



Haringey Council

NOTICE OF MEETING

ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE

TUESDAY 15 JULY 2008 AT 19:30HRS – PALM COURT SUITE ROOM 5, ALEXANDRA PALACE, PALACE WAY, WOOD GREEN, LONDON N22.

MEMBERS: Councillors Cooke (Chair) Egan (Vice-Chair), Dogus, Hare, Peacock, Oakes, and Williams

NOMINATED MEMBERS:

Alexandra Palace Amateur Ice Skating Club	Mr M. Tarpey
Alexandra Palace Allotments Association	Mr S. Ballard
Alexandra Palace Angling Association	Mr K. Pestell
Alexandra Palace Indoor Bowls Club	TBA
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

AGENDA

1. APOLOGIES FOR ABSENCE (IF ANY)

2. DECLARATIONS OF INTEREST MEMBERS TO DECLARE ANY INTEREST IN RESPECT OF ITEMS ON THIS AGENDA.

3. 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 ITEM 11 BELOW).

4. MEMBERSHIP AND CONSTITUTION (PAGES 1 - 6)

- (a) To receive and approve the applications for membership of the Committee for the 2008/09 Municipal Year, from the organisations listed above.
- (b) To appoint three representatives of the Committee to serve as non-voting Members of the Alexandra Palace and Park Board.
- (c) To note the Committee's Constitution (Attached).

5. TERMS OF REFERENCE

To note the Committee's Terms of Reference approved by the Council on 22 May 2006 as follows:-

- (a) To give representatives of appropriate local and national organisations the opportunity of full discussion with Members of the Alexandra Palace and Park Board on general matters affecting Alexandra Palace and Park.
- (b) To give Members of the Alexandra Palace and Park Board the opportunity of discussing and explaining to the organisations matters affecting the overall policy and efficient management of Alexandra Palace and Park.
- (c) To promote better understanding between Members of the Alexandra Palace and Park Board, the Palace Management and local organisations.
- (d) To enable appropriate local (and national) organisations to be fully consulted on decisions of direct concern to them.
- (e) To promote the best interests of the Alexandra Palace and Park as a conservation area.

6. MINUTES: (PAGES 7 - 46)

- (a) To confirm and sign the Minutes of the meeting of the Committee held on 12 February 2008.
- (b) To note the Minutes of the meetings of the Alexandra Palace and Park Board held on 10 March 2008, and the special meetings held on 26 February, and 19 March 2008.

7. FUTURE OF THE ASSET: (PAGES 47 - 48)

Update report of the General Manager, Alexandra Palace - To advise the Committee on progress.

8. PARK ACTIVITIES UPDATE: (PAGES 49 - 52)

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

9. FORTHCOMING EVENTS: (PAGES 53 - 56)

Report of the General Manager, Alexandra Palace - To advise the Committee on forthcoming events to the end of the financial year.

10. ITEMS REQUESTED BY NOMINATED REPRESENTATIVES

(i) [Items raised by J. O'Callaghan – Hornsey Historical Society](#)

- (a) [Whether representatives of the Consultative cttee on the Board should report back to the committee](#)
- (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](#)
- (c) [Firoka](#)

11. ANY OTHER BUSINESS

12. TO NOTE THE FOLLOWING DATES OF THE CONSULTATIVE COMMITTEE FOR THE MUNICIPAL YEAR 2008/09

14 October 2008
17 February 2009

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

Clifford Hart
Committee Manager – Non Cabinet
Ctees
Tel: 020-8489 2920
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7 July 2008

London Borough of Haringey

AGENDA ITEM 4 (c)

Alexandra Park and Palace Charitable Trust

ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE

CONSTITUTION

1. OBJECT

1. To give representatives of appropriate local and national organisations the opportunity of full discussion on general matters affecting Alexandra Palace and Park.
2. To give the Board of Charity Trustees the opportunity of discussion and explaining to the organisations matters affecting the overall policy and efficient management of Alexandra Palace and Park.
3. To promote better understanding between the Board of Trustees, the Palace management and local organisations.
4. To enable appropriate local (and national) organisations to participate in decisions of direct concern to them.
5. To further the Alexandra Palace and Park as a conservation area.

2. CONSTITUTION

1. TITLE

The Committee shall be called "The Alexandra Palace and Park Consultative Committee".

2. ORGANISATION

(a) Membership

- (i) The Board of Charity Trustees shall be the representatives of the Charitable Trust.
- (ii) Organisations which fulfil the criteria set out in sub-paragraphs (a) to (e) below shall be eligible to apply for membership of the Consultative Committee. Such application shall be made to the Alexandra Palace and Park Board for approval.
 - (a) Local residents associations, properly constituted, whose membership includes at least 50 households resident within Alexandra, Bounds Green, Fortis Green, Hornsey, Muswell Hill and Noel Park Wards of the London Borough of Haringey.

- (b) Local organisations which are not residents associations but which demonstrate a sufficient interest in the Palace as an historic building or an interest in the use of the Palace and Park for leisure and recreation purposes or an interest in the dissemination of information about the Palace and Park.
 - (c) National organisations which demonstrate a sufficient interest as defined in (b) above.
 - (d) Lessees for the time being of the London Borough of Haringey within the Alexandra Palace and Park; and
 - (e) Trade Unions representing staff employed by the London Borough of Haringey at Alexandra Palace and Park.
- (iii) Where an organisation has been accepted for membership of the Consultative Committee it shall be entitled to nominate a representative as follows:
- (a) Local and national organisations – One named representative with full voting powers.
 - (b) Lessees – One named non-voting representative
 - (c) Trade Unions – One named representative with full voting powers.
- (iv) There shall not be more than 30 associations appointed to membership of the Consultative Committee at any one time.
- (v) For the avoidance of doubt it is hereby declared that:
- (a) Where a Charity Trustee ceases to hold that position he/she shall cease to be a Member of the Consultative Committee and their successor shall automatically become a Member.
 - (b) Where a lease has come to an end by effluxion of time or otherwise the lessee shall no longer be entitled to membership of the Consultative Committee; and
 - (c) Where any person ceases to be the duly appointed representative of a local or nation organisation, lessee or Trade Union, she/he shall not be entitled to membership of the Committee and the organisation shall be entitled to nominate a successor.
- (vi) Membership of the Consultative Committee from residents and local organisations shall be following nomination by voting at their A.G.M or at a general meeting to which all paid up membership is invited.

- (vii) Organisations accepted for membership of the Consultative Committee shall notify the Secretary of the name of their representative and deputy before the first Consultative Committee meeting of each Municipal Year. If for any reason neither the representative nor the deputy can attend a meeting of the Consultative Committee the organisation shall, wherever possible, inform the Secretary to the Consultative Committee before the meeting of the name of the person representing them.
- (viii) In the event of a vacancy arising, whether by resignation, removal or otherwise, applications for membership to fill the vacancy shall be considered within six weeks or as soon as reasonably possible thereafter.
- (ix) Organisations accepted for membership of the Consultative Committee shall, if requested by the Secretary, supply information concerning their membership, constitution and activities. Such information will usually be requested to be submitted not later than one month before the first meeting of the Consultative Committee in each Municipal Year. When requested, organisations should provide summaries of their objectives in relation to the running and any future developments at the Palace and Park.

(b) Chair

- (i) The Chair of the Consultative Committee shall be the person for the time being holding office of Chair of the Alexandra Palace and Park Board.
- (ii) In the event of the Chair not being present at the meeting, the Consultative Committee shall elect a Chair for the meeting.

(c) Deputies

Any Member of the Consultative Committee unable to attend a meeting may be represented at that meeting by a duly qualified deputy, provided that such Member or the deputy gives notice to the Secretary before the meeting.

(d) Secretary

The Head of Committee and Administrative Services shall be the Secretary to the Consultative Committee.

(e) Officers

Officers of the Charity shall attend meetings of and give advice to the Consultative Committee at the invitation of the Chair.

3. REPRESENTATION ON THE ALEXANDRA PALACE AND PARK BOARD

The Consultative Committee shall nominate three of its Members by majority vote of all Members present at the Consultative Committee, to act as representatives on the Board, without voting powers, but with an obligation to report the views of the Consultative Committee to the Board and decisions of the Board to the Consultative Committee.

4. TERMS OF REFERENCE

The Consultative Committee shall be primarily consultative in nature. Every aspect of Alexandra Palace and Park shall be open to discussion and consideration by the Consultative Committee.

5. RULES

- (i) The Consultative Committee shall meet at least three times a year, but a special meeting shall be called by the Secretary within seven days of receipt by him/her of a requisition signed by the Chair or on behalf of a majority of Member organisations, that meeting to be held within three weeks of receipt of the requisition.
- (ii) All meetings of the Consultative Committee shall be open to the press and public unless otherwise agreed by the Consultative Committee.
- (iii) Any Member of the Consultative Committee may request an item to be placed on the agenda for the next meeting. The matters to be discussed at a meeting of the Consultative Committee shall be determined by the Chair and stated upon the notice summoning the meeting. At the conclusion of each meeting the Chair may permit questions or comments upon matters of which notice has not been given provided they do not require a substantial decision from the Consultative Committee at that meeting and provided this could not more conveniently be referred to the next meeting. Individual management matters shall not be brought to the Consultative Committee unless the organisation concerned has first raised the matter with the General Manager, Alexandra Palace without satisfactory results.
- (iv) Meetings shall normally be held at Alexandra Palace and shall commence at 7.30 pm and terminate by 9.30 pm.
- (v) There shall be minutes taken of all meetings of the Consultative Committee for circulation to all Members of the Consultative Committee. The Minutes shall be submitted to the next or subsequent meeting of the Consultative Committee. Any recommendations shall be submitted to the Alexandra Palace and Park Board.
- (vi) Recommendations shall be arrived at only by agreement of a majority of Members entitled to vote. Voting shall normally be by show of hands.
- (vii) Any matter not provided in the rules and any question of interpretation shall be determined by the Alexandra Palace and Park Board.

- (viii) This Constitution as amended came into force on 24 November 1980 when it was approved by the Council. Any further amendment shall also require the approval of the Council.

(Last amended by Council 24 June 2002)

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**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE.
TUESDAY, 12 FEBRUARY 2008**

* Indicates attendee

Councillors: *Egan, *Beacham, *Dogus,*Hare and *Peacock

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.

MINUTE NO.	SUBJECT/DECISION	ACTION BY
APCC23.	APOLOGIES FOR ABSENCE (IF ANY). Apologies for absence were received from Steve Ballard, Caroline Hayter, John Thompson, and also Val Paley (for whom Hugh Williams was substituting). Apologies were also received from Councillors Cooke and Oakes. NOTED	
APCC24.	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 9 BELOW). The Chair asked if there were any Items of urgent business. Mr O'Callaghan asked to raise an item in respect of reports in the Press in relation to Asbestos at the Palace. The Chair confirmed that this item could be raised under item 8.	

