

## 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  
7<sup>th</sup> Floor, River Park House  
225 High Road, Wood Green  
London, N22 8HQ

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**Dear Member,**

A meeting of the **ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE.** will take place on **TUESDAY, 2ND NOVEMBER, 2010** commencing at **19:30** hrs in the Londesborough Room, **LONDESBOROUGH ROOM, ALEXANDRA PALACE, ALEXANDRA PALACE WAY, LONDON N22** 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. MEMBERSHIP**

To note the appointment of Councillor Sophie Erskine who will replace Councillor Matt Davies as Fortis Green Ward representative as agreed at Haringey's full Council meeting on 18<sup>th</sup> October 2010.

**4. MINUTES (PAGES 1 - 14)**

- i) To approve the minutes of the Advisory Committee held on 7<sup>th</sup> September 2010 **(to follow)**.
- ii) To receive the minutes of the meeting of the Alexandra Palace and Park Board held on 6<sup>th</sup> September 2010 to be noted
- iii) To receive the draft minutes of the meeting of the Consultative Committee held on 14<sup>th</sup> September 2010 to be noted **(to follow)**.

**5. GARDEN CENTRE PLANNING PROPOSALS (PAGES 15 - 28)**

To consider the proposals for the Garden Centre submitted by the tenant, Capital Gardens Ltd.

**6. LITTLE DINOSAURS (PAGES 29 - 36)**

To note the procedures followed in the Little Dinosaurs enforcement case and the extent of the demised area following discussion of the matter at previous meetings.

**7. FORTHCOMING EVENTS (PAGES 37 - 40)**

To receive the report of the Managing Director, Alexandra Palace Trading Limited (APTL) advising the Advisory Committee on forthcoming events to the end of the financial year.

**8. REPORTS TO THE ALEXANDRA PALACE AND PARK BOARD (PAGES 41 - 64)**

To receive a verbal update from the General Manager – Alexandra Palace on the Governance Update report and the Bespoke Code of Governance report presented to the Alexandra Palace and Park Board on 14<sup>th</sup> October 2010.

**9. ANY OTHER BUSINESS**

**10. DATES OF FUTURE MEETINGS**

To note the dates of future meetings of the Advisory Committee as follow:

Tuesday 25<sup>th</sup> January 2011  
Tuesday 5<sup>th</sup> April 2011

To: Nominated Members of:

<b>Alexandra Residents' Association</b>	<b>: Ms J. Hutchinson</b>
<b>Bounds Green and District Residents' Association</b>	<b>: Mr K. Ranson</b>
<b>Muswell Hill and Fortis Green Association</b>	<b>: Mr Dennis Heathcote</b>
<b>Palace Gates Residents' Association</b>	<b>: Ms J. Baker</b>
<b>Palace View Residents' Association</b>	<b>: Ms E. Richardson</b>
<b>The Rookfield Association</b>	<b>: Mr D. Frith</b>
<b>Warner Estate Residents' Association</b>	<b>: Mr D. Liebeck</b>

Appointed Members:

<b>Alexandra Ward</b>	<b>:</b>	<b>Councillor Beacham</b>
<b>Bounds Green Ward</b>	<b>:</b>	<b>Councillor Christophides</b>
<b>Fortis Green Ward</b>	<b>:</b>	<b>Councillor Erskine</b>
<b>Hornsey Ward</b>	<b>:</b>	<b>Councillor Whyte</b>
<b>Muswell Hill Ward</b>	<b>:</b>	<b>Councillor Jenks</b>
<b>Noel Park Ward</b>	<b>:</b>	<b>Councillor Gibson</b>
<b>Council-wide Member</b>	<b>:</b>	<b>Councillor Demirci</b>
<b>Council-wide Member</b>	<b>:</b>	<b>Councillor Watson</b>

Also to:

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

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**UNRESTRICTED MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
MONDAY, 6 SEPTEMBER 2010**

\*Denotes attendance

\*\* for part of the meeting only

Councillors Egan\*\* (Chair), Strickland\*\* (Vice-Chair), Hare\*\*, Peacock\*, Scott\*\*, Stewart\*, and Williams \*\*

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

Observer: David Liebeck

Also present:

\*Mr A. Gill – Interim General Manager – Alexandra Palace

\*Mr I. Harris – Trust Solicitor

\*Mr M. Evison – Park Manager – Alexandra Palace

\*Ms H. Downie - Head of Finance – Alexandra Palace

\*Ms R. Kane – Managing Director – Alexandra Palace Trading Limited

\*Mr J. Barnett – Interim Facilities Manager - Alexandra Palace

\*\*Ms J. Parker – Director of Corporate Resources – LB Haringey

\*Mr G. Oliver – Financial Manager – LB Haringey

\*Mr T. Mitchison – Legal Services – LB Haringey

Mr C. Hart – Committee Manager (Clerk to the Board) LB Haringey

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**MINUTE  
NO.**

**SUBJECT/DECISION**

<p><b>APBO40.</b></p>	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>There were no apologies for absence.</p> <p><b>NOTED</b></p>
<p><b>APBO41.</b></p>	<p><b>URGENT BUSINESS</b></p> <p>The Chair advised that there were no items of urgent business relating to the agenda, and confirmed with the Clerk to the Board that as this was a special meeting only those items listed on the agenda sheet would be considered.</p> <p><b>NOTED</b></p>
<p><b>APBO42.</b></p>	<p><b>DECLARATIONS OF INTERESTS</b></p> <p>The Clerk to the Board – Mr Hart advised the Board that those members who sat as Directors to the Board of Alexandra Palace Trading Limited were required to declare a personal interest and prejudicial interest with regard to agenda item 8 – Approval of written resolutions of the Board of APTL and to leave the proceedings for Item 8.</p> <p>Councillors Egan, Hare, Scott and Strickland respectively declared a personal</p>

