



## NOTICE OF MEETING

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# Alexandra Palace and Park Board

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TUESDAY, 21ST OCTOBER, 2008 at 19:30 HRS – PALM COURT SUITE 5, ALEXANDRA PALACE, ALEXANDRA PALACE WAY, WOOD GREEN, LONDON N22.

**Councillors:**

Councillor Cooke (Chair), Egan (Vice-Chair), Dogus, Hare, Oakes, Peacock, and Williams

**Non-voting representatives:**

Ms V. Paley, Mr M. Tarpey and Mr N Willmott  
(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 10 & 14 )

**3. DECLARATIONS OF INTERESTS**

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgment of the public interest **and** if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct **and/or** if it relates to the determining of any approval, consent, licence, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

**4. MINUTES (PAGES 1 - 46)**

- (1) To approve the minutes of the meeting of the Board held on 22 July 2008, and the special meeting held on 26 September 2008 **(ATTACHED)**
- (2) To approve the minutes of the Consultative Committee held on 15 July 2008 **(ATTACHED)** and 14 October 2008 **TO FOLLOW**;
- (3) To receive the minutes of the Advisory Committee held on 7 October 2008 **(TO FOLLOW)** and to consider any recommendations contained therein **(see ATTACHED MARKED A)**.

**5. QUESTIONS, DEPUTATIONS OR PETITIONS ; TO CONSIDER ANY QUESTIONS, DEPUTATIONS OR PETITIONS RECEIVED IN ACCORDANCE WITH PART FOUR, SECTION B 29 OF THE COUNCIL'S CONSTITUTION**

**6. PARK UPDATE (ACTIVITIES): (PAGES 47 - 52)**

Report of the Park Manager Alexandra Palace - To update the Board on events and works within the Park.

**7. FIVE MONTHS RESULTS TO THE END OF AUGUST 2008 (PAGES 53 - 58)**

Report of the Head of Finance - Alexandra Palace

**8. AUDIT REPORT - REPORT OF THE INTERNAL AUDIT INVESTIGATION (PAGES 59 - 86)**

Report of the General Manager Alexandra Palace

**9. GOVERNANCE ACTION PLAN UPDATE (PAGES 87 - 102)**

Report of the General Manager Alexandra Palace

**10. NEW ITEMS OF UNRESTRICTED URGENT BUSINESS**

To consider any new items of urgent unrestricted business admitted under agenda item 2 above.

**11. 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).

**12. MINUTES (PAGES 103 - 122)**

To approve the exempt minutes of the meeting of the Board held on 22 July 2008, and the special meeting held on 26 September 2008  
**(ATTACHED)**

**13. LEASEHOLDER ARRANGEMENTS FOR THE CRICKET CLUB (PAGES 123 - 130)**

Report of the General Manager Alexandra Palace

**14. NEW ITEMS OF URGENT EXEMPT BUSINESS**

To consider any new items of urgent exempt business admitted under To consider any new items of urgent exempt business admitted under agenda item 2 above.

**15. TO NOTE THE DATE OF THE REMAINING MEETING OF THE BOARD FOR THE MUNICIPAL YEAR 2008/09 -24 FEBRUARY 2009**

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13 October 2008



**UNRESTRICTED MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 22 JULY 2008**

Councillors Cooke\* (Chair), Egan\* (Vice-Chair), Dogus\*, Hare\*, Oakes\*, Peacock\*, and Williams

Non-Voting Representatives: Ms V. Paley\*, Mr M. Tarpey\*, Mr N. Willmott

Observer: Mr D. Liebeck\*  
\*indicates Members present

Also present:

Mr D. Loudfoot - General Manager Alexandra Palace  
Mr I. Harris - Trust Solicitor  
Mr M. Evison - Park Manager Alexandra Palace  
Ms J. Parker - Director of Corporate Resources – LB Haringey  
Mr C.Hart - Clerk to the Board – Cttee Manager – LB Haringey

**MINUTE  
NO.**

**SUBJECT/DECISION**

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| <b>APBO01.</b> | <p><b>APOLOGIES FOR ABSENCE (IF ANY)</b></p> <p>Apologies for lateness were received on behalf of Councillors Dogus, and Oakes.</p> <p><b>NOTED</b></p>  |
| <b>APBO02.</b> | <p><b>URGENT BUSINESS:</b></p> <p>The Clerk to the Board – Mr Hart, advised the Board that whilst there were no items of urgent business the General Manager had TABLED an amended Appendix II to Item 8 on the agenda.</p> <p><b>NOTED</b></p>  |
| <b>APBO03.</b> | <p><b>DECLARATIONS OF INTERESTS</b></p> <p>There were no declarations of interests.</p> <p><b>NOTED</b></p>  |
| <b>APBO04.</b> | <p><b>MINUTES:</b></p> <p>a. Minutes of the meeting of the Alexandra Palace and Park Board - 10 March 2008, and special meetings held on 26 February, and 19 March 2008</p> <p><b>RESOLVED</b></p> <p>That the minutes of meetings of the Alexandra Palace and Park Board held on 10 March 2008, and the special meetings held on 26 February,</p> |

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and 19 March 2008 be agreed as an accurate record of the proceedings.

- b. Minutes of the Alexandra Palace and Park Consultative Committee – 12 February 2008

**RESOLVED**

That the minutes of meeting of the Alexandra Palace and Park Consultative Committee held on 12 February 2008 be agreed as an accurate record of the proceedings.

- c. Minutes of the Alexandra Park and Palace Advisory Committee 18 March 2008 (attached), and 8 July 2008 and to consider any recommendations contained therein

- i. 18 March 2008

**RESOLVED**

That the minutes of meeting of the Alexandra Park and Palace Advisory held on 18 March 2008 received and noted.

- ii. 8 July 2008

The Clerk to the Board – Mr Hart – advised that the minutes of the meeting of the Advisory Committee – although in draft form, were awaiting clearance and therefore had not been circulated. However there were circulated the Advisory Committee recommendations of 8 July 2008 which had specifically requested that the Board consider this evening.

The Chair thanked the Clerk for his brief explanation and referred the Board to the circulated deliberations of the Advisory Committee which related to its deliberations – firstly on 8 July 2008, and secondly of 5 February 2008 of which in particular the Board had been as yet unable to express a view or give a clear response. The Chair advised that he wished the Board to respond on both sets of resolutions and give responses at this point in the proceedings.

The Chair then asked Mr Liebeck – the Chair of the Advisory Committee to advise the Board of the resolutions for the Board to consider.

Mr Liebeck advised the Board that the circulated decisions of the Advisory Committee

- gave a clear view of how the Advisory Committee felt in respect of its concerns of how it was viewed, and that it would appear that the resolutions of the Advisory committee of 5 February 2008 had been ignored at a subsequent 3 Board meetings;
- that with regard to the current development situation and the

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on-going and protracted process the Advisory Committee were concerned at the lack of information forthcoming in relation to progress

- The Advisory Committee had not had sight of documents that it requested in respect of the draft lease and the Board's failure to disclose
- That the consultation process embarked upon by the Charity Commission had been inadequate, hence the resultant Judicial Review, and that there was a need to ensure that future consultation was reflective of the previous inadequacies
- That the Advisory Committee felt that the Board was not abiding by the requirements of the 1985 to use its best endeavours to give effect to such reasonable recommendations of the advisory Committee and that it was not sufficient just to note the expressed concerns or requests as agreed by the Advisory Committee for the Board to consider;
- That the Advisory Committee was not being obstructive in its expressions of concern but wished to work in conjunction with the Board to ensure that all views and concerns were taken account of and clear responses given;

In thanking Mr Liebeck for his summary the Chair advised that he did have a number of suggested responses for the Board to consider. In respect of the issue of the Board seemingly ignoring the Advisory Committee's expressed views on 3 separate occasions it was the case that they had not been ignored but that the Board was simply not in a position to respond on the issues until such time that it had considered its position with regard to its preferred partner. In apologising to the Committee that it had been under the impression that it was being ignored the Chair commented that it was the case that there was no further progress on the negotiations with the Firoka group which could be publicly divulged – there were discussions in relation to both legal and commercially sensitive matters and that the Board would at a future meeting be considering its options as regards the current situation. Once the Board had deliberated upon a number of factors and then had reached a decision then at that time the Advisory Committee would be informed.

In relation to the six resolutions of the Advisory Committee of 5 February 2008 as detailed below the Chair felt that the Board should deliberate on each of the said resolutions in turn.

N.B The following is a summary of discussions of the Board and not a verbatim minute of the proceedings

***RESOLUTIONS OF THE ADVISORY COMMITTEE – 5 FEBRUARY 2008***

that in respect of a number of recommendations put to the Board by the Advisory Committee on 16th October 2007 (and the subsequent

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response of the Board to those recommendations on 30th October 2007) (see attached marked A) the Advisory Committee request the Board to respond to the following points of clarification in a clear and considered manner giving reasons for either accepting or rejecting the Advisory Committee's advice:

**Resolution 1**

- i. that the decision of the Board on 30th October 2007 not to review and/or reconsider the Board's responses of 14th November 2006 (as per attachment B), and deferring such consideration until the Charity Commission had indicated its position, was in the view of the Advisory Committee, unacceptable and that it appeared to this Committee that the Board was thereby failing to act in accordance with the 1985 Act;

**Resolution 2**

- ii. that in view of the Judicial Review Decision of 5<sup>th</sup> October 2007 that the consultation process carried out by the Charity Commission was flawed; when the Charity Commission publishes its statement on how it intends to carry out a further consultation the Advisory Committee be provided with the relevant documents (unredacted) in order to enable the Advisory Committee to consider the proposals and express their view and tender advice to the Charity Commission and to the Board;

The Board discussed resolution (i) & (ii) in detail as to whether the Advisory Committee would be in a position to receive the full terms of the lease in un-redacted form and sign a 'non disclosure agreement' in terms of confidentiality.

Mr Liebeck commented that in terms of the findings of the Judicial Review it had commented that the Charity Commission's consultation had been guided somewhat by the views expressed by the Board and the preferred bidder and that the Charity Commission accordingly carried out its consultation based on such views. It was paramount that there be as much disclosure as there could possibly be and that the Board, as a public body needed to be sure that in any further consultation it was not being dictated to in any way and that it needed to be able to give clear direction as to what it felt should be available to the public.

In clarification to points raised, the Trust Solicitor – Mr Harris stated that it would only be possible for the Board to disclose information contained within a draft lease **only** at the express permission of the Board, the Charity Commission, and the proposed lessee, given that its contents had both clearly



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sensitive commercial/financial, and legal information that was of a confidential nature which could not be exposed, as indeed stated in the Judicial review judgement, and therefore publication in an un-redacted form was not possible,(although some documentation could be redacted). the Chair summarised and in relation to resolutions (i) & (ii) the Board's response to the Advisory Committee would be as follows:

***RESPONSE***

- i. that in view of the Judicial Review Decision of 5<sup>th</sup> October 2007 that the consultation process carried out by the Charity Commission was flawed; when the Charity Commission publishes its statement on how it intends to carry out a further consultation the Advisory Committee be provided with the relevant documents (minimally redacted) in order to enable the Advisory Committee to consider the proposals and express their view and tender advice to the Charity Commission and to the Board;
- ii. That the Board accepted, as did the High Court, that the Charity Commission consultation was flawed and further accepts the principle that in any further consultation by the Commission the maximum number of relevant documents be produced with the minimal redactions possible, to recognise both the indications in the judgement of Mr Justice Sullivan that some key commercial information could be redacted, and the views of the Charity Commission, the Board and the prospective lessee.

At this point in the proceedings, due to a disturbance caused by a Member of the Public, the Board agreed to adjourn for a period of 10 minutes. The Board adjourned at 20.35hrs and reconvened at 20.45hrs.

**Resolution iii**

- iii. that the Board be asked to consider the points previously made in respect of the lack of disclosure of the proposed Lease and Project Agreement to the Advisory Committee, and to comment on the view of this Committee that, had proper disclosure been made, the outcome of the Judicial Review may have been different;

The Board briefly discussed the issue of lack of disclosure of the proposed Lease and Project Agreement to the Advisory Committee, and to comment on the view of this Committee that, had proper disclosure been made, the outcome of the Judicial Review may have been different, and following discussion the Chair summarised the Board's response to the Advisory Committee would be as

follows;

**RESPONSE**

That the comments of the Advisory Committee that had there been disclosure of documentation the outcome of a judicial review application may have been different or no such application might have been made, be noted

**Resolution iv**

- iv. that the Board should confirm that in respect of this Committee it will in future adopt the policy, principles and objectives of the London Borough of Haringey and central Government in relation to the consultation process concerning the Firoka proposals.

The Board discussed the resolution and commented that in respect of the issues of the consultation process whilst the Board sympathised with the views expressed the actual consultation process was something that was formulated and undertaken by the Charity Commission and therefore a process that the Board itself was unable to comment upon as it was neither the Board's or the Borough's consultation procedures. However the Chair commented that the Advisory Committee may wish to advise the Charity Commission of its views as to how it feels the Charity commission should conduct any future consultation.

The Chair then summarised the Board's response to the Advisory Committee would be as follows;

**RESPONSE**

The Board could not provide this confirmation because the consultation was by the Charity Commission and it is a matter for the Commission to decide upon the appropriate process. The Advisory Committee may wish to advise the Charity Commission of its views as to how it feels the Charity commission should conduct any future consultation.

**Resolution v**

- v. that the Board agrees to respond in detail to the Advisory Committee's advice in future and provide the reasons for either accepting or rejecting such advice;

The Board discussed the resolution and commented that the Board will respond in detail to the Advisory Committee's advice in future and provide the reasons for either accepting or rejecting such advice.

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The Chair then summarised the Board's response to the Advisory Committee would be as follows;

***RESPONSE***

that the Board will respond in detail to the Advisory Committee's advice in future and provide the reasons for either accepting or rejecting such advice.

- vi. that the Board be requested to explain why the Board had not notified the Committee of the proposed Licence agreement to be entered into with the Firoka Group by APTL in May 2007, and the consequences of such arrangements on the finances of APTL

***RESPONSE***

That this was not a matter within the remit of the Advisory Committee

- vii. that the Advisory Committee did not wish to be seen as being obstructive in its requests but was merely seeking to be properly equipped to fulfil its duties under the 1985 Act and to act in the best interests of the charity.

The Chair then summarised the Board's response to the Advisory Committee would be as follows:

***RESPONSE***

That the request of the Advisory Committee be noted. The Board's responses were detailed in the above responses.

The Chair then referred to the resolutions of the Advisory Committee of 8 July 2008 and asked that the Board consider the resolutions and respond accordingly.

In relation to the resolutions the Chair advised that it was the case that the resolutions of the Advisory Committee marked (A) had been responded to and, following a brief discussion it was summarised:

**Resolution (i)**

The Advisory Committee notes with considerable concern that the Board has yet to respond to the resolutions of the Advisory Committee of 5 February 2008 (see attached, marked (i)) despite the Board meeting on three separate occasions , namely on 26 February, and 10 and 19 March 2008;

***Response***

That the Board notes the concerns of the Advisory Committee and that the Advisory Committee be advised that the Board has considered the resolution of the Advisory Committee of 5 February 2008 as detailed above.

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**Resolution (ii)**

That Board be requested without fail, to give due and proper consideration to the above resolutions of 5 February 2008 at its forthcoming meeting on 22 July 2008, and provide a detailed response thereto

***Response***

That the Board has considered the resolution of the Advisory Committee of 5 February 2008

**Resolution iii**

That the Board be asked to note the Advisory Committee's concern at the brevity and lack of any meaningful information imparted by the General Manager in relation to the future of the asset at its meeting on 8<sup>th</sup> July, 2008, against, in the wider context of the lack of consultation in respect of other issues affecting the Palace during the past year, including the terms of the proposed Agreements with, and Lease to, Firoka, the matter of the licence agreement entered into with Firoka, and the granting of an on-premises gaming licence for the World Darts Championships.

The Chair reiterated the earlier comments expressed in relation to the future of the asset, and that following detailed comment in respect of the resolution the Chair summarised and the following response was agreed:

***RESPONSE***

That the Board notes the concerns of the Advisory Committee and advises that the General Manager was unable to comment further on the current negotiations with the preferred bidder due to their delicate and critical state and the complex legal issues involved upon which further advice is awaited and that until such discussions had been concluded and detailed advice received and then considered by the Board in a further Special meeting there was no further information to be imparted to the Advisory Committee in respect of progress at this stage.

In relation to the resolutions the Chair advised that it was the case that the resolutions of the Advisory Committee marked (B) in relation to the Alexandra Park Club, the matter would be discussed during the exempt part of the proceedings. However he asked that the Trust Solicitor give a brief outline of where the Committee was in relation to negotiations.

Mr Harris advised the Board the cricket club had entered in to a lease in the summer of 2003 at rental set for review in 5 years. The lease was now up for review and the Trust was obliged in accordance with the terms of the 1985 Act to let at the best rent that could reasonably be obtained. The trust was therefore in negotiation with the Club as to the likely level of rent and negotiations were currently progressing. The principles for the rent review were clearly defined and the Trust was operating within those principles.

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Mr Liebeck commented on the reports within the local press of the dramatic increases in the rent levels which could easily prevent the Club from continuing its operation and that surely it was a matter of principle on the part of the trust to ensure that rent level as were at an affordable level to ensure continued local community use. Councillor Oakes commented that it may be the case that a number of the circulated rumours of likely increases may have been triggered by the Club itself.

In response to further points of clarification Mr Harris reminded the Board that it was obliged as a charity to obtain the best possible rent and would be in breach of trust if it did not do so.

In response to the resolutions the Chair summarised and in respect of the following resolutions the response were as indicated:

Resolution (i)

The Board notes the concerns of the Advisory Committee at rumours circulating of the likely level of the increase of the rent

Response

The Board notes the concerns of the Advisory Committee at rumours circulating of the likely level of the increase of the rent.

Resolution ii

That the Board be urged to set a rent which was at a reasonable and affordable level, to ensure the continued existence and operation of the Cricket Club

**Response**

Whilst the Board notes and is mindful of the concerns of the Advisory Committee to ensure that the Board sets a rent which was at a reasonable and affordable level, to ensure the continued existence and operation of the Cricket Club, the Advisory Committee be advised of the principal duty of the Board as Charitable Trustees to set a rent at a level that is the best rent reasonably obtainable subject to use; to the extent that there is a difference between a reasonable and affordable rent and the best rent, if the Board were to set the former it would be acting in breach of trust and this advice must therefore be rejected.

