
Alexandra Palace and Park Board

TUESDAY, 4TH JULY, 2006 at 19:30 HRS – PALM COURT SUITE 5, ALEXANDRA PALACE, PALACE WAY, LONDON N22.

Councillors:

Councillor Adje (Chair), Egan (Vice-Chair), Beacham, Hare, Peacock, Rainger, Thompson.

Non-voting representatives:

Ms V. Paley, Mr M. Tarpey and Mr N Wilmott
(Alexandra Palace and Park Consultative Committee).

Observer:

Mr D. Liebeck (Chair, Alexandra Park and Palace Advisory Committee).

AGENDA

1. **APOLOGIES FOR ABSENCE**
2. **URGENT BUSINESS: THE CHAIR WILL CONSIDER THE ADMISSION OF ANY LATE ITEMS OF URGENT BUSINESS. (LATE ITEMS WILL BE CONSIDERED UNDER THE AGENDA ITEM WHERE THEY APPEAR. NEW ITEMS WILL BE DEALT WITH AT ITEMS 13 AND 19)**
3. **MINUTES (PAGES 1 - 12)**
 - (1) To approve the minutes of the special meeting of the Board held on (a) 27 March 2006, and the ordinary meeting held on (b) 11 April 2006; **ATTACHED**
 - (2) To approve the minutes of the Consultative Committee held 27 June 2006; **TO FOLLOW**
4. **QUESTIONS: TO CONSIDER ANY QUESTIONS RECEIVED IN ACCORDANCE WITH STANDING ORDER 30.**

5. **DEPUTATIONS/PETITIONS :TO CONSIDER RECEIVING DEPUTATIONS AND/OR PETITIONS IN ACCORDANCE WITH STANDING ORDER 31**
6. **AUDIT OF ACCOUNTS: TO RECEIVE AND CONSIDER THE AUDITED ACCOUNTS, ASSOCIATED MANAGEMENT ACCOUNTS AND MANAGEMENT LETTER FOR 2005/06. (REPORT OF THE GENERAL MANAGER AND EXTERNAL AUDITORS) TO FOLLOW**
7. **OPERATING BUDGET: TO ADVISE THE BOARD OF THE TWO MONTHS RESULTS TO END OF MAY 2006 AND THE FORECAST FOR THE FULL YEAR 2006/07. (REPORT OF THE GENERAL MANAGER) (PAGES 13 - 16)**
8. **HERITAGE LOTTERY FUNDED LANDSCAPE DEVELOPMENT PROJECT UPDATE : TO UPDATE ON PROGRESS MADE TOWARDS THE PROGRAMME OF WORKS FOR THIS YEAR'S PROJECT ITEMS. (REPORT OF THE DEVELOPMENT MANAGER) (PAGES 17 - 22)**
9. **APPOINTMENT OF DIRECTORS TO ALEXANDRA PALACE TRADING LTD : TO SEEK NOMINATIONS AND THE AGREEMENT OF THOSE NOMINATED TO ACT AS DIRECTORS OF THE TRADING COMPANY OF WHICH THE CHARITY IS SOLE SGAREHOLDER. (REPORT OF THE GENERAL MANAGER) (PAGES 23 - 26)**
10. **SECTION 36(6) REPRESENTATIONS : TO CONSIDER THE REPRESENTATIONS SUBMITTED FOLLOWING THE POSTING OF NOTICES IN THE BUILDING AND PARK. (REPORT OF THE GENERAL MANAGER) TO FOLLOW**
11. **SPECIAL MEETING OF THE ALEXANDRA PALACE AND PARK BOARD - TO AGREE THE DATE FOR A SPECIAL MEETING OF THE BOARD TO CONSIDER A REPORT RELATING TO THE FUTURE OF THE ASSET.**
12. **CHANGES TO BANK SIGNATORIES - TO SEEK NOMINATIONS AND APPROVAL FOR CHANGES TO THE TRUSTEE BANK MANDATE. (REPORT OF THE GENERAL MANAGER) (PAGES 27 - 28)**
13. **NEW ITEMS OF URGENT BUSINESS: TO CONSIDER ANY NEW ITEMS OF BUSINESS ADMITTED UNDER ITEM 2 ABOVE.**
14. **EXCLUSION OF THE PRESS AND PUBLIC**

The following items are likely to be subject of a motion to exclude the press and public from the meeting as they contain exempt information as defined in section 100A of the Local Government Act 1972; namely information relating to the business or financial affairs of any particular person (including the Authority holding that information), and information which is likely to reveal the identity of an individual.

15. **MINUTES : TO APPROVE THE EXEMPT MINUTES OF THE SPECIAL MEETING OF THE BOARD HELD ON (A) 27 MARCH 2006, AND (B) 11 APRIL 2006. (PAGES 29 - 38)**
16. **FUTURE USE OF ALEXANDRA PALACE - TO ADVISE THE CHARITY TRUSTEES OF FURTHER PROGRESS MADE IN NEGOTIATIONS WITH THE SELECTED INVESTMENT PARTNER. (REPORT OF THE GENERAL MANAGER)**
17. **THE MANAGEMENT OF THE RESIDUAL FUNCTIONS OF THE CHARITY - TO CONSIDER RECOMMENDATIONS ON THE MANAGEMENT REQUIREMENTS POST TRANSFER OF THE ASSET. (REPORT OF THE GENERAL MANAGER) (PAGES 39 - 42)**
18. **REVIEW OF GENERAL MANAGER POSITION - TO CONSIDER RECOMMENDATIONS ON THE POST OF GENERAL MANAGER AFTER TRANSFER OF THE ASSET (REPORT OF BERWIN LEIGHTON PAISNER)**
19. **NEW ITEMS OF URGENT BUSINESS: TO CONSIDER ANY NEW ITEMS OF BUSINESS ADMITTED UNDER ITEM 2 ABOVE.**
20. **TO NOTE THE DATES OF MEETINGS OF THE BOARD FOR THE REMAINDER OF THE MUNICIPAL YEAR 2006/0007 AS FOLLOWS:**