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	<p>interest and prejudicial interest with regard agenda item 8 - as Directors to the Board of Alexandra Palace Trading Limited .</p> <p>Ms Parker – Director of Corporate Resources – LB Haringey also declared an interest in Exempt Item 8 as Director of Alexandra Palace Trading Limited., and employee of LB Haringey.</p> <p><b>NOTED</b></p>
<p><b>APBO43.</b></p>	<p><b>GOVERNANCE UPDATE</b></p> <p>The Chair asked for a brief introduction of the report.</p> <p>The Managing Director of Alexandra Palace Trading Limited, in her capacity as Project Manager for the Governance and Future Vision informed the Board that the purpose of the report was to report back on progress, following the decisions taken at Board on 29 June, and the subsequent actions arising for Project Steering Group (PSG) in the following areas:</p> <ol style="list-style-type: none"> <li>a) Financial Independence</li> <li>b) Structural changes to streamline processes and systems</li> <li>c) Timeframe and process mapping</li> <li>d) Master planning and the future of AP</li> </ol> <p>The report also sought endorsement of the financial focus recommended by PSG across Alexandra Palace, together with a proposed ‘interim’ model proposed by PSG for structural change and seeking the Board’s guidance on the terms of engagement, job description and recruitment process for the Independent Advisors. Ms Kane also referred to the reported updated key milestones for governance reform and those changes requiring Full Council of LB Haringey for approval.</p> <p>Ms Kane also advised that following the Board’s decision to create a “master planning” working group, it was necessary to seek the Board’s approval for the terms of reference and membership of the Alexandra Park &amp; Palace Regeneration Working Group. A revised version of pages 9-12 had been re-circulated and should be referred to during discussion of the item.</p> <p>Ms Kane also tabled the notes of the question and answer session that was held on 24 August 2010 with stakeholders on the issues outlined as ease of reference. (A copy will be interleaved within the minutes)</p> <p>Ms Kane commented that in terms of the three areas for discussion, the first was Financial Independence and this had been agreed as a longer term aspiration of the Board. In the meantime, the following immediate focus was recommended by PSG:</p> <ul style="list-style-type: none"> <li>• APTL: increase profit and drive commercial activity</li> <li>• APPCT: fundraise</li> <li>• Master Plan: identify untapped investment sources/funding (to include</li> </ul>

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quick wins as well as longer term investment)

The Chair felt that each section should be commented upon separately and asked that Members comment.

Ms Kane referred to the Question and Answer Session of 24 August 2010 Q.s 1 & 2 which stated:

Question 1: Does this really represent real progress? The 'interim' model, due to be considered by Trustees on 6 Sept, is almost identical to the model tabled at the Stakeholder Forum in October 2009. Have the trustees gone far enough?

Question 2: What is the timeline for SAC and CC reform?

Councillor Stewart asked how many attended on 24 August and Ms Kane responded that the session had been attended by 15/16 individuals.

Members raised the following points of clarification

- Concerns of the attendees at the Stakeholder Forum at the length of time the whole issue of the future of the Palace was taking and the need for the Board to look itself at this as detailed in question 1. Ms Kane responded that the reason given had been it was hoped that stakeholders would take comfort from the fact that the interim model being considered by Trustees was almost identical to the one mooted in the autumn of 2009 and therefore reflected that the Board had listened to stakeholders and not created totally different models. There had been a lot of work behind the scenes and further engagement with stakeholders, plus bringing newly appointed trustees up to speed with the changes to ensure 100% support and understanding. The Board had also adopted an aspiration of total independence in the longer term which was what the majority of stakeholders requested.
- the issue of governance and future vision did not only centre on changing the function and capability of the current Alexandra Palace and Park Board and that by changing the Board set up this did not automatically alter how the palace would be run. The issue of the function of the Alexandra Park and Palace Advisory Committee (APPA), and Alexandra Palace and Park Consultative Committee (APPC) also required review as to whether there could some form of merging. The Stakeholders Forum had been informed that the reform would commence once the APPA and APPC had held forthcoming meetings (7 and 14 Sept respectively) and agreed the process for reviewing themselves. An update to the Board was expected on 5 October 2010 but not anticipating the work will have been completed at this stage.

***Independent Advisors***

Reference to question 5 from the Stakeholders Forum asking how Independent Advisors would be recruited. The question had been 'How will the independent advisors be selected? What skills will they have? They must be appointed with

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ability to challenge/lead the Trustees rather than just do their bidding’.

Ms Kane advised that the response given was to the effect that there would be a clear recruitment and selection process, and that the Advisers would not be the same as paid consultants and would be chosen for their relevant skills sets to assist the delivery of a new vision. Ms Kane advised that it had been further suggested that the Independent Advisers should be “Shadow Trustees”. Stakeholders had been invited to send suggestions for recruitment to the Interim General Manager.