Resolution iii

That the Board consider agreeing a variation to the terms of the existing Lease to permit the possible subletting of the Cricket Club facilities to other (cricket) users. for example, during weekdays, to ensure it remains a viable entity

Response

That the Board have authorised officers to negotiate on this aspect of the Alexandra Park Club's desires

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| <p><b>APBO05.</b></p> | <p><b>QUESTIONS, DEPUTATIONS OR PETITIONS ; TO CONSIDER ANY QUESTIONS, DEPUTATIONS OR PETITIONS RECEIVED IN ACCORDANCE WITH PART FOUR, SECTION B 29 OF THE COUNCIL'S CONSTITUTION</b><br/>There were no questions, deputations or petitions.</p> <p><b>NOTED</b></p>   |
| <p><b>APBO06.</b></p> | <p><b>AUDITORS TO THE PALACE</b></p> <p>The Chair asked for a brief introduction of the report.</p> <p>The General Manager, with reference to the current auditors (Deloitte and Touche) to the Board and the services of the Senior Partner Mr Framjee, informed Members that Mr Framjee would be leaving this firm at the end of 2008. The report before the Board recommended that the Board continue with the existing auditors for the audit of the 2008/09 accounts and then consider options for review and a tendering process to be embarked upon.</p> <p>The Chair asked if there were any points of clarification.</p> <p>Councillor Hare commented that there has been some considerable debate when the accounts had been considered during the February and March meeting cycles with regard the appropriateness of considering a change and the seeming resistance to such proposals despite concerns given at the familiarity of the current auditor that whether there was a fair and independent assessment of his findings. He also questioned the difficulties that would occur in changing auditors at a certain stage in the current assessment process.</p> <p>The Chair reminded the Board that it had confirmed the appointment of Deloitte and Touche as its Auditors for 2007/8 and that this process would continue. The Board was being notified that it was the intention of the Board to review the future arrangements of external auditors commencing from 2009/10.</p> <p>In response to further points of clarification from Councillor Hare, the LB Haringey's Director of Corporate Resources – Julie Parker, advised that the auditing would continue with Deloitte and Touche and indeed the Board did consider appointments on a yearly basis. Given the amount of activity in terms of the previous accounts there was considerable understanding of how the accounts were put together by the current auditor. On balance it was reasonable to tender for the Auditor for 2009/10.</p> <p>On a MOTION by the Chair it was:</p> <p><b>RESOLVED</b></p> <p>That approval be given to the appointment of Deloitte and Touche as the Trust's external auditors to carry out the 2008/09 audit of accounts, and that the General Manager be authorised to commence the tender process for the selection of external auditors for 2009/10.</p> |

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| <b>APBO07.</b> | <p><b>BANKING ARRANGEMENTS FOR THE CHARITY:</b></p> <p>The Chair asked for a brief introduction of the report.</p> <p>The General Manager - Mr Loudfoot advised of the background to the banking arrangements in that in respect of the trustee's bank account as detailed within the circulated report. Since 2002 the arrangement settled upon was that the Charity's current account would be maintained at a constant cleared overnight balance with a bi-directional sweep carried out by the bank on a daily basis.</p> <p>Mr Loudfoot reported that LBH had recently changed its banking provider from the Co-Operative Bank to the Royal Bank of Scotland and the facility for sweeping of the account was not possible 'inter-bank'. This had led to the need for the Local Authority treasury department to manually process a balancing transaction on a daily basis. The automated sweep service did not attract a cost to either organisation whereas the manual processing currently being undertaken resulted in a charge.</p> <p>In addition to the greater efficiency of the automatic sweep, the new provider also offered an enhanced level of service and facilities in respect of account control and this additional service would benefit the Charity in the operation of its banking arrangements.</p> <p>In proposing the change in bank account, the opening or closing of a Charity bank account would require the specific resolution of the charity trustees.</p> <p>In respect of the account signatory arrangements Mr Loudfoot advised that the existing signatories from the charity to the account were one officer and two trustees. The Local Authority also had two signatories but under the agreed protocol they did not authorise any transactions beyond the sweep arrangements. The authorisation limits currently applicable had not been reviewed or updated for many years, the existing mandate was for one signature for amounts up to £5,000 and for any two signatures for amounts over £5,000. Mr Loudfoot felt that it may be prudent at this time to review the mandate at the same time as the proposed change of provider.</p> <p>The Chair asked if there were any specific points of clarification.</p> <p>Mr Tarpey, in commenting that the main reason for the proposed change was due , in the main, to the sweep arrangements, sought clarification as to whether Alexandra Palace Trading Ltd were also required to change their banking arrangements. Mr Loudfoot responded that the banking arrangements for APTL were a matter for APTL and were unaffected by the proposed arrangements.</p> <p>The Board briefly discussed the issue of the currently applicable mandate and concluded that it did not wish to vary the arrangements.</p> <p>The Chair then MOVED and it was:</p> <p><b>RESOLVED</b></p> |
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|                       | <ul style="list-style-type: none"> <li>i. That the General Manager Alexandra Palace be authorised to open a new bank account with the Royal Bank of Scotland and when appropriate to close the existing accounts held at the Co-Operative bank; and</li> <li>ii. That the mandate applicable for the new account should be the same as for the existing account arrangements.</li> </ul>   |
| <p><b>APBO08.</b></p> | <p><b>TWO MONTHS RESULTS TO THE END OF MAY 2008 AND FULL YEAR FORECAST 2008/09:</b></p> <p>The Chair asked for a brief introduction of the circulated report.</p> <p>The General Manager – Mr Loudfoot advised the Board of the 2 month result to the end of May 2008 and the forecast to the end of the year.</p> <p>Mr Loudfoot TABLED a revised appendix II for Members to consider and apologised that the original had a printing error which had left out the figures for year end. (a copy of which will be interleaved with the minutes.) Mr Loudfoot advised that the Board that its meeting on 26th February 2008 had agreed to set its net budget estimate for 2007/08 at £1,681,826. This estimate reflected the activity of the charity (post the transfer of the ice rink into APTL) and mainly comprised the maintenance of the Palace building, the through road, the other buildings within the park and contracts for provision of building security, planned preventative maintenance services, legal and professional fees associated with the management of the Charity and the costs of the maintenance of the Park. Mr Loudfoot also advised that the Local Authority had agreed providing the necessary support to the charity and had made provision for the sum of £1.7 million for the current financial year.</p> <p>Mr Loudfoot referred the Board to the TABLED Appendix II which summarised the projected end of year out-turn, forecast to be a deficit of £1.686 million. He added that expenditure at the 2 months point was broadly in line with budget with minor variances in income and compensatory savings between the various expenditure heads. Total deficit was £463K against a budget of £459K a current overspend of £4K or 1%.</p> <p>There being no questions from Members, it was:</p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>i. That the income and expenditure for 2 months to end of May 2008, summarised at Appendix I of the report be noted; and</li> <li>ii. That the projected year end out-turn summarised in the TABLED Appendix II be noted.</li> </ul> |



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| <b>APBO09.</b> | <b>PROVISIONAL FULL YEAR 2007/08 OUTTURN :</b><br><br><p>The Chair asked for a brief introduction of the circulated report.</p> <p>Mr Loudfoot advised the Board that the Accounts of the charity for the year ended 31<sup>st</sup> March 2008 would have to be submitted to the Charity Commission by no later than 31<sup>st</sup> January 2009. It was the case that the accounts of the Charity did not form part of the accounts of the London Borough of Haringey, however, a draft set of the accounts figures including draft notes to the accounts had been presented to the authority for use as an appendix to their accounts. The draft was attached for information at Appendix II of the report.</p> <p>With regard to the 2008 accounts the Mr Loudfoot advised that the Board would be asked to formally consider the year end management accounts alongside the final version of the audited accounts and this will be after the external audit has been completed, however, draft management accounts were accompanying the circulated report for reference and would be presented again together with a detailed narrative when considering the audited accounts. The tabulation at Appendix I of the report summarised the financial information for the year ending 31<sup>st</sup> March 2008.</p> <p>Mr Loudfoot advised that work had commenced on the independent external audit of the groups accounts and the implementation of the board's resolution to fully adopt FRS 17 in relation to pension funding for the group accounts for the year ending 31<sup>st</sup> March 2008. Once the bulk of the external audit had been completed a draft text of the trustee report for inclusion into the formal accounts, would be circulated in order for the trustees to have opportunity to comment on the contents prior to the finalisation of the text.</p> <p>In response to a number of points of clarification the Trust Solicitor – Mr Harris advised that in terms of submission of the accounts to the Charity Commission by 30 January 2009 there should be no slippage in terms of that date.</p> <p>In response to the comments of the Chair in respect of recent press coverage in terms of the Charity's accounts at a recent LB Haringey General Purposes Committee the LB Haringey's Director of Corporate Resources – Ms Parker advised that the General Purposes Committee had received the Council's accounts, which appended thereto were the Trust Accounts. The General Purposes Committee noted that the accounts relating to Alexandra Palace &amp; Park were included as an appendix for information only, being the responsibility of the Alexandra Palace Board to approve. The Committee had agreed to add a note to the accounts, stating that those relating to Alexandra Palace were subject to formal audit in accordance with Charity Commission regulations. The</p> |

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|                       | <p>General Purposes Committee would further consider the accounts in September 2008.</p> <p>There being no further points of clarification, on a MOTION by the Chair it was:</p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>i. That the provisional income and expenditure for year ended 31 March 2008 be noted;</li> <li>ii. that the annual external audit currently underway be noted, and that audited accounts would be presented to a future meeting of the Board in time to meet the Charity Commission deadline of 30 January 2009 for submission of accounts; and</li> <li>iii. that it be noted that the detailed management accounts will be presented alongside the audited accounts to assist with the interpretation of the accounts.</li> </ul>  |
| <p><b>APBO10.</b></p> | <p><b>PARK UPDATE (ACTIVITIES):</b></p> <p>The Chair asked for a brief introduction of the report.</p> <p>The Park Manager – Mr Evison reported that following on from the previous Board meeting the a bench had been installed in the tree-line at Redston Field on a trial basis, and in order to address concerns that it may become a focal point for anti-social behaviour in the evenings the area would be monitored.</p> <p>In terms of celebrating the successful completion of the HLF project a launch event would take place on Sunday 10<sup>th</sup> August 2008, which would involve a tour of the park to look at the project elements. The tour would be lead by the Principle Landscape Architect for the project. A bird watching event had taking place the previous weekend to much success and other community, volunteer and charity events, and walks were planned in the ensuing weeks.</p> <p>With regard to the Grounds maintenance contract which commenced on 1<sup>st</sup> May 2008 the contract was running well, and staff had successfully transferred over to the contractor – John O’Connor.</p> <p>The Board commented on the beauty of the Park at the current time and that the contractor be written to expressing the Board’s appreciation. The Chair undertook to send the letter on behalf of the Board.</p> <p>Mr Evison further advised that the Park had been awarded Green Flag status and that there would be a public announcement of this in the next few days.</p> <p>The being no further comments it was:</p> |

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|                       | <p><b>RESOLVED</b></p> <p>That the report be noted.</p>  |
| <p><b>APBO11.</b></p> | <p><b>PARK SECURITY ARRANGEMENTS:</b></p> <p>The Chair asked for a brief introduction of the report.</p> <p>The Park Manager – Mr Evison advised the Board that following the article by the Hornsey Journal in April 2008 which reported concerns about public safety in the skate park on its front page on it was felt necessary to give the Board a brief update on how the various agencies involved worked together to maintain security in the park.</p> <p>Mr Evison advised that Park security was be divided into four aspects:</p> <ul style="list-style-type: none"> <li>• Alexandra Palace Security Contract</li> <li>• Haringey Council Parks Constabulary</li> <li>• Alexandra Ward Safer Neighbourhood Team (SNT)</li> <li>• Police 999 response</li> </ul> <p>Mr Evison highlighted the 24-hour security service for the palace and park, provided by Mitie Security (London) Ltd which included an on-site presence including 24-hour CCTV monitoring, security guards, and patrol vehicle. The guards locked/unlocked the lakeside and play area toilets and patrolled the lakeside area on a regular basis. The security vehicle regularly patrolled around the park at all hours of the day and night . The mobile patrol and palace guards also attended incidents responsively – either observed on CCTV, reported by staff or reported by the public, and if it was deemed necessary, the emergency services would be called.</p> <p>It was the case that 119 incidents were recorded in the last year, including incidents such as extinguishing of barbeques, advice to unruly youths, removal of abandoned vehicles and attendance at road traffic accidents.</p> <p>Mr Evison further advised that the Parks Police usually patrolled the park in pairs for four hours a day, Thursday to Sunday, and spent at least one hour a day patrolling Monday – Wednesday. However their duties also brought them through the park whilst travelling around the borough and they attend on a responsive basis at all other times. The Parks Police also provided additional patrols outside normal hours when need has arisen. The Parks Police had dealt with over forty incidents in the park. These ranged from fixed penalty notices for dog fouling and littering to returning truants to school and words of advice to unruly youths.</p> <p>Following points of clarification with regard to some of the reported incidents it was:</p> |

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|                | <p><b>RESOLVED</b></p> <p>That the report be noted.</p>  |
| <b>APBO12.</b> | <p><b>NEW ITEMS OF UNRESTRICTED URGENT BUSINESS:</b></p> <p>There were no unrestricted items of urgent business.</p> <p><b>NOTED</b></p>   |
| <b>APBO13.</b> | <p><b>EXCLUSION OF THE PRESS AND PUBLIC:</b></p> <p><b>RESOLVED</b></p> <p>That the press and public be excluded the from the meeting for consideration of Items 14-18 as they contain exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); namely information relating to the business or financial affairs of any particular person (including the authority holding that information), and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings</p> |
| <b>APBO14.</b> | <p><b>MINUTES: TO APPROVE THE EXEMPT MINUTES OF THE MEETING OF THE BOARD HELD ON 10 MARCH 2008, AND THE SPECIAL MEETINGS HELD ON 26 FEBRUARY, AND 19 MARCH 2008 (ATTACHED)</b></p> <p><b>RESOLVED</b></p> <p>Agreed minutes.</p>   |
| <b>APBO15.</b> | <p><b>FUTURE OF THE ASSET:</b></p> <p>Agreed recommendations as moved by the Chair.</p>  |
| <b>APBO16.</b> | <p><b>ALEXANDRA PARK CRICKET CLUB - LEASE ARRANGEMENTS:</b></p> <p>Agreed recommendations as moved by the Chair.</p>   |
| <b>APBO17.</b> | <p><b>SECURITY CONTRACT PROVISION FOR APPCT:</b></p> <p>Agreed recommendations as moved by the Chair.</p>  |
| <b>APBO18.</b> | <p><b>ENGINEERING CONTRACT EXTENSION FOR APPCT</b></p> <p>Agreed recommendations as moved by the Chair.</p>  |
| <b>APBO19.</b> | <p><b>DATES OF MEETINGS OF THE BOARD FOR THE REMAINDER OF THE MUNICIPAL YEAR 2008/09:</b></p> <p>21 October 2008<br/>24 February 2009</p>  |

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| <b>APBO20.</b> | <b>NEW ITEMS OF EXEMPT URGENT BUSINESS:</b><br><br>There were no items of exempt urgent business.<br><br><b>NOTED</b> |
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The meeting ended at 22.40hrs

COUNCILLOR MATT COOKE

Chair

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**UNRESTRICTED MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
FRIDAY, 26 SEPTEMBER 2008 AT 18.00HRS**

\* Indicates Members present

Councillors \*Cooke (Chair), \*Egan (Vice-Chair), \*Dogus, \*Hare, \*Oakes,  
\*Peacock, and \*Williams,

Non-Voting \*V. Paley, \*M. Tarpey, \*N. Willmott  
Representatives:

Observer: D Liebeck

Also present: Mr D. Loudfoot – General Manager, Alexandra Palace  
Mr I. Harris – Trust Solicitor  
Ms J. Parker – Director of Corporate Resources – LB Haringey  
Mr G. Almeroth – Chief Financial Officer – LB Haringey  
Mr C. Wright – Communications Service – LB Haringey  
Mr C. Hart – Committee Manager – LB Haringey

**MINUTE  
NO.**

**SUBJECT/DECISION**

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| <p><b>APBO21.</b></p> | <p><b>APOLOGIES FOR ABSENCE (IF ANY) (AGENDA ITEM 1)</b></p> <p>At this point in the proceedings the Chair advised that a press reporter wished to take photos of the proceedings, and after comment by the Chair that photos would not be permitted during the actual meeting itself, and clarification as to those Board Members who did/did not wish to appear in the photos, and advice to the public that photos were being taken, the photographer proceeded.</p> <p>Following this the Chair formally opened the meeting and asked if there were any apologies for absence. The Clerk advised that an apology for absence had been received from Mr D. Liebeck (Observer – Chair - Alexandra Park and Palace Advisory Committee) for who Councillor Whyte was in attendance.</p> <p><b>NOTED</b></p> |
| <p><b>APBO22.</b></p> | <p><b>URGENT BUSINESS (AGENDA ITEM 2)</b></p> <p>There were no items of urgent business.</p> <p><b>NOTED</b></p>  |
| <p><b>APBO23.</b></p> | <p><b>DECLARATIONS OF INTEREST (AGENDA ITEM 3)</b></p> <p>There were no declarations of interest.</p> <p><b>NOTED</b></p>   |
| <p><b>APBO24.</b></p> | <p><b>EXCLUSION OF THE PRESS AND PUBLIC (AGENDA ITEM 4)</b></p> <p>Councillors Williams and Hare sought clarification as to why the report in the exempt part of the proceedings was required to be exempt when in their view</p>   |

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|                       | <p>only a small amount of its contents was actually exempt. Councillor Hare also commented that he felt that the item should be considered in conjunction with exempt item 11 at the end of the agenda and that it was be more appropriate, given those persons attending from the public would have to be excluded at this point then readmitted.</p> <p>In response the Chair advised that there were a number of issues of a personal and contractual nature that would require discussion under Item 5 which deemed the report being classified exempt and that these reasons would be clear and expanded on during the discussion of the item in the exempt part of the proceedings. It was also necessary to have the item now as the next item – after re-inclusion of the public and press detailed the issue of determining the press and publicity arrangements as a result of recent events in relation to the future of the asset.</p> <p>In moving the resolution as detailed below and in noting the comments of Councillor Oakes as to the time and effort of the public attending and the inconvenience in excluding the public at this point in the proceedings, the Chair thanked the public present for their attendance and that they would be able to re-enter the proceedings after the exempt matter had been discussed.</p> <p>On a <b>MOTION</b> by the Chair it was:</p> <p><b>RESOLVED</b></p> <p>That the press and public be excluded the from the meeting for consideration of Item 5 as it contains exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); namely information relating to the business or financial affairs of any particular person (including the authority holding that information).</p> |
| <p><b>APBO25.</b></p> | <p><b>CONSULTANCY ARRANGEMENTS FOR THE CHARITY (AGENDA ITEM 5)</b></p> <p>AGREED RECOMMENDATIONS</p>  |
| <p><b>APBO26.</b></p> | <p><b>RE-ADMITTANCE OF PRESS AND PUBLIC (AGENDA ITEM 6)</b></p> <p>The Chair <b>MOVED</b> and it was:</p> <p><b>RESOLVED</b></p> <p>That the public and press be readmitted in to the proceedings for the consideration of Items 7-9 on the agenda.</p>   |
| <p><b>APBO27.</b></p> | <p><b>CONSULTANCY ARRANGEMENTS FOR THE CHARITY - PRESS SUPPORT (AGENDA ITEM 7)</b></p> <p>In asking for a brief introduction of the report the Chair referred to the <b>tabled</b> addendum ( a copy of which will be interleaved with the minutes) which set out a revised set of recommendations for the Board to consider which followed on the</p>  |



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sentiments of his circulated 'next steps' briefing the previous week. The Chair commented that in the spirit of the circulated report, by ceasing with the current PR company following the withdrawal of the Firoka Group from the development and the necessity to having a PR company to deal with that now no longer required, hence the actions of the General Manager to cease with the contract with Lexingtons – there was now an opportunity for the Board, over the next few months to look at the whole future development of the Palace. The revised recommendations therefore echoed that way forward by seeking to engage PR/Strategic Communications Consultants either from one company or two/three to assist the Board in looking at the objectives of the Board, both from an historic perspective, and also to assist the Board in identifying how/what was possible in terms of a vision for the future and work with the Board to preparing a brief. It was intended that such a process would look at the Trusteeship arrangements as to their the current set and whether an alternative Trusteeship could be developed or the existing arrangements widened, as well as an emphasis on value for money, but reinstalls confidence in being able to take forward the future of the Palace and bringing on board the comment/knowledge of the local community.

