

NOTICE OF MEETING

THE ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE

(Established by Statute in 1985)

To: **The Members of the
Advisory Committee (Statutory)**

Yuniea Semambo
Head of Local Democracy
and Member Services
Haringey Council
River Park House, 225 High Road
London N22 8HQ

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8th June 2009

Dear Member

A meeting of the **ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE**. will take place on **TUESDAY, 16TH JUNE, 2009** commencing at **19:30 hrs** in **THE LONDESBOROUGH ROOM, ALEXANDRA PALACE WAY, WOOD GREEN, LONDON N22** to consider the business set out in the Agenda detailed below.

Yours sincerely

Natalie Cole
Clerk to the Committee

AGENDA

- 1. ELECTION OF CHAIR AND VICE CHAIR OF THE ADVISORY COMMITTEE FOR THE MUNICIPAL YEAR 2009/10**
- 2. MEMBERSHIP**
To note any changes to the membership of the Advisory Committee.
- 3. APOLOGIES FOR ABSENCE**

4. APPOINTMENT OF MEMBERS TO THE URGENCY SUB-COMMITTEE FOR THE MUNICIPAL YEAR 2009/10

To appoint 2 Councillor representatives and 2 Residents' Association representatives to the Urgency Sub-Committee, and appoint a Chair and Vice-Chair of the Urgency Sub-Committee from the confirmed representatives appointed thereto.

5. DECLARATIONS OF INTEREST

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

6. RULES OF PROCEDURES (PAGES 1 - 4)

To note the rules of procedures of the Advisory Committee.

7. MINUTES (PAGES 5 - 62)

- i) To approve the minutes of the meeting of the Advisory Committee held on 10th February 2009 (attached) and the Urgency Sub-Committee held on 21 May 2009(attached);
- ii) To note the draft minutes of the meetings of the Alexandra Palace and Park Board held on 24th February 2009, 19th March 2009 (attached) and 16th April 2009 (TO FOLLOW).
- iii) To note the draft minutes of the meeting of the Consultative Committee held on 17th February 2009.
- iv) To note the draft minutes of the meetings of Alexandra Palace and Park Panel held on 3rd March, and 29th April 2009.

8. PARK ACTIVITIES UPDATE (PAGES 63 - 66)

Report of the Park Manager, Alexandra Palace, to update the Advisory Committee on events and works within the park.

9. FORTHCOMING EVENTS (PAGES 67 - 70)

Report of the Managing Director, Alexandra Palace Trading Limited, to advise the Advisory Committee on forthcoming events to the end of the financial year.

10. GREAT HALL CAPACITY (PAGES 71 - 74)

Report of the Head of Operations and Events on a variation to increase capacity of Great Hall for live music/concert events

11. LEGAL ADVICE FURTHER TO THE ALEXANDRA PARK & PALACE STATUTORY ADVISORY URGENCY SUB COMMITTEE HELD ON 21ST MAY 2009 (PAGES 75 - 76)

To consider the letter from Ian Harris, Alexandra Palace and Park Trust Solicitor, regarding the Urgency Sub-Committee on 21st May 2009.

12. ANY OTHER BUSINESS

13. FUTURE MEETINGS

To note the dates of the meetings of the Advisory Committee for the remainder of the municipal year 2009/2010 as follow:

1st September 2009
3rd November 2009
9th February 2010
30th March 2010

To: Nominated Members of:

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

Appointed Members:

Alexandra Ward	:	Councillor Oatway
Bounds Green Ward	:	Councillor Demirci
Fortis Green Ward	:	Councillor Davies
Hornsey Ward	:	Councillor Whyte
Muswell Hill Ward	:	Councillor Rainger
Noel Park Ward	:	Councillor Dobbie
Council-wide Member	:	Councillor Newton
Council-wide Member	:	Councillor Patel

Also to:

General Manager, Alexandra Palace

Chief Executive
Trust's Solicitor
Director of Corporate Resources - LB Haringey
Head of Legal Services - LB Haringey
Managing Director Alexandra Palace Trading Limited (APTL)

ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE (STATUTORY)**RULES OF PROCEDURE (as of 20 July 2006)**

1. The Chair shall preside at meetings.
2. In the absence of the Chair, the Vice-Chair shall preside.
3. In the absence of both the Chair and Vice-Chair, another member shall be elected as Chair for the meeting; if the Chair or Vice-Chair should enter a meeting while another member is presiding, that member shall forthwith offer to stand down in favour of the Chair or Vice-Chair.
4. The Committee's year shall run from 1 July until 30 June in the following year.
5. The Committee shall meet at least twice a year, and wherever possible at least one week in advance of ordinary meetings of the Board.
6. The Chair may call an additional meeting at any time in accordance with rule 12 below.
7. 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.
8. Additional meetings shall be held within fourteen days of the receipt by the Secretary of a requisition so to do if one fourth of the membership so require it and deliver to the Secretary a requisition in writing signed by the members calling the meeting and specifying the business to be transacted.
9. There shall be an Urgency Sub-Committee to transact urgent business which in the opinion of the Chair and the Secretary cannot wait to be dealt with at a meeting of the Committee; details of the business thus transacted shall be reported to the next meeting of the Committee.
10. The Urgency Sub-Committee shall consist of four members of the Committee of whom two shall be appointed members and two shall be nominated members; the quorum shall be one appointed and one nominated member.
11. All other members of the Committee shall be notified of the date, time and place of a meeting of the Urgency Sub-Committee and shall be entitled to attend and speak.
12. At least seven days' notice of any meeting of the Committee shall be given to members and the Secretary shall arrange to give four days' notice whenever practicable of meetings of the Urgency Sub-Committee; the notice convening a requisitioned meeting shall incorporate a copy or facsimile of the requisition.

13. In respect of the quorum, if after 15 minutes from the time appointed for any meeting a quorum is not present then those members present may agree either to abandon the meeting or to postpone the start of the meeting for a further period of time to be agreed amongst the members present. If no quorum is present after such further period of time, those members present may decide either to abandon the meeting or to hold the meeting on an informal basis either until a quorum is achieved by the subsequent arrival of further member(s) or to its natural conclusion. If the former occurs then the entire meeting shall be deemed quorate and minuted accordingly; if the latter then those present may submit a report of the informal meeting to the next meeting of the Advisory Committee. Those decisions taken prior to the proceedings being quorate would then be confirmed as a formal decision of the Advisory Committee once quorate.
14. Decisions of the Committee or any sub-committee shall be made by resolution of a simple majority and, in the event of an equality of votes on an issue, the Chair of the meeting shall have a second (or casting) vote.
15. The minutes or record of the proceedings of each meeting of the Committee or Urgency Sub-Committee shall be submitted to the next available meeting of the Alexandra Palace and Park Consultative Committee and the Alexandra Palace and Park Board of Haringey Council.
16. The Committee shall receive the minutes of the Alexandra Palace and Park Board in order that it be informed of the action taken by the Board on previous recommendations of the Committee.
17. The Committee may appoint sub-committees consisting of such members as it chooses to consider and advise it on any matters within its functions but no such sub-committee shall be authorised to act on behalf of or in the name of the Committee.
18. The election of Chair and Vice-Chair of the Committee shall be carried out by a process of open nomination and voting and, where there are more than two people nominated for an office and of the votes given there is not a majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.
19. Notwithstanding that the Alexandra Park and Palace Act 1985 makes no provision therefore, if it comes to the knowledge of the Secretary that a member has ceased to be a member of the appointing or nominating body and that member has not resigned from membership of the Committee, then the appointing or nominating body concerned shall be requested to terminate the representation of that person and make a new appointment or nomination in accordance with the procedures for filling a casual vacancy.
20. Residents' associations and Haringey Council shall be able to appoint deputies, and that in the case of Council appointees the deputies be appointed from the relevant Council wards as required by the Alexandra Park and Palace Act 1985.
21. No alteration shall be made to these rules of procedure unless twenty-one days' notice has been given to all members of the Committee of a proposal so to do, such notice specifying the nature of the proposed alteration, the reason for making it and

the date, time and place of the meeting at which the proposed alteration is to be considered.

These rules of procedure were made and adopted at a meeting of the Alexandra Park and Palace Advisory Committee held on the fourth day of June 1987 and **amended by resolution of the Committee on 2 September 1993, 29 September 1997, 7 July 2003, 22 January 2004, 20 July 2006.**

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**MINUTES OF THE ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE.
TUESDAY, 10 FEBRUARY 2009**

PRESENT: * denotes attendee

NOMINATED BY LOCAL RESIDENTS' ASSOCIATIONS

*Ms J. Hutchinson	:	Alexandra Residents' Association
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 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 Pat Egan – Chair of the Alexandra Palace and Park Board

Mr David Loudfoot – General Manager – Alexandra Palace

Ms Rebecca Kane – Managing Director – Alexandra Palace Trading Limited

Mr Paul Braybrook-Head of Sales and Communications Alexandra Palace Trading Ltd

Mr Mark Evison – Park Manager – Alexandra Palace

Mr Clifford Hart – Clerk to the Committee – Cttee Manager

**MINUTE
NO.**

SUBJECT/DECISION

APSC21. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Demirci and Patel, due to their attendance at a rescheduled LB Haringey Planning Committee (rescheduled from 2 February 2009 due to inclement weather), from Councillor Whyte due to attendance at a meeting of Homes for Haringey, and also from Councillor Beynon due to illness.

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NOTED

At this point in the proceedings, prior to the consideration of minutes, the Chair welcomed Councillor Pat Egan – Chair of the Alexandra Palace and Park Board - to the meeting and invited Councillor Egan to give an oversight as to the current position regarding the Palace and Park.

Councillor Egan thanked the Chair and advised that following Councillor Cooke's relinquishing the role of Chair of the Board – having been appointed as Cabinet Member for Community Cohesion and Involvement, he had been appointed as Chair, with Councillor Dogus taking the position of Vice-Chair.

Since then, Councillor Egan advised that he had commenced holding a series of individual meetings with members of the Alexandra Palace and Park Consultative Committee to obtain their views as to the future of the Palace. These had been very successful and informative. It was now intended to expand these individual meetings to the Advisory Committee representatives and attendees.

Councillor Egan, in commenting on the chequered history of the Palace, stated that the process of talking with individuals was part of a "stock-taking" exercise, as to where things were, and how people saw the future direction of the Palace. As previously stated by Councillor Cooke, Councillor Egan advised that no future proposal or idea was being ruled in or out, and that he had a blank canvas, and it was hoped that a shared vision/concept would emerge.

Councillor Egan also advised that, in terms of the Advisory Committee's involvement in the "away day", there had been one away day thus far where only Trustees had been in attendance. This had been a positive exercise. Councillor Egan commented that he had always adored the Park, which for him was of as much importance as the Palace, and that any future palace development must ensure that the Park was kept to at least the current level of maintenance and upkeep. Councillor Egan commented that thus far, as Chair, the process had been a steep learning curve for him, and that in speaking to individual representatives considerable passion had radiated from such discussions, for the Palace and the Park.

The Chair, in thanking Councillor Egan for his brief address, asked if there were any particular questions from the Advisory Committee, and he himself sought clarification as to whether there was a time-line in terms of deliberations and an emerging vision. In response, Councillor Egan advised that there were no timelines and that at the current time the focus was on discussions in relation to how and what people felt about the future of the Palace and Park.

The Chair commented that there was to a certain degree a sense of urgency in terms of the fabric of the building and that there was a keenness to see those parts of the building currently not in use brought into use, and those parts currently in use being put to better use.

Ms Hutchinson commented that she welcomed the opportunity to take part in individual discussions, and also, if offered, the opportunity to attend and participate in a workshop/away day event. The Chair, in sharing these sentiments,

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	<p>commented that it would also be a positive step forward to meet as one body – being the Board, the Consultative Committee and this body, to exchange views, possibly having a brainstorming session, in late Spring, as well as these individual discussions with representatives.</p> <p>In response to clarification as to what would then happen (following these individual discussions) the General Manager – Mr Loudfoot - advised that any outline strategy of the proposed way forward would be discussed by the Board, and indeed by this body.</p> <p>The Chair thanked Councillor Egan for his brief update to the Committee, and advised Councillor Egan that he was more than welcome to remain and observe the rest of the proceedings.</p> <p>NOTED</p> <p>The Chair advised the Committee that the Managing Director of Alexandra Palace Trading Limited (APTL) – Ms Rebecca Kane - was in attendance at the meeting, and in welcoming Ms Kane, thought that the Committee would appreciate a few comments from her in terms of APTL, as well as giving details of her background / experience.</p> <p>Ms Kane thanked the Chair for the opportunity of addressing the Committee, and she advised that she had been in post now for 2 months, gave a brief outline of her career to date, having been at English Heritage for 10 years and for the last 5 years as their director for London. Ms Kane outlined the eclectic mix of responsibilities as director for London including the management of Eltham Palace, and Darwin House.</p> <p>Ms Kane commented that she was getting to know the Palace and its various aspects and history, which in her view were fascinating, together with the business side of APTL which was also her responsibility. Ms Kane thanked the Committee for the opportunity to attend and meet with them, and explained that the 'forthcoming events' report would in future be prepared by herself in conjunction with her Head of Sales, Paul Braybrook, who was also present.</p> <p>Mr Braybrook then gave a brief outline of his role as manager of events at the Palace and also his background in media/broadcasting.</p> <p>The Chair thanked both Ms Kane and Mr Braybrook.</p>
<p>APSC22.</p>	<p>DECLARATIONS OF INTERESTS</p> <p>There were no declarations of interest.</p> <p>NOTED</p>
<p>APSC23.</p>	<p>MINUTES</p> <p>i. Minutes of the meeting of the Alexandra Park and Palace Advisory Committee - 7 October 2008</p>

RESOLVED

That the minutes of the meeting of Alexandra Park and Palace Advisory Committee held on 7 October 2008 be agreed as an accurate record of the proceedings.

- ii. 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

The Clerk to the Committee - Mr Hart – advised the Committee that a revised set of draft minutes had been TABLED following some minor amendments submitted by Mr Aspden.

The Chair asked if there were comments on the draft minutes and whether Mr Aspden would wish to comment upon his attendance at the Board meeting on 21 October 2008.