Discussions then centred on the issue and role of the Independent Advisers – the main points being:

- Clarification was sought as to how to attract the Independent Advisers and the criteria for expertise and skills;
- possible advice from the Charity Commission as to how other Charities had progressed the recruitment of specialist advisors
- attracting advisers with particular historic interest or ability to fund raise and an understanding of commerciality/fund raising, or high profile nationally
- the need to not limit the number of advisors but this be dependent on the specific criteria and skill set e.g. advisers similar to those used for the development of St Pancras or Tate Modern or other such large scale development
- that the criteria for expertise could fall into 3 main categories – fund raising, heritage, hospitality
- that the Independent Advisers would not receive any monetary stipend for the role but would be able to claim reasonable expenses
- the possible interest as a museum site and attracting notable persons in the museum world
- the overriding need to ensure that any recruitment drive pitched itself to ensure that it attracted a sufficient level of interest and that there were concerns that in attracting expertise it then hopefully did not turn out that overall there is no achievement
- that whether the strategy for the future of the Palace and Park needed to be clearly defined in order to attract the most suitable advisors and rather than create a role this would naturally develop by the skills and expertise brought by those recruited
- that the Independent Advisers would be seen in an ambassadorial role with a whole range of abilities and that their function be a meaningful one
- the need to re-approach the BBC given the site’s historic position as the birth of television and their support for a Museum/TV Heritage site
- the recruitment process be along the lines similar to that used the previous year for the recruitment of NED’s of APTL by using external agencies for the purpose
- the need for obtaining the view of current employees at the palace as to their views as to the future development and expertise required

(Ms Downie arrived at 18.59hrs)



***Structural Changes to streamline processes and systems***

Ms Kane referred to the structural changes as detailed in the report which had been recommended by the PSG with an 'interim' model proposed for adoption by the Board. The main features of the model were:

- Combined and more effective stakeholder forum: SAC and CC
- Appointment of independent advisors to the Board

Ms Kane advised that the PSG had concluded that the organisation was too far removed from the ultimate solution of legal and financial independence but that both should remain longer term aspirations of the Board. It was recommended that the 'interim' model would provide a phased approach in the meantime.

Ms Kane referred to the meeting that took place with the Chair of the Board, the Chair of the APPAC, Mr Liebeck, Mr Gill and herself where proposals were explored and the following agreed:

- APPAC and APPCC to be requested to hold an inaugural joint meeting at which both groups to agree a process for 'holding a mirror to themselves', as the Board had done, and identify actions to streamline their processes and improve effectiveness; including consideration of the necessity of having two separate groups. Pending approval by the APPB to the 'interim' model proposed, this action would be tabled for approval at both the APPAC (7 Sept) and the APPC (14 Sept) forthcoming meetings.
- It was recognised that whilst APPAC was constituted by an Act of Parliament, like the APPB, there could be means of enhancing its current remit/membership and that this should not be ruled out without thorough investigation.
- The SAC would also be asked, via the Park Manager for APPCT, to undertake a review of the AP byelaws.

Ms Kane referred to the questions 6 & 7 raised at the Stakeholders meeting on 24 August 2010 and the responses given as follows:

With regard to question 6 'How will the SAC / CC review be conducted and will it provide an opportunity for other interested parties to suggest new members etc?' Ms Kane commented that the response given had been similar to her earlier comments in that the SAC and CC needed to consider at their forthcoming meetings the process and methodology for conducting the review. Officers would feed back to both chairs that others (currently not members of either) would like to have an input. It was also important to note that the comment had been that the concept of the People's Palace remained a strong tenet of the future of AP&P.

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With regard to question 7 'How can we be certain that the Trustees will listen to stakeholders in the future? In the past the SAC and CC have been ignored on many occasions' Ms Kane advised that the response had been along the lines that one of the main reasons the Board had asked that the APPAC and APPCC reviewed themselves was to ensure that the stakeholder forum become as efficient and effective as possible. This was a clear objective that emerged from both the trustee and the stakeholder forum sessions held in the autumn 2009. This would hopefully aid better communications and a constructive dialogue in the future. The Board had also committed, by virtue of the NCVO code that they had adopted, to open and transparent processes and effective engagement of a myriad of stakeholders. Ms Kane also advised that several present at the meeting had commented that the relationships and communications between the respective committees had improved recently.

The Chair asked if there were any particular comments or views.

Councillor Hare commented that in his view it was an effective process, given that the Board had examined its Governance and had considered the NCVO model it was only fair that it ask the APPAC & APPCC to look at their functionality and effectiveness in accordance with the NCVO guidelines. Councillor hare asked if officers would support this proposal. Mr Gill responded that officers would provide support to this process. Ms Kane advised that it should be acknowledged that a considerable amount of work had been progressed by the Board through consultation with stakeholders and that this was an on-going process.

At this point there was an interruption from a Member of the public present in the public seating area. The Chair advised that whilst the meeting was a public one, it was not for public participation and therefore advised that questions or clarification from the public was not allowed, and ask that such interruptions desist.

***Time Frame and Process mapping***

Ms Kane referred to the adopting of the interim model and the timetable as detailed in para 6.3 of the report and asked if there were any points of clarification. Ms Kane referred to the political group meetings of the LB Haringey in early October and the need to firm up the likely dates.

The Chair commented that the timetable was aspirational and likely to encounter some slippage in the coming weeks, and suggested some further discussion outside of this meeting.

***Master Planning and the future of Alexandra Palace and Park***

Ms Kane referred to the appendices circulated (as amended for pages 9-12 of the report) in respect of the draft terms of reference of the Alexandra Palace and Park Regeneration Working Group which set out the key activities of the body. As outlined in the report the primary purpose of the Working Group would be to develop, manage and co-ordinate an integrated regeneration strategy and master plan for the palace and surrounding park.

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Ms Kane referred to questions 4 and 8 at the Stakeholders Forum and the responses given:-

With regard to question 4 'Will anything happen whilst LBH is in charge? The LBH councillors have no vision, as evidenced at Hornsey Town Hall. Another 5 years could be spent talking about plans and delivering nothing', Ms Kane advised that the response to the question had been that the Board had been considering their vision for Alexandra Palace and Park and had abandoned the previous strategy of finding a single developer for the site. Stakeholders had been involved in that process, with draft brand values created to underpin that vision, and the suggestion of some independent advisors being invited onto the APPB to swell the skills sets and experience to be drawn upon. The stakeholders were also advised that the proposed Regeneration Working Group would formulate ideas and recommendations for the Trustees and draw on a wide range of expertise. The building was driving the timescales, and there no time for lengthy debate and procrastination. The building would not survive if action was not swift.

