

NOTICE OF MEETING

Alexandra Park and Palace Advisory Committee.

Established by Statute in 1985)

To: The Members of the
Advisory Committee (Statutory)

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

Contact: **Natalie Cole**
Tel: **020 8489 2919**
Fax: **020 8489 2660**
Email:
natalie.cole@haringey.gov.uk

Dear Member

A **SPECIAL** meeting of the **ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE.** will take place on **WEDNESDAY, 17TH MARCH, 2010** commencing at **19:30** in **THE OLD BOXING CLUB, ALEXANDRA PALACE, PALACE WAY, WOOD GREEN, LONDON N22 7AY** to consider the business set out in the Agenda detailed below.

Yours sincerely

Natalie Cole
Clerk to the Committee

AGENDA

1. **APOLOGIES FOR ABSENCE**
2. **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.

3. **THE ISLANDS: PLANNING APPLICATION (PAGES 1 - 26)**

To advise the Committee of the tenant's proposals for the existing Islands Building in the Grove, Alexandra Park.

4. GOVERNANCE & BRANDING (PAGES 27 - 42)

To receive the report advising of the progress made on governance and provide an opportunity for Statutory Advisory Committee members to comment.

5. LETTER FROM THE CHAIR (PAGES 43 - 48)

To note the letter from the Chair of the Statutory Advisory Committee and supporting documents in relation to the Committee's resolutions from its meeting on 10th February 2010.

6. TEMPORARY ICE RINK (PAGES 49 - 62)

To advise the Committee of the Planning Application for the provision of a temporary ice rink on the site of the Pavilion within Alexandra Park.

To: Nominated Members of:

Alexandra Residents' Association	: Ms J. Hutchinson
Muswell Hill and Fortis Green Association	: Ms Monica Myers
Muswell Hill and Fortis Green Association	: Mr Dennis Heathcote
Palace Gates Residents' Association	: Ms J. Baker
Palace View Residents Association	: Vacancy
Palace View Residents Association (deputy)	: Ms S Rees
The Rookfield Association	: Mr D. Frith
The Rookfield Association (deputy)	: Mr F. Hilton
Warner Estate Residents' Association	: Mr D. Liebeck
Warner Estate Residents' Association	: Mr D. 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	:	Vacancy
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
Head of Legal Services

Ken Pryor
Deputy Head of Local Democracy and
Member Services
7th Floor
River Park House
225 High Road
Wood Green
London N22 8HQ

Natalie Cole
Principal Committee Co-ordinator
(Council)
Tel: 020-8489 2919
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E-mail: Natalie.Cole@haringey.gov.uk

Tuesday 9th March 2010

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Statutory Advisory Committee

on 17th March 2010

Report Title: **The Islands: Planning Application**

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

1. Purpose

1.1 To advise the committee of the tenant's proposals for the existing Islands Building in the Grove.

2. Recommendations

2.1 That the committee considers the application and decides what advice, if any, it wishes to provide to the Board of Trustees regarding this proposal in advance of a formal planning application being submitted.

Report Authorised by: **Andrew Gill, Interim General Manager**.....

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

3. Executive Summary

3.1 345 Preschools Ltd wish to make improvements to the Islands Building in the Grove
 3.2 The improvements would result in a larger building and an improved service for local children.
 3.3 The works will require planning permission and landlord's consent.

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

4.1 N/A

5. Local Government (Access to Information) Act 1985

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

6. Description

- 6.1 The current tenant of the Islands building, in the Grove is 345 Preschools Ltd, who operate a children's day nursery.
- 6.2 They are proposing alterations to the building which will require planning permission. The description of the proposal is "Refurbishment and a single story rear extension to the building to create improvements to the current setting".
- 6.3 The main changes will be to the east and south elevations. The timber built extension will be wooden clad 'hut in the forest' style and a canopy will be constructed on the southern side. The eastern flank extension will include a new window – a child height observation window - which will be visible from the park.
- 6.4 The current building has been developed in a piecemeal way and there are leaks and other problems with temporary structures.
- 6.5 The sketch plans submitted by the tenant's architects show the style and type of construction proposed.
- 6.6 Representatives from the 345 Preschool will be available at the meeting to answer questions. If possible, the committee clerk should be notified of any specific questions in advance.
- 6.7 345 Preschools are a long term tenant well established on site. They provide pre-school education to local children at a number of sites in the local area.
- 6.8 If granted planning permission and landlord's consent, the works would commence in August 2010.

7. Consultation

- 7.1 This report forms part of the Trustee's process of seeking advice from the Advisory Committee under the Alexandra Park and Palace Act 1985.
- 7.2 The planning process invites comment from a much wider group of interested parties who may also put forward comments to the Planning Authority.
- 7.3 Public consultation by the tenant through posters and the internet has been carried out.
- 7.4 The tenant has also written directly to The Friends of Alexandra Park and The Alexandra Park and Palace Conservation Area Advisory Committee.

8. Recommendations

- 8.1 That the committee considers the application and decides what advice, if any, it wishes to provide the board of trustees regarding this application.

9. Legal Implications

9.1 The Trust's solicitor was provided with a draft of this report and his advice has been taken into account in the production of this final version.

9.2 The LBH Head of Legal Services has been sent a copy of this report.

10. Financial Implications

10.1 The LBH Chief Financial Officer has been sent a copy of this report.

11. Use of Appendices/Tables/Photographs

N/A

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345 Springfield Pre-School Muswell Hill

Pre-application Briefings
March 2010

Project Background + Aims

The Proposed development is driven by a number of considerations

- **Poor condition of the existing building**
 - Prone to condensation
 - Poor insulation
 - High running costs / inefficient heating
 - Low quality / ad hoc extensions
 - Need for general repair / maintenance
- **Developments in teaching + play techniques**
 - National Strategy focus on Outdoor Learning
 - Improved connection to external areas
 - Under-utilised of high quality environment
 - Developments in pre-school curriculum
- **Availability of Early Years Capital Fund**
 - Fund terminated in 2011
 - Worsening condition of building
- **Government Commitment to Expanded Child Care Provision**
 - 15 hours free childcare for 3 + 4 year olds
 - Increased demand for places / increased intake
 - Shortfall in storage / unsatisfactory entrance arrangements

*Ambition - To deliver an improved pre-school service employing best practice in teaching + play.
To establish a cost efficient, safe and inspiring environment
To meet the requirements of Government and local residents*

345 Springfield Pre-School Muswell Hill

Pre-application Briefings

March 2010

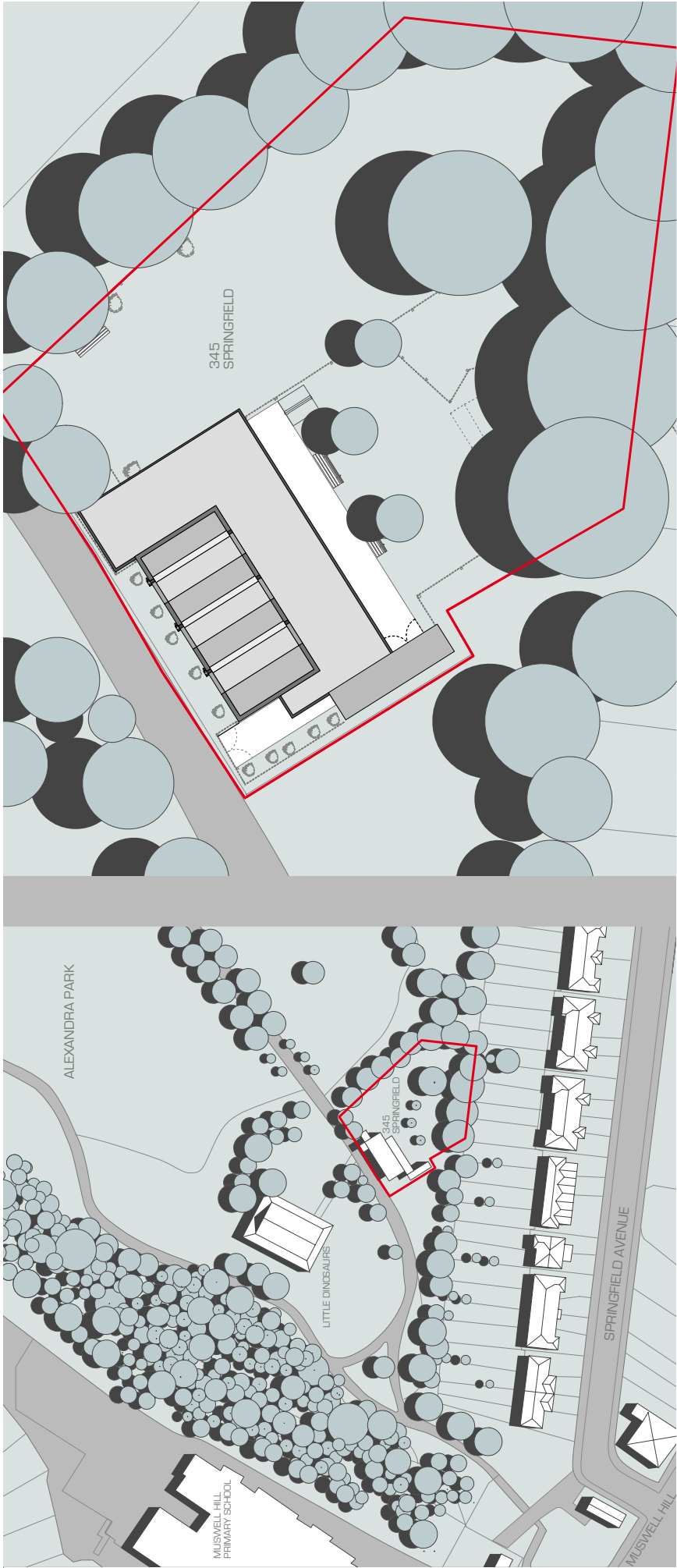
Strategic Approach

Areas of Work

- **Improved Connection to Garden + Beyond**
 - Provision of covered external space
 - Ability to Directly Connect to Garden + Park
 - Improved Daylight
 - Move Toward 'Natural' materials
- **Improve Access / Egress / Muster Spaces**
 - Adequate Provision for Stroller Space / Coats Etc
 - Improved Storage Arrangements
- **Improved Security / Vandal Resistance**
 - Enhanced General Appearance / Sense of Civic Ownership
 - Secure by Design Measures
- **General Building Repair / Upgrade**
 - Improved Heating System
 - Enhance Thermal Performance
 - Health + Safety Improvements
- **Targeted Spending**
 - Simple Achievable Targets
 - Low cost solutions
 - Phased Work Packages subject to Funding

The Site

Location Plan + Site Plan



Existing Site Photographs

From North



From East



From South East



From West



To West



To North



To East



To North



Teaching Developments

Early Years Foundation Stage
HMG. Department of Children, Schools and Families

The outdoor environment has unique characteristics and features.

- Outdoor learning has equal value to indoor learning.
- Outdoor learning has a positive impact on children's well-being and development.
- Children need the support of attentive and engaged adults who are enthusiastic about the outdoors and understand the importance of outdoor learning.
- Outdoor learning is enhanced by an environment that is richly resourced with play materials that can be adapted and used in different ways.
- An approach to outdoor learning that considers experiences rather than equipment places children at the centre of the provision being made.

Outdoor learning in early years settings is important because it:

- supports the development of healthy and active lifestyles;
- offers children opportunities for physical activity, freedom and movement; promotes a sense of confidence and well-being;
- provides opportunities for developing harmonious relationships with others, through negotiation, taking turns and cooperation;
- supports those children who learn best through activity or movement; provides safe and supervised opportunities for children to experience new challenges, assess risk and develop the skills to manage difficult situations;
- supports children's developing creativity and problem-solving skills;
- provides rich opportunities for imagination, inventiveness and resourcefulness;
- gives children contact with the natural world and offers them unique experiences, such as direct contact with the weather and seasons.

