

## NOTICE OF MEETING

---

# Alexandra Park and Palace Advisory Committee.

---

(Established by Statute in 1985)

To: The Members of the  
Advisory Committee (Statutory)

Dear Member

A meeting of the **ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE.** will take place on **TUESDAY, 10TH FEBRUARY, 2009** commencing at **19:30** in **PALM COURT SUITE 5, ALEXANDRA PALACE, ALEXANDRA PALACE WAY, WOOD GREEN, LONDON N22** to consider the business set out in the Agenda detailed below.

Yours sincerely

Clifford Hart  
Clerk to the Committee

### AGENDA

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTERESTS**

Members of the Committee are invited to disclose any interest they may have in any of the items appearing on this agenda.

3. **MINUTES (PAGES 1 - 76)**

- i) To approve the minutes of the meeting of the Advisory Committee held on 7 October 2008 (attached marked A).

To consider any matters arising from the Minutes.

- ii) To note the draft minutes of the meeting of the Alexandra Palace and Park Board held on 21 October 2008 and the responses of the Board to recommendations of the Advisory Committee, (attached marked B, Bi), special meeting of the Board held on 5 November 2008 (attached marked C), and 6 January 2009 (attached marked D);and
- iii) To note the minutes of the Alexandra Palace and Park Consultative Committee held on 15 July 2008, and draft minutes held on 14 October 2008 (attached marked E& F).

#### **4. PARK ACTIVITIES UPDATE (PAGES 77 - 80)**

Report of the Park Manager – To update the Committee on forthcoming events and works within the Park.

#### **5. FORTHCOMING EVENTS (PAGES 81 - 84)**

Report of the General Manager, Alexandra Palace – To advise the Committee on forthcoming events to the end of the financial year 2008/09.

#### **6. LEGAL ADVICE ON REMIT AND GAMBLING LICENCE (PAGES 85 - 90)**

Considering the legal advice/ opinion of the Local Authority's lawyer (attached) on the SAC's remit in relation to the granting of the gambling licence, and the question of prior consultation

#### **7. ITEMS RAISED BY ASSOCIATIONS (PAGES 91 - 92)**

##### **i. ITEM RAISED BY WARNER ESTATE RESIDENTS ASSOCIATION**

*Proposal for all-weather path to replace the present informal, and very muddy, desire line from the top of Park Avenue North, across the Redston Road playing fields and the old race-course, to join the lower road at the eastern end of the car park*

#### **8. ANY OTHER BUSINESS**

Yuniea Semambo  
Head of Member Services  
5<sup>th</sup> Floor

Clifford Hart  
Committee Manager (Council)  
Tel: 020-8489 2920

River Park House  
225 High Road  
Wood Green  
London N22 8HQ

Fax: 020-8489 2660  
E-mail:clifford.hart@haringey.gov.uk

2 February 2009

To: Nominated Members of:

<b>Alexandra Residents' Association</b>	<b>: Ms J. Hutchinson</b>
<b>Alexandra Residents' Association</b>	<b>: Mr P.Wastell</b>
<b>Muswell Hill and Fortis Green Association</b>	<b>: Ms M. Myers</b>
<b>Palace Gates Residents' Association</b>	<b>: Ms J. Baker</b>
<b>Palace View Residents Association</b>	<b>: Vacancy</b>
<b>Palace View Residents Association</b>	<b>: S Rees</b>
<b>The Rookfield Association</b>	<b>: Mr D. Frith</b>
<b>The Rookfield Association</b>	<b>: Mr F. Hilton (deputy)</b>
<b>Warner Estate Residents' Association</b>	<b>: Mr D. Liebeck</b>
<b>Warner Estate Residents' Association</b>	<b>: Mr D. Aspden</b>

Appointed Members:

<b>Alexandra Ward</b>	<b>:</b>	<b>Councillor Oatway</b>
<b>Bounds Green Ward</b>	<b>:</b>	<b>Councillor Demirci</b>
<b>Fortis Green Ward</b>	<b>:</b>	<b>Councillor Beynon</b>
<b>Hornsey Ward</b>	<b>:</b>	<b>Councillor Whyte</b>
<b>Muswell Hill Ward</b>	<b>:</b>	<b>Councillor Rainger</b>
<b>Noel Park Ward</b>	<b>:</b>	<b>Councillor C Harris</b>
<b>Council-wide Member</b>	<b>:</b>	<b>Councillor Newton</b>
<b>Council-wide Member</b>	<b>:</b>	<b>Councillor Patel</b>

Also to:

**General Manager, Alexandra Palace**  
**Chief Executive**  
**Trust's Solicitor**  
**Director of Corporate Resources**  
**Head of Legal Services**

This page is intentionally left blank

**MINUTES OF THE ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE.  
TUESDAY, 7 OCTOBER 2008**

PRESENT

draft 'A'

NOMINATED BY LOCAL RESIDENTS' ASSOCIATIONS

\* indicates attendance

\*Ms. C Hayter : Alexandra Residents' Association  
attending on behalf of  
Ms J. Hutchinson  
Mr P. Wastell : Alexandra Residents' Association  
\*Ms. M. Myers : Muswell Hill and Fortis Green  
Association  
\*Ms J. Baker : Palace Gates Residents' Association  
Vacancy : Palace View Residents' Association  
Ms S. Rees (deputy) : Palace View Residents' Association  
\*Mr. D. Frith : The Rookfield Association  
\*Mr. F. Hilton (deputy) : The Rookfield Association  
\*Mr. D. Liebeck : Warner Estate Residents' Association  
\*Mr H. Aspden : Warner Estate Residents' Association

APPOINTED MEMBERS

\*Councillor S. Oatway : Alexandra Ward  
\*Councillor A. Demirci : Bounds Green Ward  
\*Councillor S. Beynon : Fortis Green Ward  
\*Councillor M. Whyte : Hornsey Ward  
\*Councillor Engert  
attending on behalf of  
Councillor S. Rainger : Muswell Hill Ward  
Councillor C. Harris : Noel Park Ward  
Councillor M. Newton : Council Wide appointment  
Councillor J. Patel : Council Wide appointment

Also in attendance:

Councillor M. Cooke (for part of the meeting)

Mr David Loudfoot – General Manager – Alexandra Palace

Mr Mark Evison – Park Manager – Alexandra Palace

Mr Clifford Hart – Clerk to the Committee – Cttee Manager – LB Haringey

**MINUTE  
NO.**

**SUBJECT/DECISION**

**APSC13. APOLOGIES FOR ABSENCE**

An apology for absence was received on behalf of Ms J. Hutchinson, for whom Ms C Hayter was substituting. Apologies were also received on behalf of Councillor C.

**MINUTES OF THE ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE.  
TUESDAY, 7 OCTOBER 2008**

	<p>Harris, and Councillor S. Rainger (for whom Cllr Engert was substituting), and Councillor Newton (due to being unwell). The Committee asked that their best wishes be passed to Councillor Newton for a speedy recovery.</p> <p><b>NOTED</b></p>
<p><b>APSC14.</b></p>	<p><b>DECLARATIONS OF INTEREST</b></p> <p>There were no declarations of interests.</p> <p><b>NOTED</b></p> <p>At this point in the proceedings, the Chair informed the Committee that at his invitation, Councillor Cooke – Chair of the Alexandra Palace and Park Board was in attendance to briefly address the meeting in respect of the future of the asset. The Chair advised that Councillor Cooke had a further meeting to go to and would therefore only be able to stay in attendance until 20.00hrs.</p> <p>Councillor Cooke, in thanking the Chair for his invitation, commented to the Advisory Committee that he felt that it was important for him to come to the meeting as there were obviously a number of questions that the Advisory Committee would wish to ask, and hopefully he would be in a position to respond. He also stressed that he was not speaking on behalf of the Board but in his capacity as Chair of the Board.</p> <p>Councillor Cooke referred to recent events in respect of the future of the Palace and the fact that the preferred bidder and partner – the Firoka Group had, on 18 August 2008, withdrawn its interest in the development of Alexandra Palace.</p> <p>Councillor Cooke further informed the Committee that the Board, on 26 September 2008, had considered an independent review of the licence entered into with the Firoka Group – the Walklate report, which was readily available on the Council's website. The Board had considered the recommendations/findings of the review, as well as endorsing an action plan prepared by the General Manager arising from the review in respect of governance arrangements.</p> <p>With regard to the future of the Palace Councillor Cooke commented on the opportunity now open to the Board, given the history of the Palace over the past 25 years, to look again at the pure potential of the Palace and he felt that there was an exciting prospect for the Board during the next 6 months, in conjunction with the local community, residents, statutory bodies and interested groups, to look at a whole range of issues in respect of the future of the Palace. Councillor Cooke also commented that by having an open and frank dialogue this would not preclude any idea or proposal and he was confident that this process would be a positive and successful one.</p> <p>Councillor Cooke further commented that issues such as existing trusteeship would need to be looked at, and whether there were options for the transfer of trusteeship in the future, recognising what was in the best interest of the Palace. Councillor Cooke concluded that he looked forward to hearing any comments of the Advisory Committee.</p>

**MINUTES OF THE ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE.  
TUESDAY, 7 OCTOBER 2008**

The Chair thanked Councillor Cooke for his succinct comments and asked if there were any questions from the Committee.

Mr Aspden expressed his thanks for Councillor Cooke's attendance, and understanding that, in part, as Chair; he was receiving 'flak' for a whole range of decisions that had been taken prior to his becoming Chair of the Board. In his view, it was evident that Councillor Cooke was clear in what he would like the Board to concentrate on in the near future. Whilst it was the case that on occasions the Advisory Committee would disagree and give comment to the Board to that effect, the fact that the Chair of the Board had attended this meeting was of tremendous benefit, and he hoped that such dialogue would continue in the future.

In terms of the future of the Palace Mr Aspden asked if there was a timescale as regards discussions with interested parties etc and whether there had been a 'Plan B' in the event of the Firoka deal falling through.

In response Councillor Cooke advised that he was happy to attend meetings of the Advisory Committee but he stressed that he was not speaking on behalf of the Board but in a personal capacity. However in that vein he would answer questions accordingly. Concerning whether there was a Plan 'B' there was no such plan and at this stage there was no sense in moving forward in a 'knee jerk' way. Given the history of the Palace in the past 25 years it was an opportunity for lessons to be learnt and there had to be a real understanding of the past events in order for the Board to effectively move forward, and he was confident that this would happen.

Councillor Cooke reiterated his earlier remarks that everything should be brought to the discussions and that the Board should attempt, wherever possible, to put aside any political influences. There also needed to be further involvement with regard to community, resident, and other external influences and possible partnership, and the calling upon specialist expertise to understand and evaluate what was needed in the future. The future process needed to also be uncompromising. The Board had taken its decision to have an Away day for Trustees to hammer out the initial direction of the Board for the next 6 months, then onwards. In response to further points of clarification, the Chair commented that it would be wrong to pre-empt how discussions would proceed.

The Chair sought clarification as regards the current repair state of the Ice Rink and how it would feature in the future plans for the Palace.

Councillor Cooke advised that the plant cooling system was now hugely out of date and now had approx 2 years of life left. It was a fact that the Ice Rink was of huge importance to local people and it had made a considerable contribution to the Palace. In terms of the Palace as a whole Councillor Cooke commented that in terms of the internal detail of the Palace there was no significant element that bound the different parts of the Palace together but it was a fact that the Ice Rink had been a constant feature for many years.

Ms Hayter referred to the CUFOS Building and the question of it being either inside or outside of the development footprint. Ms Hayter commented that the centre was a considerable local community asset and therefore, given that its lease was due to expire in 2011, the provision should continue after then. It was the case that the building was a self contained and separate entity and therefore should not be part

**MINUTES OF THE ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE.  
TUESDAY, 7 OCTOBER 2008**

	<p>of the footprint.</p> <p>Councillor Cooke advised that he had had discussions with the CUFOS organisation the previous year as to the future of the operation, and that it would be taken account of in terms of the future strategy of the Palace.</p> <p>The General Manager – Mr Loudfoot advised that in terms of CUFOS's lease which expired in 2011 it was the case that this could now continue in accordance with a variation of the Landlord and Tenant Act which gave them security of tenure.</p> <p>Mr Aspden commented that he felt that the building should not be included within the development footprint of the Palace. He made the comparison with the roadway which, though shown on the published plan of the site, had not been included in the Firoka deal.</p> <p>In response to further comments Councillor Cooke advised that the current occupants did not wish to have responsibility for the whole building fabric, and that the Palace was responsible.</p> <p>In conclusion, the Chair thanked Councillor Cooke for his attendance and looked forward to him coming to future Advisory Committee meetings.</p> <p><b>NOTED</b></p>
<p><b>APSC15. MINUTES</b></p>	<p>The Chair, in seeking the Committee's approval to the circulated minutes of the Alexandra Park and Palace Advisory Committee meeting of 8 July 2008, and noting of the minutes of the Board of 22 July 2008 and the Consultative Committee of 15 July 2008, asked if there were any points of clarification, or matters arising.</p> <p>Mr Aspden raised the issue of the track betting licence for the world darts championship, and the advice received from the Council's Legal Services in respect of this Committee's remit in considering the licence application. The advice of the Council's Head of Legal Services had been requested at the 5<sup>th</sup> February meeting. However, though an oral summary had been presented to the 8<sup>th</sup> July meeting, the written opinion tabled here for the first time gave the Committee insufficient time to read and digest so as to discuss it meaningfully. The advice received stated that, in the view of the Council's Head of Legal Services officer, the matter of the licence application was not one for consideration by the Advisory Committee and was not within this Committee's remit.</p> <p>The Committee expressed the view that, given that the event was of considerable importance and size, this was a matter that should be considered by the Committee, and after discussion commented that it disagreed with the advice. It was felt that the Council's Head of Legal Services officer should be invited to attend a specially convened meeting of the Advisory Committee in mid November 2008 to give the reasons for the expressed view, and, dependent upon that view, that the Advisory Committee might wish to seek further legal opinion.</p>



**MINUTES OF THE ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE.  
TUESDAY, 7 OCTOBER 2008**

The Chair summarised and it was:

**RESOLVED**

- i. That the minutes of the meeting of the Alexandra Park and Palace Advisory Committee held on 8 July 2008 be agreed as an accurate record of the proceedings;
- ii. That the minutes of the meeting of the Alexandra Palace and Park Board held on 22 July 2008, and the minutes of the Alexandra Palace and Park Consultative Committee held on 15 July 2008 be noted;
- iii. That in respect of the legal clarification of advice given by the LB Haringey re:- the Gaming Licence (Occasional Use Notice) under section 39 of the Gambling Act 2005, and the Advisory Committee's remit
  - a. That the Board be requested to note that the Advisory Committee does not agree with the advice received from the LB Haringey's Legal Service that the matter did not fall within its remit;
  - b. That the Advisory Committee intends to convene either a Special or Urgency Sub-Committee meeting in mid November 2008 to discuss the advice, and that it has requested that the LB Haringey's Legal Service attend that meeting for the purpose of the Committee receiving the advice and having an opportunity to consider the same with the officers/ advisers concerned; and
  - c. That the Advisory Committee intends to consider (following such meeting) obtaining a second opinion as to the legal advice tendered by the LB Haringey's Legal Service.

**APSC16. PARK ACTIVITIES UPDATE**

The Chair then asked for a brief introduction of the report.

In a succinct introduction to the circulated report Mr Evison gave a brief update of recent activities carried out in Alexandra Park and answered points of clarification.

Mr Evison also advised of the success of the event on Sunday 10 August 2008 to celebrate HLF project.

Mr Evison also advised that, following the positive visit from the Green Flag Judges at the end of May 2008, the Park had been awarded Green Flag status and the flag had now been flying since the awarding.

The Committee then briefly raised the following points of concern;

- Concerns with regard to inadequate lighting in and around the Park and poor/gloomy lighting at various entrances. In response the General Manager – Mr Loudfoot advised that the lighting was under review and would be reported on further.

**MINUTES OF THE ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE.  
TUESDAY, 7 OCTOBER 2008**

- Further concerns regarding the security issues previously raised and the recent '345 Club' Incident, and problems at dusk near the footbridge. The General Manager advised that the information had been passed to the Council's Safer Neighbourhood Team and Hornsey Police.

Following clarification from Councillor Engert as regards the current situation concerning the cricket club lease, the General Manager advised that the Board would be considering the matter of lease arrangements at its next meeting on 21 October 2008.

The Committee then discussed in detail the matter of the rent review, and proposed lease arrangements with the Cricket Club and the remit of the Advisory Committee in terms of having knowledge or sight of any sub-leasing proposals and whether any such applications should be considered by the Advisory Committee for their comment, prior to consideration by the Board.

Following a number of views expressed the Chair summarised and it was:

**RESOLVED**

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

**APSC17. FORTHCOMING EVENTS**

In a brief introduction of the report the General Manager – Mr Loudfoot outlined the confirmed and provisional bookings for the Palace to April 2009. In particular the Fireworks event on 8 November, the Ice Rink panto in December, and the Slammin Vinyl event in April 2009.