Mr Aspden commented on the contents of the circulated minutes which reflected the discussions of the Board meeting of 21 October 2008. The minutes recorded the exchange of views at that meeting between Members of the Board, the Council's legal representative and himself. Mr Aspden advised that in his view he had not done such a good job to get across the views of the Advisory Committee, and he offered his apologies to the Committee Mr Aspden in particular referred to the discussion at page 13 of the circulated minutes regarding Resolutions (a) i-iii of the Committee's 7th October 2008 meeting. It was his view that the first two responses did not address the points raised by the Committee regarding the future of the asset and the Firoka Licence arrangements, the findings of the Walklate report in relation to that agreement, and the levels of communication between the Advisory Committee and the Board.

The Chair responded that hopefully lessons had been learned in relation to the findings of the Walklate report, and that a further report was expected. The Chair commented that there needed to be further recognition by the Board of the need to consult on such issues in the future. He asked whether Councillor Egan wished to comment further.

Councillor Egan advised that the further report was yet to be completed and that this would cover a whole range of other issues arising from the findings of the Walklate report. Also, the Board would be considering an update at its next meeting in respect of governance – which had been highlighted in the Walklate report. In terms of governance the Board would also in the next few months be looking at its relationship with the Advisory and Consultative Committees in terms of creating an open dialogue.

Mr Loudfoot also commented that the Report to the Board meeting did not go to any great depth in terms of the Board's relationship with

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both the Advisory and Consultative Committees, as it was a code of governance for the trustees. However, given that the issues referred to were 'live', these would be flagged.

Mr Aspden felt that it would be appropriate to consider the process of consultation and, whilst he welcomed the idea of 1:1 meetings on an informal basis, in his view there needed to be some more open and informative dialogue between the Board and its Consultative and Advisory Committees.

In response to points of clarification from Ms Myers the Chair advised that the Board had delegated powers from the Local Authority and that in accordance with the 1985 Act had to act in an independent capacity and that this was sometimes where the conflict had arisen for Councillors.

The Chair felt that the suggestion from Mr Aspden regarding a three-party dialogue was one that should be progressed. To this end, the Chair felt that it would be appropriate to suggest the idea of up to two semi formal meetings between the Board and its Consultative Committee and this Committee.

Following further discussion the Committee felt that, whilst welcoming the views of the Chair of the Alexandra Palace and Park Board as expressed at the commencement of the meeting in respect of talking individually with Members of the Statutory Advisory Committee and also the Consultative Committee, the Board be asked to consider holding up to 2 joint meetings a year with both the Advisory Committee and Consultative Committee to talk about common issues and concerns in relation to the Park and Palace, in either an informal or semi-formal basis.

In response to points of clarification from Councillor Oatway regarding input to the Governance report, the Chair felt that it would be appropriate for him to raise comments when the item was considered at the forthcoming Board meeting.

Mr Aspden then referred to the comments expressed during the Board meeting of 21 October by the General Manager in respect of the Advisory Committee (page 20) and his expressed view of the Advisory Committee 'land grabbing', which in his view showed the Committee in a bad light and was rather insulting. Mr Aspden commented that he had asked at that meeting whether Mr Loudfoot would wish to withdraw the comment, which had been declined, and he asked again whether Mr Loudfoot would wish to withdraw this comment.

In response, Mr Loudfoot advised that he would not be withdrawing his remark and that indeed would explain the context of the remark. In stating that he had not in any way intended to be insulting, the comment had been in the context of a particular issue (sub-leases being granted to the Cricket Club). Mr Loudfoot repeated his

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comment (expressed at the Board meeting) that such issues were not within the remit of the Advisory Committee and that the Advisory Committee could not (in a sense) regulate what it thought should be brought to its attention. Mr Loudfoot referred to the fact the Committee had moved on from a body that in the past had been ineffective (due to the fact that the meetings had been inquorate, and therefore unable to express a constructive response) to a position where, in his opinion, it was now attempting to exceed the ambit of its remit and advisory capacity. This was not in accordance with the 1985 Act. Mr Loudfoot concluded that he was terribly sorry if Members had taken offence at his comment. It was not meant to insult anyone, and he offered an unreserved apology. However, he would not be withdrawing the remarks as recorded.

Ms Hutchinson responded to some of the points raised by Mr Loudfoot by commenting that the reason why so many meetings had been inquorate was because appointed (majority) Councillors to this Committee had shown little or no interest in its ambit, and had therefore not attended, or only sparsely. It was the case that meetings were now quorate largely because of the attendance of the appointed Liberal Democrat Councillors. Whilst she accepted that the Board did not have to act on the resolutions passed by this Committee it was unacceptable that the Board took little or no account of matters the Advisory Committee brought to its attention and it was a fact that this Committee was unable to challenge those actions. In terms of the issue of the Cricket club and sub lease/usage – this was very much tied in to the new Heartlands School, and the fact that this school would not have any of its own recreational facilities and therefore there was a need to look elsewhere – the Cricket Club and Park being possibilities – and that this sort of matter did need to be brought to the Committee for consideration.

Councillor C Harris declared an interest as Governor of the new Heartlands School.

In response to the points expressed by Ms Hutchinson Mr Loudfoot advised that the issue of the terms of the Cricket Club sub leases went well beyond the remit of the Advisory Committee. It was the case that the Board did give consideration to the recommendations of this Committee but it was unable to enter into discussion or allow the disclosure of legal agreements and commercially sensitive information relating to third parties and that this was in effect what the Advisory committee had been asking to have sight of. Whilst it was and had been the case that the Board had allowed discussions in respect of the Firoka development etc, no commercially sensitive or legal matters had been disclosed. The Board would welcome suggestions from this committee, asking it to limit the amount of use in sub letting the cricket grounds, but there was no obligation for the Advisory Committee to be shown the details of any actual subleasing arrangements/legal agreements. Mr Loudfoot added that because of such requests, in his view he was under the impression that in terms

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of the requests to the Board of 21 October 2008, this Committee was acting outside the ambit of the 1985 Act.

Mr Aspden commented that the perception of Mr Loudfoot that the Advisory Committee was acting outside, or attempting to extend its remit outside the Act was outrageous. Whilst it was true that the Committee had expressed an interest in the terms of the lease, including adding the right to sub-lease, it had specifically excluded the rent. He expressed his concern that if Mr. Loudfoot held such negative views towards the Committee this might prejudice his ability to work effectively with it in future.

Mr Loudfoot responded by assuring the Committee that he would have no such difficulty and that, whilst reiterating his earlier apology in terms of not having intended any offence, he remained of the view that the Committee were 'pushing on the envelope' and he would not be withdrawing any of comments expressed either on 21 October 2008 or this evening.

Councillor C Harris commented that whilst she was unable to give a view as what had gone on in the previous administration, from the views of the new Chair of the Board (until December 2008) expressed at this Committee in October 2008 as to the future of asset, it was clear to her that there was a recognised need on the part of the Board for openness and dialogue, which had also been confirmed by Councillor Egan at the beginning of this meeting. Councillor Harris felt it was appropriate to move on from this discussion, noting the concerns expressed but looking to make a constructive response that the Board would be able to consider.

In sharing Councillor Harris's comment Councillor Oatway felt that the Committee was able to move forward now that it had some clarification in terms of the future dialogue with the Board.

The Committee then clarified its response, and the Chair concluded and it was:

RESOLVED

- i. That the minutes of the meetings of the Alexandra Palace and Park Board of 21 October 2008 be noted;
- ii. That the Advisory Committee, in welcoming the views of the Chair of the Alexandra Palace and Park Board as expressed at the commencement of the meeting, in respect of talking individually with Members of the Statutory Advisory Committee, and also the Consultative Committee, resolves that the Board be asked to consider holding up to 2 joint meetings a year with both the Advisory Committee and Consultative Committee, to discuss common issues and concerns in relation to the Park and Palace, on either an informal or semi-formal basis;

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	<p>iii. That the Advisory Committee resolves that, in terms of any future proposals for recreation or leisure activity / uses of the Park (and specifically in relation to the new Heartlands School), the Board seek the views and advice of the Advisory Committee; and</p> <p>iv. That in respect of (iii) above the Board be referred to the Advisory Committee's remit, namely to assist and advise the Board to achieve its objectives within the Alexandra Palace and Park Act 1985, and it is not the intention of the Advisory Committee to hinder the Board in its management and operation of the Park and Palace;</p> <p>v. That the minutes of the meetings of the Alexandra Palace and Park Board of 5 November 2008, and 6 January 2009 be noted; and</p> <p>vi. That the minutes of the meetings of the Alexandra Palace and Park Consultative Committee of 15 July, 14 October 2008 be noted.</p>
<p>APSC24.</p>	<p>PARK ACTIVITIES UPDATE</p> <p>The Chair asked for a brief introduction of the report.</p> <p>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.</p> <p>The Committee then discussed the following matters;</p> <ul style="list-style-type: none"> • Safety & security in and around the Park entrances particularly the Grove and at Muswell Hill; • The possibility of a joint venture to fund a new bridge and entrance area at Muswell Hill to replace the existing featureless and unsightly entrance; • Better entrance signage, particularly at Muswell Hill and confirmation that a TLF/Council scheme would install signage as part of the Parkland walk and entrance; <p>(Councillor Demirci arrived at 20.55hrs)</p> <ul style="list-style-type: none"> • The difficulties with the Thames Water work at the Bedford road end of the lower road and the resultant difficulties with traffic movement etc and the expected completion of the works; • The proposals by Warner Estate Residents Association 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, and the Committee's endorsement of this proposal for recommendation to the Board, noting that the proposal will also be considered by the Consultative Committee on 17 February 2009. <p>Following a summary by the Chair it was:-</p>

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RESOLVED

- i. That the Board be asked to consider exploring a joint funding venture in conjunction with the local Community and external funders in respect of revamping and improving the entrance to the Park at Muswell Hill including a newly designed bridge and path; and
- ii. That the Alexandra Palace and Park Board be asked to note that the Alexandra Park and Palace Advisory Committee endorses the proposal of the Warner Estate Residents Association 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 field and the old race-course to join the Lower Road at the eastern end of the car park, and requests that the Board gives consideration to and approves the proposal as outlined.

APSC25. FORTHCOMING EVENTS

The Chair asked for a brief introduction of the report.

The Managing Director of Alexandra Palace Trading Limited (APTL) – Ms Kane gave a brief and succinct introduction to the report and highlighted the confirmed and provisional bookings at the Palace for the remainder of 2008/09 and also to 2010., and answered a number of points of clarification in respect of the various events as detailed,.

Mr Braybrook assisted Ms Kane in respect of responses.

The Committee then briefly discussed the current economic climate and its effects on the overall confirmed and provisional bookings and the levels of drop out, and Ms Kane responded in terms of the number of bookings that were definite. It was the case that there was a 10-15% reduction in venue bookings but APTL was not only driven by this aspect. It was necessary to look at cost effectiveness and value for money, and also the opportunity of picking up bookings where an event organiser had booked another venue (e.g. EXCEL or NEC), and as a result of reducing cost was now looking at alternative venues. Ms Kane also highlighted to the Committee those events where there was considerable effort on the part of the event organiser in terms of the staging and appearance of the event and the use of materials to improve the overall internal appearance.

In response to clarification from Councillor Oatway in terms of the Darts Championship (and the space allocated for gambling) Ms Kane advised that this area had been clearly marked and separated from the main event, and had the clear appearance of a betting type facility. Mr Braybrook confirmed that in terms of general admission to the show, no child under 11 was permitted to enter the event and any minor between the ages of 11 and 16 had to be accompanied by an adult.

The Chair then summarised and it was:

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	<p>RESOLVED</p> <p>That the contents of the report be noted.</p>
<p>APSC26.</p>	<p>LEGAL ADVICE ON REMIT AND GAMBLING LICENCE</p> <p>The Chair referred to the item for consideration and in respect of the circulated letter from the LB Haringey's Legal Services representative in terms of the occasional use notice the Chair advised that he agreed with the advice/opinion as stated.</p> <p>Mr. Aspden pointed out that not only had this matter unfortunately dragged on for fully a year since it was first raised at the Committee's 5th February 2008 meeting, but that, in the interim, the terms of reference had been incorrectly linked to the occasional use notice rather than to the application for a permanent gambling licence which was the original reason for the matter having been raised.</p> <p>The General Manager – Mr Loudfoot advised that the initial application for a permanent licence was withdrawn, and the licence was then resubmitted for consideration. The terms of the resubmitted application was for a permanent licence but limited only for the Darts Event only. The occasional use licence was used the first year whilst the permanent application was awaiting grant.</p> <p>The Committee then discussed the matter of the advice and the course of action open to it, and a summary of the discussion follows:</p> <ul style="list-style-type: none"> • That although the legal opinion as stated was too narrow, the Committee would reserve its right to seek a further (independent) legal opinion ; • That the holding of the actual event was not being criticised but the lack of consultation regarding the event, as well as the implications of the original intended licence, was unsatisfactory; • Principally this was a yet further matter where the Advisory Committee felt that it should have been consulted; • That the Board be requested to note this comment that the Committee considers that it ought to have been consulted on the granting of a gambling licence; • That this issue should be a further matter that the Board needed to consider as part of its governance and consultation arrangements. <p>The Chair then summarised and it was:</p> <p>RESOLVED</p> <p>That in noting the written advice of the LB Haringey's Legal adviser that the Board was not obliged to consult the Advisory Committee regarding the granting of the gaming licence, with which it does not concur, the Committee requests the Board to consider, as part of its relationship and arrangements with the Advisory Committee, that in future it be consulted in respect of such applications as a matter of course.</p>

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APSC27.	ITEMS RAISED BY ASSOCIATIONS 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 field and the old race-course to join the Lower Road at the eastern end of the car park Item dealt with under agenda item 4.
APSC28.	ANY OTHER BUSINESS Mr Aspden asked the Clerk to the Committee whether this meeting was to be the last that he would be clerking. Mr Hart advised that he would be overseeing the next meeting of the Advisory Committee, but that a newly appointed officer within his team would be taking on this role, from the summer of 2009. Mr Hart also advised that as he was taking on other duties it was not possible for him to continue clerking this body. Mr Aspden placed on record his thanks to Mr Hart for his efforts and support to this Committee during the past 5 years. Councillor Oatway echoed this sentiment on behalf of the Committee as a whole. NOTED

The meeting ended at 22.00hrs

David Liebeck

Chair

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**MINUTES OF THE ALEXANDRA PARK AND PALACE STATUTORY ADVISORY URGENCY
SUB COMMITTEE
THURSDAY, 21 MAY 2009**

Members of the Urgency Sub-Committee

* indicates attendance

Mr P. Wastall	:	Alexandra Residents' Association
*Mr. D. Liebeck	:	Warner Estate Residents' Association (Chair)
*Councillor S. Oatway	:	Alexandra Ward (Vice-Chair)
Councillor C. Harris	:	Noel Park Ward

Also in attendance:

Mr D Frith – The Rookfield Association
Mr Andrew Gill – Acting General Manager – Alexandra Palace
Mr Mark Evison – Park Manager – Alexandra Palace
Ms Rebecca Kane – Managing Director - APTL
Ms Natalie Cole - Clerk to the Committee – LB Haringey
Mr Clifford Hart – Clerk to the Committee – Committee Manager – LB Haringey

MR D. LIEBECK IN THE CHAIR

LC1. APOLOGIES

Apologies for absence were received from Mr Paul Wastall and Ms Jane Hutchinson (Alexandra Residents Association) and Ms Monica Myers (Muswell Hill & Fortis Green Association).