Precedent + Exemplars

Connecting to Nature

Fresh Air

Outdoor Learning

Appropriate to Setting

Enhanced Energy Efficiency

Sustainable Design

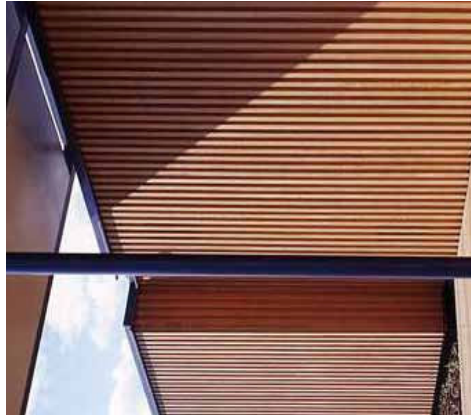
Natural Light

Natural Materials

Space Flow

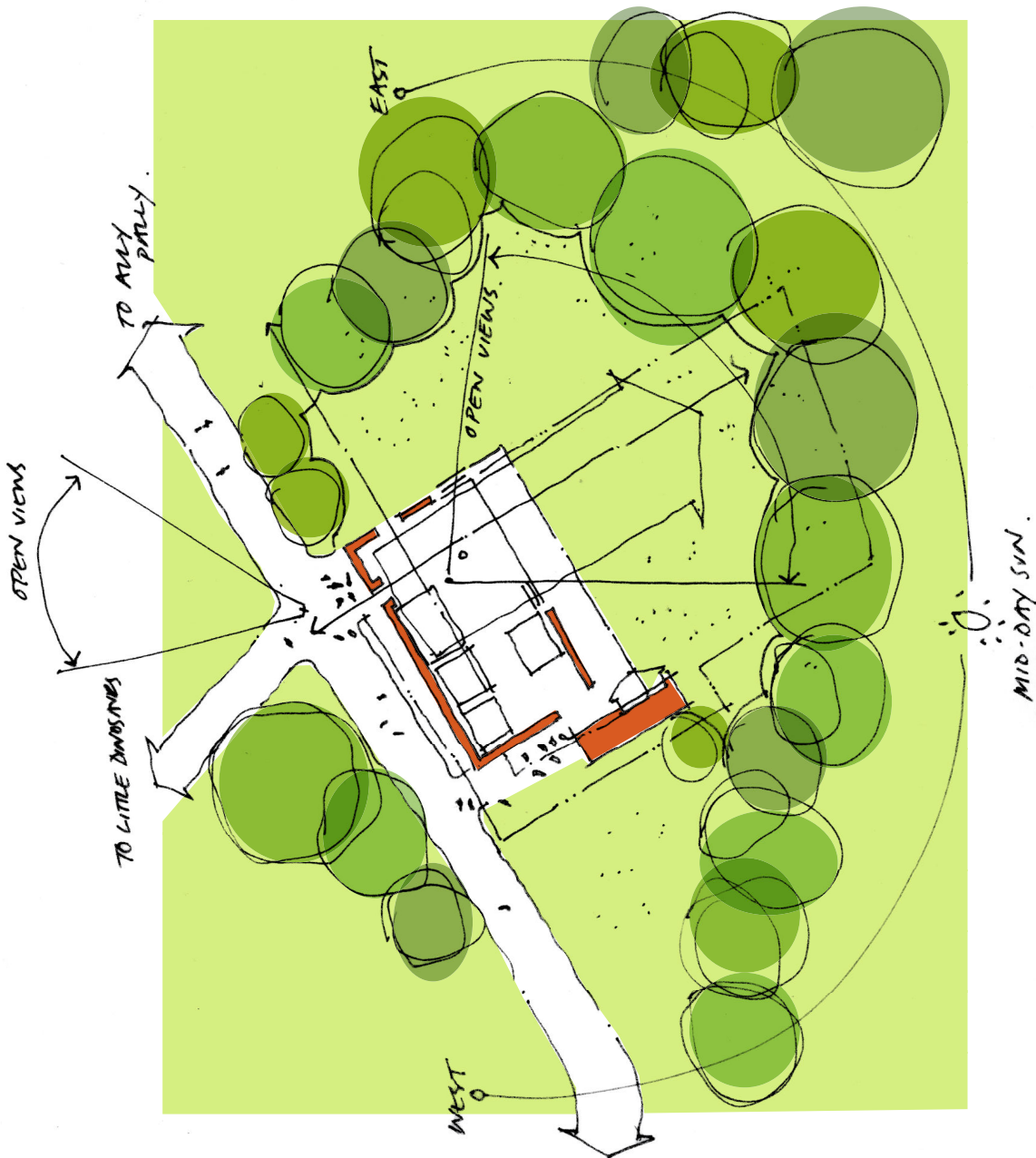
Covered Spaces

Enjoy Natural Environment



Scheme Development

Working with the Site

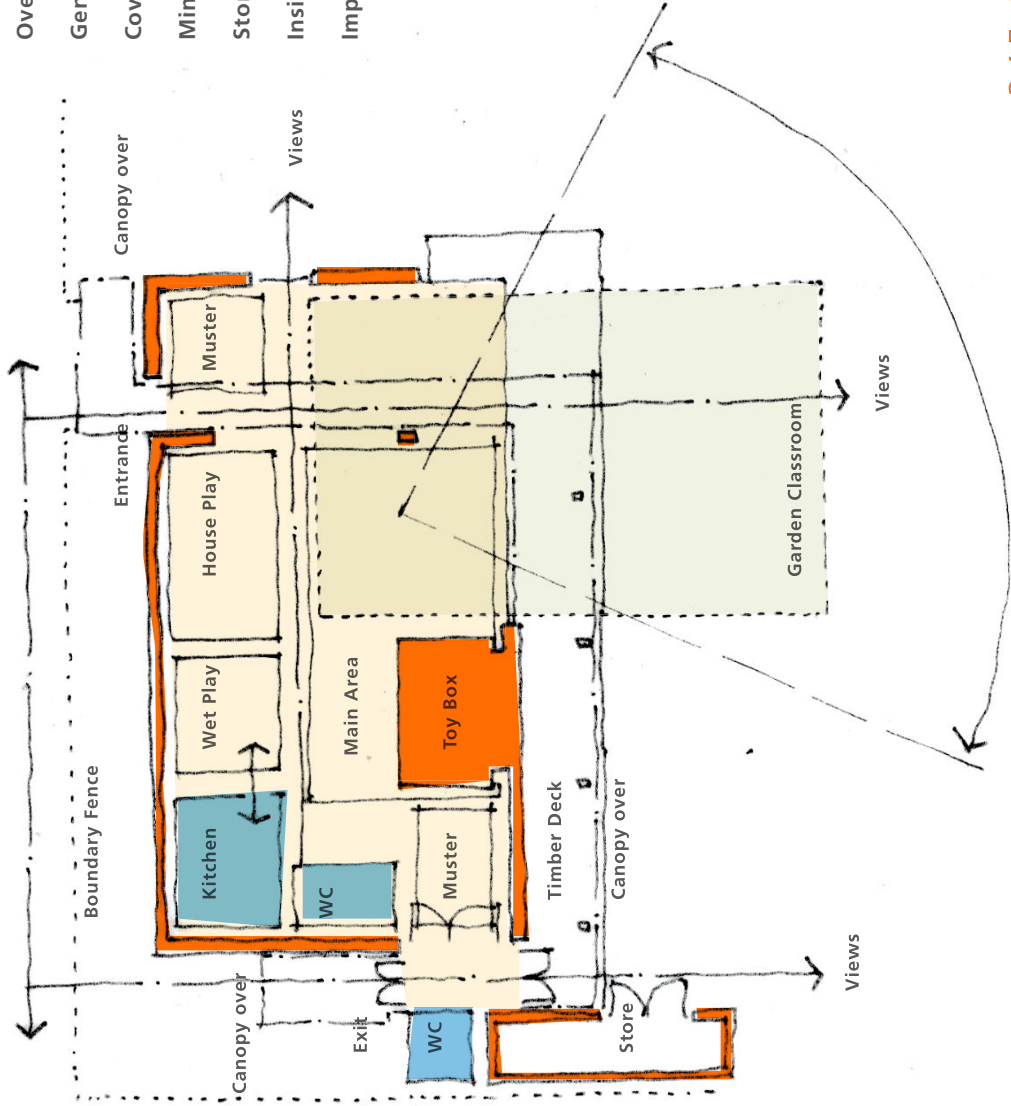


- Natural External Enclosure
- Improved Daylight Penetration
- Improved Access / Egress
- Well Protected North Facade
- Natural Materials
- Appropriate to Parkland Setting

Scheme Development

Plan Arrangement

- Through Views
- Covered Entrance + Exit
- Overlapping Spaces
- Generous Muster Spaces
- Covered Play Space
- Minimal Structural Alteration
- Storage as Toy box
- Inside Outside Division Blurred
- Improved Daylight