The Committee briefly discussed the forthcoming Fireworks event on 8 November and the concerns previously expressed by Advisory and Consultative Committees regarding entrance closures and crowd control, and the need to ensure clear and visual information as to existing closures.

In conclusion, the Chair asked that the General Manager note the concerns regarding crowd control and entrance closure in terms of the finalising of arrangements for the event on 8 November 2008.

**MINUTES OF THE ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE.  
TUESDAY, 7 OCTOBER 2008**

	<p><b>RESOLVED</b></p> <p>that the General Manager be asked to note the concerns regarding crowd control and entrance closure in terms of the finalising of arrangements for the Firework event on 8 November 2008.</p>
<p><b>APSC18.</b></p>	<p><b>FUTURE OF THE ASSET - UPDATE (REPORT OF THE GENERAL MANAGER)</b></p> <p>The General Manager – Mr Loudfoot advised the meeting that, as many were already aware, the Firoka Group gave formal notice of withdrawing its interest as preferred bidder for the future development of the asset on 18 August 2008. The Board, at a special meeting on 26 September 2008, considered a number of matters relating to the future of the asset, including an independent review of the Licence arrangements entered into with the Firoka Group (a copy of that review was available for any Member at this meeting). The resultant recommendations arising from that review regarding the future governance arrangements relating to the Palace had been endorsed by the Board. Mr Loudfoot further advised that the Board had also discussed, and as referred to by Councillor Cooke earlier in the meeting, had agreed that an away day be arranged to discuss the future of the asset, and the way forward in the next 6/12 months.</p> <p>In response to points of clarification from Councillor Whyte in relation to outstanding monies owed in respect of utility bills by the Firoka Group, Mr Loudfoot advised that this matter was still unresolved and was being pursued. The issue of the future of the ice rink had been answered earlier and Mr Loudfoot reiterated his comments concerning the life of the ice rink and the costs attributed thereto. In response to points of clarification from the Chair and Mr Aspden Mr Loudfoot advised that in terms of the costs of bringing the whole building back into use, this had been assessed at circa £35 million for the repair to the shell/core of the building. In terms of general maintenance, the annual figure was in the region of £250k. The reassessment had been carried out recently and was an up to date and realistic assessment figure.</p> <p>In response to points of clarification from Mr Aspden as to the references on page 50, paragraph 53 and page 52, paragraph 58 of the review as to whether the lease had or had not been signed, Mr Loudfoot advised that he was unable to clarify this point but that there was a difference between signing of, and completion/concluding of a lease agreement.</p> <p>Mr Aspden commented that, when the issue had been raised with the former General Manager at the 23 January 2007 meeting, the Committee had been advised by him specifically that the lease had not been signed. In response, Mr Loudfoot advised that the master agreement and project agreement had been signed in November 2006, subject to the granting of an order by the Charity Commission. In response to clarification from Councillor Oatway Mr Loudfoot advised that the completion would have been reliant upon the order being granted by the Charity Commission.</p> <p>The Committee then briefly discussed the findings of the independent review, the main points being:-</p>

**MINUTES OF THE ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE.  
TUESDAY, 7 OCTOBER 2008**

	<ul style="list-style-type: none"> <li>• the considerable concern and disquiet at the findings of the independent review into the granting of a Licence to Firoka to carry out the functions of the trading company</li> <li>• the entering into a licence on such terms had been in direct contradiction to the repeated assertion by the Board that it had to ensure that it obtained the best possible return reasonably obtainable from the assets of the Charity;</li> <li>• The need to ensure that before any future such arrangements are entered into by the Board they be brought to the Advisory Committee to ensure that their views are duly taken into account by the Board;</li> </ul> <p>The Chair summarised the discussions and it was then:</p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>i. That this Committee notes with considerable concern and disquiet the findings of the independent review into the granting of a Licence to Firoka to carry out the functions of the trading company in its place, and that this Licence seemingly ran counter to the previously expressed requirement that the Board had at all times to ensure that it obtained the best possible return reasonably obtainable from the assets of the Charity;</li> <li>ii. That this Committee repeats its earlier concerns at the lack of consultation by the Board in respect of the proposed terms of the License to the Firoka Group, and requests that they be fully consulted, and that the Board ensures all relevant matters be disclosed to it in advance of any decision in respect of the Board's plans for the future of the asset; and</li> <li>iii. That in respect of the planned consultation about the future of the Palace (the "Away Day") the Board widen the invitations to attend to representatives of both the Advisory and Consultative Committees, in order to obtain input from representatives of the local community.</li> </ol>
<p><b>APSC19.</b></p>	<p><b>ANY OTHER BUSINESS</b></p> <p>Nil items</p>
<p><b>APSC20.</b></p>	<p><b>TO NOTE THE DATES OF MEETINGS OF THE ADVISORY COMMITTEE FOR THE REMAINDER OF THE MUNICIPAL YEAR 2008/09:</b></p> <p>10 February 2009</p>

**MINUTES OF THE ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE.  
TUESDAY, 7 OCTOBER 2008**

---

David Liebeck

Chair

This page is intentionally left blank

**UNRESTRICTED MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 21 OCTOBER 2008**

**\* PRESENT****DRAFT 'B'**

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

Non-Voting \*Val Paley, \*Mike Tarpey, \*Nigel Willmott  
Representatives:

Observer: Mr D. Liebeck (Mr Aspden substituting)

Also present:

Mr D. Loudfoot – General Manager Alexandra Palace  
Mr I. Harris - Trust Solicitor  
Mr M. Evison – Park Manager Alexandra Palace  
Ms J. Parker – Director of Corporate Resources – LB Haringey  
Mr T. Mitchison – Principal Lawyer – Legal Services – LB Haringey  
Mr C.Hart – Clerk – Cttees Manager – LB Haringey

---

**MINUTE  
NO.**

**SUBJECT/DECISION**

<b>APBO32.</b>	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>Apologies for absence were received on behalf of Mr Tarpey, and Mr Liebeck (for whom Mr Aspden was observing), and for lateness from Councillors Hare, and Oakes.</p> <p><b>NOTED</b></p>
<b>APBO33.</b>	<p><b>URGENT BUSINESS</b></p> <p>The Chair advised that a matter would be raised during the exempt part of the proceedings under Item 14, in relation to contractual legal issues.</p> <p><b>NOTED</b></p>
<b>APBO34.</b>	<p><b>DECLARATIONS OF INTERESTS</b></p> <p>There were no declarations of interest stated in terms of items for consideration.</p> <p>During consideration of Agenda Item 13 – Leaseholder arrangements for the Cricket Club, Councillor Williams declared a prejudicial interest as a governor of the new Heartlands School, and left the proceedings during that part of the discussions.</p> <p><b>NOTED</b></p>
<b>APBO35.</b>	<p><b>MINUTES</b></p> <p>a. Minutes of the meeting of the Alexandra Palace and Park Board - 22 July</p>

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 21 OCTOBER 2008**

2008, and special meeting held on 26 September 2008.

**RESOLVED**

- i. That the minutes of the meeting of the Alexandra Palace and Park Board held on 22 July 2008, be agreed as an accurate record of the proceedings;
- ii. That the minutes of special meeting of the Alexandra Palace and Park Board held on 26 September 2008, be agreed as an accurate record of the proceedings, subject to the following amendments:

AP027

Page 21 – First para - 9<sup>th</sup> line

Delete 'either from one company or two/three'

Page 21 – 1<sup>st</sup> para - 13<sup>th</sup> line

Delete 'would look' and replace with 'e.g.'

Delete 'as to their the current set'

Page 22 – First full para 3<sup>rd</sup> line after "issue of the " add "the consideration of the "

Page 23 – 2<sup>nd</sup> para last line – replace 'top' with 'to'

Page 23 – 6<sup>th</sup> para – line 4 – delete 'been seen to not doing' and replace with 'be seen not to be doing so'

- b. Minutes of the Alexandra Palace and Park Consultative Committee – 15 July 2008, and 14 October 2008

**RESOLVED**

That the minutes of meeting of the Alexandra Palace and Park Consultative Committee held on 15 July 2008 be agreed as an accurate record of the proceedings, and that it be noted that the minutes of the meeting held on 14 October 2008 were not available for consideration.

- c. Minutes of the Alexandra Park and Palace Advisory Committee – 7 October 2008 and to consider any recommendations contained therein

The Clerk to the Board – Mr Hart – advised that the minutes of the meeting of the Advisory Committee – although in draft form, were awaiting clearance and therefore had not been circulated. However, there were circulated the Advisory Committee recommendations of 7 October 2008 which had specifically requested that the Board consider this evening.



**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 21 OCTOBER 2008**

The Chair thanked the Clerk for his brief explanation and referred the Board to the circulated deliberations of the Advisory Committee which related to its deliberations on 7 October 2008, The Chair advised that he wished the Board to respond on the resolutions and give responses at this point in the proceedings.

The Chair then asked Mr Aspden – who was observing on behalf of the Chair of the Advisory Committee to advise the Board of the resolutions for the Board to consider.

The resolutions are set out for ease of reference below:-

**(a) Future of the Asset**

**RESOLVED**

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

Mr Aspden advised the Board that the circulated decisions of the Advisory Committee were divided into 3 separate sets of resolutions marked 'A' to 'C'.

In respect of resolution 'A' Mr Aspden commented:

- that there had been considerable concern expressed in relation to the creation of the licence as detailed in the Walklate report

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 21 OCTOBER 2008**

- That that the levels of consultation and communication between the Advisory Committee and the Board needed improving;
- That in terms of the proposed away day the Board considers widening the invitation to both members of the Advisory, and Consultative Committees to be involved in the brain storming.

In response the Chair advised that in terms of the away day it was a fact that the date had not been finalised but the Board were keen for it to take place before Christmas. In terms of invitees, the Chair felt that the core Trustees needed to sit down together with a blank canvas in order for the core Board members (that is those legally responsible as charity trustees) to discuss parameters and options for moving forward. Therefore, the initial away day should be for the charity trustee members of the Board, then widened at future away days. It was imperative that the Board was clear in its mind as regards the basis for future direction.

Councillor Hare shared the views of the Chair in terms of the need for the charity trustee Board members to come together initially and then widening the inviting of others to further future meetings.

In conclusion, the Chair summarised and it was;

**RESOLVED**

- i. That the Board notes the expressed concerns of the Advisory Committee as detailed and in the main reaffirms to the Advisory Committee the Board's previous resolutions with regard to the JR and decisions arising therefrom;
- ii. That attention of the Advisory Committee be drawn to the recommendations of the Walklate report in relation to an Alexandra Palace action plan on the governance arrangements for the Palace and the detail of certain recommendations would be effective in terms of future consultation with the Board's subsidiary bodies; and

(Councillor Oakes arrived at 20.10hrs)

- iii. That the Advisory Committee be advised that in respect of the initial away day session that this would be only for charity trustee Members but that the subsidiary bodies would be briefed as soon as possible after and that it was the intention of the Board to involve the subsidiary bodies in subsequent consultation meetings. be one outcome which would have a wider effect on the Board's relationship with the Advisory Committee;

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

**RESOLVED**

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

In respect of resolution 'B' Mr Aspden commented that the Advisory Committee would appreciate the opportunity of seeing more details re the terms of the sub-lease, and details of finances (rents) as it was viewed by the Advisory Committee that this matter did relate and come within its ambit in terms of the Park.

The Chair asked that the General Manager and Trust Solicitor, and LB Haringey's legal representative respond to this point.

The General Manager – Mr Loudfoot advised that in this respect the Trust would be fundamentally acting beyond its charitable requirements and that in terms of a commercial lease arrangement this was not a matter within the Advisory Committee's ambit.

The Trust Solicitor – Mr Harris advised that Mr Loudfoot had correctly stated the legal position..

The LB Haringey Legal representative – Mr Mitchison advised and referred the Board to the terms of the 1985 Act and specifically in the 1985 Act Schedule 1 para 19 which gave the SAC powers and duties to advise the trustees on "the general policy relating to the amenities of local residents.", and the ambit of the Advisory Committee, and in stating the areas which fell within the ambit of the Advisory Committee, commented that it would be difficult to see how this request fell within it.

In thanking officers for their response, the Chair asked Mr Aspden if he could enlighten the Board of what exactly the Advisory Committee wished to see.

In response, Mr Aspden commented that in terms of a sub lease this was in the Committee's view a further area of darkness and that in terms of matters within the Advisory Committee's ambit and that in his view the ambit of the Advisory Committee had been eroded over the years. He

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 21 OCTOBER 2008**

questioned the views expressed that it was not within the Committee's ambit to question uses within the park in terms of usage by 3<sup>rd</sup> parties without reference to the Advisory Committee, together with the matter of bad publicity in terms of proposed rent increases being imposed on the Club. It was also the case that there had been discussions regarding the future use by the planned school in the Haringey Heartlands with the LB Haringey Education service and possible use of the grounds by pupils of the new school. Mr Aspden commented that it seemed that there was a presumption on the part of the Board that if there was any doubt as to consultation then a matter was not referred to the Committee for consideration, and that in his view this was not the correct attitude or manner. It should in fact be the reverse and that if there was doubt then a matter should be put to the Advisory Committee. Mr Aspden commented that he was a little alarmed that officers had taken the view that matters of this nature did not fall within the Committee's ambit in terms of scrutiny.

Mr Mitchison further commented that the general policy of consultation was in relation to planning applications, and events which were significantly large to have an effect on the Park but that did not mean that every matter that the Board considered had to be referred to the Advisory Committee for its view/scrutiny. A sub lease arrangement was not a matter for consideration and that in terms of interpretation of the remit of the Advisory Committee within the Act it was the case that such matters were not in the purview of the Advisory Committee.

Councillor Hare commented that he did recognise some of the concerns of the Advisory Committee in terms of issues to be consulted upon and what was exactly within the Committee's remit. He felt that that in terms of broad issues for consideration the Act and interpretation in this respect was sufficiently vague.

Mr Loudfoot responded that it was clear that in terms of planning issues and events the remit of the Committee was clear but the matter of sub leases were not within the Advisory committee's remit.

Mr Aspden responded that commented that in terms of the Advisory committee's remit perhaps, within the general terms of issues raised it may be appropriate that the Advisory Committee at least have the intention of the sub lease explained to it in the public domain.

The Chair commented that in terms of the comment of 'being left in the dark' it was the case that in terms of the Firoka bid there had been considerable amounts of information given to

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 21 OCTOBER 2008**

the Advisory Committee in terms of negotiations, and indeed redacted parts of that proposed lease. However, there were not similarities in terms of this issue and that this agreement was entirely different and that therefore it was not matter for the Advisory committee's consideration. The matter of planning applications etc was within the remit of the Advisory Committee and indeed the Committee were consulted.

The Chair further commented that the matter of a sub-lease as commented on by the general manager was of a commercially sensitive nature and therefore a confidential contractual matter. It was a fact that such matters would not be in the public domain for consideration by any Council Committee, or indeed the Board. Whilst he appreciated that, the Advisory Committee did not agree with this fact full disclosure was impossible, and would remain so.

Councillor Egan concurred with the views expressed by the Chair, and added that in terms of general principles of consultation the Board would consult where appropriate.

Mr Harris advised that in terms of the general policy, there was an issue of general principle and the general principle would not include consultation or consideration of such matters.

Mr Aspden commented that in terms of negotiations in terms of the issues within the Advisory committee's ambit it was the case that the Board needed to be clear on what exactly it would/would not consult on as this seemed to be rather ambiguous.

Mr Harris advised that the Act required that the Advisory Committee be consulted on specific matters that the Board had to consider and that there were no obligations by the Board to take on Board any recommendations recommended to it by its Advisory committee. He reiterated his earlier comments that this matter was not within the remit of the Advisory committee. He also further commented on the rule relating to the general principles issue.

The Chair commented that in drawing this discussion to a conclusion that the Board rejects the recommendations of the Advisory Committee in respect of Resolution B and recognised the remit of the Advisory Committee in terms of the general principles of the Act.

In response to clarification from the General Manager, the Chair commented that the general principles should be explained by the General Manager to the Advisory committee.

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 21 OCTOBER 2008**

Mr Aspden commented that he regretted the outcome of the discussion \and the overriding legal advice in terms of the Advisory committee's remit, and that it went against the requirement of local community interest and involvement.

The Chair commented that he did not accept the expressed view. It was the a case that that the Statutory advisory committee had a role within certain parameters however he was happy for the Board to further discuss and explore the wider involvement of the Committee in the future as part of the further discussions as to the future of the asset but that the remit of the Committee was as detailed in the Act and would remain so.

It was

**RESOLVED**

That the recommendations of the Advisory Committee be rejected, and the general principles of the Act and consultation be advised to the Committee by the General Manager at its next scheduled meeting.