It was noted that Cllr. Catherine Harris was no longer a member of the Advisory Sub-Committee but was now a member of the Alexandra Palace and Park Board.

LC2. URGENT BUSINESS

There was no urgent business.

LC3. DECLARATIONS OF INTEREST

There were no declarations of interest.

LC4. HARINGEY HEARTLANDS - OUTLINE PLANNING APPLICATION

The Park Manager – Alexandra Palace – Mr Evison introduced the report highlighting that the outline planning application being considered related to fixing “access” to the redevelopment of Haringey Heartlands. Mr Evison circulated extracts from the Environmental Assessment for the scheme. The section entitled Potential Effects (paragraph 11.108) stated that the impact of the construction phase on the skyline view from the Palace “would affect the “open” character of Alexandra Palace and Park and the setting to Alexandra Palace” and would be “long-term, local and range from moderate to high adverse significance”.

**MINUTES OF THE ALEXANDRA PARK AND PALACE STATUTORY ADVISORY URGENCY
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The Committee undertook a wide ranging discussion in respect of the outline planning application, the main points raised and concerns expressed were as follows:

- that the Advisory Committee would not be given a further opportunity to comment on the entire scheme before it was approved by the LB Haringey's Planning Committee, and therefore whether there was a need to discuss the scheme in its totality at this juncture;
- that, if the full application went ahead, increased accessibility from the development to the park should be considered, and concerns were expressed in relation to the current access through a rundown subway at the south end of the development site;
- that the access road detailed in the application would not necessarily connect satisfactorily with the Palace and Park;
- that a Development Control Forum was due to be held on 2nd June at the Greek Cypriot Community Centre at Earlham Grove, N22. which venue was not in close proximity to the development, and a meeting closer to the site should be considered (Councillor Oatway undertook to raise this issue with LB Haringey Planning Services);
- the email from Ms Jane Hutchinson - Alexandra Residents' Association - expressing concerns as to the overall scheme was noted, and that Ms Hutchinson be asked to submit her expressed concerns to the LB Haringey's Planning Service;
- that the letter expressing the views of the Avenue Residents Association as circulated be noted, and that the Association be asked to ensure that its comments be forwarded to the LB Haringey's Planning Service;
- that the email from Mr Aspden (Advisory Committee Member), noting the limited influence of the Advisory Committee given that the application was outside the ambit of the Advisory Committee under the 1985 Act, and whether the Board was obliged to give due regard to the views expressed by this Committee, be noted;
- Mr Frith – Advisory Committee Member in attendance -commented that that the development would affect the open character of the conservation area. Mr Frith also commented that clarification should be obtained in relation to the status of reserved matters, as referred to in the application, and the implication of reserved matters being included in this application for outline planning permission.

In response to points raised during discussions The Acting General Manager - Alexandra Park - Mr Gill advised that further information would be obtained prior to any formal response to the Board being submitted on the following points:

- plans for access to the Park from the development site be investigated further;
- whether any further applications on the detail and different phases of the scheme would be submitted for consultation if and in the event that outline planning permission for the development was granted;

**MINUTES OF THE ALEXANDRA PARK AND PALACE STATUTORY ADVISORY URGENCY
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- What consultation has occurred and/or has been planned, and would there be opportunity for the full Advisory Committee formally to comment on the full application?

The Managing Director - Alexandra Palace Trading Limited (APTL)- stated that, whilst there were potential advantages to the development scheme, there could also be negative impacts such as pressures on parking in the area. Ms Kane advised that she would need to consult the APTL Senior Management Team for their views.

There being no further comments or discussion the Chair summarised and it was:

RESOLVED

That the Alexandra Palace and Park Board be asked to note the main points of concern of the Advisory Committee in respect of the Heartlands Outline Planning Application, as outlined in the 8 bullet points detailed above, and, in particular, the following concerns:

- (1) This Committee endorses the widely held views of local residents, that the scale and size of the development, and, in particular, the height of the buildings, are excessive, and that there will be a significant PERMANENT (not just “long term”) adverse effect on the cherished and exceptional vistas of the surrounding area from the Palace , and
- (2) The apparent lack of provision in the plans for a more satisfactory and substantial means of pedestrian access from the Heartlands site to the Palace and Park.

The meeting ended at 19:35 hrs

Mr David Liebeck

Chair

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**UNRESTRICTED MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD
TUESDAY, 24 FEBRUARY 2009**

PRESENT *

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

Non-Voting *M. Tarpey, *V. Paley, *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)

**MINUTE
NO.**

SUBJECT/DECISION

APBO59.	<p>APOLOGIES FOR ABSENCE</p> <p>An apology for leaving early was received from Councillor Oakes.</p> <p>NOTED</p>
APBO60.	<p>URGENT BUSINESS</p> <p>The Chair advised that in respect of Item 9 – Budget and Business Plan 2009-2010 – this item had been marked ‘TO FOLLOW’ and forwarded to the Board after the agenda had been published. Consequently the item would require stated reasons for lateness from officers upon consideration.</p> <p>The Chair also advised of an item forwarded from the Consultative Committee arising from discussions at its meeting on 17 February 2009 in respect of the Palace Theatre which he intended to consider agenda item – urgent business.</p> <p>NOTED</p>
APBO61.	<p>DECLARATIONS OF INTERESTS</p> <p>There were no declarations of interest stated.</p>
APBO62.	<p>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</p> <p>(i)Deputation from L. Rivlin re Horse riding for the Alexandra Palace Board</p>

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD
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A deputation was received from Ms Rivlin requesting the Board to consider the provision of horse riding and stable facilities in the park.

Following the deputation and points of clarification the Chair thanked Ms Rivlin for her attendance and asked that she work up detailed plans and an outline proposal which would then be given further consideration

noted

(ii) Questions for the Alexandra Palace Board from Ms Christofis:

1. Why have the Byelaws been removed from display at the Palace yet again, this time by the Friends of the Park? Please can you put them back!

Answer :

The byelaws were removed from the park notice boards after consultation with the Consultative committee who advised that a simple list of 'do's and please do not' nature would be better for the public to have.

The byelaws are still in force and can be viewed in the visitor centre and on the website at www.alexandrapalace.com.

There are no plans to put them back onto the park notice boards, this policy would be in line with common practice in other organisations managing open spaces.

2. What is the program of APCT (main charitable body) Charitable events for 2009. What are they and where are they programmed?

Answer :

The charity will be organising the annual fireworks display in November and will also be facilitating outside events and nature walks in the summer period. These include the very popular farmers markets, Hornsey fun-run, Alzheimer's society walk, London orienteering club day, lakeside art exhibition as well as the larger events such as funfairs and circus shows.

The charity will also be coordinating indoor community events by the organ society and friends of the theatre.

The charity is planning to partake in London open house and will also be arranging a repeat of the studio open day in late December.

These events will appear in the schedule of events posted on the website and also on park notice boards when they are programmed.

3. What is the current program of incremental 'fit for purpose' renovations for the coming year and what is the 5- 10 year plan for further 'beneficial' developments? Specifically, when will the theatre and all the other parts of

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD
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the Palace that did not burn down or receive insurance money be made fit for human habitation and community usage by this Trust?

Answer:

The trust is planning to undertake minor decoration and renovation works to various areas of the building but this programme has not yet been finalised. These works are of a minor nature and are intended to preserve the building in its current condition.

The project to develop the building and effectively bring it back to full use was stalled by the high court and as yet the trustees have not decided on the future means by which they can achieve the full restoration of the building.

It is intended to repair the roofs above the east wing pavilions in this year and an approach has been made to English heritage for support in funding this.

Beyond the above, the trustees are unable to currently define a timescale in which the theatre or other derelict parts of the building could be brought into a better condition.

4. Where is the literature to be found for the Beneficiaries of the Alexandra Palace and Park Trust outlining their rights, responsibilities and privileges? Where can we obtain a copy?

Answer:

There is no literature which outlines the rights responsibilities and privileges of the beneficiaries of the trust.

The law gives trustees of a charity rights and responsibilities. In respect of this charity they are set out in the Alexandra Park and Palace Acts and Orders 1900 to 2004. Copies of this documentation can be provided by the General Manager.

The closest there is to such literature is the proviso in the 1900 Act which stipulates that subject to its provisions

“the park and other lands shall be maintained as an open space and the park palace and other lands shall be available for the free use and recreation of the public for ever.”

5. What measures are to be put in place to encourage and ensure that it is the Beneficiaries of the Trust who benefit from the Trust and not the staff or other non related interest groups.

Answer:

There are no specific measures presently under discussion to achieve this aim.

However all the activities of the charity are intended to benefit the public. This

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intention covers all the activities of the charity as well as its trading subsidiary. Details of the charity's activities are set out in its annual report.

5. What measures are to be put in (or are in) place to ensure that the lands and buildings that are held in Trust are protected from the wants of other non Beneficiary interest groups. e.g. 'The Friends' the staff or other non related local/interest groups. (Again I question the removal of the Byelaws by the 'friends'?)

Answer:

In considering any matters with regard to use of the charity's land and buildings the trustees seek independent legal advice as and where appropriate.

They also consult the Statutory Advisory Committee (SAC) and have regard to its advice in accordance with Section 9 and Schedule 1 of the Alexandra Park and Palace Act 1985.

In addition to the SAC, the trustees also consult with the members of the Consultative Committee who provide wider advice and guidance on the uses of the Park and Palace in the context of interested groups and users.

6. When will the soft furnishing, contents and artefacts be reintroduced and returned to the interior and exterior of the Palace Buildings where they have been removed or destroyed due to fire and neglect.

Answer:

The soft furnishing, contents and artefacts removed or destroyed due to the fire cannot be reintroduced and returned because the trustees do not have sufficient capital funds for such purposes.

7. Where is the literature to be found for the Beneficiaries outlining the role and remit of the APTL (trading arm), APCT(main charitable body) and all the other numerous Palace staff and what is the structure of both of these main internal residuary entities. Exactly how much money they have they raised and from where and how this money is spent on the building for the Benefit of the Beneficiaries of the charity? Where is the explanation for the Beneficiaries written, about these residuary entities and exactly how or in what way do they benefit the Palace and/ or Beneficiaries and where can we get a copy of this Literature?

Answer:

The trustees were authorized by a Charity Commission scheme of August 1999 to incorporate and own the shares in a trading company. Accordingly the Alexandra Palace Trading Company Limited was incorporated.

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD
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Its Memorandum and Articles are available from Companies House and the General Manager. They are also regularly put before the trustees in their public board meetings. The last such occasion was on 6 January 2009 (when a copy was attached to the General Manager's report on Agenda Item 4.)

The role and remit of individual staff is set out in their individual contracts which are confidential.

The structure of the charity is that its trustees are responsible for its general control and administration in accordance with the Charities Act. The trustees meet on a regular basis and as much as possible of its proceedings are in public in accordance with the provisions of the Local Government Act 1972 as amended.

The structure of the trading company is that its directors are responsible for its activities in accordance with company law. They meet regularly to make decisions in respect of the conduct of the company's business.

The trading company covenants its profits to the charity. The figures for the years to 31 March 2007 and 2008 were £660,885 and £713,000 respectively (See note 5 to the 2008 accounts.). This covenanted income is then utilized by the charity in defraying its running costs.

Copies of the above referred to documents are available from the General Manager, with the exception of individuals contracts of employment which are confidential.

8. What measures have been (or will be) put in place at Alexandra palace in recognition of the actual real Allied Beneficiaries of the Trust and their wants, needs and requirements of the Trust during these difficult times?

Answer:

The trustees will continue to ensure that the charity is operated in such a way as to comply with their statutory obligations.

The trustees will continue to consult with the Statutory Advisory Committee in accordance with the 1985 Act.

The trustees also consult with the Consultative Committee to exchange views with it and provide information to it.

The General Manager is always available as a point of contact as is the Committee Clerk, for any member of the public that wishes to contact the Charity to discuss the operation of the Charity.

9. Can the Board confirm that the remit of the advisory committee is primarily to promote the objects of the charity and to outline exactly what the objects of the charity are and by objects of the charity does the board mean :

What your charity sets out to do:

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1. *general charitable purposes*
2. *education/training*
3. *medical/health/sickness*
4. *disability*
5. *relief of poverty*
6. *overseas aid/famine relief*
7. *accommodation/housing*
8. *religious activities*
9. *arts/culture*
10. *sport/recreation*
11. *animals*
12. *environment/conservation/heritage*
13. *economic/community development/employment*
14. *other charitable purposes*

10. *Who your charity helps:*

1. *children/young people*
2. *elderly/old people*
3. *people with disabilities*
4. *people of a 'particular' ethnic or racial origin (Londoners)*
5. *other charities/voluntary groups*
6. *other defined groups*
7. *general public/mankind*

11. *How your charity operates:*

1. *makes grants to individuals*
2. *makes grants to organisations*
3. *provides other finance*
4. *provides human resources*
5. *provides buildings/facilities/open space*
6. *provides services*
7. *provides advocacy/advice/information*
8. *sponsors or undertakes research*
9. *acts as umbrella or resource body*
10. *other charitable activities*

Answer:

The remit of the SAC

The remit of the Statutory Advisory Committee (SAC) is in part to promote the objects of the charity.

The SAC is a creature of the Alexandra Park and Palace Act 1985.

Section 9(1) provides that there shall be an advisory committee. Sub section 3 provides that the trustees shall consult the SAC on the matters specified in the schedule to the Act "and have due and proper regard to advice from the SAC and use their best endeavours to give effect to such reasonable recommendations as are expedient in the interests of the charity and consistent with the trusts thereof."

The 'matters specified', following the reference above, are set out in paragraphs 19 and 20 of Part III of the schedule. This stipulates that the powers and duties are to promote the objects of the charity by considering and advising upon matters there specified.