**12 SEPTEMBER 2006
14 NOVEMBER 2006
6 FEBRUARY 2007
10 APRIL 2007**

Yuniea Semambo
Head of Member Services
River Park House
225 High Road
Wood Green
London N22 8HQ

Clifford Hart
Principal Support Manager (Council)
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26 June 2006

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**Unrestricted Minutes of the Alexandra Palace and Park Board
27 MARCH 2006**

DRAFT

ITEM 3 (1) (a)

Councillors: * Manheim (Chair), *Dillon (Deputy-Chair), *Haley, *Hare, *Hoban, *Krokou, Reynolds, and *Robertson.

Non-voting representatives: *Ms V. Paley, *Mr M. Tarpey and *Mr N Wilmott

Observer: Mr D Liebeck - Chair, Alexandra Park and Palace Advisory Committee)

*Members present.

Also present:-

Melanie Griffin	Arup (Planning)
Tessa Kimber	Berwin Leighton Paisner (Legal)
Laurie Heller	Berwin Leighton Paisner (Legal)
Peter Conboy	Abros
Roger Vail	King Sturge (Valuation, Market Knowledge & Building Surveyors)
Ian Harris	Trust Solicitor
Keith Holder	General Manager – Alexandra Palace
Clifford Hart	Principal Support Manager (LB Haringey) – Clerk to the Board

AP054 APOLOGIES FOR ABSENCE: Nil

AP055 DECLARATIONS OF INTERESTS: Nil

NOTED

AP056 URGENT BUSINESS

The Clerk advised that whilst there were no new Items of urgent business, Item 5 on the agenda had been sent to Board Members after the despatch of the main agenda and would therefore require reasons for urgency to be stated when the Board reached this Item.

NOTED

AP057 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED

That the following items are likely to be subject of a motion to exclude the press and public from the meeting as they contain exempt information as defined in section 100A of the Local Government Act 1972; Para 1 – Information relating to any individual ;Para 2 – Information which is likely to reveal the identity of an individual; Para 3 – Information relating to the business or financial affairs of any particular person (including the Authority holding that information).

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AP058 ALEXANDRA PALACE – CONTRACT NEGOTIATIONS – PROGRESS -

Agreed the recommendations contained in the report with variances as proposed.

**AP059 ALEXANDRA PALACE – SUBMISSION OF SECTION 36 NOTICE TO THE
CHARITY COMMISSION - Report of the General Manager (Agenda Item 6)**

Agreed the recommendations contained in the report.

**AP060 THE MANAGEMENT OF THE RESIDUAL FUNCTIONS OF THE CHARITY
– Report of the General Manager (Agenda Item 7)**

Agreed the recommendations contained in the report with variances as proposed.

The meeting ended at 22.35HRS.

VIVIENNE MANHEIM
Chair

**Unrestricted Minutes of the Alexandra Palace and Park Board
11 April 2006**

DRAFT

ITEM 3 (1) (b)

Councillors: * Manheim (Chair), *Dillon (Deputy-Chair), *Haley, *Krokou, Reynolds, Robertson, Hare and *Hoban.

Non-voting representatives: Ms V. Paley, Mr M. Tarpey and *Mr N Wilmott

Observer: Mr D Liebeck - Chair, Alexandra Park and Palace Advisory Committee

*Members present.

Also present:

Tessa Kimber	Berwin Leighton Paisner (Legal)
Laurie Heller	Berwin Leighton Paisner (Legal)
Ian Harris	Trust Solicitor
Keith Holder	General Manager – Alexandra Palace
Ken Harrington	Head of Finance – Alexandra Palace
Matt Baker	Parks Development Manager – Alexandra Palace
Clifford Hart	Principal Support Manager (LB Haringey) – Clerk to the Board

AP054 APOLOGIES FOR ABSENCE (Agenda Item 1): Apologies for absence were received on behalf of Councillors Hare and Robertson, and Mr Tarpey and Ms Paley.

AP055 DECLARATIONS OF INTERESTS (Agenda Item 2):

Nil.

AP056 URGENT BUSINESS (Agenda Item 3):

The Clerk – Mr Hart, advised that whilst there were no items of urgent business a briefing in relation to Item 9 had been TABLED and the Parks Manager would give a verbal update to accompany this.

NOTED

AP057 MINUTES (Agenda Item 4): (1) Meetings of the Alexandra Palace and Park Board held on (a) 07.02.06, Special meeting held on (b) 30.01.06, and (c); (2) to approve the minutes of the Consultative Committee held on 04.04.06 and (3) to receive the minutes of the Advisory Committee held on 03.04.06.

(1)(a) Alexandra Palace and Park Board – 07.02.06

RESOLVED

That the Minutes of the meeting of the Board held on 7 February 2006 be approved and signed by the Chair.

(1)(b) Special Alexandra Palace and Park Board – 30.01.06

RESOLVED

That the Minutes of the special meeting of the Board held on 30 January 2006 be approved and signed by the Chair.

(2) Alexandra Palace and Park Consultative Committee – 04.04.06

The Clerk advised that the Minutes were drafted but not available for consideration.

NOTED

(3) Alexandra Palace and Park Advisory Committee – 03.04.06

The Clerk advised that the Minutes were drafted but not available for consideration. However the Board had been circulated with the deliberations and recommendations to the Board arising from that meeting, and the deliberations of the Advisory Committee were now before the Board for its consideration.

The Chair advised that the Board would consider the deliberations at this point in the proceedings.

