asked if this would affect jobs of Car Park Attendants or result in the closure of Car Parks. The Assistant Director stated that this was not the intention of the review and wanted to ensure that staff are in a supportive environment while delivering a best level of service to Barbican Residents.

Regarding the new BEO structure, a Member wanted to know the number of resident engineers and if this would be altered. The Assistant Director confirmed that there were three fully electrically qualified engineers with another undergoing training and the lead resident engineer was being supplemented by an administration resource, and said there was still work to be done. The review would identify how the BEO could provide support where needed. He also confirmed that resident engagement would be involved in the review process.

A Member noted that the Assistant Director's Report would be well received by Barbican Residents and wondered if officers had discussed whether Altair would return to conduct another review. The Assistant Director said that the Reporting Committee should consider this further.

RESOLVED, that – the report and its contents be noted.

**11. BARBICAN PODIUM WATERPROOFING, DRAINAGE AND LANDSCAPING WORKS**

The Committee received a report of the Executive Director, Community and Children's Services in respect of the Barbican Podium Waterproofing, Drainage and Landscaping Works.

The Chair asked how the report could possibly be 'For Information' when it was so heavily redacted and the disclaimer at the top of each page stated that it was only valid if read in conjunction with the City Intranet which no RCC members had access to.

The Assistant Director admitted that the report being redacted with commercially sensitive information may not have been easy to read and in future a more concerted effort to provide a condensed version would be considered. It was highlighted that a public version of the report, without redaction, had been submitted at the Resource Allocation Sub-Committee and Members were keen to view it.

The Head of New Developments & Special Projects, Housing Property Services informed that Gateway 5 report was expected in the coming months. He advised the Committee that planning listed building consent was being granted and a detailed design had been completed. An application of building regulations had been submitted and tenders for the project had been received. The possible start of the project was expected to be early 2026 with completion at early 2028.

A Member asked if it was possible to maintain resident engagement when dealing with matters of commercial sensitivity, potentially offline, instead of receiving redacted versions of reports.

The air quality of Beech Street Tunnel was questioned and the closing of vents was concerning for Members and they were keen to understand the rationale behind the closing of ventilation. It was advised that 14 vents above Beech Street Tunnel were blocked and therefore ineffective and a technical evaluation of these vents deemed them to be obsolete. Highways and Technical experts had considered repairing these vents, however they concluded that vents were no longer required and could be removed.

Members asked for further information on structural support and why this was not listed in the plans. Officers explained that there were inaccuracies in historic records of the Barbican Estate and upon site investigation several columns did not exist which had featured on the original record drawings. However, he had no reason to believe there was any structural instability but would obtain further technical expert advice to confirm this. The Assistant Director, confirmed that structural renovation surveys had been conducted on the wider columns of Beech Street and they were "structurally sound". A member queried artwork being included in the project when it was water proofing which was the necessity and made the point that if the project is overbudget, the artwork should be removed not any fundamental waterproofing works

The Head of New Developments & Special Projects, Housing Property Services confirmed that although residents were not involved in the consultation process

with Planning Officers, the scheme had been shared with residents and other stakeholders. A Member asked if noise emanating from exercise and play areas on the podium had been considered and the Committee were advised that Planning Officers had considered this and all consultations had been conducted via the statutory process hosted by City Planning. Further questions were prompted by Members and it was suggested that these questions be collated post-meeting and shared with the Planning Department for further comment.

RESOLVED, that – the report and its contents be noted.

**12. REPORT OF ACTION TAKEN BETWEEN MEETINGS**

The Committee received a report of the Town Clerk advising Members of action taken by the Town Clerk outside of the Committee's meeting schedule, in consultation with the Chairman and Deputy Chairman of the Barbican Residential Committee, in accordance with Standing Order No. 41(a).

RESOLVED, that – the report and its contents be noted.

**13. BARBICAN APP**

The Committee received a verbal update from the Assistant Director in respect of the Barbican App.

The Assistant Director advised the Committee that they were on track for delivery of the Barbican App by the end of the first quarter following positive engagement meetings with a two-week pilot project at Thomas Moore House expected in early March 2025.

**14. REPAIRS & MAINTENANCE MOBILISATION**

The Committee received a verbal update from the Assistant Director in respect of Repairs & Maintenance Mobilisation.

It was confirmed that de-mobilisation of the existing contract and mobilisation of the new was on track and there were no projected issues with 1<sup>st</sup> April 2025 being the start date.

**15. RECRUITMENT**

The Committee received a verbal update from the Assistant Director in respect of BEO recruitment.

The Assistant Director informed the Committee of the appointment of Eoin Doyle as Head of Property Services and thanked Dan Castle for supporting as interim Head of Property Services since he would be returning to his post as Contract Manager, Barbican Estate. He also advised the Committee that an offer had been made to a Project Manager and interviews were being conducted for a Service Charge Manager with the Head of Resident Services post still being vacant at the time of this meeting.

**16. WATER PENETRATION**

The Committee received a verbal update from the Assistant Director in respect of Water Penetration.

The Barbican Windows Project had been approved under urgency procedure and work was being undertaken to specify which blocks would undergo replacement first. Specification of waterproofing work was planned to be undertaken at Ben Jonson House. This was expected to be a pilot for how replacement roofs and linked waterproofing work would be considered going forward and was happening in tandem with repairs charging conversations. A Member was concerned that the windows were being specified separately to roofs and drains. The Assistant Director explained that the two projects were interdependent. The tender for window repairs is progressing so when the issues of water penetration (balconies, roof and drainage) are resolved we are prepared to take forward the windows work without delay.

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

The Executive Director, Community and Children's Services thanked the Chair for her dedication and full-time commitment to the RCC in her role as Chair. She appreciated her work and engagement since it was beneficial in helping to deliver a better service for the Barbican Estate.

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

The Assistant Director asked for volunteers from Shakespeare Tower, Defoe House and Speed House for the Barbican Heating Study.

**19. SERVICE CHARGE EXPENDITURE AND INCOME ACCOUNT - LATEST APPROVED BUDGET 2024/25 AND ORIGINAL BUDGET 2025/26**

The Committee received a report of The Executive Director of Community & Children's Services in respect of the original budget for 2024/25 and 2025/26 for revenue expenditure included within the service charge in respect of dwellings.

The Assistant Director advised the Committee that the report detailed budget costs for the period 2025/26 and the variance against 2024/25 was a reduction of £2.4 Million. The three main reasons for this decrease were:

- Repairs and Maintenance now being restructured into two new workstreams (waterproofing and repairs) and this amounted to approx. £1.1 Million under new contracts with tighter terms, kpis and penalty clauses.
- Utilities – through the projections of kilowatt per hour usage, cost, and the approximate amount of energy expected to be sold back to National Grid via PPA. This amounted to approx. £500,000.

- Projects – project budget reduced by £850,000 as there had been a ‘pause’ so that the BEO could deliver a 25-year Capital Expenditure Plan.

The Assistant Director highlighted appendix two of the report which displayed support services and capital charges and costs included to support departments such as Chamberlain’s, Comptrollers, Town Clerk’s and Corporate Services equalling £1.3mn. He stated that the percentage allocations and rationale for these figures were not provided but the Chamberlain’s Department were undergoing a full review which would be submitted to the Service Charge Working Party and then the RCC.

Whilst discussing details of appendix 3 of the report, the Assistant Director highlighted staff costs and supervision of management in relation to the Barbican Estate Office and a document shared with the SCWP which summarised staffing costs of employees of the BEO. The new staffing structure contributed to less reliance on some of their support teams through dedicated posts such as Project Manager. The Assistant Director informed the Committee that their actual staffing budget was approximately £3.2 Million and the bottom line was £4.8 Million with the discrepancy being attributed to overheads, and confirmed that the bottom line figure of £4.8 Million was correct.

The Assistant Director advised the Committee that the actual energy spend for the period 2023/24 was £4.297 Million. He reminded Members that the energy market during this period underwent some turbulence therefore the City Corporation was able to generate a large sum of money from selling excess energy back to the National Grid which explained the significant underspend against the budget listed in the report. However, the Assistant Director did not expect this to happen again due to the stability of the energy market at the time of this meeting with it being noted energy was not expected to be sold at 72p per kilowatt per hour as had been done so previously.

A Member asked if there in any contingencies (e.g. missed projects) in relation to the capital expenditure plan and what procedure would be undertaken to introduce a new project. The Assistant Director confirmed that contingencies were in place and explained that the basis of the plan was to encompass, understand and assess every asset and its cyclical life cycle, and understanding the future repairs and maintenance expected of the asset. The plan shall inform the BEO of its 25-year obligations and a Planned Preventive Maintenance Programme was expected to be in place also. A new project manager had been appointed to lead the Capital Expenditure Programme and Dan Castle will lead the Planned Preventive Maintenance Programme, with both documents to be made publicly available to leaseholders.

A Member noted that an asset survey had been conducted by Savills in the past and wondered if the Capital Expenditure Programme was building on this. The Assistant Director confirmed that the BEO would review all surveys conducted and the Savills’ Stocks and Condition Survey would be included, however the reliability and age of surveys must be considered.

The Assistant Director maintained his confidence that repairs were expected to cost less and advised the Committee of a document provide to the SCWP which listed the detail surrounding repairs such as fluctuations of orders and first-time repair rates, and suggested that a public version of this document be made available. A Member asked for confirmation that there would be cost savings from structure changes. The Assistant Director provided assurance that the new structure would be cost-neutral or lower than the pre-Altair costs (adjusted for changes to pay scales) and a full comparison would be brought to the Committee upon conclusion of the consultation period.