The Chair, in reference to the tabled amendment recommended the establishment of a core number of trustees to set up an interview panel (which however all Trustees could attend) to assess potential PR/Strategic Communications Consultants, and that the process could commence fairly swiftly through a series of meetings over the coming weeks to carry preliminary assessment. The Chair hoped that the Board endorse the proposed amendments.

The Chair then asked if there were any questions or points of clarification or comment.

Councillor Williams sought clarification as to whether notice had been given to Lexingtons that their contract had been terminated. The Chair advised that the notice had been given to the end of October 2008.

In thanking the Chair for clarification Councillor Williams stated that there was no way that he or his colleagues were going to accept the tabling of revised recommendations for consideration at this meeting. It was not appropriate to act in this manner and that there should have been fuller consideration given to the implications of the recent events affecting the future of the asset and some earlier notice should have been given with regard to the intention to engage PR/Strategic Communications Consultants.

The Chair responded that the intention of the recommendations as revised was only to agree the commencement of a process that would assist the Board in the selection of PR/Strategic Communications Consultants and that the initial process would be to bring the Board together to discuss options for a way forward. There was no intention at this point to appoint any consultants.

Councillor Williams responded that it was the case that the Board should not even be thinking of a way forward and the engaging of consultants at this stage given the recent withdrawal of the Firoka Group, given the debacle of the previously embarked upon process for selecting a preferred bidder and the

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difficulties the Board had found themselves in as a result of taking hasty and not clearly understood decisions and their consequences. In his view if the Board were serious in its approach it needed to have a grounded assessment of the past few months in order to have a better understanding of how the Board had reached this come to this point and it wholly premature to even consider a future strategy. It appeared to him that It was evident that the General Manger had already been discussing the possible engagement of PR/Strategic Communications Consultants, as the recommendations were seeking the tendering of services.

The Chair responded that as things stood it was intended to look at a large number of PR/Consultancy firms to see about short term support and also a separate issue of the longer term future of the palace and how this might be achieved. This would involve going back to the drawing board and examining the roles of the Trustees, the likely avenues open to the Board, the best for the future of the Palace, as well as effective engagement with the community. The idea of the establishing a Panel was so that the Trustees could examine these issues in details and bring trustees together and work positively in looking to the future.

Councillor Hare commented on the need for the Board to examine the work and thrust of the past few years, decades even in order to make a valid assessment and in a sense learn lessons from the past before moving forward. By bringing recommendations TABLED this evening was rather like the 'cart before the horse' and what was being proposed was not actually saying anything and was rather nebulous.

The Chair responded that there would be considerable discussion in what was being proposed and in no way was any assessment of past occurrences and future processes being ignored, but this way a way of moving on from the recent events and setting the Board on a new quest. The Chair refuted the idea of the tabled proposals as being nebulous as it was clear that that there was a concrete and strong argument for moving forward and the proposals had clear substance.

Councillor Hare responded that he would be delighted to open meetings to discuss and begin to assess for the future of the Palace but the proposals before the Board were not that.

The General Manager – Mr Loudfoot advised the Board that the recent reports in the local press that had stated that Lexingtons had been sacked were completely inaccurate and not the case. In terms of attempting to kick start the process of further development the proposals before the Board were assisting in this but were not committing the Board to any specific course or direction.

Councillor Egan commented that in reference to 'carts and horses' he felt that the line taken this evening by some trustees was rather short-sighted. In terms of the feelings expressed and the need for examining past events it was the case that the proposed way forward would neither preclude or prevent this assessment and that there was no commitment to actually selecting or engaging a PR/Strategic Communications Consultant (s). It was the case that there was a wealth of experience and understanding, both externally, and also within the LB Haringey and that this needed to be tapped into as a matter of course.

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Councillor Whyte suggested that the Board could consider changing the wording of recommendation 2.2 as tabled could to read 'agree to investigate the need.....'And that the remaining recommendations could be changed stemming from that one change.

Councillor Williams commented that in his view he was actually quite unclear as to the implications of the tabled recommendations and what they actually meant in real terms. Councillor Williams felt that the whole report should be withdrawn at this juncture instead of the Chair trying to persuade the Board to a decision and proceed with something it did not fully understand, or its consequences not appreciated, and given the difficulties that the Board had encountered in reaching decisions in the past and not understood their true implications he was unhappy to agree such recommendations.

The Chair responded that he was not willing to withdraw neither the report nor the revised recommendations.

The Trust Solicitor – Mr Harris suggested that the tabled revisions be revised with recommendation 2.1 as detailed and a further recommendation replacing those shown by stating that the Board receives a further report on the need for clear options on the strategy for the future of the Palace and how this can be achieved. The Chair felt that this was more or less what his revised recommendations had set out to do.

In commenting on the revision as suggested Councillor Hare commented that that he did not see the need for the sense of massive urgency in trying to move forward, and kick start the proposals in the way recommended. The existing Trading Company was currently working well and there were positive signs of improvement etc and that whatever else the Palace might need for the future this would not be achieved by the hurried process as suggested. He felt that it was vital to have honest reflection and assessment in order to move forward.

The Chair shared the comments expressed by Councillor Hare in terms of the operation and success of the trading company. The Chair also commented that the trustees should be facilitating the process of moving forward and should not be seen to not doing, given the recent events. Councillor Peacock shared the comments of the Chair and felt that the Board needed to agree a framework as starting point which could then be built on, but that without a framework there could not be any progression.

Mr Loudfoot stated that he was mindful of the comments expressed and that if the Board were in agreement then he would propose to seek out some strategic communications companies who would be able to give advice in terms of how the whole strategy could be approached and that this course of action would incur little expense.

Mr Harris suggested that the Board may like to consider agreeing the following course of action whereby, in noting recommendation 2.1 as stated the Board would agree that there was a need to open discussions on the future strategy and objective of the Charity and would request the General Manager, in consultation with the Board, to report back to the Board on how that discussion can be advanced, and also that the Board further accepts the need for an 'away-day' to

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|                       | <p>be arranged on a Saturday and/or Sunday with an independent facilitator and requests the General Manager to commence the necessary arrangements.</p> <p>The Chair then MOVED and it was:</p> <p><b>RESOLVED</b></p> <p>i. that the decision of the General Manager Alexandra Palace to end the contract with Lexington Communications be noted;</p> <p>ii. that in noting i. above as stated there was a need to open discussions on the future strategy and objective of the Charity and to this end the General Manager be authorised, in consultation with the Board, to report back to the Board on how that discussion can be advanced; and</p> <p>iii. that it be accepted that there was a need for an 'away-day' to be arranged on a Saturday and/or Sunday with an independent facilitator and to this the General Manager be requested to commence the necessary arrangements.</p>   |
| <p><b>APBO28.</b></p> | <p><b>INDEPENDENT REVIEW INTO THE DEVELOPMENT OF A LICENCE TO OPERATE WITH FIROKA – TRUSTEE SUMMARY (AGENDA ITEM 8)</b></p> <p>The Chair advised the Board that the report before them should be considered in conjunction with agenda item 9 – Action Plan for reform of governance of APPCT.</p> <p>The Chair asked for an introduction of the report.</p> <p>The LB Haringey's Director of Corporate Resources – Ms Parker informed the Board that in respect of the report before them this set out the outcome of the review commissioned by the Council into the circumstances and consequences arising from the granting of a licence to Firoka (Alexandra Palace) Limited in May 2007. In terms of the actual content of the report Ms Parker referred the Board to the summary report at annexe 1 which detailed the key findings and actions arising from them (pages 14-15), together with the more fuller main report attached (pages 18 to 79). In advising the Board that it was not her intention to go through the report section by section, the summary at page 14/15 gave the Board the main thrust of the findings and actions required as a result, and that agenda item 9 gave details of the proposed action plan. The action plan report also recommended quarterly reports to the Board to ensure that actions were being implemented to the set timescales. The recommendations 2.1 and 2.2 of the Director of Corporate Resources were for the Board to consider.</p> <p>In thanking Ms Parker for her introduction the Chair in asking if there were any comments from Members, stressed to the Board that the report before it was one of the most important reports that the Board would consider and that the recommendations to adopt the detailed action plan was absolutely needed and the comprehensive set of actions were necessary for the future governance of the Trust. The findings of the investigation provided a robust set of answers to a number of concerns expressed by Members and the findings clearly indicated the flaws in the existing governance arrangements and it had highlighted a number of historic issues pertaining to the Board.</p> |

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Councillor Egan commented that one of the main problems and concerns that he had found difficult to grasp was related to the role of a Trustee as a Councillor and also how the Trust related to the Council and visa-versa and felt that this did need some clarity in terms of the defining of roles. Councillor Egan also commented on the actual report of the investigation and who had exactly commissioned the investigation, and what were the options open to the Trustees if any.

In response Ms Parker advised that she had commissioned the investigation on behalf of the Council. In terms of the relationship of the Trust and Council under Local Government Act 1972 (LGA1972) the Council had powers under the auspices of the Section 151 Officer who was responsible for the proper administration of the financial affairs of the LB Haringey as a whole, including the finances of the Alexandra Palace and Park Trust (AP&P trust). In terms of the person appointed and commissioned to carry out the investigation this was Martin Wartlake – an independent consultant and he carried out the investigation using the powers granted under section 151 of the LGA1972.

The Trust Solicitor – Mr Harris advised that in terms of the role of a Councillor and Trustee it was the case that the Council as trustee of the Alexandra Palace and Park had delegated this function to the Board of Trustees – this Board. In terms of sitting as Trustees on the Board – Councillor Members acted under the rules of Charity Law/and were also governed under Local Government Law as the Board was constituted by the LB Haringey, when Councillors sat on the Board as Trustees they had to single-mindedly divorce themselves from their role as a Councillor and act solely as a Trustee in the interest of the Palace and disregard all political and other influences, and act exclusively and single mindedly in best interests of the Charity and accordance with the charitable objectives.

Councillor Egan commented on the weaknesses in governance arrangements and that it had and was the case that Trustees had and did not always act collectively.

In response Mr Harris advised that the Board of Trustees should act and vote and the decisions of the Board should be unanimous but this was not always the case though the Charity Commission recognised that this was indeed not always possible.

Councillor Hare commented that he was grateful for the independent review and that in his view it was an extremely helpful study and future Trustees and others would look back and realise that the study was a turning point in the history of Alexandra Palace and that the investigation had achieved more than many other decisions of the Board regarding the future of Alexandra Palace. Councillor Hare stated that it was a good piece of work. He also asked if there had been a brief given to the consultant. Ms Parker referred the Board to page 31 of the circulated report which detailed this.

Councillor Hare also commented on the need for future Board meetings to be either recorded or web-cast and that whilst this did not detract from the excellent standard of minutes produced, given the catalogue of issues in the recent past there was a need for this to happen.

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The Chair then asked if the Board would now focus on the content of the recommendations.

In response to points of clarification from Councillor Hare in relation to advice some 10 years plus in terms of the relationship of the Council and duties to the Trust, Mr Harris commented on the advice given to the Council at that time by Leading Counsel which was that the Council had a duty to maintain the Palace and protect it and keep it wind and water tight. The LB Haringey's Legal representative – Mr Mitchison advised that some 3 years after the Counsel's advice the District Auditor carried out a considerable review of the legality of support given by the Council to the up keep of the Palace and the conclusions of that report had been that the Council had the duty and powers to fulfil the requirements of wind/water tight of the building but had no greater duty than that, and that had been the extent of the support since that time.

Councillor Hare referred to the findings of report and commented upon the legal advice given to the Board in relation to the licence and whether there were further questions to be asked of the conduct of such advice and the possible actions in the High Court for the potential claim for damages from the Trust Advisors. Councillor Hare felt that this was something that the Board needed to give some consideration to.

Councillor Williams, in stating that he was struggling somewhat to get a sense of the time frames in relation to the licence operation, sought clarification from Ms Parker as to an awareness by the Council of the shortcomings of the licence and issues pertaining to those shortcomings.

Ms Parker responded that she had entered into dialogue in terms of the details of the licence around end October/beginning November 2007, and this then followed with a report to the Board in December 2007 and the recommendations to terminate the licence arrangements. Following on from this decision by the Board in December 2007 it had become evident to her that it was evident that a number of governance issues relating to that licence necessitated further work to establish how the licence had been entered into.

Ms Parker also referred the Board on one further point at page 51 of the report in relation to the point raised by Councillor Hare concerning legal advice, and referred the Board to the 4<sup>th</sup> paragraph at the end of the advice given by the Trust Solicitor. In the event of any such discussion as to whether there was a requirement for a further investigation this would have to take place in the exempt part of the proceedings at Item 11.

In response Mr Harris advised the Board that as Trust Solicitor his role as advisor on legal matters had been twofold - to respond to requests for advice from the General Manager on various issues and in responding, and as stated in the circulated documents, advice was given but whether that advice was heeded was another matter. Also in relation to the Board – if at Board meetings legal advice was sought then it would be responded to, and it was then for the Board to either accept or reject the advice. Also if the Board did not seek advice then advice was not proffered.

In response to further points from Councillor Williams as to the need for a further

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clarification into advice proffered the Chair reiterated the comments of Ms Parker that such discussions be heard during the exempt part of the proceedings and that in that respect such discussions had nothing to do with the actual recommendations for the item the Board was now considering.

Councillor Williams further expressed a view regarding discussions in the exempt part of the proceedings, where the public were not present. It had been the case on previous occasions when questions had repeatedly been asked pertaining to the licence and indeed other matters the Board were basically not given answers. Councillor Williams further commented that lessons had to be learnt from the report before the Board this evening and there were still outstanding questions that had not been answered pertaining to the actual roles of individuals and the awareness of the problems caused by the licence and also what would now be done about it. Questions had repeatedly been asked at Full Council, Cabinet, and through the Chief Executive. There needed to be answers to when there was awareness within the Board of the issues surrounding the licence and when these concerns were reported to the Board, and also if the Charity Commission had been advised regarding the detail of the licence.

The Chair, in response, advised that as previously stated he was happy to have further discussions as regards to the issues raised by Councillor Williams but that it was not appropriate at this juncture. The Chair then asked the General Manager to briefly outline the recommendations as stated in the action plan.

Mr Loudfoot referred the Board to page 83 of the circulated report which detailed the draft action plan which listed from there recommendations arising from the investigation and timescales/response, and whilst he did propose to go through the action plan the key elements to this document were the code of governance and scheme of delegation. There was a timeline in relation to reporting progress to future meetings.

The Chair asked if there were any comments on each of the recommendations.

Councillor Williams referred page 86 – 2d and the matter of future briefings and asked for clarification. In response Mr Loudfoot commented that in relation to this – briefing notes would be circulated to all Board members on a regular basis, and that when there matters of significance that the Board would go on to discuss then actual briefing meetings would then be arranged prior to a Board meeting. In response to clarification as to current practice Mr Loudfoot advised that he met with the Chair to discuss matters but these discussions were then not relayed to Board members or written notes produced. Future briefings with the Chair would have written notes produced.

Councillor Williams felt that it was now wholly appropriate for a Minority Member of the Trust to be present at each briefing with the Chair, and that he would formally MOVE that this happen in future.

In response Mr Harris advised that this was a fundamental issue as by stating that a minority member be present then this went against the roles of Councillors as Trustees in terms of politicising such occurrences.

Councillor Williams responded that by the nature of such individual briefings

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these were politicising anyway and also, given the previous year's events in relation to the licence it was clearly disastrous for only one person to receive a briefing as there was not full Board awareness at the point of entering into the licence in April/May 2007.

The Chair responded that it was wholly appropriate for him to receive briefings from the Trust's General Manager and this would be common practice in other Charitable institutions. As a way forward it had been suggested that written notes of the meetings would be circulated to all Board members for information which would allow for transparency.

Councillor Williams further commented on the situation of the Vice-Chair of the Board also being appointed by the Labour Group and that, given the need for the Board to act as trustees in an un-politicised manner then surely the role of Vice-Chair should be appointed to from the Liberal Dem group. He felt that the Board should formally request this change to the next Full Council. Councillor Whyte echoed the comments of Councillor Williams and that surely by having a minority Vice-Chair then this would show that the Board was not politicised, and why would the Chair of the Board be scared to suggest this practice.

Mr Mitchison both responded that the Board was constituted by the Council and that in doing so was bounded by the rules of proportionality and by this it meant that the Board was reflective of the Council's political composition. Mr Harris also commented that in his view the matter of appointing a Chair and Vice-Chair should be a matter for the Board to determine and not the Council but given the body was constituted by the Council then the process of electing was done through the Council annually.

The Chair also responded that the current process of electing the Vice was totally legitimate and that it was not something for either discussion or change. There were a whole range of recommendations of considerable importance to be discussed now. The Chair also picked up on the earlier comment of Councillor Hare in relation to web-casting and taping of proceedings and advised of the budgetary implications of this together with the previous decisions of the Council and protocols. However he was prepared to accept that this issue be explored further. Councillor Peacock also felt that that it would be appropriate for future Board meetings to be taped, similarly to the meetings of the Council such as licensing and planning.

Councillor Egan also reminded the Board that with regard to the issue of Directorships of APTL it was a fact that following Councillor Peacock's appointment in November 2007 she did in fact resign almost immediately in favour of an appointment of a Lib/Dem Trustee – Councillor Oakes.

Councillor Williams referred to the current procedures in relation to Member enquiries and that given that in the past there had been delays in responses to questions, or no responses to questions had been forthcoming then it would be appropriate to adopt the Council's protocols for Member enquiries and insert it within the action plan, as the current system was somewhat dysfunctional and there was no appropriate method for monitoring. There would need to be some monitoring process by the Council as well to ensure that responses would be answered within timescales.



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The Chair felt that it was a valid point and asked if officers would wish to comment.

In response Mr Harris stated that it would be for the Trustees to monitor the number and response time for such enquiries. Mr Harris also commented that in the past when any such enquiry had been submitted for his response it was the case that responses/information was given within a short period of time – usually within 2 days of the enquiry being made.

Ms Parker advised that was more appropriate for the Trust Board to monitor performance in this area, not the Council.

In summing up the discussions the Chair commented that a protocol for Member enquiries was a good concept in principal and that various methods should be examined further and reported back to the Board as part of the progress update. With regard to the issue of briefing notes being circulated it would be appropriate that they be given wider circulation in future i.e. all Trustees.

In response to comments from Councillor Williams Mr Loudfoot advised that the recommendation of wider circulation was his recommendation, and not one of Independent review.

