

BARBICAN RESIDENTIAL COMMITTEE
Monday, 16 March 2020

Minutes of the meeting of the Barbican Residential Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Monday, 16 March 2020 at 1.45 pm

Present

Members:

Michael Hudson (Chairman)
Mark Wheatley (Deputy Chairman)
Randall Anderson
Adrian Bastow
Mark Bostock
Deputy David Bradshaw
Henry Colthurst
Mary Durcan
Jeremy Mayhew
Barbara Newman

Officers:

Gemma Stokley	- Town Clerk's Department
Paul Murtagh	- Assistant Director, Barbican and Property Services
Alan Bennetts	- Comptroller and City Solicitor's Department
Mark Jarvis	- Chamberlain's Department
Michael Bennett	- Barbican Estate Officer Manager
Helen Davinson	- Department of Community and Children's Services
Anne Mason	- Department of Community and Children's Services

1. APOLOGIES

Apologies for absence were received from Chris Boden, Susan Pearson, William Pimlott, Stephen Quilter, Deputy John Tomlinson and Dawn Wright.

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

Randall Anderson declared an interest in Agenda Item 19 due to the fact that he rented his property on the Barbican Estate. He stated that he would not participate in any discussion on the item.

3. MINUTES OF THE PREVIOUS MEETING

RESOLVED – That the public minutes and non-public summary of the meeting held on 16 December 2019 be approved.

MATTERS ARISING

Underfloor Heating Working Party (page 2) – The Chairman reported that the Procurement Sub Committee had noted this Committee's support for the initiative of the Barbican Estate Residents' Consultation Committee's Underfloor Heating Working Party and had indicated that they were happy to have residents involved in this matter going forward.

Waterfalls (page 3) – A Member commented that the waterfalls were currently in working order and thanked Officers for their work on this.

Maintenance budget for Highwalks (page 5) – A Member noted that the maintenance budget for the highwalks was to be reviewed.

Public Realm in and around the Barbican Estate (page 5) – The Chairman reported that CASC had considered this issue but had sent it back to this Committee with Officers tasked with producing an update report for and more detailed proposals of the work required for the 1 April CASC meeting. Officers reported that the funds available for this work currently amounted to £50k and that the report would explore how any gaps here might be filled.

4. **DRAFT MINUTES OF THE BARBICAN RESIDENS CONSULTATION COMMITTEE (RCC) ON 2ND MARCH 2020**

Members received the draft minutes of the Barbican Estate Residents Consultative Committee (RCC) held on 2 March 2020.

5. **ANNUAL REVIEW OF THE TERMS OF REFERENCE**

The Committee considered a report of the Town Clerk asking that Members review and approve the terms of reference for submission to the Court of Common Council. The Committee was also asked to consider the frequency of its meetings going forward.

The Chairman stated that he was of the view that the current frequency of meetings was sufficient. Members agreed that this was the case. The Chairman then invited comments on the terms of reference.

A Member commented that he was of the view that the membership of this Committee was too large. He asked that the Committee be radical in their thinking around this in order to ensure that they operated as effectively as possible, particularly given the impending Governance Review. With this in mind, he proposed that the Committee membership be amended to incorporate four non-resident members and six resident Members – two from each Ward/side of Ward. He went on to suggest that the quorum might then be amended to require three non-resident Members and one resident Member to be in attendance.

The Chairman reported that he had previously spoken to Ward Deputies to suggest a reduction in representation from each Ward/side of Ward but that this dialogue had been somewhat lost with the move by some Members of the Policy and Resources Committee to abolish this Committee entirely. He added that he had no issue with the proposal now being put forward but would suggest that the quorum remain unchanged and be defined in terms of voting (non-resident) Members only.

Another Member spoke to say that he had sympathy with the proposal. He added, however, that he felt it important to always ensure that there was at least one more non-resident Member on the Committee versus resident Members given that non-resident Members were the pool from which Chairman

and Deputy Chairman were drawn. He suggested that the quorum could be amended to require three non-resident Members in attendance.