The Chair raised a concern about the unexplained £1.3 Million and noted the commitment given by the Chamberlain's Department in January 24 to assist with a full review of the service charge budget, however this had not been forthcoming. The Chair expected further details of the budget from the Chamberlain's Department at the next meeting. The Assistant Director admitted that the report was not the "finished article" and not having resource locally had made an impact, however those involved were committed and further resource was being implemented to support this. The Deputy Chair noted appendix 1 of the report and asked the Assistant Director to advise the origins of the extra £240,000 attributed to consultancy fees to which he agreed to provide an update post-meeting.

The Assistant Director informed the Committee that work had been conducted concerning the management and oversight of repair works on the estate from the BEO, and that the quality of management oversight and initial repairs shall be greater which would overall reduce costs.

RESOLVED, that – the report and its contents be noted.

**The meeting ended at 8.42 pm**

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Chairman

**Contact Officer: Rhys Campbell**  
Rhys.Campbell@cityoflondon.gov.uk

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<b>Committee(s):</b> Residents Consultation Barbican Residential	<b>Dated:</b> 28 April 2025 12 May 2025
<b>Subject:</b> Appointment of Forensic Architect (Expert Witness)	<b>Public</b>
<b>This proposal:</b>	To approach Forensic Architect (expert witness) for expressions of interest relating to a review of work on BJH
<b>If so, how much?</b>	N/A
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	N/A
<b>Report of:</b> The Executive Director of Community & Children's Services	<b>For Information</b>
<b>Report author:</b> Daniel Sanders – Assistant Director – Barbican Estate	

## Summary

It has been agreed that an Expert Witness will be appointed by the CoLC to determine liability and magnitude of costs related to the rectification of the problems with the fabric of Ben Jonson House. If appropriate, the findings will be extrapolated across the Barbican Estate, although it is recognised that some additional work might be needed to reflect the specific circumstances of the other block and, in particular, the towers, mews and houses.

Care will be taken to ensure that the architectural expert witness is as independent as possible and that the findings will be reported to both the CoLC and the leaseholders.

At this point in time, we are going out to seek expressions of interest from reputable architectural/surveying firms that can also act as expert witnesses if required, this paper seeks no formal decision, that will come when the finalised scope and agreed ToR are prepared. The following is an outline of the brief for the expert witness.

## Main Report

The CoLC seeks to gather expressions of interest from forensic architects (expert witness) carry out the following:

- Investigate and determine liability for costs, and
- Identify the associated costs for rectification of all issues caused by poorly informed works, or negligence of maintenance with the fabric of BJH.

The Expert Witness should consider the special nature of the materials used, the Grade II designation of the building and how poorly informed works diminish the longevity of the primary building fabric.

### **Scope**

The appointed Expert Witness will investigate all areas of the fabric of the building which the freeholder (CoLC) oversees the repair and maintenance on behalf of the leaseholders: this would include the external envelope, all systems and services linked with the building such as water shedding, and any other element for which the freeholder has responsibility.

### **Key Questions**

#### **Technical Design (RIBA Stage 4):**

- Were the architectural services provided in the technical design of the roof, waterproofing to balconies on the 6th and 7th floor, drainage strategy, and windows on the 6th, 7th and 8th floors negligent?
- Did they fail to meet best practice / industry standards?
- Was there a breach of legal or lease requirements?
- Did the City of London have a qualified person signing off the technical design on behalf of themselves, as client?

#### **Supervision of Construction/Installation (RIBA Stage 5+):**

- Was the supervision of the construction / installation phase of the roof, waterproofing to balconies on the 6th and 7th floor, drainage strategy, and windows on the 6th, 7th and 8th floors negligent?
- Did it fail to meet best practice / industry standards?

#### **Post-Construction Maintenance & Repairs:**

- Have the CoLC and its agents been negligent in the provision and supervision of maintenance and repairs to the fabric of the whole building, for example the roof coverings, waterproofing to balconies or other areas, the drainage strategy, and windows or any other part of the building?
- Did the CoLC fail to meet best practice with commissioning or instructing works, did they meet industry standards?
- Was there any breach of listed building guidelines, legal or lease requirements?

#### **Management of Warranties:**

- Have the CoLC and/or its agents been negligent in the supervision and management of the warranties purchased for BJH post- construction?
- Did the CoLC fail to meet best practice or industry standards?
- Was there any breach of legal or lease requirements?

## Review Process

The review will include:

- **Site Inspections:** Visual and intrusive inspections of the building: external envelope, common parts, and all associated. This could be a RIBA Stage 2 condition survey with defects recorded by element with measurable quantities.
- **Documentation Review:** Review of leaseholder and Corporation-held documentation (approximately [250] documents, containing approximately [700] pages).
- **Interviews:** Interviews with approximately 15 leaseholder representatives and COLC employees.
- **Lease Review:** Examination of lease agreements, and the COLC's responsibility to maintain the listed building.

Proposal and Fee -The CoLC requests a high-level proposal and associated fee for this work. A more detailed scope will be provided as part of the tendering process.

## Key Considerations

- **Specificity and Accuracy:** The brief emphasises the need for specific and accurate language in setting out the findings.
- **Expertise:** The appointed Expert Witness is not expected to have a background in landlord / leaseholder requirements. This aspect will be addressed separately. They should have conservation accreditation, an excellent knowledge of C20 building materials and forensic examination techniques. They should understand listed buildings and how works can both reinforce as well as negate the statutory designation.
- **Transparency and Communication:** Clear communication and transparency are essential throughout the investigation process to ensure all stakeholders are informed and involved.

## Conclusion

The appointment of an Expert Witness to investigate and determine liability for the condition of the fabric of BJH is a critical step in addressing the restitution process. The investigation will provide clarity on the responsibilities for costs and will provide a foundation for the ensuing rectification work.

Contact: Daniel Sanders – [dan.sanders@cityoflondon.gov.uk](mailto:dan.sanders@cityoflondon.gov.uk)

**Daniel Sanders – Assistant Director – Barbican Estate**

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<b>Committee(s):</b> Residents Consultation Barbican Residential	<b>Dated:</b> 28 April 2025 12 May 2025
<b>Subject:</b> RepCom	<b>Public</b>
<b>This proposal:</b>	Report of RepCom
<b>If so, how much?</b>	N/A
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	N/A
<b>Report of:</b> The Executive Director of Community & Children's Services	<b>For Information</b>
<b>Report author:</b> Daniel Sanders – Assistant Director – Barbican Estate	

## Summary

Since the last RCC/BRC RepCom has met twice on 13th March and 11th April.

## Main Report

Three of the key items discussed were the Appointment of a Forensic Architect (Expert Witness) on BJH, the Terms of Reference for the Governance Review and the current repairs & maintenance charging strategy. Separate papers for all three have been included in the meeting pack.

The reporting committee has also considered and commented on the following:

- The MWBP report on the Barbican Tower Lifts
- The possibility of external solicitor involvement in breach of leases
- Dispensation Applications
- Recruitment following BEO restructure
- Timeline for works listed as “coming in 2025” in BEO progress review

The board considered the need for transparency and decided to publish the agenda plan meeting schedule for both RepCom and MWBP as a first step, both are enclosed with this report.

The board acknowledged that following the dissolving of the Transformation Board, a final piece of work with consolidating every action from the Altair report was required to ensure it was understood what works were either:

- Completed
- In progress
- Not being pursued (and if so why)

Following this piece of work, as mentioned at an earlier RCC/BRC meeting, it may then be appropriate to appoint a consultant to review the findings and formally close out the Altair report.

It was noted by the Assistant Director in the meeting of 11th April that the MWPB was held on 9th April (following a cancellation in March) and the turnaround for any edits to the MWPB report although achieved, may not be achievable in future when more papers could be involved. The AD reviewed the timetable, and all future gaps are appropriate (at least 1 week).

The board recognised it has a reporting function to RCC/BRC but discussed the requirement for reporting to the wider leaseholder/resident community, ensuring that early engagement on workstreams across the Estate was achieved. It was noted as vitally important to building trust and relationships with leaseholders/residents.

<b><u>MWPB</u></b>	<b><u>RepCom</u></b>	<b><u>RCC Papers Deadline</u></b>
5th March	12th March	
9th April	11th April (Friday)	14th April
7th May	16th May (Friday)	
4th June	18th June	
2nd July	16th July	
8thh August (Friday)	13th August	18th August
3rd September	10th September	
1st October	15th October	20th October
29th October	12th November	
26th November	10th December	

[illegible]

## **Conclusion**

The last two meetings of the board have been very productive and have seen a shift from mobilisation to reviewing formal papers, receiving updates from the Assistant Director and considering engagement with the wider community.



<b>Committee(s):</b> Residents Consultation Barbican Residential	<b>Dated:</b> 28 April 2025 12 May 2025
<b>Subject:</b> The Barbican Estate Office Governance Review	<b>Public</b>
<b>This proposal:</b>	To approve the ToR for the governance review.
<b>If so, how much?</b>	Up to £50k
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	City Fund
<b>Report of:</b> The Executive Director of Community & Children's Services	<b>For Information</b>
<b>Report author:</b> Daniel Sanders – Assistant Director – Barbican Estate	

## Summary

The Barbican Estate operates with multiple governance bodies. A review will be undertaken by an independent consultant that will assess the effectiveness of the current structure, ensuring compliance with relevant legal and regulatory frameworks while optimising the interaction and efficiency of these bodies. The review aims to establish a governance model that facilitates positive collaboration, minimises duplication of effort, and streamlines decision-making processes.

## Main Report

Members are asked to review and approve the ToR attached with this report so we can approach consultants to carry out the governance review.