Councillor Hare reiterated his earlier comments that the report before the Board was and would be seen as a turning point in the history of the Board.

The Chair then asked that the Board endorse the recommendations, noting the discussions in relation to member enquiry protocols, and briefing circulation.

Councillor Williams formally MOVED that the Board of Trustees put a MOTION to the next full Council meeting to the effect that the Vice-Chair of the Alexandra Palace and Park Board be appointed from the minority group on the Council.

There being 3 in favour and 4 against the MOTION was lost.

Councillor Williams further felt that the regular meetings with the Chair and General Manager Alexandra Palace should include a representative of the opposition and asked that the Board agree to this. On a show of hands the suggestion was not supported.

The Chair then summarised and it was:

**RESOLVED**

- i. that the recommendations of the Independent Review be accepted;
- ii. that the action plan prepared by the General Manager be endorsed, and that resources be allocated to deliver the actions and that the Board receives quarterly reports on the progress against the plan;
- iii. that further action be taken in respect of further actions as detailed in Para 12.6 of agenda item 11 in the exempt part of the proceedings; and
- iv. that the Board agrees to investigate the recording and/or web casting of future meetings of the Board, and authorises the General Manager,

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|                       |   |
|-----------------------|---|
|                       | <p>in conjunction with the LB Haringey's Head of Local Democracy and Member Services, to investigate the costs of such and methods, and report back to the Board accordingly.</p>   |
| <p><b>APBO29.</b></p> | <p><b>ACTION PLAN FOR REFORM OF GOVERNANCE OF APPCT (AGENDA ITEM 9)</b></p> <p>Discussions pertaining to this item occurred during consideration of APB028 above (Item 8)</p> <p>The Board :</p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>i. that the Action Plan based upon the external report presented on the governance of the charity be agreed;</li> <li>ii. that quarterly written updates on the action plan be submitted to the Board until such times as all actions are completed; and</li> <li>iii. that an annual report on governance be presented to the first meeting of each municipal year.</li> </ul>  |
| <p><b>APBO30.</b></p> | <p><b>EXCLUSION OF THE PRESS AND PUBLIC (AGENDA ITEM 10)</b></p> <p><b>RESOLVED</b></p> <p>That the press and public be excluded the from the meeting for consideration of Item 11 as it contains exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); namely information relating to the business or financial affairs of any particular person (including the authority holding that information).</p> <p><b><i>At this point in the proceedings - 20.25hrs the Board adjourned for a period of 5 minutes and reconvened at 20.30hrs.</i></b></p> <p>The General Manager – Mr Loudfoot withdrew from the proceedings and took no further part in the meeting.</p> |
| <p><b>APBO31.</b></p> | <p><b>INDEPENDENT REVIEW INTO THE DEVELOPMENT OF LICENCE TO OPERATE WITH FIROKA – TRUSTEE SUMMARY (AGENDA ITEM 11)</b></p> <p>AGREED RECOMMENDATIONS</p>  |

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There being no further business to discuss the meeting ended at 21:26hrs.

COUNCILLOR MATT COOKE  
Chair

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**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE  
TUESDAY, 15 JULY 2008**

**In attendance;**

Councillors: \*Cooke, \*Egan, \*Beacham, \*Dogus,\*Hare, Peacock and \*Williams

**Nominated Members:**

|  |   |                   |
|--|---|-------------------|
| Alexandra Palace Allotments Association              |   | Mr S. Ballard     |
| Alexandra Palace Amateur Ice Skating Club            | * | Mr M. Tarpey      |
| Alexandra Palace Angling Association                 |   | Mr K. Pestell     |
| Alexandra Palace Indoor Bowls Club                   |   | (To be advised)   |
| Alexandra Palace Organ Appeal                        | * | Mr J. Apperley    |
| Alexandra Palace Television Society                  |   | Mr S. Vaughan     |
| Alexandra Palace Television Group                    |   | Mr J. Thompson    |
| Alexandra Residents' Association                     | * | Ms C. Hayter      |
| Bounds Green and District Residents' Association     | * | Mr K. Ranson      |
| Friends of Alexandra Park                            | * | Mr G. Hutchinson  |
| Friends of the Alexandra Palace Theatre              |   | Mr N. Wilmott     |
| Hornsey Historical Society                           | * | Mr J. O'Callaghan |
| Muswell Hill and Fortis Green Association            |   | Ms D Feeney       |
| Muswell Hill Metro Group                             | * | Mr J. Boshier     |
| New River Action Group                               |   | Mr F.W.Clark      |
| Palace View Residents' Association                   | * | Ms V. Paley       |
| Union of Construction, Allied Trades and Technicians |   | Mr J. McCue       |
| Warner Estate Residents' Association                 | * | Prof. R. Hudson   |

\*Members present.

**Also In Attendance:**

David Loudfoot - General Manager, Alexandra Palace  
Clifford Hart – Clerk to the Committee – Committees Manager – LB Haringey

| <b>MINUTE NO.</b> | <b>SUBJECT/DECISION</b>   | <b>ACTION BY</b> |
|-------------------|---|------------------|
| <b>APCC32.</b>    | <b>APOLOGIES FOR ABSENCE (IF ANY)</b><br><br>Apologies for absence were received on behalf of Mr Clarke, and Mr Ballard, and Councillor Peacock, and for lateness from Councillors Dogus and Oakes.<br><br><b>NOTED</b> |                  |
| <b>APCC33.</b>    | <b>DECLARATIONS OF INTEREST MEMBERS TO DECLARE ANY INTEREST IN P<br/>OF ITEMS ON THIS AGENDA.</b><br><br>There were no declarations of interests.   |                  |

**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE.  
TUESDAY, 15 JULY 2008**

|  |  |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
|--|--|---|---------------|---|---------------|--------------------------------------|---------------|------------------------------------|-----|-------------------------------|---------------|-------------------------------------|---------------|----------------------------------|---------------|-----------------------------------|----------------|--|--------------|---------------------------|------------------|---|----------------|----------------------------|------------------|---|--------------|--------------------------|---------------|------------------------|--------------|------------------------------------|-------------|------------|-------------|-------------------------------------|---------------|
|  | <b>NOTED</b>   |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| <b>APCC34.</b>                                   | <p><b>URGENT BUSINESS THE CHAIR WILL CONSIDER THE ADMISSION OF ANY ITEMS OF URGENT BUSINESS. (LATE ITEMS WILL BE CONSIDERED UNDER AGENDA ITEM WHERE THEY APPEAR. NEW ITEMS WILL BE DEALT WITH A 11 BELOW).</b></p> <p>There were no items of urgent business.</p> <p><b>NOTED</b></p>  |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| <b>APCC35.</b>                                   | <p><b>MEMBERSHIP AND CONSTITUTION</b></p> <p>(a) The Chair asked that the Clerk update the Committee on the Constitution.</p> <p>The Clerk – Mr Hart advised that since the agenda had been despatched, which had shown the membership of the Committee, he advised that as yet he had not received confirmation whether the Alexandra Palace Indoor Bowls Club were still in existence following no response to correspondence. He would attempt further contact with the association and advise at the next meeting.</p> <p>The Chair then <b>MOVED</b> and it was:</p> <p><b>RESOLVED</b></p> <p>(i) That the following applications for membership of the Alexandra Palace and Park Consultative Committee for the 2008/09 municipal year be approved :-</p> <table border="0"> <tr> <td>Alexandra Palace Allotments Association</td> <td>Mr S. Ballard</td> </tr> <tr> <td>Alexandra Palace Amateur Ice Skating Club</td> <td>Mr. M. Tarpey</td> </tr> <tr> <td>Alexandra Palace Angling Association</td> <td>Mr K. Pestell</td> </tr> <tr> <td>Alexandra Palace Indoor Bowls Club</td> <td>TBC</td> </tr> <tr> <td>Alexandra Palace Organ Appeal</td> <td>Mr.J.Apperley</td> </tr> <tr> <td>Alexandra Palace Television Society</td> <td>Mr S. Vaughan</td> </tr> <tr> <td>Alexandra Residents' Association</td> <td>Ms. C. Hayter</td> </tr> <tr> <td>Alexandra Palace Television Group</td> <td>Mr J. Thompson</td> </tr> <tr> <td>Bounds Green and District Residents' Association</td> <td>Mr K. Ransom</td> </tr> <tr> <td>Friends of Alexandra Park</td> <td>Mr G. Hutchinson</td> </tr> <tr> <td>Friends of the Alexandra Palace Theatre</td> <td>Mr. N. Wilmott</td> </tr> <tr> <td>Hornsey Historical Society</td> <td>Mr.J.O'Callaghan</td> </tr> <tr> <td>Muswell Hill and Fortis Green Association</td> <td>Ms D. Feeney</td> </tr> <tr> <td>Muswell Hill Metro Group</td> <td>Mr J. Boshier</td> </tr> <tr> <td>New River Action Group</td> <td>Mr F.W.Clark</td> </tr> <tr> <td>Palace View Residents' Association</td> <td>Ms V. Paley</td> </tr> <tr> <td>U.C.A.T.T.</td> <td>Mr J. McCue</td> </tr> <tr> <td>Warner Estate Residents Association</td> <td>Prof R Hudson</td> </tr> </table> <p>ii. That the Constitution of the Committee be noted.</p> | Alexandra Palace Allotments Association | Mr S. Ballard | Alexandra Palace Amateur Ice Skating Club | Mr. M. Tarpey | Alexandra Palace Angling Association | Mr K. Pestell | Alexandra Palace Indoor Bowls Club | TBC | Alexandra Palace Organ Appeal | Mr.J.Apperley | Alexandra Palace Television Society | Mr S. Vaughan | Alexandra Residents' Association | Ms. C. Hayter | Alexandra Palace Television Group | Mr J. Thompson | Bounds Green and District Residents' Association | Mr K. Ransom | Friends of Alexandra Park | Mr G. Hutchinson | Friends of the Alexandra Palace Theatre | Mr. N. Wilmott | Hornsey Historical Society | Mr.J.O'Callaghan | Muswell Hill and Fortis Green Association | Ms D. Feeney | Muswell Hill Metro Group | Mr J. Boshier | New River Action Group | Mr F.W.Clark | Palace View Residents' Association | Ms V. Paley | U.C.A.T.T. | Mr J. McCue | Warner Estate Residents Association | Prof R Hudson |
| Alexandra Palace Allotments Association          | Mr S. Ballard  |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| Alexandra Palace Amateur Ice Skating Club        | Mr. M. Tarpey  |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| Alexandra Palace Angling Association             | Mr K. Pestell  |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| Alexandra Palace Indoor Bowls Club               | TBC  |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| Alexandra Palace Organ Appeal                    | Mr.J.Apperley  |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| Alexandra Palace Television Society              | Mr S. Vaughan  |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| Alexandra Residents' Association                 | Ms. C. Hayter  |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| Alexandra Palace Television Group                | Mr J. Thompson   |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| Bounds Green and District Residents' Association | Mr K. Ransom   |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| Friends of Alexandra Park                        | Mr G. Hutchinson   |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| Friends of the Alexandra Palace Theatre          | Mr. N. Wilmott   |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| Hornsey Historical Society                       | Mr.J.O'Callaghan   |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| Muswell Hill and Fortis Green Association        | Ms D. Feeney   |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| Muswell Hill Metro Group                         | Mr J. Boshier  |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| New River Action Group                           | Mr F.W.Clark   |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| Palace View Residents' Association               | Ms V. Paley  |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| U.C.A.T.T.                                       | Mr J. McCue  |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |
| Warner Estate Residents Association              | Prof R Hudson  |   |               |   |               |                                      |               |                                    |     |                               |               |                                     |               |                                  |               |                                   |                |  |              |                           |                  |   |                |                            |                  |   |              |                          |               |                        |              |                                    |             |            |             |                                     |               |

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TUESDAY, 15 JULY 2008**

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|                       | <p>(b) The Chair then advised that as part of the Consultative Committee's constitution it was necessary to appoint 3 of its Nominated members to serve on the Alexandra Palace and Park Board for the Municipal Year 2008/09.</p> <p>In response to points of clarification Mr Hart advised that Ms V. Paley, Mr M. Tarpey and Mr N. Willmott had been appointed as non-voting Members of the Alexandra Palace and Park Board for the municipal year 2007/8.</p> <p>The Chair asked if the representatives would be willing to continue to serve on the Board for the Municipal Year 2008/09. The Chair also asked if Mr Willmott would be willing to be nominated in his absence. Mr O'Callaghan sought clarification as to whether the Committee should be appointing a member in their absence and if the Committee's constitution allowed for this. The Chair confirmed that it was within the Committee's remit to appoint members and it did not preclude such appointments in a nominated member's absence.</p> <p>Mr Richelle confirmed that Mr Willmott would be happy to be nominated in his absence, and serve on the Board. In response to further points of clarification from Councillor Hare, and Mr O'Callaghan Mr Hart advised that it was for the whole membership of the Consultative Committee to agree to the nominations and not just nominated association members.</p> <p>The Chair then summarised and on a vote it was:</p> <p><b>RESOLVED</b></p> <p>That Ms V. Paley, Mr M. Tarpey and Mr N. Willmott be appointed as non-voting Members of the Alexandra Palace and Park Board for the municipal year 2008/09.</p> <p><i>Mr O'Callaghan and Councillor Hare asked that their abstention to the decision be recorded.</i></p> |
| <p><b>APCC36.</b></p> | <p><b>TERMS OF REFERENCE</b></p> <p><b>RESOLVED</b></p> <p>That the Terms of Reference of the Alexandra Palace and Park Consultative Committee be noted.</p>   |
| <p><b>APCC37.</b></p> | <p><b>MINUTES:</b></p> <p>(i) <b>ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE – 12 FEBRUARY 2008</b></p> <p>The Clerk to the Committee – Mr Hart advised that a revised version of the minutes had been TABLED which reflected some changes to the</p>   |

**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE.  
TUESDAY, 15 JULY 2008**

wording in paragraphs on page 3 of the minutes, which had been redrafted following a point of clarification from Ms Feeney – Muswell Hill and Fortis Green Association prior to the meeting.

With the point of clarification noted it was:

**RESOLVED**

That the TABLED revised minutes of the Alexandra Palace and Park Consultative Committee held on 12 February 2008 be agreed and signed as an accurate record of the proceedings.

(ii) **ALEXANDRA PALACE AND PARK BOARD – 10 MARCH 2008, AND SPECIAL MEETINGS - 26 FEBRUARY AND 19 MARCH 2008**

The Chair asked if there were any comments in relation to the minutes.

In response to points of clarification from Mr O’Callaghan in relation to the accounts the General Manager – Mr Loudfoot outlined the large number of queries that had arisen as was documented within the minutes. In respect of the differing figures shown in both the LB Haringey’s accounts and those of Alexandra Palace it was the case that there was no requirement to have the same figures shown in each set of Accounts As it was possible for one to show potential liabilities whilst the other did not.

The Chair commented that it was the case that a number of questions had been submitted for response which had been answered verbally, and that indeed as the minutes of the meetings showed – the accounts were finally signed off.

In response to further points from Mr O’Callaghan, Councillor Hare commented that whilst there had been some issues surrounding how explicit and worded certain elements of the accounts had been when submitted for consideration the accounts had eventually been agreed as minuted. The Chair also advised that the accounts had been set out in the an established format required by the charities act and that they had been audited by one of the most senior and specialised auditors in the Country who had been more than happy in the way in which they had been compiled. There had been some issues pertaining to some elements of the narrative which had been adequately answered and he reiterated his earlier comment that the accounts had then been agreed.

Councillor Hare, in concurring with the comments of the Chair, commented that the Board had benefited from the process and that it had allowed a good opportunity to make comment.

(Councillor Oakes arrived at 19.57hrs)

There being no further points of clarification it was:



**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE.  
TUESDAY, 15 JULY 2008**

**RESOLVED**

That the minutes of Alexandra Palace and Park Board held on 10 March 2008, and special meetings held on 26 February, and 19 March 2008 be noted.

**APCC38. FUTURE OF THE ASSET:**

The Chair asked for a brief introduction.

The General Manager – Mr Loudfoot advised that since the last meeting of the Committee there had been little progress in forwarding the development project. It had been agreed that should any significant progress be made before the next scheduled meeting then a special meeting of the Consultative Committee would be called to discuss the progress. It had not been necessary to call this meeting. Mr Loudfoot further commented that at this point in time it was still the case that insufficient progress had been made to be able to offer any meaningful report on negotiations.

In response to a number of points of clarification and concerns at the lack of progress thus far Mr Loudfoot advised that he fully appreciated the frustrations expressed at the lack of progress and that in terms of the Firoka bid it was the case that the Board were still in negotiations with Firoka and they were still the Board's chosen preferred bidder, and a holistic development and approach was still the aim of Board. The Board were conscious of the fact that the local community was hanging on to the fact that there had been a deal struck with the Firoka Group and that in this respect the local community needed to know what the latest position was.

With regard to points of clarification in terms of timescales for further consultation by the Charity Commission and finalising the contract Mr Loudfoot advised that it was difficult to put a time frame and that he did not feel that he could speculate. In terms of the Charity Commission undertaking further consultation this was as yet not confirmed. Whilst stressing that that the consultation was the Charity Commission's and not the Board's it was likely that the Board would be asked to comment on the process for its views. Dependent on the outcome of the consultation and the subsequent consideration and agreement of the Board, and any possible Judicial Reviews arising therefrom it was likely that it would be at least 12 months before there could be a conclusion. It was also the case that the Board would not re-open any negotiations with the Firoka Group and the current development brief would remain unchanged.

Mr O'Callaghan commented on the judgement of the judicial review which had technically centred on the consultation process embarked upon by the

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Charity Commission, and yet it could have also commented on the contents of the proposed lease, but had not. Given that there was likely to be a further consultation there was time to take steps to ensure that, as a matter of principal, to ensure that the elements of concern in relation to the lease and its contents, were made readily available during the consultation process. Mr O'Callaghan also referred to the objects of the Charity and the issue of the accounts which showed no proceeds during the time that Firoka were in the palace, and the issue of £3million held by the Firoka group which was rightfully the Trust's he commented that no charitable activity had happened during the time Firoka were in the building. In stating that it had been a bad idea to proceed with the Firoka bid, Mr O'Callaghan further commented on the issue of T.V studios and it being leased at a not for profit level.

Ms Paley commented on a number of issues raised by stating that if people thought that it was realistically possible to engage with another developer then this view was much mistaken as it was the case that there would be no other developer coming forward. As the Committee were aware it was a fact that the Board had undergone a considerable process of identifying a preferred developer with little interest, other than the Firoka Group and 2 other bidders. After rigorous assessment the Firoka Group had been chosen and it was a fact that the Firoka Group would have the necessary financial standing to take on the lease and refurbish and repair the Palace.

In response to a number of the comments expressed the Chair advised that in terms of the development brief and the information contained in the draft lease it was the case that some of the information contained therein was legally commercially sensitive nature and therefore would not be disclosed publicly. It was also the case that the palace was operational during the period that the Firoka Group was present at the palace and the bar and cafes and other public facilities/exhibitions had remained opened and functional.