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

**RESOLVED**

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

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 21 OCTOBER 2008**

*second opinion as to the legal advice tendered  
by the LB Haringey's Legal Service.*

The Chair commented that in terms of the recommendations he would ask Mr Mitchison for his view.

Mr Mitchison advised that the resolution had arisen as a result of the clarification sought by the Clerk to the Committee following a meeting of the Advisory Committee in February 2008 in respect of an "application" submitted to the Council for an "occasional use notice" (OUN) under s.39 of the Gambling Act 2005. This applied to any "track" or premises where "sporting events" take place or are intended to take place. There did not have to be any track as such or an existing use for gambling but the person serving the OUN must already have had a betting operating licence from the Gambling Commission in order to provide betting facilities at the premises. The person serving the OUN must be the occupier of the premises or a person responsible for the administration of the betting event there. The OUN authorises gambling for up to 8 days in a calendar year. It must be served on the Council as Licensing Authority and copied to the local Police. Provided no more than 8 days gambling is proposed, there is no right for the Council as Licensing Authority or the Police to refuse or object to the OUN.

Mr Mitchison advised that the event had given rise to the OUN just before Christmas 2007 for a betting ancillary to the long-established darts competition at the Palace. This was a one day event attracting no more than 2,000 people of whom only a minority might be expected to engage in gambling/betting.

Mr Mitchison again referred to the 1985 Act Schedule 1 para 19 which gave the SAC powers and duties to advise the trustees on "the general policy relating to...events....in the Park & Palace" and their effect on the local inhabitants and environment. Specifically within the remit are "events attracting 10,000 people at any one time" and proposals requiring planning permission. In para 20 the SAC is to try to ensure that no events allowed by the trustees are "a nuisance or annoyance or of detriment to the amenities of local residents."

Mr Mitchison advised that from this was it evident that the SAC is mainly expected to consider the "bigger picture" in terms of general policy on events and relatively large scale attractions. Seemingly, the exception to this was in "proposals which require planning permission" which could range from major redevelopment to quite small scale building operations or changes of use. However, there was no mention of "licensing", "gambling", "betting" or any other form of permit or control other than "planning" falling within the SAC's remit.

Mr Mitchison further added that the reference to nuisance,

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 21 OCTOBER 2008**

annoyance and detriment to amenities also pointed to the conclusion that only the very noisy or large scale events were appropriate matters of concern for the SAC. In the case of the OUN, the event was indoors and not likely to attract very many more persons than those who would have come in any event for the darts competition.

Mr Mitchison further advised that that the Council had at that time been aware that there was an application for a permanent premises licence to permit track betting at the Palace made by or on behalf of Alexandra palace Trading Ltd. The purpose of this was to authorise the one day betting in connection with the annual darts competition on a permanent footing so as to avoid the need to serve an OUN each year. The permanent application was not of sufficient large scale nor sufficiently significant in terms of "policy" to fall within the SAC's remit.

Mr Mitchison concluded that the advice had been given to the Advisory Committee and there would be little point in further attending a meeting of the Advisory Committee by him to reiterate this advice.

The Chair asked if there were any points of clarification.

Mr Aspden commented that he was not happy with the advice or information imparted by Mr Mitchison and that he would be reporting back to the Advisory Committee and that, it would be their intention to seek further legal clarification.

Councillor Hare commented that as he earlier stated in his view there was a degree of haziness as regard to the remit and its interpretation. He did feel that it required a legal interpretation as the charitable activities

Mr Harris advised that this issue was not within the remit of the SAC.

The Chair responded that it was his view that the recommendations would be rejected by the Board, as not being within the remit of the Advisory Committee.

In response to comments of Mr Aspden Mr Harris advised that he did not see that any external advice would actually differ.

Mr Loudfoot commented that in his view, it was an attempt by the Advisory Committee to 'land grab' and that it was most definitely not within its purview or remit.

Mr Aspden commented that this was not the case and perhaps the General manger should withdraw his remark. at the purview.

The Chair further reiterated his earlier comments in relation to the



**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 21 OCTOBER 2008**

	<p>Advisory Committees' ambit but that he was happy for the further mechanisms for consultation to be discussed as part of the issue of the future of the asset.</p> <p>In drawing the discussion to a close, the Chair summarised and it was:</p> <p><b>RESOLVED</b></p> <p>That the recommendations of the Advisory Committee be noted and that the Advisory committee be advised that the Board was unable to respond as the points raised were not within the control of the Board, and that the LB Haringey's head of legal services representative would write to the Chair of the advisory committee setting out the legal position as stated.</p>
<p><b>APBO36.</b></p>	<p><b>QUESTIONS, DEPUTATIONS OR PETITIONS ; TO CONSIDER ANY QUESTIONS, DEPUTATIONS OR PETITIONS RECEIVED IN ACCORDANCE WITH PART FOUR, SECTION B 29 OF THE COUNCIL'S CONSTITUTION</b></p> <p>There were no questions, deputations or petitions.</p> <p><b>NOTED</b></p>
<p><b>APBO37.</b></p>	<p><b>PARK UPDATE (ACTIVITIES):</b></p> <p>The Park Manager – Mr Evison informed gave a brief introduction of the report.</p> <p>In particular, Mr Evison referred to para 6.8 and the matter of the proposed footpath across Redston Fields which had been requested to be located by the Warner Estate Residents Association. The Association at its AGM meeting on 7 July 2008 had voted to request the progression of their proposal for a hard surfaced footpath across Redston Field. The purpose of the path was to link the Park Road North entrance to the Lower Road. The Board was therefore being asked to authorise the progression of the proposal subject to budgetary and planning constraints.</p> <p>The Chair asked if there were any points of clarification.</p> <p>Councillor Egan expressed his grave concerns regarding the proposed path in that the Redston Road Playing Field was a playing field and this use was being slowly chipped away. By having a path across the field, the likely future use of the field was in doubt as a football area such a loss not acceptable. In terms of consultation, Councillor Egan asked how wide this had been and also, how many people belonged to the Association, and the number of persons attending the AGM.</p> <p>In response, in his capacity as Association member Mr Aspden advised that the Warner Estate Residents Association (WERA) covered 9 Roads with approx 650 households, and that at the AGM 80 persons had been in attendance from 60</p>

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 21 OCTOBER 2008**

households. Mr Aspden further stated that the turnout had been good.

With regard to the proposal, everyone on the WERA mailing list had been written to and notified of the proposal, and about half had responded. It was the case that some people had expressed concerns at the path but in the main, there had been clear support.

Councillor Hare commented that he was, to some degree, in support of Councillor Egan's concerns as to likely loss of the field as a playing field for sports, and commented that perhaps the design and location of the proposed path could be altered to be located around the edge of the field on the edge of the pitch following the line of planted trees.

The Chair commented that he would support the idea of a perimeter path hugging the tree line and shared the concerns of Councillor Egan.

The General Manager – Mr Loudfoot advised that it would be possible to agree to the principle of the path but that the actual location and width could be left to officers to finalise and report further on, given the expressed views.

In response to clarification from Councillor Egan Mr Loudfoot advised that the proposal had not been included in the HLF as it had not been within the Architect's vision.

In terms of the necessary planning consents required, the Clerk to the Board advised that members of this Board who sat on the Council's Planning Committee would need to declare an interest at this meeting and not take part in the discussions at the Planning Committee or visa-versa.

Councillor Hare responded that if an application were to be submitted to the Council's Planning Committee then he would declare an interest at that meeting and have no part in the discussion of the item or decision. Councillor Hare further commented that the proposed path would cross a unified open space and therefore the actual location did need some further consideration.

Ms Paley commented that the consultation should have been wider as it was not enough just to confine it to the areas as stated. She shared a number of views expressed in respect of the encroachment on to an existing open space and that resident pressure was attempting to squeeze usage as a football field. It was the case that occasionally there were motorbikes using the Northview Road entrance and path, and occasionally cars.

The Chair then summarised and it was:

**RESOLVED**

- i. that the report be noted;
- ii. that in respect of the proposals to locate a footpath across Redston Field the Park Manager be asked to review options for a path to be placed in the vicinity of the edge of the field as opposed to that currently recommended and report to a future meeting of the Board;
- iii. that the advertising of the Actual Workshop for letting be agreed.

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 21 OCTOBER 2008**

<p><b>APBO38.</b></p>	<p><b>FIVE MONTHS RESULTS TO THE END OF AUGUST 2008</b></p> <p>The Chair, in asking for an introduction of the report, welcomed Helen Downie – the newly appointed Head of Finance at Alexandra Palace.</p> <p>In a brief introduction of the report Ms Downie advised the Board of the overall position at the 5 months point in the financial year 2008/09. There was currently a saving of £123k against the budget, though this trend was not expected to continue to year end but it was not expected to exceed the existing budget at year end. Overall income was £14k above budget and £109k below budget. Ms Downie further advised that in respect of APTL – management accounts had been prepared for the 5 months ending August 2008 and indications were showing that that the gift aid payment of £1 million would be achievable.</p> <p>Following responses to points of clarification the Chair summarised and it was:</p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>i. that the income and expenditure for the 5 month period to 31 August 2008 (as summarised in appendix I of the report) be noted; and</li> <li>ii. that the overall 5 month position and saving of £123k against the budget be noted, and that current saving trend will not continue to year end though there was no expectation to exceed budget by 31 March 2009.</li> </ul>
<p><b>APBO39.</b></p>	<p><b>AUDIT REPORT - REPORT OF THE INTERNAL AUDIT INVESTIGATION</b></p> <p>Following a brief introduction of the report by the General Manager – Mr Loudfoot the Chair asked if there were any points of clarification.</p> <p>In response to comments from Councillors Dogus, and Hare the Chair advised that the action plan was the ‘bedrock’ of how governance would be managed in the future. Mr Loudfoot commented that between now and March 2009 officers would be looking to acting upon the action points as detailed and would be reporting progress at the February 2009 Board meeting. Between then and now, Members would receive briefing updates on progress.</p> <p>The LB Haringey Director of Corporate Resources - Ms Parker also advised that the implementation of the action plan would require close monitoring by the Board, to ensure progress with agreed timescales.</p> <p>Following a summary of the Chair it was:</p>

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 21 OCTOBER 2008**

	<p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>i. that the report be noted, and the actions identified be cross referenced to reform the action plan;</li> <li>ii. that the need for development and the adoption of the framework and strategy documents for risk management, contract management, business planning and staff review and development be noted, and that the General Manager be authorised to further development and adoption of the framework and strategy documents; and</li> <li>iii. that further updates on identified actions be submitted to future meetings of the Board until such times that all actions are fully completed, as part of the governance action plan reporting process.</li> </ul>
<p><b>APBO40.</b></p>	<p><b>GOVERNANCE ACTION PLAN UPDATE</b></p> <p>Following a brief introduction of the report by the General Manager, the Chair asked if there were any points of clarification from Members.</p> <p>Mr Willmott commented on page 100 of the Action plan – ref 4d – and the comment in terms of the flow of information between the Trust and LB Haringey. Mr Willmott expressed his concerns and commented on the history of the Board in that since the 1980's it had been an established Committee of the Council, and then there had been a separation between the Council and Board as a Charitable Trust. The whole thrust had then been to act independently of the Local Authority h It now seemed that there was some going back on this arrangement in that the Local Authority was having further considerable involvement and control in the operation of the Charitable Trust. Mr Willmott advised that in his view, this was a dangerous precedent to set and in terms of legality, this could be open to challenge.</p> <p>The Chair, in personally disagreeing with Mr Willmott's comments, advised that the Local Authority scrutiny clearly recognised the delineation and that had there been some level of this previously then a number of issues/problems that had arisen may not have done.</p> <p>In response to a number of points of clarification the Trust Solicitor – Mr Harris commented that he would respond during the exempt part of the proceedings. However in terms of the issue of delineation the Board needed to be mindful and careful that the Charity was not being run by the Local Authority.</p> <p>The Chair then summarised and it was:</p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>i. that the progress with the action plan be noted; and</li> <li>ii. that the Board receives regular updates in the form of briefings etc in terms of progress in implementing the action plan and that any specific enquiries be submitted to the General Manager for response, and that the Board receives a quarterly monitoring report.</li> </ul>
<p><b>APBO41.</b></p>	<p><b>NEW ITEMS OF UNRESTRICTED URGENT BUSINESS</b></p>

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 21 OCTOBER 2008**

	<p>There were no unrestricted items of urgent business.</p> <p><b>NOTED</b></p>
<b>APBO42.</b>	<p><b>EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p><b>RESOLVED</b></p> <p>That the press and public be excluded the from the meeting for consideration of Items 12-14 as they contain exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); namely information relating to the business or financial affairs of any particular person (including the authority holding that information).</p> <p>The Board adjourned at 21.45hrs and reconvened at 21.55hrs.</p> <p><b>NOTED</b></p> <p style="text-align: center;"><b>SUMMARY OF EXEMPT/CONFIDENTIAL PROCEEDINGS</b></p>
<b>APBO43.</b>	<p><b>MINUTES</b></p> <p>Agreed the exempt minutes of the meeting of the Board held on 22 July 2008, and special Board meeting held on 26 September 2008.</p>
<b>APBO44.</b>	<p><b>LEASEHOLDER ARRANGEMENTS FOR THE CRICKET CLUB</b></p> <p>AGREED RECOMMENDATIONS</p>
<b>APBO45.</b>	<p><b>NEW ITEMS OF URGENT EXEMPT BUSINESS</b></p> <p>Agreed recommendations as moved by the chair in respect of legal consultancy and related matters.</p>
<b>APBO46.</b>	<p><b>TO NOTE THE DATE OF THE REMAINING MEETING OF THE BOARD FOR THE MUNICIPAL YEAR 2008/09 -24 FEBRUARY 2009</b></p> <p>24 February 2009</p>

COUNCILLOR MATT COOKE

Chair



**ATTACHMENT Bi**

**RESOLUTIONS OF THE ALEXANDRA PARK AND PALACE  
ADVISORY COMMITTEE – 7 OCTOBER 2008 AND RESPONSES OF  
THE ALEXANDRA PALACE AND PARK BOARD - 21 OCTOBER  
2008**

***Future of the Asset***

***RESOLVED***

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

***Response and discussion from the Board – 21 October 2008***

Mr Aspden advised the Board that the circulated decisions of the Advisory Committee were divided into 3 separate sets of resolutions marked 'A' to 'C'.

In respect of resolution 'A' Mr Aspden commented:

- that there had been considerable concern expressed in relation to the creation of the licence as detailed in the Walklate report
- That that the levels of consultation and communication between the Advisory Committee and the Board needed improving;
- That in terms of the proposed away day the Board considers widening the invitation to both members of the Advisory, and Consultative Committees to be involved in the brain storming.

In response the Chair advised that in terms of the away day it was a fact that the date had not been finalised but the Board were keen for it to take place before Christmas. In terms of invitees, the Chair felt that the core Trustees needed to sit down together with a blank canvas in order for the core Board members (that is those legally responsible as charity trustees) to discuss parameters and options for moving forward. Therefore, the initial away day should be for the charity trustee members of the Board, then widened at future away days. It was imperative that the Board was clear in its mind as regards the basis for future direction.

Councillor Hare shared the views of the Chair in terms of the need for the charity trustee Board members to come together initially and then widening the inviting of others to further future meetings.

In conclusion, the Chair summarised and it was;

### **RESOLVED**

- i. That the Board notes the expressed concerns of the Advisory Committee as detailed and in the main reaffirms to the Advisory Committee the Board's previous resolutions with regard to the JR and decisions arising therefrom;
- ii. That attention of the Advisory Committee be drawn to the recommendations of the Walklate report in relation to an Alexandra Palace action plan on the governance arrangements for the Palace and the detail of certain recommendations would be effective in terms of future consultation with the Board's subsidiary bodies; and
- iii. That the Advisory Committee be advised that in respect of the initial away day session that this would be only for charity trustee Members but that the subsidiary bodies would be briefed as soon as possible after and that it was the intention of the Board to involve the subsidiary bodies in subsequent consultation meetings. be one outcome



which would have a wider effect on the Board's relationship with the Advisory Committee;

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

**RESOLVED**

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

**Response and discussion from the Board – 21 October 2008**

In respect of resolution 'B' Mr Aspden commented that the Advisory Committee would appreciate the opportunity of seeing more details re the terms of the sub-lease, and details of finances (rents) as it was viewed by the Advisory Committee that this matter did relate and come within its ambit in terms of the Park.

The Chair asked that the General Manager and Trust Solicitor, and LB Haringey's legal representative respond to this point.

The General Manager – Mr Loudfoot advised that in this respect the Trust would be fundamentally acting beyond its charitable requirements and that in terms of a commercial lease arrangement this was not a matter within the Advisory Committee's ambit.

The Trust Solicitor – Mr Harris advised that Mr Loudfoot had correctly stated the legal position..