Mr Liebeck, in his capacity as Chair of the Advisory Committee, advised the Board of the deliberations of the Advisory Committee of 3 April 2006 in response to the replies of the Alexandra Palace and Park Board on 30 January 2006 (relating to the 7 points of advice and recommendations arising from the meeting of the Advisory Committee on 24 January 2006) as follows:

That the Alexandra Palace and Park Board be requested to consider the following resolutions of the Advisory Committee of 3 April 2006 as detailed below.

With regard to the CUFOS lease, that the developer be required to commit to maintain a community use for the premises on favourable terms with CUFOS or another similar party at the end of their lease term (2011) to ensure that the premises continue to be used as a community facility at an affordable rent.

In response the Trust Solicitor – Mr Harris responded that his advice to the Board was that it was for the current occupier – CUFOS to negotiate a lease with the new landlord in 2011 after the expiry of the existing lease. The legal advisers to CUFOS had recommended to them, and CUFOS had therefore not negotiated a lengthy lease, and it would then be for them to negotiate a new lease in 2011 should they wish to continue to occupy the premises.

In response to further points of clarification Mr Harris advised that the Board, if it so wished, could indicate a preferred approach by the

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11 April 2006**

developer to continued community use but should not be imposing a requirement such as that recommended by the Advisory Committee. It would also be inappropriate of the Board of Trustees to add this as a requirement at this late stage in the process of negotiation.

The Chair then summarised and the Board;

RESOLVED

That in respect of the request of the Advisory Committee in respect of the CUFOS Lease arrangements the Board expresses a preference to the preferred investment partner to continued community use of the premises currently occupied by CUFOS upon expiry of the CUFOS lease in 2011.

The Board review its response and note the Advisory Committee's criticism of:

- (a) the Board's refusal to extend its period of public consultation in respect of the submitted plans for the development of the Palace;
- (b) of the lack of public consultation with the local community in respect of the development brief and the refusal to agree an extended period of public consultation prior to the expiry of the bid submission deadline;
- (c) That since 30 January 2006 there has been no consultation with the local community as to the proposed development although the Board advised that this would be requested, and that such consultation should be carried out forthwith and in accordance with the 8 principles of consultation adopted by LB Haringey;
- (d) Additional comment:

that the Board be reminded of its duties to consult the Advisory Committee and take note and give due and proper regard to the recommendations of the Advisory Committee in accordance with the Alexandra Park and Palace Act 1985 Part 9 (3):

'The Trustees shall consult the Alexandra Park and Palace Advisory Committee on all matters specified in paragraph 19 of Schedule 1 of this Act, shall have due and proper regard to advice from the said Committee on those matters and shall use their best endeavours to give effect to such reasonable recommendations of the said Committee as are expedient in the interests of the charity and consistent with the trusts thereof. '

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In response to the points and clarification of issues by Members the General Manager – Mr Holder reiterated his previous comments that there would be a considerable level of consultation by the selected investment partner once discussions on the heads of terms and the subsequent lease and building agreement were concluded. At this stage Firoka will be developing planning applications and it is they who would be carrying out the consultation with interested bodies. The information provided by Firoka was the only information submitted and had been in the public domain in accordance with the laid down timetable agreed by the Board. Mr Holder stressed that what had happened previously had not in any way constituted a process of consultation and it was not intended that it should. It is at the stage of planning applications being prepared for the various development stages that the process of detailed consultation would be carried out.

The Chair summarised and the Board agreed to note the aforementioned comments expressed by the Advisory Committee.

NOTED

Future of the Asset

Mr Liebeck advised that the Advisory Committee, in considering the future of the asset had asked that the Board note and give due and proper regard to the following recommendations and indicate whether or not it intends to accept the same :

1. that the name 'Alexandra Palace' be retained in the future development of the palace and that this requirement be imposed on the new tenant;
2. that in respect the Notice of proposed disposition under Section 36 of the Charities Act 1993, the Advisory Committee objects to the inclusion of the roadway and southern extension in respect of the lease to be granted to the Firoka Group, and expresses its surprise that a public notice (which the General Manager stated as being inaccurate) should be displayed in such an inaccurate form;
3. that the Board of Trustees be requested to ensure that the developer (the Firoka Group) is obliged to consult with the Committee in such manner and to like extent as the Board is required by the Act, so as to mirror the statutory relationship between the Advisory Committee and the Board, to include a provision whereby the appropriate responsible officer(s) of the developer (the Firoka Group) be obliged to attend future meetings of the Advisory Committee, as currently the General Manager appointed by the Board ;
4. that in respect of the future development of the Palace and the use of parking facilities by patrons, the Advisory Committee recommend that no charge should be made for public parking in those areas within the development footprint save where and in so far as expressly permitted by the Act; and

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5. that the Board be requested to ensure that a full traffic survey be undertaken and provided as soon as possible and before the proposal be finally accepted.

With regard to the first point in terms of the future name of the Palace Members sought clarification from the General Manager as to appropriate to insist that the Firoka Group keep the existing name and that that this be explicitly imposed as a condition. Members also sought clarification regarding the legal standing of the actual name, and who had the rights to the name.

Mr Holder responded that the name could not be patented given the whole number of organisations that used the name in their publicity etc. No one body or organisation had any rights to the name 'Alexandra Palace'. However it would be possible to recommend that the name Alexandra Palace remain and that this request could be passed to the project team for consideration in the negotiation process. Mr Harris also advised that the name could not be imposed on the preferred bidder nor were they obliged retain the name 'Alexandra Palace'. However there was no reason why the Board could state to the preferred developer that the name 'Alexandra Palace' was its preference for the name of the building.