## Conclusion

It is the recommendation of the BEO we carry out a governance review as per the terms of reference attached. This governance review aims to create a clear, transparent, and effective governance structure that best serves the interests of Barbican Estate stakeholders. By ensuring compliance with the law, leases, streamlining operations, and enhancing communication, the review will provide a roadmap for a governance framework that is fit for purpose, accountable, and resident focused.

Appendix 1 – Barbican Estate Governance Review – ToR

Contact: Daniel Sanders – [dan.sanders@cityoflondon.gov.uk](mailto:dan.sanders@cityoflondon.gov.uk)

**Daniel Sanders – Assistant Director – Barbican Estate**

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## **Barbican Estate Governance Review - Terms of Reference**

### **Introduction & Purpose**

The Barbican Estate operates with multiple governance bodies. This review will be undertaken by an independent consultant that will assess the effectiveness of the current structure, ensuring compliance with relevant legal and regulatory frameworks while optimising the interaction and efficiency of these bodies. The review aims to establish a governance model that facilitates positive collaboration, minimises duplication of effort, and streamlines decision-making processes.

### **Objectives**

- **Legal & Regulatory Compliance:** Ensure all governance structures comply with leasehold law, Freehold responsibilities, lease agreements and regulatory obligations.
- **Governance Structure:** To propose an overarching governance structure to meet the objectives set out below:
  - i.) **Role Clarity & Efficiency:** Define clear roles and responsibilities for each body to avoid overlaps and inefficiencies and clarification of each stakeholder's decision-making powers (or absence thereof).
  - ii.) **Stakeholder Engagement & Representation:** Ensure leaseholders, residents, and freeholders (Wallside) are effectively represented and consulted in decision-making.
  - iii.) **Accountability & Transparency:** Improve reporting lines, decision-making authority, risk management, and oversight mechanisms to ensure transparency for leaseholders.
  - iv.) **Operational Effectiveness:** Assess the practical functioning of stakeholder groups and make recommendations for improved coordination and communication.

### **Stakeholders in scope**

The review will assess the roles, responsibilities, and interactions of the following stakeholders:

**Barbican Association (BA)** – A recognised RTA with membership-based representation.

**Barbican Estate Office (BEO)** – The effective “managing agent” responsible for estate operations.

**Barbican Residential Committee (BRC)** – A decision-making body composed of elected members (this group takes a steer from the RCC at the start of each meeting)

**Freeholder (City of London Corporation)** – The overarching legal owner of the estate.

**Individual House Groups** – Recognised Tenants' Associations (RTAs) representing individual blocks – blocks with unrecognised or informal groups will be in scope if identified & willing to participate.

**Leaseholders & Wallside (freehold)** – Individual property owners within the estate.

**Residents' Consultative Committee and its subsidiary fora (RCC)** – A resident advisory body with no decision-making powers.

**Town Clerks Department** – The governance body of the City of London Corporation.

### **Key Areas of Focus**

- **Governance Structures:** Evaluate whether the existing governance arrangements provide clear leadership, accountability, and effective decision-making and make recommendations accordingly.
- **Roles & Responsibilities:** Review whether the responsibilities of the stakeholders are clearly defined and fit for purpose.
- **Decision-Making Processes:** Assess the efficiency of current decision-making pathways and whether they allow for effective stakeholder input in line with the legislation.
- **Engagement & Communication:** Identify opportunities for improving communication between stakeholders.
- **Operational Streamlining:** Identify duplications in governance efforts and recommend consolidation or process improvements.
- **Barbican Strategy Group (BSG)** – Consider the relationship between the BSG and stakeholders.

### **Methodology**

The independent consultant will conduct their review through the following steps.

1. **Document Review** – Analysis of governance structures, terms of reference, and relevant legal agreements.
2. **Stakeholder Consultations** – Engagement sessions with representatives from all stakeholders.
3. **Leaseholders focus groups** – Engagement sessions with leaseholders/residents.
4. **Benchmarking** – Comparison with governance structures of similar residential estates and best practice.
5. **Findings & Recommendations** – Produce a report outlining any shortcomings in current arrangements and propose governance improvements and implementation plans.

## **Reporting & Implementation**

- A draft report will be circulated to stakeholders for consultation before finalisation.
- The final recommendations will be presented to the Barbican Residential Committee (BRC) for approval with escalation as appropriate.
- Implementation will be monitored through an action plan with clear timelines and responsibilities.

## **Timeline**

From appointment of the consultant, we envisage the review will be conducted over a six-month period, with key milestones including:

- **Month 1-2:** Stakeholder engagement and document review
- **Month 3-4:** Data analysis and benchmarking
- **Month 5:** Drafting and consultation
- **Month 6:** Final report and presentation to BRC

\*Timeline subject to full proposal from appointed consultant.

## **Conclusion**

This governance review aims to create a clear, transparent, and effective governance structure that best serves the interests of Barbican Estate stakeholders. By ensuring compliance with the law, leases, streamlining operations, and enhancing communication, the review will provide a roadmap for a governance framework that is fit for purpose, accountable, and resident focused.

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<b>Committee(s):</b> Residents Consultation Barbican Residential	<b>Dated:</b> 28 April 2025 12 May 2025
<b>Subject:</b> Repairs and Maintenance Update	<b>Public</b>
<b>This proposal:</b>	Summary of the current Repairs & Maintenance Contract
<b>If so, how much?</b>	N/A
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	N/A
<b>Report of:</b> The Executive Director of Community & Children's Services	<b>For Information</b>
<b>Report author:</b> Daniel Sanders – Assistant Director – Barbican Estate	

## Summary

The current repairs and maintenance contract has been split into two 'lots' with new contracts awarded for each lot in December 2024. Chigwell was awarded the contract for 'lot 2' repairs and maintenance, and Elkins for 'lot 3' water penetration works (roofs, balconies, and drainage).

This report outlines the agreed principles for work charging to provide leaseholders with an understanding of our stringent contractor management.

## Main Report

The BEO commits to managing the current repairs and maintenance contract with the following agreed principals:

- Ensure that repairs are tackling the root cause of issues and not covering over symptoms:

i.e. resolving water ingress not making decorative surface repairs.

- Ensure repairs are carried out in a timely manner.

i.e. responding as per our agreed SLA's and not unreasonable delaying repairs.

- Ensure repairs do not constitute a breach of listing rules/guidelines

i.e. installing fixtures or fittings within common areas not in line with listing requirements.

- Ensuring all repairs are recoverable under the terms of the lease agreement.

i.e. not carrying out repairs that breach certain covenants such as the improvement covenant that may not be service charge recoverable.

- Ensure we are not carrying out repairs outside of warranty cover.

i.e. not carrying out repairs to a roof that has a warranty in place we can claim against the original installer for.

- Ensure we are not incurring expenditure that is an individual leaseholder expense not recoverable under service charges.

i.e. works done in an individual apartment that are not a landlord obligation.

These principals may sound simple but in practice across a complex large residential estate it is important they are written, understood and observed. It is the responsibility of the BEO to ensure these contracts are managed in line with these agreed principals.

We have published this report to ensure transparency with leaseholders as we are entering into a new contract period, we can collectively ensure the contracts are managed to these agreed standards.

## **Conclusion**

Members are asked to note the contents of the report.

Contact: Daniel Sanders – [dan.sanders@cityoflondon.gov.uk](mailto:dan.sanders@cityoflondon.gov.uk)

**Daniel Sanders – Assistant Director – Barbican Estate**



<b>Committee(s):</b> Residents Consultation Barbican Residential	<b>Dated:</b> 28 April 2025 12 May 2025
<b>Subject:</b> Major Works Programme Board	<b>Public</b>
<b>This proposal:</b>	Report of MWPB
<b>If so, how much?</b>	N/A
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	N/A
<b>Report of:</b> The Executive Director of Community & Children's Services	<b>For Information</b>
<b>Report author:</b> Daniel Sanders – Assistant Director – Barbican Estate	

## Summary

Since the last RCC/BRC RepCom has met once on 9th April. The scheduled meeting on 5th March was cancelled due to exceptional circumstance.

## Main Report

The main item discussed at the MWPB was the tower lifts both in terms of:

- The proposed committee paper
- The ToR for the towers working group

The MWPB has also considered and commented on the following:

- Planned Preventative Maintenance Program (PPM)
- Capital Expenditure Plan (CAPEX)
- Contracts Matrix

The board discussed in depth the template and inclusions of the 3 documents above, how they interact with each other (if at all) and what the leaseholder communication looks like across all 3 documents.

Initial drafts of the PPM and CAPEX have been shared with the board.

The board considered the need for transparency and decided to publish the agenda plan meeting schedule enclosed with this report.

It was noted by the Assistant Director in the meeting of 11th April that the MWPB was held on 9th April (following a cancellation in March) and the turnaround for any edits to the MWPB report although achieved, may not be achievable in future when

more papers could be involved. The AD reviewed the timetable, and all future gaps are appropriate (at least 1 week).

Like RepCom the MWPB recognised it has a reporting function to RCC/BRC but discussed the requirement for reporting to the wider leaseholder/resident community, ensuring that early engagement on workstreams across the Estate was achieved. It was noted as vitally important to building trust and relationships with leaseholders/residents.

The board will be discussing a communication strategy at the next meeting.

### **Conclusion**

The last meeting of the board was very productive and have seen a shift from mobilisation to reviewing formal papers, receiving updates from the Assistant Director and considering engagement with the wider community.”

