

BARBICAN RESIDENTIAL COMMITTEE

Friday, 30 September 2022

Minutes of the meeting of the Barbican Residential Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Friday, 30 September 2022 at 11.00 am

Present

Members:

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| Mark Wheatley (Chairman) * | Elizabeth Anne King |
| Anne Corbett (Deputy Chairman) * | Frances Leach |
| Helen Fentimen | Andrew McMurtrie * |
| Deputy John Fletcher * | Susan Pearson (Alderwoman Elect) * |
| John Foley * | |
| Steve Goodman OBE | |

*non-resident members

In Attendance:

Alderman Christopher Makin – Member of the Barbican Residents' Consultation Committee (RCC)
J Durcan – RCC Deputy Chair - Representing new RCC Chair Sandra Jenner
Deborah Oliver – Ward Member – Aldersgate
Mary Durcan – Deputy Chair of Policy and Resources
R Sayed – Chair of Community and Children's Services Committee (attending virtually)

Officers:

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| Alan Bennetts | - Comptroller and City Solicitor's Department |
| Helen Davinson | - Community and Children's Services |
| Michael Gwyther-Jones | - Community & Children's Services Department |
| Jason Hayes | - Community and Children's Services Department |
| Louise Said | - Chamberlain's Department |
| Anne Mason | - Community and Children's Services |
| Rebecca Bello | - Community and Children's Services |
| Rosalind Ugwu | - Community and Children's Services |
| Graham Low | - Built Environment |

1. APOLOGIES

Apologies were received from Mark Bostock, who joined the meeting remotely.

Before commencing the business on the agenda, the Chair congratulated Sandra Jenner on her election as Chair of the RCC and Susan Pearson on her election as Alderwoman for the Ward of Cripplegate.

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

There were no declarations

3. **MINUTES OF THE PREVIOUS MEETING**

RESOLVED, that – the public minutes and non-public summary of the meeting held on 17th June 2022 be approved.

Matters arising

Members would be contacted shortly in respect of a visit to Middlesex Street, to see the sprinkler installation.

Playgrounds at Thomas More and Speed Lawn – health and safety concerns. Officers had obtained one quote but struggled to source another. It was suggested by members that, as it is not a legal requirement to obtain a second quote for this amount, officers should proceed with one. This view was challenged, given the financial pressures on the City of London Corporation and a second quote would give assurance of value for money. Officers had been advised that the quote obtained is reasonable, noting that specialist playground contractors tend to be expensive. A Member suggested that officers approach the Open Spaces Team, as a similar exercise was recently undertaken at West Ham Park. Another Member offered to provide details of quotations received for Prior Weston School's playground.

In concluding, it was proposed by A McMurtrie, Seconded by Steve Goodman and RESOLVED, that - authority be delegated to the Town Clerk, in consultation with the Chair and Dep Chair of the Barbican Residential Committee, to progress this decision in two weeks' time, to give officers an opportunity to obtain additional quotes.

4. **MINUTES OF THE MEETING OF THE BARBICAN RESIDENTIAL COMMITTEE (RCC) ON 20TH SEPTEMBER 2022**

The Minutes of the RCC meeting on 20th September 2022 were received.

Matters arising

In respect of the report from the Underfloor Heating Working Party, Members noted that the cap is 20p per kw/hr, based on the PPA taking effect in December 2022. The RCC had asked for the BRC's support in ensuring that information on demand side response is provided by the City Surveyor, as a matter of urgency. The Chair advised that a Ward Member had asked about the flexibility of underfloor heating and asked if this could be considered alongside the RCC's request.

During the discussion on this matter, the following points were noted:

1. Aldersgate and Cripplegate Ward Members had received complaints about underfloor heating, as is the case at this time every year. Members noted that the Underfloor Heating Working Party (UHWP) are aware of this and had asked if the BRC could assist?