Councillor Hoban commented that he disagreed with the fact that the name could not be imposed and felt strongly that it should be imposed. In response Mr Harris commented that should there be an insistence that the name be imposed this could have an effect of being a 'deal breaker' during the process of the final negotiations and one that could affect the outcome of the contract.

The Chair felt and the Board agreed that the Board was within its rights to state to the selected preferred bidder that it had a preference for the building to be named 'Alexandra Palace', and it was:

RESOLVED

That the selected preferred bidder be asked to consider the Board's desire for a preference for the building to retain its existing name of 'Alexandra Palace' and be named 'Alexandra Palace' only, following the taking over the building by the selected preferred bidder.

Mr Liebeck then referred to the Notice of proposed disposition under Section 36(6) Charities Act 1993 and that the Advisory Committee had objected to the inclusion of the roadway and southern extension in respect of the lease to be granted to the Firoka Group, and it had also expressed its surprise that a public notice (which the General Manager stated as being inaccurate) should be displayed in such an inaccurate form.

In response Mr Harris advised that the 'footprint' map as circulated was not inaccurate as this was in fact the footprint of the area in question. The Section 36 notice was a required statutory instrument which stated the powers that the Trust had to let the foot print but that the Trust had chosen a different area within the footprint to be let. The Trust did have the power to

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let the road if it so wished but it had chosen not to. The road would be omitted from the lease.

The Chair advised that the Advisory Committee be informed of this fact accordingly.

RESOLVED

That the Advisory Committee be advised that the 'footprint' map as circulated was indeed not inaccurate as this was in fact the footprint of the area in question, and further that the Section 36 notice was a required statutory instrument which stated the powers that the Trust had to let the footprint but that the Trust had chosen a different area within the footprint to be let, and that the Trust did have the power to let the road if it so wished but it had chosen not to.

Mr Liebeck then referred to the concerns of the Advisory Committee that the Board of Trustees be requested to ensure that the developer (the Firoka Group) is obliged to consult with the Committee in such manner and to like extent as the Board is required by the Act, so as to mirror the statutory relationship between the Advisory Committee and the Board, to include a provision whereby the appropriate responsible officer(s) of the developer (the Firoka Group) be obliged to attend future meetings of the Advisory Committee, as currently the General Manager appointed by the Board. Mr Liebeck commented on the serious concerns of the Committee that the future link with the Board and the preferred developer would no longer exist.

In response Mr Harris advised that the Charity Commission had expressed its view in terms of the operation of the Advisory committee, and its statutory functions. There was no obligation on the part of the preferred bidder to have to attend and have dialogue with the Advisory committee. It was the Board who would have the direct contact with Firoka. Should Firoka wish to alter a part of lease etc then the trustees as landlord would have to consider such changes, and consult with the Advisory and consultative committees accordingly.

The Chair summarised and the Board **NOTED** the concerns of the Advisory Committee and the advice given by the Trust Solicitor in response, and that this response be forwarded to the Advisory Committee accordingly.

Following a brief discussion on the point in respect of the future development of the Palace and the use of parking facilities by patrons, and the Advisory Committee's recommendation that no charge should be made for public parking in those areas within the development footprint save where and in so far as expressly permitted by the Act the Board confirmed that that there would be no charge. With regard to the request that the Board ensure that a full traffic survey be undertaken and provided as soon as possible and before the proposal be finally accepted Mr Holder advised that the traffic management survey would be carried out by Firoka after the lease and contracts had been signed.

NOTED

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AP058 QUESTIONS (Agenda Item 5):

None were received

AP059 DEPUTATIONS/PETITIONS (Agenda Item 6):

The Chair advised that a deputation request had been received from the Alexandra Palace Television Group, and asked whether the Board was in agreement to hearing the deputation. The Chair also referred to the DVD circulated to all Board Members which told the story 'TV coming to Alexandra Palace' which, if the Board were so minded, would be shown to the Board prior to hearing the deputation.

The Board agreed to view the DVD and then hear the deputation.

The Board then viewed the contents of the DVD (approx 17 mins) and then received the deputation from Dr J. Lewis, on behalf of the Alexandra Palace Television Group. During the deputation Dr Lewis reminded the Board of the historic importance of the Palace, and the unique place it occupied in terms of television broadcasting around the world. Dr Lewis commented on the retained iconic mast, the original tv studios A & B and their history and the first broadcast by the BBC in 1936. Dr Lewis also advised of the transmitter modifications during the second World War which were successful in jamming the navigation systems of German Bombers sent to attack UK targets, and also in the 1950's the Palace assisted in the development of colour television. Dr Lewis briefly concluded by referring to the Palace's location in terms of the post war industrial and electronic technological revolution in the Lee Valley.

The Chair thanked Dr Lewis for his deputation and asked if there were any questions from Members. Members sought and received clarification from Dr Lewis as to the importance of the Studios A, and the view of the BBC as to the importance of the Palace given its historical importance.

NOTED

AP060 TO CONSIDER REQUESTS FROM ORGANISATIONS FOR REPRESENTATION ON THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE (Agenda Item 7):

ALEXANDRA PALACE TELEVISION GROUP

ALEXANDRA PALACE ALLOTMENTS ASSOCIATION

FRIENDS OF ALEXANDRA PALACE PARK

The Clerk to the Board – Mr Hart, advised the Board that each organisation has furnished details of their organisation's constitution, and AGM or

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inaugural meeting. In accordance with the requirements of the constitution of the Alexandra Palace and Park Consultative Committee (circulated) the requests were therefore put to the Board for consideration. Mr Hart informed the Board that having considered each Group's submissions each met the criteria for membership of the Consultative Committee. Mr Hart also advised that copies of each organisation's written requests for representation and copies of each organisation's Constitution/AGM or inaugural meeting had been circulated to Board Members for information.