Another Member spoke to say that she would be opposed to having fewer than two Members representing each Ward/side of Ward. This was unanimously supported by the resident Members.

Members were unanimously of the view that the constitution of the Committee should be amended to incorporate six resident Members (two from each Ward/side of Ward) and seven non-resident Members with a quorum of three resident Members. The Town Clerk highlighted that this proposal would need to put to the next meeting of the Policy and Resources Committee and to the April meeting of the Court of Common Council for ratification.

A Member noted that representations on the constitution and future of this Committee were certain to be made as part of the Governance Review. He also questioned whether consideration might be given to proposing that the Chairman of the Barbican Estate Residents Consultation Committee (RCC) become an ex-officio Member of this Committee or at least be invited to attend these meetings on a regular basis. The Chairman highlighted that this already happened and that the Chairman or Deputy Chairman of this Committee also attended RCC meetings. Members were reluctant to move that the Chairman of the RCC become an ex-officio member of this Committee but highlighted that it was open to the RCC to elect a Common Councillor as their Chairman or a Deputy Chairman going forward.

Members noted that the deadline for submissions to the Governance Review had then passed. However, Members were keen that the Chairman write to the Town Clerk to lay down a marker that, if the future of this Committee were to be considered, he would like the opportunity to speak to Lord Lisvane on the matter. The Chairman highlighted that he had already sent a note to Lord Lisvane to this effect. The Committee asked that a similar note be drafted on their behalf in support of this.

A Member noted that the Committee had a hybrid function as the principal functions were to deliver value for money to residents paying the service charge and ensure value for money for rate payers. Another Member questioned whether this might be explicitly referenced in the Committee's terms of reference, but the Committee were not supportive of this.

RESOLVED – That, Members recommend to the Policy and Resources Committee and the Court of Common Council that:

- 1) the constitution of the Committee be amended to require seven Members who are non-residents and two Members nominated by each of the following Wards: -
 - Aldersgate.
 - Cripplegate Within
 - Cripplegate Without

- 2) The quorum be amended to consist of any three Members who are non-residents of the Barbican Estate.

6. **'YOU SAID: WE DID' - OUTSTANDING ACTIONS LIST**

Members received the Committee's Outstanding Actions list.

The Chairman highlighted that the breakdown of the income decreases previously asked to be distributed to BRC Members was sent to Members by the Town Clerk, on behalf of the Chamberlain, electronically earlier that week.

7. **UPDATE REPORT**

Members received a report of the Director of Community and Children's Services in respect of the issues raised by the Residents' Consultation Committee and the Barbican Residential Committee at their meetings in December 2019.

The Head of Barbican Estates reported that a report updating on the Electric Vehicle Charging (EVC) Action Plan had recently been considered by both the Port Health and Environmental Services and Planning and Transportation Committee. The report had included references to the Barbican Estate and its carparks.

A Member stated that he had questioned, at the recent meeting of Planning and Transportation, whether EVC points at Shakespeare Tower and Defoe House ought to be prioritised given that they were adjacent to Beech Street which was to be trialled as the first zero-emissions zone. The Head of Barbican Estates reported that he was working with colleagues in the Department of the Built Environment on this and that this Committee would receive quarterly updates on the matter.

A Member questioned whether consideration had ever been given to installing solar panels on rooftops across the estate. The Chairman reported that English Heritage's views would need to be sought on such a proposal but that he would certainly be supportive of this should it prove feasible.

RESOLVED – That the report be noted.

8. **SERVICE LEVEL AGREEMENTS QUARTERLY REVIEW OCTOBER - DECEMBER 2019**

The Committee received a report of the Director of Community and Children's Services updating Members on the review of the estate wide implementation of Service Level Agreements (SLAs) and Key Performance Measures (KPIs) for the quarter October – December 2019.

