

BARBICAN RESIDENTIAL COMMITTEE

Monday, 11 June 2012

Minutes of the meeting of the Barbican Residential Committee held at the Guildhall EC2 at 11.30am

Present

Members:

Deputy John Barker (in the Chair)	Gareth Moore*
David Bradshaw	Deputy Joyce Nash
Nicolas Cressey*	Barbara Newman
Deputy Billy Dove*	Henrika Priest*
Kevin Everett*	Chris Punter
Deputy Stanley Ginsburg*	Stephen Quilter
Michael Hudson	John Spanner
Peter Leck	Angela Starling
Jeremy Mayhew*	John Tomlinson

**indicates non-resident Member*

Officers:

Ignacio Falcon	– Town Clerks
Julie Mayer	– Town Clerks
Peter Bennett	– City Surveyor
Roger Adams	– City Surveyor's
Allan Bennetts	– Comptroller and City Solicitors'
Michael Bennett	– Community and Children's Services
Helen Davinson	– Community and Children's Services
Karen Tarbox	– Community and Children's Services
Jacqui Campbell	– Community and Children's Services
Anne Mason	– Community and Children's Services

1. APOLOGIES

Deputy John Barker took the Chair for items 1 and 2.

No apologies were received.

2. DECLARATIONS OF INTEREST

All resident Members have a standing general interest as residents of the Barbican Estate.

3. ELECTION OF CHAIRMAN

Mr John Spanner, being the only Member willing to serve as Chairman, was elected in accordance with Standing Order 29 and took the Chair.

The Order of the Court of Common Council of 19 April 2012, setting out the Committee's Membership and Terms of Reference, should have been duplicated and provided with this agenda. The Town Clerk apologised and assured Members that they would receive this before the end of the day.

4. **ELECTION OF DEPUTY CHAIRMAN**

Mr Gareth Moore, being the only Member willing to serve as Deputy Chairman, was elected in accordance with Standing Order 30.

5. **MINUTES OF THE PREVIOUS MEETING**

- The Public Minutes and Summary of the Barbican Residential Committee of 26 March were approved.
- The Draft Minutes of the Barbican Residents' Consultation Committee of 28 May were approved, subject to an amendment recording Deputy Barker as being in attendance and a drafting error showing Mr Moore as Chairman and not Deputy Chairman.

6. **UPDATE REPORT**

This report updated Members on issues raised by the Residents' Consultation Committee and the Barbican Residential Committee at their meetings in March 2012. The report also provided updates on other issues on the Estate.

Performance Indicators (PI)

Members were concerned that PI H61 (outstanding invoices) might affect small, local businesses and asked for this to be investigated.

Bicycle stores

Due to the increase in the waiting list for Bicycle Stores it was agreed that Officers look to purchase further stores.

Car Park Charging

Members noted that they would receive a report on Car Park Charging in November, which will include income generation.

Concrete Testing

In respect of the concrete testing charges, which had been the subject of a ward mote and Resolution of Common Council, Members would receive a report in September. Members noted that letters had been sent out in respect of service charges (relating to the concrete works) but any disputes would be held in abeyance until September and no overdue accounts would be pursued until then.

Sculpture Court

In respect of a query about the Sculpture Court planters, Members were advised that they would be in place later this month. The City Surveyor clarified that this had been funded by a developer but it had not been Section 106 funding.

Working Parties

A Member challenged the large number of working parties and committees dealing with Barbican Estate issues and suggested that some of them might be duplicating business and/or could be combined. The Chairman of the Barbican RCC was in attendance and the Chairman invited him to respond. The Chairman (of the RCC) felt that there was very little or no overlapping areas and the list represented defined areas of operation. Officers advised that it was not within the remit of the BRC to challenge the number and operation of these groups as they were paid for by the residents, via their service charges.

RECEIVED

7. YMCA - 2 FANN STREET, EC2 - FUTURE USE

Members noted that The City would receive vacant possession of the Barbican YMCA premises at 2 Fann Street, EC2 when the notice to quit expired on the 30th September 2012. Arrangements would therefore need to be progressed to address the future use of the building. A Member suggested that temporary academic use might be a good prospect.

In response to a question about receipts to the Housing Revenue Fund, Members noted that this would be confirmed by the Chamberlain. Members were also advised that marketing would be undertaken with conditions, in order to avoid limiting possible acquisitions. The Chairman of the RCC commented that they had enjoyed a good working relationship with the YMCA Management and asked if similar conditions could be negotiated. The Chairman and Members of the BRC endorsed this.