# Agenda Item 9

<b>Committee(s):</b> Residents Consultation Barbican Residential	<b>Dated:</b> 28 April 2025 12 May 2025
<b>Subject:</b> Tower Lifts	<b>Public</b>
<b>This proposal:</b>	To provide approval for the competitive tendering and procurement of lift consultants to write and tender a specification for lift replacement across the 3 towers.  Approve the ToR for the resident engagement group.
<b>If so, how much?</b>	Up to £75,000
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	Service Charge Contributions  Lauderdale Towers £25k Shakespeare Tower £25k Cromwell Tower £25k
<b>Report of:</b> The Executive Director of Community & Children's Services	<b>For Information</b>
<b>Report author:</b> Daniel Sanders – Assistant Director – Barbican Estate	

## Summary

The lifts in the Barbican Estate have reached an obsolete state with many components dating back to 1973, despite partial modernisations in 2000.

Detailed assessments commissioned by the committee highlight significant deficiencies, including non-compliance with modern standards, deteriorating components, and increasing maintenance costs. An exercise was carried out to understand whether full capital replacement or major modernisation is the optimal solution to address these issues holistically.

This paper seeks approval to proceed with the specification and tendering of major modernisation for the tower lifts, retaining the guides, counterweight, and frame. The previous recommendation for full replacement was based on a miscommunication with the BEO and consultant, as it was assumed that the warranty position would be impacted by retaining these components, which it is not.

During the last RCC meeting, a request was made to consider the introduction of a resident steering group to oversee the modernisation project. The resident steering

group has since been created and held its inaugural meeting. The group consists of representatives from the resident towers, ensuring that their interests and concerns are adequately addressed throughout the project.

### **Main Report**

The proposal is to move ahead to the tendering and specification phase of major modernisation for the tower lifts, retaining the guides, counterweight, and frame. This approach will ensure that the lifts are brought up to modern standards while maintaining the structural integrity of the existing components. The modernisation will include:

- Upgrading the lift machinery and control systems.
- Enhancing safety features.
- Improving energy efficiency.
- Ensuring compliance with current regulations.

The decision to retain the guides, counterweight, and frame is based on the following considerations:

1. **Warranty Position:** Retaining these components does not impact the warranty position, contrary to the previous assumption.
2. **Cost Efficiency:** This approach is more cost-effective than full replacement, as it reduces the need for extensive structural modifications.
3. **Minimal Disruption:** Retaining the existing components will minimise disruption to residents during the modernisation process.

The resident steering group has been established to provide oversight and input throughout the project. The group has already held its inaugural meeting and will continue to meet regularly to ensure that resident concerns are addressed and that the project progresses smoothly.

The group met with the consultant who explained, in detail, the benefits of major modernisation and explained previous projects with Southend Borough Council that had the same spec lifts and went ahead with major modernisation with success.

### **Open Protocol Systems**

Major modernisation will include tendering exclusively for open protocol systems, avoiding reliance on proprietary technology. This prevents monopolistic pricing for future maintenance and repair contracts, giving the Towers greater flexibility in contractor selection over time.

## Financial Overview

Tower	Modernisation Cost (£)
Cromwell	1,675,000
Lauderdale	1,685,000
Shakespeare	1,685,000
<b>Total</b>	<b>5,045,000</b>

## Timeline:

Year 1:

- Create the specification of works.
- Tender agreed specification throughout Summer 2025.
- Evaluate tenders in late 2025/early 2026 and make budget provisions for 2026/27 and 2027/28

Once the tenders have been evaluated and reviewed, we will come back to committee with a recommendation for project implementation.

## Recommendations:

It is recommended that the committee approve the proposal to proceed to the specification and tendering phase of the major modernisation for the tower lifts, retaining the guides, counterweight, and frame. The committee will receive a full report for consideration and approval prior to any further project instructions.

Appendix 1 – Barbican Tower – Lifts – Resident Steering Group ToR

Appendix 2 – Barbican Tower – Lifts – Resident Steering Group Minutes

Contact: Daniel Sanders – [dan.sanders@cityoflondon.gov.uk](mailto:dan.sanders@cityoflondon.gov.uk)

**Daniel Sanders – Assistant Director – Barbican Estate**

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## **Barbican Towers Lift Project - Resident Steering Group - Terms of Reference**

### **Introduction & Purpose**

The Tower Lift Project Resident Steering Group has been established to ensure that residents of the three Barbican towers (Shakespeare Tower, Lauderdale Tower, and Cromwell Tower) are kept informed and consulted throughout the lift modernisation project. The group will act as a non-decision-making body, providing feedback, raising resident concerns, and assisting the Barbican Estate Office (BEO) and lift consultants by offering insight into how the project impacts daily life in the towers.

### **Objectives**

- Resident Consultation & Communication: Provide a structured forum for residents to receive updates and voice concerns related to the lift modernisation project.
- Service Impact Feedback: Ensure that residents can highlight practical issues regarding lift availability, service disruptions, and mitigation strategies.
- Project Transparency: Assist in fostering trust by ensuring that information about timelines, progress, and contingencies is shared openly with residents.
- Collaboration with BEO & Consultants: Work alongside the BEO and appointed lift consultants by providing non-technical input on the practical impact of works.

### **Scope of the Steering Group**

The group will not have decision-making authority but will focus on:

- Receiving regular updates on the lift project, scope to include:
  - i.) Specification of works
  - ii.) Costs
  - iii.) Phasing and timelines
  - iv.) Resident feedback
  - v.) Comms
- Communicating resident concerns and feedback to the BEO.
- Assisting in the dissemination of project information to wider tower residents.
- Reviewing and discussing the phasing and logistics of the works to minimise disruption.
- Providing feedback on temporary measures (e.g., alternative access arrangements during lift outages).
- Reviewing the project risk register and providing feedback.

## **Membership**

The group will consist of resident representatives from each of the three towers:

- Up to 3 residents per tower (ideally representing different floors to capture a range of perspectives).
- A BEO representative who will facilitate meetings and provide project updates.
- A representative from the lift consultants when required, to provide technical clarity.

## **Meetings & Reporting**

- The group will meet quarterly, or more frequently if required during critical project phases.
- Meeting agendas will be circulated at least five working days in advance.
- Summary notes will be shared with the wider resident community via House Groups and the Barbican Estate Office.
- Key concerns raised will be formally recorded and communicated to the BEO and lift consultants for response and potential action.

## **Responsibilities & Conduct**

- Members will act as a conduit for resident concerns while recognising the consultative nature of the group.
- Discussions will remain constructive and focused on solutions rather than technical specifications.
- Members will respect confidentiality where required and ensure that information is communicated accurately to residents.
- The regularity of formal project comms to all residents is to be continually reviewed and increased/decreased at the discretion of the group dependant on which phase of the project we are in but no less than quarterly.

## **Review & Duration**

- The effectiveness of the group will be reviewed periodically by the BEO.
- The group will remain in place for the duration of the lift modernisation project and will be disbanded upon completion.

This steering group ensures that residents have a structured and meaningful way to engage with the lift project while maintaining clarity around roles and decision-making authority. It aims to facilitate effective communication, resident involvement, and a smoother project experience for all affected households.





# Barbican Towers Lift Project – Resident Meeting

Tuesday 25<sup>th</sup> March

18:00 – 19:00

## Minutes

Cromwell Tower – Podium Room

### Attendees:

Dan Sanders (Chair), Lucy Sisman, Tam Pollard, Robin Pembroke, Sandy Wilson, Dr Christina Townsend, Richard Setchim, Victoria Raffe, Carl Snell (ILECS), Dr Christina Townsend

### 1. Welcome, Introductions & Apologies

Dan Sanders opened the meeting, welcomed attendees, and noted apologies from Dr Christina Townsend.

### 2. Minutes & Actions Arising

As this was the inaugural meeting of the resident steering group, there were no previous minutes or actions.

### 3. Terms of Reference (ToR)

Dan Sanders presented the draft Terms of Reference for the Resident Steering Group, outlining its purpose as a consultative forum to inform and support the Barbican Estate Office (BEO) and lift consultants during the tower lift modernisation project.

The group acknowledged their non-decision-making advisory role and accepted the ToR as presented. Minor wording changes have been incorporated as agreed at the meeting and issued with these minutes.

### 4. Project Outline – Major Modernisation vs. Full Replacement

Carl Snell (ILECS) gave an overview of the project and key considerations when comparing lift modernisation with full replacement.

Key points included:

- The lifts had a specified life expectancy of 15-20 years and had reached that.
- The previous recommendation of capital replacements has been superseded by “major modernisation, back to guides” as it avoids the burden of NH120 requirements for new lifts and the guides are better spec than similar market products available today.
- Costs reduce from £850k per lift to £550k per lift (rounded).
- Carl oversaw similar project for Southend Council which went well and took the same proposed route as “major modernisation back to guides”

- The major modernisation retains 3 main components:
  - i.) Guides
  - ii.) Cart Frame
  - iii.) Counterweight
- Replacement rollers are expected to be quieter
- Ropes will be replaced
- Parts from removed lifts will be available for lifts awaiting modernisation.
- Carl has indications from contractors interested in tendering.

## **5. Cost and Phasing Options**

Dan Sanders outlined potential phasing options, which could include sequential or parallel works across the towers. Financial implications are still being developed.

It was confirmed that works are likely to take place over 2-3 years and access options during downtime will need to be fully considered, especially for vulnerable residents.

## **6. Risk Register**

A high-level risk register is being drafted. Key risks discussed included:

- Service disruptions to residents during works
- Technical complexity due to the original design and vertical layout
- Cost inflation and procurement risk
- Regulatory requirements (e.g., Building Safety Act)

Residents requested a copy of the risk register and it was agreed this would be shared ahead of the next meeting.