Proposed Materials

Timber Joinery



Aluminium Glazing



Bright Graphics



Timber Decking

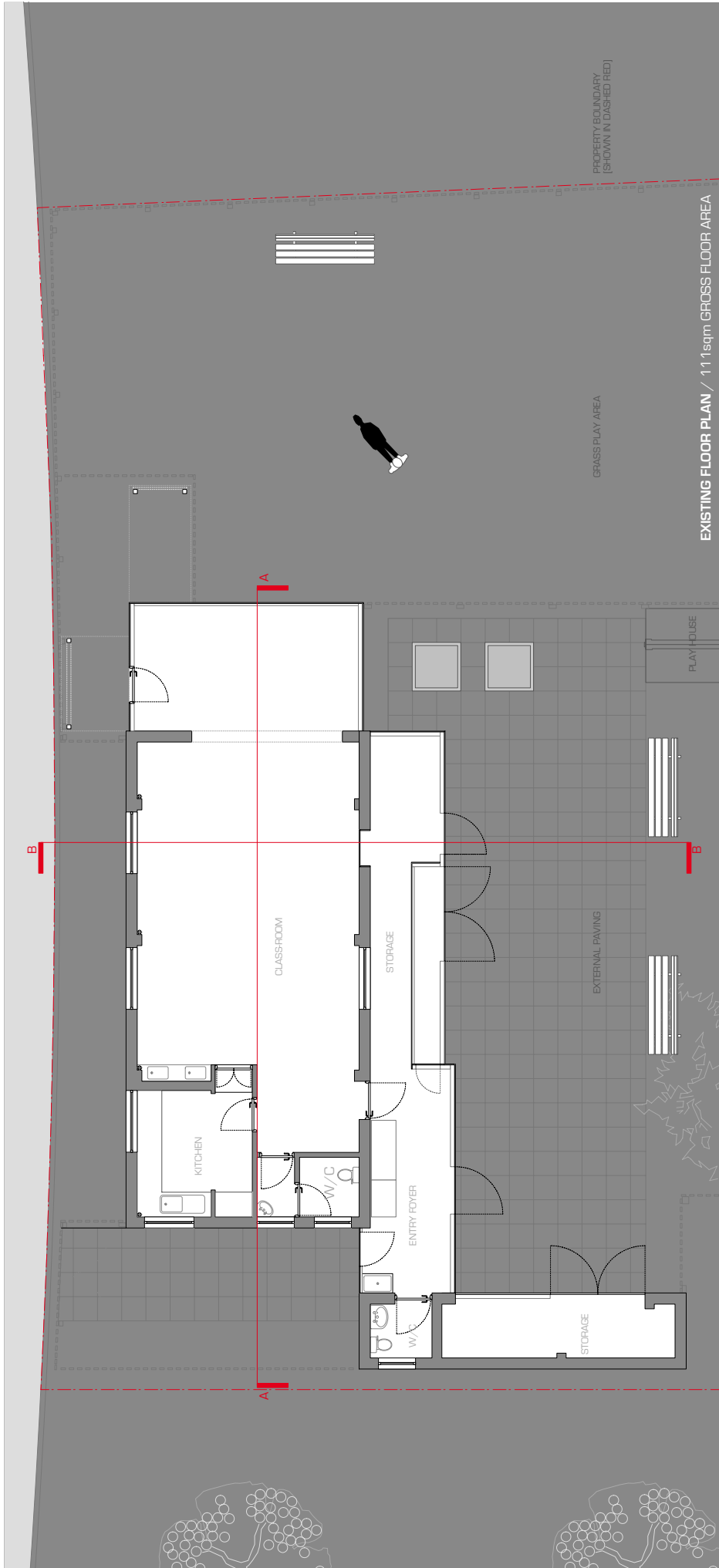


Timber + Steel



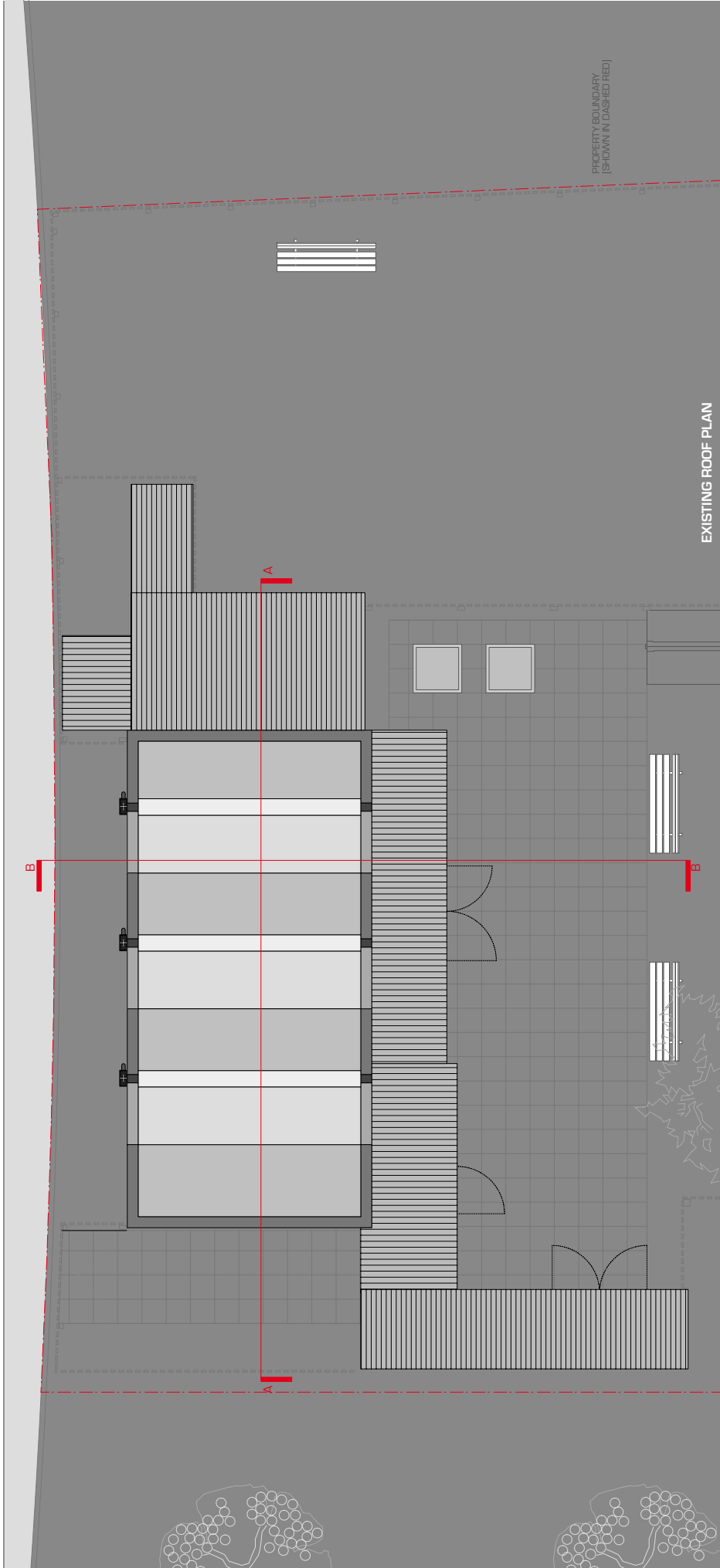
Drawings

Existing Floor Plan



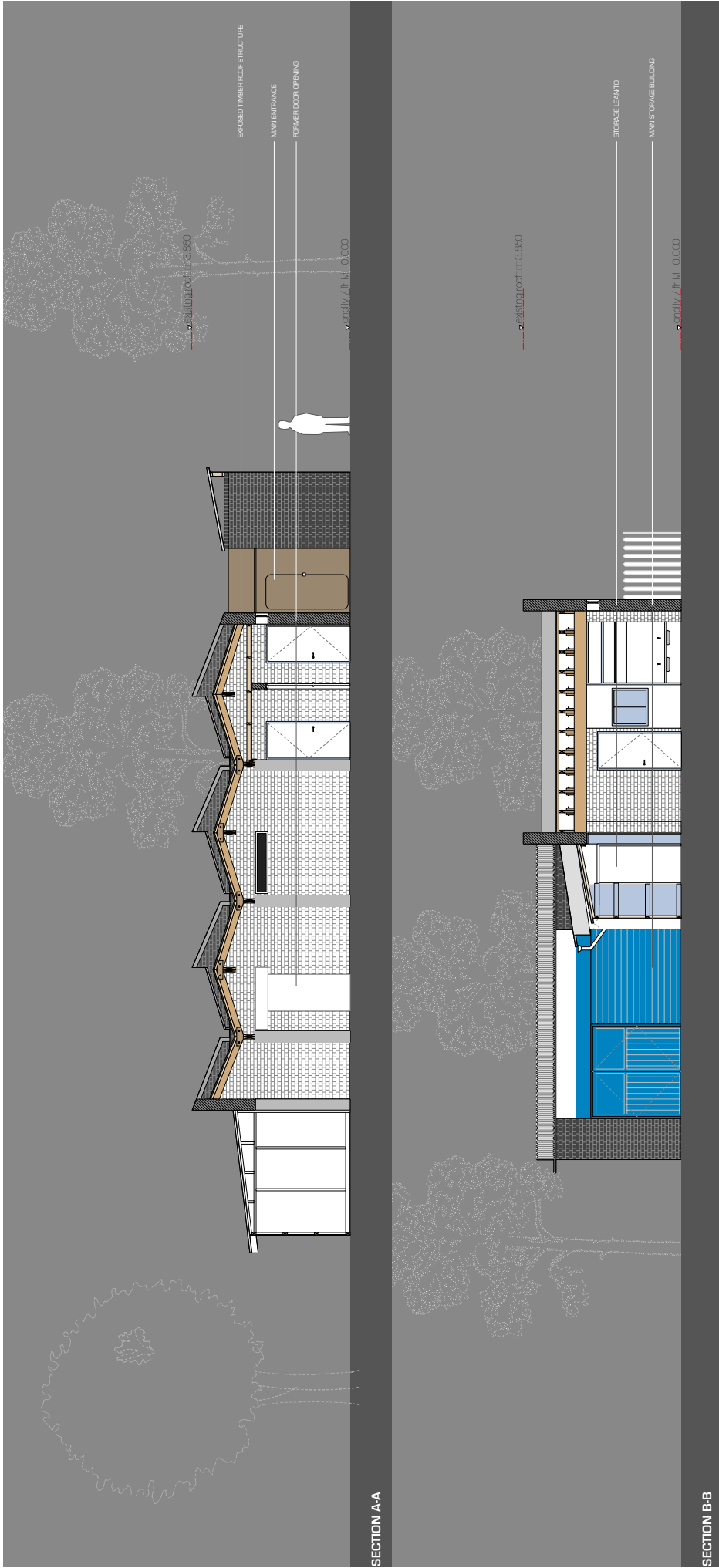
Drawings

Existing Roof plan



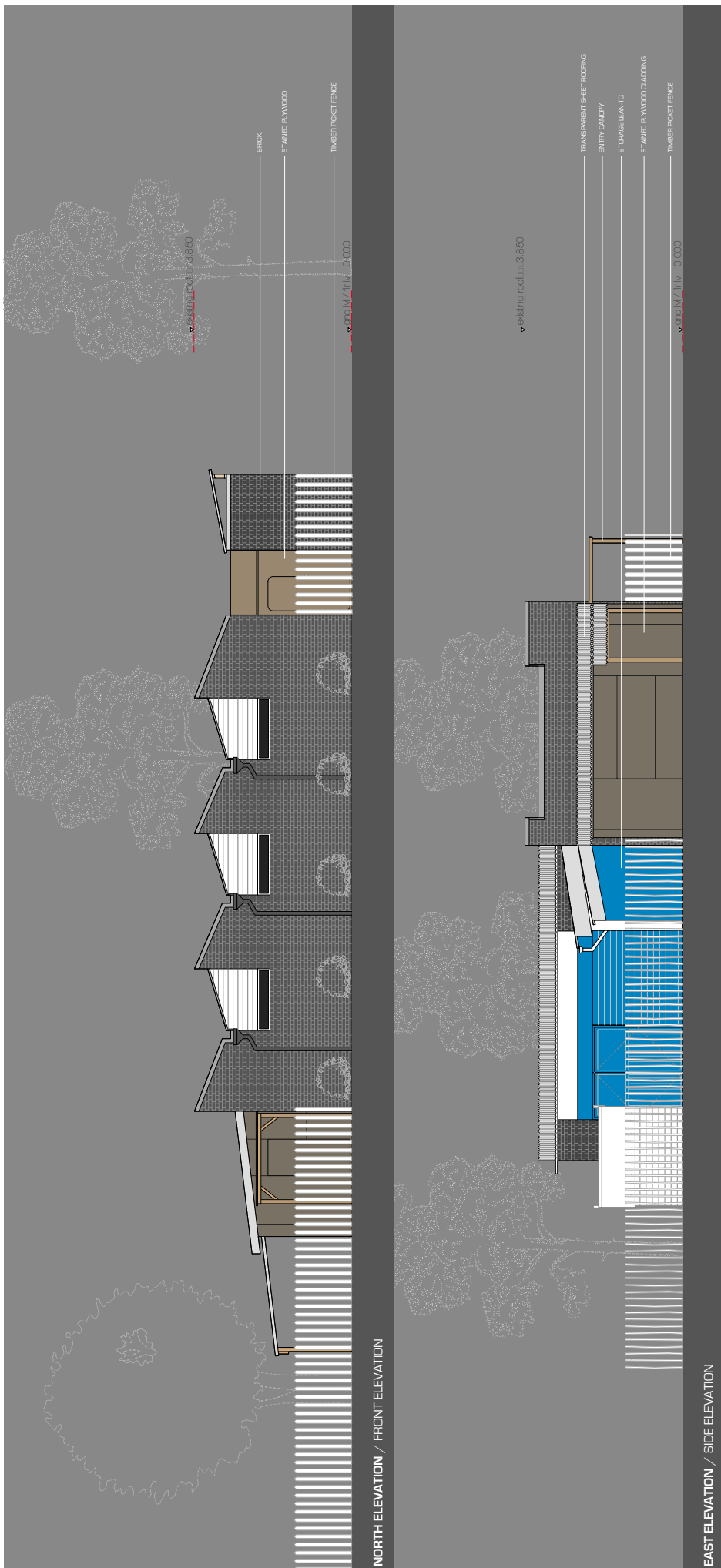
Drawings

Existing Sections



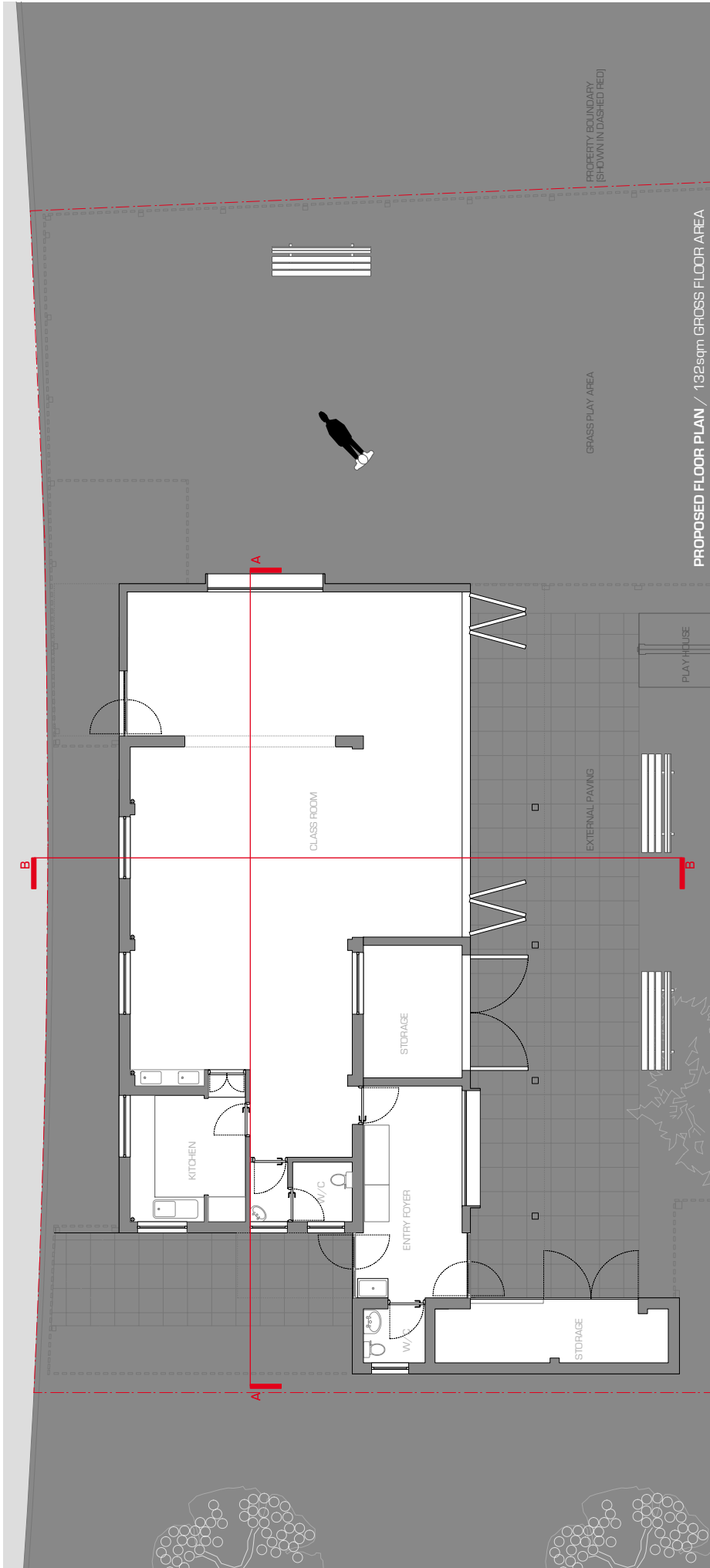
Drawings

Existing Elevations



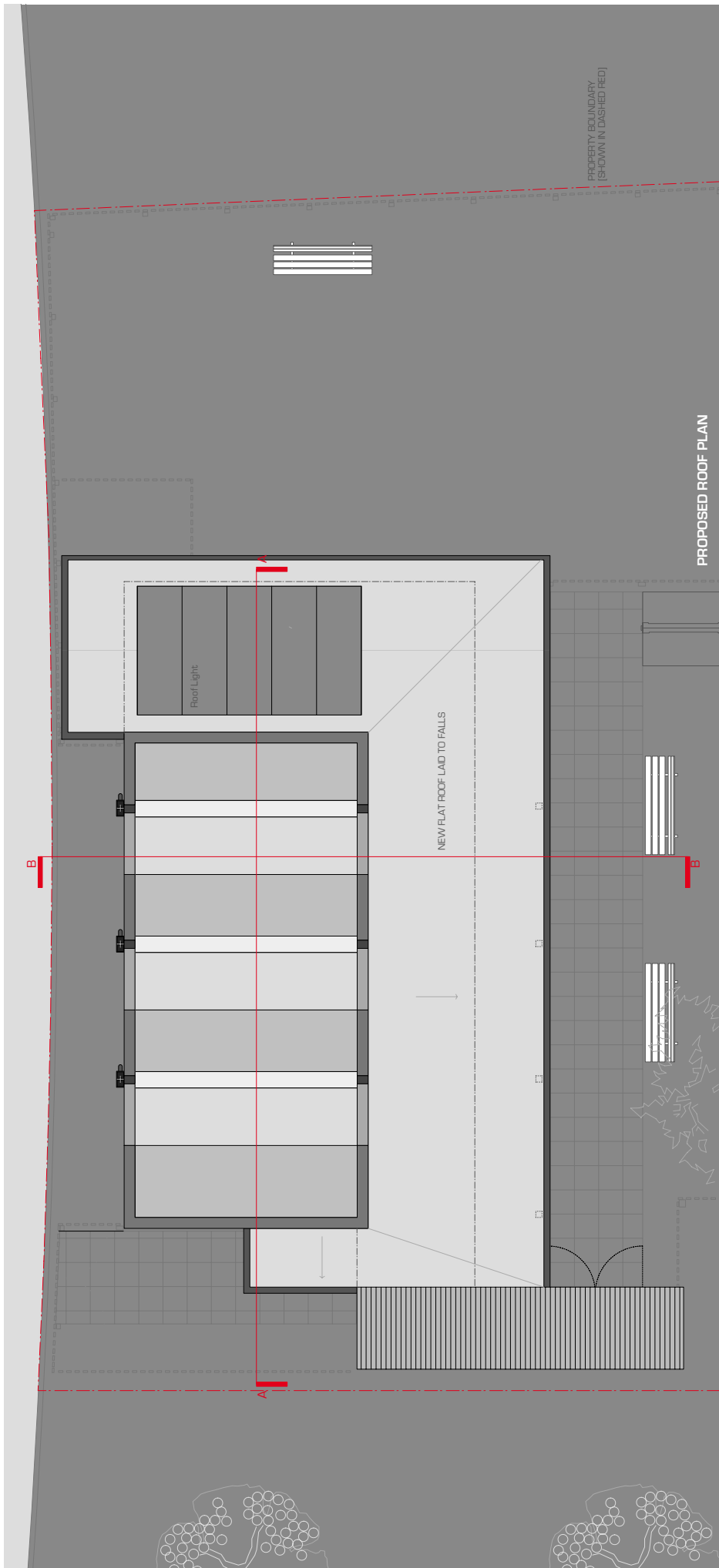
Drawings

Proposed Ground Floor



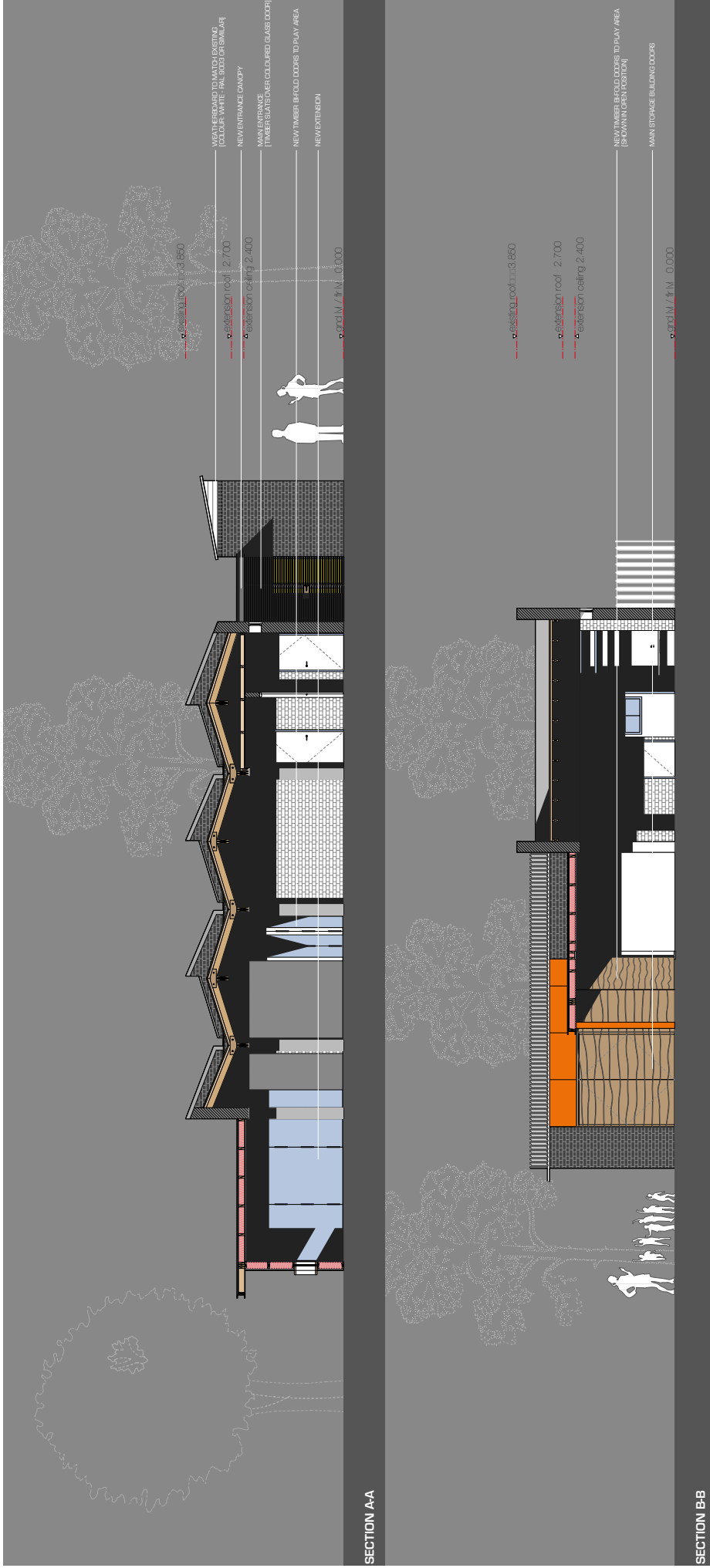
Drawings

Proposed Roof Plan

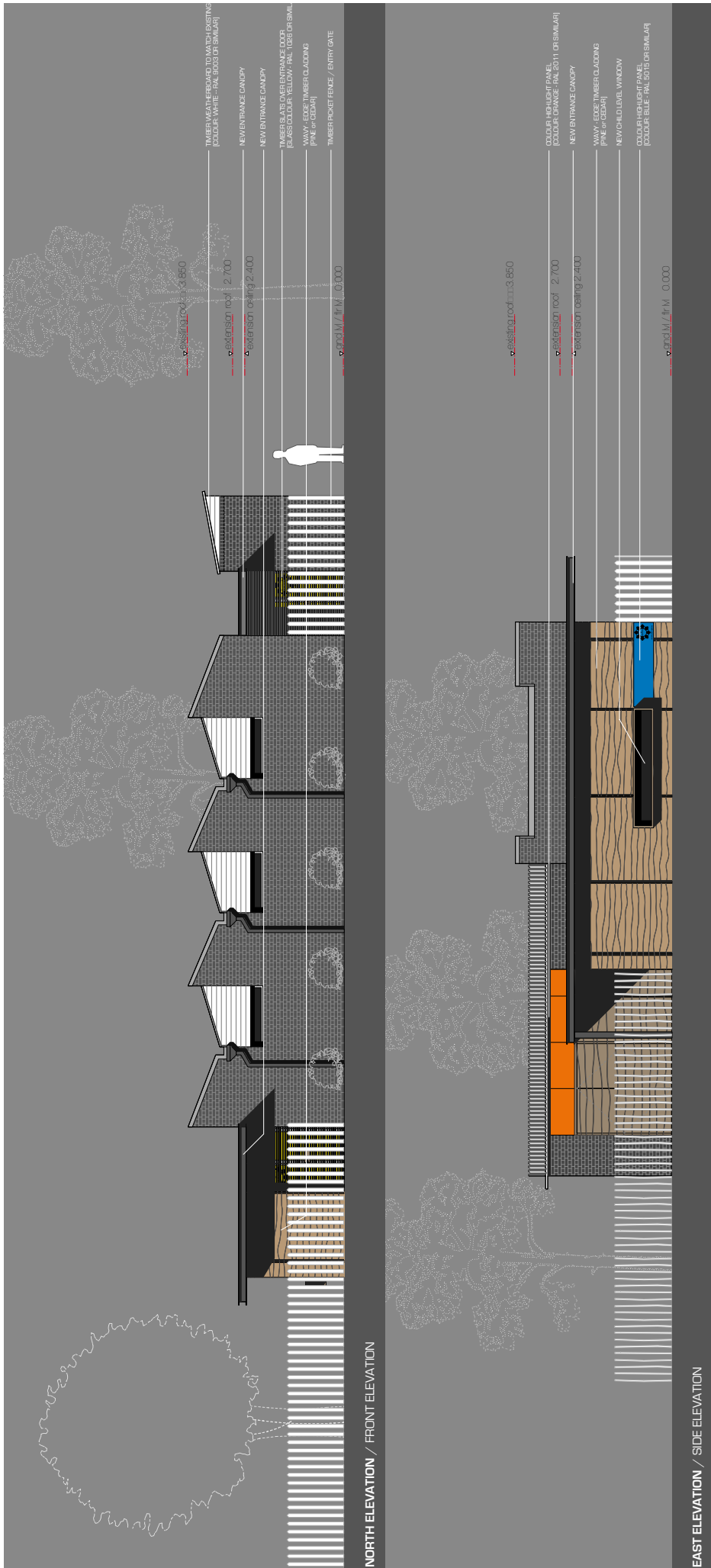


Drawings

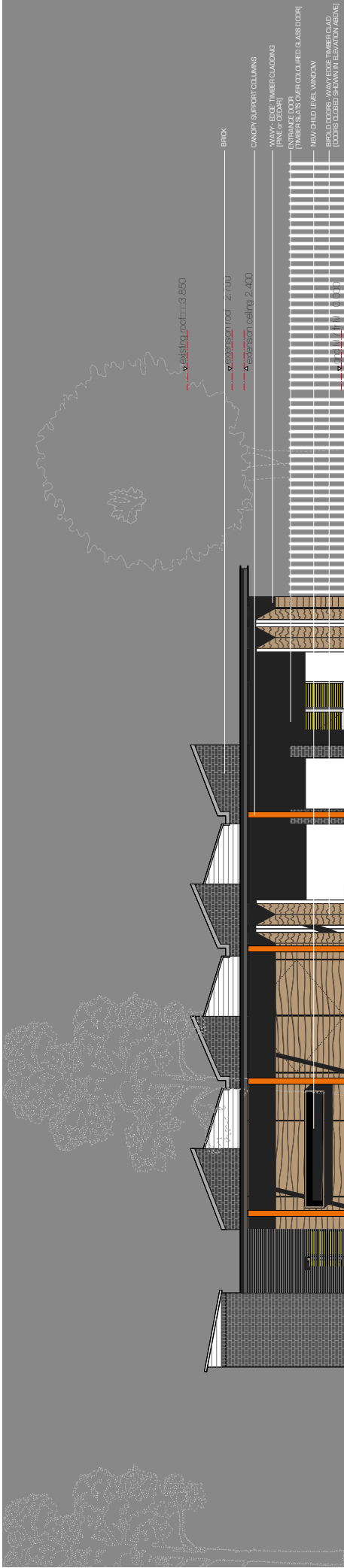
Proposed Sections



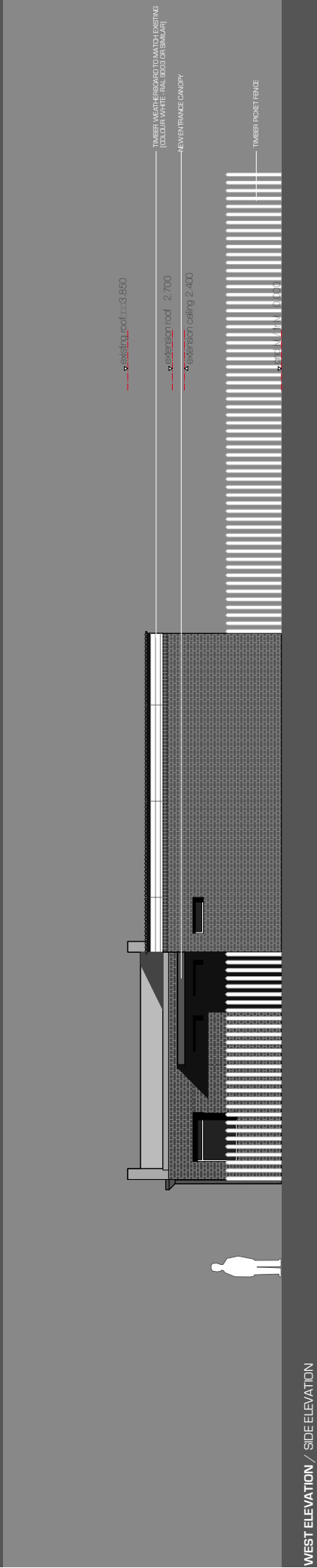
Drawings
Proposed Elevations



Drawings
Proposed Elevations



SOUTH ELEVATION / REAR ELEVATION



WEST ELEVATION / SIDE ELEVATION

345 Springfield Pre-School Muswell Hill
Pre-application Briefings
March 2010

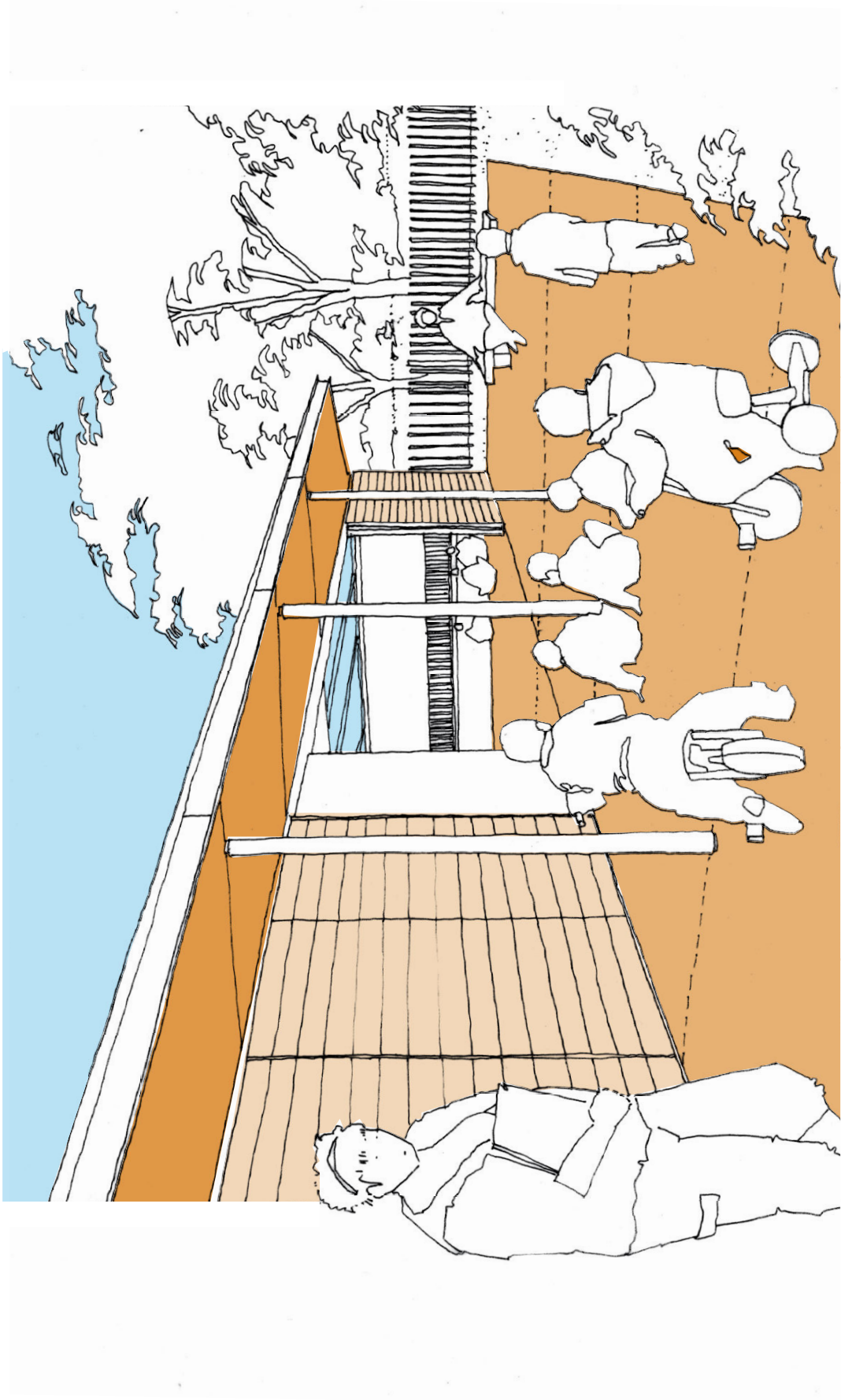
Drawings

Areas Comparison



3D View

Covered Play



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**APPCT STATUTORY ADVISORY COMMITTEE****On 17 March 2010**

Report Title: **The Way Ahead - Governance Review and Vision**

Report of: **Rebecca Kane, Managing Director, APTL to advise the SAC of the progress made on governance and provide an opportunity for SAC members to comment.**

1. Purpose

- 1.1 To update Trustees with the progress made, and key milestones to come for this project and confirm that they are comfortable with the general direction in which this work is progressing.
- 1.2 To seek trustee adoption in principle of a code for *Good Governance*.
- 1.3 To report back on the pros and cons identified to date on a number of potential structural models.
- 1.4 To outline the ongoing engagement activity required to support this work.

2. Recommendations

- 2.1 To endorse the adoption of the NCVO *Good Governance* code (Key principles: appendix One)
- 2.2 To note that the NCVO code has been presented to both the Statutory Advisory Committee and to the Consultative Committee. The SAC will meet on 17 March to discuss governance and feed back to trustees.
- 2.3 To note the pros and cons of the various structural options currently available for comment which have been subject to scrutiny of KPMG and officers; some of which were also discussed at the Trustee and Stakeholder away days (Appendix 2).
- 2.4 To note that this project will be delivered within the budget available to year end.
- 2.5 To note the proposed time frame for the project and key milestones which includes an Open Day and a roadshow to broaden engagement (Appendix 3).
- 2.6 That nominated trustees visit or host visits to AP from charities operating similar venues and parks in a bid to learn more about effective governance in action.

Report Authorised by: **Rebecca Kane, Managing Director, APTL**

Contact Officer: **Rebecca Kane, Managing Director, Alexandra Palace & Park,
Alexandra Palace Way, Wood Green N22 7AY Tel No. 020 8365 4343**

3. Executive Summary

- 3.1 Major barriers to current governance were identified at both away days and common ground for how to progress with the future of AP&P captured around the following headings: a) Objectives, b) Principles and c) Processes. Trustees recommended to adopt the NCVO *Good Governance* code. More work to implement the code will be undertaken during the May induction process. In time, the code will be made bespoke to suit the preferred structure of the trustees and reflect the work already completed by trustees and stakeholders on the three areas above.
- 3.2 Four key criteria emerged from the away days by which the pros and cons of structural options were assessed by attendees. KPMG have also tested a number of models against tax, charitable law and governance criteria.
- 3.3 Revisions to the Communications Strategy and a revised timeline have brought the work within existing budgets.
- 3.4 Further engagement with trustees, stakeholders, the Council and the Charity Commission is planned. It is anticipated that decisions will be sought later in the year when further legal/tax analysis will also help inform decision making.

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

- 4.1 The Chair and Board of Trustees agreed on 30 June 2009 to adopt a new approach to the governance review (as previously outlined in Sept '08) and took the opportunity to undertake a thorough analysis of the current structures and processes which underpin the Trust.

5. Local Government (Access to Information) Act 1985

Reports referred to in preparing this paper:

- Review and stress test of governance arrangements, KPMG, Sept 2009
- Minutes of APPCT Board meeting, 30 June 2009
- Combined Report Trustees Away Day and Stakeholder Forum, Nov 2009

6. NCVO *Good Governance* Code

- 6.1 The following objectives were endorsed by Trustees to guide the governance review:
To develop effective systems and processes which ensure the overall direction, effectiveness, supervision and accountability of AP&P.

To make ourselves 'fit for purpose' to deliver a long-term and sustainable future for Alexandra Park & Palace

- 6.2 At both the Trustees' Away Day and the Stakeholder Forum the main barriers to success for creating a sustainable venue for future generations were presented as:

- Lack of continuity and long-term vision
- High turnover of chair and Board members
- Highly politicised decision making
- Lack of non-political/independent perspectives
- Risk of commercially sensitive papers in public domain
- Skill set of Board limited
- Structure ineffective and ambiguous
- Questions over 'going concern' status
- Lack of trust and high levels of scrutiny

