

BARBICAN ESTATE RESIDENTS CONSULTATION COMMITTEE
Tuesday, 20 September 2022

Minutes of the meeting held at Guildhall at 6.30 pm

Members

Christopher Makin – <i>in the Chair</i>	Adam Hogg - Chair, Barbican Association
Sandra Jenner - Deputy Chair	Fiona Lean - Ben Jonson House
Jim Durcan - Deputy Chair	Rodney Jagelman - Thomas More House
Gordon Griffiths - Bunyan Court	Andrew Tong* - Brandon Mews
David Graves* - Seddon House	Tim Hollaway - Lambert Jones Mews
John Tomlinson - Cromwell Tower	Guy Nisbett - Speed House
Mary Bonar - Wallside	Miranda Quinney - John Trundle Court
Sandy Wilson - Shakespeare	Fred Rodgers* - Breton House
Petre Reid - Willoughby House	Graham Wallace- Andrewes House
David Lawrence - Lauderdale Tower	Dave Taylor - Gilbert House
Mark Bostock - Frobisher Crescent	Helen Hudson - Defoe House
	Monique Long - Mountjoy House

In attendance:

Mark Wheatley	– Chair of the Barbican Residential Committee
Anne Corbett	– Deputy Chair of the Barbican Residential Committee
Randall Anderson	- Aldersgate Ward Deputy
Deputy John Fletcher	- Barbican Residential Committee Member
Helen Fentimen	- Barbican Residential Committee Member
Steve Goodman	- Barbican Residential Committee Member
Alderwoman Susan Pearson	– Cripplegate Ward

Officers:

Paul Murtagh	- Assistant Director, Barbican and Property Services
Mark Jarvis	- Chamberlains
Helen Davinson	- Community and Children's Services
Dean Elsworth	- Community and Children's Services
Rosalind Ugwu	- Community and Children's Services
Jason Hayes	- Community and Children's Services
Anne Mason	- Community and Children's Services
Graeme Lowe	- Energy Manager
Julie Mayer	- Town Clerks

1. APOLOGIES

Apologies were received from John Taysum – Bryer Court, James Ball (represented by Andrew Tong*), Jane Smith (represented by David Graves*) and Andy Hope (represented by Fred Rodgers*).

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

There were no declarations.

3. **TO ELECT A CHAIRMAN**

The Town Clerk had written to all Members setting out the procedure for the election. The Town clerk explained further that each Member, including the serving Chair and Deputy Chairs would have one vote each. As this was a hybrid meeting, Members could stand for election and/or vote, if attending virtually. Statements in support of the candidature of Sandra Jenner and Jim Durcan, the serving Deputy Chairs, had been circulated ahead of the meeting.

Following a ballot, whereby 15 votes were cast for Sandra Jenner and 7 for Jim Durcan, with one abstention, it was RESOLVED, that – Sandra Jenner be elected as Chair of the RCC for 2021/22.

As the new Chair was joining the meeting remotely, with poor reception, the outgoing Chair, Christopher Makin, took the chair. The new Chair thanked Members for their support, setting out her aspirations in Chairing the RCC and thanked Deputy Chair, Jim Durcan, for their productive working relationship. There would be a vote for a second Deputy Chair in due course.

Members asked for a vote of thanks to be recorded for outgoing Chair, Alderman Christopher Makin for 4 years of exemplary service. Alderman Makin was particularly commended for introducing the RCC's pre meetings.

Before commencing the business on the agenda, the Chair welcomed new Members; Miranda Quinney – the new representative for John Trundle House, and past Chair, Graham Wallace – the new representative for Andrewes House

4. **MINUTES**

RESOLVED, that – the minutes of the meeting held on 6 June 2022 be approved.

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

The Committee received the outstanding actions list, noting those items which had been resolved or would appear on this agenda.

6. **COMMUNICATIONS STRATEGY AND SERVICE CHARGES**

The Committee considered a report of the Director of Community and Children's Services, which was being presented in response to numerous complaints regarding the recent dispatch of service charge accounts, and the failure to provide timely notifications of the large variances in service charge expenditure. The report sought to provide an explanation for the overspends, why early warnings had not been providing for those surcharges, a proposal for the provision of a communications strategy for the Barbican Estate, and clarification on roles and responsibilities regarding the provision of budgets and expenditure controls.

The report also proposed that the Service Level Agreement (SLA) Working Party would draft the strategy, for consultation with all house groups and working parties, before presenting a report to the RCC. In addition, findings from the residents' survey would inform the design.

Whilst endorsing the recommendations, the Chair stressed that improvements to control, reporting and management of service charges cannot wait for a revised communications strategy. Members agreed that value for money and efficiencies should take priority over communications.