## **7. Resident Feedback Group**

It was confirmed that this steering group will serve as the main channel for feedback during the design and planning phase. Dan encouraged residents to share wider resident sentiment and raise any localised concerns through this forum.

## **8. Actions and Next Steps**

Agreed actions:

- Share full ILECS technical assessment report with the group (BEO)
- Circulate draft risk register to the group (BEO)
- Confirm phasing and financial planning options at the next meeting
- Schedule follow-up meeting for mid-late April
- A CAPEX vs. Running costs estimate for both options from ILECS.
- A finance paper for project cost spreading (that will likely be means tested) to be produced ASAP.

## **9. Any Other Business**

Dan Castle noted BEO working on lift alarms not connecting to concierge red phones. (Kit is obsolete) – update for next meeting following trials on the Estate.

<b>Committee(s):</b> Residents Consultation Barbican Residential	<b>Dated:</b> 28 April 2025 12 May 2025
<b>Subject:</b> Assistant Director's Update	<b>Public</b>
<b>This proposal:</b>	Report of Assistant Director
<b>If so, how much?</b>	N/A
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	N/A
<b>Report of:</b> The Executive Director of Community & Children's Services	<b>For Information</b>
<b>Report author:</b> Daniel Sanders – Assistant Director – Barbican Estate	

## Summary

This report seeks to inform members of the RCC/BRC on workstreams that are ongoing since the last meeting but are not full committee reports or covered under MRPB/RepCom.

## Main Report

### Heating Survey:

The heating survey approved by members of the BRC in December has started, we have had drone surveys carry out heat mapping inspections on the blocks and individuals are in the process of having monitoring equipment installed within apartments. We are also collecting data through the Summer to ensure any potential resolutions do not have adverse effects on the thermal performance of the building from an overheating perspective.

### Barbican App:

We have delayed the launch of our Barbican App due to resource constraints impacting the project. We are now strategically timing the launch with the issuing of our new communication strategy. We anticipate this will be within the next 6-8 weeks.

### Brandon Mews Canopy:

Avanti have received all documentation held by the Corporation on the Brandon Mews Canopy as well as visiting the site and are in the process of writing their options appraisal which we will have in time for the next scheduled RCC/BRC. Barbican Estate Office Restructure

Our consultation period has now expired, and we are in the process of raising recruitment permissions to fill the vacant positions within the new structure and ensure all assimilation and promotions are processed. We anticipate having a fully resourced BEO by August 2025. This includes job advertisement, shortlisting, interviews, offers, background checks and notice periods being served.

### **Roof Repairs – Replacement plans and timelines**

We are proceeding with procuring architectural services to replace the roofs on Ben Johnson House, Defoe House and Breton House. These buildings are identified as some of the worst effect by water penetration.

We are aware cost liability may be impacted by the review of the forensic expert but as we will not be incurring the project costs at this stage (we will be going through technical design and procurement) we agreed with BJH and Defoe House we would proceed and issue S20 on the basis we would review cost allocations pre any work instructions.

### **Service Charges**

The assistant Directors sent an update on service charges to all leaseholders (attached as an appendix).

### **Conclusion**

I believe we have made significant progress in my first year at the Barbican Estate but acknowledge we have a long way to go with a lot of key work going on over the next 3-6 months.

Appendix 1 – Accounts Update

## Barbican Estate

Dan Sanders

Assistant Director of Barbican Residential Estate



Telephone: 0207 029 3910

Email: [dan.sanders@cityoflondon.gov.uk](mailto:dan.sanders@cityoflondon.gov.uk)

Date 4<sup>th</sup> April 2025

Dear Leaseholder

### **Subject: Accounts Update – Barbican Service Charges**

I trust you are all well and enjoying the turn of the weather.

We are pleased to share some financial updates regarding the Barbican Estate service charge and the steps we are taking to ensure greater transparency and efficiency moving forward.

Service charges for the Barbican Estate run from 1<sup>st</sup> April - 31<sup>st</sup> March and are billed quarterly in advance based on a budget estimate. At the end of each year, we reconcile the accounts and issue a supplementary demand/credit based on the performance of our actual expenditure against the budget. Normally these are issued around September and billed/credited in December. Following significant changes within the BEO and a desire to deliver open and transparent accounting of service charges, these were delayed for the financial year 1<sup>st</sup> April 2023 – 31<sup>st</sup> March 2024.

### **2023/24 Service Charge Underspend**

We are pleased to report that the service charge expenditure for 2023/24 across the Estate was underspent by approximately £2.7 million (breakdown per block below). This reflects a significant reduction in energy cost following rebates from the Power Purchase Agreement.

<b><u>Block</u></b>	<b><u>Units</u></b>	<b><u>Billed Estimate</u></b>	<b><u>Actual Expenditure</u></b>	<b><u>Difference</u></b>
Shakespeare Tower	116	£1,737,864	£1,272,562	-£465,302
Lauderdale Tower	117	£1,748,635	£1,375,616	-£373,019
Cromwell Tower	112	£1,561,625	£1,230,816	-£330,809
Defoe House	178	£1,239,626	£1,057,494	-£182,132
Andrews House	193	£1,300,443	£1,089,031	-£211,412
Speed House	114	£892,096	£710,285	-£181,811
Thomas More House	166	£1,222,015	£1,114,886	-£107,129

Seddon House	76	£560,116	£468,765	-£91,351
Mountjoy House	64	£415,721	£340,568	-£75,153
Gilbert House	88	£653,812	£475,592	-£178,220
				£0
Ben Johnson House	204	£1,461,484	£1,338,135	-£123,349
Bunyan Court	69	£616,506	£503,119	-£113,387
Breton House	111	£526,200	£516,147	-£10,053
John Trundle Court	133	£744,351	£695,378	-£48,973
Willoughby House	148	£1,018,100	£866,659	-£151,441
Frobisher Crescent	69	£454,472	£361,374	-£93,098
Bryer Court	56	£249,280	£254,602	£5,322
Lambert Jones Mews	8	£78,935	£60,787	-£18,148
Brandon Mews	26	£148,685	£135,898	-£12,787
Wallside	16	£8,208	£7,352	-£856
Postern	10	£82,657	£74,111	-£8,546
<b>Totals</b>	<b>2074</b>	<b>£16,720,831</b>	<b>£13,949,177</b>	<b>-£2,771,654</b>

We remind leaseholders the figures will be adjusted to reflect the outstanding approx.£1million of energy charges to be billed for the 22/23 year. We will provide detailed breakdowns per block as soon as possible and all adjustments will be made in time for the June 25 invoices.

### Reduced Budget for 2025/26

Looking ahead, the budget for 2025/26 has been reduced by approximately £2.5 million compared to the 2024/25 estimates that have been billed. This is largely due to cost savings in repairs & maintenance, energy, alongside a strategic approach to non-recurring project expenses for which we have minimal costs for the year whilst we prepare and deliver our capital expenditure plan.

### Commitment to Annual Audits

The City of London has committed to an external audit of the service charge accounts every year, starting from 2023/24. The audit reports will be delivered to leaseholders, ensuring full transparency. We are currently working to select an auditor for the 2023/24 financial year.

### Service Charge Audit Review

The service charge audit commissioned by the City with Beever & Struthers has been reviewed by both the Barbican Estate Office (BEO) and the Service Charge Working Party (SCWP). Both groups have found that the quality and content of the report did not fully meet the agreed scope. We are working with the provider to try and come up with an equitable solution and will update leaseholders as soon as possible.

### Recruitment

Since the beginning of 2025 we have been actively recruiting a replacement head of service charge and revenues. we will be interviewing shortly and hope to make an appointment in the next 2 weeks. This role will be pivotal in:

- Closing out the 23/24 accounts and issuing balancing adjustments.
- Supporting our transition to the new service charge management system allowing us to provide streamlined and instant responses to service charge queries from the 25/26 financial year.
- Closing the 24/25 financial year by 30<sup>th</sup> September 2025.

We remain committed to prudent financial management and clear communication with leaseholders.

Best wishes,  
Dan Sanders

A handwritten signature in blue ink, appearing to read 'D. Sanders', with a horizontal line underneath.

**Daniel Sanders**  
Assistant Director, Barbican Estate

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## **Consideration of Changes to the Ombudsman in Stage 3 of the Complaints Procedure used by Barbican Leaseholders**

### **Introduction**

At the 25 November 2024 meeting of the Residents Consultative Committee (RCC) a report was tabled by the Executive Director, Community and Children's Services (EDCCS). The report proposed that the third stage of the complaints procedure for leaseholders against the City of London Corporation (CoLC) should be changed. The report recommended that the Housing Ombudsman (HO) be replaced by The Property Ombudsman (TPO).

The RCC declined to agree the recommendation at that meeting and agreed that:

“that the proposal listed be considered further by the Service Level Agreement Working Party (SLAWP) and a further report submitted at the next meeting for consideration”.

At the RCC meeting on 3 February 2025 the SLAWP reported that it was still working on the issue and that it would bring its report to the RCC meeting scheduled for 28<sup>th</sup> April.

### **Action taken by the SLAWP**

The SLAWP considered the matter at its meeting on 3<sup>rd</sup> February. Concerns were raised about whether the BEO was eligible to join the TPO as it is not a Managing Agent. The Assistant Director Barbican Residential Estate (ADBRE) replied that the BEO was not a Managing Agent and did not plan to become a Managing Agent. There was a discussion of the criteria to be adopted in considering this issue. One member offered that the Housing Ombudsman was seen as more impartial, more public and better suited to the needs of Barbican residents. The ADBRE offered to arrange a further meeting in February which has not taken place.