The LB Haringey Legal representative – Mr Mitchison advised and referred the Board to the terms of the 1985 Act and specifically in the 1985 Act Schedule 1 para 19 which gave the SAC powers and duties to advise the trustees on "the general policy relating to the amenities of local residents.", and the ambit of the Advisory Committee, and in stating the areas which fell within the

ambit of the Advisory Committee, commented that it would be difficult to see how this request fell within it.

In thanking officers for their response, the Chair asked Mr Aspden if he could enlighten the Board of what exactly the Advisory Committee wished to see.

In response, Mr Aspden commented that in terms of a sub lease this was in the Committee's view a further area of darkness and that in terms of matters within the Advisory Committee's ambit and that in his view the ambit of the Advisory Committee had been eroded over the years. He questioned the views expressed that it was not within the Committee's ambit to question uses within the park in terms of usage by 3<sup>rd</sup> parties without reference to the Advisory Committee, together with the matter of bad publicity in terms of proposed rent increases being imposed on the Club. It was also the case that there had been discussions regarding the future use by the planned school in the Haringey Heartlands with the LB Haringey Education service and possible use of the grounds by pupils of the new school. Mr Aspden commented that it seemed that there was a presumption on the part of the Board that if there was any doubt as to consultation then a matter was not referred to the Committee for consideration, and that in his view this was not the correct attitude or manner. It should in fact be the reverse and that if there was doubt then a matter should be put to the Advisory Committee. Mr Aspden commented that he was a little alarmed that officers had taken the view that matters of this nature did not fall within the Committee's ambit in terms of scrutiny.

Mr Mitchison further commented that the general policy of consultation was in relation to planning applications, and events which were significantly large to have an effect on the Park but that did not mean that every matter that the Board considered had to be referred to the Advisory Committee for its view/scrutiny. A sub lease arrangement was not a matter for consideration and that in terms of interpretation of the remit of the Advisory Committee within the Act it was the case that such matters were not in the purview of the Advisory Committee.

Councillor Hare commented that he did recognise some of the concerns of the Advisory Committee in terms of issues to be consulted upon and what was exactly within the Committee's remit. He felt that that in terms of broad issues for consideration the Act and interpretation in this respect was sufficiently vague.

Mr Loudfoot responded that it was clear that in terms of planning issues and events the remit of the Committee was clear but the matter of sub leases were not within the Advisory committee's remit.

Mr Aspden responded that commented that in terms of the Advisory committee's remit perhaps, within the general terms of issues raised it may be appropriate that the Advisory Committee at least have the intention of the sub lease explained to it in the public domain.

The Chair commented that in terms of the comment of 'being left in the dark' it was the case that in terms of the Firoka bid there had been considerable amounts of information given to the Advisory Committee in terms of negotiations, and indeed redacted parts of that proposed lease. However, there were not similarities in terms of this issue and that this agreement was entirely different and that therefore it was not matter for the Advisory committee's consideration. The matter of planning applications etc was within the remit of the Advisory Committee and indeed the Committee were consulted.

The Chair further commented that the matter of a sub-lease as commented on by the general manager was of a commercially sensitive nature and therefore a confidential contractual matter. It was a fact that such matters would not be in the public domain for consideration by any Council Committee, or indeed the Board. Whilst he appreciated that, the Advisory Committee did not agree with this fact full disclosure was impossible, and would remain so.

Councillor Egan concurred with the views expressed by the Chair, and added that in terms of general principles of consultation the Board would consult where appropriate.

Mr Harris advised that in terms of the general policy, there was an issue of general principle and the general principle would not include consultation or consideration of such matters.

Mr Aspden commented that in terms of negotiations in terms of the issues within the Advisory committee's ambit it was the case that the Board needed to be clear on what exactly it would/would not consult on as this seemed to be rather ambiguous.

Mr Harris advised that the Act required that the Advisory Committee be consulted on specific matters that the Board had to consider and that there were no obligations by the Board to take on Board any recommendations recommended to it by its Advisory committee. He reiterated his earlier comments that this matter was not within the remit of the Advisory committee. He also further commented on the rule relating to the general principles issue.

The Chair commented that in drawing this discussion to a conclusion that the Board rejects the recommendations of the Advisory Committee in respect of Resolution B and recognised the remit of the Advisory Committee in terms of the general principles of the Act.

In response to clarification from the General Manager, the Chair commented that the general principles should be explained by the General Manager to the Advisory committee.

Mr Aspden commented that he regretted the outcome of the discussion \and the overriding legal advice in terms of the Advisory committee's remit, and that it went against the requirement of local community interest and involvement.

The Chair commented that he did not accept the expressed view. It was the a case that that the Statutory advisory committee had a role within certain parameters however he was happy for the Board to further discuss and explore the wider involvement of the Committee in the future as part of the further discussions as to the future of the asset but that the remit of the Committee was as detailed in the Act and would remain so.

It was

### **RESOLVED**

That the recommendations of the Advisory Committee be rejected, and the general principles of the Act and consultation be advised to the Committee by the General Manager at its next scheduled meeting.

**(c) Legal clarification of advice given by the LB Haringey re:- the Gaming Licence (Occasional**

**Use Notice) under section 39 of the Gambling Act 2005, and the Advisory Committee's remit**

**RESOLVED**

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

***Response and discussion from the Board – 21 October 2008***

The Chair commented that in terms of the recommendations he would ask Mr Mitchison for his view.

Mr Mitchison advised that the resolution had arisen as a result of the clarification sought by the Clerk to the Committee following a meeting of the Advisory Committee in February 2008 in respect of an "application" submitted to the Council for an "occasional use notice" (OUN) under s.39 of the Gambling Act 2005. This applied to any "track" or premises where "sporting events" take place or are intended to take place. There did not have to be any track as such or an existing use for gambling but the person serving the OUN must already have had a betting operating licence from the Gambling Commission in order to provide betting facilities at the premises. The person serving the OUN must be the occupier of the premises or a person responsible for the administration of the betting event there. The OUN authorises gambling for up to 8 days in a calendar year. It must be served on the Council as Licensing Authority and copied to the local Police.

Provided no more than 8 days gambling is proposed, there is no right for the Council as Licensing Authority or the Police to refuse or object to the OUN.

Mr Mitchison advised that the event had given rise to the OUN just before Christmas 2007 for a betting ancillary to the long-established darts competition at the Palace. This was a one day event attracting no more than 2,000 people of whom only a minority might be expected to engage in gambling/betting.

Mr Mitchison again referred to the 1985 Act Schedule 1 para 19 which gave the SAC powers and duties to advise the trustees on "the general policy relating to...events...in the Park & Palace" and their effect on the local inhabitants and environment. Specifically within the remit are "events attracting 10,000 people at any one time" and proposals requiring planning permission. In para 20 the SAC is to try to ensure that no events allowed by the trustees are "a nuisance or annoyance or of detriment to the amenities of local residents."

Mr Mitchison advised that from this was it evident that the SAC is mainly expected to consider the "bigger picture" in terms of general policy on events and relatively large scale attractions. Seemingly, the exception to this was in "proposals which require planning permission" which could range from major redevelopment to quite small scale building operations or changes of use. However, there was no mention of "licensing", "gambling", "betting" or any other form of permit or control other than "planning" falling within the SAC's remit.

Mr Mitchison further added that the reference to nuisance, annoyance and detriment to amenities also pointed to the conclusion that only the very noisy or large scale events were appropriate matters of concern for the SAC. In the case of the OUN, the event was indoors and not likely to attract very many more persons than those who would have come in any event for the darts competition.

Mr Mitchison further advised that that the Council had at that time been aware that there was an application for a permanent premises licence to permit track betting at the Palace made by or on behalf of Alexandra palace Trading Ltd. The purpose of this was to authorise the one day betting in connection with the annual darts competition on a permanent footing so as to avoid the need to serve an OUN each year. The permanent application was not of sufficient large scale nor sufficiently significant in terms of "policy" to fall within the SAC's remit.

Mr Mitchison concluded that the advice had been given to the Advisory Committee and there would be little point in further

attending a meeting of the Advisory Committee by him to reiterate this advice.

The Chair asked if there were any points of clarification.

Mr Aspden commented that he was not happy with the advice or information imparted by Mr Mitchison and that he would be reporting back to the Advisory Committee and that, it would be their intention to seek further legal clarification.

Councillor Hare commented that as he earlier stated in his view there was a degree of haziness as regard to the remit and its interpretation. He did feel that it required a legal interpretation as the charitable activities

Mr Harris advised that this issue was not within the remit of the SAC.

The Chair responded that it was his view that the recommendations would be rejected by the Board, as not being within the remit of the Advisory Committee.

In response to comments of Mr Aspden Mr Harris advised that he did not see that any external advice would actually differ.

Mr Loudfoot commented that in his view, it was an attempt by the Advisory Committee to 'land grab' and that it was most definitely not within its purview or remit.

Mr Aspden commented that this was not the case and perhaps the General manger should withdraw his remark. at the purview.

The Chair further reiterated his earlier comments in relation to the Advisory Committees' ambit but that he was happy for the further mechanisms for consultation to be discussed as part of the issue of the future of the asset.

In drawing the discussion to a close, the Chair summarised and it was:

**RESOLVED**

That the recommendations of the Advisory Committee be noted and that the Advisory committee be advised that the Board was unable to respond as the points raised were not within the control of the Board, and that the LB Haringey's head of legal services representative would write to the Chair of the advisory committee setting out the legal position as stated.





**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
WEDNESDAY, 5 NOVEMBER 2008**

**\* PRESENT****DRAFT 'C'**

Councillors \*Dogus, \*Peacock and \*Williams

Cooke, Egan, Hare, Oakes

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

Observer: Mr D. Liebeck

Also present:

**MINUTE  
NO.****SUBJECT/DECISION**

<b>APBO47.</b>	<p><b>ELECTION OF CHAIR FOR THE DURATION OF THE MEETING</b></p> <p>The Clerk to the Board – Mr Hart advised that in respect of the item for consideration as four members of the Board (Councillor Cooke, Egan, Hare and Oakes) were also Directors of Alexandra Palace Trading Limited, and as such they would have a prejudicial interest in the items for consideration and could therefore not take part in the meeting.</p> <p>As a result, given that there was neither the Chair or Vice-Chair present it was necessary for one of the three members present to Chair the meeting for its duration, and Mr Hart sought nomination for a Chair.</p> <p>Councillor Dogus nominated Councillor Peacock as Chair for the duration of the proceedings.</p> <p>There being no further nominations it was:</p> <p><b>RESOLVED</b></p> <p>That Councillor Peacock be appointed Chair of the Alexandra Palace and Park Board for the duration of the proceedings.</p> <p style="text-align: center;"><b>COUNCILLOR PEACOCK IN THE CHAIR</b></p>
<b>APBO48.</b>	<p><b>URGENT BUSINESS</b></p> <p>The Clerk to the Board – Mr Hart advised that there were no further items of urgent business relating to Items 4 and 6 on the agenda.</p> <p>Mr Hart further advised that as the agenda had omitted the item 'apologies for absence' he asked that the Board note that apologies had been received from Ms Paley, and Mr Tarpey, and also from Mr Liebeck – for whom Councillor Oatway was observing on his behalf. Apologies had also been received from Councillors Cooke, Egan, Hare and Oakes, for the reason stated in APB047.</p>

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
WEDNESDAY, 5 NOVEMBER 2008**

	<b>NOTED</b>
<b>APBO49.</b>	<p><b>DECLARATIONS OF INTERESTS</b></p> <p>There were no declarations of Interests.</p> <p><b>NOTED</b></p>
<b>APBO50.</b>	<p><b>RESOLUTION OF THE DIRECTORS OF ALEXANDRA PALACE TRADING LIMITED - REPORT OF THE GENERAL MANAGER</b></p> <p>The General Manager Alexandra Palace – Mr Loudfoot – advised the Board that in respect of the resolutions of the Directors of Alexandra Palace Trading Limited – as APTL had decided not to have an AGM where such resolutions of the Directors of APTL would be considered by its shareholder – The Trustees of Alexandra Palace – it was necessary for the Trustees to now consider the draft resolutions as detailed in Appendices 1 &amp; 2 attached to the circulated report.</p> <p>Mr Loudfoot also advised that it would be necessary to then convey the considerations of the Board to the APTL Board meeting on 7 November 2008. APTL had as yet not considered their accounts – which it would do so on 7 November. The financial statements of APTL (circulated as exempt documents) would be considered by the APTL Board in tandem with the statements.</p> <p>In response to points of clarification from Councillor Williams the Trust Solicitor – Mr Harris advised that the Alexandra Palace and Park Board was not being asked to consider and approve the financial statements, nor the actual statements of the Directors of APTL. The locus of the Board was only to receive and note the resolutions of the Directors of APTL and authorise the General Manager Alexandra to notify APTL of this. Mr Harris also advised that it was necessary for the Board, in its capacity as shareholder of Alexandra Palace Trading Limited to give its approval to the reappointment of Deloitte and Touche LLP as auditors to APTL until 31 March 2009, and to delegate authority to the Head of Finance Alexandra Palace to agree the level of remuneration to Deloitte and Touche LLP for this period.</p> <p>Following further clarification by Board and the Clerk advising of the recommendations for the Board to resolve upon, the Chair summarised and it was:</p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>i. that in its capacity as shareholder of Alexandra Palace Trading Limited (APTL) the Board receives and notes the detailed resolutions proposed by the Directors of APTL (as detailed in appendices 1 and 2 of the circulated report) and authorises the General Manager Alexandra Palace to convey this action to the Directors of APTL prior to or during consideration of the said resolutions at a forthcoming meeting of APTL on 7 November 2008:</li> <li>ii. that in its capacity as shareholder of Alexandra Palace Trading Limited the Board gives its approval to the reappointment of Deloitte and Touche LLP as auditors to APTL until 31 March 2009, and delegates authority to the Head of Finance Alexandra Palace to agree the level of</li> </ol>

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
WEDNESDAY, 5 NOVEMBER 2008**

	<p>remuneration to Deloitte and Touche LLP for this period; and</p> <p>iii. that the directors of APTL be asked to note and ensure that in future the legal advisers to APTL gives clear guidance which the directors will pass on to Alexandra Palace and Park Board with regard to matters that it requires the Board to consider.</p>
<b>APBO51.</b>	<p><b>EXCLUSION OF THE PUBLIC AND PRESS</b></p> <p>That the press and public be excluded the from the meeting for consideration of Item 6 as it contains exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); namely information relating to the business or financial affairs of any particular person (including the authority holding that information).</p> <p style="text-align: center;"><b>SUMMARY OF EXEMPT/CONFIDENTIAL PROCEEDINGS</b></p>
<b>APBO52.</b>	<p><b>RESOLUTION OF THE DIRECTORS OF ALEXANDRA PALACE TRADING LIMITED - REPORT OF THE GENERAL MANAGER</b></p> <p><b>AGREED</b> to receive circulated documents.</p>

Chair

This page is intentionally left blank

**MINUTES OF THE SPECIAL ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 6 JANUARY 2009**

\* Present

**DRAFT (d)**

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

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

Observer: \*D. Liebeck

Also present: Mr D Loudfoot General Manager Alexandra Palace  
Mr I Harris Trust Solicitor  
Ms R Kane Director - Alexandra Palace Trading Limited (APTL)  
Ms H Downie Finance Manager – Alexandra Palace  
Ms J Parker Director of Corporate resources – LB Haringey  
Mr C Hart Cttee Manager – LB Haringey (Clerk to the  
Committee)

Ms S. Barrett Deloitte LLP

---

**MINUTE  
NO.**

**SUBJECT/DECISION**

<b>APBO53.</b>	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>There were apologies for absence received from N Willmott and V. Paley, and for lateness from Mr Liebeck.</p> <p>The Chair welcomed Councillor Stanton as newly appointed Board Member, to fill the vacancy arising from the appointment of Councillor Cooke as Cabinet Member for Community Cohesion and Involvement at the LB Haringey, and also advised that he had been appointed Chair of the Board of trustees as a result of the changes in membership, and Councillor Dogus had been appointed Vice-Chair.</p> <p>The Chair also welcomed Ms Kane as newly appointed Managing Director of Alexandra Palace Trading Limited (APTL).</p> <p>NOTED</p>
<b>APBO54.</b>	<p><b>URGENT BUSINESS</b></p> <p>There were no items of urgent business.</p>
<b>APBO55.</b>	<p><b>DECLARATIONS OF INTERESTS</b></p> <p>There were no declarations from board members.</p>

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 6 JANUARY 2009**

	<p>Ms Kane declared an interest as Managing Director of APTL.</p>
<p><b>APBO56.</b></p>	<p><b>APPOINTMENT OF DIRECTOR TO ALEXANDRA PALACE TRADING LTD</b></p> <p>The Chair asked for a brief introduction of the report.</p> <p>The General Manager – Alexandra Palace informed the Board that following the resignation of Councillor Cooke as Chair of the Board, and his subsequent resignation as Director of APTL on 18 December 2008 as required under the terms of the articles of association it was a requirement to appoint a Member of the Board of Trustees to fill that vacancy.</p> <p>The Chair proposed that, and it was seconded by Councillor Peacock that Councillor Dogus be nominated to fill the vacancy on Alexandra Palace Trading Limited.</p> <p>There being no other nominations it was:</p> <p><b>RESOLVED</b></p> <p>That Councillor Dogus be appointed as Director of Alexandra Palace Trading Limited with immediate effect.</p>
<p><b>APBO57.</b></p>	<p><b>CHANGE OF BANKING ARRANGEMENTS AND SIGNATORIES</b></p> <p>The Chair asked for a brief introduction of the report.</p> <p>The Head of Finance Alexandra Palace – Ms Downie reminded the Board that at its meeting on 22 July 2008 it had resolved to transfer its bank account from the Co-operative Bank to the Royal Bank of Scotland. The Board’s newly opened current account will be linked to that of the LB Haringey, who has already transferred its banking arrangements to RBS..</p> <p>The purpose of the report was to seek approval for the new bank mandate and for the Chair of the Board and the General Manager to sign the mandate on behalf of the Board of Trustees. Currently the overnight balance on the account is retained at £100,000 and this will continue.</p> <p>The Chair asked if there were any points of clarification.</p> <p>Councillors Stanton commented that as a newly appointed Member of the Board he wished to be advised whether the change was a direct swap and what benefits there would be as a result.</p> <p>In response, the General Manager – Mr Loudfoot advised that there were additional benefits to the Board in that the new account offered better fraud protection as well as automating the overnight sweep to/from the Council’s current account to maintain the balance at £100k. This is currently being done manually by Council officers..</p> <p>Councillor Williams commented on the fact that the proposed change had been</p>

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 6 JANUARY 2009**

agreed by the Board in July 2008 prior to the credit crunch crisis and he referred to the issue of the financial standing of RBS since July 2008. Councillor Williams referred to the issue of deposits with RBS and asked whether he could be given assurances that the accounts would be safe. He stressed that up till the summer of 2008 he would not have questioned the change of bank but nobody expected that the credit crisis would have happened, hence his subsequent concerns.