The remit is not therefore simply to promote the objects. It is to promote the objects by considering and advising upon specified matters.

This remit must be considered in the light of what the then Attorney General, Michael Havers QC MP wrote when he reported to Parliament in his advice of 7

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	<p>June 1984.</p> <p>He said</p> <p>"It is in my view essential that subclause (3) of clause 8(a) continues to contain the words</p> <p>"shall use their best endeavours to give effect to such recommendations of the said committee as are expedient in the interests of the charity and as are consistent with the trust."</p> <p>It could be the position that the committee would come to a conclusion to give advice to the trustees which would conflict with their duties as charity trustees or not be expedient in the interests of the charity, It is essential that they are not placed in a position whereby to follow the advice of the committee would make themselves liable to a breach of trust. Furthermore advice given could be reasonable but could impose financial obligations on the trustees which they would not wish to accept."</p> <p>The objects of the charity</p> <p>The clearest statement of the objects of the charity is in the tailpiece to paragraph 17 in schedule 3 of the 1985 Act, reproducing the words that were in the same section of the 1900 Act. These are</p> <p>"that the park and other lands shall be maintained as an open space and the park palace and other lands shall be available for the free use and recreation of the public for ever."</p> <p>In <i>Alexandra Park Trustees and another v Haringey London Borough and others</i> 66 L.G.R. 306 decided in June 1967 by Mr Justice Pennycuik it was held that the 1900 Act</p> <p>"imposed on the trustees the duty to use the whole of the park and palace and to apply the income for purposes which were wholly charitable since the only substantive purposes were the free recreation of the public by the maintaining of the park and palace as a place of public resort and recreation and the provision of certain accommodation for volunteer forces and for recreational purposes."</p>
<p>APBO63.</p>	<p>MINUTES</p> <p>i. Unrestricted Minutes of the Alexandra Palace and Park Board – 21 October, and 5 November (Special) 2008, and 6 January 2009 (Special)</p> <p>On a MOTION by the Chair it was:</p> <p>RESOLVED</p>

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That the unrestricted Minutes of the Alexandra Palace and Park Board – 21 October, and 5 November (Special) 2008, and 6 January 2009 (Special) be agreed and signed by the Chair as an accurate record of the proceedings.

- ii. Minutes of the Alexandra Palace and Park Consultative Committee – 14 October 2008, and 17 February 2009

The Clerk advised that the minutes of the Consultative Committee of 14 October 2008 were for the Board to note, and also that the minutes of the meeting held on 17 February 2009 were not available. However there was a tabled paper with recommendations of the Consultative Committee for consideration in relation to the Palace Theatre, and also the Redston Field path which would be considered under agenda items 11 and 6 respectively.

NOTED

It was then:

RESOLVED

That the Minutes of the Alexandra Palace and Park Consultative Committee held on 14 October 2008 be received and noted.

- iii. Minutes of the Alexandra Park and Palace Advisory Committee – 10 February 2009 (TABLED) and recommendations for the Board to consider arising there from.

The Clerk advised that the minutes had been TABLED this evening but the recommendations arising from the meeting of 10 February 2009 had been circulated with the agenda (page 49 – attachment A).

N.B the recommendations are detailed below for ease of reference:

(a)the interaction between the Alexandra Park and Palace Board and the Statutory Advisory Committee, and Consultative Committee

RESOLVED

- i. That the Advisory Committee, in welcoming the views of the Chair of the Alexandra Palace and Park Board as expressed at the commencement of the meeting, in respect of talking individually with Members of the Statutory Advisory Committee, and also the Consultative Committee, asks that the Board considers the concept of having up to 2 joint meetings a year with both the Advisory Committee and Consultative Committee to talk about common issues and concerns in relation to the Park and Palace, in either an informal or semi formal basis;

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD
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- ii. That the Advisory Committee requests the Board's agreement, in terms of any future proposals for recreation or leisure activity /uses of the Park and specifically in relation to the new Heartlands School, that the Board seeks the views and advice of the Advisory Committee; and
- iii. That in respect of (ii) above the Board be referred to the Advisory Committee's remit, namely to assist and advise the Board to achieve its objectives within the Alexandra Palace and Park Act 1985, and it is not the intention of the Advisory Committee to hinder the Board in its management and operation of the Park and Palace;

(b) Alexandra Park entrance at Muswell Hill

RESOLVED

That the Board be asked to consider exploring a joint funding venture in conjunction with the local Community and external funders in respect of revamping and improving the entrance to the Park at Muswell Hill including a newly designed bridge and path.

(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

That in noting the written advice of the LB Haringey's Legal adviser that the Board was not obliged to consult the Advisory Committee regarding the granting of the gaming licence, with which it does not concur, the Committee requests the Board to consider, as part of its relationship and arrangements with the Advisory Committee, that in future it be consulted in respect of such applications as a matter of course.

- (d) The proposal 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 field and the old race-course to join the Lower Road at the eastern end of the car park**

RESOLVED

That the Alexandra Palace and Park Board be asked to note that the Alexandra Park and Palace Advisory Committee endorses the proposal of the Warner Estate Residents Association 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 field and the old race-course to join the Lower Road at the eastern end of the car park, and requests that the Board gives consideration to and approves the proposal as outlined.

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD
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The Chair asked Mr Liebeck - Chair of the Advisory Committee and Observer on this Board to give a brief explanation of each of the recommendations.

Mr Liebeck referred to (a) (i) in respect of the proposed joint meeting of the Statutory Advisory Committee, the Consultative Committee, and the Board and that as stated in the resolution it was felt that this would be an opportunity to come together as a collective body to discuss issues relating to the Palace and its future. Mr Liebeck felt that the meeting could be in the form of an AGM type arrangement.

Members expressed their support for the concept of a meeting in this vein which would be a useful event. However it was felt that there needed to be some clear structure to the actual event in the form of an agenda and topics for discussion.

The Trust Solicitor – Mr Harris commented that the Board needed to be mindful of the principles of the decision making process and the rules governing the relationship of the Board to its Sub Bodies. It was the case that it needed to be clear that the proposed event was not in the form of a formal meeting, but should be referred to as a Forum, and that in no way could the event be construed as a decision making process.

In thanking the Trust Solicitor for his clarification the Chair summarised and it was agreed that a 'Forum' type event take place in the early Autumn of 2009 –the details of which to be worked on by officers for further discussion.

In respect of (a)(ii) following clarification from Mr Liebeck the Chair summarised and it was agreed to note the comments expressed by the Advisory Committee, and that the issue be raised as part of the Board's further future discussions in relation to the governance of the Board and its relationship with the Advisory Committee.

In respect of (a)(iii) the Board noted the recommendation and comment of the Advisory Committee.

With regard to (b) the Board welcomed the recommendation and asked that the General manager explore the possible external/local community funding and report back to a future meeting of the Board.

In respect of (c) following clarification from Mr Liebeck the Chair summarised and it was agreed to note the comments expressed by the Advisory Committee, and that the issue be raised as part of the Board's further future discussions in relation to the governance of the Board and its relationship with the Advisory Committee.

In respect of (d) the Chair asked that this item be raised under agenda Item 6.

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD
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	<p>The Chair then summarised and it was:</p> <p>RESOLVED</p> <p>That the Advisory Committee be advised of the deliberations of the Board in relation to a-d above.</p>
<p>APBO64.</p>	<p>PARK UPDATE (ACTIVITIES)</p> <p>The Chair, in reference to the recommendations of both the Consultative Committee (tabled) and those of the Advisory Committee in relation to the proposed path at Redston Fields asked that the Board discuss this issue now at this point in the proceedings.</p> <p>Following clarification from Mr Liebeck in terms of the endorsement of the proposal by the Advisory Committee of 10 February 2009 in support of the proposal, (and adding that he himself was actually ambivalent), which was in tandem with that of the Consultative Committee the following week (17 February 2009) the Chair felt that consideration of the matter should be deferred pending a site visit by the Board, together with representatives of the Warner estate residents association. The Chair commented that his reasoning for this was because the actual citing of the path was not clear and some members of the Board were unfamiliar with the location. The Chair also added that personally he was unconvinced at the need for the path and that he did therefore think that clarity was required. The Chair referred to discussions at both the Advisory and Consultative Committees in relation to its location and the suggestion of members at the different location of the proposed path, and the existing desire lines of users of that area of the park.</p> <p>In sharing the views of the Chair the Board Councillor Stanton commented that in reference to the proposal there needed to be some professional opinion as to the merits of placing a path in the particular position together with a conservation view of the proposal. He expressed his concern that locating the path there could alter the character of the existing open space and therefore it was essential to have a professional study done of the proposal and the Board receive a briefing prior to a site visit. Councillors Dogus and Peacock shared the expressed concerns.</p> <p>In response to comments from Ms Paley in respect of the actual persons requiring the path and the likelihood of these users being the children living at Warner, Danvers and Redston Roads as a cut through to the school, Mr Evison responded that the Head Teacher had given her approval to the scheme.</p> <p>Councillor Hare commented on his expressed comments at the Consultative Committee with regard to the path being cited around the edge of field to join to the existing path which would then not encroach on the existing open space area. He shared the views of Councillor Stanton in terms of the need to ensure that the character of the open space was not changed and that there needed to be some conservation comment in relation to this.</p>

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(Councillor Oakes left the proceedings at 20.40hrs).

The Park Manager then gave a brief outline of the circulated report and responded to a number of question put to him from Members.

In respect of the proposed extension to the Deer enclosure the Chair felt that a site visit was necessary to consider the extension and its implications.

The trust Solicitor – Mr Harris advised the Board that in terms of both the Redston Path and the Deer extension these would require planning permission being sought from the LB Haringey, and in the vent of this both applications would be required to be considered by the Statutory Advisory Committee.

The Board then considered and discussed the concepts of uses for the Actual Workshop Building as detailed in paragraph 6.6 of the report. Mr Evison advised in terms of the 6 concepts received – the cycle shop and environmental community centre had been withdrawn.

There being no further points of clarification or comment, the Chair MOVED and it was:

RESOLVED

- i. that the contents of the report be noted;
- ii. that consideration of the proposals for a path at the Redston Field entrance to the Park be deferred pending a site visit, and that the Board receive a professional conservation evaluation of the proposals prior to the site visit;
- iii. that in tandem with the site visit referred to in (ii) above a site visit be arranged on the same date to visit the proposed extension to Deer enclosure;
- iv. that in respect of the concepts for the Actual Workshop approval be given to the concepts as detailed below noting that the concept for a cycle shop and environmental community centre had been withdrawn:
 - community café with arts and crafts activities
 - training centre for outdoor sports instructors
 - children’s soft play and refreshments
 - mini-golf
 - community art centre

The Clerk to the Board advised the Board that should the item regarding the proposed Redston Field Path, and Deer enclose extension be brought to the Board for formal consideration as a planning application then those Members of the Board who also sat on the LB Haringey’s Planning Committee would need to give some personal consideration as to declaring a personal and prejudicial interest and at where they would wish to give such declaration – either the Board or the Planning Committee, and that at whatever body they took part in the

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	<p>discussion and decision they would be unable to consider the matter at the other.</p> <p>NOTED</p>
<p>APBO65.</p>	<p>NINE MONTHS RESULTS TO THE END OF DECEMBER 2008 AND FULL YEAR FORECAST 2008/09</p> <p>The Chair asked for a brief introduction of the report.</p> <p>The Head of Finance – Alexandra Palace – Ms Downie reported that Board had agreed to set its net budget estimate for 2008/09 at £1.68m. This estimate included a net operating loss of £2.68m and a gift aid payment from APTL of £1m. In respect of the financial position of the Trust for the 9 months up to the end of December 2008, overall, income was £24k above budget and expenditure £179k below budget, giving a net favourable variance of £203k.</p> <p>In respect of the consolidated position (APPCT+APTL) Ms Downie advised that there was to be a short fall in APTL covenant which in effect would mean an overrun of the allocated budget from LB Haringey by £350k. The APTL management accounts had been prepared for the 9 months ending December 2008, together with forecast results for the year, and indications had now showed that the target of a net gift aid payment of £1m was not achievable, having a consequential impact on the deficit funding requirement from London Borough of Haringey.</p> <p>Ms Downie outlined the primary reasons as to why the trading company had been unable to achieve its target profit for the year;</p> <ul style="list-style-type: none"> • the APTL budget was set before the current recession was predicted. Whilst income for the year to December was broadly in line with budget, the economic downturn had had an impact on the company being able to secure the anticipated level of hires for the period January – March 2009 • Utility costs increased by roughly 100% from October/November 2008. The Trust was a member of the OGC, which negotiates utility prices with energy suppliers on behalf of a number of public sector bodies. Annual contract prices were fixed in advance. This had the advantage of greater certainty for budgeting purposes within the contract period itself but meant that there was a time lag between changes in oil prices and increases or reductions in utility costs. APTL currently bore 95% of the utility costs for the site, thus the increase had had a significant impact on the company's profits. • The budget for 2008/09 was drawn up using a number of assumptions based on the best financial information available at the time. The process was hampered by a lack of detailed financial information in some areas. This led to some incorrect assumptions being used in areas such as cost

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of hires and overheads.

- In some areas of the business, prices had remained static for two/three years whilst costs have increased, eroding the profitability of the business in these areas. The company was currently undertaking a review of prices in key areas; however, any decision to increase prices would now need to be taken in the context of the economic downturn.
- A lack of investment in the fabric of the building had made the Palace an increasingly difficult 'sell' for the Sales Team. Whilst the World Darts Championship proved that the Palace could be transformed into a world class venue with the right vision and investment, not all prospective clients would share that imagination and many would prefer a purpose-built venue already 'fit for purpose'.

In response to an number of points of clarification from the Board Ms Downie advised that the estimated gift aid payment was £450k which, combined with the forecast underspend of £201k, gave a net deficit of £2.03million. This would require a request being made to London Borough Haringey for extra funding of £349k in addition to the £1.7m already agreed.

Mr Oliver – representing the LB Haringey's Director of Corporate Resources advised that in terms of the extra funding emphasised the comments of the Chief Financial Officer of Haringey and that in terms of the current situation there needed to be some further thought as to how this could be handled in future years in order to have an earlier awareness of such issues. Mr Oliver expressed his concerns in relation to the risks between now and 31 March 2009 and the need to ensure that any potential issues were flagged as a matter of urgency.