By this stage it was apparent that there were two separate but linked questions:

- 1) is the City of London Corporation, as our landlord, eligible to join the TPO?
- 2) what are the pros and cons of having either the Housing Ombudsman or the TPO as the final stage of our complaints procedure.

If the answer the first question is that the CoLC is not eligible to join the TPO the second question becomes irrelevant.

### **Is the CoLC eligible to join the TPO?**

The RCC Chair had suggested, at the November 2024 meeting, that the SLAWP should seek advice from the Federation of Private Residents Association (FPRA) through the Barbican Association (BA). The BA is a member of the FPRA. The SLAWP drafted a set of questions(see Appendix 1) which were submitted to the FPRA. The FPRA relies on the services of what it regards as well informed volunteers. Two volunteers were asked to

respond to our questions. After repeated chasing by Adam Hogg, the FPRA offered the following

*“ I am sorry – I was meant to respond to say this wasn’t my speciality. I don’t deal with public sector/local authority landlords. I am almost certain that public sector landlords CANNOT be members of The Property Ombudsman (TPO) <https://www.tpos.co.uk/> - which is for private sector property agents only. I have no experience of dealing with The Housing Ombudsman. My suggestion is that the Barbican Residents' Association contacts The Housing Ombudsman to progress their complaint. Sorry I can’t help further.”*

This response, although interesting, did not respond to most of the questions the SLAWP had asked. No other response was received from the FPRA.

The SLAWP, aware that there are Barbican residents and leaseholders with considerable expertise, used the Barbican Bulletin to draw attention to the proposal and to invite comments and opinions. The comments and opinions received are shown in Appendix 2.

Given the uncertainty about the eligibility of the CoLC to join the TPO the Chair of the SLAWP contacted the TPO directly

The TPO responded saying

*“The Property Ombudsman Scheme is the final stage for unresolved complaints about estate, letting or managing agents. In this context, property management work does not include things done by, amongst others, registered providers of social housing. This is because housing associations and local authorities who are social landlords are already required to belong to the Housing Ombudsman Scheme. Consequently, a local authority landlord is not currently able to register with us for redress.”*

Given that the CoLC is a social landlord and already registered with the Housing Ombudsman this seemed definitive. The Chair of the SLAWP wrote to the Executive Director, C&CS, on March 28<sup>th</sup>, suggesting that the proposal to change the Ombudsman be withdrawn.

The ADBRE responded the same day saying

*“We had reached out to the TPO prior to our paper being written to provide our circumstances and ensure we were eligible to join (which they let us know we were) and this hinged on the fact the legal relationship is not one of a local authority Landlord but a Freeholder/Leaseholder relationship with the BEO performing the MA function.*

*I am going to speak to the original respondents of our inquiries to try and get a clearer understanding of why we now have conflicting advice”*

The BEO may perform some or all of the functions of a Managing Agent but that doesn't make it a Managing Agent. It is a department of the CoLC. The CoLC is not only the freeholder but also the landlord of the Barbican estate.

The Chair of the SLAWP contacted the TPO on March 31 setting out the position outlined by the ADBRE and seeking clarification. The email exchange is set out in full in Appendix 3.

The relevant passage from the TPO on April 10<sup>th</sup> states that

*“We do not have any record of Barbican Estate Office trying to join TPO; and*

*in the circumstances where such a request was received, we would refer them to the Housing Ombudsman”*

### **The Pros and Cons of the alternative Ombudsman Schemes**

Comparing the HO and the TPO is difficult because of the major differences in material presented in the report. As one of the respondents to the Barbican Bulletin appeal eloquently put it

- the Housing Ombudsman is directly addressing the occupier and the service provider with fixed annual obligations on the service provider to demonstrate compliance irrespective of any complaints made (a proactive approach). It also highlights what is acceptable and what is excluded.
- the Property Ombudsman takes the approach of a structured and complex “agreement” requiring the service provider to respond to complaints from the Landlord, Leasehold, Sub-lease holder or tenant (reactive) and would probably require legal assistance by the complainant to reach the Ombudsman.

### **Cost of the HO and the TPO**

According to the EDCCS's report the HO charges £8.03 per unit. There are 2074 units (including tenants of the CoLC) resulting in a charge of £16,654.22 including VAT.

The Guidance provided by the UK Government in its **Regulator of Social Housing and Housing Ombudsman Service: factsheet** states

“Tenants, shared owners and leaseholders do not have to pay to use the Housing Ombudsman Service. The service is independent and impartial. The service is paid for by landlords, and all social landlords must be members.”

While switching to the TPO would save our landlord money it would make no difference to our service charge as leaseholders are not responsible for its payment.

The TPO charges according to category of membership. The EDCCS report stated that the CoLC would need to sign up as two branches (Guildhall (?) and BEO) at a cost of £849.60 (inc VAT) per branch making an annual charge of £1699.2 plus a joining fee of £84.

It is unclear whether Managing Agents are permitted to pass on the costs of the TPO under the service charge. If they are then it appears that, if a switch to the TPO were to occur, it would result in a higher service charge than previously (assuming that leaseholders are not currently paying for the HO).

### Scope of Coverage by the Ombudsmen

In the appendix attached to the November 24 report (p 124 in the RCC papers) the TPO states that

‘Investigating the fairness of service charges, and the quality of services or works for which they are collected, falls outside the jurisdiction of the TPO. Challenges must be referred to First Tier Tribunal.’

The report (p 122) also states that

“you should refer complaints concerning the actions you have taken under the instructions of the landlord, to the landlord. The landlord is the party who holds the ultimate responsibility to meet the provisions of the lease, and that only they have the authority to instruct you to manage the estate in a different way.”

Given these exclusions it is difficult to identify what matters, of real substance, Barbican leaseholders could refer to the TPO. The distinction between Managing Agent(MA) and Landlord makes sense if the MA is independent of the landlord but the BEO is not independent of the CoLC.

The Complaint Handling Code (Appendix 3 of the EDCCS report in November 2024) states that:

“A complaint must be defined as:

‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents’ “

There are some limited exclusions detailed in the Code (time since the issue occurred, other legal proceedings, matters previously considered under the complaints policy) but the overall tenor is that the Housing Ombudsman is inclusive rather than exclusive of complaints.

### **Prior Experience**

The Housing Ombudsman has provided the final stage of the Complaints procedure for Barbican leaseholders for several years. There is no evidence that leaseholders availing themselves of this service have been dissatisfied. There is a good level of transparency in relation to the Housing Ombudsman. One of the respondents to our appeal for comments stated:

“Housing Ombudsman’s decisions are recorded against local authorities and published. It is important that this does not change.”

The decisions of the Housing Ombudsman are recorded and published.

### **Conclusions**

Given all the evidence offered in this report in terms of the BEO’s lack of eligibility to join the TPO and the lack of any significant benefits to leaseholders from joining the TPO and the real risks in terms of costs, coverage and accessibility of doing so this Working Party advises the RCC not to endorse the recommendation in the EDCCs’s Report to the November 2024 meeting.

Given that the costs of using the Housing Ombudsman should be borne by the landlord the Service Charge Working Party might wish to enquire:

have Barbican leaseholders been charged for their access to the Housing Ombudsman through the service charge? On the basis of the Guidance quoted in report this charge should have been borne by the landlord and leaseholders are entitled to the return of their money.

## **Appendix 1**

### **Questions for Federation of Private Residents' Association**

- 1) We are private long leaseholders of a landlord who happens to be a local authority; a department of that local authority manages the estate. The local authority is a member of the Housing Ombudsman for both its social housing and its private leaseholders. The managing department has proposed changing to the Property Ombudsman, as a more appropriate ombudsman for our tenancies. We want to know what the advantages and disadvantages are to us, as long leaseholders, of this move? Can we expect the same sort of objective examination of any complaints as we would get with the Housing Ombudsman.
- 2) Is access to the Property Ombudsman restricted to cases involving managing agents?
- 3) Can landlords represent themselves at Property Ombudsman hearings?
- 4) What leasehold issues, if any, are excluded from consideration by the Property Ombudsman? What leasehold issues, if any, are accepted for consideration by the Property Ombudsman?
- 5) What are the statutory responsibilities of the Property Ombudsman?
- 6) What arbitration facilities are available to leaseholders in regard to lease matters that fall outside the scope of the Property Ombudsman?
- 7) What leasehold issues, if any, are excluded from consideration by the Housing Ombudsman? What leasehold issues, if any, are accepted for consideration by the Housing Ombudsman?
- 8) What are the statutory responsibilities of the Housing Ombudsman?
- 9) What arbitration facilities are available to leaseholders in regard to lease matters that fall outside the scope of the Housing Ombudsman?

## Appendix 2

### CHANGING OUR OMBUDSMAN

Comments received from Leaseholders and Residents

#### email from BS on 090325

Two points:

1.  
I believe that if the change of ombudsman means a less robust approach to the Housing Disrepair Protocol or the Housing Ombudsman's report on damp and mould being side-lined, then it would not be wise to make the change.  
The rights of individual leaseholders or block RTAs to use the protocol should be maintained.
2.  
Also, at the moment Housing Ombudsman's decisions are recorded against local authorities and published. It is important that this does not change.

#### email from SP 140325

1. Why do we need this 'service' at all?
2. What does it cost me now and what would it cost if changed?

#### email from SJ 140325

I shall pass you my views once I have the benefit of the objective pros and cons from the FPRA.

#### email from NG 150325

I'm responding to the note in this week's Barbican Estate Bulletin (14 March) about the Barbican Estate Office's proposal to Change from the Housing Ombudsman to the Property Ombudsman.