In response to questions from Councillor Haley in respect of Councillor Hare's membership on both the Allotments Association, and the Television Group the Trust Solicitor – Mr Harris advised that it was for the individual to determine whether they had a personal conflict and to take the necessary steps to avoid such conflict.

Councillor Haley further asked why neither of the other two groups had not had the decency to attend the Board meeting to address the proceedings in respect of their applications. In response Mr Harris advised that there was no requirement for each organisation to address the Committee in respect of their application and that that the appointment to the Consultative Committee was academic. The Television Group had addressed the Board not in their capacity as applicants to the Consultative Committee but as a group with an interest in the future of TV studios at the Palace.

The Chair then summarised and it was:

RESOLVED

That approval be given to applications received from the following organisations for appointment to the Alexandra Palace and Park Consultative Committee:

ALEXANDRA PALACE TELEVISION GROUP

ALEXANDRA PALACE ALLOTMENTS ASSOCIATION

FRIENDS OF ALEXANDRA PALACE PARK

AP061 OPERATING BUDGET (Agenda Item 8)

Mr Harrington, the Finance Manager, advised the Board of the 11 month result to the end of February 2006 and the forecast to the end of the year. Members were asked to note that the result for period 11 when compared with the budget for the same period showed a saving of £318K before development costs (set out in Appendix 1 of the report); representing an overall saving against budget of 14.4% for the comparable period.

RESOLVED

That the contents of the report be noted and agreed.

**AP062 HERITAGE LOTTERY FUNDED LANDSCAPE DEVELOPMENT PROJECT
UPDATE (Agenda Item 9):**

The Parks Development Manager - Mr Baker TABLED an update report of progress, a copy of which will be interleaved with the minutes. Mr Baker introduced this item which updated the Board on progress on the HLF refurbishment of the park and specifically highlighted the Landscape Contract, Buildings Contract, and Civils Contracts as detailed.

Mr Baker then responded to detailed concerns and questions from Members in relation to tree clearing and thinning, and the prevalent misconceptions of local residents that work was being directed by the preferred bidder, Firoka. In giving assurances that all works carried out as part of the agreed HLF contract, Mr Baker agreed to update the report in order for it to be circulated to members of the Advisory Committee, and Consultative Committee for their information. Mr Baker further responded to other particular comments in respect of the cleaning and maintenance of the playground toilets, and the general upkeep.

The Chair then summarised and it was:

RESOLVED:

- i. That the report be agreed and noted; and
- ii. That the Parks Development Manager update the report in light of perceived public misconceptions and arrange for it to be circulated to members of the Advisory Committee, and Consultative Committee for their information.

AP063 NEW ITEMS OF URGENT BUSINESS: (Agenda Item 10):

Nil

AP064 EXCLUSION OF THE PRESS AND PUBLIC (Agenda Item 11):

RESOLVED

That the Public and press be excluded from the proceedings as the following items contain exempt information as defined in section 100A of the Local Government Act 1972 namely; Para 3 – Information relating to the business or financial affairs of any particular person (including the Authority holding that information).

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SUMMARY OF EXEMPT/CONFIDENTIAL PROCEEDINGS

AP065 MINUTES (Agenda Item 12):

Agreed the exempt minutes of the meetings of the Board held on 30 January 2006.

AP066 UPDATE – FUTURE OF THE –ASSET (Agenda Item 13):

NOTED

**VIVIENNE MANHEIM
Chair**



Agenda item:8

ALEXANDRA PALACE & PARK BOARD**On 4th July 2006**

Report Title: **2 MONTHS RESULTS TO THE END OF MAY 2006 + FULL YEAR FORECAST 2006/07**

Report of: **Keith Holder, General Manager, Alexandra Palace & Park**

1. Purpose

1.1 To advise the Board of the 2 months result to the end of May 2006 and full year forecast to the end of the year.

2. Recommendations

2.1 Members are asked to note the income and expenditure for 2 months to end of May 2006 contained in the report and summarised at Appendix I. The 2+10 forecast against budget is tabulated at Appendix II.

Report Authorised by: **Keith Holder, General Manager**.....

Contact Officer: Ken Harrington, Head of Finance, Alexandra Palace & Park, Alexandra Palace Way, Wood Green, London N22 7AY. Telephone number 0208 365 2121.

3. Executive Summary

3.1 The 2 months result is tabulated against budget at Appendix I. The 2+10 forecast against budget is tabulated at Appendix II.

4. Reasons for any change in policy or for new policy development (if applicable)

4.1 N/A

5. Local Government (Access to Information) Act 1985

5.1 No specific background papers were used in compiling this report.

6. Description

- 6.1 The actual cumulative results for the accounting period to May 2006 (2 months) show an overall saving over budget of £64K (17.2%). These figures do not include the development budget or costs which were separately agreed by the local authority. **(Appendix 1)**.
- 6.2 The 12 months forecast comprising 2 months' actual results and the remaining 10 months of the budget is shown in **(Appendix 11)**.

Comparison of actual to budget results for the 2 month period (Appendix 1)