In response to further comments of Mr O'Callaghan as to the issue of a holistic approach and whether this was a viable solution, and therefore should be revisited, and also the articles and information contained on the web on wikipedia in relation to Mr Kassam of the Firoka Group showed that the Firoka organisation was not suitable

The chair responded that in terms of any information anywhere on the web i.e. on wikipedia or otherwise and also comments expressed regarding Mr Kassam here or otherwise he cautioned Members from making such comments and that it was dangerous to do so.

In response to further comments of Mr O'Callaghan in relation to if the current preferred bidder were to withdraw and a hotelier were to develop a hotel facility in the southwest wing of the palace and whether the profits would assist in the running costs of the palace Mr Loudfoot advised that in granting any form of lease or tenure to a hotelier the Trustees would only receive ground rent for the site and the hotelier would retain the profits.

Mr Hutchinson referred to the fact that in terms the actions of the Trustees

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and the objectives of the Charitable Trust it was evident that the maintenance and up-keep of the building was of a considerable enormity and that it was just not the case that funds coming from either events or sub leasing parts would cover the maintenance costs. Whilst there was some negative view prevailing in terms of the Firoka bid it was a fact, as stated by Ms Paley that there was no other bidder and therefore the Trustees were attempting to broker the best deal possible for the future of the palace.

Mr Tarpey, in sharing the views of Ms Paley and Mr Hutchinson, commented that in terms of the fabric of the building – the costs on a day to day basis were considerable, and there were issues to face in terms of the Ice Rink and the fact that the ice generator was nearing the end of its use and would need replacement. The Firoka bid was the only possible source of capital investment and that the figures that the bid represented would restore the palace. It was an obvious that no other bidder willing to or able to fund the costs of this required level of restoration.

In response to further points of clarification Mr Loudfoot advised that the Ice Rink represented about 20% of the usable area at the palace. It was the case that whilst individual profit centres ( such as the ice rink ) generated income that was in excess of direct expenditure, overall the entire operation of the palace ran at a loss and that to replace the floor of the Ice rink and replace the existing ice plant the costs would be in the region of £1 million.

Mr O'Callaghan further commented in terms the palace running at a surplus prior to 1965, and the requirements of the trustees to ensure that the palace was run within the auspices of the 1985 Act, and he stated that in his view he did not accept the concept of selling off the Palace, as embarked upon by the current trustees. There were other avenues that should be explored other than selling the Palace as a whole to one developer in a holistic development concept and that these had not been fully explored.

Ms Paley commented that previously when the concept of hoteliers developing a hotel at the palace it was the case that on each occasion the financial assessment had shown that it would not be viable financially just to have a hotel. She added that whilst she was not particularly happy with the Firoka bid it was the only bid that came close to having the palace restored and maintained as required. Mr Boshier referred to comments in relation to the Palace being sold off to the Firoka Group, and in reference to the reports in the press – The Ham and High to sell off the palace, reminded the meeting that the palace was not being sold off, but that the Trust was entering into a lease with the proposed developer – Firoka –and this had always been the case.

The Chair thanked and concurred with the comments of Mr Boshier.

There being no further comments it was:

**RESOLVED**

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|                       | <p>That the report on the future of the asset be noted.</p>  |
| <p><b>APCC39.</b></p> | <p><b>PARK ACTIVITIES UPDATE:</b></p> <p>The Chair then asked for a brief introduction of the report.</p> <p>In a succinct introduction to the circulated report the General Manager – Mr Loudfoot gave a brief update of recent activities carried out in Alexandra Park and answered points of clarification. In particular Mr Evison’s report advised that Warner Estate Residents Association had consulted their members over their request for a new pathway from the Redstone Road entrance. The report commented that Mr Evison had attended the WERA AGM on 6 July 2008 where the meeting had fully endorsed the proposals. He would now commence drawing up detailed plans.</p> <p>Mr Loudfoot further commented that:</p> <ul style="list-style-type: none"> <li>• The Alexandra Park Ornithological Group (APOG) held a public bird walk in May and 43 species were sighted. This list has been published on the Alexandra Palace Website and is available in the Information Centre. APOG was preparing a ‘Birds of Alexandra Park’ leaflet detailing all species that may be seen;</li> <li>• Traffic Engineers have reviewed the crossing point on Alexandra Palace Way (below the Palm Court entrance) and feel a traffic island could be installed to provide a refuge for pedestrians. Quotations for this project were being sought.</li> </ul> <p>Mr Loudfoot also advised that following the conclusion of the HLF an event had been arranged for Sunday 10 August 2008 to celebrate the success of the HLF project, with full media coverage, and all members of the Advisory, and Consultative Committee, and the Alexandra Palace and Park Board would be invited to the event. In response to points of clarification the committee were advised that the event was not open to the public and was by invitation only. The event would not be appearing on the Palace’s website.</p> <p>Mr Loudfoot further advised that there had been a positive visit from the Green Flag Judges at the end of May 2008, where it had been remarked upon how improved the park had appeared since the previous year by one of the judges who had been judging the park the previous year. The judges’ results were expected on 17 July 2008.</p> <p>The Committee then briefly raised the following points;</p> <ul style="list-style-type: none"> <li>• Whether the gantries would be replaced and the response from Mr Loudfoot that the columns had been cast iron, filled with concrete which had subsequently caused corrosion which resulted in the need for their removal. The gantries would not be returning. New signage had been ordered and would be visible shortly.</li> </ul> |

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|                       | <ul style="list-style-type: none"> <li>• That in response to comments relating to the public showing of the park by-laws the new park notices did in effect show the does and don'ts but were less authoritarian</li> <li>• That there was considerable positive feedback from users in relation to how good the park was looking and that both the park manager and the contractors should be congratulated on their excellent efforts</li> <li>• The temporary use of the lower car-park by the contractors Costains and confirmation that this had been agreed at a small fee in order for workers on the building site below the palace having a place to park during the day whilst working on site</li> <li>• Concerns at a recent corporate event and the close of pathways to the enclosure in the Upper Field and the comments of the General Manager that the event's organisation had not been clearly detailed when the event was booked and not as the company had explained it would happen, There would be no further occurrences as what had happened though there were usually 3 /4 events of this nature during one calendar year</li> <li>• That there was better signage needed around the park, especially showing where the pitch and put was in operation and Mr Loudfoot confirmed that signage was in the process of being ordered</li> </ul> <p>There being no further discussions it was:</p> <p><b>RESOLVED</b></p> <p>That the report be noted.</p> |
| <p><b>APCC40.</b></p> | <p><b>FORTHCOMING EVENTS:</b></p> <p>The General Manager advised the Committee of those events provisionally confirmed (<i>in italics</i>) and those confirmed on the events sheet. In particular he referred the Committee to the new antique fair scheduled and the good quality feedback of the previous event by the new organiser.</p> <p>In response to in relation to how the booking of events at the Palace had been affected by the uncertainties of the future of the palace Mr Loudfoot advised that at this time it was not clear if the current difficult market conditions or adverse publicity surrounding the development would affect bookings at the Palace. APTL did not rely so heavily (as others) on trade shows which were perhaps the most vulnerable type of events to an economic slowdown.</p> <p>In response to further clarification as to bookings Mr Loudfoot advised that there were bookings being taken for up to 3 years ahead, and the Trading Company was fully engaged in actively progressing bookings etc.</p> <p><b>NOTED</b></p>  |
| <p><b>APCC41.</b></p> | <p><b>ITEMS REQUESTED BY NOMINATED REPRESENTATIVES</b></p> <p>(i) Items raised by J. O'Callaghan – Hornsey Historical Society</p>  |

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- (a) Whether representatives of the Consultative cttee on the Board should report back to the committee

Mr O'Callaghan commented on the fact that he could not recall any incident in the past few years whereby the Board had responded to the Consultative Committee on views expressed by it. In response the Chair advised that in terms of reporting back it was the case that the minutes of the Consultative Committee were reported to the Board, and vice a versa and any matters raised by the Committee would be considered by the Board. It was also the case that the representatives appointed by the Consultative committee to the Board in a non voting capacity would also report back there were matters needing clarifying arising from Board minutes. It was further the case that the Consultative Committee representatives had always expressed the views of the Consultative Committee at Board meetings.

In response to further points of clarification from Mr O'Callaghan the Chair advised that the Consultative Committee had and were kept fully updated in terms of the developments at the palace and that indeed matters of a commercially sensitive and confidential, as with any constituted Committee of the LB Haringey, would not be divulged in public session.

Mr Tarpey commented that the minutes of the Board meetings clearly showed the views of the Board, together with those comments of the 3 non voting representatives, and observer. It was also the case that where necessary when speaking at Board meetings each non voting representative was giving the views of the Consultative Committee and the consensus views of the consultative committee were amplified, though of course personal views were not. The Board had always allowed the non voting representatives, and observer to be present during the exempt part of the proceedings and each representative recognised that whilst they were able to comment and give view there would be no disclosure of such discussions, for the reasons as stated by the Chair. Ms Paley shared the comments expressed by Mr Tarpey and added that there was good reason why there had and were reasons for matters to be of a confidential nature.

Mr Hutchinson referred to the process for the Advisory Committee and the recommendations arising therefrom to the Board, and that at each subsequent meeting there was a clear set of observations from the Board to the Advisory committee and vice a versa. He felt that the Consultative Committee should adopt the same process as when it had any matters for the Board to consider.

Ms Hayter commented that she could not recall the Consultative Committee discussing the proposed lease. She was aware that there had been Freedom of Information requests for information contained in the lease but by and large people were unaware of its content. In her view much of the lease should be within the public domain.

In response to a number of points raised the General Manager advised that some sections of the lease were and would remain confidential but

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|         | <p>much of the lease was not and had indeed been discussed in open forum.</p> <p>In conclusion the Chair felt that Mr Hutchinson's suggestion was an excellent one and that the Committee would be able to follow this practice in future.</p> <p><b>RESOLVED</b></p> <p>That in future recommendations arising from discussions of the Committee which require consideration by the Board, be reported to the Board in tabulated format, and the responses of the Board be reported to the next meeting of the Consultative Committee in the same format, as was the practice of the Advisory Committee.</p> <p>(b) The general policy relating to leasing and sub-leasing to not for Profit organizations carrying out the charity's objects, and the proportion of the charity land currently designated</p> <p>Mr O'Callaghan raised the issue as stated in relation to the Sports club and that lease did not allow for sub-letting</p> <p>Mr Loudfoot explained that the sports club wished for some changes to allow use of the ground by the soon to be built secondary school. It was the case that the current lease was due for a rent review and that this was a perfectly normal thing. It was the unfortunate that some publicity had been generated to pressure the trustees into not pursuing the 'best rent reasonably obtainable' Mr Loudfoot explained that the principles of best rent were a requirement of the charities act.</p> <p>In further response to clarification from Mr O'Callaghan Mr Loudfoot advised that no leases were set aside specifically for any charitable use and that it was not the case that this should be so.</p> <p>In due course the rent review would be reported to the board.</p> <p>In conclusion the Chair summarised and it was:</p> <p><b>RESOLVED</b></p> <p>That the Consultative Committee discuss the lease at its meeting in October 2008.</p> <p>(c) Firoka</p> <p>Matter dealt with earlier in the meeting.</p> |
| APCC42. | <p><b>ANY OTHER BUSINESS</b></p> <p>Nil items</p>  |

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| <b>APCC43.</b> | <b>TO NOTE THE FOLLOWING DATES OF THE CONSULTATIVE COMMITTEE FOR<br/>MUNICIPAL YEAR 2008/09</b><br>14 October 2008<br>17 February 2009<br><br>There being no further business to discuss the meeting ended at 21.20hrs. |
|----------------|---|

COUNCILLOR MATT COOKE

Chair



**ATTACHMENT 'A'**

**Alexandra Palace and Park Board – 21 OCTOBER 2008**

**RESOLUTIONS of the Alexandra Park and Palace Advisory Committee  
("SAC") dated 7<sup>th</sup> OCTOBER 2008**

**(a) Future of the Asset**

**RESOLVED**

- i. That the Advisory Committee notes with considerable concern and disquiet the findings of the independent review into the granting of a Licence to Firoka to carry out the functions of the trading company, in its place, , and that this Licence seemingly ran counter to the previously expressed requirement that the Board at all times had to ensure that it obtained the best possible return reasonably obtainable from the assets of the Charity;
- ii. That the Advisory Committee repeats its earlier concerns at the lack of consultation by the Board in respect of the proposed terms of the Lease with the Firoka Group, and that they be fully consulted, and that all relevant matters be disclosed to it, in advance of any decision, in respect of the Board's plans for the future of the asset; and
- iii. That in respect of the planned consultation about the future of the Palace (the "Away Day") the Board widen the invitations to attend to representatives of both the Advisory and Consultative Committees, in order to obtain input from representatives of the local Community.

**(b) Alexandra Park Cricket Club, in respect of the rent review of the Lease**

**RESOLVED**

- i. That the Board consults the Advisory Committee in respect of the terms of any proposed sub-lease, following the variation of the Cricket Club's existing lease; and
- ii. that consultation with this Committee should occur before any proposed sub-lease is considered by the Board, in order for the Committee to express its views to the Board.

**(c) Legal clarification of advice given by the LB Haringey re:-  
the Gaming Licence (Occasional Use Notice) under section 39 of  
the Gambling Act 2005, and the Advisory Committee's remit  
RESOLVED**

- i. That the Board be requested to note that the Advisory Committee does not agree with the advice received from the LB Haringey's Legal Service that the above matter did not fall within its remit;
- ii. That the Advisory Committee intends to convene either a Special or Urgency Sub-Committee meeting in mid November 2008 to discuss the advice and that it has requested that the LB Haringey's Legal Service attend that meeting for the purpose of the Committee receiving the advice and having an opportunity to consider the same with the officers/ advisers concerned; and
- iii. That the Advisory Committee intends to consider (following such meeting) obtaining a second opinion as to the legal advice tendered by the LB Haringey's Legal Service.



Agenda item:

**Alexandra Park & Palace Board**
**On 21st OCTOBER 2008**
**Report Title: PARK UPDATE (ACTIVITIES)**
**Report of: Mark Evison, Park Manager**
**1. Purpose**

- 1.1 To inform the Board of the recent activities carried out in Alexandra Park.
- 1.2 To update the Board on the recent interest in 'the Actual Workshop'.

**2. Recommendations**

- 2.1 That the Board notes the report.
- 2.2 That the Board agree that the Park Manager should progress the footpath across Redston field subject to planning and budget constraints.
- 2.3 That the Board agree to advertise the Actual Workshop for letting.

**Report Authorised by: Mark Evison, Park Manager:**


**Contact Officer: Mark Evison, Park Manager,  
Alexandra Park & Palace Charitable Trust, Alexandra Palace Way,  
Wood Green N22 7AY. Tel No. 020 8365 2121.**

**3. Executive Summary**

- 3.1 This report details the activities and projects that have taken place in the park.
- 3.2 The Board are asked to consider the future of the Actual Workshop building.

**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**

**Heritage Lottery Project**

- 6.1 To celebrate the successful completion of the project a launch event was arranged for Sunday 10<sup>th</sup> August and was well attended. The Principle Landscape Architect for the project showed the invited guests around the park and described the main project elements.

**Park Events**

- 6.2 The British Trust for Conservation Volunteers (BTCV) continued their programme of events over the summer. Work was carried out to replace steps and footbridges in the conservation area. Plans are being put in place for habitat works around the conservation area and Redston pond for implementation during the coming winter season.
- 6.3 The park also hosted two corporate fun-days, a charity fun-run and a sponsored walk. Considerable diversity of bird life has been discovered in the area of scrubland close to the cricket field and two bird-watching walks have taken place with over fifty species being spotted. A new leaflet with details of the waterfowl commonly seen at the boating lake is now available from the lakeside café.
- 6.4 The Farmers' Markets on Sunday mornings continue to be as popular as ever. The organisers are very proud to announce that the Alexandra Palace market recently won a Time Out award for 'best local food market' which has further raised the profile of this regular event.

**Park Concessions**

- 6.5 The new pitch and putt course has been very popular this summer, despite the inconsistent weather. The operator has set up a kiddies putting area and plans to start coaching sessions next season.
- 6.6 Work will be carried out over the closed season to improve the greens and make the course more environmentally friendly. The conservation volunteers will be planting a native hedge to increase the habitat for insects and bird life.
- 6.7 The lakeside café and grove cafe have both been busy over the summer. The reopening of these facilities has increased the user numbers and turned what were often quiet, empty areas of the park into busy focal points for the community.

**Footpath across Redston Field**

- 6.8 The Warner Estate Residents Association (WERA) voted at their AGM on 7 July to request the Park Manager progress their proposal for a hard-surfaced footpath across Redston Field. The path is intended to link the Park Avenue North entrance to the Lower Road. A plan showing the approximate route is attached as Appendix A.
- 6.9 The WERA members discussed the impact of the path and its finished surface material. The members requested a gravel-type finish to help the path blend in to the park.
- 6.10 An informal inquiry has been made to the Planning Department of Haringey Council but as yet, no response has been forthcoming.
- 6.11 It is recommended that the Board agree that the Park Manager should progress the footpath across Redston field respecting budget and planning constraints.

**The Actual Workshop**

- 6.12 Following a long occupancy by Haringey Council as an education centre for young disabled people this building became vacant some years ago.
- 6.13 The building was advertised to let in 2006 together with the cafés and other concessions in the park. This competitive tender did not bear fruit and the building remains empty.
- 6.14 A number of inquiries have been made over recent months and the interest is such that the trustees should now consider the advertising the opportunity for use of this building.
- 6.15 Recent proposals received fall into four categories:
- Soft-play and children's activities.
  - Restaurant or Café use.
  - Centre for teaching art and community use
  - Children's drop in centre/crèche
- 6.16 The Board is asked to consider these outline proposals and decide if any of them are not a suitable use for the building.
- 6.17 The Board are also invited to suggest any other uses they would wish to see for this building.
- 6.18 Officers can then collate the uses deemed suitable advertise the opportunity in the local press and 'Leisure Opportunities' magazine.
- 6.19 Progress on this item will be reported back to trustees at a later date along with the financial implications once advert response has been evaluated.

**Green Flag Award**

- 6.20 The Civic Trust awarded Alexandra Park its first Green Flag Award for 2008-09. This reflects the hard work carried out by all of the staff and volunteers involved over the last twelve months.
- 6.21 Two new flag poles have been erected on the south slope to display the green flag(s).
- 6.22 Work is in progress towards retaining this prestigious award next year. Strategy meetings are in place with the grounds maintenance team and the park management plan, which is a key document, is under review.

**Grounds Maintenance**

- 6.23 John O'Conner (Grounds Maintenance) Ltd have been working on site since May 2008. All of the staff working for the previous contractor have been retained and the transfer went very smoothly. JOC(GM) have now established the work patterns required and have been successfully maintaining the park to a high standard and their efforts have been an essential part of the successful bid for a Green Flag Award.
- 6.24 JOC(GM) are now working towards the international standards for Environmental, Health & Safety and Quality Management Systems.
- 6.25 Improvements to the depot area have been implemented and the quality of the maintenance regime has increased in many areas.

**Boating Lake Improvements**

- 6.26 The Park Manager has been in discussion with the Environment Agency to establish proposals to improve the boating lake for fish and anglers. The Alexandra Fishing Club and the pedal boat operators were also consulted on the proposals
- 6.27 The proposals include construction of two additional fishing platforms and new aquatic planting to increase the habitat available as refuges for fish from predators and as spawning areas.
- 6.28 The Environment Agency would offer grant funding to cover a large portion of the costs.