6.3 Both sessions resulted in a number of areas of common ground for how to progress with the future management of AP&P and its governance. These were summarised under three headings a) Objectives b) Principles c) Processes and detailed comments captured in the Combined Report available online:
http://www.alexandrapalace.com/Community/Stakeholders_Reports.html

6.4 In the meantime, it is recommended that the Trustees adopt the existing NCVO 'Good Governance' code (Appendix One) in order to answer the immediate need to have some improved, formal governance arrangements in place. This will be implemented using recommended toolkit activity as part of the annual induction process for new trustees.

6.5 In time, this code will be further developed and made bespoke to address the specific requirements of AP&P. Making the code bespoke to AP&P will also enable it to take account of the work already produced by trustees and stakeholders.

7. Structural Models – assessment to date

7.1 The assessment of the pros and cons of each structural option considered by attendees at the two away days was based on the following key criteria that the new structure should satisfy:

1. A better mix and skills base of trustees to drive change
2. Clarity of responsibilities and levels of authority for trustees, staff and stakeholders
3. Access for stakeholders to influence decisions
4. Accountability of trustees to funders.

7.2 KPMG were commissioned to undertake a 'stress test' of alternative structural options on behalf of the trustees before they met in September 2009. KPMG's remit was then extended in October 2009 to include a review of the three additional models to emerge from the Stakeholder Forum. They applied a variety of tax, charitable law and governance criteria to the models. The pros and cons of each model, as analysed by KPMG (where indicated) and attendees at the two away days are available at Appendix Two.

8. Budget and work to year end

8.1 Project Steering Group were tasked with reviewing the communications strategy to ensure that it meets the overall project deliverables. As a result of the review and changing timescales the remaining activity can be achieved within existing budgets.

9. Programme Overview (Appendix 3)

- 9.1 An informal meeting with the Charity Commission (3 Feb) allowed the Project Manager to bring the Commission up to speed with the work to date and seek advice re potential processes that need adhering to if significant change is agreed for the future.
- 9.2 It is suggested that four trustees meet senior managers from two similar trusts (TBC) and explore their governance systems to help inform future decision making.
- 9.3 It is essential that all stakeholders and the wider public are kept fully engaged in this process. The NCVO 'Good Governance' code was tabled at both the Statutory Advisory Committee (SAC) and the Consultative Committee (CC) meetings on 9 and 16 February respectively for information.
- 9.4 The pros and cons of all the structural options currently under review will be posted on the community web page following the 2 March APPCT Board meeting.
- 9.5 On 13 March an Open Day event and roadshow the following week is planned where interested parties can showcase their involvement/role at AP&P and we can present all the work to date on the structural options under consideration and answer queries directly re the future of AP&P.
- 9.6 Following further stakeholder and public engagement a steer will be sought from trustees and Full Council before further legal and tax work will be carried out. Then the conclusions will re-presented to trustees for a final decision. The nature of this work will very much depend on the level of change decided upon both in the short and medium term.

10. Legal Implications

- 10.1 The Trust's solicitor has been consulted in respect of the preparation of this report. The Trust's solicitor, BWB (lawyers to APTL) and the legal advisor to the London Borough of Haringey will be further engaged in working up any preferred structural options in the future.

11. Financial implications.

- 11.1 The LBH Chief Financial Officer has been provided with a copy of this report. His comments are provided below:
The full implementation of the revised governance arrangements are important and should not be delayed. Any additional costs arising from the recommendations in this report need to be contained within existing budgets.

12. Use of Appendices / Tables / Photographs

- 12.1 Appendix 1 NCVO *Good Governance* code: seven key principles
- Appendix 2 Pros and cons of structural models to date
- Appendix 3 Key project milestones

Appendix 1

Cross reference codes that relate the NCVO code elements with the Governance Outputs that emanated from the Trustees' Away Day and the Stakeholder Forum are:

O = Objective x

Pi = Principle x

Po = Process x

Principle One: Board Leadership	
Comments: Every organisation should be led and controlled by an effective Board of trustees which collectively ensures delivery of its objects, sets its strategic direction and upholds its values. The supporting principles are:	
The role of the Board: Trustees have and must accept ultimate responsibility for directing the affairs of their organisation, ensuring it is solvent, well-run, and delivering the outcomes for which it has been set up. Pi6 O3	Strategic direction: Trustees should focus on the strategic direction of their organisation, and avoid becoming involved in day to day operational decisions and matters (except in the case of small organisations with few or no staff). Where trustees do need to become involved in operational matters, they should separate their strategic and operational roles. Pi1, Po7
Principle Two: The Board in Control	
Comments: The trustees as a Board should collectively be responsible and accountable for ensuring and monitoring that the organisation is performing well, is solvent, and complies with all its obligations. The supporting principles are:	