In response to further points of clarification Ms Downie advised of the actions that had been taken now in order to minimise the shortfall including reducing to a strict minimum expenditure by the charity for the remainder of the year to ensure that the charity revenue deficit is minimised. Ms Downie reported that other than expenditure of a health and safety nature, non essential repairs and maintenance would not be commissioned and existing commitments were under review to reschedule works where possible so as to fall after year end, together with a limit on capital expenditure. Ms Downie further commented that expenditure on fixed assets for the year to December had been £44k, largely in the category of fixtures and fittings, which would be depreciated over four years. It was now not possible to make the targeted capital purchases that were proposed earlier in the year to assist the trading company. No further capital items would be purchased. Ms Downie highlighted the prime, fixed, and variable costs as detailed in para 6 of the report, and commented that variable overheads were £210k under budget due largely to planned underspends on building repairs and maintenance (£212k) and depreciation (£46k). Professional fees were £43k over budget, partly offset by a £27k underspend on Development costs.

The Board commented that there was a robust business planning mechanism which had shown relatively quickly the situation as regards the budget situation. The Board also commented on the positive features of the budget – namely the £568K assets in comparisons to other year trading figures for APTL.

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	<p>The Chair then outlined the recommendations for the Board to consider.</p> <p>Following the Chair's summary it was:</p> <p>RESOLVED</p> <ul style="list-style-type: none"> i. that the income and expenditure for 9 months to the end of December 2008 as detailed in the circulated report and summarised at Appendix I, together with the explanations for key variances given, be noted; ii. that the advice given by the Head of Finance Alexandra Palace be noted in respect of the effect of the reduced covenant expected from APTL, and that due to the need for additional financial support as a result of the effect of the reduced covenant expected from APTL, approval be given to seek a further £349K from the London Borough of Haringey; and iii. that the measures put in place by the charity officers to minimise the shortfall as outlined in (ii) above be noted: <ul style="list-style-type: none"> a) Freeze on all new commitments except urgent health and safety works. b) Freeze on capital expenditure. c) Rescheduling of committed works where possible.
<p>APBO66.</p>	<p>ACTION PLAN FOR REFORM OF GOVERNANCE OF APPCT (UPDATE NO 2)</p> <p>The Chair asked for a brief introduction of the report.</p> <p>The General Manager Alexandra Palace advised the Board that the report before it detailed progress with the action plan which had been adopted by the Board on 26 September 2008. This was the 2nd update and particular detailed the draft code of governance which had been drawn up in conjunction with the code in operation at the LB Haringey, as well as best practice from the charity sector. The draft code had been drawn up by an independent consultant – Ralph Tingle – from CIPFA Placements.</p> <p>In reference to the considerable detail of the draft code Mr Loudfoot advised that he proposed a half day away day specifically to discuss its contents, and he referred the Board to para 6.8 which detailed the invitees, and that in addition to those detailed he proposed that the Clerk to the Board also attend to assist in the process.</p> <p>The Board briefly discussed the contents of the draft code and sought clarification on some of the elements.</p> <p>In response to clarification as to whether the code was substantially different from</p>

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	<p>what had been in operation before the Trust Solicitor – Mr Harris – advised that in a sense the new draft code did not add anything to the documents that Board Members were given annually at the commencement of each Municipal Year. It did give some clarification as to the relationship with the LB Haringey, and the objectives of the Charity and how the Board of Trustees should operate. It was also the first occasion that such a document had been given to the Board to comment upon.</p> <p>Following further points of clarification as to the forthcoming proposed away day, the Chair summarised and it was:</p> <p>RESOLVED</p> <ul style="list-style-type: none"> i. that the progress to date in respect of the circulated action plan be noted; ii. that approval be given to the holding of an away day to discuss the draft code of governance and associated schedules with the invitation being extended to the 3 non-voting representatives on the Board, and that the Clerk to the Board be added to those officers attending; and iii. that a special Alexandra Palace and Park Board be convened following the proposed away day in order to formally adopt the draft code of governance.
<p>APBO67.</p>	<p>BUDGET AND BUSINESS PLAN 2009 - 2010 -</p> <p>The Chair, following an introduction of the report and brief discussion as to its contents advised the Board that given the lateness of the evening – 21.53hrs he asked whether the Board were in agreement to suspending standing orders at 22.00hrs to complete the business on the agenda.</p> <p>Members expressed their concerns at the lateness of the evening and felt that they would not consider suspending standing orders and to defer this item and subsequent items to a special Board meeting.</p> <p>Following clarification by the General Manager that the Board did need to consider an exempt agenda item that could not wait till mid March 2009 the Chair MOVED and it was agreed nemine contradicente that consideration of this and the remaining items on the agenda with the exception of exempt Items 13 & 14 be deferred to a special meeting of the Board in Mid March 2009.</p> <p>The Board agreed nemine contradicente the suspension of Standing Orders to complete Items 13 and 14 on the agenda.</p> <p>NOTED</p>
<p>APBO68.</p>	<p>CHARITY INDEMNIFICATION OF LONDON BOROUGH OF HARINGEY</p> <p>ITEM DEFERRED</p>

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APBO69.	NEW ITEMS OF UNRESTRICTED URGENT BUSINESS ITEM IN RESPECT OF THE PALACE THEATRE BE DEFERRED
APBO70.	EXCLUSION OF PUBLIC AND PRESS AGREED
APBO71.	MINUTES - AGREED
APBO72.	TENDER FOR INSURANCE OF THE PALACE AND PARK AGREED RECOMMENDATIONS AS CONTAINED IN THE REPORT
APBO73.	TENDER OF THE SECURITY FUNCTION OF THE PARK AND PALACE - TO FOLLOW Deferred
APBO74.	NEW ITEMS OF EXEMPT URGENT BUSINESS: NIL

The meeting ended at 22.19hrs.

COUNCILLOR PAT EGAN
Chair

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In a succinct introduction the General Manager – Mr Loudfoot advised the Board that the report that had been circulated with the agenda was actually an earlier draft and was therefore an incorrect version. The correct report was now TABLED for the Board's consideration. Mr Loudfoot apologised to the Board for this error which was solely his own. The error had been rectified in terms of the web copy of the agenda.

Mr Loudfoot then took the Board through the TABLED report and advised that the report recommended that the Board formally request financial support of £2.0m from LB Haringey Council. Mr Loudfoot briefly outlined the capital requirement of £300k for 2009/10 and the requirement to make a formal request to the LB Haringey for this funding. The depreciation amount that would generate would be already included in the overall revenue budget. The budgeted out-turn, was £2,003,965. The trust's funds had continued to be in deficit and in consequence this amount of funding support would have to be requested from the council. Though the operating loss of £2.60m before the covenant was lower than the 2008/9 budget figure of £2.68m, the effect of the reduced available covenant was that the budgeted funding required from the council would rise to £2.0m for 2009/10.

The Chair asked if there were any points of clarification.

In response to clarification from Board Members with regard to capital support Mr Loudfoot advised that the LB Haringey had not agreed to the requested £210k of capital support in 2008/9 and only a very limited number of essential items were purchased. The requirements this year amounted to £300K, and that this funding was essential to the function of APTL in delivering the events programme. With reference to the Council's budget for support to the Board this had been agreed at £1.728m, and therefore if the trustees were to agree the budget they would need to notify the council of the additional support above that which the council had already agreed.

In respect of concerns expressed in terms of the future of the ice rink Mr Loudfoot outlined the current risk of failure of the ice rink plant due to its age and an associated risk of significant impact upon the budgeted gift aid from APTL if the ice rink was unavailable for any length of time. The Board were informed that officers of APTL and the Charity were examining the options and preparing contingency plans. Mr Loudfoot also advised that a feasibility study/business case for the replacement of the aged plant in the ice rink should be considered as the risk of failure of the ice rink plant would have a significant impact upon the out-turn due to lost income and that replacement of the plant would require in excess of £1.1m capital. It should also be noted that there was no indication at this point that the council would be willing to fund the works.

With reference to comments from the Board as to how the budget had been compiled Mr Loudfoot referred to the budget estimate attached at Appendix 1 of the report, and that the budget had been drawn up with full consideration of the current economic climate as well as the need to undertake various works to the building to prevent any further deterioration of the fabric and ensure the target gift aid payment from APTL could be delivered. In respect of considering the budget and as part of the budget process, the Board were required to consider the setting of the Licence fee to APTL, which could be reviewed if required, though

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Mr Loudfoot advised that given the current economic climate a rise would not be advisable. The Board was being recommended to delegate authority to the General Manager to review and set the licence fee.

In seeking clarification as to why the Board were being asked to agree to the delegation, given the recent history of the licence arrangements Mr Mitchison – LB Haringey Legal adviser commented on the fact that 4 Board members were Directors of APTL and this therefore precluded them from considering matters directly relating to APTL therefore it was appropriate operationally to have authority delegated to the General Manager. In response to further points of clarification the Trust Solicitor – Mr Harris advised that the fee level was based in previous years on the professional opinion of valuers and adopted as an agreed fee based on that professional advice. The fee had been based on figures obtained in 1999, and increased once to allow for the usual rises etc but he was unsure as to whether a professional valuation had been sought since that date.

Mr Loudfoot explained that the trading company covenanted all its profits to the charity so that all things being equal, any change in the level of the fee would be reflected in the covenant.

In response to points of clarification in terms of budget planning for a 3 year period. Mr Loudfoot explained that until the trustees had determined a future strategy it was not possible to have prepared a three year plan as had originally been suggested. This plan was aligned with the timescales of the current APTL plan which was also for 1 year.

In response to questions relating to the budget provision for the future development Mr Loudfoot commented that in respect of the future of the asset, that if the development route were to be continued then additional funding would need to be provided, though this would be dependent upon the outcome of the trustees' deliberations which were currently ongoing. The budget currently only allowed for £30k for this, and the figure could only be considered sufficient for initial feasibility, and therefore any further work to be undertaken, e.g. a substantive marketing and consultation exercise, would require additional funding to be identified.

In terms of comments from Board Members in respect of any likely claim from the Firoka Group the Chair commented that at this stage no such claim had been received and that therefore it was speculation as to what if any that figure might be.

In highlighting the trust's income being derived from income from community events in the park, and concession income, including the licence fee from APTL, Lease income, Service charges for leased buildings, and the APTL gift aid payment (estimated at £600k), Mr Loudfoot advised that prime costs expenditure was limited to staffing costs for the management/governance of the charity; planned maintenance to the main building and security provision for both the building and the park. The total prime costs was £1.5m of which £918k was allocated for security and engineering maintenance contracts.

Mr Loudfoot advised that in terms of fixed and variable overheads, the fixed overheads total of £401k had within it NNDR for the Palace, general insurances

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including public liability, audit fees, legal costs and central administrative charges which cover the committee secretariat for the servicing of five meetings each administrative cycle, postage and the use of the service by associated bodies. The variable overheads amounting to £1.02m reflected ongoing repairs to the building and equipment. Specific repairs and maintenance planned for the year total £376k. Mr Loudfoot also highlighted professional fees of £97k which covered on-going legal advice, consultant support and marketing as well as the financial and HR support provided by the trading company. The £142k of expenditure on park maintenance and cleaning had been included in order to maintain the benefits achieved via the HLF Project which was now completed, and resulted in the award of a Green Flag.

Mr Loudfoot further stated that the Charity's revenue budget included depreciation on existing assets of £101k and on new capital purchases of £56k for the year, being based on capital purchases of £300k during the course of the financial year. This budget had been set in consultation with the trading company and consisted of capital purchases which were essential to the delivery of the target gift aid payment for 2009/10. Mr Loudfoot referred to the most urgent needs – being the replacement of flooring for west hall; the industrial dishwasher; cleaning machines and equipment for halls; the expansion of IT capability to include events diary and remote access; Serveries and catering equipment refresh programme; A/V and wireless IT facilities in meeting rooms.

Mr Loudfoot advised that it would be necessary to formally seek approval from the local authority in respect of the capital budget, and officers from the LB Haringey had suggested this be supported by specific business case submission to the council. The Board should note that APTL's business plan upon which the covenant is based assumes the capital funding be provided and the covenant will be negatively affected without this expenditure.

In response to a request for further information relating to central administration costs and charges Mr Loudfoot undertook to write to all Board Members with a breakdown of such costs.

The Chair in drawing the discussions to a close thanked the Board for its contributions.

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

RESOLVED

- i. That in respect of the Budget for 2009/2010 approval be given to the levels of expenditure as detailed in Appendix 1 attached to the report;
- ii. That authority be delegated to the General Manager Alexandra Palace to set the Alexandra Palace Trading Limited (APTL) licence fee for 2009/2010 subject to such professional advice as may be necessary.
- iii. That the London Borough of Haringey be formally requested to agree to provide the sum of £2.0m out of its corporate resources,

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	<p>required to balance the revenue budget for 2009/10;</p> <p>iv. That the London Borough of Haringey be formally requested to provide £300k of capital funding for 2009/2010; and</p> <p>v. That the London Borough of Haringey be advised that once the Alexandra Palace and Park Board has formally decided upon its future direction in terms of a development project for the future of the asset, that should there be a requirement of additional revenue funding support in the 2009/2010 financial and beyond, then such funding will be formally sought from the LB Haringey for this purpose.</p>
<p>APBO79.</p>	<p>CHARITY INDEMNIFICATION OF LONDON BOROUGH OF HARINGEY</p> <p>The General Manager – Alexandra Palace – Mr Loudfoot advised the Board that report before it examined the position in relation to monies expended by the London Borough of Haringey out of its corporate assets on behalf of the Charity and shown in the Charity's accounts as liabilities due to the Council but which have been written out of the Council's accounts. It also examined the position as regards the Council continuing to fund the Charity's ongoing annual deficits. It invites the Trustees' guidance as to the approach they wish to be taken toward the Council.</p> <p>In terms of the background to the matter Mr Loudfoot gave a brief history since the Trusteeship of Alexandra Palace was transferred to the London Borough of Haringey (LBH) on the 1st January 1980. Following the Palace being devastated by a fire in the summer of 1980 and in the following rebuilding of the palace, costs overran and Charity funds were exhausted in 1987/88. The Council expended its corporate funds on providing capital for the refurbishment and also revenue support to meet the continuing annual revenue deficits of the trust.</p> <p>Mr Loudfoot further advised that during the early 1980's the LB Haringey (LBH) tried to persuade the Attorney General that it had behaved reasonably and properly both as regards meeting capital expenditure and funding the annual ongoing revenue deficits. The position was eventually agreed that certain sums could be recovered from the assets of the Charity if and when its financial future was secured and parts of the historic and ongoing annual revenue deficits could similarly be recovered. The definitive position was set out in correspondence between LBH and the Attorney General in the period May 1996 to September 1996 and the public interest report of the District Auditor dated 1 September 1999. This was at a time when the Trustees proposed to grant a long lease from the capital proceeds of which they would repay monies to LBH. The LBH Council met on 30th May 1996 and agreed that <i>"without admitting that any part of the accumulated deficits were other than reasonably and properly incurred on behalf of the Charity, advise the AP&P board that the Council will not pursue its claim for indemnification beyond the revenue deficits plus interest 1987/88 onwards"</i>. This effectively resolved the issue of the capital debt. The Council also decided that <i>"the Council agreed in principle to continue to funding, subject to its right to full indemnification, for annual deficits on APP&P until the Palace becomes the responsibility of the preferred developer. In addition such funding is subject to the</i></p>

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Councils satisfaction as to the progress made on the development proposals.”