- 6.3 Overall net income was £224 K compared to a budget of £198K i.e. an increase of £26K (13.1 %). Detailed comments are as follows:
- Concession/ Leases : Actual results are £7K less than budget and at this stage in the year's progression is more than likely attributable to phasing of the budget.
 - Net Ice Rink income: Comparison of net actual income of £169K with net budget income of £136K shows an increase of £33K which is a gain of 24.3% on budget. Clearly this represents a substantial positive variance reflecting the increased use of the ice rink .
- 6.4 Payroll and contracted services for the period show a saving of £14K when compared with budget for the period (5 %). This saving can be analysed as follows:
- Salaries: This shows a saving of £6K (8.3%) over budget for the period of which £3K is within the Ice Rink area.
 - Wages/Casuals : The loss of £3K (10.7%) arises within the Ice Rink area and is compensated by the gain on salaries –again within the Ice Rink area - as pointed out above. This compensatory effect follows the trend experienced throughout 2005/6 and reflects the differences occasioned by vacancies and the use of casual staff during recruitment periods.
 - Contracted services: This shows an increase over budget of £17K (9.4%) and is due to the costs for year ending 05/06 being understated . This has arisen from the late receipt of an outstanding invoice for £26K which was only recently received.
 - Fixed overheads show an increase over budget of £13K for the period which represents 18.4% of the overall budget .This negative variance is due to legal costs (£16K) and general insurance costs (£3K) with savings arising in the remaining areas of fixed overheads
 - Variable overheads show a saving of £65K over budget which represents 29.7% of the total. Depreciation is £8K below budget arising from capital expenditure being carefully monitored.
 - Development costs : No specific budget was established for 06/07 as in previous years. Costs however are by necessity being incurred in connection with this ongoing project and as shown on Appendix 1 amount to £61K.
- 6.5 A comparison of expenditure versus income for the comparable period last year is presented as Appendix III.

7. Consultation

7.1 N/A

8. Summary and Conclusions

8.1 The 2 months result is tabulated against budget at Appendix I. The 2+10 forecast is tabulated against budget at Appendix II.

9. Recommendations

Members are asked to note the income and expenditure for the 2 months to the end of May 2006 contained in the report and summarised at Appendix I. The 2+10 forecast against budget is tabulated at Appendix II.

10. Legal and Financial Comments

10.1 The Trust's Solicitor and Director of Finance have been sent a copy of this report.

11. Equalities Implications

11.1 There are no perceived equalities implications in this report.

12. Use of Appendices / Tables / Photographs

12.1 Appendix I – Summary of the budget versus actual for 2 months to May 2006.

12.2 Appendix II – Summary of the budget versus 2+10 forecast for 2006/07.

12.3 Appendix III – Summary of the actual income expenditure comparison for 2005/06.

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Agenda item: **8**

Alexandra Park & Palace Board Meeting

On 4th July 2006

Report Title: **Heritage Lottery Funded Landscape Development Project - Progress Report.**

Report of: **Matthew Baker, Development Manager – Parks**

1. Purpose

1.1 To update the Board of progress towards the achieving completion of the works specified in the HLF refurbishment of the Park.

2. Recommendations

2.1 That the Board notes the report.

Report Authorised by: **Matthew Baker, Development Manager:**

Contact Officer: **Matthew Baker, Development Manager**

3. Executive Summary

3.1 This report provides a statement of progress toward the achievement of the HLF funded programme of works.

4. Reasons for any change in policy or for new policy development (if applicable)

4.1 N/A

5. Local Government (Access to Information) Act 1985

5.1 Further information about this report can be obtained from Matthew Baker, Development Manager – Parks, Alexandra Palace & Park, Alexandra Palace Way, Wood Green, London, N22 7AY. Telephone number 0208 365 2121

6. Background

- 6.1 Blakedown Southeast are making good progress with the phase two package of works as specified by Land Use Consultants in accordance with the approved purposes of the Heritage Lottery Grant.

The contractor had previously prepared a programme of works with the intention of completing all the works by July 2006, leaving a six month period between August 2006 – January 2007 for any additional works and to attend to defects. Unfortunately due to the early announcement of a national hose pipe ban and potential water restrictions a decision has been taken to postpone the majority of the planting phase until the end of the summer 2006 to ensure the best conditions for establishment of new stock.

In addition to this all tree work has been suspended until the autumn in order to prevent disturbance during the nesting season.

Please note general tree maintenance/Emergency works will be still be carried out in order to reduce the risk to visitors.

- 6.2 Blakedown are contracted to complete the improvements to the main road as part of the Civil engineering package of works. Work commenced in February following the Motorcycle show and has been phased over a seven month period. Colin Buchanan and Partners who were responsible for this aspect of the project have continued to liaise with Highways Authority and Transport for London to ensure the design proposal satisfies all of the requirements.

Due to changes in the regulations for new bus stops introduced in January 2006 it has not been possible to reduce the number of Bus stops to the West of the Palace as previously reported. Transport for London have stated that they would not support the removal of the existing stops as they are networked to there electronic timetable system. In addition to this the location which had been identified for the single stop has does not comply with their new regulations.

For reasons of Health & Safety it will be necessary to operate temporary traffic lights during much of the Civils works. Blakedown have contracted 'A-Plant' Traffic Systems assist with all traffic management issues to ensure that the works are in accordance with the regulations for highways work.

In broad terms these improvements are focused at reducing the speed of vehicles within the park, increasing the number of pedestrian links between the Palace and Park and improving the general road layout.

The improvements which fall outside of the Park Boundary will be completed by the highway authority and LUC will liaise to ensure that these works are carefully phased with Blakedown programme.

6.2.1 Bedford Road Entrance

The Gantry will be removed and the main entrance realigned with a speed table constructed to slow vehicles when entering and exiting the

Park. The speed table will be constructed to pavement level in order to provide improved access for pedestrians and mobility impaired visitors. The retaining wall to the north of the carriage way will be repaired and the pavement to the south realigned with the main footpath leading to the train station. All old road markings will be removed and replaced with new ones; new road traffic and site signage will be installed.

6.2.2 Muswell Hill Entrance.

The Gantry will be removed and the section of road from the entrance down to the traffic lights re realigned with a speed table constructed to slow vehicles when entering and exiting the Park. The speed table will be constructed to pavement level in order to provide improved access for pedestrians and mobility impaired visitors. The area directly in front of the Historic gates will be reorganised to provide two clear lanes connecting the exit & approach with the junction with the main road adjacent to the traffic lights. This will reduce the number of spaces available for parking outside the palace gates, provide clear access to the lower road and improve the visual aspect of the park entrance. All old road markings will be removed and replaced with new ones; new road traffic and site signage will be installed.