With regard to question 8 'Can we be assured that there is no hotel coming into the main building? And that the trustees won't lease parts of the building?', Ms Kane advised that the response to the question had advised that nothing would be ruled in or out at this stage. The role of the Regeneration Working Group would be to assess the best use of the building and make recommendations to the APPB. It was further advised that a hotel had long been viewed by many as a necessity for Alexandra Palace and Park and planning permission had been granted in the past for the site. The APPB had committed to not seeking to grant a long lease to a sole operator, though the Chair of APPB did not rule out that if a body like English Heritage wished to manage the Palace that might be appropriate.

Ms Kane then referred to the draft terms of reference of the Alexandra Palace and Park Regeneration Working Group as detailed and stated that the role of the Chair of the Working Group and the actions of the group were clearly defined.

The Chair referred to the revised terms of reference as drafted by the Interim General Manager – Mr Gill and asked that he give a brief explanation of those proposed revisions.

Mr Gill responded that he had not been in attendance at the PSG meeting when the draft had been agreed due to being on annual leave. As the amendments showed in bold in the addendum to the circulated report it was a fact that the role of the Regeneration Working Group was in an advisory capacity and this body was not empowered to take decisions on behalf of the Alexandra Palace and Park Board. Therefore the terms of reference required amendment to reflect this, with the amendments clearly showing that the Working Group would not be responsible for taking any decisions. Mr Gill explained to the Board the rationale and implications of each his proposed amendments.

The Trust Solicitor – Mr Harris also referred the Board to his circulated note regarding the proposed original terms of reference as agreed by the PSG. Mr Harris advised that the further Terms of Reference circulated on 1 September

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2010 by the Clerk to the Board on behalf of Ms Kane appeared to give decision making power to the group, with its stated role being “delivery of a strategic master plan which will provide an integrated framework for future commercial and development delivery.” Mr Harris commented that his advice to the Board was that it should ensure amendments to the proposed terms of reference were made so that it was convened as an advisory group; with the Board retaining the ultimate decision making function. The legal rationale behind this advice was that it was for the Alexandra Palace and Park Board alone to make key decisions about the charity. The Board was able to delegate matters but not such a key one as this, and to seek to delegate such a matter would be contrary to charity law and also in breach of the recently adopted Code of Governance.

The Chair thanked Mr Gill, Mr Harris and Ms Kane for their comments and asked if there were any comments from the Board.

Councillor Hare commented that his concern regarding the amendments to the terms of reference of the Regeneration Working Group could mean that the working group may feel hampered or held back by the need to refer all matters to the Board for decision. He also sought clarification as to if there was a budget allocation to progress this work. In response Mr Gill advised that £50K had specifically been allocated for this purpose – held by the LB Haringey.

Councillor Hare referred to the scope of work that the Working Group would undertake and the likely slowing of the timetable given the small number of scheduled Alexandra Palace and Park Board meetings. He felt that if the amendments to the terms of reference were agreed there would be a need for special Board meetings to be convened at regular intervals to take required decisions. Councillor Hare expressed his concerns at the issue of timescales and the need for additional Board meetings as and when required and asked that these concerns be noted.

Councillor Scott commented that in terms of the Working Group it should clearly be established in a non decision making capacity and in his view the working group’s main tasks would be to draw up the strategy and master plan for adoption by the Board and that the Board would meet on a regular basis in order to consider issues as and when required.

Councillor Hare referred to the role of the Interim General Manager in that issues for consideration by the Board from the Working Group would be passed to the Board following consideration/vetting by the Interim General Manager, and subject to the Interim General Manager’s agreement or rejection of matters to be considered by the Board. Councillor Hare felt that when this was the case, the Board be given the opportunity to see the original proposals from the Working Group referred to the General Manager for consideration in order to ensure that the Board was aware of any issues being blocked (for any reason) by the Interim General Manager.

The Chair asked Mr Gill if he had any response to give in respect of Councillor Hare’s suggestion. Mr Gill advised the Board that in his opinion Councillor Hare’s suggestions did not warrant a response.

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Councillor Stewart sought clarification from Ms Kane as to whether she was broadly in support of Mr Gill's proposed amendments.

In response Ms Kane commented that the Working Group would need to move fast in order to expedite and drive through the development, management and co-ordination of an integrated regeneration strategy and master plan for the palace and surrounding park. In terms of the time line the Working Group needed to have the ability to progress effectively and the amendments would in her view hamper this. Ms Kane commented that the original terms of reference did have enough clauses to protect the position of the Alexandra Palace and Park Board and there were reassurances of this protection within those un-amended terms of reference.

Councillor Stewart asked if in Ms Kane's views, the amendments could limit the function of the Working Group, and Ms Kane responded that that potentially yes the amendments would do so.

The Chair referred to the membership of the Regeneration Working Group and expressed his concern that there was only one representative of the Trust on the Working Group and asked whether the Board felt that it was sufficient or whether there should be some Board representation.

Mr Willmott commented that in his view as it was a working group of officers and as there were built in processes for reporting to the Alexandra Palace and Park Board he felt that whilst the Working Group was officer lead, should there be some Board members sitting on the Group.

In response to further clarification from the Chair and Councillor Hare as to the Working Group's membership, the Director of Corporate Resources LB Haringey – Ms Parker advised that once the Group was established its membership could be varied if it was felt necessary, and the membership could be reviewed as time progressed.

Ms Kane sought clarification as to the £14K spent on the previous NED's recruitment to APTL and given this amount spent would there be sufficient funds available for the recruitment of Independent Advisers. Mr Gill responded that there was a budget allocation for this purpose and there would be no need to seek Board approval on this point.