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	NOTED
APCC25.	<p>DECLARATIONS OF INTEREST- MEMBERS ARE ASKED TO DECLARE ANY INTEREST IN RESPECT OF ITEMS ON THIS AGENDA.</p> <p>There were no such declarations.</p>
APCC26.	<p>MINUTES</p> <p>The Chair asked if there were any points of clarification or accuracy.</p> <p>Prof Hudson referred to some typographical inaccuracies which he felt were poor and that the minutes should be proof read, prior to circulation.</p> <p>The Clerk apologised for the inaccuracies and commented that minutes were always proof read prior to despatch but on this occasion this had obviously not occurred.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That the minutes of the meeting of the Alexandra Palace and Park Consultative Committee held on 23 October 2007 be confirmed and signed as a correct record subject to the amendments to typographical inaccuracies.; and 2. That the draft minutes of the meetings of the Alexandra Palace and Park Board held on 30 October, and 5 & 17 December 2007 (Special meetings), and the Alexandra Palace and Park Panel held on 22 & 29 November 2007 be noted.
APCC27.	<p>FUTURE OF THE ASSET – UPDATE (REPORT OF THE CONSULTANT DEVELOPMENT MANAGER, ALEXANDRA PALACE) TO ADVISE THE COMMITTEE ON PROGRESS</p> <p>The Chair asked for a brief update and introduction.</p> <p>The Consultant Development Manager, Mr Holder, advised the Committee that the circulated report detailing the Chair of the Board's statement to the press on 23 January 2008 was the most up to date position as to where the situation was in terms of the future of the asset. The Firoka Group had confirmed its continuing intention and to that end officers were attempting to arrange a further meeting at which Mr Kassam could be present in order to progress matters. It was unlikely that any further progress would be made before the Board's scheduled meeting on 26 February 2008. Mr Holder advised that following the quashing of the order in the High Court on 5th October 2007 the Board had met on 10 October 2007 and had confirmed its strategy of 'holistic' development. The Board further confirmed its intentions on 5th December 2007 and had asked that the Firoka Group confirm its continuing interest in developing the Palace. Following the Christmas and New Year period the Firoka Group confirmed its continuing</p>

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interest. Mr Holder commented that it was also unlikely that any of the documentation already existing would be further revised.

The Chair asked if there were any points of clarification.

Mr O'Callaghan referred to the judicial review judgement based on the lack of consultation, and commented that the future consultation process would have to be conducted in a wholly different manner. He noted with concern the comments of Mr Holder with regard to the documentation relating to the current Firoka changing, and reminded the Committee that the judgement had been based on the consultation previously embarked upon.

In particular Mr O'Callaghan referred to the issue of the former TV studios and the rental issue at market rent as commented on by the Trust Solicitor which he felt was an incorrect interpretation and his own as regards a peppercorn rent being granted was correct.

The Chair responded that whilst he had not been present at a previous meeting where such matters had been discussed he reiterated to the meeting that no decisions had been reached as yet regarding the future of the asset. He also stated that whilst he noted Mr O'Callaghan's comments he commented that he himself had a different interpretation of the wording in the judicial review judgement.

In response to questions from Prof. Hudson the General Manager – Mr Loudfoot advised that there had been agreement to an additional meeting if there had been any further developments to report on, however there had been no progress or matters of significant importance to advise this Committee of since October 2007.

The Chair commented that should any further developments arise then a special meeting of the Consultative Committee would be convened.

The Chair then summarised and it was:-

RESOLVED

That in noting the progress and update during consideration of the report a special meeting of the Consultative Committee be convened should there be a requirement advise the Committee of further developments in regard to the future of the asset.

**APCC28. HERITAGE LOTTERY FUNDED LANDSCAPE DEVELOPMENT PROJECT UPDA
(REPORT OF THE PARK MANAGER) TO UPDATE ON PROGRESS MADE TOV
THE PROGRAMME OF WORKS FOR THIS YEAR'S PROJECT ITEMS**

Following a brief introduction of the report by the Park Manager – Mr Evison

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the Committee discussed its contents – the main points being:-

- signage since the gantry removal and the need for clear signs to be re-erected which clearly showed the speed limit, and the fact that it was a private road paid for by the Palace and in a sense not a short cut or public route as such;
- response from the Park Manager that new signage was to replace the former gantries with the AP Logo and highway signage the logo
- parking difficulties/congestion at the Bedford Road end of the Park especially in relation to the proximity to the Station;
- the speed of vehicles travelling through the private road and the fact that whilst the current limit was 20 mph though regularly unobserved if it were to 30mph then drivers would be likely to increase their speed upwards;
- The crossing issue on the west corner of the Palace and the confirmation that this was being looked into and reported further on
- Whether there was scope for having further speed humps in prominent part of the Private Road and confirmation that TfL would not be in support of such a request and that there had had been resistance to the existing 2 speed ramps when installed;
- the issue of lighting replacement and general maintenance and an update report be given to the next meeting;
- the possibility of explanation boards at the Pond and other areas in the park giving an ornithological break down as well as the types of trees and plants, and whether possible funding was obtainable from the Council's Education service for such provision, and comments that such funding may be available form Area Assemblies in the form of a bid
- that a tree and treasure hunt leaflet was being produced by the Café owner for school children with the cost being borne by the Café owner

RESOLVED

- i. that the contents of the report be noted;
- ii. that officers note and report back on those items raised by the Committee during discussion at the next Consultative Committee.

APCC29. FORTHCOMING EVENTS (REPORT OF THE GENERAL MANAGER, ALEXANDRA PALACE) TO ADVISE THE COMMITTEE ON FORTHCOMING EVENTS TO THE FINANCIAL YEAR.

The Committee were informed of forthcoming events due to take place at the Palace for the remainder of the financial year, and for the 2008/09 season. The Committee welcomed the return of the Antiques Fair albeit by a new operator in April 2008, to be repeated in September and November 2008. It was noted that the Kurdish New year festival on 6 April would not now take place, nor would the 'Slammin' Vinyl' event scheduled for 22 March 2008.

In response to comments from Councillor Peacock at the success of the World Darts Championships and whether the event would be repeated Mr Loudfoot commented that as yet the future event was not yet confirmed.

In response to comments from Mr Apperley re the organ concerts and no listing

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	<p>of these events Mr Loudfoot undertook to look in to the matter and respond directly to Mr Apperly. Mr O'Callaghan commented on the revenue of the previous Darts event and the benefit to the Council with future event, and also a forthcoming musical event which had caused much local interest and likely revenue.</p> <p>Mr Boshier referred to the proposed Muswell Hill Festival and if it were to go ahead then when was the likely date and in response Mr Evison advised that this was likely to be on 14 September 2008.</p> <p>In response to concerns from Councillor Beacham that the current events calendar was thin for the June-August period Mr Loudfoot advised that it was the case that the periods referred to were somewhat quiet generally though it was the case that it was not possible to predict what might occur during these months. Councillor Hare commented that it may be useful to explore usage by voluntary or community groups during the summer period as well as possible youth activity.</p> <p>The Chair thanked the Committee for their contribution. The Chair then summarised and it was:</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> i. that the report be noted; ii. that officers explore the possible youth/voluntary/community usage of the Palace during the June – August period and report to the Committee on findings.
<p>APCC30.</p>	<p>ITEMS REQUESTED BY NOMINATED REPRESENTATIVES</p> <p>Nil items.</p>
<p>APCC31.</p>	<p>URGENT BUSINESS - TO CONSIDER ANY NEW ITEM OF BUSINESS ADMITTED UNDER ITEM 2.</p> <ul style="list-style-type: none"> i. Asbestos at the Palace <p>Mr O'Callaghan referred to recent reports and subsequent letters by the Chair of the Board in the press with regard to asbestos in the Palace, in particular in the area of the BBC TV Studios and expressed his considerable concerns as to such reports. Mr O'Callaghan asked if there could be some clarification given as to the actual location of the asbestos and whether it was in fact in both studios.</p> <p>In response Mr Loudfoot advised that there would be a full report to the Alexandra Palace and Park Board on 26 February 2008 which would give a full breakdown of the extent of the findings. He stated that the report had commented that there was contamination within the walls, floors and ceiling of studio B and also asbestos in the ducting of the South East wing. These areas had been sealed for some time. There had also been found residual asbestos in Studio A as well as the first and ground floors and evidence within the community rooms.</p>

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Mr Loudfoot responded to further points of clarification from Mr O'Callaghan by advising that a comment had been mistakenly made to the effect that there was in fact no asbestos within the areas but that in fact it was. The Chair of the Board's comments in the press were entirely accurate.

Mr O'Callaghan commented that he should declare an interest in this matter as a Member of the BBC Studios and that he had with a number of other in 1996 been involved in clearing the studios of sundry equipment and files into the bowls of the palace, Without any protection, and at that time were advised that the studios were perfectly safe, as indeed confirmed by letter of 6 June 2001 from the General manager of Alexandra Palace, and Mr O'Callaghan quoted from said letter. He also remarked that at that time he recalled vehicles outside the building detailing the name of specialist asbestos removers – and that an amount of asbestos had been removed at a considerable expense to the Palace. He also commented that certificates issued were now in fact invalid.

Mr Loudfoot responded that it was the case that there was a difference between fibre and other contamination.

The Chair commented that there would be a full report to the Board which would give answers to a number of the concerns expressed.

In conclusion the Chair thanked Mr O'Callaghan for raising the issue.

There being no further business to discuss the meeting ended at 20.30hrs.

Councillor Pat Egan
Vice Chair.

**UNRESTRICTED MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD
TUESDAY, 26 FEBRUARY 2008**

PRESENT:

Councillors Cooke (Chair), Egan (Vice-Chair), Beacham, Dogus, Hare, Oakes,

Non-Voting Ms Paley, Mr Tarpey & Mr Willmott

Representatives:

Observer: Councillor M Whyte – substituting for Mr D Liebeck

Also present:

Councillor Neil Williams

Mr David Loudfoot – General Manager Alexandra Palace

Mr Iain Harris – Trust Solicitor

Mr Keith Holder – Consultant Development Manager – Alexandra Palace

Mr Mark Evison – Park Manager - Alexandra Palace

Ms Julie Parker – Director of Corporate Resources – LB Haringey

Mr Clifford Hart – Clerk to the Board – Non-Executive Committees Manager
– LB Haringey

Mr Pesh Framjee – Auditors to the Board – Deloitte and Touché

**MINUTE
NO.**

SUBJECT/DECISION

APBO40.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence were received on behalf of Councillor Peacock due to illness, and David Liebeck (due to vacation) for whom Councillor Whyte was substituting.</p> <p>NOTED</p>
APBO41.	<p>URGENT BUSINESS</p> <p>The Chair asked that the Board be advised of those agenda items for the Board to consider including late items.</p> <p>The Clerk to the Board advised that following the publication of the agenda on 18 February 2008 the Board were then sent 2 further despatches namely:</p> <ul style="list-style-type: none"> i. a despatch on 21 February 2008 enclosing the draft minutes of the Alexandra Park and Palace Statutory Advisory Committee of 5 February 2008 and resolutions arising from that Committee for the Board's consideration, comments of the LB Haringey's Chief Financial Officer in respect of Agenda Items which the Board were asked to read in conjunction with the already circulated reports, and also Item 16. ii. A despatch on 25 February 2008 enclosing Agenda Item 6 together with the comments of the LB Haringey's Chief Financial Officer in respect of this item.

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The Clerk advised that with regard to agenda Items 6 and 16 – in accordance with the rules for considering late items of business – reasons for the lateness would be required to be given in respect of each item.

The Chair thanked the Clerk for his explanation and in reference to Item 6 – Audit of Accounts 2006/07 asked if the General Manager would give an explanation as to why the report was late.