Compliance: The Board must ensure that the organisation complies with its own governing document, relevant laws, and the requirements of any regulatory bodies. Pi5 Po11	Internal controls: The Board should maintain and regularly review the organisation's system of internal controls, performance reporting, policies and procedures. Po2,3,4,5,10,11,12,13

<p>Prudence: The Board must act prudently to protect the assets and property of the organisation, and ensure that they are used to deliver the organisation's objectives.</p> <p>Pi1,8 O2,5,8</p>	<p>Managing risk: The Board must regularly review the risks to which the organisation is subject, and take action to mitigate risks identified.</p> <p>Po3,6 Pi4</p>
<p>Equality and diversity: The Board should ensure that it upholds and applies the principles of equality and diversity, and that the organisation is fair and open to all sections of the community in all of its activities.</p> <p>Pi1,5,8</p>	
<p>Principle Three: The High Performance Board</p>	
<p>Comments: The Board should have clear responsibilities and functions, and should compose and organise itself to discharge them effectively. The supporting principles are:</p>	
<p>Trustee duties and responsibilities: Trustees should understand their duties and responsibilities and should have a statement defining them.</p> <p>Po3,4,5,11,12</p>	<p>The effective Board: The Board should organise its work to ensure that it makes the most effective use of the time, skills and knowledge of trustees.</p> <p>Po4,5,6,7,8,9</p>
<p>Information and advice: Trustees should ensure that they receive the advice and information they need in order to make good decisions.</p> <p>Pi3,7 Po1,5,8,9,13</p>	<p>Skills and experience: The trustees should have the diverse range of skills, experience and knowledge needed to run the organisation effectively.</p> <p>O1</p>
<p>Development and support: Trustees should ensure that they receive the necessary induction, training and ongoing support needed to discharge their duties.</p> <p>[Not addressed in consultations to date]</p>	<p>The chief executive: The Board should make proper arrangements for the supervision, support, appraisal and remuneration of its chief executive.</p> <p>Po12</p>
<p>Principle Four: Board Review and Renewal</p>	
<p>Comments: The Board should periodically review its own and the organisation's effectiveness, and take any necessary steps to ensure that both continue to work well. The supporting principles are:</p>	

<p>Performance appraisal: The Board should regularly review and assess its own performance, that of individual trustees, and of sub-committees, standing groups and other bodies.</p> <p>[Not addressed in consultations to date]</p>	<p>Review: The Board should periodically carry out strategic reviews of all aspects of the organisation's work, and use the results to inform positive change and innovation.</p> <p>[Not addressed in consultations to date]</p>
<p>Renewal and recruitment: The Board should have a strategy for its own renewal. Recruitment of new trustees should be open, and focused on creating a diverse and effective Board.</p> <p>[Not addressed in consultations to date]</p>	
<p>Principle Five: Board Delegation</p>	
<p>Comments:</p> <p>The Board should set out the functions of sub-committees, of officers, the chief executive, other staff and agents in clear delegated authorities, and should monitor their performance.</p> <p>The supporting principles are:</p>	
<p>Clarity of roles: The Board should define the roles and responsibilities of the chair and other honorary officers, in writing.</p> <p>Po4</p>	<p>Effective delegation: The Board should ensure that staff, volunteers and agents have sufficient delegated authority to discharge their duties. All delegated authorities must have clear limits relating to budgetary and other matters.</p> <p>Po5</p>
<p>Terms of reference: The Board should set clear terms of reference for subcommittees, standing groups, advisory panels, etc.</p> <p>Pi2 Po2,8,9</p>	<p>Monitoring: All delegated authorities must be subject to regular monitoring by the Board.</p> <p>[Not addressed in consultations to date]</p>
<p>Principle Six: Board and Trustees Integrity</p>	
<p>Comments:</p> <p>The Board and individual trustees should act according to high ethical standards, and ensure that conflicts of interest are properly dealt with.</p> <p>The supporting principles are:</p>	

<p>No personal benefit: Trustees must not benefit from their position beyond what is allowed by the law and is in the interests of the organisation.</p> <p>Pi1,7,8</p>	<p>Dealing with conflicts of interest: Trustees should identify and promptly declare any actual or potential conflicts of interest affecting them.</p> <p>Pi2,8</p>
<p>Probity: There should be clear guidelines for receipt of gifts or hospitality by trustees.</p> <p>Pi2,8</p>	
Principle Seven: Board Openness	
<p>Comments: The Board should be open, responsive and accountable to its users, beneficiaries, members, partners and others with an interest in its work. The supporting principles are:</p>	
<p>Communication and consultation: Each organisation should identify those with a legitimate interest in its work (stakeholders), and ensure that there is a strategy for regular and effective communication with them about the organisation's achievements and work.</p> <p>O7,8 Pi2,3 Po1,8,9</p>	<p>Openness and accountability: The Board should be open and accountable to stakeholders about its own work, and the governance of the organisation.</p> <p>Pi2</p>
<p>Stakeholder involvement: The Board should encourage and enable the engagement of key stakeholders, such as users and beneficiaries, in the organisation's planning and decision-making.</p> <p>O7 Pi2,3 Po1,8,9</p>	

This Code covers all the Principles and Processes put forward by Trustees and Stakeholders. It also covers Objectives 1-3, 5, 7 and 8.