6.2.3 Alexandra Palace Way

The section of main road leading from the Bedford Road Entrance towards the Palace will be reduced from three lanes to two. This will reduce the temptation for vehicles to speed up hill in order to overtake slower vehicles. This will effectively mean that the existing downhill lane will be surplus and sections of this will be reorganised to provide a single lane of additional parking bays. All old road marking will be removed and replaced with new ones; new road traffic signage will be installed.

6.2.4 A mini roundabout will be constructed at the entrance to the East Car Park and the approaching sections of road realigned to improve visibility. New signage and warning lighting will be installed.

6.2.5 The section of road to the South of the Palace will be coated in a bound gravel surface with speed tables constructed at each of the crossing points. The speed table will be constructed to pavement level in order to provide improved access for pedestrians and mobility impaired visitors. All old road marking will be removed and replaced with new ones; new road traffic signage will be installed.

6.2.6 The coach bay will be reorganised to reduce the visual impact of the area including a crossing point connecting the small island bus stop with the opposite side of the main road.

6.3 Diamond Build are making good progress with the park buildings and estimate full completion by week ending 18th June 2006.

Strutt & Parker, property consultants, have completed a site inspection of the new buildings and will be advising on the commercial value of each. This information will be

used to prepare new contracts for each property prior to advertising the opportunities. Letters will be forwarded to all those that have expressed an interest during the last 3 years informing them of where and when the advertisement(s) will be placed.

7. Description

Progress towards the items outlined in the HLF refurbishment of the Park.

Landscape Works

7.1 Boating Lake

Blakedown has completed the improvement works to the Boating Lake area which include the new designated fishing areas funded by the £10k Environment Agency Fisheries Grant. The timber fishing 'pegs' have all been constructed to provide full access for mobility impaired users and are located along two sections of the pond edge which have been designated for fishing. The main fishing area also includes benches, bins and signage for club members and an Environment Agency notice to inform visitors that fishing permits are required. Land Use Consultants have prepared a list of marginal plants which will be planted to finish the boating lake improvement works.

The water quality of the lake being regularly monitored by the parks team using a standard water testing kit and the data recorded. Samples are also being sent to 'Water Habitat Ltd' for full analysis to ensure we receive an early warning of any potential problems, e.g. Algae blooms, low oxygen, pollutants.

A power supply has been run to the large island which will enable the installation of three ultrasonic units for the control of Algae blooms. In addition to this two aeration units will also be installed to assist with maintaining water quality.

7.2 Redston Road Playing Fields

The tree planting completed in March 2006 has unfortunately presented some unforeseen concerns relating to the potential for future tree/root nuisance arising from their distance from the boundary fence and adjoining properties.

After reviewing with our consultants the design intention to improve the habitat diversity in this area it has been agreed with the Tree Officer that the recently planted trees along the eastern edge of the former playing field will be transplanted so that none of the specimens will cause problems as they mature.

The distance at which they will be transplanted will be calculated based upon the maximum root / canopy spread for each species and the trees will be transplanted in the autumn when the conditions are more favourable.

Civils Work

7.3 Alexandra Palace Way (East Car Park to Bedford Road Entrance)

The first section of road narrowing has been completed to the main road leading from the East Car Park entrance, down the hill, towards Bedford Road entrance as outlined in section 6.2.3. The Bus Stop lay-by adjacent to the Dive Car Park has been extended in accordance with the requirements of Transport for London. The main road now operates as one lane in each direction with parking bays along the northern edge of the road. Several crossing points have also been constructed to provide improved access for pedestrians and mobility impaired visitors.

7.4 Blandford Manor Slip Road

The Bus Stop lay-by adjacent to the Blandford Road Slip Road has been extended in accordance with the regulations provided by Transport for London. The new scheme provided improved access to the adjoining areas and features a crossing point for access to the South Slopes. The slip road barrier has been moved closer to the road to restrict the space available for unauthorised parking. The old timber bollards which were installed to prevent vehicles from accessing the meadow adjacent to the main road have been replaced with an earth bund, approximately 700mm in height.

7.5 Roundabout

Construction of the new roundabout as outlined in item 6.2.4 at the entrance to the East Car Park is well underway and Blakedown's hope to have this completed by the end of June 2006.

7.6 Coach bay

Improvement works to the Coach bay as outlined in item 6.2.6 have been completed and include improved pedestrian access to the Bus Stop and a mobility impaired crossing point. The Coach bay has been realigned in order to improve upon safety during coach loading and unloading.

8. Consultation

8.1 Public Consultation took place prior to the preparation of the Stage II Bid application to the HLF for the Landscape Development Grant 2001. In addition to this a design competition and two days public consultation were carried out in May 2003 to encourage children and parents to suggest what they would like in their ideal play area.

9. Summary and Conclusions

9.1 This updates the Board as to the progress towards the completion of the works

10. Recommendations

10.1 That the Committee notes the report.

11. Legal and Financial Comments

11.1 Copies of this report have been sent to the Trust Solicitor and Director of Finance.

12. Equalities Implications

12.1 There are no perceived Equal Opportunities implications

13. Use of Appendices / Tables / Photographs

13.1 None used.

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Agenda item: 9

Alexandra Palace & Park Board**On 4th July 2006**

Report Title: Appoint of Directors to Alexandra Palace Trading Ltd.

Report of: **Keith Holder, General Manager**

1. Purpose

1.1 To seek nominations and the agreement of those nominated to act as directors of the trading company of which the charity is sole shareholder.

2. Recommendations

2.1 That the board resolve to appoint four of their number to the board of directors of Alexandra Palace Trading Ltd.

Report Authorised by: **Keith Holder, General Manager**.....