The General Manager – Mr Loudfoot informed the Board that it was necessary to place on record the reasons for the delay in formally submitting to the Board the Charity's accounts for 2006/07. Mr Loudfoot advised that the delays had their roots in the Judicial Review in October 2007. The written decision of the Court was released some weeks after the hearing and the Charity Trustees had had to review the outcome. As a result the auditors had been unable to provide an audit opinion until some clarity had been given in terms of the future direction, with regard to the prime income generating the asset and that it was absolutely clear that there would be no requirement to liquidate Alexandra Palace Trading Ltd over the subsequent months.

Mr Loudfoot further advised that in this respect the auditors needed to consider whether the accounts should be prepared on a 'closure, or trading basis and fundamental to that consideration and conclusion were the decisions of the Board and responses from the preferred developer. Mr Loudfoot further commented that by which point it was apparent that the auditors had been unable to complete the work immediately due to their own key staff having other commitments. Subsequently the audit review had recommenced in January 2008 and a full review was required given the period of time since it was first commenced.

Mr Loudfoot concluded that in recognising the inherent difficulties and delays he had instructed the Trust's Solicitor to approach the Charity Commission to seek consent for the late filing of the accounts so that the commission would understand the difficult circumstances. It was also the case that similar action had been necessary with APTL's Company Secretary receiving consent from Companies House for the late filing of accounts.

The Chair thanked Mr Loudfoot for the stated reasons.

The Trust Solicitor – Mr Harris – advised the Board that the reasons for lateness in receiving the report were due to the late receipt of a report from the financial consultants King Sturge – appended as 'D'. The report required urgent deliberation by the Board in respect of its position with its current preferred partner and the need to make decisions as to that relationship.

The Chair on behalf of the Board accepted the reasons for lateness in terms of both reports as stated and that he agreed to their admittance as late items.

NOTED

APBO42. DECLARATIONS OF INTEREST

Councillor Cooke declared a personal but not a prejudicial Interest in Item 7 and

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	<p>8, as an appointed Director of Alexandra Palace Trading Limited.</p> <p>Councillor Egan declared a personal but not a prejudicial Interest in Item 7 as an appointed Director of Alexandra Palace Trading Limited.</p> <p>Councillor Hare declared a personal but not a prejudicial Interest in Item 7 as an appointed Director of Alexandra Palace Trading Limited.</p> <p>Councillor Oakes declared a personal but not a prejudicial Interest in Item 7 as an appointed Director of Alexandra Palace Trading Limited.</p> <p>NOTED</p>
<p>APBO43. MINUTES</p>	<p>i. Minutes - Alexandra Palace and Park Board - 30 October 2007, special meetings – 5, and 17 December 2007</p> <p>RESOLVED</p> <p>That the minutes of the meeting of the Alexandra Palace and Park Board held on 30 October, and minutes of special meetings held on 5 December 2007, and 17 December 2007 be agreed and signed by the Chair as an accurate record of the proceedings.</p> <p>ii. Minutes of the meetings of the Alexandra Palace and Park Panel held on 22 & 29 November 2007</p> <p>RESOLVED</p> <p>That the minutes of the meetings of the Alexandra Palace and Park Panel held on 22 November 2007, and 29 November 2007 be agreed and signed by the Chair as an accurate record of the proceedings.</p> <p>iii. Minutes of the Alexandra Palace and Park Consultative Committee - 23 October 2007, and 12 February 2008</p> <p>The Clerk advised that the minutes of the meeting of the Consultative Committee held on 12 February 2008 had been drafted but were not available at this meeting.</p> <p>RESOLVED</p> <p>That the minutes of the meeting of the Alexandra Palace and Park Consultative Committee held on 23 October 2007 be noted.</p> <p>iv. Minutes of the Alexandra Park and Palace Statutory Advisory Committee and 3 July 2007</p>

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	<p>The Chair advised that whilst he was happy to consider the minutes of the Statutory Advisory Committee of 5 February 2008 and recommendations arising therefrom, at this point in the proceedings, he felt it would be more appropriate to vary the order of agenda items to consider these matters after exempt Item 16 – Future of the Asset.</p> <p>Councillor Whyte, as the Statutory Advisory Committee’s substitute Observer to the Board commented that she had no objection to consideration of the minutes and resolution at the suggested point in the proceedings.</p> <p>The Board agreed to the variation in considering the draft minutes and resolution of the Statutory Advisory Committee of 5 February 2008 after consideration of exempt Item 16 – Future of the Asset, nemine contradicente.</p> <p>NOTED</p> <p>Councillor Hare clarified and the Chair responded that any such recommendations of the Board in relation to the Statutory Advisory Committee’s recommendations of 5 February 2008 would be conveyed in writing to the special Statutory Advisory Committee on 18 March 2008.</p> <p>NOTED</p>
<p>APBO44.</p>	<p>QUESTIONS, DEPUTATIONS AND PETITIONS</p> <p>There were no questions, deputation requests or petitions submitted.</p> <p>NOTED</p>
<p>APBO45.</p>	<p>AUDIT OF ACCOUNT 2006/07 - REPORT OF THE GENERAL MANAGER - TO RECEIVE AND CONSIDER THE AUDITED ACCOUNTS FOR 2006/07 TO FOLLOW</p> <p>The Chair asked for a brief introduction to the report.</p> <p>The General Manager – Mr Loudfoot advised the Board that was the 11th set of audited accounts by a registered auditor in accordance with the Charities Act 1993. Mr Loudfoot advised that the External Auditors - Deloitte & Touché LLP were in attendance during this item and were represented by Mr Pesh Framjee.</p> <p>In reference to the circulated report Mr Framjee gave a brief outline of its contents and responded to points of clarification.</p> <p>Following an indication by Councillor Hare of a complex number of questions in relation to the draft accounts and those of the Local Authority, together with a number of public concerns that there had been insufficient time to view the contents of the report the Chair advised that he would be minded to defer consideration of the report to a later date. Councillor Hare, in reference to (i) a</p>

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number of inconsistencies in the content of the report, (2) particularly in relation to £34million accumulated debt which did not appear in the Council's and these accounts, the LB Haringey's Director of Corporate Resources – Ms Parker advised that there was not a particular requirement for both sets of accounts to be in line with each other. This was the case in respect of the issue of the accumulative debt of £34 million and how the Local Authority chose to record this. Councillor Hare sought clarification as to whether the £34 million was a split of £17 million losses and £17 million interest.

In clarification to further points raised by Councillor Hare Mr Framjee advised that in terms of the £34 million both Mr Loudfoot and Mr Framjee confirmed that there was no interest charged in 2006/07, or 2007/08. In response to clarification from Councillor Beacham in terms of the writing off of the deficit this had not been a write off from the Trustees as the debt lay with the Local Authority Pash Framjee explained that it was not the case that because the trust had included details of the debt that the Local authority would do the same, the accounts of the local authority were a matter for them as were the trusts accounts a matter for the trust. The debtors and creditors need not individually reflect the same figures in their respective accounts.

In clarification to points raised by Councillor Whyte the Clerk – Clifford Hart – advised that in respect of this item, and also Item 16 there had been notification of both matters on the agenda and within the rules governing the 5 day rule the Board was able to consider both reports as notice had been given, subject to the acceptance of the Chair under Item 2 on the agenda of the reasons for lateness as advised by officers.

Following a brief clarification as to the likely date for a special Board meeting the Chair **MOVED** and it was:

RESOLVED

- i. That further consideration of the report be deferred to a special Alexandra Palace and Park Board to be convened on Monday 10 March 2008 commencing at 19:30hrs at Alexandra Palace; and
- ii. That Members of the Board submit any questions or points of clarification in good time in order for responses to be given; and
- iii. That the public present at this meeting note the decision to defer consideration of the report and that any questions they may have be submitted in a reasonable timeframe to officer responses, noting that under the rules of the Council's constitution the ruling for such submissions is 5 clear working days prior to the Board meeting.

APBO46. BUDGET ESTIMATES 2008-09 - TO SEEK THE APPROVAL OF THE BOARD TO THE BUDGET ESTIMATES FOR 2008/09 AND ASSOCIATED LEVEL OF REVENUE SUPPORT REQUIRED FROM THE LOCAL AUTHORITY- REPORT OF THE GENERAL MANAGER

The Chair asked for a brief introduction of the report.

The General Manager – Mr Loudfoot advised the Board that the report detailed the draft budget estimates for 2008/09. The draft budget estimate was detailed at Appendix 1 of the report. The estimate breakdown was provided against the

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broader background of restarting the trading company and the need to undertake various works to the building to prevent any further deterioration of the fabric. Mr Loudfoot further advised that although the Charity Commission granted the Order to allow disposal through a 125-year lease, the process had been stalled due to the quashing of that Order by Judicial Review. At the current time it was impossible to give timescale estimates as to when the transfer of the asset would be possible and the Board would be advised later in the meeting as to progress with furtherance of the chosen policy of holistic development and more specifically progress with the preferred developer (Firoka). This budget estimate was prepared on the basis that the process of development was continued but that the transfer of the asset would not occur prior to 31st March 2009 and in that time, APTL would continue to deliver the events programme and also additionally to undertake the management of the ice skating rink.

Mr Loudfoot further reported that the overall effect of the income and expenditure estimates along with the estimated covenant from APTL of £1m put the charity in a position where the revenue deficit was estimated at £1,681,826. It would be necessary to formally seek financial support from the local authority for the Financial Year 2008/09 in the sum of £1.7 M and to further request that additional funding be provided for the continuation of the development process.

The Chair thanked Mr Loudfoot for his succinct introduction. The Chair also reminded the Board of the comments of the LB Haringey's Chief Financial Officer in respect of the report, and asked Mr Loudfoot for his comments on the points contained therein. Mr Loudfoot advised that the Chief Financial Officer noted that in respect of the building repairs, maintenance and works lines with the equipment replacement lines it was noted that there had been a number of one-off discretionary items in and this was significantly higher than the current years projected spend. The Chief Financial Officer was recommending that that £0.2m of the £0.789m was not committed to these items. The Chief Financial Officer also recommended that £0.2m was set aside for continuation of the lease transfer/development and that expenditure against this was reported to the Board separately. The Chief Financial Officer recommended overall that the budget of £1.68m as proposed be approved with the adjustments he had outlined.

Following points of clarification being given the Chair summarised and it was:

RESOLVED

- i. That the 2008/09 estimates as detailed in the appendix A to the report be noted and the levels of expenditure as proposed be agreed;
- ii. That the London Borough of Haringey be formally requested to agree to provide the £1.7 million required to balance the budget for 2008/09 out of its corporate resources; and
- iii. that in addition to (ii) above, the London Borough of Haringey be formally advised that due to the effect of the protracted negotiations regarding holistic development, this may impact on and require additional revenue funding support into 2008/09 and beyond.

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UPDATE TO UPDATE ON PROGRESS MADE TOWARDS THE PROGRAMME OF WORKS FOR THIS YEAR'S PROJECT ITEMS. (REPORT OF THE PARK MANAGER)

The Chair asked for a brief introduction of the report.

The Park Manager – Mr Evison advised the Board that with the exception of a few snagging details and the current installation of the finger post signs, the final items of the Heritage Lottery Funded Project had been completed. Mr Evison referred to Appendix A of the report which showed the Heritage Lottery Schedule of Works (January 2008), and detailed the final position of the project including any variations from the original 2003 plan. Mr Evison reported that the total project costs were £3,670,628, of which the Heritage Lottery Fund granted £2,752,000 and Haringey Council contributed the remaining £918,628. The project was a fixed grant and as detailed in Appendix A, it had been necessary to amend the works schedule in order not to exceed the funding limit.