2. Under the terms of the lease, the underfloor heating system is designed to be background heating and operates between 1st October and 30th April. However, in the past it has been switched on early and switched off late. There have been far fewer requests this year to turn the heating on early and the Estate Office is particularly mindful of rising energy costs.
 3. The last meeting of the Community and Children's Services Committee (CCS) considered a report in respect of winter support measures..
 4. In concluding, the Chair asked if officers could liaise with the UHWP in terms of the flexibility of the system, the rationale for switching on and off as well as review any options that could be offered to flats that are known to be colder, and produce a report to the next meeting of the BRC. Officers were also asked to give consideration to the Department of Public Health's document in respect of minimum temperatures, particularly in respect of vulnerable residents.
5. **'YOU SAID; WE DID' - OUTSTANDING ACTIONS LIST**
The actions list was noted.
6. **UPDATE REPORT**
The Committee received the Update report and noted the following:
1. In respect of the window replacements, the Senior Surveyor agreed to provide an update before the end of the following week.
 2. Members also asked for an update on the Saville's Condition Survey and future plans to the next Committee meeting, noting that ad-hoc repairs are becoming more expensive. The officer advised that Saville's will be delivering a presentation, or hosting a Webinar for BRC Members, ahead of the next Committee meeting.
 3. With regard to Lambert Jones Mews, the contract to repair the drainage and damage to properties had been a one-off and, as performance had been below standard, the City Corporation had appointed another contractor and the original contractor had not been paid. Works were now underway on a pilot flat and a cyclical prevention and planned maintenance programme would be applied to the whole block.

RESOLVED, that – the report be noted.

7. **FIRE SAFETY**
Members received a report of the Director of Community and Children's Services, which provided an update on Fire Safety and sought to give assurance that homes on the Barbican Estate are managed in a way that meets compliance with current health and safety legislation, best practice, and regulatory standards relating to fire safety. The report also provided an update

on the progress in relation to fire safety matters, since the last report in January 2022.

Members noted that there had been a delay to appointing the design team in respect of the door replacements, as they had required extensive background information. Once the design team had agreed a delivery strategy, officers would undertake a risk assessment and there might be more Gateway 3-4 reports in respect of tendering. An additional Project Manager would be added to the programme, and the Committee would receive an update at the next meeting. The officer advised that the fire door programme on the social housing estates had been successful, with no supply chain issues. However, the Barbican doors had been more expensive, due to the Listed Building Regulations and the need for a re-design.

RESOLVED, that – the report be noted.

8. **ARUP SURVEY**

The Committee considered a report of the Director of Community and Children's Services which provided an update to Members on the outcome of the Arup Fire Strategy Report, and the subsequent proposed Action Plan on a representative sample of residential blocks on the Barbican Estate.

Given the scale and significance of this matter, the Chair suggested that it be explored in depth at a Special Meeting of the BRC, ahead of the next regular meeting. Members noted that some of the Arup recommendations had been considered inappropriate for the Barbican Estate. The Chair also had a list of Capital Review Assessment Categories, which had been tabled at the Finance Committee. The Town Clerk agreed to circulate them to BRC Members, for further consideration at the Special Meeting.

Members also stressed that the RCC should have a chance to consider the report, ahead of the BRC's Special Meeting and provide feedback, particularly the Tower Block representatives. The Town Clerk explained that, under Standing Orders, the BRC and RCC cannot have a constituted joint meeting, but officers can hold either a Public Meeting for the Barbican Residents, as was done last year. Another option is to hold an Informal Stakeholder Address with RCC Members, immediately before the BRC Special Meeting. Furthermore, the RCC can hold its own Special Meeting to consider this item before any public meeting or joint informal session with the BRC.

Members suggested that a presentation would be helpful, given the amount of detail in the report. The Town Clerk suggested, in order to save time at the Special Meeting, the presentation could be via a Webinar. Members noted that this had worked very well with the Podium Project, which appears later on this agenda. The Town Clerk advised timings can be allocated to questions, to keep the meeting focussed. The Senior Surveyor agreed to lead on the consultation process and content of the Special Meeting and the Chair asked for early sight of the consultation plan.