The Chair then summarised the discussion and it was:

**RESOLVED**

- i. That support be given to the financial focus in the short term for APPCT, APTL and the Regeneration Working Group;
- ii. That the proposed 'interim' model for structural change, including a review of the Alexandra Park and Palace Advisory Committee and Alexandra Palace and Park Consultative Committee as the most appropriate phased approach towards the longer term aspiration of legal/financial independence be endorsed.

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	<p>iii. That the terms of engagement, job description and recruitment process for the Independent Advisors be endorsed based on the steer outlined during discussion of the item and in the following terms:</p> <ul style="list-style-type: none"> <li>• attracting advisers with particular historic interest or ability to fund raise and an understanding of commerciality/fund raising, or high profile nationally</li> <li>• the need to not limit the number of advisors but this be dependent on the specific criteria and skill set e.g. advisers similar to those used for the development of St Pancras or Tate Modern or other such large scale development</li> <li>• that the criteria for expertise could fall into 3 main categories – fund raising, heritage, hospitality</li> <li>• that the Independent Advisors would not receive any monetary stipend for the role but would be able to claim reasonable expenses</li> <li>• that the Independent Advisors would be seen in an ambassadorial role with a whole range of abilities and that their function be a meaningful one</li> </ul> <p>iv. That the key milestones be noted and it be agreed that the Board Trustees will act as champions for these, in a bid to help secure Full Council approval;</p> <p>v. That approval be given to the amended draft terms of reference and proposed membership of the Alexandra Park &amp; Palace Regeneration Working Group as shown in pages 13-15 of the report;</p> <p>vi. That in respect of the recommendations arising from the work of the Alexandra Park &amp; Palace Regeneration Working Group requiring consideration by the Alexandra Palace and Park Board it be noted that special meetings of the Alexandra Palace and Park Board will be convened as and when required to consider such issues; and</p> <p>vii. That the full Council of LB Haringey be requested to delegate to the Alexandra Palace and Park Board the recruitment, selection and appointment of the independent advisers to the Board.</p> <p>(Ms Parker left the proceedings at 19.30hrs due to her attendance at another meeting at the LB Haringey)</p>
<p><b>APBO44.</b></p>	<p><b>PARK AND PALACE BYE-LAWS</b></p> <p>The Chair asked for a brief introduction of the report.</p> <p>The Park Manager – Alexandra Palace – Mr Evison advised the Board that the purpose of the report was to seek approval to commencing the process of</p>

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considering whether the byelaws for Alexandra Park and Palace were fit for purpose and up to date. The Board, if minded to do so, were also asked to agree to a consultation exercise so relevant stakeholders could input into the review process.

Mr Evison commented that the existing Byelaws had been made on 31 May 1929 under what was then Section 18 of the 1900 Act, subsequently repealed by the 1966 Order which effectively transferred Alexandra Palace to the Greater London Council (GLC) with Paragraph 8 of the 1966 Order stipulating that any Byelaws in force shall have effect as if they had been made by the GLC. That particular paragraph survived the 1985 change and appears in schedule 3 to the 1985 Act, which sets out the provisions from the earlier legislation that remain in force

Mr Evison advised that the Board was not asked at this point to consider the particular details of the existing byelaws but to decide whether or not the 1929 Byelaws should be reviewed and possibly updated in view of both the change of circumstances over the last 80 odd years and perhaps more particularly the change in language. Mr Evison further advised that a review of the byelaws could include relevant details relating to traffic and car parking in light of the potential to enact a car park charging scheme in the future. Mr Evison concluded that the Board would retain the final decision making power and in essence what was being sought from the Alexandra Park and Palace Advisory Committee and Alexandra Palace and Park Consultative Committee was advice though the Board may or may not accept that advice.

The Chair thanked Mr Evison for his succinct summary and asked if the LB Haringey's Legal representative – Mr Mitchison had any comment to add.

Mr Mitchison responded that whilst it was appropriate to review existing byelaws it was the case that there were no guarantees of them actually being revised. Though it would be for the Board to agree any such changes it was ultimately a decision of Central Government though he could not see any major issue arising that would cause difficulty.

In response to clarification of points from Councillor Scott the Trust Solicitor Mr Harris advised the Board were Trustees appointed by the Council and although the Board were in the position to review the byelaws these were actually byelaws belonging to the LB Haringey.

There being no further points of clarification the Chair summarised and it was:

**RESOLVED**

- i. That approval be given to review the palace and park byelaws;
- ii. That the Alexandra Park and Palace Advisory Committee and the Alexandra Palace and Park Consultative Committee and other stakeholders be requested to consider the byelaws and give their advice on updates or amendments; and
- iii. That the advice of the Alexandra Park and Palace Advisory Committee and the Alexandra Palace and Park Consultative Committee and other