APPENDIX TWO - Pros and cons of structural models to date

Pros	1. <u>Management Committee</u>	Cons
<p>Governance Implications</p> <ul style="list-style-type: none"> • Board has greater oversight and cohesion of vision. • Widened skill set of Board. • Independent Chair. • Independent Board members could include local residents from SAC. • Single Senior Officer holds accountability to the Board for all aspects of operational management. <p>Tax Implications</p> <ul style="list-style-type: none"> • Income and corporation tax implications remain the same if legal structure remains. <p>Charities Implications</p> <ul style="list-style-type: none"> • Independence is created through the introduction of independently appointed representatives. • There is no need for primary legislation change to implement this model. 		<p>Governance Implications</p> <ul style="list-style-type: none"> • Independent members of Board have no voting rights = limited influence. • Involvement of Trustees within Management Committee may create conflicts of interest. <p>Tax Implications</p> <ul style="list-style-type: none"> • Depending on how two Boards are combined, a VAT charge could arise upon the transfer of asset. • Appropriateness of current VAT arrangements? <p>Charities Implications</p> <ul style="list-style-type: none"> • Charity guidelines require that Trustees be independent however there is a conflict between the local Government and Housing Act 1989 which states only LBH Councillors can vote.

Pros

Governance Implications

- Trustee skill set is widened.
- SAC provides stakeholder voice.
- Specialist advisors appointed on the enlarged Board.
- Mitigation of continuity risk.
- Single set of Board papers for whole entity.

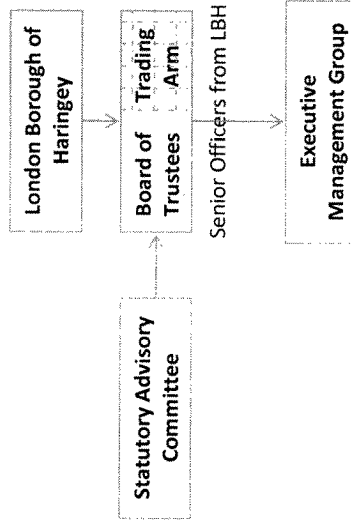
Tax Implications

- Income and corporation tax implications remain the same if legal structure remains.

Charities Implications

- Some independence is created through the introduction of independently appointed reps.
- The removal of the ability of LBH to appoint Trustees means they are breaching the legislation which requires their appointment of Councillors to the Charity.

2a. Streamlined



Cons

Governance Implications

- Board of Trustees retain political interest.
- Independent members of Board have no voting rights therefore remain limited in influence.

Tax Implications

- Depending on how two Boards are combined, a VAT charge could arise upon the transfer of asset.
- May be necessary to consider the appropriateness of current VAT arrangements.

Charities Implications

- Charity guidelines require that Trustees be independent however there is a conflict between the local Government and Housing Act 1989 which states only LBH Councillors can vote.

Pros

Governance Implications

- Trustee skill set is widened.
- SAC provides stakeholder voice.
- Specialist advisors appointed on the enlarged Board.
- Mitigation of continuity risk.
- Single set of Board papers for whole entity.
- Independent members of Board have voting influence.

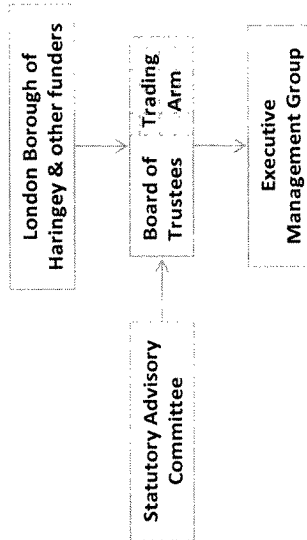
Tax Implications

- Income and corporation tax implications remain the same if legal structure remains.

Charities Implications

- Some independence is created through the introduction of independently appointed reps.
- The removal of the ability of LBH to appoint Trustees means they are breaching the legislation which requires their appointment of Councillors to the Charity.

2b. Commissioning



Cons

Governance Implications

- Board of Trustees retain political interest.

Tax Implications

- Depending on how two Boards are combined, a VAT charge could arise upon the transfer of asset.
- May be necessary to consider the appropriateness of current VAT arrangements.

Charities Implications

- Charity guidelines require that Trustees be independent however there is a conflict between the local Government and Housing Act 1989 which states only LBH Councillors can vote.

Pros

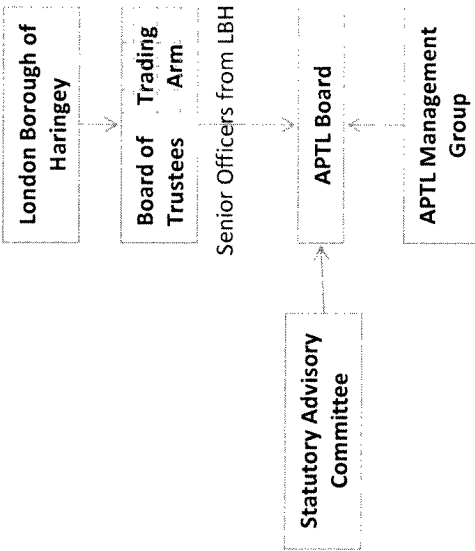
Governance Implications

- Activities of APPCT are brought under the umbrella of APTL thus streamlining governance arrangements.
- APTL have control of estate and drive income earning potential upwards.
- Broader skill set on the Boards.

Charities Implications

- Trustees have ultimate responsibility but can delegate certain powers to agents (Trustee Act 2000).

3. Delegation to APTL



Cons

Governance Implications

- The incorporation of all APPCT activities into the trading arm required careful public communication as it may be challenged.
- Careful due diligence required to ensure objects of charity are safeguarded.
- Possible loss of control by LBH if decision-making powers transferred to another body.

Tax Implications

- A VAT charge could arise if assets are transferred with the transfer of function.
- May be necessary to consider the appropriateness of current VAT arrangements.
- The disposal of the estate from APPCT to APTL will be a capital disposal for income tax purposes and will be treated as taking place at market value.
- Capital gains arising in APPCT on the disposal of the estate should be exempt from capital gains tax but only to the extent that the gains are applied for charitable purposes.

Cons

Tax Implications cont.

- Risk that capital gains will not be exempt from tax as APPCT's charitable objectives would be transferred to APTL with the estate.
- APTL will need to consider how it raises funds to acquire the estate.
- APTL subject to Stamp Duty Land Tax.
- There is a risk that APTL may not have sufficient cash to make gift aid payments to fully mitigate its taxable profits if obligated to use generated income on refurbishing the estate.
- Model could result in a tax liability arising on income which could have fallen within charity tax exemptions or Gift Aid.

Pros

- Governance Implications**
- Trustee skill set is widened.
 - SAC provides stakeholder voice.
 - Specialist advisors appointed on the enlarged Board.
 - Single set of Board papers for whole entity.

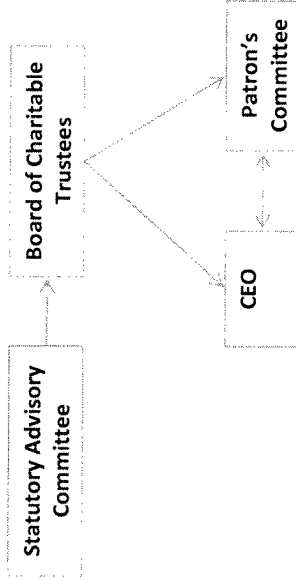
Tax Implications

- Income and corporation tax implications remain the same if legal structure remains.

Charities Implications

- Some independence is created through the introduction of independently appointed representatives.

4. Patron's



Cons

Governance Implications

- Board of Trustees retain political interest.
- May not provide mitigation of Trustees being annual members.
- Independent members of Board have no voting rights.
- Role of the Patron's Committee risks duplication of responsibilities with other parts of structure.

Tax Implications

- Depending on how two Boards are combined, a VAT charge could arise upon the transfer of asset.
- May be necessary to consider the appropriateness of current VAT arrangements.

Charities Implications

- Charity guidelines require that Trustees be independent however there is a conflict between the local Government and Housing Act 1989 which states only LBH Councillors can vote. This model has not addressed the role of LBH in appointing Trustees.
- Charity could not trade for certain activities therefore needs a trading subsidiary.

Pros

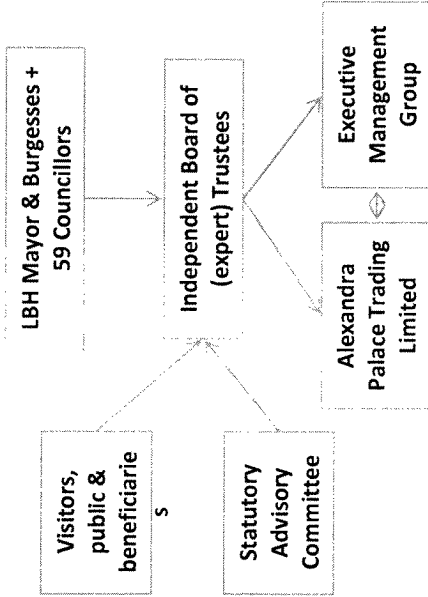
Governance Implications

- Broader skill set on the Boards.

Charities Implications

- Some independence is created through the introduction of independently appointed reps.

5. Beneficiaries



Cons

Governance Implications

- Careful due diligence required to ensure objects of charity are safeguarded.
- Possible loss of control by LBH if decision-making powers transferred to another body.
- The ability to take single control over Park and Palace estate and to use this leverage to drive income earning potential upwards. Is limited due to the need to have two separate Board (between the Trustees and APTL).
- Financial arrangements (particularly Gift Aid (from LBH to Trustees) is not clear and may hinder medium term financial planning.

Tax Implications

- A VAT charge could arise if assets are transferred with the transfer of function.
- May be necessary to consider the appropriateness of current VAT arrangements.
- The disposal of the estate from APPCT to APTL will be a capital disposal for income tax purposes and will be treated as taking place at market value.

Cons

Tax Implications cont.

- Capital gains arising in APPCT on the disposal of the estate should be exempt from capital gains tax but only to the extent that the gains are applied for charitable purposes.
- Risk that capital gains will not be exempt from tax as APPCT's charitable objectives would be transferred to APTL with the estate.
- APTL will need to consider how it raises funds to acquire the estate.
- APTL subject to Stamp Duty Land Tax.
- There is a risk that APTL may not have sufficient cash to make gift aid payments to fully mitigate its taxable profits if obligated to use generated income on refurbishing the estate.
- Model could result in a tax liability arising on income which could have fallen within charity tax exemptions or Gift Aid.

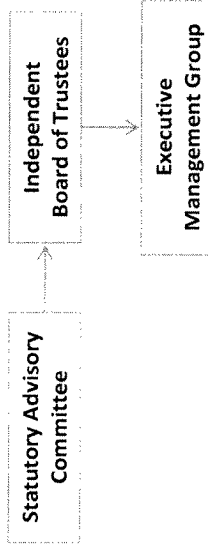
Charities Implications

- Charity guidelines require that Trustees be independent however there is a conflict between the local Government and Housing Act 1989 which states only LBH Councillors can vote.

Pros

- Unlocks goodwill and possible funding.
- LB Haringey removed.
- Lending funding to APPCT is wrong.
- Debt free.
- Brings boarder expertise to Board - skills (x 3 tables). Independence and degree of freedom (x 3 tables) - if funding can be resolved.
- Credibility in public's minds.
- Attract national heavyweights to bring attention to Alexandra Palace.
- Be clear that SAC is a combination of SAC and Consultative Committee.
- Flexibility to rally support from different groups.
- Liberation from political shackles.
- Simplicity/less layers (x 2 tables).
- Non-political.
- Clarity.
- Board must be professional with successful charity experience.
- People would want to join an independent Board of importance.
- Board has to listen to the SAC.
- SAC to include local people.
- Gives stakeholders influence.
- Provides accountability to funders.