Mr Loudfoot further reported that by September 1996 the agreed position between the Council and the Attorney General was that the Council would write off the capital debt as it was not recoverable from the Charity but would still seek recovery of the revenue debt for the operation of the Charity. The entitlement of the Council to seek recovery was subject to the future of the Charity being secured and it being in a position to make payment.

In advising that these matters were reported to the Board in the report of the trust solicitor in November 1996 (detailing the outlined and referenced background correspondence,) Mr Loudfoot advised that as the Board were aware the Charity produced a budget estimate each year for consideration and approval by the Board, all such budgets produced from the financial year 1991/92 and onwards had shown a deficit budget requirement. The accounts of the Charity had been independently audited, in accordance with the provision of the Charities Act 1993 and regulations thereunder, since 1997/98 financial year. The accounts from 1994/95 onwards showed a debt due by way of a provision for the years 1990-1991 and an indemnification to LBH in respect of 1991 onwards. This was in line with the advice from the correspondence with the treasury solicitor, and broken down as follows:-

- (a) provision for 1988/99-1990/91 £3,396,000.

This figure was comprised of £755,000 provided by LBH to the Charity and accumulated interest of £2,641,000

This was in respect of the operational deficits from 1988-1991 and was still in dispute.

The trust annual report indicated at note 18 on page 29 of the agreed Accounts for 2007/8 that the Council “may be entitled to this”.

- (b) provision for 1991/2-1994/5 £14,886,000

This figure was comprised of £5,005,000 provided by LBH for operational deficit and accumulated interest of £9,881,000

- (c) Indemnification for 1995/6 - 2007/8 £19,082,000

This figure was comprised of £14,228,000 provided by LBH for operational deficits and accumulated interest (up to 31/3/2005) of £4,854,000.

The Treasury Solicitor had agreed in correspondence that in respect of the indemnifications at b & c above that “the Council is entitled to this”

Mr Loudfoot further reported that from 2005/6 onwards the Council ceased to charge interest on this balance as it had been written out of the Council’s

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accounts. At the Trustees meeting on 6 January 2009 the Trustees requested that a paper be submitted on the subject of the 'debt' and setting out the Trustees' options. The current position in the statutory accounts was that the provision was shown as a liability to the Council.

In the 2007/8 accounts, the total liability was £37,363,918. It was clear that the treatment of this item had been agreed by the Attorney General, district auditor and the Charity's auditors. It was equally clear that unless the Council formally discharged the debt the Trustees must continue to show this as a liability in their accounts.

Mr Loudfoot further advised that during discussions on 6 January 2009, in answer to questions relating to the 2007/8 accounts, he had stated that his understanding of the position of the Council was that "*it wrote the amount out of its books in 2005/6 and it no longer appears on its balance sheet, however, the Council has not formally discharged the debt and whilst there are no particular conditions surrounding any potential repayment, at present it would only be if circumstances allowed*".

In conclusion Mr Loudfoot advised that the options for the Trustees were that they may continue to accept the current treatment as this had been substantiated as correct or if they wished, to formally request that the Council release the Charity from any liability to indemnify the Council. It would be a matter for the Council, upon receipt of any request from the Trustees for release, to make its decision. Mr Loudfoot further concluded that the Trustees should note that if the Council were to agree to this discharge, it would need a further agreement to discharge any further annual deficit balance otherwise the trust would again begin to have a mounting deficit showing on the balance sheet.

The Board then had a wide ranging discussion in respect of the issues raised by the General Manager, and received responses to points of clarification from the General Manager, and Trust Solicitor. Arising from the discussions the main points were:

- That the outlined position in terms of the provision for 1988/99-1990/91 £3,396,000, and provision for 1991/2-1994/5 £14,886,000, Indemnification for 1995/6 - 2007/8 £19,082,000 was clear in terms of the course of action open to the Board in terms of asking the Council in terms of discharge;
- Particular concerns as to whether, given the fact that the position as regards to three periods was clear, the options for the Trustees were that they may continue to accept the current treatment as this had been substantiated as correct, as opposed to seeking the agreement of the Council in terms of discharge;
- That the debt issue had historically been referred to as 'so called debt issue' and therefore should be referred to as such as opposed to 'claim'
- Whether there was any merit in seeking the agreement of the LB Haringey to annually discharge any future accumulation of debt from the operating deficits of the Charity

The Chair sought an adjournment at 20.54hrs which was agreed nemine contradicente.

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	<p>The Board adjourned at 20.54hrs and reconvened at 20.58hrs.</p> <p>On a MOTION by the Chair there being 4 for (Councillors Egan, Hare, Peacock, and Williams) and 1 against (Councillor Stanton) it was:</p> <p>RESOLVED</p> <ul style="list-style-type: none">i. That in respect of discharging the trust from the debt relating to the periods 1988 – to 2007/08 that LB Haringey be requested, having already written the debt out of its books in 2005/06 though it was entitled to indemnification, to release the Charity from the indemnifications;ii. That it be not agreed to request the LB Haringey to discharge annually any future accumulation of debt from the operating deficits of the Charity. <p>There being no further business to discuss the meeting ended at 21:00hrs.</p>
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COUNCILLOR PAT EGAN
Chair

UNRESTRICTED MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE - TUESDAY, 17 FEBRUARY 2009

In attendance;

Councillors: *Egan, *Dogus, *Hare, Oakes *Peacock, *Stanton 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 (Ms Hutchinson deputising)
Bounds Green and District Residents' Association	*	Mr K. Ranson
Friends of Alexandra Park		Mr G. Hutchinson
Friends of the Alexandra Palace Theatre	*	Mr N. Willmott
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 (Mr Williams deputising)
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
 Rebecca Kane – Managing Director, Alexandra Palace trading Limited (APTL)
 Mark Evison – Park Manager, Alexandra Palace
 Clifford Hart – Clerk to the Committee – Committees Manager – LB Haringey

MINUTE NO.	SUBJECT/DECISION	ACTION BY
APCC54.	APOLOGIES FOR ABSENCE	
	Apologies for absence were received on behalf of Kevin Pestell, John Apperley, Gordan Hutchinson, Caroline Hayter (for whom Ms J Hutchinson was substituting) and Val Paley (for whom Me H Williams was substituting), and also from Paul Brayebrooke - APTL.	

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	<p>NOTED</p>
APCC55.	<p>URGENT BUSINESS</p> <p>The Chair sought clarification as to whether there were any items of urgent business.</p> <p>The Clerk to the Consultative Committee advised that he had been notified of an item of business raised by Mr Willmott on behalf of the Friends of the Theatre relating to a question to the Board regarding the Board's policy towards the AP Theatre and as a request to the board to discuss and outline its policy.</p> <p>The Chair agreed to take the item under urgent business.</p> <p>NOTED</p>
APCC56.	<p>DECLARATIONS OF INTERESTS</p> <p>There were no declarations of interests.</p> <p>NOTED</p>
APCC57.	<p>MINUTES</p> <p>i. Minutes of the Alexandra Palace and Park Consultative Committee – 14 October 2008</p> <p>The Committee briefly discussed the circulated minutes and queried the figure quoted in page 8 – penultimate paragraph of £750K for the overall running costs per annum for maintaining the Palace. Following clarification from the General manager of the inaccuracy of the figure the Chair asked that the minutes be corrected, and that the correct version be circulated to the Committee, and posted on the web. The Committee also queried the name quoted in page 10 – ‘Mark Thomas’ and that this should read ‘Mark Thompson’.</p> <p>There being no further comments it was;</p> <p>RESOLVED</p> <p>That the minutes of the Alexandra Palace and Park Consultative Committee held on 14 October 2008 be agreed subject to the amendment at page 7 of the minutes and amendment at page 10, and that the amended minutes be circulated to the Committee for information, and placed on the web.</p> <p>ii. Minutes of the Alexandra Palace and Park Board – 21 October, & 5 November 2008, and 6 January 2009</p> <p>RESOLVED</p>

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That the minutes of the Alexandra Palace and Park Board held on 21 October, and 5 November 2008 (special) , and 6 January 2009 (special) be noted.

Following a brief clarification and discussion in relation to the issue of raising issues contained within the minutes as circulated when there was no opportunity to question items discussed under matters arising.

The Clerk advised that if Members had any matters they wished to raise then they could do so at this point. The Clerk also advised that if there were any issues the Committee wished to put to the Board then this could be done via a resolution agreed upon by the Committee, or also channelled through the three Consultative Committee members who sat on the Board.

Mr O'Callaghan commented that he wished to raise an issue in relation to the operation and performance and activities etc at the Palace, together with the deliberations of the Board, as partly reflected during the discussion at the Board on 6 January 2009 in relation to the Accounts, and sought clarification as to whether the accounts had been unanimously agreed and signed off.

The Chair, in response advised that he would take the item under any other business.

NOTED

- iii. Minutes of the Alexandra Park and Palace Advisory Committee – 7 October 2008, and 10 February 2009

The Clerk advised that the minutes of the meeting held on 10 February 2009 were not available.

RESOLVED

That the Minutes of the Alexandra Park and Palace Advisory Committee held on 7 October 2008 be noted.

APCC58. PARK ACTIVITIES UPDATE

The Chair 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.

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The Committee then raised the following points of concern;

- The difficulties with the Thames Water work at the Bedford road end of the lower road and the resultant difficulties with traffic movement etc and the expected completion of the works the following day;
- issues relating to pathway surfaces and the preference to gravel as opposed to the use of tarmac (being visually un-natural in landscaping terms);
- the problem with drainage in the general vicinity of the upper part of the Lower Road with running off of water , and issues of drainage blocking and urban flooding in the vicinity of the Park, and also across the Borough, and in London as a whole;
- the issue of restricting speed of vehicles across the Park given the number of vehicles exceeding speed limits, including buses , and the need for some clear indication of the Park entrances now that the gantries no longer were at each end, and the need for signage at both ends of the Park stating 'you are entering/leaving the Park' to celebrate the fact that a Park was what was being driven through, as well as clear speed restrictions of 20 mph;
- the usage of the road as a cut through, and its status as a private or public road and the consequential maintenance/upkeep costs and whether such cost should be met solely by the Trust, or with a contribution by the Mayor of London/TfL;
- the proposed expansion of deer enclosure which would require planning permission, and the issue of the increase in 'Lime Disease' which can be contracted from Deer and the need to ensure regular checks by vets to ensure prevention;
- the absence of byelaws on the notices boards around the Park and whether these could be placed on notice boards;
- Discussions in relation to pros and cons of the proposals by Warner Estate Residents Association in respect of a proposal for a 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, and the Committee's discussion in relation to 'desire lines' for the path across the particular area, and the Committee's endorsement (on a vote of 7 for, and 6 against) of this proposal for recommending to the Board, noting that the proposal will be considered by the Alexandra Palace and Park Board on 24 February 2009, and endorsed by the Alexandra Park and Palace Advisory Committee on 10 February 2009;

There being no further discussion it was:

RESOLVED

- i. that the report and discussions be noted;
- ii. that the Park Manager be asked to investigate the possibility of for signage at both ends of the Park stating 'you are entering/leaving the Park' to celebrate the fact that a Park was what was being driven through, as well as clear speed restrictions of 20 mph;
- iii. that the proposals by Warner Estate Residents Association in respect of a proposal for a all-weather path to replace the present informal, and

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	<p>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, be endorsement for recommendation to the Alexandra Palace and Park Board on 24 February 2009.</p>
<p>APCC59.</p>	<p>FORTHCOMING EVENTS</p> <p>The Chair asked for a brief introduction o the report.</p> <p>The Managing Director of Alexandra Palace Trading Limited (APTL) – Ms Kane, referred to the circulated report and the events shown therein. Ms Kane confirmed that those events shown in <i>italics</i> were yet to be confirmed, and she also highlighted the 3 large events confirmed – the Bike, Dinghy, and Railway modelling exhibitions. Ms Kane commented on the knock on effects of the recession and the fact that people did not have as much readily available disposal cash therefore this would have an influence but the sales team at APTL were currently working to secure events that were yet to be confirmed.</p> <p>In commenting on the number of successes during the past year Ms Kane made particular reference to the Darts event during late December to early January 2008/09 and its high attendance, noting that the event hosted up to a max of 2500 on any one day. The other main event s were the Annual Fireworks display and also the immensely popular Knitting and Stitching event, which showed the each attracting a diverse range of attendees.</p> <p>The Committee then discussed the report and Ms Kane responded to a number of comments in relation to individual events.</p> <p>Arising from the discussions the Committee commented on the issue of publicity for free events that were available at the Palace, citing in particular the event that took place in late December in terms of the tour of the Palace, especially the part that involved the Theatre and TV studios., and how such publicity could be improved. Ms Kane confirmed that the website was currently being revamped which would go some way to improve this. In response to other comments Mr Loudfoot and Ms Kane confirmed that public events were shown on notice boards in and around the Palace and Mr Loudfoot undertook to review the matter of public information in and around the Palace and Park, in conjunction with Mr Evison.</p> <p>Further discussions also ensued in relation to the monies collected at the Fireworks event and whether this money could be put back into the up keep of the studios/theatre and other parts of the Palace.</p> <p>Mr Loudfoot undertook to report the matter to a future meeting of the Committee in respect of the income share out for such events including a breakdown of the amounts etc.</p>