One thing to note about the proposal link in to the Barbican Information email is that the document is presented **without the Appendices** making an evaluation difficult.

Using the links in the document to access the Codes of Practice of the two services also presents a problem because the two services present their codes in an entirely different manner:

- the Housing Ombudsman is directly addressing the occupier and the service provider with fixed annual obligations on the service provider to demonstrate compliance irrespective of any complaints made (a proactive approach).

It also highlights what is acceptable and what is excluded.

- the Property Ombudsman takes the approach of a structured and complex “agreement” requiring the service provider to respond to complaints from the Landlord, Leasehold, Sub-lease holder or tenant (reactive) and would probably require legal assistance by the complainant to reach the Ombudsman.

Given the small number of complaints, I can see the reasoning why the BEO are reluctant to continue with the proactive approach to demonstrating each year that they are compliant when the small number indicates that in the vast majority of cases resorting to the Ombudsman hasn’t been necessary.

On the other hand the statistic in the “year by year” table of complaints is troubling as last year is the first year that none of the complaints that reached level 2 were resolved at that level.

I don’t agree with the argument that the Property Ombudsman is more orientated to disagreements between the service provider (and in this case Landlord) and leaseholders/tenants is “better”..

its cheaper for everyone as long as there are no complaints reaching the Ombudsman but the cost of actually accessing the Ombudsman would seem to be much higher for the complainant.

Unless you publish the Appendices (or links to the appendices) referenced and these appendices illustrate the differences and similarities of both schemes I can’t evaluate the proposed change.

### **email from TB 150325**

am responding to the request in the barbican newsletter for thoughts about the housing ombudsman versus the property ombudsman.

I was slightly surprised about the low-level of referrals to the housing ombudsman as I’ve made one myself at the end of a complaint regarding the strategic management of an issue on the estate. This was a wider complaint than just about the BEO and also covered the city of London and their corporate handling of this issue.

My only comment about the housing ombudsman is that they have taken a long time to investigate this issue but have kept me updated.

While I am no housing expert I understand the property ombudsman deals more with complaints between tenants and agents (agents which are registered as such) while the housing ombudsman has a wider brief in relation to local authorities and housing providers.

I would be concerned if my ability to have external scrutiny of issues of concern is limited by moving to a different ombudsman process. I would need assurance that complains about the city of London’s housing processes, contract management, governance would also be covered - not just the relationship between a tenant and an agency. My relationship



through my lease is with the landlord which is the city of London.

I hope these thoughts are helpful.

### **further email from TB 170325**

Further to my previous email - you probably know this already so apologies:

The Housing Ombudsman states membership is compulsory if the landlord is registered with the Regulator for Social Housing (RSH).

It may be possible if the Barbican is under the General Fund and therefore not part of the social housing stock in the Housing Revenue Account (or part of a registered provider) that it's not covered by this registration.

If the Barbican is outside of the Housing Revenue Account then it might be a choice they can make.

If we don't know it might be worth an enquiry of CoL to see how they have classified the Barbican estate stock?

But as I say you may already know this.

### **email from HB on 240325**

I have just read the proposal regarding the change from the Housing Ombudsman to the Property Ombudsman. Based on the information provided I would support the proposed change.

I did, some years ago, consider filing a complaint as regards the conduct of an estate agent selling a property I owned (interestingly in a development for which the managing agent was Rendall and Rittner). Although I did not ultimately proceed with the complaint, I did select the Property Ombudsman as the appropriate regulator and found them helpful when we spoke.

Does the Property Ombudsman have the power to require that specific actions occur and apply penalties?

## Appendix 3

email to and from The Property Ombudsman concluding on 10 April 2025

Dear James

Further to my email of last week, I am writing to update you on our enquiries, in relation to the potential eligibility of Barbican Estate Office to register with TPO for redress. As you may be aware, private landlords are not currently required to register with a redress scheme. However, we do have the facility for private landlords to register with us, on a voluntary basis.

During the past week, I have been reaching out to colleagues who process membership applications, to establish whether we have any records of Barbican Estate Office trying to join TPO. Having looked into this matter on my behalf, they have confirmed the following: -

- We do not have any record of Barbican Estate Office trying to join TPO; and
- In the circumstances where such a request was received, we would refer them to the Housing Ombudsman.

I trust that this information will be of use to you and genuinely appreciate your patience, while we sought answers to these questions.

Yours sincerely

**Benjamin Neesham** (He/Him)

**Initial Enquiries Advisor**

**e:** [benjamin.neesham@tpos.co.uk](mailto:benjamin.neesham@tpos.co.uk)


**t:** 01722 333306  
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**w:**



The Property  
Ombudsman

**Working Hours: Monday - Friday, 9:00 - 17:00**

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The Property Ombudsman Limited, Registered in England No: 3339975 Registered Office — 33 The Clarendon Centre Salisbury Business Park, Dairy Meadow Lane, Salisbury, Wiltshire, United Kingdom, SP1 2TJ

**From:** Benjamin Neesham <benjamin.neesham@tpos.co.uk>  
**Sent:** 03 April 2025 12:37  
**To:** James Durcan <jwdurcan@hotmail.com>  
**Subject:** RE: Eligibility of local authorities to join the TPO

Dear James

Thank you for your email and the additional information provided.

In order to ensure that you receive a thorough and accurate response to your enquiry, we have referred your email to our Membership Team, to seek clarity regarding the points you raised. I am hopeful that we will be in a position to provide a definitive answer within the next five working days. However, in circumstances where it takes longer than this to fully respond to your query, I will email you with an update by this time next week, to make sure that you are kept informed.


We are committed to continually improving the service that we provide and would be grateful if you would take the time to follow the link below to tell us what you think about the service provided to you to date by this office. The survey will take less than 5 minutes to complete but will provide us with a wealth of useful information to help improve our service. Please [click here](#) to participate.

Yours sincerely

**Benjamin Neesham** (He/Him)  
**Initial Enquiries Advisor**  
**e:** [benjamin.neesham@tpos.co.uk](mailto:benjamin.neesham@tpos.co.uk)  
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The Property Ombudsman Limited, Registered in England No: 3339975 Registered Office – 33 The Clarendon Centre Salisbury Business Park, Dairy Meadow Lane, Salisbury, Wiltshire, United Kingdom, SP1 2TJ

**From:** James Durcan  
**Sent:** 31 March 2025 15:08  
**To:** Benjamin Neesham  
**Subject:** Re: Eligibility of local authorities to join the TPO

Dear Benjamin,

Many thanks for your clear and informative response to my query. I shared your response with my landlord, the City of London Corporation, expecting that their proposal to switch to The Property Ombudsman, in respect of complaints from the Barbican Estate would be withdrawn.

I was very surprised to discover that my landlord is persisting with their proposal. In the response to me they stated

"We had reached out to the TPO prior to our paper being written to provide our circumstances and ensure we were eligible to join (which they let us know we were) and this hinged on the fact the legal relationship is not one of a local authority Landlord but a Freeholder/Leaseholder relationship with the BEO performing the MA function."

My understanding is that, although the Barbican Estate Office (BEO) performs some (all?) of the functions of a managing agent the BEO is not legally constituted as a managing agent. Consequently leaseholders' relationship with the BEO is not the same as a relationship with a Managing Agent acting for a landlord. In the case of the Barbican the BEO is a department of the local authority not an independent legal entity. The City of London Corporation is not only the freeholder but also remains my landlord according to the lease.

I'd appreciate any comments you might make on this situation. In particular whether you will confirm your initial advice that the local authority is not eligible to join The Property Ombudsman or whether your view has changed.

In addition I'd be interested to know whether any other local authorities have joined the TPO? My understanding previously was that landlords were not eligible to join the TPO, that membership was restricted to Managing Agents but I understand that I may have been mistaken.

Looking forward to a prompt response

Best wishes

James Durcan

## **Gardens Advisory Group Report to the RCC March/April 2025**

The Gardens Advisory Group, working in four teams, carried out their quarterly inspections of the four sections of the Barbican Gardens in March 2025. We were very pleased to welcome City Gardens Manager, Jake Tibbetts to every one of our inspections. Many thanks to GAG members for their active participation in the inspections and for the reports on the areas inspected.

The winter was long, cold and wet. The cold inhibited plants, shrubs and trees from pushing out buds and blossom so the signs of Spring were limited when the inspections were conducted although the recent warm weather has had a very marked and welcome impact. Despite the cold wet days the Barbican gardeners have been very active. Evidence of carefully weeded beds, pruned and shaped shrubs, and selective planting and replanting were evident across the gardens. The overall appearance was impressive. Jake Tibbetts attributed these results to the stability, competence and enthusiasm of the gardening team. Turnover has been actively managed to ensure that there was no loss of gardening knowledge and experience as retirements took their toll.

The scheme to plant new trees to permit the subsequent removal of the existing trees on Speed lawn has gone ahead. The planting scheme had to be amended when previously unidentified concrete slabs were located not far below the surface. The concrete slabs meant that the planned locations were not feasible because the soil was too shallow. New locations were identified and the trees planted. We are still engaged in discussion about the most appropriate locations for the new trees. One possible outcome would be to move one or two of the trees next Autumn if more appropriate locations can be identified.

We also spent some time considering options for the lawn in Thomas More Garden. A path has been worn in the lawn adjacent to the entrance from lakeside as people take a short cut through the bed near the gate. Putting in a further paved path was considered but rejected, at this stage, in favour of installing a short length of fencing and replanting the bed to deter use of that route.