Mr Evison further reported that the boating facility was opened on 28 July 2007 and proved very popular, with the operator - Bluebird Boats operating in an extremely professional manner, continuing their service to Spring 2009. The Pitch and Putt course underwent maintenance during the winter and the operator, Golfwise, would be fitting out the kiosk in the near future, with the intention to commence their operation in March 2008.

In response to Ms Paley in respect of the possible placing of benches at Redston playing fields and an original request for this Mr Evison undertook to see if there could provision of benches, though there was no more money from the HLF for this provision. With regard to concerns expressed by Councillor Egan Mr Evison advised that following on from Councillor Egan's expressed comments at the Consultative Committee – the fencing and gate issue at Redston Road was being investigated.

With regard to queries from Councillor Hare in relation to the possibility of having a bench naming scheme Mr Evison reported that there had been a small flurry of requests when he had commenced work there. Mr Loudfoot advised that such schemes were fraught with problems as the trustees would end up with the on going repair and maintenance costs and that there was every likelihood of the sponsor being disappointed if the bench suffered any vandalism.

On a **MOTION** by the Chair it was:

RESOLVED

That the contents of the report, and the Heritage Lottery Schedule of Works, as at January 2008 be noted.

APBO48. FUTURE OF THE ASSET - VERBAL UPDATE BY THE CONSULTANT DEVELOPMENT MANAGER

The Chair referred to the item for consideration and reminded officers that following previous representations by Board Members it had been agreed that any reports submitted to the Board should be in written form, and not orally given. The Chair asked that an explanation be given as to why this had not been the

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	<p>case.</p> <p>The Consultant Development Manager – Mr Holder advised that this had indeed been the case but in fact on this occasion there had been no matter to report in the unrestricted part of the proceedings. The item had been placed on the agenda in error in his absence.</p> <p>NOTED</p>
<p>APBO49.</p>	<p>ASBESTOS MANAGEMENT - TO INFORM THE BOARD OF ARRANGEMENTS IN PLACE FOR ASBESTOS MANAGEMENT (REPORT OF THE GENERAL MANAGER)</p> <p>The Chair asked for a brief introduction of the report.</p> <p>The General Manager – Mr Loudfoot informed the Board that there had recently been considerable public comment on asbestos contained within the SE wing, and the report before the Board was intended to set the record straight as to the actual facts. It was the case that during a public lecture held in November 2007 comment had been given by one of the former staff employed at the Palace as part of the design team during the 1980s. The former employee had stated that he was of the opinion that all asbestos had been removed from the building. This statement whilst given in good faith was wrong.</p> <p>Mr Loudfoot gave a brief history of the use of asbestos during the last century, advising that asbestos products had been extensively but the adverse health effects of exposure to asbestos fibres were gradually documented and asbestos was withdrawn from general use between 1970 and 1980. Asbestos was now only used in very specialist applications. Mr Loudfoot advised of the several varieties of Asbestos fibre which all to some extent posed a risk to health.</p> <p>In respect of the Palace itself Mr Loudfoot advised that Asbestos had been introduced to the Palace in a variety of ways, the most significant of which appeared to have been as an insulating material by the BBC in the SE wing, for the Theatre safety curtain and as part of the electrical installation. The SE wing was extensively modified by the BBC in the early 1930s for the establishment of the Television Station, the SE colonnade was in-filled and the floors for the first floor were reinforced to provide the two studios and the extensions to the South and East sides of the SE tower were constructed. Various partition walls were also constructed by the BBC to subdivide the rooms on the ground and first floor.</p> <p>In respect of the BBC 's occupation Mr Loudfoot advised that this continued in the SE Wing until the early 1980s and considerable use of asbestos was made both as a sound insulating lining to the studio walls, internal partitions, ceilings and also in cement board form for electrical insulation or dividing walls. Whilst at the end of the tenancy, the BBC removed their studio equipment and almost all fixtures and fittings from the SE wing they were not required to return the building to</p>

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its pre 1930's appearance. The devastating fire of the 1980's which gutted much of the Palace including the Great Hall, SW wing, NW wing and associated rooms resulted in the complete removal of all asbestos from these areas as they were rebuilt or refurbished between 1980 and 1989. Mr Loudfoot commented that it was a known fact that there had been several asbestos removal operations since the 1980 fire, however the records of the removal were no longer available.

In respect of the amount of Asbestos remaining Mr Loudfoot reported that it was not removed from the areas of the building that were left for other organisations to develop (Theatre and SE wing) and it was intended to remove it as and when such areas were to be brought into use. It was not envisaged that the trustees would pay the costs of these works as they would be part of the overall development package agreed with the tenants of these areas. The asbestos wall lining from studio A was removed in March 1986 and from Studio B in April 1986. Additionally, the walls in studio A were coated with sealant products at this time to allow use of the room. During a 10 day programme of works in March 2001, the walls in studio A were again treated with fresh paint (where the surface encapsulation that had been installed in 1986 had deteriorated). The existence of asbestos linings to the SE wing metal trunking was established in August 2003. Removal of the entire metal trunking system would be impracticable unless major refurbishment works were being undertaken at the same time. The adopted management measure was that the system vents had been sealed off (and clearly marked as containing asbestos) in order to encapsulate the asbestos within the trunking system.

The Chair thanked Mr Loudfoot for his succinct report and asked if there were any points of clarification.

Councillor Egan referred to the discussions at the Consultative Committee at its meeting in early February and asked if there were assurances that all those that may have come into contact with those areas of the building had been advised of this. In response Mr Loudfoot advised that as yet he could not confirm whether all those who may have had some contact with the affected parts had been contacted. Councillor Egan responded that the Palace had a duty of care to ensure that all that may have been affected be contacted. Councillor Egan also sought clarification to the costs of removing the remaining.

Councillor Hare referred to the considerable amount of asbestos used by the BBC in terms of ducting both in Studios A and B, and the eventual sealing of Studio A, and that it was a pity that Studio B had not been sealed either. He also clarified the costs of removal, the air testing requirements, and also whether there was any intention to remove the asbestos now, together with the clearly giving visible identification of the areas still affected.

In response to a number of the points raised Mr Loudfoot advised that

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loose asbestos fibres in the air were detected by Air testing which provided a reassurance that asbestos contained within the building fabric was not being disturbed. It was a requirement during all asbestos removal operations and also advised for reassurance testing of areas of buildings known to have asbestos materials which could be disturbed. Air testing of the SE wing was carried out on a number of occasions since the last removal works were undertaken. At every test undertaken it had been proven that asbestos fibres were not being disturbed. This testing also had confirmed the effectiveness of the policy excluding access which prevented accidental disturbance of loose fibres from the building fabric. In terms of clear public notice Mr Loudfoot advised that Management notices were displayed at the entrances to all areas of the building containing asbestos, warning of the presence and giving a brief description. Each notice contained contact details to gain further information and also clearly stated the restrictions being imposed on working in the area. The greatest concern revolved around Studio B and the BBC cellar and as such all access to these areas without appropriate PPE had been prohibited.

Mr Loudfoot also advised that a type II non destructive survey of the BBC tower and the SE wing was commissioned in 2005 and the summary from this report was provided at appendix 1. The full report (168 pages) had recently been issued under the Freedom of Information Act and copies were available for those wishing to study the entire document.

Mr Loudfoot concluded that the report raised serious concern about residual contamination of studio B, the roof void and the partitions erected between the two studios and identified considerable works that would be needed prior to the use of the SE wing. The trustees were not in a position to commission this removal works due to the very high cost that would be incurred.

The theatre stage and undercroft were surveyed prior to the establishment of the stage restoration works which resulted in the removal of several very small items of debris which were suspected to be asbestos. A further, more invasive survey would be necessary prior to any refurbishment works in the NE Tower or the theatre auditorium to ensure there was no asbestos hidden within the construction.

With the exception of Studio A which had had occasional use by members of the AP Television Society, access to the remainder of the SE wing was not permitted except for essential visits by staff that were fully briefed on the building structure. Also no penetrative maintenance works were permitted anywhere within the wing without a permit to work and if necessary, further survey work being undertaken to ensure latent asbestos was not disturbed.

In response to further comments with regard to the costs of removal and restoration, and the responsibilities of any future developer to ensure this the Chair, in noting the comments, felt that it would be appropriate to have such comments expressed in the exempt part of the proceedings.

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	<p>Councillor Williams commented that the update report was an extremely helpful and clear summary of the actual situation which would go a considerable way to parry further emotive comment/speculation.</p> <p>The Chair then summarised and it was:</p> <p>RESOLVED</p> <p>That the contents of the report and the detailed update given by the General Manager be welcomed and noted.</p>
<p>APBO50.</p>	<p>PLANNING APPLICATION AND LISTED BUILDING CONSENT BY AIRWAVE SOLUTIONS LTD - TO ADVISE THE BOARD OF A PLANING APPLICATION RECEIVED (REPORT OF THE GENERAL MANAGER)</p> <p>The Chair asked for a brief introduction of the report.</p> <p>The General Manager Mr Loudfoot gave a brief introduction to the report and explained the background to the requirement for additional antenna.</p> <p>In response to points of clarification Mr Loudfoot advised that in terms of the comments of the LB Haringey's Chief Financial Officer it was the case that rental income may improve as a result of allowing the dish. In terms of its size the dish was no bigger than a dinner plate – approx 0.389 metres in diameter.</p> <p>With regard to a point raised by Councillor Egan the Trust Solicitor – Mr Harris advised that the Board could resolve to approve the application subject to seeking advice in respect of rental income.</p> <p>On a MOTION by the Chair it was:</p> <p>RESOLVED</p> <ul style="list-style-type: none"> i. that the resolution from the Statutory Advisory Committee endorsing the proposals be noted; ii. that the application for planning and listed building consent for two additional dishes being added to the existing mast be agreed; iii. that Landlord consent be given to the alterations of the mast; and iv. that in granting approval, officers seek clarity on rent review.
<p>APBO51.</p>	<p>NEW ITEMS OF UNRESTRICTED URGENT BUSINESS: TO CONSIDER ANY NEW ITEMS OF URGENT UNRESTRICTED BUSINESS ADMITTED UNDER ITEM 2 ABOVE.</p> <p>NIL ITEMS</p>
<p>APBO52.</p>	<p>EXCLUSION OF THE PUBLIC AND PRESS</p> <p>RESOLVED</p> <p>That the press and public be excluded the from the meeting for consideration of Items 15-16 as they contain exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local</p>

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	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.
APBO53.	<p>MINUTES: TO APPROVE THE EXEMPT MINUTES OF THE MEETING OF THE BOARD HELD ON 30 OCTOBER 2007, AND SPECIAL BOARD MEETINGS HELD 5 DECEMBER AND 17 DECEMBER 2007 (ATTACHED) Exempt Minutes - Alexandra Palace and Park Board - 30 October 2007, special meetings – 5, and 17 December 2007</p> <p>AGREED</p>
APBO54.	<p>PROPOSED CONTRACT FOR THE GROUNDS MAINTENANCE SERVICE 2008-2013</p> <p>AGREED RECOMMENDATIONS AS PROPOSED BY THE CHAIR</p>
APBO55.	<p>FUTURE OF THE ASSET UPDATE BY THE CONSULTANT DEVELOPMENT MANAGER</p> <p>AGREED TO DEFER CONSIDERATION TO A SPECIAL BOARD MEETING ON 10 MARCH 2008</p>
APBO56.	<p>NEW ITEMS OF EXEMPT URGENT BUSINESS: TO CONSIDER ANY NEW ITEMS OF EXEMPT URGENT BUSINESS ADMITTED UNDER ITEM 2 ABOVE. Nil</p> <p>There being no further business to discuss the meeting ended at 22.30hrs</p> <p>Councillor Matt Cooke, Chair</p>