Ultimate Solution



Cons

- Funding - where does it come from? (x 2 tables).
- Could LB Haringey give a grant rather than a loan?
- Appropriate developers?
- Appropriate funds?
- Only works if SAC is properly consulted.
- Needs a transitional stage [see record of Trustees Away Day discussion of this].
- Financial uncertainty.
- Needs a dowry from LB Haringey.
- What happens to the historic debt?
- [Requires] change in legislation.
- Danger of ineffective management.
- Concern about abuse of power - no accountability, detrimental decisions could be taken (x 2 tables).

APPENDIX 3 – KEY PROJECT MILESTONES

KEY MILESTONES: MARCH 2010 – MAY 2010

	Feb 2010	March 2010	March/April	May 2010	Summer 2010	Late Summer 2010
	<ul style="list-style-type: none"> • Informal meeting with the Charity Commission • SAC and CC presentation of NCVO code 	<ul style="list-style-type: none"> • Consider pros and cons of structural options at APPCT Board • Open Day and public roadshow 	<ul style="list-style-type: none"> • Meet trustees of similar venues 	<ul style="list-style-type: none"> • Induction for new trustees 	<ul style="list-style-type: none"> • In principle support for a preferred structure • Further legal/tax analysis commissioned 	<ul style="list-style-type: none"> • Trustee decision • Full Council decision

THE ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE(Established by Statute in 1985)To: The Members of the
Advisory Committee (Statutory)Secretary: Mr K. Pryor
Deputy Head of Local Democracy
and Member Services
Haringey Council
Civic Centre, High Road
London
N22 8LETel: 020 8489 2919
Fax: 020 8489 2660
e-mail:

Natalie.cole@haringey.gov.uk

09 March 2010

Dear Members of the Alexandra Park and Palace Statutory Advisory Committee,

Please note the attached letter from Councillor Pat Egan, Chair of Alexandra Palace and Park Board to me as Chair of the Statutory Advisory Committee, in relation to the resolutions of the Statutory Advisory Committee from its meeting on 9th February 2009, which were considered by the Alexandra Palace and Park Board at its meeting on 2nd March 2010.

The letter and its content will be noted at the Statutory Advisory Committee meeting on 17th March 2010.

Yours sincerely,



David Liebeck

Chair of the Statutory Advisory Committee

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Draft letter Chair AP Board to Chair SAC

D. Liebeck Esq

Chair SAC

Dear David

Statutory Advisory Committee Resolutions

I am taking the step of writing to you as Chair of the SAC in my capacity as Chair of the Board. This letter has been seen and approved in draft by all the members of the Board at the Board meeting on 2 March 2010.

The particular reasons for taking this course are that:

1. It appears from the draft minutes of the SAC meeting on 9 February 2010 (I appreciate that you were not in attendance) that the SAC considers some of the recommendations have not been given effect and
2. the Board meeting on 2 March 2010 was to be the last of the current municipal year so I wished that all outstanding issues be resolved.

I wish to start with an observation as to the legal role of the SAC. As I believe we are all aware the SAC was established by the Alexandra Park and Palace Act 1985

As part of the planning enquiry in the early 1980's the inspector had recommended the setting up of a small advisory committee, independent of Haringey Council but upon which there would be equality of representation, to keep an eye on activities at the palace in terms of their impact on the area.

As the provisions in the Act now make clear the SAC is purely an advisory committee. It carries no right of veto over the trustees' activities. Under Section 9(3) the trustees must consult the SAC on the matters set out, have due and proper regard to its advice 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.

Alexandra Palace Way, Wood Green, London N22 7AY

Telephone 020 8365 2121

Facsimile 020 8883 3999

Internet: <http://www.alexandrapalace.com>

E-mail: info@alexandrapalace.com

Charity Reg. No: 281991 VAT Reg. No: 220 7543 91

I understand from the draft minutes of the 9 February meeting that the SAC was of the view that a number of its resolutions from its meeting of 10 February 2009 had not been "answered." (Resolution APSC34 (ii))

I am advised by the Committee secretariat that this is not the case and that all the resolutions of 10 February 2009 have been considered.

I am setting out below the respective resolutions and the response the Board has previously given and/or now gives:

(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;

Board Response

The Board considered this resolution at its meeting on 24 February 2009. It received legal advice and recorded that a formal meeting could not be held. However I said it was agreed a Forum type event would take place in autumn 2009. This did take place. Although it has not been so recorded the Board may wish to hold future forums but it is not appropriate to make a commitment to them.

(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

Board Response

The Board considered this resolution at its meeting on 24 February 2009. It noted the comments of the SAC and recorded that the issue would be raised as part of the Board's future governance discussions.

(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;

Board Response

The Board considered this resolution at its meeting on 24 February 2009. It noted the recommendation and comment.

(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.

Board Response

The Board considered this resolution at its meeting on 24 February 2009. It welcomed the recommendation and asked that the then General Manager explore the possible external/local community funding and report back to a future meeting of the Board.

I do not recall any report back and the Interim General Manager is now to be asked by the Board to explore this matter.

(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.

Board Response

The Board considered this resolution at its meeting on 24 February 2009. It agreed the issue would be raised as part of the Board's further future governance discussions.

(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.

Board Response

The Board considered this resolution at its meetings on 24 February and 3 November. It considered the recommendation but in the absence of any funds for the work was unable to accept it.

As I said above the Board has responded to these matters save the issue of exploring alternative funding for improvements to the Muswell Hill entrance which the Interim General Manager will now take forward.

Turning to the resolutions of your 9 February 2010 meeting these were noted and considered on 2 March.

Yours sincerely,



PAT EGAN

Chair of Board of Trustees

Alexandra
Palace



Agenda item:

Statutory Advisory Committee on
17th March 2010

Report Title: **Temporary Ice Rink and marquee structure on the Pavilion site**

Report of: **Stephen Garner, Head of Events and Leisure**

1. Purpose

1.1 To advise the committee of the Planning Application for the provision of a temporary ice rink and marquee structure on the site of the 'Pavilion' within Alexandra Park for the period 8th June – 15th November 2010

2. Recommendations

2.1 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.

Report of: **Stephen Garner, Head of Events and Leisure**

Contact Officer: **Stephen Garner, Head of Events and Leisure, Alexandra Palace Trading Limited, Alexandra Palace Way, Wood Green N22 7AY**
Tel No. 020 8365 2121

3. Executive Summary

3.1 The Board of Directors for APTL have strongly recommended that during the closed period of the ice rink for the capital works, that APTL provide a temporary ice rink facility within the Park to ensure continuity of business operation.

- 3.2 An ice rink provider is on board to build the temporary ice rink and marquee structure
- 3.3 The date of the planning decision is unknown.

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

- 4.1 By providing a temporary ice rink and marquee structure facility during the period that the permanent ice rink is closed APTL and APPCT are able to continue to meet the charitable objectives that a permanent ice rink facility at Alexandra Palace achieves. It will allow APTL and APPCT to continue to provide a much needed and much loved recreational facility during the Summer and early Autumn of 2010 whilst the permanent ice rink is closed.

5. Local Government (Access to Information) Act 1985

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

6. Description

- 6.1 The summary of the planning application is: "Provision of a Temporary Ice rink and marquee structure on the site known as the Pavilion within Alexandra Park for a period no greater than 8th June 2010 – 15th November 2010"
- 6.2 The date of the planning decision is unknown but it is potentially early in June and as such any comments should be fed back to the May APPCT Board meeting who will be able to consider this application.
- 6.3 Haringey Council approved a £2m capital works loan for the existing Ice Rink on the 22nd February 2010. This decision will lead to the closure of the ice rink for a period of approximately six months and will mean that there will be no ice skating provision available for that period at Alexandra Palace. To ensure that when the ice rink re-opens in late October – early November that we still retain our existing staff, coaches, hockey and ice skating teams and our valued customers it is vital that we continue to provide some form of ice rink operation during that six month closed period. Failure to provide the temporary ice rink will mean that a number of staff who work for us on a casual basis will have no work for the closed period of the permanent ice rink and will have to try and seek alternative employment. In this situation we would be at risk of opening the newly re-furnished ice rink with staff who have limited experience and we would not be able to provide such a high level of customer service. This would potentially be the same situation for our ice skating and ice hockey coaches.

- 6.4 The temporary ice rink and marquee structure will be situated at the South East end of the Pavilion and will benefit from close proximity to high voltage electrical supplies. The entrance to the ice rink will be on the North West side of the structure (facing the boating lake) and guests will be able to continue to park in the East car parks and walk through in the same way that the fun fair operation works.
- 6.5 The provision of the temporary ice rink and marquee structure will be made by a specialist outdoor ice rink provider. APTL will provide the management and coordination of the ice rink diary to ensure that the service provided in the existing ice rink is as close closely matched as possible.
- 6.6 The proposed period for the temporary ice rink and marquee structure is from the 8th June 2010 (post the fun fair operation) until the 15th November 2010. These dates are relevant as they represent the earliest opportunity to utilise the space on the Pavilion site and the last date that the permanent ice facility is likely to be out of operation. It should be noted that if the ice rink is opened earlier then the temporary ice rink and marquee structure will be dismantled earlier and will not remain in situ and operate as a separate entity. There is no intention to run the temporary ice rink in addition to the permanent ice rink and as soon as the permanent ice rink is open then the temporary ice rink will be dismantled
- 6.7 Should this committee wish to provide advice to the Trustees then it is anticipated that this advise would be provided to the meeting noted in point 6.2
- 6.8 Parking provisions will be laid it out in the same manner as the existing permanent ice rink and it is not anticipated that this will change or create any additional impact on the local road network or create any congestion in the local area
- 6.9 Additional temporary signage would be installed to supplement the existing suite of signage to ensure that guests are effectively directed to the temporary ice rink
- 6.10 Noise pollution will be taken into consideration and APTL will ensure that any public address system is designed so that any emitted noise is directional towards the Palace and not towards residential areas. In addition, APTL will apply a strict noise policy and regularly monitor sound levels that will ensure that noise pollution does not become an issue.

- 6.11 APTL intend to provide disco sessions on a Friday, Saturday and Sunday evening. However, to ensure noise issues are taken into consideration we are investigating a 'silent disco'. This involves skaters being issued with headphones and then music is sent via blue-tooth directly to the headphones without the noise being audible outside the marquee. This will ensure that we are able to continue with this popular youth activity without creating noise pollution issues
- 6.12 We would intend to provide the following activities in the temporary ice rink –
- Patch ice skate training
 - Public skating sessions
 - Birthday party sessions
 - Ice hockey training sessions (possibly not games)
 - Disco and chill out sessions in the evening
- 6.13 The open times that we would propose would be as close to the current timetable as possible which are generally 0600hrs (for figure skating training) through to 2300hrs (for disco sessions and ice hockey training;)

7. Consultation

- 7.1 This report forms part of the Trustee's process of seeking advice from the Advisory Committee under the Alexandra Park and Palace Act 1985. The planning process invites comment from a much wider group of interested parties who should also put forward comments. It is intended that APTL will engage with other interested parties i.e. friends of Alexandra Park at an open evening before the planning application is submitted.

8. Recommendations

- 8.1 That the committee considers the application and decides what advice, if any, it wishes to provide the board of trustees regarding this application.

9. Legal Implications

- 9.1 The Trust's solicitor and LBH Head of Legal Services have been sent a copy of this report.

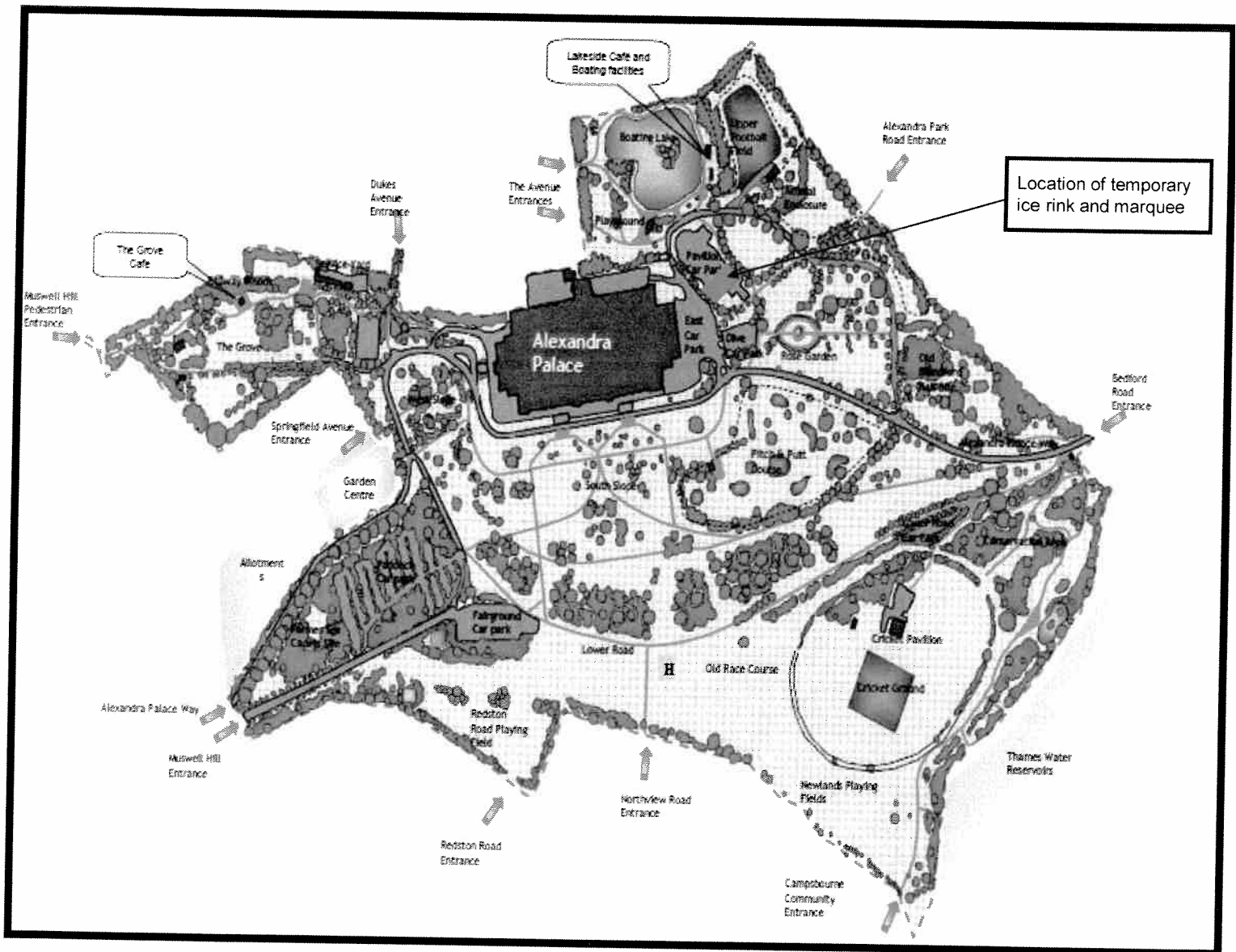
10. Financial Implications

- 10.1 The LBH Chief Financial Officer has been sent a copy of this report.
- 10.2 The temporary ice rink is expected to break even at the conclusion of the project i.e. 15th November 2010. Any costs associated with the provision of the temporary ice rink will be managed through the revenue generated during the ice rink operation.