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	<p>RESOLVED</p> <p>That the report be noted.</p>
<p>APCC60.</p>	<p>ITEMS REQUESTED BY NOMINATED REPRESENTATIVES</p> <p>(i)</p> <p>Professor Hudson raised the issue of the proposal for a path at Redston Fields as detailed in the circulated document by the Warner Estate Residents Association.</p> <p>In detailing the proposal as circulated, Professor Hudson commented that the matter had also been discussed by the Statutory Advisory Committee, who had endorsed the proposal for consideration by the Alexandra Palace and Park Board.</p> <p>The Committee then had a lengthy discussion in relation to the proposals, the main points being:</p> <ul style="list-style-type: none"> • the direction of the proposed path across an area originally intended for a football pitch and by having such a path would prevent such usage in the future • the natural 'desire lines' of individuals using the area currently and where the best possible sighting would be • the number of people actually desiring the path to be placed in this location and whether there had been a survey carried out of residents in the near vicinity to the Redston entrance • whether the path could be routed around the edge of the Park up towards the Lower Road, to the existing path which would then conserve and keep the green space intact • the need to ensure the proliferation of tracks and 'desire' lines stops and by the introduction of such an outline edge path would prevent such proliferation • the need for a visual idea of the path and the likely need for a site visit • the need for clear professional advice in terms of the proposed path and its overall effect on the existing green space etc <p>Following a summary by the Chair, on a show of hands there being 7 for and 6 against, it was:</p> <p style="text-align: center;">RESOLVED</p> <p>That the Alexandra Palace and Park Board be asked to note that the Alexandra Palace and Park Consultative Committee endorses the proposal of the Warner Estate Residents Association 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</p>

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	<p>Road playing field and the old race-course to join the Lower Road at the eastern end of the car park, and requests that the Board gives consideration to and approves the proposal as outlined.</p> <p>The Clerk reminded the Councillor Members that should the matter be brought to the Board then should it endorse the proposals, which would require planning permission, those Board Members sitting of the LB Haringey's Planning Committee would require to declare their interest and if were to agree the proposal at the Board, and would then have to not take part in consideration of the item at that Committee.</p>
<p>APCC61.</p>	<p>ANY OTHER BUSINESS</p> <p>i. The Chair advised of the item raised by Mr Willmott on behalf of the Friends of the Theatre relating to a question to the Board regarding the Board's policy towards the AP Theatre and as a request to the board to discuss and outline its policy. Mr Willmott thanked the Chair for allowing this item and commented on the issue of the Theatre which was one that needed to be clarified by the Board in terms of its future intention as to its future usage/renovation. In briefly outlining the history of the theatre usage and the current situation the Board now found itself in terms of moving forward with a blank canvass the Theatre group were asking through this committee that the Board states its short and long term views as to the Theatre's future. The existing facility could be improved by the introduction of some effective heating which would make the space useable for both rehearsal and small production.</p> <p>The Chair responded that the core Trustees were currently having a number of away days where it was discussing the blank canvass and he stressed that no idea of concept was being ruled either in or out. One of the issues that no doubt would be discussed was the issue of the Theatre and studios. Following on from the informal away days it was proposed to have some widened discussions in a similar vein to have an idea of what the representatives of both this, and Advisory Committee would see the future of the Palace.</p> <p>Arising from the further discussion a number of points were raised including:</p> <ul style="list-style-type: none"> • the possibility of making a business case for the securing of further funding in the form of grants to improve the fabric, and heating of the theatre, and studios through national organisations such as the National Trust/English Heritage • the previous difficulties in attempting to have the theatre used as was intended and the spiralling costs that that detailed and the lack of existing funds to improve the theatre currently • the fact that the theatre in its 'heyday' since 1924 had failed to attract interest or money and whether this was still the case today • the concept of theatre production was welcomed particularly for certain types of Victorian melodrama/Dickensian type productions given the current state of the theatre • the possible usage of the theatre and studios as a place for rehearsals, show cases which in themselves were concepts not unachievable

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The Chair then summarised and it was:

RESOLVED

- i. That the Alexandra Palace and Park Board be asked to note that the Alexandra Palace and Park Consultative Committee discussed the future of the Alexandra Palace theatre in the context of possible utilization of the existing facility for possible usage for workshops, theatre production and events, and that the Board be asked to consider whether there were any possible avenues open to it in order to further this request; and
- ii. That the General Manager Alexandra Palace be asked to prepare a short briefing paper outlining the past history of the theatre and a response to the Consultative Committee's request .

ii. Issue raised by J. O'Callaghan

Mr O'Callaghan

Mr O'Callaghan commented that he had wished to raise an issue in relation to the operation and performance and activities etc at the Palace and whether the issues of concern could be clarified. However, he advised that during discussions this evening a number of his concerns had been aired and discussed and he was much reassured as a result and would be raising any further point in this respect. However he sought clarification in relation to the recent deliberations of the Board, as partly reflected during the discussion at the Board on 6 January 2009 in relation to the Accounts, and whether the accounts had been unanimously agreed and signed off.

In response, the General Manager advised that the Accounts had been signed off by the Board and forwarded to the Charity Commission.

Councillor Williams clarified that there had been some issues in relation to the narrative of the accounts and some proposed changes put forward by 3 Board members but these had not been incorporated, and consequently the accounts had not been signed off by 3 Trustees.

NOTED

In response to a point of clarification by Mr Ballard relating to the review of the strategy the Chair advised that this matter formed part of issues relating to Governance and the action plan that the Board would be considering at its next meeting.

NOTED

**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE.
TUESDAY, 17 FEBRUARY 2009**

The meeting ended at 21.40hrs

COUNCILLOR PAT EGAN

Chair

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**UNRESTRICTED MINUTES OF THE ALEXANDRA PALACE AND PARK PANEL
TUESDAY, 3 MARCH 2009**

Councillors Egan (Chair), Peacock and Hare

Apologies Councillor Williams and Dogus

Also Present: Mr D Loudfoot – General Manager Alexandra Palace
Mr C. Hart – Committees Manager – LB Haringey

MINUTE NO.	SUBJECT/DECISION	ACTION BY
APSC31.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence were received on behalf of Councillors Dogus, and Williams.</p> <p>NOTED</p>	
APSC32.	<p>URGENT BUSINESS</p> <p>The Clerk to the Panel advised that there were no additional reports in relation to Item 5 on the agenda. The General Manager would give reasons for urgency and lateness when introducing Item 5.</p> <p>NOTED</p>	
APSC33.	<p>DECLARATIONS OF INTERESTS</p> <p>There were no declarations of Interests.</p> <p>NOTED</p>	
APSC34.	<p>EXCLUSION OF THE PUBLIC AND PRESS</p> <p>RESOLVED</p> <p>That the press and public be excluded the from the meeting for consideration of Item 5 as it contains exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); namely information relating to the business or financial affairs of any particular person (including the authority holding that information).</p>	
APSC35.	<p>TENDER OF SECURITY FUNCTION OF THE PARK</p> <p>AGREED RECOMMENDATIONS AS DETAILED IN THE REPORT</p>	

**MINUTES OF THE ALEXANDRA PALACE AND PARK PANEL
TUESDAY, 3 MARCH 2009**

The meeting ended at 09.27hrs.

COUNCILLOR PAT EGAN

Chair

**MINUTES OF THE ALEXANDRA PALACE AND PARK PANEL
WEDNESDAY, 29 APRIL 2009**

Councillors Egan (Chair), Peacock and Hare

Apologies Councillor Williams and Dogus

Also Present: David Loudfoot (Alexandra Palace and Park General Manager), Mark Evison (Alexandra Park Manager), James Goldberg (Head of Catering), Natalie Cole (Committee Co-ordinator)

MINUTE NO.	SUBJECT/DECISION	ACTION BY
APSC01.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence were received from Cllrs. Dogus and Williams. An apology for lateness was received from Cllr. Hare.</p>	
APSC02.	<p>URGENT BUSINESS</p> <p>There were no additional reports in relation to Items 4 and 6 on the agenda.</p>	
APSC03.	<p>DECLARATIONS OF INTERESTS</p> <p>There were no declarations of interest.</p>	
APSC04.	<p>PROPOSED LEASING OF THE 'WORKSHOP' BUILDING IN THE GROVE, ALEXANDRA PARK</p> <p>RECEIVED the report of Mark Evison, Alexandra Park Manager.</p> <p>NOTED:</p> <p>Mark Evison provided Panel Members with further details of the five tenders and the scoring procedure. He explained that some tenders requested the lease to be rent free for a period of time, in order that they could carry out the necessary refurbishment of the building.</p> <p>In response to questioning from the Chair, Mark Evison explained that responsibility for maintenance and repairs within the boundary fence of the Workshop building would be included in the lease.</p> <p>In response to a question from Cllr Peacock, Mark Evison stated that delivery access would be permitted via the path to the Workshop building but the lease would not allow any other vehicular access or parking in the area.</p> <p>Cllr Hare suggested the lease should include that any signage advertising the new business would need to be consistent with advertising in the Palace and Park and must be approved by the relevant department. Cllr Peacock suggested that the new business be</p>	

**MINUTES OF THE ALEXANDRA PALACE AND PARK PANEL
WEDNESDAY, 29 APRIL 2009**

advertised on existing Palace and Park signage at a cost to the leaseholder. David Loudfoot (General Manager, Alexandra Park and Palace Charitable Trust) explained that this would be part of the lease and that advertising for any other business would not be permitted.

Mr Evison advised the panel:

- The lease would include that all relevant licenses, permissions and checks must be obtained and maintained by the leaseholder.
- The lease would contain usage and opening hours clauses (subject to the approval of the Trustees) specifically for children and café facilities, although the leaseholder would have the right to approach the Board for a change of use (which must be within the Alexandra Park and Palace Act 1985).
- In response to concerns raised by Cllr Hare, maintenance of the trees surrounding the Workshop would be excluded from the lease. Trees would continue to be maintained by the Palace and Park.
- In response to questions from Cllr Peacock, David Loudfoot explained that whilst any extension of the Workshop building's footprint would require planning permission this was something that officers would allow if it met the Trust's objectives and the appropriate permission was obtained.

In response to Cllr Hare's concerns about how the business would run alongside the Grove Kiosk, David Loudfoot explained that the successful tenderer would not be permitted to sell refreshments to be taken off the premises. This would ensure that the current business at the Grove Kiosk would not be lost.

In response to Cllr Peacock asking whether the business would have the opportunity to extend David Loudfoot stated that the tenderer's long term vision included having outdoor equipment, which would have to be consistent with the Park's equipment and approved by the Panel.

In response to concerns raised by the Chair, Mark Evison confirmed that adult entry to the business would only be permitted when accompanying a child.

David Loudfoot drew the Panel's attention to page 7 which stated that the Chief Finance Officer supported the recommendations.

On a motion by David Loudfoot it was:

RESOLVED:

- i. That the Panel notes the tender results matrix shown in paragraph 8.2 of the report.

**MINUTES OF THE ALEXANDRA PALACE AND PARK PANEL
WEDNESDAY, 29 APRIL 2009**

	<ul style="list-style-type: none"> ii. That the Panel notes the report of Strutt and Parker shown at Appendix 4 (exempt) and agrees to lease the building to Tenderer 3 as recommended in paragraph 8.3 of the report. iii. That the Panel delegates to officers and legal advisors the power to conclude negotiations and finalise lease terms subject to the items discussed at the meeting held on 29th April 2009 (noted in the minutes above). iv. That the Panel notes the requirement for the tenant to obtain Planning Permission prior to sealing of the lease. v. That the London Borough of Haringey's Corporate Services (Borough Solicitor / Head of Legal Services) be authorised to seal the finalised lease on behalf of the Board of Trustees. vi. That the Board receives a progress report from officers at the next regular meeting of the Board. vii. That should the appointed tender not proceed the lease would be reconsidered by the Board. 	
<p>APSC05.</p>	<p>EXCLUSION OF THE PUBLIC AND PRESS</p> <p>RESOLVED</p> <p>That the press and public be excluded the from the meeting for consideration of 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>APSC06.</p>	<p>PROPOSED LEASING OF THE 'WORKSHOP' BUILDING IN THE GROVE, ALEXANDRA PARK</p> <p>RESOLVED to agree the recommendations as detailed in the report.</p>	

COUNCILLOR PATRICK EGAN

Chair

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Agenda item:

Alexandra Park & Palace Advisory Committee

On 16 JUNE 2009

Report Title: **PARK ACTIVITIES UPDATE**Report of: **Mark Evison, Park Manager****1. Purpose**

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

2. Recommendations

2.1 That the Committee notes the report.

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

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

3. Executive Summary

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

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

4.1 N/A

5. Local Government (Access to Information) Act 1985

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

6. Description

Park Events

- 6.1 The Conservation Volunteers have been booked for another year as the tasks are very popular. Their most recent project is replacement of the chestnut pale fencing around the conservation pond. This fencing excludes people and dogs from the pond and its surrounds in order that birds can nest without disturbance.
- 6.2 A new hedgerow was to be planted along the boundary of the pitch and putt course. Native species such as hawthorn, hazel and field maple provide new nesting and foraging opportunities for birds and insects. The hedgerow was mulched with material recycled from tree and shrub pruning works.
- 6.3 The tasks take place on the second Sunday of each month from 10.00am and all are welcome to join in. Register interest by calling the *British Trust for Conservation Volunteers* on 020 7278 4294.
- 6.4 The Lakeside Café recently hosted an outdoor art exhibition called Good News. This follows the successful event last year and provides a great opportunity for park users to experience site-specific art produced by local artists.
- 6.5 The Friends of Alexandra Park recently hosted a *Park Open Day* in the Grove. The event saw the launch of the new Grove Nature Trail and park photo competition. The event was well attended by families who had the opportunity to plant sunflower seeds in recyclable pots and take a look at the birdlife through a powerful telescope.

Park Concessions – Workshop Building

- 6.6 The Workshop building in the Grove was advertised to let and five tenders were received. An urgent Panel of the Board was convened to consider the tenders on 29th April 2009.
- 6.7 The Trustees agreed to lease the building for a children's soft play centre and ancillary café. This will provide a high quality facility for the families in the local community.
- 6.8 The agreement is subject to planning permission and the tenant submitted a planning application on 15th May 2009.

Park Concessions – Pitch & Putt Course

- 6.9 The pitch and putt course has opened for the summer season. This year coaching and a kids club will be on offer and discounts offered at off-peak times.

Green Flag Award

- 6.10 Judging for this award took place on 29th May and the results will be announced in July. The contribution made by volunteers and community groups is greatly appreciated and forms a large part of our submission.