Ms Parker responded that the account was consolidated with the LB Haringey's accounts. The Council is reviewing the issues relating to RBS on an ongoing basis to ensure that risks are kept to a minimum. Ms Parker stressed that it was a general question in the current climate as to where in fact a Local Authority should place its accounts.

Councillor Williams thanked Ms Parker for her clarification and assured the Board that his point of clarification had been to ensure that the process was being undertaken.

Mr Tarpey clarified that the overnight balance was £100K and Ms Helen Downie confirmed this.

Mr Loudfoot referred the Board to the fact that the report had not specified that historically, the Chair and Vice-Chair were the usual signatories to the account.

The Chair, in seeking the Board's approval to the recommendations felt that the signatories should be increased to 3, and suggested that Councillor Hare be the 3<sup>rd</sup>.

The Board welcomed the suggestion.

**RESOLVED**

- i. that approval be given to the new bank mandate for the Royal Bank of Scotland and that the Chair of the Board and the General Manager Alexandra Palace be authorised to sign the mandate on behalf of the Charitable Trust;. and
- ii. that Councillor Egan (Chair), Councillor Dogus (Vice-Chair) and Councillor Hare be appointed to act as signatories on the account.

**APBO58. APPROVAL OF ANNUAL REPORT AND CONSOLIDATED ACCOUNTS  
2007/2008**

In an introduction to the report the General Manager Mr Loudfoot commented that the 2007/08 accounts before the Board were the 12<sup>th</sup> annual set of accounts audited by a registered auditor. Mr Loudfoot reminded the Board of the process the previous year in considering the 2006/07 accounts and the fact that the Charitable Trust had been very late in approving them and had failed not only to meet the 31 January deadline but also the extension agreed by the Commission.. Mr Loudfoot informed the Board that the Charity Commission had now changed its procedures for reporting accounts on its website and any that had not been submitted by 31 January 2009 would be shown on the Charity Commission's

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 6 JANUARY 2009**

website with a large red banner across the Charity's name indicating its failure to submit by 31 January.

Mr Loudfoot also referred to the requirement of the Board of Trustees to consider whether there were any declarations of interest or related party transactions that should be declared. If it were the case that none were required to be declared then each trustee was required to sign the relevant declaration to that effect, and each Trustee would do so at the end of the meeting.

The Head of Finance Ms Downie referred the Board to page 38 of the circulated report which details the incoming resources and resources expended for the year, highlighting the total income of £2.67m in 2008 compared with £7.1m in 2007, total resources expended of £5.6m in 2008 compared with £8.89m in the previous year and the closing deficit fund balance of £36.4m, an increase of £3m over the previous year.

Ms Downie also referred to the fact that the 2008 accounts included only four months trading results for APTL due to the temporary licence arrangement with Firoka, who also managed the ice rink during the licence period. For the first time, the accounts had been produced in accordance with FRS17, 'Retirement Benefits'. Accordingly, the pension fund deficit balance of £92k was included in the balance sheet.

Ms Downie explained that the balance sheet as detailed on page 40 of the report was a snap shot of the organisation's assets and liabilities at 31<sup>st</sup> March, and showed fixed assets reducing by £82K, stocks reducing by £53k, debtors increasing by £107k, short term creditors increasing by £1m and cash balances increasing by £734k.

The Chair thanked Mr Loudfoot and Ms Downie for their introduction and asked that Ms Barrett from Deloitte LLP give her report as the Trust's external auditors.

Ms Barrett advised the Board that the letter shown at appendix 3 of the report was the standard representation letter of the trust to Deloitte LLP and Para/point 10 detailed/referred to specific items, which were then clarified, particularly in relation to a possible claim by the Firoka Group.

(Mr Liebeck arrived at 19.24hrs).

Ms Barrett advised that the letter confirmed that all material items had been adjusted for. Pages 76 and 77 of the report showed the unadjusted errors but none of these were significant. Ms Barrett highlighted the Auditors' report detailed from page 79 and gave a brief clarification of those items detailed.

The Chair thanked Ms Barrett for her succinct and concise report.

The Chair then asked the Board if there were any points of clarification, or comment.

Councillor Hare commented on the fact that the past year had been a most extraordinary one in the history of the Palace. He referred to the licence entered into with the Firoka group and the consequences of this. Councillor Hare referred



**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 6 JANUARY 2009**

to the 6 points he had asked to be circulated earlier that day in relation to the report before the Board. He asked the Chair if he may ask the questions now, and the Chair agreed to this.

Councillor Hare referred to his first 2 questions relating to the Walklate report, and the further Walklate 2 (the findings of which were yet to be reported to the Board) and commented that in his view both should be submitted in accompaniment to appendix 3. Councillor Hare commented that whilst the actions of individuals as detailed in the Walklate report in relation to the temporary licence agreement were not fraud the agreement had cost a large amount of money.

In response, Mr Loudfoot commented that there was no need for the statutory accounts to include or append the text of the Walklate report and reminded the Board that the Walklate report had been considered in the public part of the Board meeting in September 2008, and the Board had agreed an action plan in response to a number of that report's findings. Mr Loudfoot advised that it would be possible to include a short reference to the work undertaken to bring the Board to a better footing, and this could added to the risk management section of the narrative in the Report of the Trustees.

The Chair felt that as the report was detailed and readily available on the Council's web site then a reference could be made to that location.

Councillor Hare commented that whilst a reference to the website may assist there needed to be some clear narrative on the Walklake report and that by including it this would show in a sense that the Charity had acted in terms of the temporary licence and that it had been dealt with and that the picture then painted showed that the Trust was moving forward positively. Councillor Hare further commented that the Walklate report had been exceptionally positive and very helpful in outlining what had happened in terms of the temporary licence..

The Chair asked whether the Board were in agreement to the placing of a reference to the Walklate report and point 3.15/3.16 of the risk management at page 30 of the report.

Mr Liebeck commented that if the Board were recognising the shortcomings of the licence then it was appropriate to make reference as suggested. Mr Liebeck referred the Board to page 74 1<sup>st</sup> point and quoted the point, and stated that the point was not correct as the Board of Trustees had not been consulted on the detail of the licence entered into and that the statement implied that the Board had in fact been party to arrangements entered into.

The Chair commented that the findings of the report had actually stated that no regulations had been breached.

Councillor Stanton commented that by way of balancing what was being commented upon it was the case that the Board was now looking forward and was learning lessons from past actions. In his view the Board needed to give a clear statement that left no ambiguity or question, by having 2/3 lines that succinctly reported the matter of the Walklake report.

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 6 JANUARY 2009**

Councillor Hare confirmed that he was happy to have a reference in the narrative but he did think there did need to be reference to licence arrangement and that it had been very damaging.

The Trust Solicitor – Mr Harris advised the Board that in terms of the report before it, the making of, or alluding to reference of previous actions of the Board, given the possibility of proceedings against the Charitable Trust – if the Board draws attention to this issue it would in effect flag up a weakness. Given the sensitivities of the issue in question Mr Harris advised that it was a case of the less said the better, and the less attraction drawn the better. Mr Harris stressed that the accounts should not be focusing on the grant of licence.

The Chair asked that the exact wording to be inserted would be circulated for the Board's agreement.

Following further points of clarification regarding reference in the letter of representation and comment therein to the Walklate report Mr Tarpey clarified that this letter was a private letter which was not for public use and did not form part of the actual accounts.

Ms Barrett commented that it was important to understand the issue of the letter's detail and that the point about point 6 was understood and therefore it would be appropriate to have an acknowledgement of the issue but that would be all that was required.

The Board were in agreement to this reference.

Councillor Hare sought clarification in relation to the Walklate 2 report and where it would be reported to. Ms Parker confirmed that it would be reported to the Board when it was completed.

The Chair then asked that Councillor Hare ask his next question.

Councillor Hare referred to his 3<sup>rd</sup> question in terms of the breakdown of costs of the Firoka Licence and the need for a clear set of figures and statement was required.

Mr Loudfoot advised in response that he disagreed with Councillor Hare's assertion of their inclusion and that the breakdown of these figures was not needed within the annual report and suggested that the figures in question could be reported to a future meeting of the Board by the Head of Finance. Ms Parker then clarified that the second report from Mr. Walklate would cover the costs etc of the licence agreement.

Councillor Stanton commented that the advice of the Trust Solicitor should be heeded and that whilst he sympathised with the views expressed the advice given was clear professional advice which the Board should accept.

The Chair commented that as advised by the General Manager a report on the breakdown of the licence cost would be reported to a future Board meeting.

Councillor Hare commented as to whether there had been clarification as to the

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 6 JANUARY 2009**

accuracy of the figures contained within the accounts, and also the reference to the trading partner, in respect of the accounts. Ms Downie advised that the figures had been thoroughly assessed during the audit process and were completely accurate. In terms of referring to the trading partner Mr Loudfoot commented that there had been some discussion during the account's drafting and that it had been thought appropriate to not make reference by name to the trading partner. However given that that information was known publicly there was no harm in actually report the name of the trading partner 'the Firoka Group' therein.

The Chair then referred Councillor Hare to his 4<sup>th</sup> question and asked him to clarify his question.

Councillor Hare advised that his question was in respect of the Ice rink and the profit reduction in its operation and that further clarification was required in terms of it being part of the Charity, then part of the Licence agreement with the Firoka Group, and then part of APTL during the 2007/08 financial year, and this needed to be detailed as a note within the accounts in order to clarify the loss in profit. He referred to page 45 and the point 5 – Incoming resources from charitable activities and that some reference should be stated at this comment.

Ms Downie and Mr Loudfoot clarified that at point 5 the income for the Ice rink was £108,426 in 2008, and £984,246 in 2007 and that therefore there could be some narrative within the accounts clarifying the source and breakdown of the 2007 figure. Councillor Hare felt that the figure of £287K post Firoka for the period January – March 2008 needed to be stated in point 5. Ms Downie commented that there could be a single line in the Trustees Report clarifying the cost breakdown.

The Chair then asked Councillor Hare to clarify his 5<sup>th</sup> question.

Councillor Hare advised that in terms of his 5<sup>th</sup> point of clarification this related to in addition to the APP debt and that in his view those costs of the licence which were not anticipated and approved by Trustees should be written off by the Council and not be added to the APP deficit owed to the Council. Councillor Hare advised that in his opinion in essence the Board of Trustees never actually approved the licence agreement in the form that it was entered into, at the point at which (in April 2007) there was reference to an agreement at a Board meeting, and that this fact had been reported on within the Walklake report, and that the licence agreement had been drawn up by officers and entered into, and although there had been reference to an agreement approved by the Board, it had never seen the contents of, or agreed to the resultant licence detail.

The Chair commented that in his view the Walklake report had not actually made that particular assumption and that that was a matter of conjecture. The Chair asked that Councillor Hare's assumption be further clarified.

Mr Harris referred the Board to its decision taken in September 2008 which had approved the commissioning of a further investigation by Mr Walklate, the results of this yet to be reported. In terms of the question of losses to the charity and the resultant likely action, and the reference to the second further investigation, Mr

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 6 JANUARY 2009**

Harris advised that he was uncomfortable that reference and discussion was taking place in the public domain in relation to the outcome and that it was inappropriate for such discussions to continue when the finding of the report had yet to be concluded, and then reported to the Board. It was neither right nor proper to make reference to such findings at this juncture, and he urged the Board to desist from such discussions at this time.

Ms Parker referred to the shortfall of the Trust in 2007/08. It was the case that with shortfalls if they were shown for a particular year, and then the shortfall was subsequently recouped then the recouped monies were not shown against that reported figure for that year but added to the current year's income, and a note provided in the subsequent year's accounts.

In response to clarification from Councillors Hare and Williams Mr Loudfoot advised that there was not a viable alternative treatment and that there was no reason for an alteration to the accounting process.

Mr Liebeck commented that some felt that the profitability or not of the palace and park was debatable. Mr Loudfoot was able to refer to historic figures and clarify that without interest being taken into account the Charity had lost some £ 6.6m in the years 1997-2006. Mr Loudfoot also clarified that the last year an interest charge had been levied was the year ending march 2005.

Mr Liebeck also commented on the possibility of the trustees pursuing Firoka for some money back from the Licence period, Ms Barratt said that this at this point would not meet the requirements for income to be disclosed as a potential asset.

The Chair asked whether there was agreement to the narrative being amended to reflect the point. Councillor Hare felt that he was unable to comment at this stage as the deficit figure was uncommonly large and that there needed to be reference to the Walklate 2 report and its subsequent findings as it was the case that with a private company the shareholders would demand such clarification.

The General Manager commented that pages 46-48 gave adequate mention of the issue.

Following further discussions by the Board in relation to this particular issue, Mr Harris reiterated his earlier comments in relation to the mention of either Walklate report, the issue of the deficit and the potential legal claims.

Councillor Hare commented that there should be reference to the loss and the fact that it was not an issue of questioning the action of the Trust but that the steps were taking to address the deficit, which would be clarified further by the further report.

Councillor Stanton reiterated his earlier comments in that it was not appropriate to speculate on the likely findings of the further report and that such speculation was not helpful now in terms of the accounts.

In response to clarification from Councillor Oakes, Mr Harris commented that if the outcome of the recommendations of the Walklate report were to show a loss

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 6 JANUARY 2009**

to the Charity as a result of the actions of officers then it would be for the Trustees to take a view as to the likely course of action in terms of proceedings etc. Any recouping of costs as a result of any such action would show in future accounting years and the debt then would show a reduction in that year. However, if no such costs were recouped, the accounts would remain as they were.

Councillor Oakes commented that he was therefore not in agreement as in his view the accounts were not accurately reporting the palace's correct financial position because of the deficit.

Ms Downie responded that the accounts did in fact accurately show the actual income received and expenditure incurred in the year in question.

In response to further clarification from Councillor Williams in terms of recovery of losses not in a sense relevant to the current set of accounts, Mr Harris responded that in broad terms this was a correct assumption and that if litigation was to result from the findings of the report, any recovered cost would be reported in future years.

The Chair asked Councillor Hare to state his remaining question. Councillor Hare referred to the cumulative deficit of £37.3 million and the decision of the Trustees in Mid 2008 to hold a meeting to consider making a request to the council that this be formally written off. Councillor Hare stated that this meeting had yet to take place and that some form of note needed to be added to the accounts to this effect.

Mr Loudfoot responded that there was no need to include such a note in this set of accounts, and that if the Board were mindful to consider and agree such an approach then the matter of how this would be reported to the Council would be considered. The matter of the issue was referred to in section 5.2 of the report.

Mr Harris concurred with the comment of Mr Loudfoot.

The Chair commented that the matter could be reported to a further meeting of the Board.

Following discussion by the Board as to the changes to the narrative, and a brief outline of the changes, the Chair agreed that the detailed wording of the resolution of the Board would be circulated by the Clerk to the Board to all Board members seeking their comments on the wording, and asking for a response by 12 January 2009.