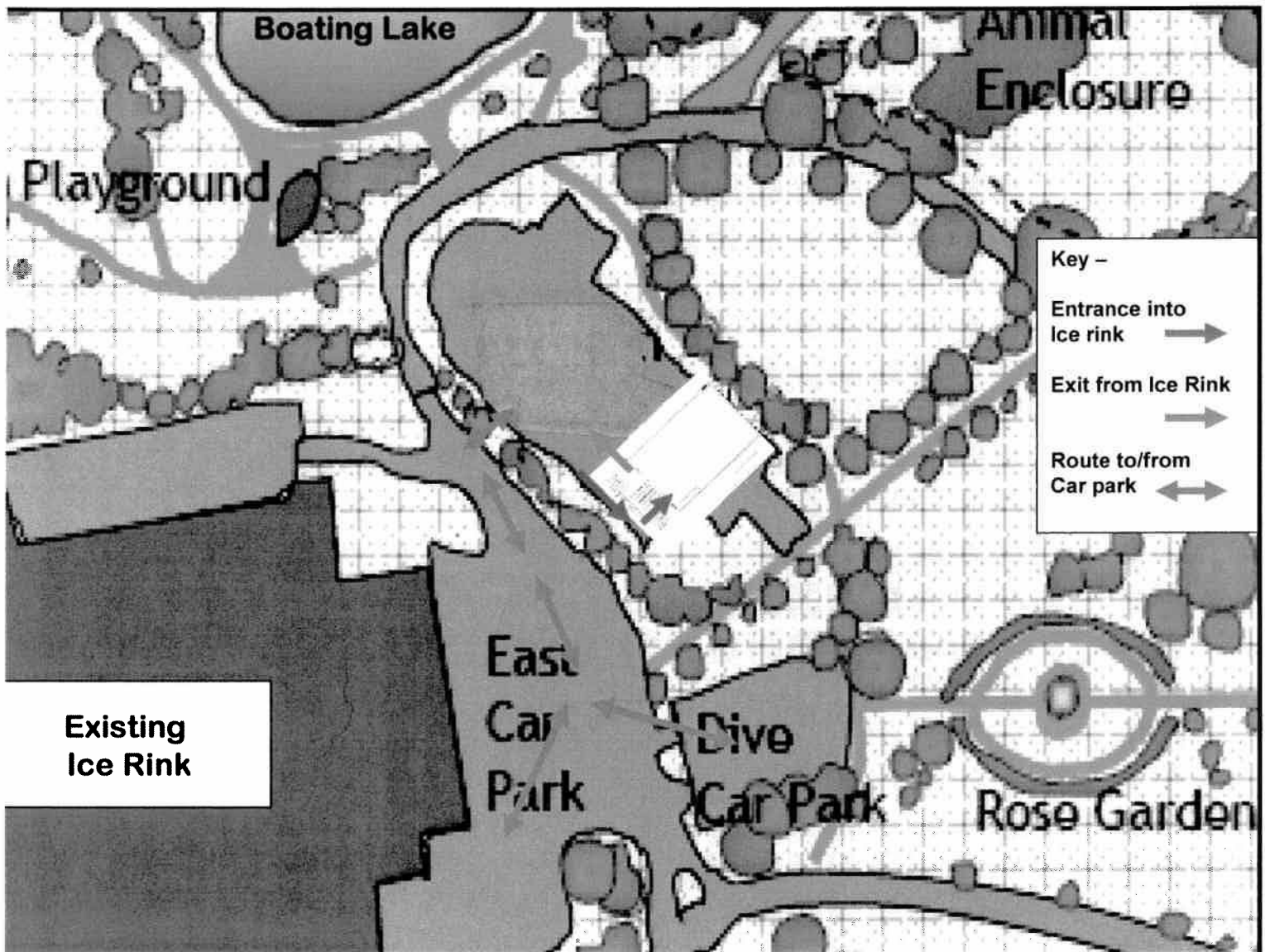
11. Use of Appendices/Tables/Photographs

- 11.1 A copy of the location within the park.
- 11.2 A plan of how the temporary ice rink will be operated on the Pavilion site
- 11.3 A copy of the layout
- 11.4 Photo's of a similar scheme that was held in the Isle of Man
- 11.5 Photo's of the Pavilion site
- 11.6 A link to the recent temporary ice rink facility provided in the Isle of Man is attached

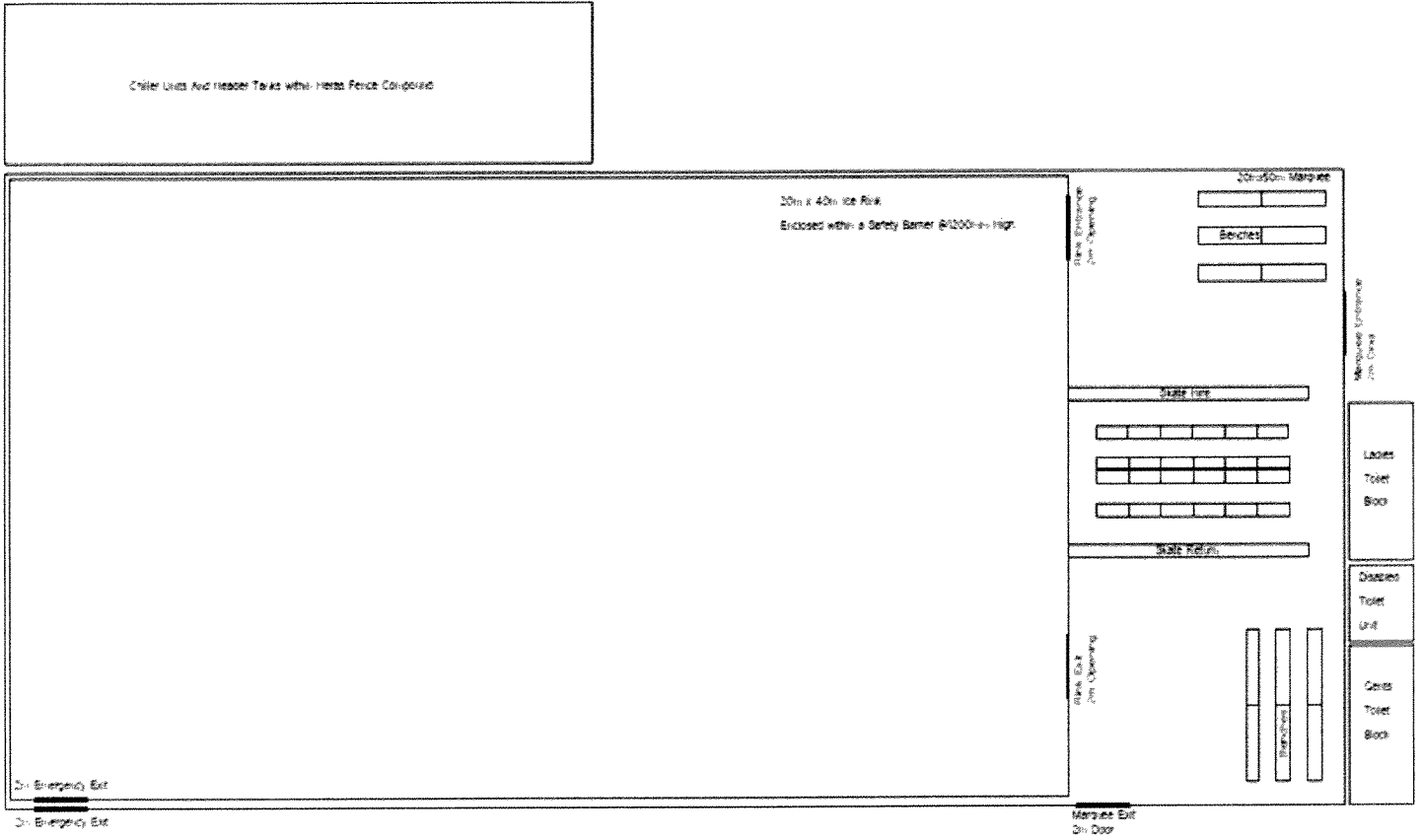
Appendices 11.1 - Copy of the location within the park



Appendices 11.2 - plan of how the temporary ice rink will be operated on the Pavilion site

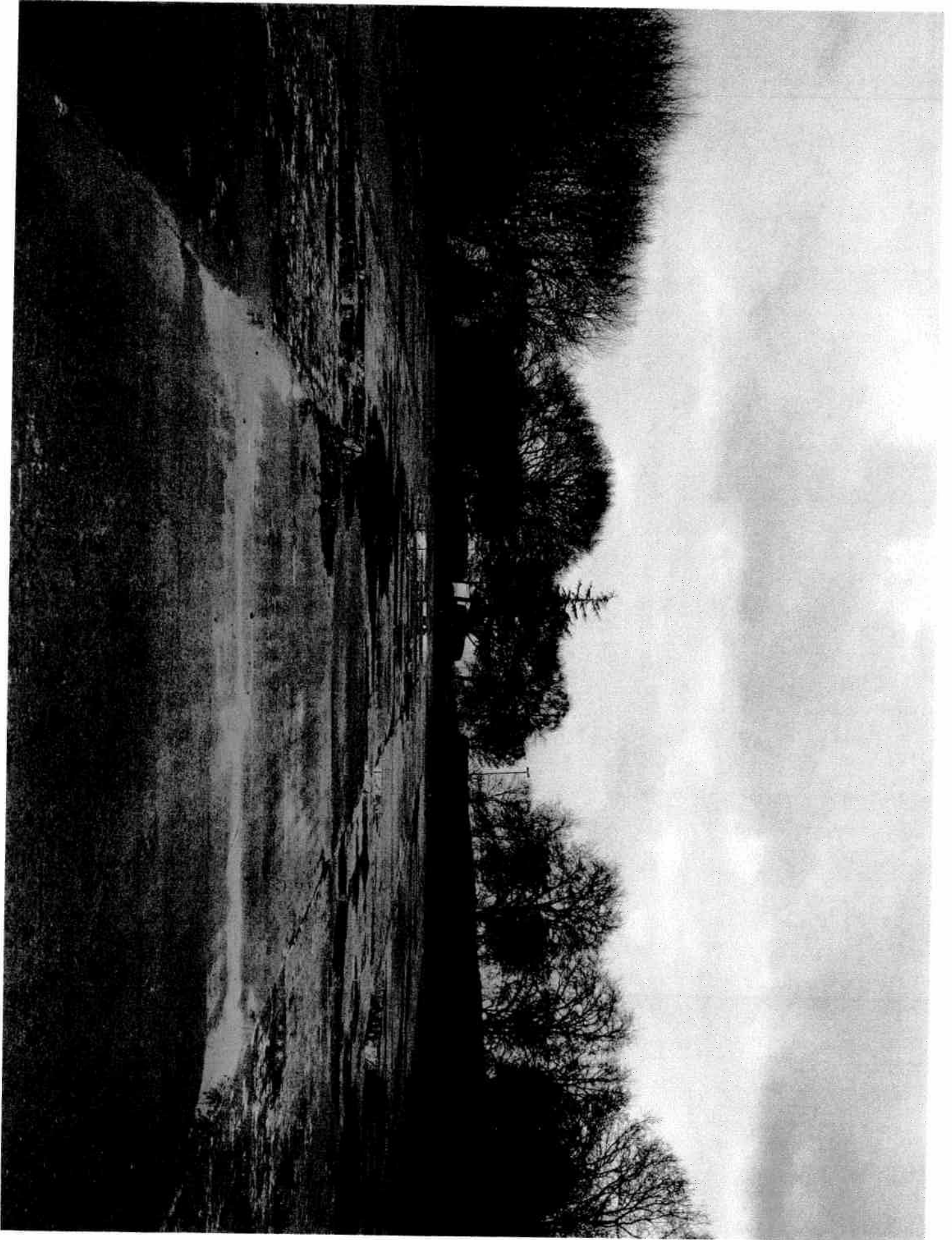


Appendices 11.3 - copy of the layout



Appendices 11.4 - Photo's of a similar scheme that was held in the Isle of Man





Appendices 11.6 – web link to the recent temporary ice rink facility provided in the Isle of Man

<http://www.youtube.com/watch?v=1LnUFb8RtRY>