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**UNRESTRICTED MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD
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PRESENT

Councillors Cooke (Chair), Egan (Vice-Chair), Beacham, Dogus, Hare, Oakes,

Non-Voting Ms v Paley, Mr M. Tarpey, Mr N. Willmott
Representatives:

Observer: Mr D. Liebeck

Also present: Councillor Neil Williams

Mr David Loudfoot – General Manager Alexandra Palace
Mr Iain Harris – Trust Solicitor
Ms Julie Parker – Director of Corporate Resources – LB Haringey
Mr Clifford Hart – Clerk to the Board – Non-Executive Committees
Manager – LB Haringey

Mr Keith Holder – Consultant Development Manager – Alexandra
Palace
Mr Pesh Framjee – Deloitte and Touché, Charity Auditors

**MINUTE
NO.**
SUBJECT/DECISION

APBO57.	APOLOGIES FOR ABSENCE An apology for absence was received on behalf of Councillor Peacock due to her attendance at a pre-arranged meeting. NOTED
APBO58.	URGENT BUSINESS There were no items of urgent business. NOTED
APBO59.	DECLARATIONS OF INTERESTS There were no declarations of interests. NOTED
APBO60.	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

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The Chair asked for the Board to be advised of the questions asked by the Public.

The Clerk to the Board – Mr Hart, advised that there had been 7 questions submitted by Ms Lyne Zilkha – on behalf of The Muswell Road Residents Association, and 2 questions from Mr Jacob O’Callaghan – one being from himself and one on behalf of the Save Ally Pally Campaign.

The questions were as stated below and asked in the order of priority advised by Ms. Zikha:

i. Questions received from Lynne Zilkha on behalf of The Muswell Road Residents Association:

The questions are listed in order of priority i.e no 1 being the highest priority and order.

- 1) Page 23 Trust Accounts- to identify and breakdown which is costs belong to the building and which to the park for the following:
 - Repairs and Maintenance of building/park direct costs £2,922,498 Ask the auditor to identify and breakdown building and park costs
 - Repairs and Maintenance of building/park support costs £ 368,708 Ask the auditor to identify and breakdown building and park costs

Answer :

The contracts and expenditure relating to repairs and maintenance are not structured in such a way as to be able to split the individual costs between the park and the building. However, the park has received direct spending of £1.19 Million of HLF grant. The grounds maintenance contract amounts to £0.268Million and additional grounds works of £0.124Million have been included in the above figures.

- Security of building/park direct costs £578,893 Ask the auditor to identify and breakdown building and park costs
- Security of building/park support costs £55,585 Ask the auditor to identify and breakdown building and park costs

Answer :

The security contract is one which covers the entire function and as such any allocated split between duties relating to the Park and to the building would be subjective. However, direct expenditure of £33,620 was incurred on the purchase of a partial service by the LBH parks police and this is reported in note 17 to the accounts.

- 2) Page 30 No 17 Provision

At the end of page 30, due to the large sums involved of public

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money, can the auditors provide documentary evidence from the Attorney General that Haringey Council is entitled to be indemnified for (1), has agreed in principle to (2) and may be entitled to (3) and a breakdown of these expenses?

Answer :

A letter to the Local Authority's Chief Executive dated 1st May 1996 set out the following terms *that the charity will need to provide for the revenue deficit for four years from 1991/2 together with interest; any continuing revenue deficit and interest which the Council can show that they have funded reasonably and properly in 1995/96; and any further revenue deficits which may continue until payments are received from a developer....*

The provision 88/89 to 1990/91 is made up from the deficits of these years adjusted for change in working capital (£458k,£336k,£(39)k) total of £755k

The indemnification for 1991/2 to 1994/95 is made up from the deficits of these years again adjusted for change in working capital (£1,080 k, £1,754k,£1,405k,£766k) total of £ 5,005k.

The indemnification for 1995/6 onwards is calculated by application of the same principle.

Interest is accrued on the average amount of the accrued revenue deficit in each year and is shown separately on the accounts at note 17

- 3) Page 23 AP Trading Ltd - expenditure £4,044,448 in 2007 (£3,808,775 2006) an increase of £235,673 over the year, can I be provided with a profit and loss and balance sheet?

Answer :

The profit and loss sheet is at Page 22 of the accounts, in addition the sum of £25,500 is shown on page 25 under governance costs

The Balance sheet for APTL can be deduced from the information on page 17 by subtraction of the figures in the trust column from the figures in the group column and trust sheets.

- 4) Draft accounts page 10 clause 5.16 .

Some of the Charity's shortfall of £1.9m is to do with fees associated with selling the building as opposed to operating expenses. I should be grateful if the auditors would identify separately the expenses associated to selling of the asset (including PR, consultancy fees and

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expenses, legal fees and surveyors fees)

Answer :

Development costs for the year 06/07 (of £281,042) are shown as part of the management accounts which are at appendix 4 of the report.

5) Page 29 No 17 Provision

Amount of £329466 charged to SOFA from The Group and Trust against £251722 (2006).

I should like to ask the auditor to explain this item in detail?

Answer :

The amount charged to the SOFA is the balance between the Charity payroll, associated payroll costs and the councils HLF contribution due from London Borough of Haringey

6) Page 29 No 17 Provision

Transfer to bank less VAT debtor of £1222328.

I should like to ask the auditor to explain what this item represents?

Answer :

The movement in the current account with the London Borough of Haringey representing operational deficits calculated as the deficit for the year before interest and the increase in working capital in the year.

7) Page 27 No 10 Staff Costs

Considering employee numbers were lower in 2007 (Group had average of 60 employees of which 32 were fulltime against 2006- 73 employees of which 40 were fulltime) staff costs in 2007 were £2750333 v £2666299 in 2006.

Can the manager of Alexandra Palace please advise what measures the Group are taking to reduce agency staff costs up by £153773 (+19.5%) (ie use of volunteers/fulltime staff recruitment for 2008/9? Can the auditor please advise the breakdown by function of agency staff costs of £943430?

Answer :

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The operation of the events business requires a very flexible labour force. Whilst the number of permanent staff has reduced and the amount of flexible labour increased, the overall staffing cost has only risen by approximately 3% which is reflective of the general increase in wage inflation.

The majority of the agency costs are event related and are essential to the delivery of the event programme. No further breakdown is available.

ii. a.Question from J. O’Callaghan

In section 5.10 of “Background to the financial position” in the Annual Report and Consolidated Financial Statements it is alleged:

“The objective of a holistic lease ... was unanimously confirmed by a special meeting of the charity trustees on 10th October 2007”.

Is this statement still accurate?

Answer :

Paragraph 5.12 referring to the objective of a holistic lease is a statement of fact and this has not changed.

Since Oct 10th most of the details of the proposed lease have been made public under Fol requests. Can the chair confirm that the board is still committed to a holistic lease to Firoka Limited despite the facts which have emerged since the decision to lease the whole Palace, and to Firoka?

Answer :

There have been no further resolutions of the board on this matter since the resolution of the 10th of October and as such, holistic lease of the building remains the boards chosen strategy for dealing with the level of investment needed to bring the entire Palace back into use.

b. Questions asked by Mr J. O’Callaghan on behalf of Save Allypally Campaign

In section 5.6 of “Background to the financial position” in the Annual Report and Consolidated Financial Statements it is alleged:

“The charity remains a going concern only because the overall trustee uses its corporate funds to support the revenue deficit of the charity ...”

The alleged revenue deficits of the charity in previous years have

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been in large part made up of huge interest charges levied on it by the council in respect of various contentious alleged debts, including debts the council alleges – without documentary proof – that the attorney general has expressly agreed;

What the QC and other counsel actually advised was that in voluntarily taking over trusteeship of the Palace and Park, the London Borough of Haringey was also accepting

- (a) that it had a duty to maintain uphold and preserve the Palace and Park
- (b) that it had a separate duty under the Open Spaces Act to pay for the Park, and probably the Palace as well

and so the Borough should never have paid interest to itself for duties it owed under law as trustee and under the Open Spaces Act. The trustees, as defender of the charity's funds against the council's claims, should ask the auditor to establish what amounts of interest have been wrongly paid in the past, and write back these into the accounts and balance sheet. Will they now do this?

Whether the Board agrees with my argument that paragraph 5.6 should be rewritten to reflect the salient facts above, of which some of them may be unaware, and whether the auditors would also agree?

Answer :

The position shown in the accounts as between the local authority and the charity reflects the rulings of the District Auditor in 1999 when similar issues to those posed were raised by other objectors to the accounts.

The Board does not accept Mr O'Callaghan's arguments set out in this question and as such no amendment to paragraph 5.6 is needed."

APBO61. AUDIT OF ACCOUNT 2006/07 - REPORT OF THE GENERAL MANAGER - TO RECEIVE AND CONSIDER THE AUDITED ACCOUNTS FOR 2006/07

The Chair asked for a brief introduction of the report.

The General Manager – Mr Loudfoot advised the Board that following on from its meeting on 26 February 2008 where it had agreed to adjourn consideration of the report pending submission of a number of points of clarification the report was now for further consideration. Mr Loudfoot advised of Mr Framjee's attendance, representing the Trust's Auditors – Deloitte and Touche.

Mr Framjee referred to the anticipated points of clarification that were expected as a result of the adjournment on 26 February 2008 and asked whether these

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points of clarification had been submitted.

The Chair asked Councillor Hare as to the promised points of clarification.

Councillor Hare informed the meeting that he had only been able to clarify the questions and comments late that afternoon, and handed round the questions (A copy of which will be interleaved within the minutes).

The Chair commented on the lengthy and somewhat complex details of the questions circulated by Councillor Hare and expressed his concerns as to the lateness of receipt of the questions, the inadequate number of copies supplied for Members to have an individual copy, and asked why the questions could not have been submitted earlier – given that the Board on 26 February, almost 2 weeks previous, and deferred consideration in order for Councillor Hare to submit his comments/questions. This view was echoed by both Councillors Dogus and Egan, who commented on the discourteousness of Councillor Hare.

In response Councillor Hare apologised for the lateness in supplying the questions but that the questions had required some considerable effort in the compiling, and that as such had also required discussion with the Member responsible for Finance matters – Councillor Gorrie – in the finalisation.

Councillor Hare then sought clarification to a number of the points raised and were responded to in outline terms.

Following a lengthy discussion by the Board of the submissions the Chair clarified with Councillor Hare that in fact the questions were actually of a detail/presentation nature as opposed to actually querying the content. The Chair also stressed that Councillor Hare should be specific as to the main points of clarification on the actual content of the accounts, and not as such the detail, as the Board were being recommended to sign off the accounts and that the Auditors had given their sanction to the accounts being signed off as presented. Councillors Dogus and Egan commented on the discourteousness of Councillor Hare in submitting the questions in the manner that he had without prior notice and that he was not being specific as to his concerns.