**7. Recommendations**

- 7.1 That the Board notes the report.
- 7.2 That the Board agree that the Park Manager should progress the footpath across Redston field subject to planning and budget constraints.
- 7.3 That the Board agree to advertise the Actual Workshop for letting.

**8. Legal and Financial Implications**

- 8.1 The cost of the path to across Redstone field has not yet been agreed, if sufficient funding from this years budget is not available the project will be delayed until next financial year.
- 8.2 The path may also require planning permission, if this is the case funding will not be committed until permission is given.
- 8.3 The proposed grant from the Environment Agency will require some matched funding to be provided, this cost will be reported back to the board at a future date.
- 8.4 The income from the proposed letting of the 'Workshop' cannot be evaluated at present and a further report will be provided to the Board before any commitment is given to potential tenants.
- 8.5 The LBH Chief financial officer and the Trust's Solicitor have been sent copies of this report.

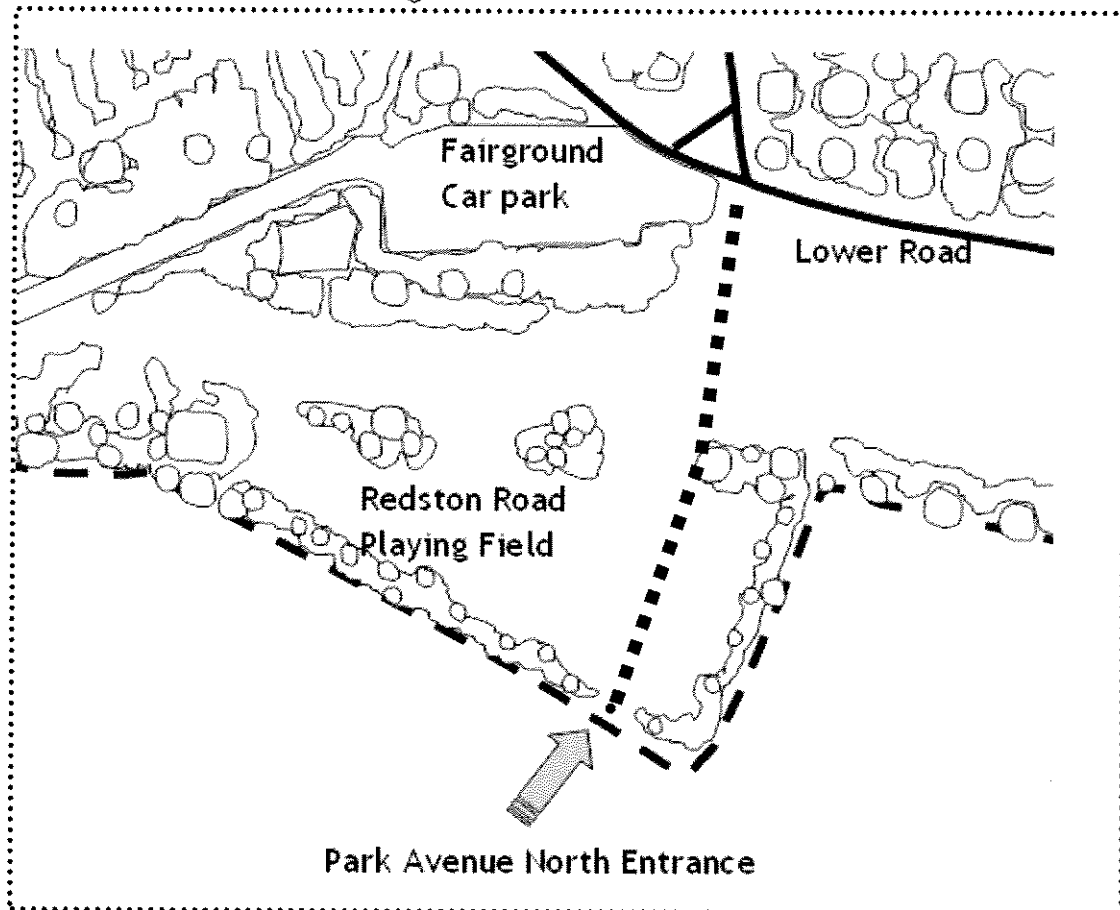
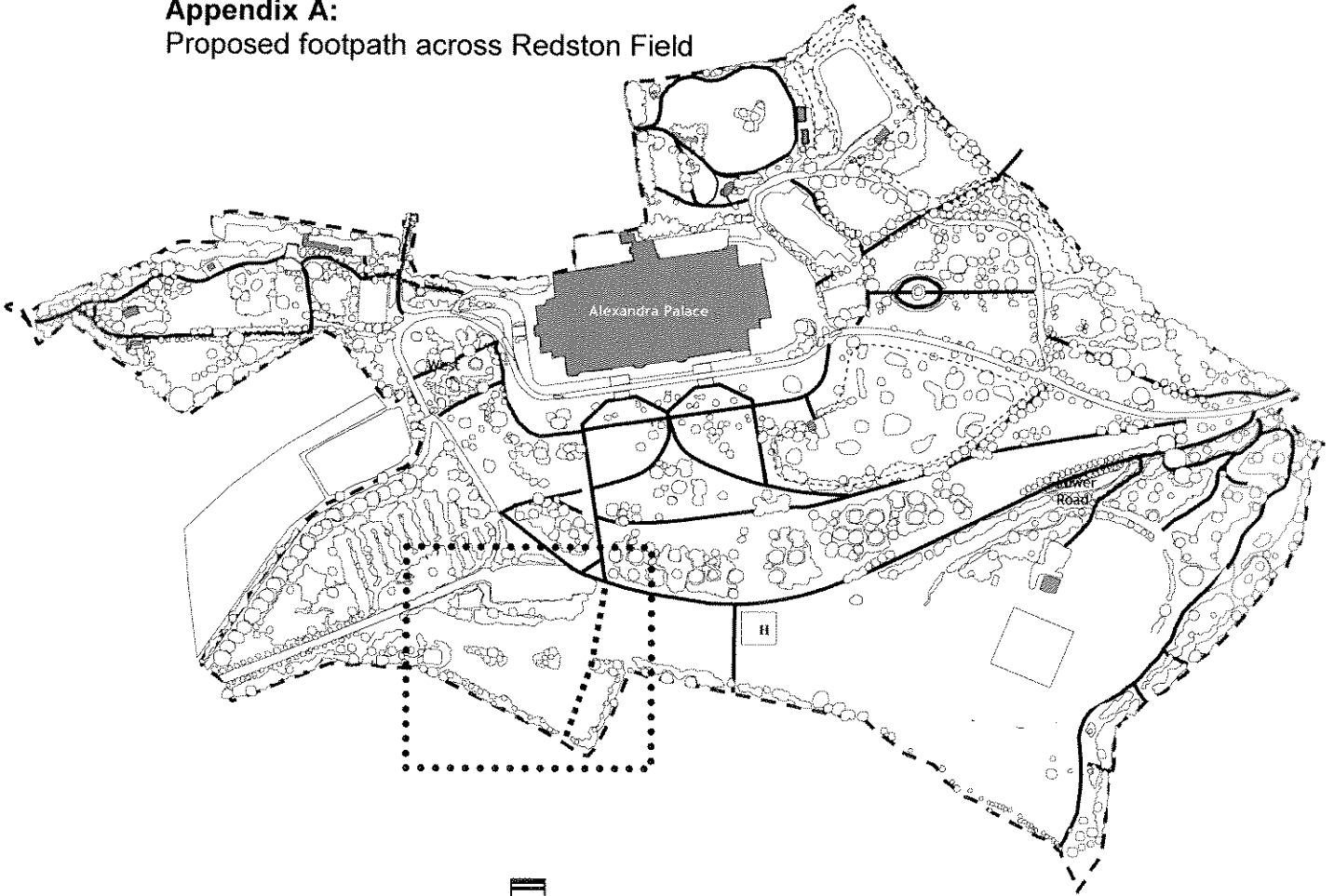
**9. Equalities Implications**

- 9.1 n/a

**10. Use of Appendices/Tables/Photographs**

- 10.1 Appendix A: Proposed footpath across Redston Field.

**Appendix A:**  
Proposed footpath across Redston Field



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Agenda item:

**ALEXANDRA PALACE & PARK BOARD****On 21<sup>st</sup> October 2008**

Report Title: **5 MONTHS RESULTS TO THE END OF AUGUST 2008**

Report of: **Helen Downie, Head of Finance, Alexandra Palace & Park**

**1. Purpose**

1.1 To advise the Board of the 5 months result to the end of August 2008.

**2. Recommendations**

2.1 The Board are asked to note the income and expenditure for 5 months to end of August 2008 which are summarised at Appendix I.

2.2 The board note the overall position at the 5 months is a saving of £123k against the budget position. This trend is not expected to continue to year end but it is not expected to exceed the existing budget at year end.

Report Authorised by: **Helen Downie, Head of Finance**.....*H. Downie*.....

Contact Officer: Helen Downie, Head of Finance, Alexandra Palace & Park, Alexandra Palace Way, Wood Green, London N22 7AY. Telephone number 0208 365 4310.

**3. Executive Summary**

3.1 The 5 months result is tabulated against budget at Appendix I.

3.2 The charity is currently under budget and expects to end the year at a budget deficit of £1.68 million.

**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 Board has agreed to set its net budget estimate for 2008/09 at £1.68m. This estimate includes a net operating loss of £2.68m and a gift aid payment from APTL of £1m.
- 6.2 The tabulation at Appendix 1 summarises the financial information for the 5 months up to the end of August 2008. Overall, income is £14k above budget and expenditure is £109k below budget, giving a net favourable variance (saving) of £123k. Explanations for the key variances are given below.
- 6.3 It is anticipated that expenditure on repairs and maintenance to the building will be more heavily weighted towards the latter part of the year. The budget is phased to reflect this and the overall position is monitored on a monthly basis.
- The charity has several projects underway relating to governance and reform which will incur costs. The quantum of these costs has not yet been identified, however it is intended to contain this expenditure within the overall agreed budget of £1.68M
- 6.4 APTL management accounts have been prepared for the five months ended August 2008 and the indications are that the gift aid payment of £1m remains achievable. The control of charity expenditure will remain on a prudent basis to ensure that the charity revenue deficit does not exceed that budgeted for.
- 6.5 On the basis of the above it is predicted that the charity will remain within the existing budget of £1.68M deficit for the year..
- 6.6 Capital expenditure has been limited to date. The expenditure on fixed assets for the year to August was £25k, largely in the category of fixtures and fittings, which will be depreciated over four years.
- 6.7 If the performance of the trading company remains on target and the charity successfully controls it's other costs then it may be possible nearer the year end to make some targeted capital purchases to assist the trading company but this will be dependent on overall group performance.
- 6.8 Income is £14k above budget, mainly due to higher than anticipated service charges for utilities costs, which are invoiced annually in arrears. This reflects the sharp increase in fuel costs over the past twelve months.
- 6.9 Prime costs are £4k or 1% above budget.
- 6.10 Fixed overheads are £10k below budget due to a positive variance on insurance against budget.
- 6.11 Variable overheads are £93k under budget due largely to underspends on building repairs (£68k) and depreciation (£25k). Professional fees are £10k over budget which is offset by a £10k positive variance on Development costs.

- 6.12 The overall position at the 5 Months is a saving of £123k against the budget position. This trend is not expected to continue to year end but it is not expected to exceed the existing budget at year end.

**7. Consultation**

- 7.1 N/A.

**8. Summary and Conclusions**

- 8.1 The 5 months result is tabulated against budget at Appendix I.

**9. Recommendations**

- 9.1 The Board are asked to note the income and expenditure for 5 months to the end of August 2008 contained in the report and summarised at Appendix I and the explanations for key variances given.

- 9.2 The board note the overall position at the 5 months is a saving of £123k against the budget position. This trend is not expected to continue to year end but it is not expected to exceed the existing budget at year end.

**10. Legal and Financial Comments**

- 10.1 The Trust's Solicitor has been sent a copy of this report.

The LBH CFO has been sent a copy of this report and his comments are attached as appendix 2.

**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 5 months to August 2008.

ALEXANDRA PALACE AND PARK CHARITABLE TRUST  
ACTUAL VERSUS BUDGET FOR THE FIVE MONTHS TO AUGUST 2008

|                                       | Actual YTD      | Budget YTD        | Variance       | Variance % | Annual Budget     |
|---------------------------------------|-----------------|-------------------|----------------|------------|-------------------|
| Concessions/Leases                    | 58,690          | 52,531            | 6,159          | 12%        | 251,775           |
| Community Events                      | 6,516           | 12,083            | -5,567         | -46%       | 53,000            |
| Sundry Sales                          | 200             | 1,667             | -1,467         | -88%       | 4,000             |
| Service Charges                       | 18,581          | 3,333             | 15,248         | 457%       | 8,000             |
| <b>TOTAL INCOME</b>                   | <b>83,987</b>   | <b>69,614</b>     | <b>14,373</b>  | <b>21%</b> | <b>316,775</b>    |
| <b>EXPENDITURE</b>                    |                 |                   |                |            |                   |
| Salaries                              | 110,840         | 108,909           | -1,931         | -2%        | 261,381           |
| Contracted Services                   | 459,465         | 457,500           | -1,965         | 0%         | 1,048,000         |
| <b>TOTAL PRIME COSTS</b>              | <b>570,305</b>  | <b>566,409</b>    | <b>-3,896</b>  | <b>-1%</b> | <b>1,309,381</b>  |
| Fixed overheads                       | 155,657         | 165,417           | 9,760          | 6%         | 397,000           |
| Variable overheads                    | 260,482         | 353,564           | 93,082         | 26%        | 1,082,220         |
| <b>TRUST BEFORE DEVELOPMENT COSTS</b> | <b>-902,457</b> | <b>-1,015,776</b> | <b>113,319</b> | <b>11%</b> | <b>-2,471,826</b> |
| Development costs                     | 77,645          | 87,500            | 9,855          | 11%        | 210,000           |
| <b>TOTAL TRUST OPERATION</b>          | <b>-980,102</b> | <b>-1,103,276</b> | <b>123,174</b> | <b>11%</b> | <b>-2,681,826</b> |
| Deed of Covenant/Gift aid payment     |                 |                   |                |            | 1,000,000         |
| <b>NET DEFICIT</b>                    |                 |                   |                |            | <b>-1,681,826</b> |

**Comments of the London Borough of Haringey Chief Financial Officer:**

**Gerald Almeroth LBH CFO has been supplied a copy of this report and provided the following comment:**

**“I note the current surplus position and that the projected position that the Trust will remain with the budget.”**

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Agenda item:

**Alexandra Palace & Park Board****On 21<sup>st</sup> October 2008**

Report Title: Audit report

Report of: **David Loudfoot, General Manager****1. Purpose**

1.1 To inform the Board of the recent findings of the LBH audit report.

**2. Recommendations**

- 2.1 That the Board note the report and that the actions identified are cross referenced to the reform 'action plan'.
- 2.2 That the board notes the need for development and adoption of framework and strategy documents for risk management, contract management, business planning and staff review and development and tasks the General Manager with production.
- 2.3 That the Board should receive updates on the identified actions at future board meetings until such time as all actions are fully completed. These reports should be part of the governance action plan reporting process.

Report Authorised by: **David Loudfoot, General Manager**.....Contact Officer: **David Loudfoot, General Manager, Alexandra Palace & Park, Alexandra Palace Way, Wood Green N22 7AY Tel No. 020 8365 2121****3. Executive Summary**

3.1 This report informs the Board of recent audit advice provided to the Charity by the London Borough of Haringey.

**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 Reference has been made to the 'Trustee action plan' agreed by the board on 26<sup>th</sup> September 2008 and also to the LBH audit report which is attached at appendix 1.

## 6. Description

- 6.1 The attached appendix 1 details the findings of the LBH Audit dept who recently undertook an exercise to provide LBH with reassurance on the financial controls in place at Alexandra Palace.
- 6.2 The report finds that some controls are operating effectively whilst others are not and as such a list of weaknesses has been identified for the General Manager to act upon.
- 6.3 The report advises the creation of formal framework and strategy documents for :

Risk Management  
Contract Management  
Business Planning  
Staff performance review and development

The need for these formal frameworks is accepted and the General Manager will report back to the board progress on the production and implementation of these frameworks as part of the overall reporting of progress with the action plan on governance.

- 6.4 It should be noted that there is considerable overlap with the findings of the independent report by Martin Walklate and in finalising the action plan it is recommended that the 12 action points from this be adapted and placed within the context of the existing action plan which has already been developed.
- 6.5 The cross reference grid is detailed below.

Item 1 (corporate governance) overlaps and will be addressed as part of action plan point 2a

Item 2 (risk management ) overlaps and will be addressed by action points 1d,2i,2j,3b,4c

Item 3 (relationship with LBH) overlaps and will be addressed by action points 3a-3c

Item 4 (Internal audit arrangements) will be addressed by AP reviewing the internal audit arrangements as part of the overall review by the AP head of Finance.

Item 5 (contract management framework) will be addressed by action point items 2i and 2j

Item 6 (business planning) will be addressed by action point item 1d

Item 7 (performance review and staff development )will be addressed by action point 1c and 4a-4d

Item 8 (contract management ) will be addressed by action point 2i



Item 9 (contract management) has been completed

Item 10 (repairs and maintenance) has been partially completed but will need ongoing buildings advice.

Item 11 (performance review) has been completed and the contractor given notice.

Item 12 (asset register) will be addressed by AP reviewing the arrangements as part of the Head of Finance duties and updating the existing records.

## **7. Consultation**

7.1 n/a

## **8. Recommendations**

- 8.1 That the Board note the report and that the actions identified should now be cross referenced to the reform 'action plan'.
- 8.2 That the board notes the need for development and adoption of framework and strategy documents for risk management, contract management, business planning and staff review and development.
- 8.3 That the Board should receive updates on the identified actions at future board meetings until such time as all actions are fully completed. These reports should be part of the governance action plan reporting process.

## **9. Legal and Financial Implications**

- 9.1 The LBH CFO has been sent a copy of this report and his comments are attached as Appendix 2.
- 9.2 The trust solicitor has been sent a copy of this report.
- 9.3 The General Manager will need to seek advice from external providers and liaison with the LBH audit and procurement teams, this cost will contained within the existing overall budget provision for the charity.

## **10. Equalities Implications**

- 10.1 There are no perceived equalities issues within this report.

## **11. Use of Appendices/Tables/Photographs**

- 11.1 Appendix 1-Report of audit dept.
- 11.2 Appendix 2- Comment of LBH Chief Financial officer

***Final Internal Audit Report***  
London Borough of Haringey  
*Alexandra Palace (The Trust)*  
*September 2008*

This report has been prepared on the basis of the limitations set out on page 20

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## 1. Introduction

1.1 Haringey Council as Trustee of the Alexandra Palace and Park Trust (the Trust) uses its corporate funds to support the revenue deficits of the Trust and more recently has provided financial support to Alexandra Park Trading Limited (APTL). In order to allow the Council's Section 151 Officer to fulfil their statutory responsibilities, assurance needed to be obtained that both the Trust and APTL's internal control mechanisms and governance procedures were in place and operating effectively. In order to achieve this assurance, an internal audit review of the internal controls and governance arrangements in place at the Trust and APTL was undertaken by Haringey Council. This report details the findings and recommendations for the Trust.