RESOLVED, that - authority be delegated to the Service Level Agreement Working Party to agree a draft Barbican Communications Strategy.

7. **2021/22 REVENUE OUTTURN (EXCLUDING THE RESIDENTIAL SERVICE CHARGE ACCOUNT)**

The Committee received a report of the Chamberlain and the Director of Community and Children's Services, which compared the revenue outturn for the services overseen by the Barbican Residential Committee in 2021/22, with the final agreed budget for the year. Members noted that the accounts do not include income and expenditure in relation to dwellings service charges, as these are the subject of the following report on the agenda.

In response to questions, Members noted that the underspend had arisen as a result of better than anticipated rental income, with £55,000 being carried forward to fund delayed repair works at Cromwell Tower and St Giles Terrace. In respect of the income from store units in the car parks, Members noted that this is credited to the car park account, with the brick built units under the flats being treated separately.

RESOLVED, that – the report be noted.

8. **RELATIONSHIP OF BARBICAN RESIDENTIAL COMMITTEE (BRC) OUTTURN REPORT TO SERVICE CHARGE SCHEDULES**

This Committee received a report of the Chamberlain and the Director of Community and Children's Services, which provided information on residential service charge expenditure for 2021/22. It also compared the outturn with the 2021/22 estimate and the 2020/21 actual expenditure.

During the discussion and questions, the following points were noted.

1. There would be a meeting later this week, of the Leaseholder Service Charges Working Party, to consider this report further.
2. Net recharges always come to zero in local authority accounting practice, as it cannot show a profit or loss.
3. There is an account for staff salaries and running costs, which are apportioned pro-rata and recharged to the various accounts, based on time spent by officers. The Town Clerk is solely charged to the Landlord.

4. The Assistant Director advised that the Asset Maintenance Working Party had been considering the data from the Savill's Stock Condition Survey (SCS), which had been submitted earlier this year, and formulating a proactive planned maintenance and major works programme. Lessons learnt from other estates would also be applied. Savill's will deliver a presentation on the SCS to representatives of the RCC and the BRC in due course. Whilst there would always be a need for immediate, reactive repairs, the SCS will be used to develop planned programmes for the next 5, 10 and 30 years. The Committee expressed concern at the delay in developing the SCS and asked that this be given the highest priority. Disappointment was expressed at the lack of any updates on the windows programme.
5. If repairs are carried out as part of routine repairs and maintenance, they receive a 12-month guarantee, as provided under the terms of the contract. However, officers seek manufacturers' warranties, wherever possible, as they are usually much longer than those offered for responsive repairs. Officers are also looking at trends across the estate, including items not specified in the Stock Condition Survey.

In response to a question about the roof repairs at Speed House, the Assistant Director agreed to provide a response after the meeting.

RESOLVED, that – the report be noted.

9. **2021/22 HEATING COSTS**

The Committee received a report of the Director of Community and Children's Services in respect of heating bills across the estate, which have risen by over 35% in comparison to 2021/22. Members noted that the main reason for this is the increase in unit prices. However, the increases in the heating service charge are not uniform across the estate, which is a concern for leaseholders. Members noted that the variations in consumption would be investigated and subject to a further report the Committee.

During the discussion and questions, the following points were noted:

1. Each block has at least one meter, with tower blocks having three. Unit rates go to decimal points of a pence and can vary within blocks. The Energy Manger had been working with the meter operator to rectify meter issues. Once the meters had been investigated, a report would be prepared with the Energy Team.
2. Mitie were validated bills on behalf of the City and have been replaced by Team Energy Auditing, who work on behalf of the City. The Energy Team are in the process of setting energy targets for sites / supplies within the City's Energy Management Software. This will enable any anomalies to be flagged, e.g. - when usage falls outside the tolerance levels set, allowing the Energy and Sustainability Team to investigate in a timely fashion.
3. The officer advised that the City must bill the residents for known costs, within a certain timescale. Leaseholders with high balancing charges will be

able to pay in instalments over the next year. If significant credits are applied to electricity accounts, following the meter checks, residents will receive a credit to their accounts.

4. All residents have communal keys, as they like to use the communal areas on various levels to access the shops and high walks. This throughfare is welcomed by residents and the cost is negligible.
5. All supplies are tendered under a commercial contract. This is in common with other local authorities and the rates are very competitive.
6. The Energy Team are looking at the implications in respect of increasing the capacity for meters, noting that this might incur additional costs if the local grid needs to be updated. Members would be kept updated on progress with this work.
7. It is possible that blocks with low consumption might have a higher unit cost than a block with high consumption, but the City Corporation has no control over this position.

RESOLVED, that – the report be noted.