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	stakeholders be reported to the Board at a future meeting.
<b>APBO45.</b>	<p><b>EXCLUSION OF THE PUBLIC AND PRESS</b></p> <p>That the press and public be excluded the from the meeting for consideration of Items 7 - 9 as they contain exempt information as defined in para 3 of 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>At this point in the proceedings (19.35hrs) the Chair moved an adjournment for a period of 5 minutes which was agreed nemine contradicente.</p> <p>The Board adjourned at 19.35hrs and reconvened at 19.40hrs.</p> <p>The Chair announced that the order of business would be varied to consider agenda item 9 after agenda item 7.</p> <p><b>NOTED</b></p> <p style="text-align: center;"><b><u>SUMMARY OF EXEMPT/CONFIDENTIAL PROCEEDINGS</u></b></p>
<b>APBO46.</b>	<p><b>THE LEASE FOR THE OLD STATION BUILDING</b></p> <p><b>AGREED RECOMMENDATIONS</b></p> <p>At this point in the proceedings the Chair reminded the Board that it would next consider agenda item 9.</p>
<b>APBO47.</b>	<p><b>INTEGRATED FACILITIES MANAGEMENT CONTRACT</b></p> <p><b>AGREED RECOMMENDATIONS</b></p> <p>At this point in the proceedings (20.10hrs) Councillors Egan, Hare, Scott and Strickland withdrew from the proceedings having declared a personal and prejudicial interest in agenda item 8 – Approval of written resolutions of the Board of APTL Accounts. The Managing Director of APTL did not leave the proceedings.</p> <p><b>NOTED</b></p>
<b>APBO48.</b>	<p><b>APPROVAL OF WRITTEN RESOLUTIONS OF THE BOARD OF APTL ACCOUNTS</b></p> <p>The Clerk to the Board – Mr Hart advised the Board that as the Chair and Vice-Chair had withdrawn from the proceedings it would be necessary to elect a Chair for the remainder of the proceedings. Mr Hart sought nominations for the Chair.</p>



**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
MONDAY, 6 SEPTEMBER 2010**

Councillor Peacock nominated Councillor Stewart as Chair for the remainder of the proceedings. Councillor Williams seconded the nomination.

There being no other nominations it was resolved nemine contradicente that Councillor Stewart take the Chair for the remainder of the proceedings.

**COUNCILLOR STEWART IN THE CHAIR**

**AGREED RECOMMENDATIONS**

There being no further business to discuss the meeting ended at 20.33hrs.

COUNCILLOR PAT EGAN

Chair

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**Alexandra Park & Palace Advisory Committee**

**on 2<sup>nd</sup> November 2010**

Report Title: **Planning Proposals by Capital Gardens Ltd**

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

**1. Purpose**

- 1.1 To advise the committee of the proposals for the Garden Centre submitted by the tenant, Capital Gardens Ltd.

**2. Recommendations**

- 2.1 That the committee considers the proposals and indicates if it has any advice for the Alexandra Palace and Park Board.

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 The garden centre tenant has advised officers that they wish to make two developments within their demise.  
3.2 The first is to convert some old sheds in to a new retail area  
3.3 The second is to construct a new pergola as a shelter for sensitive bedding plants.

**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 Having regard to the provisions of the 1985 Act the Alexandra Park and Palace Advisory Committee is being asked to consider and provide advice to the Alexandra Palace and Park Board upon the proposals for the Garden Centre that require planning permission.
- 6.2 The Advisory Committee is reminded that its duty in considering the matter and giving advice, is to promote the objects of the charity and assist the trustees in fulfilling the trusts.
- 6.3 The Garden Centre is currently leased by Capital Gardens Ltd, a long term tenant which has been onsite for twelve years. The premises were built by a predecessor tenant who acquired the site in the 1980s.
- 6.4 They wish to redevelop two areas of their demise and the proposals will require planning permission.
- 6.5 Both areas are within the existing site boundary and are not visible from the public park. The Garden Centre is not included in the Alexandra Park and Palace Conservation Area.
- 6.6 A representative of Capital Gardens will be present at the committee meeting to provide more details.

### **New retail area**

- 6.7 The first proposal requires the demolition of existing wooden and brick sheds along the eastern boundary. A new contiguous structure will be erected to provide a new retail area.
- 6.8 The existing locked gateway at the north of this area will be replaced with a new turnstile to greatly improve the pedestrian access to the site. It will be a safer and more convenient access point.

### **New bedding area**

- 6.9 This proposal requires the demolition of two existing pergolas and the felling of a tree. This will facilitate the construction of a new timber framed pergola. This structure will be clad with polycarbonate sheets to provide a weatherproof area to protect bedding plants from the elements.
- 6.10 The tree is an ornamental variety of Alder, *Ulnus glutinosa* 'Imperialis.' A replacement tree is proposed.

## **7. Consultation**

- 7.1 This report forms part of the Alexandra Palace and Park Board'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 The tenant will also erect posters in-store to advertise the proposals to the public.

## **8. Recommendations**

- 8.1 That the committee considers the proposals and indicates if it has any advice for the Alexandra Palace and Park Board.

## **9. Legal & Financial 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 and has no specific comments.
- 9.3 The LBH Chief Financial Officer notes the report.
- 9.4 The lease is subject to rent review based on turnover so an improved trading position for the Garden Centre will increase the Trust's income.

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

- 10.1 Maps and plans attached

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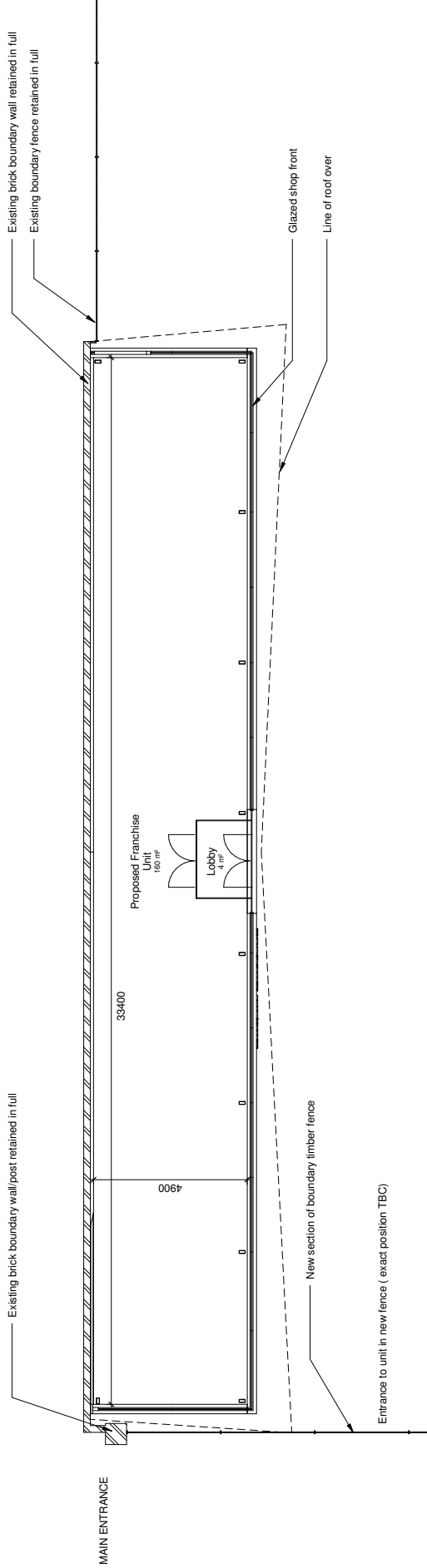