With reference to the specific points of clarification Councillor Hare referred to Q. 5d which stated 'The accounting policies indicate that no value is placed on the Park and Palace as there are restrictions placed on its disposal. However improvements to the buildings are now being capitalised although as there are restrictions in the disposal of the asset they are improving which mean that the capital value of the improvement cannot be realised by disposal. How is this approach consistent? Alternatively if improvements can be capitalised then why does this not apply to park improvements as well?'

In response Mr Loudfoot advised that in terms of capitalisation it was the case that the trust capitalised certain works on either a ten year or four year basis depending upon the expected life of the asset. This policy had been adopted some years ago and had not changed. Pesh Framjee then said it was normal practice of FRS 15 and applied to the purchase of assets which would be being used

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over 1 year, it was the case that policy included not setting a value on the building. Details of assets were to be found in note 12/13

Councillor Hare sought clarification in respect of question 1. C which stated 'The version of the APPCT accounts in Appendix A of the Haringey Accounts states on page 92 point 1 that "The charity has not complied with FRS 17 because of the impending transfer of its core staff to a new investor." Given the events subsequent to the balance sheet date that are described in the Trustees report and the fact that the adjustment to losses from FRS 17 treatment would be a significant reduction of more than £100,000 the accounts should either be corrected for this change or item 13 of the trustees letter to the auditors be amended to reflect knowledge of this significant change.'

Pesh Framjee responded that this was not the case and no adjustment was needed, he pointed out that whilst FRS17 had not been followed the trustees had disclosed the figures.

Councillor Hare commented that the accounts did not reflect what had happened following the year end 2006/07 in terms of the future of the asset, and that there should be a caveat to this effect. In response Mr Framjee commented that there was no requirement within the 2006/07 accounts for the subsequent events as to the future of the asset to be reflected and that these events had no actual bearing on the detail of the accounts as they stood. The Auditors would not request such information to be provided and therefore the accounts would not need to reflect this. If the Board wished to have reference within them then they could agree to this but it was not a requirement.

Councillor Hare commented on the Consultant costs that had been incurred during the development process and whilst he accepted that there was a general sum mentioned this required specific reference throughout the accounts. Mr Loudfoot responded that it was not necessary for the statutory accounts to separate out the individual consultants costs, this was a matter for the management accounts. Pesh Framjee confirmed that this was the case.

Following answers given to further points within the questions the Chair sought clarification as to whether Councillor Hare felt he was able to now consider and agree the accounts. In response Councillor Hare felt that whilst he had and was assured on some issues he did not feel able to sign the accounts off until further clarification had been given to the points he had raised, and as detailed in the body of the questions.

In response to comments of Councillor Oakes in relation to the period of time that that the Board should engage the services of Auditors Mr Framjee advised that whilst that may be the practice of a particular Charity there was no laid down statutory regulations that stated that a company/charity had to do this.

Councillor Egan commented that there had been considerable clarification given and that he MOVED that the Board vote on accepting the accounts. He further

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reiterated his comment in respect of Councillor Hare's conduct in the manner in which the questions had been presented at this meeting without prior notification or sight of them by Board members.

Following advice from the Trust Solicitor – Mr Harris as to accepting the accounts by the Board, the Chair, in sharing the views expressed by Councillor Egan, felt that it would not be appropriate for the Board to consider and agree the accounts unless there was unanimous agreement. The Chair asked and Councillor Egan agreed to withdraw his MOTION.

Following further discussion the Chair then summarised and it was:

RESOLVED

- i. that consideration of the 2006/07 Accounts be deferred to a Special meeting of the Alexandra Palace and park Board on 19 March 2008 at 18.00hrs; and
- ii. that the special meeting on 19 March 2008 would only consider the 2006/07 Accounts and that in this respect Councillor Hare be requested to submit his questions and further queries no later than NOON 12 March 2008.

APBO62. TO RECEIVE THE MINUTES OF THE ADVISORY COMMITTEE HELD ON 5 FEBRUARY 2008 AND TO CONSIDER ANY RECOMMENDATIONS CONTAINED THEREIN

The Clerk reminded the Board that in respect of the resolutions of the Advisory Committee, at the previous meeting on 26 February the Board agreed to consider this item after the exempt item on the Future of the Asset, and whether the Board would follow the same practice this evening.

The Board agreed to consider this item after the exempt item 8 on the Future of the Asset nemine contradicente.

NOTED

APBO63. EXCLUSION OF THE PRESS AND PUBLIC:

RESOLVED

That the press and public be excluded the from the meeting for consideration of Item 8 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), and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

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At this point in the proceedings 21.32hrs the Chair asked that the Board agree to an adjournment of 10 minutes, and also to agree the suspension of Standing Orders beyond 22.00hrs as it was unlikely that the Board would completed the business to be transacted before then. This was agreed nemine contradicente.

SUMMARY OF EXMPT/CONFIDENTIAL PROCEEDINGS

APBO64. FUTURE OF THE ASSET - REPORT OF THE TRUST SOLICITOR

AGREED RECOMMENDATIONS

There being no business to discuss the meeting ended at 22.35hrs.

Councillor Matt Cooke
Chair

Chair

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PRESENT

*attendee

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

Non-Voting Ms v Paley, Mr M. Tarpey, Mr N. Willmott
Representatives:

Observer: Mr D. Liebeck

Also present: Councillor Robert Gorrie

Mr David Loudfoot – General Manager Alexandra Palace
Mr Iain Harris – Trust Solicitor
Ms Julie Parker – Director of Corporate Resources – LB Haringey
Mr Clifford Hart – Clerk to the Board – Non-Executive Committees Manager – LB
Haringey

Mr Pesh Framjee – Auditors to the Board – Deloitte and Touché

In the absence of the Chair, the Vice-Chair took the Chair.

COUNCILLOR P. EGAN IN THE CHAIR

MINUTE NO.	SUBJECT/DECISION
APBO65.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence were received on behalf of Mr Liebeck, Ms Paley, Mr Tarpey, and Mr Willmott, and for lateness from Councillor Cooke.</p>
APBO66.	<p>URGENT BUSINESS</p> <p>The Chair asked if there was any urgent business in relation to Item 4 on the agenda.</p> <p>The Clerk to the Board – Mr Hart advised that there were no urgent business matters as such in relation to Item 4 however a revised set of the 2006/07 accounts had been circulated to the Board on 18 March 2008, together with a letter of clarification in relation to the revised accounts, and also written responses to questions raised by Councillor hare in relation to the audit of accounts 2006/07.</p>
APBO67.	<p>DECLARATIONS OF INTERESTS</p> <p>There were no declarations of interests.</p>

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<p>APBO68.</p>	<p>AUDIT OF ACCOUNT 2006/07 - REPORT OF THE GENERAL MANAGER - TO RECEIVE AND CONSIDER THE AUDITED ACCOUNTS FOR 2006/07</p> <p>The Chair asked for an introduction of the report.</p> <p>The General Manager – Mr Loudfoot referred to the documents circulated in original and revised form, and advised that it was not his intention to take the Board through the narrative, but rather to ask the external auditor – Mr Pesh Framjee from Deloitte and Touche to go through his management letter, previously circulated.</p> <p>Mr Framjee highlighted the contents of his circulated letter as detailed, highlighted certain matters relating to the audit of the consolidated financial statements of Alexandra Palace and Park (‘the Trust’) for the year ended 31 March 2007 which were considered to be brought to the attention of the Trustees. A draft of this report had been discussed with the management and their comments had been incorporated where appropriate. Also highlighted were specific matters on which the Trust’s written representation was sought. Having attended two meetings of the Board which were convened to agree the accounts and it would appear that there was need for clarification on certain accounting principles and these are covered in the section on financial reporting issues. The matters raised in this report were only those which came to the Auditor’s attention during the course of its audit and were not necessarily a comprehensive statement of all the weaknesses that may exist or all improvements that might be made. Recommendations for improvements should be assessed by the Trust for their full commercial impact before they were to be implemented. The report has been prepared solely for use by trustees in relation to the governance of the Trust and should not be quoted in whole or in part without the Auditor’s prior written consent. No responsibility to any third party was accepted as the report had not been prepared, and was not intended, for any other purpose.</p> <p>Mr Framjee placed on record the Auditor’s appreciation for the co-operation received from management and staff during the course of our audit.</p> <p>The Chair thanked Mr Framjee for his brief and succinct clarification. The Chair then advised the Board that it was his intention to proceed next with dealing with the detail of the narrative.</p> <p>Councillor Hare referred to the points of clarification he sought and that Councillor Gorrie (in attendance) had been advising him, in his capacity as the lead financial person on the Liberal Democrat Group, and that he had had a number of points upon which he required clarification.</p> <p>The Chair, in advising that he would allow Councillor Gorrie to seek clarification on a few points, asked if Councillor Hare was now satisfied with the ‘number’ detail as contained.</p> <p>Councillor Hare responded that he was satisfied now with the detail of</p>
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numbers.

In response to a point of clarification from Councillor Oakes that he wished to raise particular point of clarification, the Chair, responded that as the matter was not in relation to the narrative that it be asked after questions relating to the narrative had been answered.

The Chair asked Councillor Hare and Councillor Gorrie to put their points.

Councillor Gorrie, in thanking the Chair for his indulgence, referred to the responses and clarifications to the questions posed and in particular referred to FRS17 and its exclusion, and commented that the answer clearly showed the reasons for the FRS 17 treatment. Whilst its restating was not being asked as such it was a fact that it related specifically to the proposed transfer of the asset and that this should be reflective. The narrative referred to the Ice-Rink being transferred into to the management of APTL and that this was actually a nil impact on the P and L, and that FRS 17 would actually impact on the P and L but there was no mention of this. Councillor Gorrie felt that at least there should be some comment that this would be reflected in the future.

Mr Framjee responded that the point was indeed a valid one and Mr Loudfoot also commented that it had been referred to in the answers to the posed questions, but not within the narrative. The Board could amend the narrative for the inclusion of a form of words to that effect.

Councillor Gorrie referred to the subject of the debt, and whilst it may not perhaps be the most appropriate moment to raise the issue, he felt that in accounting terms it was only appropriate for this to be qualified and removed from the accounts as it had, and continued to raise number of questions both publicly and from Councillors. He sought clarification whether this was in fact a real debt that incurred interest or was not, as it sat as a 'dark cloud' and should be paid in the best interest of the Charity. Since the legal advice obtained in 1997 was that it had been be resolved

The Trust Solicitor advised that the eminent counsel's advice and advice of the Attorney General in 1996 was that the so called "debt issue" had to be resolved at that point in order for the trust to know exactly the amount it had to repay. It was a fact that the Trust did not, or had not had the means to repay, but that before any future lease or development arrangement could be settled the debt issue had to be resolved. It was a matter for the LB Haringey to resolve the issue of how the debt was accounted for.

The Chair commented that it could be an issue to be addressed at a future Board meeting.

(Councillor Cooke arrived at 18.37hrs.)

Upon Councillor Cooke's arrival, Councillor Egan relinquished, and

Councillor Cooke took the Chair.

Councillor Matt Cooke in the Chair

Councillor Gorrie commented that there was a need for the accounts to be true and fair and he appreciated that this was not actually defined in law, but that this point was not still clear. Cllr Gorrie commented on fair and accurate reporting, and about significant events, and the issue of loss of £1.7 million and bad debt of £400K all of which he felt should be commented on at greater length in the narrative.