Members noted that the progress against target in relation to the indicator concerning the percentage of communal lightbulbs was negative. A Member raised a particular concern around this, reporting that the fire escape light had been out at Cromwell Tower for some months now and asked that Officers sought to address these issues as soon as possible.

RESOLVED – That the report be noted.

9. PROGRESS OF SALES AND LETTINGS

The Committee received a report of the Director of Community and Children's Services advising Members of the sales and letting approved by Officers since their last meeting.

A Member questioned why sales for The Postern/Wallside were lower than in other blocks. The Chairman highlighted that these properties were houses as opposed to flats. The Revenues Manager highlighted that many properties there were also let on a commercial basis with a physiotherapist and a rectory currently situated there.

RESOLVED – That the report be noted.

10. FIRE SAFETY UPDATE

The Committee received a report of the Director of Community and Children's Services updating Members on the progress made in relation to fire safety matters since the last update report submitted to Committee in September 2019.

The Chairman highlighted the importance of this report and also reminded Members that Item 20 in the non-public agenda referred to this same matter.

The Assistant Director, Barbican and Property Services reported that some extensive destructive fire testing had taken place with doors tested in their existing and upgraded state. However, even those that were upgraded did not meet the required standard and the recommendation was that these therefore be replaced. The advice of Counsel had been sought on this matter and the advice received had indicated that lessees could not be charged for improvements. The cost of replacement would therefore need to be met by the City of London Corporation.

The Assistant Director went on to report that issues around fire stoppage/compartmentation had been identified at Frobisher Crescent and that a Capital Bid for £600,000 to rectify this had been submitted and approved as falling outside of the Fundamental Review process. The works would go to tender shortly and commence in Spring 2020. In response to a question, the Assistant Director reported that the costs for compartmentation would not be recharged to leaseholders.

A Member questioned what the timetable around door replacement was and asked whether a bid had already been submitted for these works which were needed with urgency. The Assistant Director reported that no bid had yet been submitted. The Member responded by stating that this was unacceptable three years after the Grenfell tragedy and highlighted that, due to the Health and Safety implications of this, it was inconceivable that the funds would not be forthcoming.

The Chairman reported that the process around the tendering of these works and the costs were, as yet, unknown. A Member (also the Chairman of Finance) suggested that an indicative bid should therefore be put forward. Another Member reported that he had been made aware of a ballpark figure for the works and appreciated that this was likely to be a large sum. Nevertheless, he concurred with the view that a bid should be progressed without further delay. The Assistant Director undertook to take this matter forward with his Director. The Chairman thanked the Assistant Director and was pleased to note that this matter would be progressed with some urgency.

RESOLVED – That Members note the report and ask that a bid to cover the costs of the fire door replacement works be progressed with urgency.

11. **BARBICAN ESTATE REDECORATION PROGRAMME 2020-25 - GATEWAY 4 - ISSUE REPORT**

The Committee considered a report of the Director of Community and Children's Services regarding the Barbican Estate Redecoration Programme 2020-25.

The Assistant Director, Barbican & Property Services reported that this had been the subject of much debate at the most recent meeting of the RCC. He reminded the Committee that it had been agreed, some years previously and following consultation with residents, that redecorations would be assigned to one contractor. The proposals that day therefore mirrored the approach taken previously. He went on to report that Projects Sub Committee had approved this report at their meeting earlier that day whilst acknowledging that the statutory consultation period did not conclude until 24 March 2020.

The Chairman clarified that this was a Gateway 4 report and that Gateway 5 would contain the authority to start work proposals – the matter would therefore be referred back to this Committee before works could commence.

A Member spoke to underline that he had been informed that residents had huge concerns, not around the total sum, but around the way in which the costs were to be allocated between blocks and the lack of transparency around this. He questioned whether these concerns had been discussed by Projects Sub Committee.