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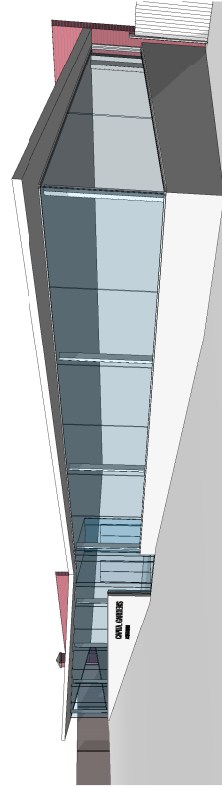
All dimensions to be verified on site by Main Contractor before the start of any construction.  
 Report any discrepancies to the Contract Administrator at once.  
 This drawing is to be read with all relevant Architectural and Engineers drawings and specifications.  
 © Ingleton Wood LP

LEGEND: DO NOT SCALE

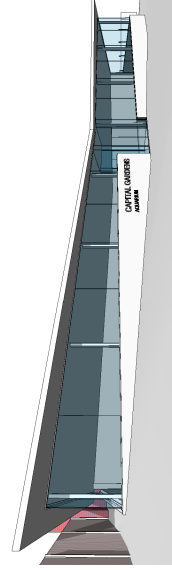


**Proposed Ground Floor Plan**

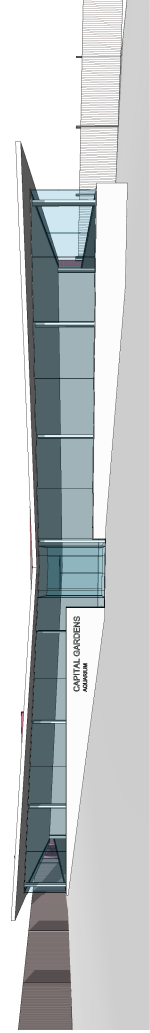
1 : 100



**3D Lower View**



**3D Entrance View**



**3D Front View**

Revision	Date	Drawn By	Checked By

**Ingleton Wood**  
 Vision, form and function  
 1 Ark Street  
 London  
 EC2A 4PU  
 T: 0207 780 1100  
 F: 0207 780 1101  
 www.ingletonwood.co.uk

Project: Capital Garden Centre  
 Alexandra Palace Garden Centre  
 Alexandra Palace Way  
 N22 4BB

Drawn By: Franchise Building  
 Feasibility Study  
 Client: Capital Gardens

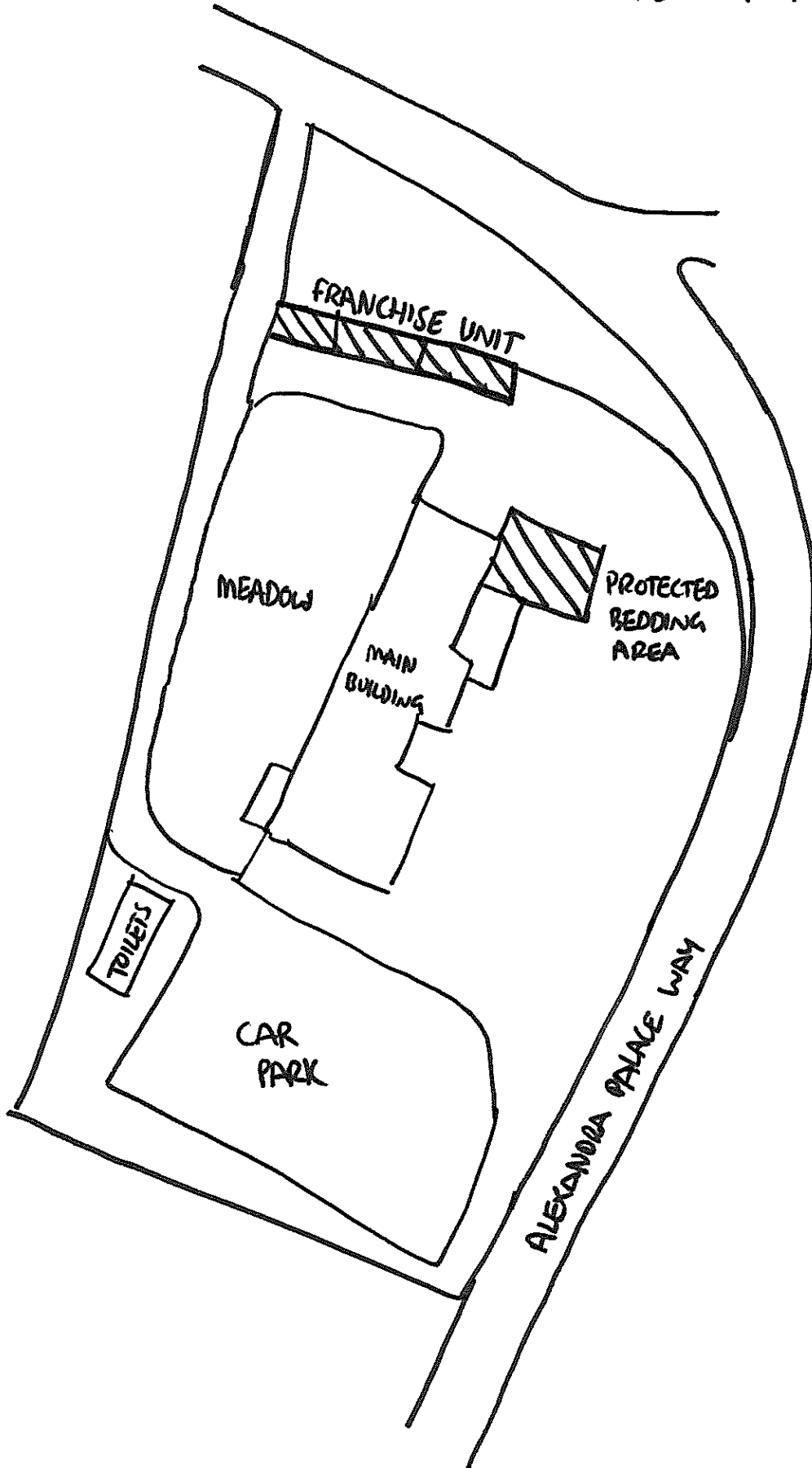
Drawn	SK	Date	Scale	Sheet	Page/Total
LS	SK	09.09.10	1 : 100	A2	A2