1.2 This report details the findings of the internal audit, based on the agreed scope, as follows:

- Organisational Structure;
- Delegation of Authority and Accountability;
- Control environment including risk assessment and management;
- Compliance with Financial and Contract Procedure Rules;
- The role of APTL and the Trust's management in ensuring key governance and control processes are operating effectively;
- Monitoring and reporting processes in relation to governance and control issues both within APTL and the Trust and between APTL/the Trust and Haringey Council;
- Review procedures to ensure local and statutory regulations are complied with; and
- Follow up processes where incidences of non-compliance are identified.

1.3 The audit identified a number of operational and procedural weaknesses that need to be addressed. In order to assist management in using our reports, we categorise our recommendations according to their level of priority:

- Priority 1* - major issues for the attention of senior management and/or the Board;
- Priority 2* - other recommendations for senior/local management action; and
- Priority 3* - minor/best practice matters.

The audit approach to the work undertaken is shown in Appendix 1 - Audit Framework.

## 2. Executive Summary

- 2.1 Based on the findings in paragraphs 2.2-2.3 a **limited** level of assurance can be provided. Weaknesses in the system of internal controls are such as to put the system objectives at risk. A full definition of our levels of assurance is detailed out in Appendix 3.
- 2.2 A number of controls were observed to be operating satisfactorily, some of which are listed below:
- The Trust is meeting their external reporting requirements in accordance with Charity Law.
  - Evidence exists that some contracts have been successfully tendered and entered into.
- 2.3 Within the system there are weaknesses which put some of the system objectives at risk. The key areas where weaknesses were found at the time of audit include:
- The Trust did not have a formal code of corporate governance in place at the time of the audit.
  - The Trust did not have a formal risk management framework in place at the time of the audit.
  - The Trust did not have a formal contract management framework in place at the time of the audit.
  - The Trust advised that external audit completed additional work to provide assurance, but no reports were available to support this apart from the opinion in the annual statement of accounts.
  - The Trust did not have a formal performance review framework in place at the time of the audit.
- 2.4 The need for sound corporate governance arrangements to be in place was raised in a report to the Alexandra Palace & Park Board on the 28<sup>th</sup> June 2005. The report includes the following key statements and recommendations:
- a) That the financial affairs of the Trust must be audited and scrutinised by the Director of Finance in the same way as other parts of the Council;
  - b) The activities of the Council as trustee must be covered by an adequate system of internal audit;
  - c) The activities of the Council as trustee must also be covered by a sound system of internal control, including risk management arrangements; and
  - d) Reports to the Board must clearly set out the financial implications of all proposals and the Director of Finance must have an opportunity to comment further if necessary.

- 2.5 In November 2005, the Council's former Interim Chief Executive wrote to the former General Manager about the report and instructed that the governance measures referred to in the 28 June 2005 report be implemented with immediate effect.
- 2.6 There is no evidence that the report or instruction was complied with as noted in Section 1. The recommendations contained within Section 1 re-state and reinforce the comments and recommendations made in the June 2005 report.
- 2.7 As a result of our audit work, we have raised a number of recommendations to help improve controls in the respective areas. Details of our recommendations can be found in Sections 1 of this report. Due to the relationship that exists between Alexandra Park and Palace Trust (the Trust) and it's wholly owned non-charitable trading subsidiary Alexandra Palace Trading Ltd (APTLL) the findings of the audit are structured to reflect this.

In respect of the Trust there are six priority 1 recommendations and six priority 2 recommendations raised.

**Acknowledgement**

We would like to take this opportunity to thank management and staff for their time and assistance during the audit.

## **Section 1 – Detailed Findings/Action Plan**

### **Alexandra Palace and Park Trust (the Trust)**

## 1. Corporate Governance

| Recommendation   | Rationale   | Priority Responsibility               |
|--|---|---------------------------------------|
| <p>The Trust put in place a Code of Corporate Governance for their organisation; take appropriate measures to publicise it; ensure that responsibility for monitoring and reviewing its operation is defined; and ensure that it is complied with on an ongoing basis across the organisation, with regular reports to the Board demonstrating compliance.</p>   | <p>The Trust did not have a formal code of corporate governance in place at the time of the audit.</p> <p>Public and private sector organisations need to ensure that they have effective governance arrangements in place to manage their businesses.</p> <p>A Code of Corporate Governance is an important tool in demonstrating and maintaining effective corporate governance across organisations.</p> | <p>1</p> <hr/> <p>General Manager</p> |
| Management response  |   | Deadline                              |
| <p>APPCT agrees that it will review corporate governance arrangements but points out that the board did not accept the recommendations made in the report of 2005 which was submitted to the board of trustees without input from the charity officers or advisors.</p> <p>The matter was taken up by the then Chair of the board but not pursued</p> <p>The review when it is conducted will rely heavily on the separate legal advice which has been sought and this will be reported to the trustees in due course.</p> |   | <p>April 2009</p>                     |



## 2. Risk Management Framework

| Recommendation   | Rationale   | Priority Responsibility                  |
|--|---|--|
| <p>The Trust implement a risk management framework for their organisation; ensure that responsibility for monitoring and reviewing its operation is defined; and ensure that it is complied with and embedded across the organisation.</p> | <p>The Trust did not have a formal risk management framework in place at the time of the audit.</p> <p>In order for the Trust to achieve their objectives and outcomes, the risks which might prevent this need to be identified, managed and monitored.</p> <p>A uniform and consistent approach to managing risks will ensure that organisations can achieve their objectives in the most effective and efficient manner.</p> | <p>1</p> <p>General Manager</p>          |
| Management response  |   |  |
| <p>APPCT will review its risk management strategy and report this back to the board of trustees. Formal adoption will of course be contingent on the review of strategy which is required now that the development is not going ahead</p>  |   | <p><b>Deadline</b></p> <p>April 2009</p> |

### 3. Relationship with Haringey Council

| Recommendation  | Rationale   | Priority Responsibility         |
|---|---|---------------------------------|
| <p>The Trust formally agrees an operating framework between the organisations and Haringey Council.</p> <p>The framework should specify the processes and timing for financial and legal input from Haringey Council into reports to the Trust's Board</p>  | <p>The Trust did not have a formal operating framework agreed and in place at the time of the audit.</p> <p>A formal operating framework would clarify the roles and responsibilities of all parties in the decision-making process.</p> <p>A framework would also ensure that appropriate support can be given by Haringey Council officers at relevant stages in the Trust's decision-making process.</p> | <p>1</p> <p>General Manager</p> |
| Management response   |   | Deadline                        |
| <p>The operating framework between APPCT and LBH is currently defined in the LBH constitution. A report by the local authority officers on corporate governance was submitted to the trustees some time ago but the contents were rejected by the trustees.</p> <p>APPCT will review the existing relationships and define a framework in consultation with the trust solicitor, charity commission and local authority officers</p> <p>It must be noted that there is a risk that too close an association with LBH may lead to the inadvertent creation of a shadow directorship of APTL which would not be beneficial.</p> <p>There is also a risk of the local authority having undue influence over the decisions of the charity trustees and officers which could have serious repercussions if the Charity commission were to conclude that the necessary separation had been compromised.</p> |   | <p>April 2009</p>               |

#### 4. Internal Audit Arrangements

| <b>Recommendation</b>   | <b>Rationale</b>   | <b>Priority<br/>Responsibility</b>       |
|---|--|--|
| <p>The Trust ensures that appropriate internal audit arrangements are in place for their organisations.</p> <p>Annual audit plans should be in place, which are agreed by the Board.</p> <p>Monitoring arrangements, including review of internal audit reports and implementation of recommendations should be in place.</p> | <p>At the time of the audit, the Trust advised that external audit completed additional work to provide assurance, but no reports were available to support this apart from their opinion in the annual statement of accounts.</p> <p>The role of internal audit is to provide an independent and objective opinion to the organisation on risk management, control and governance.</p> <p>The opinion given by internal audit is a key element of the framework of assurance which the organisation needs to report on as part of their statutory and annual reporting processes.</p> | <p>2</p> <p>General Manager</p>          |
| <b>Management response</b>  |  |  |
| <p>This is recognised as a weakness. The newly appointed Head of Finance will look to re-implement internal audit functions by March 2009.</p>  |  | <p><b>Deadline</b></p> <p>March 2009</p> |

5. Contract Management Framework

| Recommendation   | Rationale   | Priority Responsibility         |
|--|---|---------------------------------|
| <p>The Trust implement a contract management framework for their organisation; ensure that responsibility for monitoring and reviewing its operation is defined; and ensure that it is complied with and embedded across the organisation.</p> <p>The framework should define approval and reporting requirements, including the involvement of the Board.</p> | <p>The Trust did not have a formal contract management framework in place at the time of the audit. A number of contracts reviewed had either breached EU procurement regulations; had expired but were continuing beyond the contract period; were due to expire; and some operations were not subject to contract but had significant expenditure committed to them.</p> <p>A formal contract management framework would ensure that the organisation complied with local and statutory contract regulations</p> <p>Regular reporting on contract management would ensure that appropriate decisions were taken in accordance with business requirements.</p> | <p>1</p> <p>General Manager</p> |

| <b>Management response</b>  | <b>Deadline</b>   |
|---|-------------------|
| <p>APPCT agrees that this is a weakness and will draft suitable frameworks.</p> <p>The current position on those contracts identified above is a direct result of the drive to achieve the overall council and trustee strategy of risk transfer via a long lease of the building which has prevented re-tendering.</p> | <p>March 2009</p> |

## 6. Business Planning Framework

| Recommendation   | Rationale   | Priority Responsibility         |
|--|---|---------------------------------|
| <p>The Trust implements a formal business planning framework for their organisation; and ensures that responsibility for monitoring and reviewing its progress is defined.</p> <p>The framework should define approval, monitoring and reporting requirements, including the involvement of the Board.</p>                       | <p>In order for the Trust to achieve its objectives and outcomes, there is a need for a comprehensive business plan to be in place, including budgets and financial information, which can be monitored, reviewed and reported against on a regular basis.</p> <p>A uniform and consistent approach to business planning will ensure that organisations can monitor progress more effectively. Organisations can highlight variations or risks to non-achievement at an early stage to enable appropriate actions to be approved.</p> | <p>1</p> <p>General Manager</p> |
| Management response  |   | Deadline                        |
| <p>The trust undertakes in business planning by way of annual budget preparation, APPCT is aware that the LBH planning cycle is triennial and that APPCT planning does not align with the LBH system. There is no requirement of the Charities act that it does so, but it will endeavour to provide three year information.</p> |   | <p>November 2008</p>            |

## 7. Performance Review and Staff Development

| Recommendation   | Rationale  | Priority Responsibility         |
|--|--|---------------------------------|
| <p>The Trust will ensure that a formal performance review and staff training and development framework is introduced.</p> <p>The framework should specify the roles and responsibilities of all relevant parties, including the Board.</p> | <p>The Trust did not have a formal performance review framework in place at the time of the audit.</p> <p>A formal performance review framework would clarify the roles and responsibilities of all parties in delivering the aims and objectives of the organisation.</p> <p>A performance review framework would also ensure that individual officers' performance can be monitored and managed effectively and appropriate support and training can be identified and provided.</p> | <p>2</p> <p>General Manager</p> |
| Management response  |  | Deadline                        |
| <p>All staff will have been appraised by the end of September 08</p>   |  | <p>September 2008</p>           |

## 8. Contract management

| Recommendation   | Rationale   | Priority Responsibility   |
|--|---|---|
| <p>The Trust should ensure that its expenditure complies with local and statutory procurement regulations.</p> <p>In particular, the Trust should ensure that contracts are in place for:</p> <ul style="list-style-type: none"> <li>• security arrangements;</li> <li>• engineering; and</li> <li>• legal services.</li> </ul>  | <p>A number of contracts reviewed as part of the audit had either breached EU procurement regulations; had expired but were continuing beyond the contract period; were due to expire; and some operations were not subject to contract but had significant expenditure committed to them.</p> <p>The Trust needs to ensure compliance with local and statutory contract and procurement regulations.</p> | <p style="text-align: center;">1</p> <hr/> <p>General Manager</p> |
| Management response  |   | Deadline  |
| <p>The APPCT have recently considered the future of contracts for Security and Engineering. A forward plan is being developed to ensure the security function is secured until it is tendered and a new contract begun in April 2009, the engineering contract has been extended until 2010 when it will be re-tendered.</p> <p>The General manager is seeking advice on the subject of the legal services to the trust and this will be reported to the board in due course.</p> <p>Further procurement advice will be sought as part of a review of financial controls and procedures being conducted by the new Head of Finance</p> |   | <p>February 2009</p>  |



## 9. Contract management

| Recommendation   | Rationale   | Priority<br>Responsibility      |
|--|---|---------------------------------|
| <p>A copy of the insurance bond held by Integral (UK) Ltd should be obtained and held on file.</p> <p>The Trust should ensure that this continues to be in force should this contract be extended or re-appointed.</p> | <p>Compliance with the contract terms and conditions is essential in minimising the risks to the Trust.</p> | <p>2</p> <p>General Manager</p> |
| Management response  |   |                                 |
| <p>This has been obtained</p>  |   |                                 |
| Deadline   |   |                                 |
|  |   |                                 |

### 10. Repair and Maintenance of the buildings

| Recommendation   | Rationale   | Priority Responsibility         |
|--|---|---------------------------------|
| <p>The Trust should ensure that a robust programme of planned maintenance, developed by a suitably qualified and independent contractor/surveyor, is in place and is appropriately approved and monitored.</p> <p>The Trust should ensure that any additional works required or identified as part of the planned maintenance programme are subject to separate assessment and approval processes.</p>   | <p>Current arrangements in place are that the incumbent contractor undertakes any additional work identified outside of the planned maintenance, although a separate quote is received.</p> <p>Ensuring separation of roles between planned and ad hoc maintenance would improve accountability and transparency.</p> | <p>2</p> <p>General Manager</p> |
| Management response  |   | Deadline                        |
| <p>A defined programme of PPM is in place, the GM has subsequently re-appointed the professional advisor to assist in the contract management of the engineering contract. Advice is also sought on the building from several other professional advisors on an as needed basis.</p> <p>The PPM contractor does not have authority to undertake additional works unless approved by the Charity, however total separation of this role would lead to unnecessary cost increases.</p> |   |                                 |

## 11. Performance Review

| Recommendation  | Rationale  | Priority Responsibility         |
|---|--|---------------------------------|
| <p>The performance of the Development Manager must be subject to formal appraisal, in accordance with the requirements of the original appointment.</p>                           | <p>The terms and conditions of employment required review of the performance of the Development Manager role.<br/>           Formal review processes would enable timely decisions to be taken in respect of the continuation of this temporary appointment.</p> | <p>2</p> <p>General Manager</p> |
| Management response   |  |                                 |
| <p>Agreed, with the ending of the development project, some of the KPI points are not valid and as such the continuation of this contract for services may now not be needed.</p> |  |                                 |
|   |  | Deadline                        |
|   |  | September 2008                  |

## 12. Asset Register

| Recommendation   | Rationale  | Priority Responsibility         |
|--|--|---------------------------------|
| <p>The asset register should be reviewed and amended to reflect date of acquisition and value.</p> <p>Arrangements should be put in place for on-going periodic review of the register to ensure accuracy</p>  | <p>An up to date register enables the organisation to monitor its assets and assists in the production of statutory accounting processes. An asset register is also useful in the event of any losses.</p> <p>Periodic review of the accuracy of the asset register is a deterrent against obsolescence and misappropriation</p> | <p>2</p> <p>General Manager</p> |
| Management response  |  | Deadline                        |
| <p>Agreed. A more detailed fixed asset register will be introduced in the 2008/09 financial year and the date and value of all new acquisitions will be recorded.</p> <p>In respect of existing assets, this information should be relatively easy to obtain for the past three financial years. However, the backing documentation for earlier acquisitions is likely to be in archive and thus we will need to consider the cost/benefit of updating the register for these items, particularly as many older items will be fully depreciated.</p> |  | <p>March 2009</p>               |

### Statement of responsibility

We take responsibility for this report, which is prepared on the basis of the limitations set out below.

London Borough of Haringey Internal Audit & Risk Management

Finance Service 2<sup>nd</sup> Floor Alexandra  
House 10 Station Road Wood Green  
London N22 7TR

|                                   |                    |
|-----------------------------------|--------------------|
| <b>Contacts:</b>                  |                    |
| Director of Corporate Resources   | Julie Parker       |
| Head of Audit and Risk Management | Anne Woods         |
|                                   | Tel: 020 8489 2688 |
|                                   | Tel: 020 8489 5973 |

*The matters raised in this report are only those which came to our attention during the course of our audit review and are not necessarily a comprehensive statement of all the weaknesses that exist or all improvements that might be made. You should assess recommendations for improvements for their full commercial impact before they are implemented. This report has been prepared solely for your use and should not be quoted in whole or in part without our prior written consent. No responsibility to any third party is accepted as the report has not been prepared, and is not intended, for any other purpose.*

*We emphasise that the responsibility for a sound system of internal control rests with you and work performed by internal audit should not be relied upon to identify all systems weaknesses that may exist. Neither should internal audit be relied upon to identify all circumstances of fraud or irregularity should there be any although our audit procedures are designed so that any material irregularity has a reasonable probability of discovery. Even sound systems of internal control may not be proof against collusive fraud. Internal audit procedures are designed to focus on areas identified by management as being of greatest risk and significance. Effective implementation of our recommendations by you is important for the maintenance of a reliable internal control system.*

## Appendix 1 - Audit Framework

### Audit objectives

To review the Trusts internal control mechanisms and governance procedures.

### Audit Approach

The audit approach was developed by reference to appropriate standards and an assessment of risks and controls within the system.

The following procedures were adopted:

- **planning** – the key controls were identified and the overall approach determined;
- **documenting**- risks and causes of risks were assessed;
- **evaluating** – controls are matched against risks;
- **reporting** – findings, recommendations and implementation.

### Areas covered

The audit reviewed the procedures and controls over the following:

- The operation of the Trust.

**Appendix 2 – Staff involved**

| AUDIT TEAM  | STAFF CONSULTED   |
|---|---|
| Anne Woods – Head of Audit and Risk Management<br>Bryan Gonsalves – Principal Auditor | David Loudfoot - General Manager Alexandra Park and Palace (the Trust)<br>Kenneth Cushion – Acting Finance Director<br>Mark Evison - Park Manager |

### Appendix 3 – Definition of Assurance Levels

| Assurance Level       | Definition   |
|-----------------------|--|
| Full Assurance        | There is a sound system of control designed to achieve the system objectives.                                |
| Substantial Assurance | There is a basically sound system, but there are weaknesses which put some of the system objectives at risk. |
| Limited Assurance     | Weaknesses in the system of controls are such as to put the system objectives at risk.                       |
| No Assurance          | Control is generally weak leaving the system open to significant error or abuse.                             |



**Appendix 2**

**Comments of the London Borough of Haringey Chief Financial Officer:**

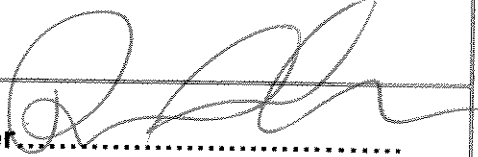
**Gerald Almeroth LBH CFO has been supplied a copy of this report and provided the following comment:**

“ The report is noted and I concur with the recommendations in the report. These actions should be implemented as soon as practically possible.”