10. **2022/23 ELECTRICITY PRICE FORECAST**

The Committee received a report of the City Surveyor in respect of electricity costs for the Barbican Estate. Members noted that prices are yet to be finalised, due to uncertainty around the start date for the Power Purchase Agreement (PPA). If, as expected, this begins operating in December 2022, the likely increase in electricity costs can be contained. However, if this is delayed, they will increase but unit rates are expected to remain below the published price cap for October 2022. The report presented some likely and less likely scenarios

The Energy Manager explained that the team do not hold residents' individual data but are happy to work with them to ensure they get the best deal possible. The Government's fiscal support has been announced but the details are still being worked on in terms of how residents will be affected. The Committee will receive regular updates on progress.

Members noted that the Energy Team are working with a number of residents on fabric measures, which may form part of an options appraisal around climate action strategy improvements; i.e. – soffit insulation, heating controls and the barrel vaulted roofs.

RESOLVED, that – the following be noted:

1. The increase in unit rate costs expected in the scenarios.
2. The Power Purchase Agreement will provide significant budget relief.
3. Consumption and costs will be validated via the new procurement contract with Team Energy Auditing Ltd., the City's current energy monitoring software.

4. The continued work towards carbon reduction across the Barbican Residential Estate.

11. **FIRE SAFETY**

The Committee received a report of the Director of Community and Children's Services, which updated Members on progress made in relation to fire safety matters since the last update report submitted to the Committee in January 2022.

1. The Assistant Director advised that it had not been possible to bring a report on the Arup Survey to this meeting. However, this would be a public report and circulated to RCC Members when the BRC agenda is published later this week. The RCC was also given assurance that the BRC would not be asked to take a decision on works to residents' homes, without full consultation, and the Chair of the BRC had endorsed this. Members noted that the report would include the final survey for Mountjoy House and seek advice on use of the information from the survey to build an estate wide action plan. The Assistant Director advised that some points in the Arup report had already been implemented; i.e. – contact and discussions with vulnerable residents.
2. Members noted that the compartmentation reports in respect of Brandon Mews, Defoe House and Shakespeare Tower would be presented to the RCC/BRC meetings in December.
3. The Assistant Director advised that the Estate Office had not, as yet, agreed with all the findings in the Arup Surveys. In such cases, consultation was ongoing, and more research might be required. Any proposed remedial works will be fully compliant with all relevant regulations and best practice.
4. The Frobisher Crescent representative expressed frustration at Building Control's slow response to issues arising from the fire stopping works on the three residential levels. The Assistant Director advised that Building Control would be attending the site tomorrow, with the contractor. It was noted that the City's Building Control Team had experienced some staffing issues but was best placed to provide this service due to its extensive knowledge of the building.

In concluding, the Chair expressed disappointment in that the last 2 iterations of the Arup Fire Safety Report had not been presented to the RCC before the BRC.

RESOLVED, that – the report be noted.

12. **UPDATE REPORT**

The Committee received the update report.

13. WORKING PARTY UPDATES

The Committee received the Working Party Updates from the following Groups; Gardens Advisory, Asset Maintenance, Leaseholder Service Charge, Service Level Agreement (SLA), Underfloor Heating and Electric Vehicle.

Members noted that, in respect of underfloor heating, the cap is 20p per kw hr, based on the PPA taking effect in December 2022. The RCC would like to seek the support of the BRC in ensuring that information on demand side response is provided by the City Surveyor as a matter of urgency.

The SLA booklet review is now complete and available on the City Corporation website in a format which is far easier to navigate. Members noted that this would form part of a larger piece of work, looking comprehensively at service levels; i.e. - in terms of how they are monitored and meeting residents' requirements. Rosalind Ugwu, the Interim Estate Office Manager, was thanked for her support in this work.

14. HOUSING COMPLAINTS POLICY REVIEW

The Committee received a report of the Director of Community and Children's Services in respect of the Housing Complaints Policy. Members noted that the Housing Division's Complaints Policy had been redrafted, and several changes made, to bring it in line with the provisions of the Housing Ombudsman's Complaints Handling Code 2020 and Housing Regulator's Guidance. Members noted that the revised policy adopts a two-stage complaints process and extends the timescale for 'Stage Two' responses. These changes are intended to encourage early resolution of complaints and make the process more accessible and straightforward for residents.

RESOLVED, that – the Barbican Residential Committee be recommended to approve the proposal for the Barbican Estate Office to adopt the Housing Complaints Policy when dealing with formal complaints from Barbican Estate residents.

15. BARBICAN PODIUM PHASE 2

The Committee received a report of the Director of Community and Children's Services in respect of surface refurbishment, replacement of the defective waterproofing membrane, drainage improvements and landscaping works to Barbican Podium Phase 2, 1st Priority Zone.