Another Member commented that he had been led to believe any delay in approval at this stage could lead to the works having to be re-tendered which would be unfortunate. He therefore asked for further clarification of this point and any procurement restraints. He added that he shared concerns that there was nothing within the report regarding the allocation of costs between blocks but questioned whether the procurement of the works could be approved that day with the issue of allocation subsequently addressed under delegated authority if necessary.

A third Member disagreed with this approach and highlighted that, as the consultation process had not yet concluded, end costs could be substantially

different to those currently proposed. His preference would therefore be to defer any decision until after the consultation period had concluded.

The Chairman clarified that he had been advised that a decision could not be deferred until the next meeting of this Committee in June for commercial reasons. There were therefore three options available – to approve the report that day and postpone Gateway 5 until after 24 March and the conclusion of the consultation period, to delegate authority for approval to the Town Clerk in consultation with the Chairman and Deputy Chairman following the conclusion of the consultation period or to hold a special meeting of this Committee ahead of the Court of Common Council meeting on the morning of the 23 April 2020 to reconsider the matter with a special meeting of the RCC also needing to take place beforehand.

The Chairman added that he had attended the recent RCC meeting and was therefore well aware of the debate and concerns around this item.

A Member commented that many residents had expressed concern around the fact that each block had only seen its own figures with the details of allocation between blocks not shared. This had led to concerns around fairness and transparency. A question and answer sheet had been issued to RCC Members just two hours prior to their recent meeting and had led to further criticisms around the perceived mismanagement of this process.

The Assistant Director, Barbican and Property Services reported that the tender remained valid for 90 days after submission. The contractor could, however, be requested to extend this. With regard to the question and answer sheet issued ahead of the recent RCC meeting, the Assistant Director reported that Officers had tried to respond to further queries that had arisen after issuing the original Q&A sheet which had led to a delay in the document being issued. Finally, he highlighted that, as part of Section 20 consultation residents were only required to receive a breakdown of costs for their own blocks.

The Chairman stated that he agreed with the views of residents regarding sharing full information about costs and it made sense to share the total costs of the works with all. He added that contractors were assigned scores weighted 60% quality and 40% price – this Committee had a duty to consider both components and not debate price alone. Another Member agreed that quality was of importance here and commented that the contractor had done a very good job previously.

The Assistant Director reported that the RCC had also raised questions around why the current contractor had increased costs so significantly this time around. Contact had been made with them and a spokesperson had commented that they had previously tendered competitively for the works at a time when they were keen to gain more contracts. They recognised the quality that was expected from Barbican residents and this had been reflected in their tender which they say had been pitched as competitively as possible at present. They had, however, now offered a 2% reduction in this cost.

A Member commented that the main issue remained the allocation of costs between blocks with residents of Defoe House, for example, feeling that similar blocks had less of a charge for the works. They were therefore keen to see the reasons behind these differences and were keen to have both value for money and transparency.

Officers reported that, under Section 20 consultation, all information was available for inspection by lessees. Members commented that they were aware of this and that some lessees had clearly already accessed the information and were now keen to receive an explanation for the differences in allocation. The Committee asked that this now be sent to residents in a digestible format. The Assistant Director undertook to action this. He highlighted that the Section 20 consultation process meant that Officers were already duty-bound to respond to all questions on the matter after the cut-off date of 24 March.

Members agreed an additional, special, meeting of the Committee be held to reconsider this report on 23 April 2020. They asked the Assistant Director, in the meantime, to confirm whether this would infringe upon the 90-day procurement limit. If this were to be the case, Officers were asked to request an extension from the contractor.

RESOLVED – That the report be deferred and reconsidered at a special meeting on 23 April 2020.

12. FROBISHER CRESCENT BALCONY DRAINAGE SCHEME - GATEWAY 6 - SUMMARISED OUTCOME REPORT

The Committee considered a report of the Director of Community and Children's Services regarding the outcome of the Frobisher Crescent Balcony Drainage Scheme.