Mr Framjee responded that it was neither necessary nor a requirement of the SORP for the accounts to be presented as management accounts and that in respect of the bad debt issue this was a significant point, but in terms of written off debt he gave as an example a booking for an event which was cancelled. He stressed that it was not normal to record bad debt and he was unable to recollect the recording of bad debts in a Trustee's report previously.

The Chair, in apologising for his lateness, commented that whilst he had the deepest respect for Councillor Gorrie's knowledge and expertise, it was the case that the questions posed by Councillor Hare as a Trustee had been responded to. It was a fact that it was Trustees, and Trustees alone who were the only people whose duty it was to consider the accounts and sign them off, and whilst he appreciated that some form of independent scrutiny had taken place by Councillor Gorrie, on behalf of Councillor Hare, this was an extremely odd state of affairs and indeed quite a dangerous precedent to set.

Councillor Hare responded that as Trustee he was able to seek independent advice and that Councillor Gorrie, as the opposition finance spokesperson was advising him. He also commented that in effect it was the responsibility of all Council Members to act as Trustees wholesale and whilst powers to act had been delegated by the Council to the Trustees, all Members should take an interest and that this was the case with Councillor Gorrie.

The Chair commented that the notion of all Councillors of the LB Haringey being Trustees was not correct and that trusteeship had been delegated to the Board of trustees – this body, to act solely, and independently. It was dangerous and incorrect to suggest otherwise.

Mr Harris, in echoing the concerns of the Chair further stated that he was concerned that as a Charity Trustee a third party was being consulted and giving a view to a Trustee when in fact the accounts, and any other matter should only be considered by the Trustees collectively. No other Councillor of the LB Haringey indeed had the responsibility in this respect, and should not be seen to be influencing or commenting on the actions of the Trust, and he advised Board Members of the potential conflict that could arise by such actions, and the Members should proceed bearing this advice in mind.

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The Chair also commented that the whole issue of the accounts had been drawn out and should now be brought to a close. He reminded Councillor Hare of his actions since the meeting of the Board on 26 February, and 10 March respectively and the extension given in order for officers to be able to respond to the considerable number of points, which had been answered in full. Whilst he appreciated that some of the answers may fall short of Councillor Hare's expectations it was now time to consider the accounts for 2006/07 and come to a decision.

Councillor Oakes commented that he felt it was appropriate to allow Councillor Gorrie to continue with 2/3 further points through the Chair, as the 2 previous concerns had been clarified and had made it easier for the Board to understand certain issues.

The Chair further commented that whilst he appreciated that Members other than trustees were, within the Council's constitution, able to attend and through the Chair seek points of clarification he reiterated his early comments, and that in terms of perceived influence and subsequent transparency, in taking decisions as Trustees the actions of Board members in a public arena could be misconstrued and if challenged in any manner could lead to an ultra vires judgement. The Chair also stated that Councillor Hare had already commented earlier to his acceptance to the actual figures within the report, whilst having some further concerns in relation to the narrative.

Mr Harris further commented that expert legal advice had been given to the effect that non Board Members would and should not have anything to do with the Board's business and this should be conducted by Board members only, and whilst questions on detail of the account were admissible non Board Members should not actually take part in the debate.

Councillors Hare and Gorrie commented that they had only a small number of points of clarification.

Councillor Dogus commented that she was happy for Councillor Gorrie to seek further small points of clarification as his earlier points had given rise to clear answers from officers.

Councillor Peacock commented that in her view such questioning should cease, based on the advice of Trust Solicitor, and that it was evident to her that Councillor Hare did not understand the accounting process, and the requirement of the trustees.

The Chair advised that whilst he was mindful of allowing some minor points of clarification he reiterated his earlier comments and that Councillor Gorrie should not be seen to be influencing or acting in a scrutiny capacity and influencing in any way individual Trustees.

Councillor Gorrie, in thanking the Chair for his further indulgence, referred to the point on 'fair and true' and the issue identifying significant matters within the narrative, in particular the issue of

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adoption of FRS 17 would make a £100K improvement.

Mr Loudfoot commented that the deficit referred to related to the following year and that the narrative indicated that the change in the deficit would actually be negative as opposed to positive.

Mr Framjee confirmed that the net assets would actually be negatively affected by £302K.

Following further points of clarification arising from the responses to the questions and answers given thereto, the Chair asked if the Board felt that it was now able to give its unanimous support to recommendations 2.1 – 2.3 as detailed.

Councillor Hare commented that he took the matter of signing off the 2006/07 accounts very seriously, and that in his view the narrative of the accounts gave a more bleak outlook and that the narrative needed to be clearer in the sentiments it expressed. He raised further point of clarification in respect of paras 5.6/5.7 and also points of clarification in relation to note 4/5, which officers responded to.

The Chair clarified that Councillor Hare was able to confirm that he felt that the numbers as detailed were acceptable, and asked the Council's Director of Corporate Resources – Ms Parker to comment on certain issues in relation to the revenue support.

Ms Parker advised that in terms of revenue support the Council had no particular requirement on the narrative and that the Council saw this as being appropriately audited, and that the Council would support the point of value for money and was satisfied that this was case. Mr Framjee added that point 5 also in essence confirmed this.

Following further discussion the Chair **MOVED** the resolution as detailed below.

On a vote there being 7 for and nil against and no abstentions it was

RESOLVED

- i. that the audited accounts (including the annual report) and the audit opinion for 2006/07 be agreed;
- ii. that there being no matters or related party transactions to be declared the Trustees sign their relevant declaration to that effect;
- iii. that, having considered the accounts (including the annual report) and audit opinion, Councillor Cooke be authorised to sign the accounts on behalf of the Charity for submission to the Charity Commission together with letter of representation;
- iv. that in respect of (i) above, that the following phrases be incorporated into the narrative:

'that the Alexandra Palace Trading Company activities for the generation of funds are shown at note 5, and the Charity's income

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resources from Charitable activities are summarised at note 4'

- v. That for the following year and beyond that the board would adopt FRS 17;and
- vi. that in respect of the 2007/08 accounts the process for considering the detail be commenced at an earlier stage in their compilation and that a series of informal briefings be arranged to review the proposed content in order for Board members to clarify points of contention and concern, prior to the submission of the final accounts.

At this point in the proceedings (19.20hrs) Councillors Beacham and Dogus advised of other meeting commitments and left the proceedings. Mr Framjee also left the proceedings.

The Chair then referred to the remaining recommendation for the Board to consider in respect of the re appointment of Deloitte and Touche LLP as the auditors for the Charity, and asked that the General Manager comment on this recommendation.

Mr Loudfoot advised the Board that he wished to make the point that the services of Deloitte and Touche, and indeed the assistance of Mr Framjee and service had been one of extreme support and that their input and comment had always been clear and concise.

Ms Parker advised the Board that in terms of the consideration of the appointment of Deloitte and Touche it was the case that the Board had gone through a considerable process in the signing off of the 2006/07 accounts, which were now late in submission. The Board would shortly embark on the process of considering the 2007/08 accounts and whilst it seemed that 9 months was a considerable time before approval was required considered, given the staffing situation at the Palace and there not being any one person in situation to solely assist , the need for continuity should be borne in mind.

Mr Harris reminded the Board that indeed since 1995 the current auditor had been involved in the process, was familiar with Trust, and its requirements, the process of selecting a new Auditor may be a drawn out one and in his view wholly unfeasible within the available time scale. If it assisted the Board, it may be as well for it to agree to review the appointed of new Auditors for 2008/09 accounts in the autumn of 2008, and stay with the current for 2007/08.

The Chair asked if there were any points or comments.

Councillor Oakes referred to the point he expressed at the previous Board meeting on 10 March in respect of a 5 year period, and that this did relate to the use of an individual partner as opposed to the actual Firm itself.

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Councillor Hare commented that his personal position in reappointing the current Auditors – it was the case that the auditor's role was to act as in an independent capacity and he questioned whether, given the actual time that the current auditor had carried out this job, there maybe a perceived view that this was not actually independent. Councillor Hare also commented on the need to ensure value for money and that it was the case that the costs in this and the previous year had risen twofold. He was of the view that the Board needed to have a fresh pair of eyes to do its auditing.

In response to Councillor Hare's comments in relation to value for money and an increase in costs Mr Loudfoot advised that the costs had increased partly due to the drawn out process of the 2006/07 accounts which had in effect increased the bill, together with additional work required due to the staffing uncertainties at the Trust during the last 12 months.

In response to further comments from Councillor Hare, Ms Parker stated that Mr Loudfoot's comment was an extremely valid one and it was the case that if staff had been in place with up to date knowledge and expertise then the auditing process would be kept to a minimum, and the lack of this support would subsequently be reflected in the fees charged by the auditors. Ms Parker reiterated her earlier point that this did require consideration in reaching a decision. Ms Parker added that it was the case that the accounts were compiled by the Trust, not the Auditor, but that the auditor had a specific task to perform, but this did not include the actual drawing up of the accounts.

Mr Loudfoot advised that the management at the Trust prepared the accounts and the auditors audited them. In assisting for future years it was intended to circulate the draft accounts much earlier and give Members the opportunity to raise their concerns though a series of informal meetings where the narrative could be discussed along with the SORP analysis.

In response to further points of clarification Mr Loudfoot commented that it would be difficult to obtain as expert an auditor as Mr Framjee given that in the profession he was recognised as the leading auditor with regard to charity and trust accounts, and that he had indeed written and published the manual/books that all other auditing companies adhered to.

Councillor Hare responded that despite the practicable advice given in terms of an accounting requirement he still felt it was appropriate to seek the services of a new auditing practice.

The Chair commented that it was not wholly acceptable for Councillor Hare to give such comment without giving any practical reasons why he took this view, and asked that if there were any reasons then Councillor Hare should state them.

Councillor Hare responded that he had struggled, in considering the

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accounts, and that this in part had been due to the lack of clarity to points he had raised. He therefore felt it was appropriate to consider the use of a new auditor and whilst this may cause some difficulties in the consideration of the 2007/08 accounts, he was of the view that Mr Framjee, in the position as auditor to the Board, was hopelessly, and indeed absurdly compromised.

Mr Harris clarified that in terms of the accounts before the Board these were not prepared by the Auditors but by officers of the Trust and that, should the Board choose not to select the current Auditors at this stage, it jeopardised the process for 2007/08 and future years.

The Chair asked Councillor Hare to elaborate on his comment in relation to M Framjee being absurdly compromised, particularly 'absurdly'.

The Clerk to the Board Mr Hart through the Chair, advised the Board that Members were commenting on the work/ and performance of an individual who was employed by the Board to carry out a service to it. In this respect the Board was discussing these matters in the public/unrestricted part of the proceedings. Mr Hart advised the Board that it should either desist in this line of questioning/comment, or else, pass a resolution, under the auspices of Local Government Act 1972, as amended by Access to information Act 1985 to exclude the public and press from the proceedings.

The Chair thanked Mr Hart for his advice which was duly noted.

Mr Harris concurred with the advice of the Clerk to the Board, and commented that the phrase "absurdly compromised" could have considerable ramifications in that it had been stated in the public part the proceedings and made against the reputation of an individual. He further added that there could be grounds on the individual's behalf to take action for libel in the High Court.

The Chair MOVED and it was:

RESOLVED

That the press and public be excluded the from the meeting for consideration of the remainder of the discussion as the matters to be discussed 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 relating to any individual.