External Funding Bids

- 6.11 The Alexandra Park Ornithological Group have been shortlisted by Haringey Council for a 'Make a difference' grant. Their proposal is to improve the habitats available for birds and other wildlife in the area adjacent to the reservoirs.
- 6.12 The Environment Agency has contributed over £10,000 towards a project to improve the Boating Lake for fish and angling. New fish-refuges will be installed together with new aquatic vegetation. Two new fishing platforms will also be constructed to supplement the existing four.

Grounds Maintenance

- 6.13 The Grounds Maintenance team continue their work in all weathers and the park continues to attract compliments from users
- 6.14 A survey was recently sent to all members of the Board, the Advisory and the Consultative committees. The number of returns was disappointing but the results were very encouraging with most answers in the good or very good category.

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 A new tenant for the Workshop Building will secure a new income stream for the Trust.
- 9.2 The LBH Chief Financial Officer has been sent a copy of this report.

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Agenda item: No.

Alexandra Park and Palace Statutory Advisory Committee on 16 June 2009.

Report Title: **Forthcoming Events**

Report of: **Rebecca Kane, Managing Director, Alexandra Palace Trading Limited**

1. Purpose

1.1 To advise the Committee of the forthcoming events to March 2010.

2. Recommendations

2.1 That the Committee notes the report.

Report Authorised by: **Rebecca Kane**

Date.....

29.5.09

Contact Officer: **Rebecca Kane, Managing Director APTL 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 Rebecca Kane, Managing Director, Alexandra Palace Trading Limited, 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	Area
Farmers Market	7 Jun 09	Park
Turkish Folk Concert	13 Jun 09	GH
BTCV Conservation Tasks	14 Jun 09	Park
Farmers Market	14 Jun 09	Park
Farmers Market	21 Jun 09	Park
Cyprus Wine Festival	27 & 28 Jun 09	GH
Hornsey Carnival	4 Jul 09	Park
Farmers Market	5 Jul 09	Park
BTCV Conservation Tasks	12 Jul 09	Park
Organ Concert	12 Jul 09	GH
Farmers Market	19 Jul 09	Park
Family Funfair	26 Jul – 13 Sep 09	Pavilion
Farmers Market	2 Aug 09	Park
Farmers Market	9 Aug 09	Park
BTCV Conservation Tasks	9 Aug 09	Park
Organ Concert	19 Aug 09	GH
<i>Grand Carnival Splash</i>	<i>22 – 23 Aug 09</i>	<i>GH</i>
<i>Bird Watching Walk</i>	<i>30 Aug 09</i>	<i>Park</i>
<i>Success Resource Conference</i>	<i>29 – 31 Aug 09</i>	<i>WH</i>
Farmers Market	6 Sep 09	Park
Miracles of Ministries Conference	11 Sep 09 *	GH
BTCV Conservation Tasks	13 Sep 09	Park
<i>Best of India Gifts Expo</i>	<i>15 – 17 Sep 09</i>	<i>WH</i>
<i>London Open House</i>	<i>19 Sep 09</i>	<i>Theatre & Studio</i>
<i>Antique & 20th Century Fair</i>	<i>20 Sep 09</i>	<i>GH</i>
<i>Alzheimer's Memory Walk</i>	<i>20 Sep 09</i>	<i>Park</i>
Big Stamp Show	26 – 27 Sep 09	WH & PS
<i>Organ Concert</i>	<i>29 Sep 09</i>	<i>GH</i>
<i>Success Resource Conference</i>	<i>30 Sep – 4 Oct 09</i>	<i>WH</i>
<i>Cross Country Races (Chingford League)</i>	<i>Oct 09</i>	<i>Park</i>
<i>Knitting & Stitching Show</i>	<i>8 – 11 Oct 09</i>	<i>All Areas</i>
BTCV Conservation Tasks	11 Oct 09	Park
<i>British Inventors Show</i>	<i>14 – 17 Oct 09</i>	<i>WH</i>
<i>Friends of Amma Conference</i>	<i>21 – 23 Oct 09</i>	<i>WH, PR</i>
<i>Freestyle Festival</i>	<i>31 Oct & 1 Nov</i>	<i>All areas</i>
<i>Fungi Foray</i>	<i>1 Nov 09</i>	<i>Park</i>
<i>Metropolis Concert</i>	<i>5 Nov 09</i>	<i>GH</i>
Fireworks	7 Nov 09	Park, GH, WH
BTCV Conservation Tasks	8 Nov 09	Park
Forever Living Conference	14 Nov 09	WH

Event	Date	Area
<i>Fresh Business Thinking Trade Show</i>	17 & 18 Nov 09	GH, WH & PR
<i>Asian Wedding Show</i>	21 - 22 Nov 09	GH
<i>Organ Concert</i>	25 Nov 09	GH
<i>Antique & 20th Century Fair</i>	29 Nov 09	GH
<i>PDC World Darts Championship</i>	18 Dec 09 - 3 Jan 10	WH & PR
<i>Running, Fitness Show</i>	9 & 10 Jan 10	GH & WH
<i>Sth East Tourism Show</i>	16 Jan 10	WH/PR
<i>Model Engineering Show</i>	22 - 24 Jan 10	GH
<i>Make-up Show</i>	30 & 31 Jan 10	WH & PR
<i>Woodwork Show</i>	6 & 7 Feb 10	GH
<i>Antique & 20th Century Fair</i>	14 Feb 10	GH
<i>Motorcycle Show</i>	26 - 28 Feb 10	GH, WH & PR
<i>Dinghy Show</i>	6 & 7 Mar 10	GH, WH & PR
<i>Sparkle & Wow Wedding Exhibition</i>	21 Mar 10	PR
<i>Railway Modelling Exhibition</i>	27 & 28 Mar 10	GH & WH

Note: 1st Option Provisional Bookings are typed in *Italic*
 * Overnight event until 05:00

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 have been sent a copy of this report.

10. Equalities Implications

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

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Agenda item:

**Alexandra Palace Statutory Advisory Committee
16th June 2009**

Report Title: Variation to increase licenced capacity of the Great Hall for live music/concerts.

Report of: Mark De'Ath, Acting Head of Operations & Events

1. Purpose

- 1.1 This report is for information only and details Alexandra Palace Trading Limited's proposal to request from the London Borough of Haringey a variation in the Premises Licence enabling the capacity for live music/concert events to be extended from 7,250 to 10,400 inclusive of all staff.
- 1.2 An independent specialist consultant, Capita Symonds, from the events/live music industry has been engaged to undertake the technical work and calculation to investigate the possibility of increasing the capacity. Their findings and report are attached in Appendix I.
- 1.3 The current Licence already permits up to 10,000 persons in the building at any one time.

2. Recommendations

- 2.1 That the committee discuss the report and raise any concerns or observations they feel may be appropriate. APTL would be pleased to consider any advice/comment that the Committee feels would enhance this application before submission to LB Haringey.
- 2.2 That the Committee advise their representative groups of this planned action and the option should they so wish, to respond within the consultative period as specified by the London Borough of Haringey following formal submission.

Report Authorised by: Rebecca Kane, Managing Director APTL

Contact Officer: **Mark De'Ath, Acting Head of Operations & Events, Alexandra Palace & Park, Alexandra Palace Way, Wood Green N22 7AY Tel No. 020 8365 4142**

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 No specific background papers other than those attached to the report were used in compiling this report.

6.0 Background

- 6.1 The original calculation of capacity for the Great Hall and remainder of Alexandra Palace was determined by the number of available doors and an agreed number of persons that could escape through those doors in a given time. A figure of 250 per set of doors was determined.
- 6.2 The Great Hall at Alexandra Palace has 34 available doors of exit. Removing the largest exit route out of the building in the event of a fire or the need to evacuate, 29 doors would be available giving the current license capacity of 7250.
- 6.3 In recent years as a result of Risk Assessment and consultation with all of the Responsible Authorities i.e. Police, Fire and relevant Local Authority departments it was agreed to create four further doors within the hall to increase the capacity of the Great Hall for such events to 8250.
- 6.4 The Licensing Act 2003 and subsequent Fire Safety Order 2005 has significantly changed the way Venues have been allowed to be managed. Both pieces of legislation delegated responsibility of the management of events, in particular Health & Safety, with the Venue Operator/Hirer.
- 6.5 The Fire Safety Order 2005 introduced a formula already used within the Event Industry and by many Fire and Building Control Officers in calculating the amount of exits/space available/required to evacuate premises.

7. The Issues

- 7.1 Adopting this formula has allowed Alexandra Palace to review the total capacity of the building should it so wish, however the management at APTL understands the possible impact this may have and have therefore subsequently only concentrated on an area where the current business could receive most benefit.

- 7.2 Music events/concerts have taken place at Alexandra Palace for many years. More recently Alexandra Palace has seen resurgence in its use for such events and therefore believes it is a market worth developing to maintain its business profile. The Great Hall has always had the ability to accommodate larger numbers if necessary, however has had the restriction of the current calculation determining the licensed numbers.
- 7.3 APTL is aware of its responsibilities both under the License and to the Local Community/ Residents and will continue to work with these groups to ensure any nuisance is kept to a minimum. The increase in numbers may have an impact in certain areas and any issues raised will be addressed where necessary.
- 7.4 APTL can already confirm the following measures in place:-
- i) All Concert events will continue to finish no later than 11.00pm. Many Promoters are now recognizing their responsibility in this area and are actively finishing their events by 10.30pm in order the visitors have sufficient time to travel home safely.
 - ii) APTL has more recently developed a very good relationship with both TFL and the relevant Bus Operators and they will continue to be advised of our events programme, the timings and the potential numbers attending.
 - iii) APTL will continue to fund an increased courtesy shuttle bus service to and from both Alexandra Palace and Wood Green Train Stations to ensure any potential late night nuisance is kept to minimum.
 - iv) Although large percentage of Concert goers arrive by public transport APTL will continue to fund, manage and make available all car parking areas to ensure no indiscriminant parking takes place on residential streets.
 - v) APTL will continue to fund Noise Consultants to ensure noise propagation from the building is maintained at an acceptable level to both London Borough of Haringey Enforcements Officers and Local Residents.
- 7.5 Concerts in the Great Hall generally take place during the period from October to March. Subject to availability the number of dates currently ranges from six to twelve evenings of events. It is not yet known how much this will grow but following consultation with the Promoters all have expressed an interest in our proposal to increase the capacity of the hall.
- 7.6 This report primarily relates to concert events rather than other music events that may go on through the night. The License already allows for a figure of 10,000 in the building for such events, APTL does not intend to or wish to change this figure. APTL fully realizes the issues and understands its

responsibilities in respect of such events and will continue to operate these in a continued professional manner.

- 7.7 APTL understands the increased demand the additional capacity may place upon the current infrastructure. Promoters will only be in a position to utilize this capacity extension on agreement of the contract terms highlighting the need to meet these demands. I.e. Security, stewarding, toilet facilities, disabled provision etc.

8.0 The Benefits

The ability to increase the capacity will provide a number of significant benefits.

These are:-

- i) Allow APTL to re invest in facilities and equipment to make them comparable with their venue competitors. Thus increasing the covenant back to the Trust.
- ii) Provide APTL with additional income from both facility fee and catering income.
- iii) Alexandra Palace becomes largest standing venue in London, during a time when many bands prefer standing audiences.
- iv) Provide savings to Promoters who would normally have to book an alternative venue for two nights with all associated production costs.
- v) Make Alexandra Palace a "Venue of Choice" as detailed within its most recent Business Plan.
- vi) Continue to develop business partnerships that raise the status, profile and brand of Alexandra Palace.

9.0 Next Steps

- 9.1 APTL to complete engagement with the key Responsible Authorities to seek their endorsement of the Consultants' Report and confirm permitted capacity.
- 9.2 APTL to submit the Variation application form to London Borough of Haringey following the Trust Board Meeting on 30th June 2009, with subsequent Public Notice to be detailed in the relevant local papers w/c 6th July 2009.
- 9.3 APTL will receive and discuss comments and concerns from both Advisory and Consultative Committees before presenting this report to the Trust Board with a view to enhancing this application with any points raised.

HOWARD KENNEDY

Your ref:
Our ref: IMH1/014086.00007
Document: IMH1/H3800939.1

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By Email

To Mr Mark Evison
mark.evison@appct.org

Email: I.Harris@howardkennedy.com

3 June 2009

Dear Mark

Alexandra Palace SAC Urgency Sub Committee and Haringey Heartlands Planning Application

I refer to our conversation yesterday when you asked for my advice following the meeting of the above committee on 21 May.

I have considered the report of the General Manager that was presented. The recommendations were that the committee

“considers the application and decides what advice, if any, it wishes to provide to the board of trustees regarding this planning application.”

It is clear from the report that “this planning application” is by National Grid Property Holdings Ltd and the London Development Agency for outline permission. The site is described as land between Hornsey Park Road, Mayes Road and the East Coast main line. It is owned by the applicants.

It is clear to me from the plan attached to the application that none of the land concerned is within the boundary of Alexandra Park and Palace.

At paragraph 6.7 of the report the General Manager wrote that:

“Should this Urgency sub-committee wish to provide advice to the trustees, a panel meeting of the Board would be convened to consider this.”

At the point of writing this letter I have not seen the minutes of the meeting. However for the reasons I set out below I do not consider this matter to be within the remit of the SAC and accordingly there is no question of any advice it may wish to give being put before the Board.

My reasons for so advising are as follows:

1. The powers and duties of the SAC are to promote the objects of the charity and assist the trustees in fulfilling the trusts by considering and advising on the specified matters.
2. The matters upon which the SAC are to advise are set out in paragraph 19 of Schedule 1 to the 1985 Act. These include, at sub paragraph (v), any proposals which require planning permission.

3 June 2009

3. The reference to planning permission is clearly to permission in relation to land that is within the ownership of the trustees and subject to the trusts upon which it is held.
4. Accordingly it cannot be within the remit of the SAC to consider and advise upon applications for planning permission on land outside that subject to the trusts.

My advice is that there is and can be no doubt that the remit of the SAC can only extend over the land subject to the trusts.

However should there be any doubters it is instructive to examine the Hansard debate on what became the 1985 Act.

This set out that the committee

“will advise on events and activities in the palace and park with a view to ensuring that they do not cause nuisance or annoyance, and are not of detriment to the amenities of local residents.”

In the context of a suggestion that parking permits should be introduced for parking in surrounding streets, the debate recorded the acceptance by the local MP, who initially opposed the bill, that

“However, the bill cannot deal with what happens outside the palace and park.”

I hope this is helpful but please do not hesitate to revert.

I have copied this advice to the committee clerk for him to use as he may wish.

Yours sincerely

Iain Harris
Consultant