A Member commented that, despite the report indicating that works had finished on site in 2016, he was aware of ongoing issues up until Summer 2019 – some five years after works had commenced. The Assistant Director clarified that the contract works had completed in 2016 as reported, however, there had been some defects thereafter.

Another Member underlined the need for more robust monitoring and recording of works undertaken as recognised under the heading 'key conclusions'.

RESOLVED – That the project is now closed.

13. BARBICAN ARREARS

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

The Chairman highlighted that Item 18 contained a non-public appendix to this report.

RESOLVED – That the report be noted.

**14. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE
COVID-19**

A Member questioned whether the organisation's Social Services or other departments were offering assistance to tenants isolated within their accommodation, particularly given that the Barbican Estate was home to many elderly residents living alone with no immediate or extended family. She added that she was aware that some House Groups had already begun to address this and that, at present, residents were being referred to the organisation's website for the most up to date information however, nothing here seemed to be specifically addressed to them at present.

The Assistant Director reported that House Groups might be best placed to contact individuals in the first instance. He added that the next update to residents would be asking all to inform if they were self-isolating so that Officers were able to create a better picture of individual circumstances.

A Member reported that Andrewes House had recently resurrected its Good Neighbour Scheme with residents provided with contact details for those who could help with the provision of food and other necessary supplies.

Another Member added that most House Groups had taken some action and urged others to follow suit. He reported that Mountjoy House currently had 6 volunteers assisting those who were self-isolating. He underlined the importance of maintaining some sort of central register of those who were self-isolating and ensuring that regular contact was established with them.

The Chairman suggested that House Groups contact the Barbican Estate Office with details of the arrangements they had put in place and key contacts for each House. Another Member requested that this information also be included on the weekly Estate bulletin email.

Tours of the Barbican Estate

A Member questioned whether new Members of this Committee were offered a tour of the Barbican Estate, she added that this would provide them with important context to many of the issues discussed here. The Chairman agreed that this ought to be offered routinely and suggested that arrangements be made for both Mr Colthurst and Mrs Wright to undertake a tour of the Estate as soon as possible.

15. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There were no urgent items of business for consideration.

16. EXCLUSION OF THE PUBLIC

RESOLVED – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) on the

grounds that they involve the likely disclosure of exempt information as defined in Part 1 of the Schedule 12A of the Local Government Act.

Item No(s)	Paragraph No(s)
17	3
18	2
19 & 20	3
21	3 & 5
22 & 23	-
24	2, 3 & 4
25	3

17. NON-PUBLIC MINUTES

RESOLVED – That the non-public minutes of the meeting held on 16 December 2019 be approved.

18. BARBICAN ARREARS

The Committee received a report of the Director of Community and Children's Services providing Members with further information with regard to the current arrears in respect of tenants and leaseholders on the Barbican Estate and the action being taken on these.

19. RESIDENTIAL RENT REVIEW

The Committee considered and approved a report of the Director of Community and Children's Services reviewing the rent for residential properties on the Barbican Estate let under City of London tenancies.

20. FIRE SAFETY AUDIT

The Committee considered and approved a report of the Director of Community and Children's Services concerning a proposal from Arup to carry out a detailed fire safety audit on a representative sample of four residential blocks on the Barbican Estate.

21. BLAKE TOWER

The Assistant Director, Barbican and Property Services was heard.

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

A Member raised a question relative to the Beech Street zero emissions zone trial commencing later this month.

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

There were no urgent items of business for consideration in the non-public session.

24. CONFIDENTIAL MINUTES

The confidential minutes of the meeting held on 16 December 2019 were considered and approved.

25. REVISED PROPOSED RESTRUCTURE

The Committee considered and approved a report of the Director of Community and Children's Services seeking agreement for proposals for the restructure of the Barbican Estate Office (BEO).

The meeting ended at 3.50 pm

Chairman

Contact Officer: Gemma Stokley
Gemma.Stokley@cityoflondon.gov.uk