The Chair then summarised each of the recommendations as detailed in the report and it was:

**RESOLVED**

- i. that, having reviewed the contents of the letter of representation, the Chair be authorised to sign the letter on behalf of the Charity for submission to the Charity Commission subject to the following amendment

MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 6 JANUARY 2009

- a. that in respect of the letter of representations - paragraph 6 be amended to read as follows:

*You as auditors have been advised of the LB Haringey's commissioned 'Walklake' report which has been considered by the Board and its recommendations endorsed and adopted into an action plan.*

*We are not aware of any actual or possible instances of non-compliance with laws and regulations, the effects of which should be considered when preparing financial statements.*

- ii. that there being no matters or related party transactions to be declared the Trustees sign their relevant declaration to that effect;
- iii. that approval be given to the Annual Report and Consolidated Accounts for 2007/08 and the Chair be authorised to sign them on behalf of the Charity for submission to the Charity Commission , subject to minor amendments as follows:

*in section 2 page 27 :*

*Revise trustee details to reflect changes in board since the drafting of the report.*

*In section 3.15 Insert text:*

*The trustees have considered an independent report on governance and other issues entitled 'the Walklate report' and have agreed an action plan to implement the recommendations.. These documents can be downloaded from [http://www.minutes.haringey.gov.uk/Published/C00000105/M00003375/\\$\\$ADocPackPublic.pdf](http://www.minutes.haringey.gov.uk/Published/C00000105/M00003375/$$ADocPackPublic.pdf)*

*in section 5.1 – page 33*

*Para 4 remove phrase 'trading partner' and replace with 'firoka'*

*para 7 amend text to read:*

*With specific reference to ice rink income, it should be noted that the ice rink was initially in the control of the charity, then for a period was part of the Licence agreement entered into with the Firoka Group, and finally, for the remaining three months of the year formed part of the activities of Alexandra Palace Trading Limited (APTL),*

*The trading company activities for generation of funds are shown in note 4 of the accounts. Income from events is shown as £1,550,935, of which £287,455 relates to the ice rink.*

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 6 JANUARY 2009**

*The charity's incoming resources from charitable activities are summarised in note 5 of the accounts. This shows income from the ice rink of £108,426.*

- iv. that approval be given to the Annual Return and that the Chair be authorised to sign it on behalf of the Board, and the General Manager be authorised to complete the annual return on line at the Charity Commission;
- v. that the contents of the management letter by Deloitte LLP in relation to the audit of the consolidated financial statements for the year ending 31 march 2008 be noted; and
- vi. that it be noted that the audit for the 2008/09 accounts will be undertaken by Deloitte LLP in accordance with the decision of the Alexandra Palace and Park Board of 19 March 2008, and that the future provision of audit of the accounts was in the process of being tendered for.

COUNCILLOR PAT EGAN

Chair

This page is intentionally left blank



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

**In attendance;**

**DRAFT 'E'**

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

Nominated Members:

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

\*Members present.

Also In Attendance:

David Loudfoot - General Manager, Alexandra Palace

Clifford Hart – Clerk to the Committee – Committees Manager – LB Haringey

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

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

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

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

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

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

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

With the point of clarification noted it was:

**RESOLVED**

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

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

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

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

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

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

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

(Councillor Oakes arrived at 19.57hrs)

There being no further points of clarification it was:

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

**RESOLVED**

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

**APCC38. FUTURE OF THE ASSET:**

The Chair asked for a brief introduction.

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

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

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

Mr O'Callaghan commented on the judgement of the judicial review which

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

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

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

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

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

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

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

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

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

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

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

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

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

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

There being no further comments it was:

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

**RESOLVED**

That the report on the future of the asset be noted.

**APCC39. PARK ACTIVITIES UPDATE:**

The Chair then asked for a brief introduction of the report.

In a succinct introduction to the circulated report the General Manager – Mr Loudfoot gave a brief update of recent activities carried out in Alexandra Park and answered points of clarification. In particular Mr Evison's report advised that Warner Estate Residents Association had consulted their members over their request for a new pathway from the Redstone Road entrance. The report commented that Mr Evison had attended the WERA AGM on 6 July 2008 where the meeting had fully endorsed the proposals. He would now commence drawing up detailed plans.

Mr Loudfoot further commented that:

- The Alexandra Park Ornithological Group (APOG) held a public bird walk in May and 43 species were sighted. This list has been published on the Alexandra Palace Website and is available in the Information Centre. APOG was preparing a 'Birds of Alexandra Park' leaflet detailing all species that may be seen;
- Traffic Engineers have reviewed the crossing point on Alexandra Palace Way (below the Palm Court entrance) and feel a traffic island could be installed to provide a refuge for pedestrians. Quotations for this project were being sought.

Mr Loudfoot also advised that following the conclusion of the HLF an event had been arranged for Sunday 10 August 2008 to celebrate the success of the HLF project, with full media coverage, and all members of the Advisory, and Consultative Committee, and the Alexandra Palace and Park Board would be invited to the event. In response to points of clarification the committee were advised that the event was not open to the public and was by invitation only. The event would not be appearing on the Palace's website.

Mr Loudfoot further advised that there had been a positive visit from the Green Flag Judges at the end of May 2008, where it had been remarked upon how improved the park had appeared since the previous year by one of the judges who had been judging the park the previous year. The judges' results were expected on 17 July 2008.

The Committee then briefly raised the following points;

- Whether the gantries would be replaced and the response from Mr Loudfoot that the columns had been cast iron, filled with concrete which had subsequently caused corrosion which resulted in the need for their removal. The gantries would not be returning. New signage had been



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

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

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

(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

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

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

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

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

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

In response to a number of points raised the General Manager advised

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

that some sections of the lease were and would remain confidential but much of the lease was not and had indeed been discussed in open forum.

In conclusion the Chair felt that Mr Hutchinson's suggestion was an excellent one and that the Committee would be able to follow this practice in future.

**RESOLVED**

That in future recommendations arising from discussions of the Committee which require consideration by the Board, be reported to the Board in tabulated format, and the responses of the Board be reported to the next meeting of the Consultative Committee in the same format, as was the practice of the Advisory Committee.

- (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

Mr O'Callaghan raised the issue as stated in relation to the Sports club and that lease did not allow for sub-letting

Mr Loudfoot explained that the sports club wished for some changes to allow use of the ground by the soon to be built secondary school. It was the case that the current lease was due for a rent review and that this was a perfectly normal thing. It was the unfortunate that some publicity had been generated to pressure the trustees into not pursuing the 'best rent reasonably obtainable' Mr Loudfoot explained that the principles of best rent were a requirement of the charities act.

In further response to clarification from Mr O'Callaghan Mr Loudfoot advised that no leases were set aside specifically for any charitable use and that it was not the case that this should be so.

In due course the rent review would be reported to the board.

In conclusion the Chair summarised and it was:

**RESOLVED**

That the Consultative Committee discuss the lease at its meeting in October 2008.

- (c) Firoka

Matter dealt with earlier in the meeting.

**APCC42. ANY OTHER BUSINESS**

Nil items

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

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

COUNCILLOR MATT COOKE

Chair

**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE  
TUESDAY, 14 OCTOBER 2008**

**Draft 'F'**

**In attendance;**

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

Nominated Members:

Alexandra Palace Allotments Association	*	Mr S. Ballard
Alexandra Palace Amateur Ice Skating Club	*	Mr M. Tarpey
Alexandra Palace Angling Association	*	Mr K. Pestell
Alexandra Palace 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 (Ms Gort deputising)
Friends of the Alexandra Palace Theatre		Mr N. Wilmott (Mr Richelle deputising)
Hornsey Historical Society	*	Mr J. O'Callaghan
Muswell Hill and Fortis Green Association	*	Ms D Feeney
Muswell Hill Metro Group	*	Mr J. Boshier
New River Action Group		Mr F.W.Clark
Palace View Residents' Association	*	Ms V. Paley
Union of Construction, Allied Trades and Technicians		Mr J. McCue
Warner Estate Residents' Association	*	Prof. R. Hudson

\*Members present.

Also In Attendance:

David Loudfoot - General Manager, Alexandra Palace

Mark Evison – Park Manager, Alexandra Palace

Clifford Hart – Clerk to the Committee – Committees Manager – LB Haringey

<b>MINUTE NO.</b>	<b>SUBJECT/DECISION</b>	<b>ACTION BY</b>
<b>APCC44.</b>	<b>APOLOGIES FOR ABSENCE</b>  Apologies for absence were received on behalf of Gordan Hutchinson, for whom Monica Gort was substituting, and from John Thompson.  <b>NOTED</b>	
<b>APCC45.</b>	<b>URGENT BUSINESS</b>	

**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE.  
TUESDAY, 14 OCTOBER 2008**

	<p>There were no items of urgent business.</p> <p><b>NOTED</b></p>
<b>APCC46.</b>	<p><b>DECLARATIONS OF INTERESTS</b></p> <p>There were no declarations of interest.</p> <p><b>NOTED</b></p>
<b>APCC47.</b>	<p><b>MINUTES</b></p> <p>(i) <b>ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE – 15 JULY 2008</b></p> <p><b>RESOLVED</b></p> <p>That the minutes of the Alexandra Palace and Park Consultative Committee held on 15 July 2008 be agreed and signed as an accurate record of the proceedings.</p> <p><b>MATTERS ARISING</b></p> <p>i. Ms Hayter referred to page 10 of the minutes and reference thereto of the lease and thought that she had requested that members be forwarded a copy.</p> <p>In response, the General Manager advised that this was possible and that this could be emailed or sent in hard form via the Clerk.</p> <p>ii. Mr O’Callaghan referred to reporting of comments of the Consultative Committee to the Board, similar to that of the Advisory Committee and whether the Board had any issue with this. The Chair responded that the Board had no issue at all with such practices.</p> <p><b>NOTED</b></p> <p>(ii) <b>ALEXANDRA PALACE AND PARK BOARD – 22 JULY 2008</b></p> <p>Mr O’Callaghan referred to the transfer of banking arrangements from the Co-op Bank to RBS by the Council and whether the Palace had also transferred its banking arrangements, or whether it was a separate account.</p> <p>The General Manager – Mr Loudfoot advised that the Palace’s banking arrangements were separate and that the palace was in the process of moving to another bank. Councillor Hare commented that electronic</p>

**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE.  
TUESDAY, 14 OCTOBER 2008**

	<p>transferring was easier when transferring monies then different banks, therefore it made sense for both to be with the same banker.</p> <p>In response to comments of Mr Richelle, regarding the likely revenue from a hotel development Mr Loudfoot advised that if a lease was granted for a proposed hotel site the only monies the palace would receive were in respect of ground rent and that the Trust would not profit from a hotel on the site.</p> <p><b>RESOLVED</b></p> <p>That the minutes of Alexandra Palace and Park Board held on 22 July 2008 be noted.</p>
<p><b>APCC48.</b></p>	<p><b>PARK ACTIVITIES UPDATE</b></p> <p>The Chair asked for a brief introduction of the report.</p> <p>In a succinct introduction to the circulated report the Park Manager – Mr Evison gave a brief update of recent activities carried out in Alexandra Park and answered points of clarification.</p> <p>The Committee then briefly raised the following points;</p> <ul style="list-style-type: none"> <li>• The pitch and putt course is an excellent facility but members felt operator's hut suffered with poor ventilation;</li> <li>• Difficulties with erosion of the Lower Road and water drainage, and the possible putting in of soakaways to balance off the drainage problem. The Park Manager informed the Committee that some preliminary drainage works would be starting on the 16 October. The success of this work would inform future drainage projects.</li> <li>• Possibility of wood sculptures to tree stumps</li> <li>• Whether a tree audit could be produced in leaflet form</li> <li>• Difficulties with pedestrian crossing at the west side of the Palace and response that a review would be carried out of the location as to the feasibility of a zebra crossing being placed there</li> <li>• Concerns at poor lighting around the Grove Car Park , and safety issues in the area between Alexandra Park Way and the Dukes Avenue exit, under the railway arch, and whether CCTV could be located there as a deterrent and the response from the General Manager that it was hoped to expand CCTV in other parts of the park, and lighting upgrading was being looked into.</li> <li>• Possible signage at Park entrances now that gantries were removed and speed restriction notices, and also concerns of the large number of sign posts in a round the park area which were distracting</li> <li>• Clarification as to the car parking arrangements in the park and the increase parking up the road to the palace now that the paddock parking area was closed. The General Manager responded that the paddock was only used at weekends and on show days and that had always been the</li> </ul>

**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE.  
TUESDAY, 14 OCTOBER 2008**

	<p>practice</p> <ul style="list-style-type: none"> <li>• That the pitch and putt signs were poor quality, the General Manager agreed to raise the issue with the operator of the pitch and putt course</li> </ul> <p>There being no further discussions it was:</p> <p><b>RESOLVED</b></p> <p>That the report be noted.</p>
<p><b>APCC49.</b></p>	<p><b>FORTHCOMING EVENTS</b></p> <p>In a brief introduction of the report the General Manager – Mr Loudfoot outlined the confirmed and provisional bookings for the Palace to April 2009. In particular the Fireworks event on 8 November, the Ice Rink panto, and Antiques Fare in December, and the Slamin Vinyl event in April 2009.</p> <p>The Committee briefly discussed the forthcoming Fireworks event on 8 November and the concerns previously expressed by Advisory and Consultative Committees regarding entrance closures and crowd control, and the need to ensure clear and visual information as to exist closures. The General Manager commented that the prime concern was always public safety and as such the security staff would have to close gates if the crowd density was too great. He also commented that the problem was difficult to manage as many of the local residents wanted to arrive at the very last moment which naturally coincided with the need to encourage the crowd to the lower areas of the park.</p> <p>In response to concerns as to whether bookings were down Mr Loudfoot advised that the events list was based on information compiled and was as up to date as possible. He was unable to give a comparison on previous year's events/bookings.</p> <p>Mr O'Callaghan referred to the recent 'Friends of Amma' event which he had visited after the Board meeting on 26 September and commented that it had been a most enlightening and interesting occasion, and would recommend the event.</p> <p>In conclusion the Chair asked that the General Manager note the concerns regarding crowd control and entrance closure in terms of the finalising of arrangements for the event on 8 November 2008.</p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>that the report be noted; and</li> <li>that the General Manager Alexandra Palace be asked to note the concerns regarding crowd control and entrance closure in terms of the finalising of arrangements for the Firework event on 8 November 2008.</li> </ol>



**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE.  
TUESDAY, 14 OCTOBER 2008****APCC50. FUTURE OF THE ASSET - UPDATE (REPORT OF THE GENERAL MANAGER)**

The Chair referred to recent events in respect of the future of the Palace and the fact that the preferred bidder and partner – the Firoka Group had, on 18 August 2008, withdrawn its interest in the development of Alexandra Palace.

The Chair further informed the Committee that the Board, on 26 September 2008, had considered an independent review of the licence entered into with the Firoka Group – the Walklate report, which was readily available on the Council's web. The Board had endorsed the recommendation/findings of the review, as well as an action plan arising from the review in respect to governance arrangements. Copies of that report were available on the Council's web, and copies should have been available at this meeting but were not, and would be circulated to the Consultative Committee for their information.

With regard to the future of the Palace the Chair commented on the opportunity now open to the Board, given the history of the Palace over the past 25 years, to look at the pure potential of the Palace and he felt that there was an exciting prospect for the Board during the next 6 months, in conjunction with the Local community, residents, statutory bodies and interested groups, to look at a whole range of issues in respect of the future of the Palace. The Chair also commented that by having an open and frank dialogue this would not preclude any idea or proposal and he was confident that this process would be a positive and successful one. The structure of the existing trusteeship could be looked at, and whether there were options to be explored for the transfer of trusteeship in the future, and recognising what was the best interest of the Palace.

The General Manager – Mr Loudfoot also commented on the matter of the Firoka Group giving formal notice of withdrawing its interest as preferred bidder for the future development of the asset on 18 August 2008. The Board, at a special meeting on 26 September 2008, considered a number of matters relating to the future of the asset, including an independent review of the Licence arrangements entered into with the Firoka Group (a copy of that review was available for any Member at this meeting), and the resultant recommendations arising from that review recommendations regarding the future governance arrangements relating to the palace had been endorsed by the Board. Mr Loudfoot further advised that the Board had also discussed, and had agreed that an away day be arranged to discuss the future of the asset, and the way forward in the next 6/12 months.

Ms Hayter referred to the Independent report of which she had a copy, and commented that in her view it was evident that the advice of the Council's legal service should have been sought in terms of the entered into licence arrangements in order to have a balanced view, but this evidently had not been done. In seeking clarification as to the advice sought by Trustees Ms Hayter added that it was the case that the Board had undergone a number of membership changes over recent years and therefore there was not a large historical level of experience.