RESOLVED, that:

1. The Fire Strategy Reports produced by Arup for Cromwell Tower, Andrewes House, and Mountjoy House on the Barbican Estate be noted.
2. The Proposed Action Plan be noted in respect of progress made against some of the recommendations contained in the Arup Fire Strategy Reports.
3. Subject to available funding, the services of a suitably qualified Fire Engineer be sourced to carry out a wider review of the Estate. This will be based on the key findings and principles set out in the three Arup Fire Strategy Reports.
4. A Special Meeting of the Barbican Residential Committee be convened, following consultation with the RCC, in order to give this matter thorough consideration.

9. **COMMUNICATIONS STRATEGY AND SERVICE CHARGES**

The Committee considered a report of the Director of Community and Children's Services in respect of numerous complaints following the recent despatch of service charge accounts, and the failure to provide timely notifications of the large variances in service charge expenditure.

Members noted that a skeleton draft of the strategy would be presented to the Service Level Agreement Working Party in the third week of October. There had been some initial discussions and feedback to present to the various working parties and house groups, and the Leaseholder Service Charges Working Party (LSCWP) had made some recommendations.

The Officer advised that the format of the schedule had been agreed by the LSCWP and residents had received a presentation on service charges. Another was planned, possibly via a webinar, which would be recorded and available to new residents.

Members noted the new Chair of Policy's (CPR) objective to improve communications with residents. Therefore, all communications strategies should be joined-up and the CPR should be copied into any draft proposals.

RESOLVED, that – the Service Level Agreement Working Party be asked to consider a draft Barbican Communications Strategy, for formal approval by the Barbican Residential Committee.

10. **2021/22 REVENUE OUTTURN FOR THE DWELLINGS SERVICE CHARGE ACCOUNT**

The Committee received a report of 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.

Members noted that charges in respect of repairs and maintenance and heating are considerably higher this year, and the subject of items 12 and 13 on this agenda. The officer advised that there had been some issues with billing

during the year. The team are working with suppliers to reconcile the accounts, and residents have been offered payment plans.

RESOLVED, that – the report be noted.

11. **2021/22 REVENUE OUTTURN (EXCLUDING THE RESIDENTIAL SERVICE CHARGE ACCOUNT)**

The Committee received a joint report of the Director of Community and Children's Services and the Chamberlain 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.

RESOLVED, that – the report be noted.

12. **2022/23 ELECTRICITY PRICE FORECAST**

The Committee received a report of the City Surveyor, which presented the view of expected electricity costs for the Barbican Estate. Members noted that prices were yet to be finalised, due to uncertainty around the start date for the Power Purchase Agreement (PPA). The officer advised that, if this begins in December, as expected, the likely increase in electricity costs can be contained. A delay could have an impact, although unit rates are expected to remain below the published price cap for October.

The officer explained that the delay is due to a connection to the grid, which is the responsibility of the District Network Operator (Southern and Scottish District Networks) and not the contractor. Furthermore, as this falls under 'force majeure' the City Corporation cannot seek penalties but is working with the contractor in respect of any legal resource which might be available. Members stressed that communications are very important in this matter, particularly if residents are under the impression that costs will be fixed for a considerable period. Members also noted that the team are looking at options in respect of wind and solar energy, as part of the Climate Action Strategy.

RESOLVED, that - the report be noted.

13. **2021/22 HEATING COSTS**

The Committee received a report of the Director of Community and Children's Services in respect of the significant rise in heating bills across the estate; i.e. – over 35% when compared to 2021/22. Members noted that the variations in consumption would be investigated further and the subject of a report to the RCC.

RESOLVED, that – the report be noted.

14. **HOUSING COMPLAINTS POLICY REVIEW**

The Committee considered a report of the Director of Community and Children's Services in respect of an update to the Housing Division's Complaints Policy, which would bring it in line with the provisions of the Housing Ombudsman's Complaints Handling Code of 2020. Members noted that the Housing Management and Almshouses Sub-Committee approved the

revised policy on 20/09/2021 and the RCC had received the report, without comment, at its last meeting.

The officer explained that complaints are logged centrally and then forwarded to the relevant team for response. The team oversees, monitors and records timescales, to ensure they are compliant with the policy. Members noted that the Barbican Estate's web page would be updated to reflect this change and an article would appear in Barbican News.