During the discussion and questions, the following points were noted:

1. The planning application presented at the recent webinar is the one that would be submitted. Listed Buildings Consent needs to be submitted at the same time and the extensive level of detail had resulted in a substantial amount of additional work and delay.

2. Waterproofing and insulating of the properties below the podium is a requirement of Building Regulations.
3. The main contractor will be required to provide a comprehensive maintenance and management plan, with a cyclical programme, including drain cleaning.
4. The webinar had been very successful, with 100 residents joining in August and 40 in September. The Chair commended this as an effective way of interacting and reaching a large number of people.

RESOLVED, that – the report be noted.

16. **WAYLEAVE AGREEMENT**

The Committee received a report of the Director of Community and Children's Services which sought approval to proposed Wayleave Agreements between the City of London Corporation (the Corporation) and British Telecommunications PLC (referred to going forward as Openreach, a wholly owned subsidiary of British Telecommunications PLC), the Corporation and Virgin Media, the Corporation and Hyperoptic and Community Fibre respectively, in respect of the installation of electronic communication apparatus on various defined buildings across the Corporation's Barbican Residential Estate.

RESOLVED, that – the BRC be recommended to:

1. Agree that the Corporation enters into separate 'Wayleave Agreements' with Openreach, Virgin Media, Hyperoptic and Community Fibre in respect of the installation of electronic communication apparatus on various defined buildings across the Barbican Residential Estate.
2. Approve and agree the specific Wayleave Agreement between the Corporation and Openreach (attached as Appendix 'A' to this report), in respect of the installation of electronic communication apparatus on various defined buildings across the Barbican Residential Estate.
3. Approve the use of the same Wayleave Agreement between the Corporation and Virgin Media, in respect of the installation of electronic communication apparatus on various defined buildings across the Barbican Residential Estate.
4. Delegate authority to the Town Clerk, in consultation with the Chair and Deputy Chair of the Barbican Residential Committee, and the Director of Community & Children's Services, to approve and agree further 'Wayleave Agreements' with Hyperoptic and Community Fibre in the agreed format, as appropriate, in accordance with relevant legislation and, in the best interests of the Corporation.

17. **PROGRESS ON SALES AND LETTINGS**

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

18. **VERBAL UPDATES**

Concierge service

The Assistant Director advised that future updates would be in the form a written report. Members noted the current position whereby it had been agreed that the 12% TOM savings from the Landlord's Account, would not be implemented until the next financial year (2023/24). Officers welcomed the opportunity to work with residents and seek to address their concerns. There would also be an independent review of the Barbican Estate Office and the Assistant Director thanked Sandra Jenner, Adam Hogg and Christopher Makin for their help in developing the Heads of Terms. The next stage is to procure a consultant to undertake the review. The Consultant's report was expected by end of October 2022, for presentation to the RCC/BRC meetings in December. However, if this was not possible, then a Special Meeting of the BRC would be convened to consider the report, with the involvement of the RCC d beforehand.

Blake Tower

The Assistant Director had met with representatives from Redrow, JAR (Redrow's Management Company), the Director of Community and Children's Services and the City Surveyor this morning to discuss outstanding matters and the concerns of Blake Tower residents. Members were reminded that the City is the Freeholder and would ultimately take over the management of the building once the issues had been resolved. Some residents had taken legal action directly with Redrow.

The Estate Office had recently commissioned further intrusive surveys of the fire stopping and compartmentation within a number of flats and, was grateful to the residents for their co-operation in providing access. The surveys were carried out by BRFP, a specialist consultant and its outcome report is expected within the next seven days and, this would be shared with Redrow. A further meeting with the Blake Tower Residents' Association was scheduled for this week and the Assistant Director confirmed that he does write to the residents of Blake Tower to provide updates.

BRANDON MEWS CANOPY

The Assistant Director had received conflicting residents' views as to how this should be taken forward and suggested, therefore, that he should work directly with the Brandon Mews House Group on this matter. The Committee agreed to this, and the Assistant Director confirmed that he would keep the RCC updated on progress. A view was expressed in that different views should not be seen as a barrier to reaching a satisfactory conclusion, as the canopy is overlooked by four other blocks and is a significant part of the Estate's vista and public realm.

19. **QUESTIONS RELATING TO THE WORK OF THE COMMITTEE**

In response to a question from the Ben Jonson representative, in respect of this years' service charges, the officer advised that they could be paid off in instalments and residents should contact anne.mason@cityoflondon.gov.uk to set up payment plans.

20. **ANY ITEMS OF BUSINESS THAT THE CHAIR CONSIDERS URGENT**

There were no items.

The meeting ended at 8.20 pm

Chairman

Contact Officer: Julie.Mayer@cityoflondon.gov.uk