In response to the comments of Ms Hayter, the Chair advised that there were evident and recognised issues regarding the potential for Board of Trustees roles conflicting with those of a Councillor, and the fact that the trust was a charitable

**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE.  
TUESDAY, 14 OCTOBER 2008**

organisation. The Independent review did indeed address this issue and recommended a number of actions in relation to the governance arrangements to assist the Board, and that the action plan was designed to ensure that the Board never found itself in this position again in the future.

Mr O'Callaghan to the comments of the Chair in relation to difficulties and tensions/conflicts of trustees/Councillors and welcomed the assessment/review of roles. He particularly referred to the details of the entered into licence and that in his view this licence had been drawn up by the then General Manager – Mr Holder at the behest/bidding of Mr Kassam. It was the case that such events surrounding this were astounding and that both the Board and the Council had neither been aware of the terms of the licence or consequences of such an agreement. In his view, there were evident fraudulent actions that needed to be addressed.

The Chair responded that whilst it was the case that the actions of individuals were unclear and contradictory, as referred to in the independent report, with regard to the reference to possible fraudulent actions he stressed the need for caution in expressions specifically about individuals. In terms of the role of the former consultant/advisor, the Chair reminded the Committee that investigations were not as yet complete.

Councillor Hare commented that the Board had indeed agreed to have a further special meeting to look at the legal advice given in relation to the licence arrangements.

In response to clarification from Prof Hudson in relation to the future development of the asset and whether the holistic approach would still be pursued both the Chair and Mr Loudfoot commented that the whole development of the Palace over a 25 year history would be examined in order to assess and move forward and in doing so start with a blank canvass, engaging with community groups, interested parties etc to work together in forming ideas and concepts. It would indeed be a grave mistake to not learn from the difficulties of the past 25 years.

Councillor Egan also commented on the difficulties referred to in terms of the conflicts of Trustees in acting as Trustees as opposed to elected Councillors. It was the case that politics had evidently come into play on both sides of the political spectrum and that there had to be a non political approach and a frank and open dialogue in the future.

Mr Ballard referred to the consequences of the independent review and its finding and that in his view it seemed evident that the Trustees had not been asked to seek the view of either the Trust Solicitor or any other person. It was not a case of any incompetence but a fact that no such opinion had been sought. It was also the case that a number of the actions alluded to had indeed not been before the Trustees. In his view, the holistic approach was probably not a runner now and the whole future of the asset needed to be re-examined. He also felt it was appropriate, given the evident conflicts of trustees, to examine the Trusteeship of the Board and consider enhancing/widening participation.

The Chair reiterated his earlier comments in respect of future governance arrangements and the review of the role of the Trustees.

**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE.  
TUESDAY, 14 OCTOBER 2008**

Councillor Hare commented on the extraordinary and positive performance of APTL since the Firoka Licence had been terminated in January 2008. Given the level of decline in business during the period of the former licence arrangement, the question of why such a licence was allowed to operate for the time period needed clarification together with the actions of the then General Manager and Chair and the lack of consultation with the Board in terms of those actions.

In response to points raised by Councillor Hare, the Chair advised that actions taken had been disputed by the 2 individuals concerned which would be the subject of further clarification. Councillor Williams reminded the Chair that three other individuals as detailed in the report had also confirmed that this was the case.

Councillor Hare commented that in terms of the commissioned report and its findings it was clear that there were wider ramifications in terms of the detail of the licence and the decision reached by the Board in April 2007 and the resolutions of that meeting had no way given approval to entering into the agreement that had resulted in the licence with the Firoka Group. Councillor Hare commented that he had written, together with Councillor Williams, to the Chief Executive of the LB Haringey who had advised that they make a Freedom of Information request (Fol) to their own Board – Alexandra Palace to obtain details of the licence agreement. Councillor Hare advised that the commissioned report was remarkable in its findings but that the point should be made that it was a report commissioned by the Local Authority, and not Councillors.

Mr O'Callaghan commented on the issue of Mr Kassam's possible claims to sue the trustees and that in his view there was no basis for such a claim for loss of money. He added that the claim would never reach the Court of Chancery/High Court. However the Save Ally Pally Group would be more than happy to assist the Trustees in fighting any such claim against beneficiaries.

In response to Mr O'Callaghan and clarification by Ms Hayter Mr Loudfoot advised that the only suggestion of a claim had been at the point of Firoka's formal letter of withdrawal in August and that it should be noted that nothing further regarding a claim had been received since that time. The Chair added that the statements in the press – in the Evening Standard it had been quoted that Mr Kassam had said that had commented that the Palace would be hearing from his Lawyers. To date nothing had been received and any further rumour was.

In clarification to points from Mr Ballard as to why the process had finally failed, Mr Loudfoot advised that it was viewed that the Firoka Group had grown tired of waiting in terms of the further issues to be resolved and had therefore walked away.

In conclusion, the Chair thanked the Committee for its contribution to the debate.

**RESOLVED**

That the update be noted.

**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE.  
TUESDAY, 14 OCTOBER 2008**

APCC51.	<p><b>ITEMS REQUESTED BY NOMINATED REPRESENTATIVES</b></p> <p><b><i>ITEMS RAISED BY J. O'CALLAGHAN ON BEHALF OF HORNSEY HISTORICAL SOCIETY</i></b></p> <p>1. Road through the Park:</p> <p>(a) please could the General Manager explain why there are no longer signs at the entrances warning that the private road through the park is closed to all commercial vehicles (other than for access and buses)</p> <p>(b) If the trustees no longer wish to enforce this ban, have funds been made available to cover the extra repairs to the road this will entail?</p> <p>Mr O'Callaghan, in stating his questions (a) &amp; (b), gave a brief history of the Park road in that up until the Second World War there had been no through road between Muswell Hill and Wood Green. There was no justification or requirement of the Palace to up keep the road in terms of commercial vehicle usage and there the act also did not make such provision. Therefore, as the road was in fact a private road the only vehicles using the road should be private vehicles. The palace should be seeking funding externally for its up keep given that commercial vehicles use the road.</p> <p>In response, the General Manager – Mr Loudfoot, advised that in terms of the history it was a fact that the road at each end of the palace had been joined for the use of buses following the demise of trams.</p> <p>In terms of signage, this had been updated following the removal of the gantries and there was permanent signage now. There were no other funding streams open to the Palace for funding and maintaining the road. The budget allocation for roads and paths within the park was in the region of £50K annually.</p> <p>In response to further points of clarification the Chair asked officers to report back further to the Committee, but given the nature of the issue this would not be a matter to be discussed at the away day.</p> <p>Mr Tucker gave a resume of issues relating to Crystal Palace and the development issues, which in his view had a parallel to Alexandra Palace. The Chair thanked Mr Tucker for his contribution.</p> <p>In response to clarification from Prof. Hudson as to the overall running costs for maintaining the palace the General Manager advised that this was in the region of £750K per annum.</p> <p>The Chair also responded to the points of clarification in terms of the away day attendance by advising that in the first instance the session would be for trustees only, but that further sessions would possibly involve representatives from both</p>

**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE.  
TUESDAY, 14 OCTOBER 2008**

the Consultative, and Advisory Committees.

**NOTED**

2. The report into the licence to Firoka (available on the council's website):

Will the trustees consider that one lesson from these events is that most ordinary Haringey councillors appointed to the Board are out of their depth (and it is unreasonable to expect them not to be) in dealing with and trying to monitor negotiations with a company such as Firoka?

3. Will the councillor/trustees consider that the governance of the charity, whose beneficiaries are the people of London, accept that trusteeship should now revert to reflecting this?

If not will they at least accept that an historic building and a local park needs regular grants, which should no longer be dressed up as "losses"?

The Chair responded that the questions asked had been answered during discussions during the meeting.

**NOTED**

***ITEMS RAISED BY V.PALEY ON BEHALF OF THE PALACE VIEW RESIDENTS ASSOCIATION***

**ALEXANDRA PALACE ICE RINK**

1. Estimate of how much longer it will stay open before major work expenditure forces closure;
2. A vague recollection of mention, some time ago of EU regulations which require replacement of the cooling system due to carbon omissions or some sort of pollution? Was the deadline 2010?
3. Invitation to the Save Ally Pally Group to present their proposals for keeping the ice rink open following on from (i) & (ii) above.

The General Manager – Mr Loudfoot advised in response, that the plant cooling system was now hugely out of date and now had approx 2 years of life left.

Under the current EU regulations it was a fact that the existing plant would be ruled obsolete and that after 2012 it was probable that even recycled gas would no longer be available and then it would be the case that a new cooling plant system would be required.

Mr Loudfoot also referred to the floor of the rink having moved and explained that it was not possible to say how long before a new floor would be needed but that it would make sense to change the plant and the floor as one package.

Mr Loudfoot and Mr Tarpey referred to the existing and possible commercial usage of the ice rink and that this was and would continue to be explored by APTL who now had the management of the rink. It was a recognised fact that the

**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE.  
TUESDAY, 14 OCTOBER 2008**

	<p>Ice Rink was of huge importance to local people and it had made a considerable contribution to the Palace. There was a possibility of relocating the Ice-rink to the pavilion car park area on a temporary basis when and if the existing rink was to be closed for a lengthy repair but Mr Loudfoot had not as yet calculated the financial implications of this option.</p> <p>In terms of asking for any group to give a view as to the future running of the Ice Rink it was felt by the Chair, and Mr Loudfoot that at this stage it would be premature for any organisation or individual to give a presentation.</p> <p><b>NOTED</b></p>
<p><b>APCC52.</b></p>	<p><b>ANY OTHER BUSINESS</b></p> <p>i. TV Studios</p> <p>Mr Tucker commented on the need for the Away day to also discuss the future of the former BBC Studios given the occupation of the BBC from 1936 to 1981, and that the new Governing Body of the BBC should now be prevailed upon to given financial contribution thereto.. The BBC was now governed by a Trust and that it would be appropriate for this Trust to write and seek some level of support, and making good the overall damage and alterations made to the SE wing during the BBC's occupation. There had been some vocal support by the current Director- General – Mark Thomas to the development of a museum and therefore such support should be encouraged. Mr O'Callaghan commented that he thought that the SE wing should be developed as an exhibition centre.</p> <p>The Chair thanked Mr Tucker and Mr O'Callaghan for their comments and advised that the suggestions would be taken into account by the Board when assessing the way forward for the future of the Palace.</p> <p>ii. Fishing issues</p> <p>Mr Pestell referred to issues relating to the lake. The original lottery bid included a proposal to remove wooden boards from the lake and Mr Pestell was worried that this had been paid for, but not carried out. He also report that new shrubs around the fishing area have been stolen.</p> <p>The Parks Manager Mr Evison gave an undertaking to look into the issues, the General Manager reminded the committee that some of the refurbishment items had been altered as the scheme progressed and he was sure that if an item was charged then it would have been completed. He thought it was likely in this instance that the work had been deleted from the programme.</p>

**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE.  
TUESDAY, 14 OCTOBER 2008**

<b>APCC53.</b>	<b>TO NOTE THE FOLLOWING REMAINING DATE OF THE CONSULTATIVE COM FOR THE MUNICIPAL YEAR 2008/09!</b> 17 February 2009.

COUNCILLOR MATT COOKE

Chair

This page is intentionally left blank



Agenda item:

Alexandra Park & Palace Advisory Committee

On 10 FEBRUARY 2009

Report Title: **PARK UPDATE (ACTIVITIES)**

Report of: **Mark Evison, Park Manager**

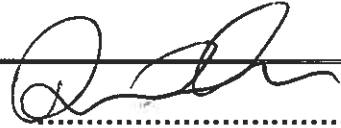
**1. Purpose**

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:** .....

  
PP

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

**3. Executive Summary**

3.1 This report details the activities and projects that have recently taken place in the park.

3.2 Haringey's Park's Constabulary will be disbanded on 31 March 2009, alternative more flexible security provision will be made within the park utilising the main security contractor.

**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 7 October 2008**

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

- Lighting in the Grove Car Park. The car park is surrounded by six lamp columns, all of which were functioning at the last inspection.
- Warner Estate Residents Association have made proposal for a new hard-surfaced path across Redston Field and the old race course. This proposal will be discussed under a separate agenda item at this meeting.

**Park Events**

- 6.2 The Conservation Tasks are continuing over the winter. The overgrown vegetation around Redston Pond has been cleared. Weed species were removed and native species were coppiced so they regrow as a shrub layer.
- 6.3 In the conservation area itself, overgrown drainage ditches have been dug out and encroaching vegetation has been cut back from footpaths. Five footbridges have also been repaired.
- 6.4 A new hedgerow is due to be planted along the boundary of the pitch and putt course. Native species such as hawthorn, hazel and field maple will be planted and will provide new nesting and foraging opportunities for birds and insects.
- 6.5 The Lakeside Café will be hosting a free outdoor art exhibition in May 2009. This follows the successful event last year and provides a great opportunity for park users to experience site-specific art produced by local artists.

**Park Concessions**

- 6.6 Following a number of inquiries, the Workshop building in the Grove has been advertised to let. An operator is being sought to refurbish the facility for community or leisure use.
- 6.7 Winter maintenance has been carried out on the pitch and putt course. The operator has proposed installing a new drainage system at his cost, this will improve playing conditions and possibly extend the operating period. A youth coaching scheme will start in the spring when the course re-opens.

**Green Flag Award**

- 6.8 The application for the 2009-2010 Green Flag Award has been made. Judging takes place in May and the results are announced in July. The contribution made by volunteers and community groups is greatly appreciated and forms a large part of our submission.

**Grounds Maintenance**

- 6.9 Winter maintenance works are underway around the park. Overgrown shrubs and hedges have been cut back by the boating lake and grove café. Gaps in the rose beds have been filled and aromatic and colourful shrubs have been planted in the rose garden beds.
- 6.10 Replacement lime trees have been planted in the avenue outside the ice rink and the avenue in the Grove, other trees, such as flowering cherries have been planted in various locations including the Grove and South Front. All young trees are mulched annually to suppress weeds and reduce competition for water and nutrients.

- 6.11 John O'Conner (Grounds Maintenance) has been successful in their bid for the ISO international standards for Environmental, Health & Safety and Quality Management Systems. The company was also announced as Employer of the Year by the Landscape Institute.
- 6.12 The Deer Manager has recommended a further extension to the fenced area to improve conditions for the fallow deer. Currently the deer rely heavily on supplementary feed in the form of pellets, haylage and fresh vegetables.
- 6.13 It is proposed an area approximately 40x40m be added to the southern end of the southern compound. The installation of chain-link fencing to match will be subject to a planning application. Feedback on this proposal is welcome.

#### **Park Security**

- 6.14 Haringey Council have recently announced the disbanding of the Parks Constabulary. The service level agreement between Alexandra Palace and the Parks Constabulary will cease on 31 March 2009.
- 6.15 The Parks Police Officers usually patrol the park for 19 hours per week. However, they were replaced in September 2008 by a security guard from an external security contractor. Since then, the Parks Police Officers have still attended site, but at a greatly reduced level.
- 6.16 The loss of the Parks Constabulary will be compensated by alternative provision from the palace security contractor on a more flexible basis. This will allow a greater security presence during peak times such as school holidays and summer evenings.
- 6.17 The Alexandra ward Police Safer Neighbourhood Team will continue with their high-visibility patrols and work closely with the Park Manager and Security Manager to react to reported issues.
- 6.18 The existing presence of staff in the park (grounds maintenance, security officers, cafés and volunteer groups) is wide ranging and provides reassurance for park users and has close similarities with the Parkforce model recently adopted by Haringey Council.

#### **7. Recommendations**

- 7.1 That the Committee note the report.

#### **8. Legal Implications**

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

#### **9. Financial Implications**

- 9.1 The estimated cost for the construction of a new footpath across Redston Field is around £30,000. This figure is additional to the Trust's planned expenditure.
- 9.2 The extension to the deer compound is expected to cost around £8,900, and if approved, will be funded from within the existing budget.
- 9.3 The disbanding of the Park's Constabulary and provision of alternative security guards will have a neutral effect on the overall security budget.
- 9.4 The LBH Chief Financial Officer has been sent a copy of this report.

This page is intentionally left blank



Agenda item: No.

**Alexandra Park and Palace Statutory Advisory Committee – 10<sup>th</sup> February 2009.**

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 March 2010..