SUMMARY OF THE EXEMPT/CONFIDENTIAL PROCEEDINGS

AGREED RECOMMENDATIONS (i) & (ii) AS MOVED BY THE

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	<p>CHAIR</p> <p>Councillor Hare asked that his dissent be recorded against recommendation (i).</p>
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The meeting ended at 20:08hrs.

COUNCILLOR MATT COOKE

Chair



Agenda item:

Alexandra Park and Palace Consultative Committee On 15th July 2008

Report Title: **FUTURE OF THE ASSET**

Report of: **David Loudfoot, General Manager**

1. Purpose

1.1 To advise the committee of the progress with the development project.

2. Recommendations

2.1 That the committee notes the report.

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 details the progress with the development project.

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

4.1 N/A

5. Local Government (Access to Information) Act 1985

5.1 No specific background papers, other than those appended, were used in compiling this report.

6. Description

- 6.1 At the last meeting of the advisory committee it was reported that little if any progress had been made in forwarding the development project. It was agreed that should any significant progress be made before the next scheduled meeting then a special meeting of the advisory committee would be called to discuss the progress. It has not been necessary to call this meeting.
- 6.2 This lack of progress was also reported to the last consultative committee.
- 6.3 At this point in time insufficient progress has been made to be able to offer any further meaningful report on negotiations. Since there is no progress to be reported a written report would not normally be tabled. However, past meetings have resolved that a written report should always be tabled and as such the lack of progress is formally reported here.

7. Recommendations

- 7.1 That the committee notes the report.

8. Legal and Financial Implications

- 8.1 The local authority Director of Finance and the Trust Solicitor have been sent copies of this report.

9. Equalities Implications

- 9.1 There are no perceived equal opportunities implications in this report.

10. Use of Appendices/Tables/Photographs

- 10.1 N/A



Agenda item:

Alexandra Palace & Park & Park Consultative Committee**On 15 JULY 2008**Report Title: **PARK UPDATE (ACTIVITIES)**Report of: **Mark Evison, Park Manager****1. Purpose**

1.1 To inform the Committee of the recent activities carried out in Alexandra Park

2. Recommendations

2.1 That the Committee notes the report.

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 recent activities and forthcoming events in the park.

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

Updated items from 12 February 2008

6.1 In light of the comments made in the previous Consultative Committee the various items can now be updated:

- New signs at the Alexandra Palace Way entrances were discussed. The Planning Department are currently considering the designs and will make a decision on whether a Planning Application is required.
- The police occasionally locate a mobile speed camera in park to reduce speed down hill towards Bedford Road. New 20mph roundels have also been painted on the road.
- 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 are being sought.
- Specialist leaflets on birds and trees in the park are being prepared by interested groups. These are expected in the next few months.

Heritage Lottery Project

6.2 To celebrate the successful completion of the project a launch event is planned for Sunday 10th August. This will involve a tour of the park to look at the project elements. The tour will be lead by the Principle Landscape Architect for the project.

Community Events

6.3 A number of community events have been taking place in the park and details can be found in Appendix A.

6.4 The park events are a mixture of volunteer tasks, walks organised by the Friends of Alexandra Park and charity events organised by local community groups.

Grounds Maintenance Contract

6.5 Following the tender process, the successful contractor was **John O'Conner (Grounds Maintenance) Ltd**. They made a good bid in the tender interview and unannounced visits showed a good quality of maintenance on some of their other contracts.

6.6 The contract started on 1st May 2008 and the incumbent staff all transferred to John O'Conner. A new fleet of vehicles with a consistent livery has been supplied.

6.7 The regular weeding, litter picking and grass cutting across the site has been carried out successfully. In the first month they delivered a new bedding scheme on the south front and carried out last minute preparation works for the Green Flag Award inspection.

Green Flag Award

- 6.8 The park was entered into the Green Flag Award scheme for the third time this year. Many improvements have been made since last year including the opening of the cafes, pitch & putt and boating facilities.
- 6.9 The submission included the re-written management plan, new park leaflets and programme events organised by the Friends of Alexandra Park. The Green Flag Award results are expected in mid-July and will be published on the Alexandra Palace website.

7. Recommendations

- 7.1 That the Committee notes the report.

8. Legal and Financial Implications

- 8.1 The Director of Finance 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: Park events list

Appendix A: Park Events List

Date	Activity	Partners
Second Sunday of each Month and continuing	Volunteer Conservation Tasks. Habitat management and access improvement works	British Trust for Conservation Volunteers
School Holidays	Children's funfair	John Manning & Son
Most Sundays	Farmers' Market	City and Country FM
5 April 2008	Information Centre Open Day. Building bird feeders, bug hunts and tree walk.	Friends of Alexandra Park (FoAP)
16 April 2008	Friends Focus Group: Tour of the Conservation Area	FoAP
3 May 2008	Public Bird Walk	FoAP and Alexandra Park Ornithological Group
4 May 2008	Fundraising Event. To start a new group to run activities for youths	Alexandra Youth Club
18 May 2008	Hornsey 10km run	Hornsey YMCA
22 May 2008	Park History Walk.	FoAP
14-22 June 2008	Tidy Art: Outdoor Art Exhibition	Lakeside Cafe
5 July 2008	Hornsey Carnival	Hornsey Carnival Assn
13 July 2008	Orienteering	London Orienteering Klubb
21-31 August 2008	Great Moscow State Circus	European Entertainment Corporation
Summer Holidays	Children's funfair	John Manning & Son
Tba	Friends Focus Walk: Boating Lake, Play Area and Deer Park	FoAP



Agenda item: No.

Alexandra Park and Palace Consultative Committee on 15th July 2008.

Report Title: **Forthcoming Events**

Report of: **David Loudfoot, General Manager**

1. Purpose

1.1 To advise the Committee of the forthcoming events to the end of the financial year.

2. Recommendations

2.1 That the Committee notes the report.

Report Authorised by: **David Loudfoot**  Date **7/7/08**

Contact Officer: **David Loudfoot, General Manager 0208 365 2121**

3. Executive Summary

3.1 N/A

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

4.1 N/A

5. Local Government (Access to Information) Act 1985

5.1 Further information about this report can be obtained from David Loudfoot, General Manager, Alexandra Park & Palace, Alexandra Palace Way, Wood Green, London N22 7AY. Telephone number 020 8365 2121.

6. Description

6.1 Confirmed public events and first provisional options.

Event	Date	Room
Haringey Amateur Boxing	6 – 8 Jun 08	WH
Private Awards	12 Jun 08	GH
Private Conference	14 Jun 08	WH
Tidy Art	14 – 21 Jun 08	Lakeside / U Field
BBC Mashed Hack Day	20 - 22 Jun 08	WH
Private Graduation	25 Jun 08	WH & PR
<i>Haringey Schools Concert</i>	<i>26 Jun 08</i>	<i>GH</i>
School Awards	27 Jun 08	PR
Cyprus Wine Festival	28 & 29 Jun 08	GH
<i>Private Conference</i>	<i>3 Jul 08</i>	<i>PR</i>
Hornsey Carnival	5 Jul 08	Park
<i>Organ Concert</i>	<i>9 Jul 08</i>	<i>GH</i>
<i>Asian Style Awards</i>	<i>12 Jul 08</i>	<i>GH & WH</i>
Orienteering	13 Jul 08	Paddock
Funfair	26 Jul – 7 Sep 08	Pavilion
<i>Bollywood Tadka</i>	<i>9 Aug 08</i>	<i>WH</i>
<i>Organ Concert</i>	<i>13 Aug 08</i>	<i>GH</i>
<i>Grand Carnival Splash</i>	<i>16 & 17 Aug 08</i>	<i>GH & PR</i>
Moscow State Circus	21 – 31 Aug 08	Paddock
<i>Charity Dinner</i>	<i>22 Aug 08</i>	<i>PR</i>
<i>Islamic Conference</i>	<i>30 Aug 08</i>	<i>WH</i>
<i>Beauty Pageant</i>	<i>30 Aug 08</i>	<i>PR</i>
Private Funday	31 Aug 08	Upper Field
Antique & 20th Century Fair	7 Sep 08	GH
SPOSA Wedding Exhibition	14 Sep 08	WH
<i>Breakthrough To Success Conference</i>	<i>19 – 21 Sep 08</i>	<i>WH</i>
<i>Hornsey Housing Trust Conference</i>	<i>25 Sep 08</i>	<i>PR</i>
<i>Miracle of Ministry Conference</i>	<i>26 Sep 08</i>	<i>GH</i>
Big Stamp Show	27 & 28 Sep 08	WH
<i>Knitting & Stitching Show</i>	<i>9 – 12 Oct 08</i>	<i>GH, WH, PR</i>
<i>British Inventors Show</i>	<i>15 – 18 Oct 08</i>	<i>WH</i>
<i>Organ Concert</i>	<i>22 Oct 08</i>	<i>GH</i>
<i>Concert</i>	<i>31 Oct 08</i>	<i>GH</i>
<i>Fireworks</i>	<i>8 Nov 08</i>	<i>Park</i>
<i>Concert</i>	<i>15 Nov 08</i>	<i>GH</i>
<i>Organ Concert</i>	<i>19 Nov 08</i>	<i>GH</i>
<i>Concert</i>	<i>21 Nov 08</i>	<i>GH</i>
Antique & 20th Century Fair	23 Nov 08	GH
<i>Concert</i>	<i>26 Nov 08</i>	<i>GH</i>
<i>Performance Cars Show</i>	<i>29 & 30 Nov 08</i>	<i>GH, WH & PR</i>
<i>Concert</i>	<i>4 & 5 Dec 08</i>	<i>GH</i>
<i>Concert</i>	<i>11 & 12 Dec 08</i>	<i>GH</i>
<i>PDC World Darts</i>	<i>Dec - Jan (TBC)</i>	<i>WH</i>
<i>Ice Rink Pantomime</i>	<i>15-21 December</i>	<i>Ice Rink</i>
<i>Asian Wedding Show</i>	<i>10 & 11 Jan 09</i>	<i>GH</i>
Excursions	10 Jan 09	WH
<i>Model Engineering Show</i>	<i>16 – 18 Jun 09</i>	<i>GH</i>
<i>Make-up Show</i>	<i>24 & 25 Jan 09</i>	<i>WH & PR</i>
<i>Woodworking Exhibition</i>	<i>6 – 8 Feb 09</i>	<i>GH</i>

Event	Date	Room
<i>Antique & 20th Century Fair</i>	<i>15 Feb 09</i>	<i>GH</i>
<i>Classic Car Show</i>	<i>28 Feb & 1 Mar 09</i>	<i>GH, WH & PR</i>
<i>Dinghy Show</i>	<i>7 & 8 Mar 09</i>	<i>GH, WH & PR</i>
<i>Exams</i>	<i>10 Mar 09</i>	<i>WH</i>
<i>Railway Modelling Exhibition</i>	<i>28 & 29 Mar 09</i>	<i>GH & WH</i>

Note: 1st Option Provisional Bookings are typed in Italic

7. Summary and Conclusions

7.1 N/A

8. Recommendations

8.1 The Committee notes the report.

9. Legal and Financial Comments

9.1 The Director of Finance and the Trust's solicitor has been sent a copy of this report.

10. Equalities Implications

10.1 There are no perceived equal opportunities implications in this report.

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