RESOLVED, that:

- (a) the building at 2 Fann Street, EC2 be marketed for disposal, inviting best offers for the grant of a long lease for a premium payment and delegating authority to the City Surveyor, to determine reasonable and proper marketing conditions and criteria in consultation with the Director of Community & Children's Services, the Comptroller & City Solicitor and the City Planning Officer.**
- (b) Consultant BNP Paribas be appointed to advise upon marketing at a fee cost of up to £80,000 (based on pre-tendered rates agreed under the Office of Government Commerce Framework Agreement, subject to the capped sum) plus £38,100 for marketing expenses and both, plus VAT, to be met from Community & Children's**

Services Department local risk, until reimbursed from any disposal proceeds.

- (c) Expenditure up to the amount of £135,700 plus VAT be approved, funded from the 2011/12 Community & Children's Services department local risk underspend, to address holding costs for the building, for the period from 1st October 2012 to 31st March 2013 and essential decommissioning and security works.**
- (d) Authority be delegated to the City Surveyor, in consultation with the Chairmen and Deputy Chairmen of the Barbican Residential Committee, the Children and Community Services Committee and the Policy and Resources Committee, to approve any suitable temporary use as can be recommended upon appropriate terms and conditions and to instruct the Comptroller & City Solicitor to deal with any necessary documentation.**

8. BARBICAN SUB-LETTING

This report informed members of the procedure relating to the registration, with the City, as Landlord of sub-tenancies granted by long lessees on the Estate.

Members felt strongly that the current charge of £80.00 was too high, particularly as the neighbouring boroughs of Islington and Westminster only charge £25.00. There was some debate about the level of staff undertaking this task, which Members considered to be a basic administrative function. A member suggested that a retrospective late fee be imposed, as with retrospective planning permission, but with the initial fee reduced. The consensus was that a reduced fee would result in greater compliance with registration, which was currently very low.

The City Solicitor confirmed that these duties were undertaken by admin staff and defended the £80.00 charge as reasonable. Furthermore, should the charges decrease; it would impact on all City estates and the commercial portfolio. The implications of this may need to be reported to the Finance Committee. In addition, imposing a late charge would require further resources.

RESOLVED, that:

The Committee receive a report at their next meeting, setting out the process and justifying the charges, including the argument for retrospective charging and enforcement procedures.

9. SERVICE LEVEL AGREEMENTS QUARTERLY REVIEW

This report updated Members on the review of the estate-wide implementation of Service Level Agreements for the quarter January to March 2012. The

report also detailed comments from the House Officers and the Resident Working Party and an on-going action plan for each of the five Service Level Agreements.

RECEIVED

10. PROGRESS OF SALES AND LETTINGS

This report advised Members of the sales and lettings which had been approved by officers since the last meeting. Approval is under delegated authority and in accordance with Standing Orders. The report also provided information on surrenders of tenancies received and the number of flat sales to date.

RECEIVED

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

There were no questions

12. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

The Chairman had agreed to accept 2 items of urgent business as follows:

1. Beech Gardens Waterproofing Project

Members noted that a report was being prepared for both the Project Sub Committee and the Barbican Residential Committee detailing the reasons for the increased costs and giving revised estimated costs. As the information had only recently become available, the report would be going to the Project Sub Committee first, on 20 June. The Barbican Residential Committee was therefore recommended to approve delegated authority to the Chairman and Deputy Chairman to approve the report, once it had been to the Projects Sub Committee. If the report were to be delayed to the September Committee, the tender process and works would also be delayed.

RESOLVED

That authority be delegated to Town Clerk in consultation with the Chairman and Deputy Chairman of the BRC to approve the Beech Gardens Waterproofing Project.

2. Governance Review

Members noted that a Working Party was currently reviewing the changes instigated last year, as part of the review of The City Corporation's governance arrangements. Members had been emailed a report of the Town Clerk seeking their views before September.

Members noted they would also be consulted on an individual basis. No specific views were expressed.

RECEIVED

13. EXCLUSION OF THE PUBLIC

RESOLVED, that:

Under Section 100A of the Local Government Act (1972), the public be excluded from the meeting for the following items, on the ground that they involved disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Local Government Act.

14. NON-PUBLIC MINUTES

The non-public minutes of the Barbican Residential Committee of 26 March 2012 were approved.

15. ARREARS REPORT

This report advised members of the current arrears in respect of tenants and leaseholders on the Barbican Estate and the action being taken with these arrears. Members said it would be helpful if future reports showed a comparison with the same quarter in the previous year, to highlight any trends caused by the economic downturn.

RECEIVED

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

There were no questions

17. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There were no items of urgent business.

The meeting ended at 12.45 pm

Chairman