**2. Recommendations**

2.1 That the Committee notes the report.

Report Authorised by: **David Loudfoot** .....  Date **30/1/09**

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
Antique & 20 <sup>th</sup> Century Fair	1 Feb 09	GH
Woodworking Show	6 – 8 Feb 09	GH
Farmers Market	8 Feb 09	Paddock
Farmers Market	15 Feb 09	Paddock
Farmers Market	22 Feb 09	Paddock
Bike Show	27 Feb - 1 Mar 09	GH, WH & PR
Dinghy Show	7 & 8 Mar 09	GH, WH & PR
Farmers Market	15 Feb 09	Paddock
Organ Concert	18 Mar 09	GH
Farmers Market	22 Feb 09	Paddock
Railway Modelling Exhibition	28 & 29 Mar 09	GH & WH
London Festival of Railway Modelling	28 & 29 Mar 09	GH, WH
Wedding Exhibition	5 Apr 09	PR
** Slammin Vinyl	11 Apr 09	All areas
Funfair	9 – 19 Apr 09	Pavilion
UK Big Stamp	18 & 19 Apr 09	WH, PS
Antiques Fair	3 May 09	GH
Funfair	2 – 4 May 09	Pavilion
Five A Side	10 May 09	WH
Rock & Gem	16 & 17 May 09	PR
Fun Run	17 May 09	Park
Boxing	22 – 24 May 09	WH
Afro Hair & Beauty	24 & 25 May 2008	GH
Funfair	22 – 31 May 09	Pavilion
Indian Expo	12 – 14 Jun 09	PR
Cyprus Wine Festival	27 & 28 Jun 09	GH
Nigerian Property Show	18 – Jul 09	WH
Concert for the people	25 Jul 09	All Areas
Funfair	26 Jul – 13 Sep 09	Pavilion
Warner Live Concert	31 Jul 09	GH/WH
*Freerange Festival	8 – 9 Aug 09	All Areas
Freerange Festival	8 Aug 09	Park
Islamic Conference	15 Aug 09	GH
Grand Carnival Splash	22 – 23 Aug 09	GH
Lanstock	29 – 31 Aug 09	All Areas
Ministry of Miracles & Mountains of Fire	11 – 12 Sep 09	GH
Antiques Fair	20 Sep 09	GH
Big Stamp Show	26 – 27 Sep 09	WH/PS
Organ Concert	29 Sep 09	GH
Knitting & Stitching Show	8 – 11 Oct 09	All Areas
British Inventors Show	14 – 17 Oct 09	PR
Friends of Amma	21 – 23 Oct 09	WH, PR
Fireworks	7 Nov 09	Park, GH, WH
Asian Wedding Show	21 – 22 Nov 09	GH
Organ Concert	25 Nov 09	GH

Event	Date	Room
<i>Antique Fair</i>	<i>29 Nov 09</i>	<i>GH</i>
<b>PDC World Darts</b>	<b>18 Dec 09 – 3 Jan 10</b>	<b>WH/PR</b>
<i>Sth East Tourism Show</i>	<i>16 Jan 09</i>	<i>WH/PR</i>
<b>Model Engineering Show</b>	<b>22 – 24 Jan 09</b>	<b>GH</b>
<i>Make-up Show</i>	<i>30 &amp; 31 Jan 10</i>	<i>WH &amp; PR</i>
<i>Woodwork Show</i>	<i>6 &amp; 7 Feb 09</i>	<i>GH</i>
<b>Dinghy Show</b>	<b>6 &amp; 7 Mar 10</b>	<b>GH, WH &amp; PR</b>
<i>Wedding Exhibition</i>	<i>20 &amp; 21 Mar 10</i>	<i>PR</i>
<b>Railway Modelling Exhibition</b>	<b>27 &amp; 28 Mar 10</b>	<b>GH &amp; WH</b>

*Note: 1<sup>st</sup> Option Provisional Bookings are typed in Italic*

*\* Overnight event until 03:00*

*\*\* Overnight event until 06:00.*

## **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.

This page is intentionally left blank





Head of Legal Services John Suddaby

**Haringey**

Your ref:

Date: 23 December 2008

Our ref: LEG/AP&P

Direct dial: 020 8489 5936

Email: Terence.mitchison@haringey.gov.uk

Mr. David Liebeck,  
Chair of the Alexandra Park & Palace Advisory Committee

Dear Mr Liebeck,

**REMIT OF THE ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE**

I am writing to you as Chair of the Alexandra Park & Palace Statutory Advisory Committee ("the SAC") following the meeting of the Alexandra Palace & Park Board on 21<sup>st</sup> October 2008 when the Board considered a resolution of the SAC from its own meeting on 7<sup>th</sup> October. That resolution concerned legal advice, given by the writer on behalf of the Head of Legal Services of Haringey Council, concerning the statutory remit of the SAC and an Occasional Use Notice served under section 39 of the Gambling Act 2005.

At the Board meeting on 21st October, the SAC's representative, Mr Aspden, restated the SAC's disagreement with the legal advice from the Council and repeated its request that the writer attend a future meeting of the SAC to discuss that advice. The Board was advised by the writer that there would be little point in an oral discussion but that a letter would be sent confirming the legal position as the Council perceives it. I apologise for the delay in sending this letter because of other recent urgent matters.

As you will be aware, the statutory functions or remit of the SAC are set out in Schedule 1 to the Alexandra Park & Palace Act 1985 ("the 1985 Act") and, more specifically, in paragraphs 19 and 20 of this Schedule. I have attached a copy of these provisions to this letter for convenience.

Broadly, the powers and duties of the SAC are to promote the objects of the charity and to advise the trustees (i.e. the Board) on the matters listed specifically in sub-



2005-2006  
Getting Closer to Communities



INVESTOR IN PEOPLE

Page 86  
paragraphs 19 (i) to (vii). In doing so the Board must try to ensure that none of the activities in the Park and Palace are a nuisance or annoyance or a detriment to the amenities of local residents.

Section 9 of the 1985 Act requires the trustees to consult the SAC on all the matters specified in paragraph 19 and to "have due and proper regard to advice from the said Committee on those matters and shall use their best endeavours to give effect to such reasonable recommendations of the said Committee as are expedient in the interests of the charity and consistent with the trusts thereof." In other words, though not absolutely bound to follow the SAC's advice on all matters within its statutory remit, the Board must give that advice appropriate weight when it is reasonable and in the charity's interests.

It is apparent that paragraph 19 does not require the Board to consult the SAC about every individual decision affecting the Palace and Park nor about every proposed activity or event that will need the Board's consent or approval. If that was the case then Schedule 1 could have said so.

In fact, the matters requiring consultation are not, in the main, individual proposals but the factors and circumstances forming part of the bigger and longer term picture. In other words consultation is mostly about policy and infrastructure not the merits or demerits of individual events.

This is obvious in the case of sub-paragraphs 19 (i), "the general policy relating to the activities and events arranged or permitted in the Park and Palace", 19 (ii), "the effects of such activities and events upon the local inhabitants and local environment", 19 (iv), "the adequacy of car parking arrangements within the Park and Palace so as to avoid overflow into adjoining residential streets", 19 (vi), "the establishment and maintenance of the Park as a Metropolitan Park", and 19 (vii), "the furtherance of recreation and leisure in the Alexandra Park and Palace."

In contrast, sub-paragraph 19 (v), "any proposals which require planning permission", does impose an express duty on the Board to consult the SAC about each planning application individually. This would encompass all applications ranging from a major redevelopment scheme to minor building works affecting only a small part of the Palace's exterior.

Sub-paragraph 19 (iii) deals with the frequency of, and the maximum numbers permitted at, events attracting more than 10,000 people. This sub-paragraph could be interpreted as encouraging consultation on each new proposal for an event on that scale depending on whether there was a policy in place that might be breached by the event.

What is noteworthy is the absence of any category or matter in paragraph 19 that is the equivalent of sub-paragraph (v) but in relation to applications or proposals for any form of statutory licence or permit other than planning permission. Had it been the intention that consultation was to be required for any individual application to sell alcohol or to provide betting facilities, for example, then the 1985 Act could have been drafted to include this expressly.

Turning now to the Occasional Use Notice ("OUN") under section 39 of the Gambling Act 2005, there are several points to take into account.

By way of background, section 39 provides that betting on a "track" for 8 days or less in any calendar year may be permitted through service of a OUN without the need for a full



2005-2006  
Getting Closer to Communities



INVESTOR IN PEOPLE

Page 87  
premises licence from the Council as local licensing authority. In this context a "track" is not just a horse-race or dog-race track but includes any other premises where sporting or competitive events have been held or are intended. This would cover the World Darts Tournament within the Palace.

The OUN must be served on the Council as local licensing authority and on the Police before the betting takes place. The purpose of the OUN is to allow a person or body with an operating licence from the Gambling Commission to use the "track" premises for temporary betting of short duration. A fresh OUN would have to be served for each subsequent year when betting was to be authorised. There is no provision for any objection to the OUN by third parties or local residents and the Council has no power to refuse permission.

I understand that the SAC's concern arose from the OUN served in December 2007 before the World Darts Tournament when Ladbrokes, as sponsors of the event, wished to be able to offer betting for 8 days as an ancillary facility for those attending. The Tournament was an indoor event within the Palace attracting no more than 2,000 people only a minority of whom wished to bet. The existence of the betting facility was unlikely to have increased attendance significantly.

In these circumstances, the service of the OUN was clearly not a matter relevant to "the general policy relating to the activities and events arranged or permitted in the Park and Palace" nor would it have any effect on the "local inhabitants and local environment". Given my observations above on the scope of the SAC's remit, I cannot see that the OUN would fall within that remit for any other reason.

If you or your Committee consider that I have missed or misinterpreted anything in the legislation, I would be happy to review your response.

I am copying this letter to the General Manager and the AP&P trust's Solicitor who have been consulted on these points.

Yours sincerely,

T. A. Mitchison

T. A. Mitchison  
for Head of Legal Services



2005-2006  
Getting Closer to Communities



INVESTOR IN PEOPLE

## SCHEDULES

Section 9.

## SCHEDULE 1

## ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE

## PART I

## CONSTITUTION OF THE ADVISORY COMMITTEE

1. The Alexandra Park and Palace Advisory Committee (herein referred to as "the Advisory Committee") shall consist of 16 members.
2. Eight members of the Advisory Committee shall be appointed by the Council of the London Borough of Haringey from the members of the Council, and of those eight members—
  - (a) one shall be appointed from the councillors elected to represent the ward of Alexandra;
  - (b) one from those for the ward of Bowes Park;
  - (c) one from those for the ward of Fortis Green;
  - (d) one from those for the ward of Hornsey Central;
  - (e) one from those for the ward of Muswell Hill;
  - (f) one from those for the ward of Noel Park.
3. Eight members of the Advisory Committee shall be nominated by local residents' associations as hereinafter provided.
4. Any association of residents which satisfies the requirements of paragraph 5 below may notify its existence to the person nominated by the Trustees for the purpose ("the proper officer"), who shall maintain a register of such associations.
5. The requirements mentioned in paragraph 4 above are—
  - (a) the association shall represent residents in one or more wards mentioned in paragraph 2 above and membership of it shall be open to all residents within the area of the association;
  - (b) the association shall have a written constitution;
  - (c) the association shall require an annual subscription from its members;
  - (d) the association shall meet regularly;
  - (e) the constitution of the association shall provide for annual elections of its officers;
  - (f) the association shall not include party political objectives among its purposes.
6. Each association on the register shall annually not later than 1st February in each year notify the proper officer of the number of households represented in its membership, and it shall be the duty of the association to satisfy the proper officer of the accuracy of the number, and that it satisfies the requirements of paragraph 5 above.

SCH. 1  
—cont.

7. Not later than 1st March in each year, the proper officer shall prepare a list of associations on the register with not less than 50 households represented in its membership according to the notification in the last preceding year and the associations on that list shall for that present year be qualifying associations.

8. Not later than 1st May in each year, the proper officer shall convene a meeting of representatives of the qualifying associations to determine which qualifying associations shall be entitled to nominate members of the Advisory Committee, but if there are 8 or more qualifying associations, no one association shall nominate more than one member.

9. No later than 1st July in each year, each qualifying association which under paragraph 8 above is to nominate one or more members of the Advisory Committee shall nominate one or more of its members to serve on the Advisory Committee.

10. Members of the Advisory Committee shall be appointed or nominated for a period of one year, and shall be eligible for re-appointment or re-nomination. No member of the Advisory Committee may be a member in two capacities.

11. In the event of a casual vacancy among the members appointed by the Council, the Council shall appoint a person from among the members of the Council to fill the vacancy, and if the vacancy arose among the councillors elected to represent one of the wards mentioned in paragraph 2 above, the casual vacancy shall be filled from among those councillors.

12. In the event of a casual vacancy among the members appointed by local residents' associations, the vacancy shall be filled by the appointment of a successor by the residents' association whose nominee has ceased to be a member of the Advisory Committee.

13. Notwithstanding paragraph 10 above, the period of membership of a person appointed or nominated to fill a casual vacancy shall expire at the end of the period of membership of his predecessor and he shall be eligible for re-appointment or re-nomination.

14. Where it appears to the Trustees and to the Advisory Committee expedient for the purpose of assisting the continuation of the Advisory Committee—

- (a) to make such amendments to sub-paragraphs (a) to (f) of paragraph 2 of this Schedule as appear to be appropriate in the light of any alterations made or to be made in the names or areas of the wards therein mentioned; or
- (b) to amend the provisions of paragraphs 4 to 13 of this Schedule;

then, with the approval of the Charity Commissioners expressed in writing or of the Chancery Division of the High Court expressed by order, they may by resolution of the Trustees and of the Advisory Committee make such amendments.

Sch. 1  
—cont.

## PART II

## PROCEDURE OF THE ADVISORY COMMITTEE

15. The Advisory Committee shall appoint its own Chairman and Vice-Chairman.

16. The quorum for a meeting of the Advisory Committee shall be six, including not less than three appointed members and nominated members from not less than three different residents' associations.

17. The proceedings of the Advisory Committee shall not be invalidated by any vacancy among their number or by any defect in the appointment, nomination or qualifications of any member thereof.

18. The Advisory Committee shall prescribe its own rules of procedure (including provision for the consideration of matters of urgency) and otherwise shall decide the frequency of its meetings.

## PART III

## FUNCTIONS OF THE ADVISORY COMMITTEE

19. The powers and duties of the Advisory Committee shall be to promote the objects of the charity and assist the Trustees in fulfilling the trusts by considering and advising the Trustees on the following matters:—

- (i) the general policy relating to the activities and events arranged or permitted in the Park and Palace;
- (ii) the effects of such activities and events upon the local inhabitants and local environment;
- (iii) the frequency of activities and events attracting more than 10,000 people at any one time and the maximum number to be permitted on such occasions;
- (iv) the adequacy of car parking arrangements within the Park and Palace so as to avoid overflow into adjoining residential streets;
- (v) any proposals which require planning permission;
- (vi) the establishment and maintenance of the Park as a Metropolitan Park;
- (vii) the furtherance of recreation and leisure in the Alexandra Park and Palace.

20. In discharging their functions under paragraph 19 above, the Advisory Committee shall endeavour to ensure that no activities undertaken or permitted by the Trustees in the Park and Palace shall be a nuisance or annoyance, or of detriment to the amenities of local residents.

A proposal from the Warner Estate Residents Association (WERA)

The proposal is for an all-weather path to replace the present informal, and very muddy, desire line from the top of Park Avenue North, across the Redston Road playing fields and the old race-course, to join the lower road at the eastern end of the car park. The matter was first raised in early 2008 on the WERA yahoo email group (which has over 100 members). It was argued that a proper path would make the park more accessible particularly for those with buggies and mobility problems and that it would also encourage people to walk to Muswell Hill. A teacher from a Muswell Hill primary school said it would fit in with their walk-to-school programmes. The small number of WERA members who were not in favour were concerned about increased parking in Park Avenue North, possible increased anti-social behaviour and motorbikes using the path. All the responses are archived and can be viewed on the WERA website ([www.wera-n8.co.uk](http://www.wera-n8.co.uk) press "communications").

WERA invited the Parks Manager to speak about recent developments in the park at its July AGM and at the same time to outline a provisional proposal for the Redston Fields path. The AGM was attended by over 60 members. The principle of an all-weather path was supported by a large majority (it was not necessary to count the votes). WERA recognised that there needed to be more discussion about the exact route, the surface fabric and other matters. The Park Manager stated that any proposal for the path would need more details, would have to go to the Trust Board, and might need a planning application as the park is a conservation area. This would provide an opportunity for anyone (within WERA or outside) to raise objections.

The Park Manager presented a preliminary case to the Board in October. The Board deferred the proposal because of a number of objections, but we believe these can be answered and that on balance the proposal will benefit the wider community as well as residents in our area.

- The existing desire line shows the need for some kind of path, but in wet weather it is almost unusable even for pedestrians, and impossible for buggies.
- The main benefit of a path along this route is to provide a north-south link across the park from Crouch End and Hornsey to the Palace and Muswell Hill, but it would have special benefits for school-children from the south of the park who might use the path to walk to one of the schools in Muswell Hill.
- The path need not affect the use of the playing fields either for the present informal football matches, or for any permanent football pitches which might be laid out again in the future; the proposed path would be very near to the edge of the long grass and the newly-planted trees, leaving adequate space to the west to accommodate a full-size football pitch..

- The existing path from the lower road to North View Road adds an extra 350 metres to the walk and in any case only local people know about it.
- We would ask that the path be made of materials sympathetic to the topology and appearance of the Park.
- Joy-riding motor bikes are a problem even for the existing path, so some kind of deterrent is needed in any case. This could be addressed by the design of the path and the park entrance.