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Agenda item:

| Alexandra Palace & Park Board  | On 21 <sup>st</sup> October 2008 |
|--|----------------------------------|
| Report Title: <b>Action Plan for reform of governance of APPCT (update)</b>  |                                  |
| Report of: <b>David Loudfoot, General Manager</b>  |                                  |
| <b>1. Purpose</b><br>1.1 To update the trustees on progress with the action plan which was adopted on the 26 <sup>th</sup> September 2008.   |                                  |
| <b>2. Recommendations</b><br>2.1 That the trustees note progress with the action plan.   |                                  |
| Report Authorised by: <b>David Loudfoot, General Manager</b>   |                                  |
| Contact Officer: <b>David Loudfoot, General Manager, Alexandra Palace &amp; Park, Alexandra Palace Way, Wood Green N22 7AY Tel No. 020 8365 2121</b>   |                                  |
| <b>3. Executive Summary</b><br>3.1 The LBH section 151 officer provided an independent report to the trustees that contained a series of actions which were recommended to improve the governance of the Charity for the future.<br>3.2 The action plan was agreed on the 26 <sup>th</sup> September, this report details changes and actions to date in respect of implementation of the action plan.<br>3.3 Quotations are being sought for external assistance with the implementation of the plan. |                                  |
| <b>4. Reasons for any change in policy or for new policy development (if applicable)</b><br>4.1 The independent report has identified some deficiencies and a more comprehensive system of governance is being defined.  |                                  |
| <b>5. Local Government (Access to Information) Act 1985</b><br>5.1 The Independent review for the London Borough of Haringey, "development of a licence to operate with Firoka" report has been referred to in the preparation of this report.   |                                  |

**6. Report.**

- 6.1 On the 26<sup>th</sup> September the General Manager presented an action plan to address the deficiencies identified in the independent report commissioned under the powers of the section 151 officer for the council. The action plan set out planned timescales and the trustees were made aware that in order to meet these timescales it would be necessary to ensure that adequate resources are provided to Officers to drive this process to completion.
- 6.2 The General Manager identified that the key priorities will be the initial drafting of the code of governance and the scheme of delegation with the other actions then following on from this point.
- 6.3 The process of research which will guide the development of the new code of governance has been started and the General Manager is identifying suitable resource to assist this process.
- 6.4 In adopting the action plan the trustees wished addition items to be included, these were potential recording of future trustee meetings and the arrangement of an away day.
- 6.5 Quotations are now being sought for both the advice on development of a new code of Governance and also for facilitation of an 'away day' for the trustees to discuss the future pathways for the charity.
- 6.6 The action plan will be updated and represented to the next meeting of the trustees, all future regular meetings of the trustees will include an update on the plan until such time as it is complete.

## ADOPTED ACTION PLAN

(as at 7<sup>th</sup> October)

|     | RECOMMENDATION: AIM OF REVIEW  | PROPOSED TIMESCALES | RESPONSE   |
|-----|--|---------------------|--|
| 1.0 | The Trustees of the Alexandra Palace and Park Trust review this report and consider the implications for good governance that it infers. Suggested outcomes of that review being to: |                     |  |
| 1a  | <ul style="list-style-type: none"> <li>Present a response to the Chief Finance Officer (Section 151 officer) of the London Borough of Haringey.</li> </ul>                           | Nov 08              | The trust solicitor should in conjunction with the senior staff and approval of the trustees prepare a response<br>This action plan shall be part of that response.  |
| 1b  | <ul style="list-style-type: none"> <li>Include the creation of a 'smart' action plan showing milestones, key achievements and outcomes.</li> </ul>                                   | Oct 08              | Once agreed with the board the responses in this document to be further time-lined and the rollout of them to be monitored by the General Manager who shall report progress to future meetings of the trustees.<br><b>This report is the first of a series to be presented to ensure the Board are kept informed as to progress</b>                                |
| 1c  | <ul style="list-style-type: none"> <li>Put in place a system of monitoring to ensure regular review of standards.</li> </ul>   | Oct 08              | The General Manager is adopting a system of staff reviews which is designed to achieve this within the staffing complement.<br>This will be implemented in the coming month and when fully developed this will form a performance management framework for the future linked to item 2a<br>Review of standards will also be addressed as part of the work on (2a). |
| 1d  | <ul style="list-style-type: none"> <li>Consider the extent to which regular financial and performance measurement data is routinely reported to the</li> </ul>                       | .                   | It is current practice that financial reports are provided to each regular board meeting.  |

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|  | Trustees. | Feb 09 | <p>The trustees should as part of the governance review consider if they would wish for either circulation of interim financial reports between board meetings or increasing the frequency of meetings. The charity should complete the work started sometime ago on a formal risk management register.</p> <p>The budget planning process in future years should include a formal business plan with clear targets and performance measures being included in this plan.</p> <p>The risk management framework should be formalised</p> |
|  |           | Feb 09 |   |
|  |           | Apr 09 |   |

|     | <b>RECOMMENDATION: AIM OF REVIEW</b>  | <b>PROPOSED TIMESCALES</b> | <b>RESPONSE</b>  |
|-----|---|----------------------------|--|
| 2.0 | <p>That the Trustees similarly cooperate with the Audit Division of the London Borough of Haringey in their review of governance at the Alexandra Palace in order to:</p> |                            |  |
| 2a  | <ul style="list-style-type: none"> <li>Seek the creation and implementation of a good code of governance without delay.</li> </ul>  | Initial report by Feb 09   | <p>The general manager should lead on a review of APPCT governance based on the best practice in the voluntary sector having in particular regard to guidance published by the Charity Commission. The General manager will draw upon external advice on voluntary sector and local authority best practice as part of this process.</p> <p>This will define a framework for both the trustees and officers to work within. The implementation of this is likely to entail</p> |

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|           |  |               | <p>a significant amount of trustee engagement including possible external moderation and 'trustee away days'.</p> <p><b>Quotations are currently being sought for both a facilitator for the proposed board away day and also for the provision of advice on governance in the third sector.</b></p>   |
| <p>2b</p> | <ul style="list-style-type: none"> <li>Determine a full scheme of delegation showing the extent of powers delegated from the Trustees to the individual officers and the conditions within which they will exercise those powers.</li> </ul> | <p>Feb 09</p> | <p>The General manager will lead upon production of such delegation to include a "chief executive limitations" document in respect of his own delegated powers. This scheme will also have regard to Charity best practice and the standing orders of LBH.</p> <p>This scheme should be formally reviewed every 3 years or more often if necessary.</p> <p>This will link into the work in (2i)</p>  |
| <p>2c</p> | <ul style="list-style-type: none"> <li>Clarify the role of the Trustees in order to ensure that paid staff and Trustees have a full understanding of their respective roles and responsibilities.</li> </ul>                                 | <p>Feb 09</p> | <p>The General Manager will prepare/ commission a draft document identifying the role of the trustees in respect of the strategy and objectives of the Charity. This will also identify expected and best practice in communications between the trustees and staff and officers. Annual induction and (re)training session led by the Trust solicitor and General Manager will continue and both new and existing trustees will be expected to attend.</p> <p>Clear guidance and training on roles of</p> |

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|           |  |          | <p>staff should be provided to both staff and trustees. This should be inline with Charity commission guidance on best practice and local authority regulations. This will be included in the work required for (2b).</p>   |
| <p>2d</p> | <ul style="list-style-type: none"> <li>Clarify procedures and opportunities for briefing of Trustees.</li> </ul> | <p>.</p> | <p>Best practice recommends that all trustees should attend an annual induction and (re)training session led by the Trust solicitor and General Manager. This is currently arranged before the first cycle of meetings in the municipal year and again at any change of membership to the trustees.</p> <p>In future, the sessions should be attended by all trustees whether newly appointed or long standing.</p> <p>A short form trustee manual should be published each (municipal) year in addition to the full induction pack currently provided.</p> <p>The board currently receive briefing notes as necessary, the review should consider a process for holding a pre-meeting prior to formal (decision making) board meetings or for strategically significant issues whereby a longer briefing may be supplied.</p> <p>The trust solicitor should provide advice on the overlap between best practice in the</p> |



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|           |   |   | <p>charity sector and local authority processes for briefing and information transfer where local authorities sit as trustees.</p>   |
| <p>2e</p> | <ul style="list-style-type: none"> <li>Ensure that processes exist to provide clear audit trails and documentation to support decisions. This is particularly important where any form of negotiation is involved.</li> </ul> | <p>.</p> <p>.</p> <p>Feb 09</p> <p>Feb 09</p> | <p>It has been actioned that all meetings where potential negotiations are being conducted are minuted.</p> <p>As a point of principle, as trustees have no authority to bind the charity, trustees should not hold client/negotiation meetings or discussions without the General Manager also being present.</p> <p>This will be formally addressed and reinforced as part of the work in (2b) and (2d).</p> <p><b>Trustees to consider recording of meetings, GM to obtain advice and pricing and revert to trustees for decision</b></p> |
| <p>2f</p> | <ul style="list-style-type: none"> <li>Determine processes for consultation with Trustees and other related bodies to ensure clarity and certainty of decision making.</li> </ul>   | <p>Jan 09</p>                                 | <p>The trustees should consider a mechanism whereby the briefings and discussions currently held with the chair are given a wider circulation.</p> <p>These points will form part of the code of governance and good practice will suggest that a regular meeting between the General Manager/trust solicitor and all trustees for briefing rather than decision</p>   |

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|           |   | <p>AGREED</p> <p>FEB 09</p>              | <p>purposes should be considered.</p> <p>The General Manager will continue to meet the LBH lead officers on a regular basis to ensure up to date financial and governance information is communicated to LBH.</p> <p>This will be formally addressed as part of (2c).</p>  |
| <p>2g</p> | <ul style="list-style-type: none"> <li>Determine or reinforce procedures for the production of key reports including allowing sufficient time for proper consideration and consultation and to develop an allied system for actions in case of emergency or urgent action.</li> </ul> | <p>.</p> <p>.</p> <p>.</p> <p>Oct 08</p> | <p>The section 151 officer already receives copies of board reports and a mechanism for his comments to be appended exists.</p> <p>Timescales for reporting have already been improved but the governance review should formally set out that Board reports (requiring a decision) should not be tabled except in case of extreme emergency.</p> <p>Tabled reports must include the comments of LBH officers or alternately LBH officers must be represented at the meeting.</p> <p>A delegated panel system already exists for urgent board decisions; this facility should be made more use of if reports to regular boards are delayed.</p> <p>These arrangements to be formalised as part of the work on (2a +2b).</p> |
| <p>2h</p> | <ul style="list-style-type: none"> <li>Receive a report from the Trustee's legal advisors in co-operation with the Legal Department of the London Borough of Haringey to ensure compliance with good governance</li> </ul>  | <p>Feb 09</p>                            | <p>Trust solicitor and General manager to prepare joint report on governance issues and Charity Commission and voluntary</p>   |

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|    | <p>guidelines as determined by the Charity Commission and to ensure that revised standards meet existing and anticipated statutory requirements.</p>  |                             | <p>sector best practice in conjunction with LBH legal team who will advise on the local authority aspects.<br/>This work will form part of item (2a)</p>  |
| 2i | <ul style="list-style-type: none"> <li>Fully review existing contracts for other services in order to ensure that they contain no shortcomings that expose the Trustees to either financial risk or accusation of poor governance standards.</li> </ul>                                       | <p>Feb 09</p>               | <p>This work has also been identified by the internal audit and a review is already underway and will be completed by Feb 09.</p> <p><b>OJEU advertised Tenders are underway for insurance and security function.</b></p> <p>Details of major contracts are already reported to the board when the award is made but it would be an improvement for an annual report on 'current contracts' to be produced.</p> <p>The General Manager should regularly brief the board where his delegated powers have been exercised.</p> <p>This will form part of item (2b).</p> <p><b>The General Manager should implement a formal contract management framework</b></p> <p><b>The Head of Finance should ensure that the Asset register should be formally updated</b></p> |
| 2j | <ul style="list-style-type: none"> <li>Consider the extent to which, in future, all contracts for significant services should, as a matter of course, be reviewed by legal representatives and subject to the signature of the Head of Legal Services (HOLS) at the London Borough</li> </ul> | <p>Mar 09</p> <p>Mar 09</p> | <p>The current arrangements are that all leases are sent to the HOLs for signature.</p> <p>Contracts for expenditure in excess of £150k are also sent to HOLs for signature.</p>  |

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|    | of Haringey.   | Feb 09 | As part of the delegation review the trustees should consider the future extent of the arrangements and this will be defined in the scheme of delegation.(2b). |
| 2k | <ul style="list-style-type: none"> <li>Review internal audit arrangements</li> </ul> | Mar 09 | The Head of Finance should review internal audit arrangements and report back to the GM and Board  |

| RECOMMENDATION: AIM OF REVIEW |  | PROPOSED TIMESCALES | RESPONSE   |
|-------------------------------|--|---------------------|--|
| 3.0                           | That an internal review of relationships between the Alexandra Palace and the London Borough of Haringey is carried out so as to include:  |                     |  |
| 3a                            | The adoption of protocols which maintain suitable autonomy for the Charity but recognise the importance of the relationship with the London Borough of Haringey and the support and guidance it can offer. | Feb 09              | <p>Formal arrangements have been put in place and will be strengthened where by the General Manager has a regular dialogue with the senior officers of the council.</p> <p>The trustees need to fully review the governance arrangements (item 2a) and consider the support available from LBH so as to ensure the proper separation of function but maximise the available advice.</p> <p>Where LBH can/does offer assistance then Service Level Agreements should be put in place to define the extent of the assistance provided and responsibility for the associated costs.</p> |

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| 3b | <p>Ensure the validity of a process which allows sufficient time and opportunity for the London Borough of Haringey to consider matters of strategic importance or potential financial consequence.</p> | Oct 08 | <p>Work on this issue has already been undertaken, the existing protocol is that all reports are submitted to the LBH Chief Financial Officer &amp; Legal team with (where possible) at least 5 days to allow time for comments to be raised. These timescales can be further improved and this should be addressed as part of item 2g and 3c</p> <p>Longer timescales will be applied for matters of strategic significance.</p> <p>The system where by LBH Comments are appended to the trust reports so as to ensure the separation of function is maintained has been reinforced and will continue.</p> <p>Tabled reports (requiring a decision) should be avoided except in extreme emergency, and if this is needed LBH officers should be notified and able to attend meeting. This <b>has been agreed and will be formally</b> addressed in item (2b)</p> |
| 3c | <p>Identify barriers to cooperation and support and to eradicate these accordingly.</p>   | Feb 09 | <p>The current general manager has established good working relationships with the senior officers at LBH.</p> <p>Any remaining barriers should be addressed as part of the review of (3a +3b) to ensure that trust staff and LBH officers clearly understand the roles</p>   |

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|           |  | <p style="text-align: center;"><b>Apr 09</b></p> | <p>and protocols, and that an improved spirit of cooperation is fostered.</p> <p><b>A formal operating framework between the Charity and Council should be defined in consultation with the stakeholders and charity commission.</b></p> <p><b><i>The DCS will provide updates to the board on this item in future</i></b></p> |
| <p>3d</p> | <p>That the actions of staff taken within the report are evaluated by the Trustees in cooperation with the London Borough of Haringey with a view to identifying short comings in their performance over the production of this licence.</p> |  |  |

|     | RECOMMENDATION: AIM OF REVIEW  | PROPOSED TIMESCALES | RESPONSE  |
|-----|--|---------------------|---|
| 4.0 | That key staff at the Palace are, where appropriate, given advice, support and training in good governance. This should include:   |                     |   |
| 4a  | <ul style="list-style-type: none"> <li>Operating within a political environment.</li> </ul>  | Feb 09              | <p>This will require liaison between the trust and LBH HR team to offer its advice and the provision of a briefing pack to the senior staff at the Trust.</p> <p>Where training needs are identified it will be provided.</p>   |
| 4b  | <ul style="list-style-type: none"> <li>The responsibilities of staff serving a body of Trustees.</li> </ul>  | Feb 09              | <p>Briefing document to be prepared by the trust solicitor and included in both the management and trustee briefing packs so that the roles and boundaries are clearly understood.</p> <p>This will be part of work on (2d) (2f)</p> <p>Where training needs are identified as part of this process, suitable training (if necessary via an external agency )will be provided</p> |
| 4c  | <ul style="list-style-type: none"> <li>The development of informative reporting that support good decision making including the proper evaluation of alternatives, clear and reliable financial and operational information and evaluation of potential risk.</li> </ul> | Feb 09              | <p>The future format of board reports to be considered as part of the overall governance arrangements (2a), future reports should focus more on risk evaluation and options appraisal especially where a decision is needed.</p> <p>The regular meetings between the General Manager and LBH Officers will also contribute to the information transfer. ( also see 4d)</p>        |

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|    |  |   | <p>Where the resolutions from board reports require a further feedback report this should be made as a formal report rather than as a verbal update.</p>                         |
| 4d | <ul style="list-style-type: none"> <li>• Ensuring that an atmosphere of transparency and openness exists between senior officers to ensure that all have the opportunity to contribute towards strategic decision taking.</li> </ul> | . | <p>This should naturally flow from a better defined framework between the trust and LBH but assurances should be sought in the future by the trustees that this is the case.</p> |
| 4e | <ul style="list-style-type: none"> <li>• The proper use of external documents to ensure no infringement of copyright or intellectual property rights.</li> </ul>   | . | <p>Agreed and has been actioned.</p>   |



**7. Recommendation**

- 7.1 That the trustees note the progress with the action plan.
- 7.2 That the trustees should continue to receive quarterly written updates on the implementation until such time as all actions are complete.

**8. Legal and Financial Implications**

- 8.1 The LBH Chief Financial Officer has been provided with a copy of this report. His comments are provided as Appendix 1
- 8.2 The Trusts solicitor has been sent a copy of this update report.
- 8.3 Trustees should be aware that the delivery of this plan will require commissioning of some external expertise and advice which will have a cost which at this stage is not quantified, the General manager has authority for this to be sourced out of existing budgets and he will report back as part of the entire process the costs incurred and estimates of any ongoing costs.
- 8.4 The requirement for additional trustee meetings and engagement will also have a cost implication for the future which will need to be allowed for in the budgeting process for future years.

**9. Equalities Implications**

- 9.1 n/a

**10. Use of Appendices / Tables / Photographs**

- 10.1 Comments of LBH CFO are attached as appendix 1

**Appendix 1**

**Comments of the London Borough of Haringey Chief Financial Officer:**

Gerald Almeroth LBH CFO has been supplied a copy of this report and provided the following comment:

“The action plan update is noted. There are financial implications arising from some of the recommended actions, these should be contained within existing budgets.”

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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of the Local Government Act 1972.

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