City Gardens has instituted a corporate volunteering scheme – tapping into firms' desire to enable their staff to make a contribution to the community. This year the volunteering scheme is limited to a few pilot efforts. If it successful City Gardens expect to roll out a larger version of the scheme on many more days in its gardens across the City. Volunteers with limited knowledge of gardening and not necessarily able to distinguish plants from weeds are not suitable for all tasks. Volunteers who are reasonably fit, strong and keen to work as a team are well suited to particular tasks e.g. planting bulbs in specific areas. It is not anticipated that this scheme will have much impact on the Barbican private gardens but it may serve to augment the resources currently available in the public gardens.

Finally, we would like to acknowledge the support and assistance we received from Helen Davinson over many years. Finding money from non-existent budgets for planting and replanting, responding courteously and appropriately to residents' many and sometimes conflicting proposals and dealing discreetly with a range of emotive issues Helen played a very large role in shaping and maintaining our gardens and will be much missed. Her open-mindedness and enthusiasm enabled a constructive and effective working relationship. We wish her well for the future. We are very pleased by the assurances we have received from Dan Sanders that Helen's garden duties will be picked up by another officer.

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Outstanding and Completed Action Points						
No	Date Raised	Action	Responsibility	Original Due Date	Current Due Date	Progress
1	Nov 22	<b>Lambert Jones Roof:</b> Leaseholders met with AD in December 24 and contracts manager is currently working with the incoming waterproofing contractor (Elkins) to establish a plan.	D Sanders E Doyle via <b>MWPB</b>	01-Apr-25	01-Jun-25	Apr -25 Now Elkins have been onboarded the HOPS will be undertaking this review as a priority.
2	04/09/2023 (Minute 9)	<b>Barbican Estate Redecoration Programme 2020-25</b> It was noted at the SLWP there was still some work to be done and the action was for Dan Castle and Dan Sanders to pro-actively reach out to all chairs and create a final snagging document to be presented to committee in May 2025.	D Sanders D Castle via <b>SLWP</b>	31-May-25	01-Aug-25	Apr -25 Dan, Dan and Eion have made good progress with Willoughby House with a written and established plan. There have also been further progression on Gilbert House, we acknowledge a more holistic review to capture all outstanding actions still needs to take place post contract as well as a review of project management funding.
3	04/09/2023 (Minute 10)	<b>Barbican Estate Major Works Five-Year Asset Management Programme</b> The new Head of Property Services alongside the contracts manager have been tasked with producing a 25-year capital expenditure plan which will have a detailed focus on the next 5 years and a longer term assessment of the remainder. We are working with the MWPB to deliver this in Summer 25. It will enable better planning for the BEO and it will be published to support leaseholders personal financial planning.	D Sanders E Doyle via <b>MWPB</b>	01-Sep-25	01-Sep-25	Apr -25 In progress.
4	25/04/2024 (Minute 13)	<b>Antisocial Behaviour on the Barbican Estate:</b> The Executive Director agreed to investigate whether the policy for HRA properties could be applied to the Barbican Estate.	D Sanders	28-Apr-25	01-Aug-25	Apr -25 The Assistant Director, Barbican advised the Committee that the Anti-Social Behaviour Report and Asbestos Report shall be submitted to the RCC in Q3, April 2025.
5	25/11/2024 (Minute 3)	<b>Barbican App:</b> The status of the Barbican App to be included in the action tracker also and further details regarding the number of residents on the mailing list to be incorporated	D Sanders	28-Apr-25	01-Jun-25	Apr -25 We have delayed the launch of our Barbican App due to resource constraints impacting the project. We are now strategically timing the launch with the issuing of our new communication strategy. We anticipate this will be within the next 6-8 weeks.
6	02/09/2024 (Minute 12)	<b>Hays Agreement:</b> It is the intention of the City to submit a retrospective dispensation application	D Sanders	01-Jan-25	N/A	Apr -25 The City have submitted their dispensation applications
7	02/09/2024 (Minute 13)	<b>Asbestos:</b> The Assistant Director confirmed that a full report would be brought to Committee at a future meeting detailing costs and who was liable for them and how this project affected other ongoing projects on the Barbican Estate most particularly the fire door replacements programme and meter installations.	D Sanders via <b>MWPB</b>	01-Jan-25	01-Jun-25	Apr -25 Following on from the issues reported in Sep 2024 the BEO are reviewing, under urgency, what works need to be done and the associated timeframes of the same.

No	Date Raised	Action	Responsibility	Original Due Date	Current Due Date	Progress
8	25/11/2024 (Minute 4)	<b>Repair Invoices:</b> Asked if leaseholders would receive an invoice for any repairs undertaken and the Assistant Director would review if this was possible to ensure positive collaboration with leaseholders continued.	D Sanders via RepCom	01-Jan-25	01-Jun-25	Apr -25 The Committee were advised that work was being undertaken with a new contractor and report on how this would work in practice was expected to be brought to Committee at a later date. Report within agenda pack for this meeting.
9	25/11/2024 (Minute 6)	<b>Service Charge Outturn Report:</b> A Member asked for further clarity on the £575,172 difference listed for general repairs and the Assistant Director agreed to investigate further since there could be multiple contributing factors which could explain this figure.	D Sanders via SCWP	01-Apr-25	01-Aug-25	Apr -25 To come back to the August 25 meeting.
10	25/11/2024 (Minute 7)	<b>Purchase Power Agreement:</b> The Member asked if credit(s) attributed to non-residential blocks were used to offset estate expenditure and officers agreed to investigate further and provide clarity to Members on which switch rooms had been credited.	D Sanders via RepCom	01-Apr-25	01-Aug-25	Apr -25 The Purchase Power Agreement (PPA) non-consumer blocks were still being assessed
11	25/11/2024 (Minute 15)	<b>Ombudsmen Paper:</b> At the pre-meeting of the RCC it was agreed that further time was needed to consider the proposal and there was an expectation that a further report would be submitted at the next RCC meeting. The Deputy Chair confirmed that the proposal would be discussed at the next SLWP meeting and those who were interested were encouraged to get involved. The Chair further advised that legal advice should be sought from the Federation of Private Residents' Association when considering this proposal.	D Sanders via SCWP	28-Apr-25	28-Apr-25	Apr -25 Following committee discussion in Nov 24 the SLWP have considered the proposal at its latest meeting and were not able to conclude, there is a future meeting being scheduled in person to review again with a view to have a recommendation for the RCC/BRC in April/May.
12	25/11/2024 (Minute 16)	<b>Apportionment Review:</b> Officers confirmed that an apportionment review shall be incorporated, and its findings shall be reported back to the Committee.	D Sanders via SCWP	01-Dec-25	02-Dec-25	Apr -25 The Apportionment Review of Service Charges would be undertaken in consultation with the Service Charge Working Party
13	03/02/2025 (Minute 5)	<b>Repair Orders:</b> A Member noted that the report on repairs orders showed that there were five houses in one quarter which had significantly more orders than the rest. The Assistant Director agreed to follow up outside of the meeting but recognised that there were various reasons why certain blocks may have disproportionate orders.	D Sanders via SLAWP	01-Aug-25	02-Aug-25	Apr -25 Review to take place with SLWP prior to August RCC/BRC



No	Date Raised	Action	Responsibility	Original Due Date	Current Due Date	Progress
14	03/02/2025 (Minute 7)	<b>Tower Lifts:</b> A Member asked why the replacement of lifts at Cromwell Tower was £20,000 cheaper compared to other lift replacements. The Assistant Director agreed to investigate further, however attributed this decrease to a lift component. A Member asked whether Grants for improving disabled access were available and whether this could be classed as a landlord improvement. The Assistant Director agreed to investigate further.	D Sanders via MWPB	01-Apr-25	01-Apr-25	Apr -25 Report within this agenda pack.
15	03/02/2025 (Minute 9)	<b>Brandon Mews Canopy:</b> The Assistant Director provided the Committee with an update regarding an options appraisal and impact assessment of the canopy which was to be conducted by Avanti. This was proposed to be City Funded, however any work resulting from this appraisal would be based upon Avanti recommendations.	D Sanders via MWPB	01-Aug-25	01-Aug-25	Apr -25 Update within this agenda pack.
16	03/02/2025 (Minute 10)	<b>Podium Works:</b> Further questions were prompted by Members and it was suggested that these questions be collated post-meeting and shared with the Planning Department for further comment.	D Sanders	01-Apr-25	01-Aug-25	Apr-25: It is noted that the Barbican Association has a Planning & Licensing Sub-Committee, who are responsible for matters such as the plans for the Podium refurbishment. Jane Smith has confirmed that enquires regarding planning can be sent to her. Proposed Closed.
17	03/02/2025 (Minute 18)	<b>Heating Study:</b> The Assistant Director asked for volunteers from Shakespeare Tower, Defoe House and Speed House for the Barbican Heating Study.	D Sanders	01-Aug-25	01-Aug-25	Apr -25 Update within this agenda pack.
18	03/02/2025 (Minute 19)	<b>Charges for Support Services:</b> The Assistant Director stated that the percentage allocations and rationale for these figures were not provided but the Chamberlain's Department were undergoing a full review which would be submitted to the Service Charge Working Party and then the RCC.	D Sanders via SCWP	01-Aug-25	01-Aug-25	Apr -25 Update within this agenda pack.
19	03/02/2025 (Minute 19)	<b>Repair Costs:</b> The Assistant Director Director provided assurance that the new structure would be cost-neutral or lower than the pre-Altair costs (adjusted for changes to pay scales) and a full comparison would be brought to the Committee upon conclusion of the consultation period.	D Sanders via SCWP	01-Sep-25	01-Sep-25	Apr -25 In progress.

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