RESOLVED, that - the proposal for the BEO to adopt the Housing Complaints Policy, when dealing with formal complaints from residents of the Barbican Estate Office, be approved.

15. **WAYLEAVE AGREEMENTS**

The Committee considered a report of the City Surveyor, which sought approval of 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 Hyperopic and Community Fibre respectively, in respect of the installation of electronic communication apparatus on various defined buildings across the Corporation's Barbican Residential Estate.

Members noted that residents would be able to see the kit via the method statements, which will be scrutinised by officers. Concern was expressed about issues with excessive wiring on the Golden Lane Estate but the officer explained that the infrastructure on the Barbican is better, and the installation would be less intrusive.

RESOLVED, that:

1. 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. 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 be approved.
3. The 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 be approved.
4. Authority be delegated to the Town Clerk, in consultation with 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.

16. PROGRESS OF 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. The report also provided information on surrenders of tenancies received and the number of flat sales to date. Members noted that capital receipts from lease extensions are credited to the City Corporation's City's Fund.

RESOLVED, that – the report be noted.

17. ORAL UPDATES

The Committee received the following updates.

17.1 Concierge Service

Members noted the delay in implementing the TOM savings for the concierge service, pending a full review of the Estate Office. The Town Clerk had circulated the Heads of Terms for the review, ahead of this meeting. The Chair suggested, and Members agreed, that this should be explored in depth at the Special Meeting to consider the Arup Report, referred to earlier on this agenda. The Town Clerk confirmed that it was in order for Special Meetings to consider more than one item. Members noted that the review would start in November and the new Chair of the RCC would be on the review panel.

17.2 Brandon Mews Canopy

The Assistant Director, Barbican and Property Services had been in consultation with a number of residents and received mixed feedback. Therefore, the Assistant Director and the Chair of the Brandon Mews House Group had agreed to work with residents to seek a solution and would carry out a full survey. Members were assured that the consultation would include the surrounding blocks. Members noted that options ranged from doing nothing, a wholesale clean and re-waterproofing and removal of the roof. The officer advised that an attempt to clean the roof earlier this year had been unsuccessful, due to the fragility of the material and concern about damage to the joints around the individual panels.

17.3 Blake Tower

Members noted that the City Corporation remained very unsatisfied with the construction and were still unable to take over the management of Blake Tower. Members noted that an internal fire stopping survey of 10 properties had been completed, with a report due the following week. The Chair commended officers for their tenacity in seeking a resolution in this matter.

18. ARREARS

Members received a report of the Director of Community and Children's Services in respect of tenant and leaseholder arrears on the Barbican Estate. Members noted a more detailed non-public report later on the agenda.

RESOLVED, that – the report be noted.

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

Members noted the question referred to earlier in respect of background underfloor heating.

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

Members noted that they would receive a report on temporary staff at the next meeting of the Committee. Concern was expressed in respect of the rotas, and this would be covered as part of the Barbican Estate Office Review. Members noted that this would also be part of an internal audit over the next few weeks, which would include overtime.

21. **EXCLUSION OF THE PUBLIC**

22. **NON-PUBLIC MINUTES**

RESOLVED, that – the non-public minutes of the meeting held on 17th June 2022 be approved.

23. **ARREARS - NON-PUBLIC**

The Committee received a non-public appendix to item 18.

24. **RENT REVIEW**

The Committee considered and approved a report of the Director of Community and Children's Services.

25. **BARBICAN PODIUM PHASE 2**

The Committee received a report of the Director of Community and Children's Services.

26. **BRANDON MEWS GARAGES**

The Committee considered and approved a report of the Director of Community and Children's Services.

27. **RESPONSE TO COVID - BARBICAN COMMERCIAL TENANTS UPDATE**

The Committee received a report of the Director of Community and Children's Services.

28. **ACTION TAKEN SINCE THE LAST MEETING OF THE COMMITTEE**

The Committee received a report of the Town Clerk.

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

There were no questions whilst the public were excluded.

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

There were no items whilst the public were excluded.

The meeting ended at 12.55 pm

Chairman

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