Contact Officer: **Keith Holder, General Manager, Alexandra Palace & Park, Alexandra Palace Way, Wood Green N22 7AY Tel No. 020 8365 2121**

3. Executive Summary

3.1 This report sets out the rationale for the appointment of charity trustees as company directors in accordance with memorandum and articles of association of Alexandra Palace Trading Ltd.

4. Reasons for any change in policy or for new policy development (if applicable)

4.1 N/A

5. Local Government (Access to Information) Act 1985

5.1 No specific background papers other than the memorandum, and articles of association of APTL were used in compiling this report. For further information contact Keith Holder, General Manager, Alexandra Palace, Wood Green, London N22 7AY. Tel. 020 8365 4300.

6. Description

- 6.1 Alexandra Palace Trading Ltd. [APTL] is a formally constituted company under the Companies Act 1985. The company has an entirely separate legal identity to that of the charity. The Memorandum and Articles of Association of APTL are attached at Appendix 1. Clause 7 of that document regulates the composition of the board of directors at 8 in number. In particular, clause 7.2.1 specifies there shall be up to four charity trustees appointed as directors of the company.
- 6.2 The changes to the board of charity trustees brought about by the May 2006 elections means that the current charity trustees who are also directors will resign and up to four charity trustees have to be appointed to the company board.
- 6.3 Each of those nominated must agree to serve as directors and each will be required to complete form 288 [a] which is then filed at Companies House.
- 6.4 The appointments take immediate effect and those appointed take responsibility for the all activities undertaken by APTL and must act in the best interest of the company at all times.
- 6.5 APTL itself will cease to exist once the transfer of all client contracts, service contracts and employment contracts of have been transferred to the Firoka Group and the final accounts of APTL have been adopted by the board of directors. The likely timescales for the responsibility to decline is September 2006 for delivery of exhibitions and events with the end of 2006 is seen as a realistic time for the consideration and signature of the final accounts for APTL from 1st April to [say] 30th September 2006. At that stage the accounts will be filed at Companies House whilst concurrently advising them that the company is and will remain dormant.
- 6.6 Those appointed will join 2 external and industry experienced non-executive directors and the general manager of the charity who also acts as in the capacity of managing director of APTL under a separate contract of employment. The eighth vacancy was designed for an officer of the local authority, normally the chief executive. However the changes in personnel at that level have meant that the vacancy has not been filled and there is little practical point to seeking to appoint this close to winding up APTL.

7. Consultation

- 7.1 There are no specific consultation requirements necessary for the board of trustees to appoint from its own membership to the board of directors.

8. Summary and Conclusions

- 8.1 This report sets out both the requirements and rationale for the appointment of four charity trustees as directors of the wholly owned trading company, Alexandra Palace Trading Ltd.

9. Recommendations

9.1 That the board resolve to appoint four of their number to the board of directors of Alexandra Palace Trading Ltd.

10. Legal and Financial Implications

10.1 Both the Trust Solicitor and Director of Finance have been sent copies of this report.

11. Equalities Implications

11.1 No specific equalities issues arise from the content of this report.

12. Use of Appendices/Tables/Photographs

12.1 Memorandum and Articles of Association of Alexandra Palace Trading Ltd.

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Agenda item: 12

Alexandra Palace & Park Board**On 4th July 2006**

Report Title: **Changes to Bank Signatories.**

Report of: **Keith Holder, General Manager**

1. Purpose

1.1 To seek approval for change to the bank mandate.

2. Recommendations

2.1 The Board nominate two trustees as secondary signatures to the charity bank account agree the changes to the bank mandate.

Report Authorised by: **Keith Holder, General Manager**.....

Contact Officer: **Keith Holder, General Manager, Alexandra Palace & Park, Alexandra Palace Way, Wood Green N22 7AY Tel No. 020 8365 2121**

3. Executive Summary

3.1 The Board has previously nominated two trustees to act as secondary signatures on the charity bank account. These have been the Chair and Deputy Chair in the past. In light of the changes arising from the local election results replacement signatories are now required.

4. Reasons for any change in policy or for new policy development (if applicable)

4.1 N/A

5. Local Government (Access to Information) Act 1985

5.1 No specific background papers were used in compiling this report. For further information contact Keith Holder, General Manager, Alexandra Palace, Alexandra Palace Way, Wood Green N22 7AY Tel: 020 8365 2121.

6. Changes to the Bank Mandate

- 6.1 The previous authorised board signatories have been ex-Councillors Manheim as Chair and Councillor Krokou as the other trustee because of the inconvenience such a responsibility would have placed on the deputy chair. It is proposed that Councillors Adje and Egan, subject to their personal agreement, become the replacement signatories.

If Councillors Adje and Egan agree to such nomination then confirmation of address through original identifying documents will be required to satisfy the bank requirements for the Financial Services Authority, Proceeds of Crime Act, Anti-Money Laundering Regulations and the Data Protection Act.

The two officer signatories are the General Manager and the Facilities Manager

7. Consultation

- 7.1 No specific consultation is required.

8. Summary and Conclusions

The current bank mandates require two signatures for cheques over £5,000 in value and for authorising changes to the charity bank account. This procedure is still required to be adopted irrespective of impending changes.

9. Recommendations

- 10.1 The board nominate and authorise, subject to their individual agreement, the Chair and Deputy Chair to sign cheques and bank authorities on behalf of the charity. ...

10. Legal and Financial Implications

- 10.1 The Trust Solicitor and Director of Finance have been sent copies of this report.

11. Equalities Implications

- 12.1 There are no specific Equalities implications which arise from the recommendations contained within this report

12. Use of Appendices/Tables/Photographs

- 13.1 Copy "Change of Business Account Signatories Mandate"

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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