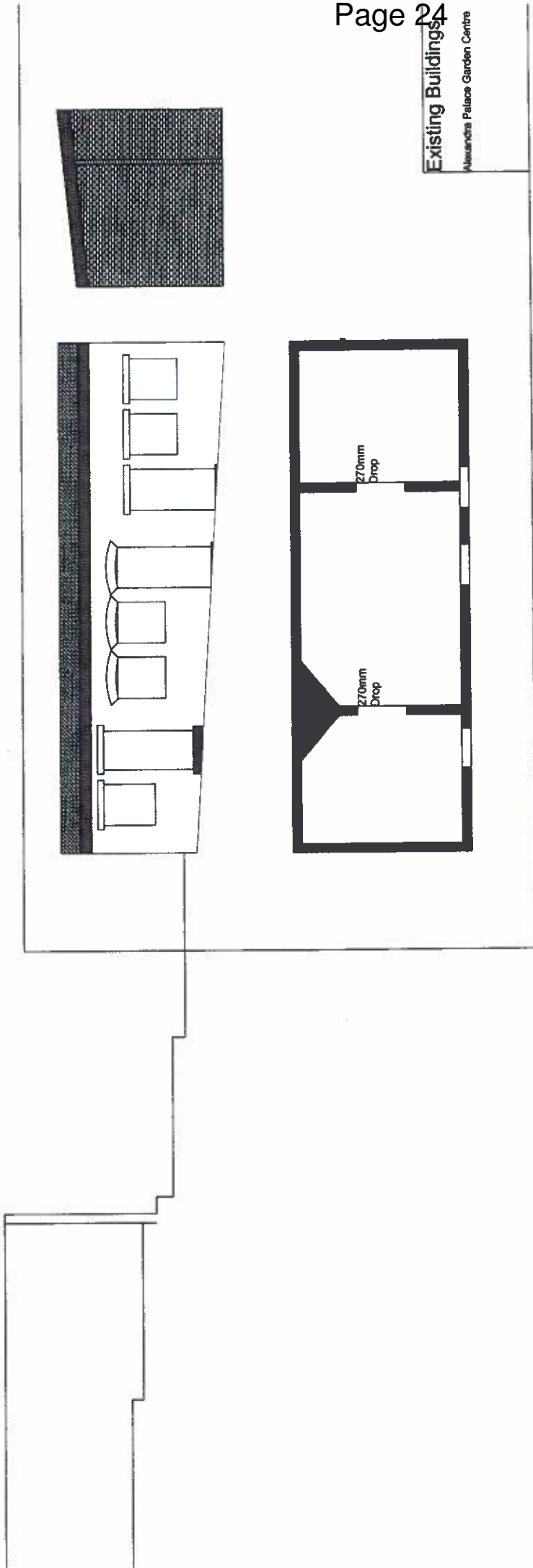
Job No.	Discipline	Revision
0007	SK1	FEASIBILITY

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GARDEN CENTRE  
SKETCH PLAN



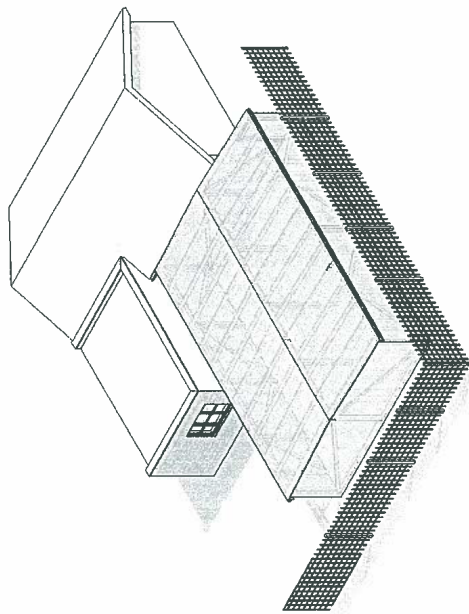
2



ALL DIMENSIONS TO BE CHECKED  
ON SITE BY CONTRACTOR

Timber posts and lintels to form structure

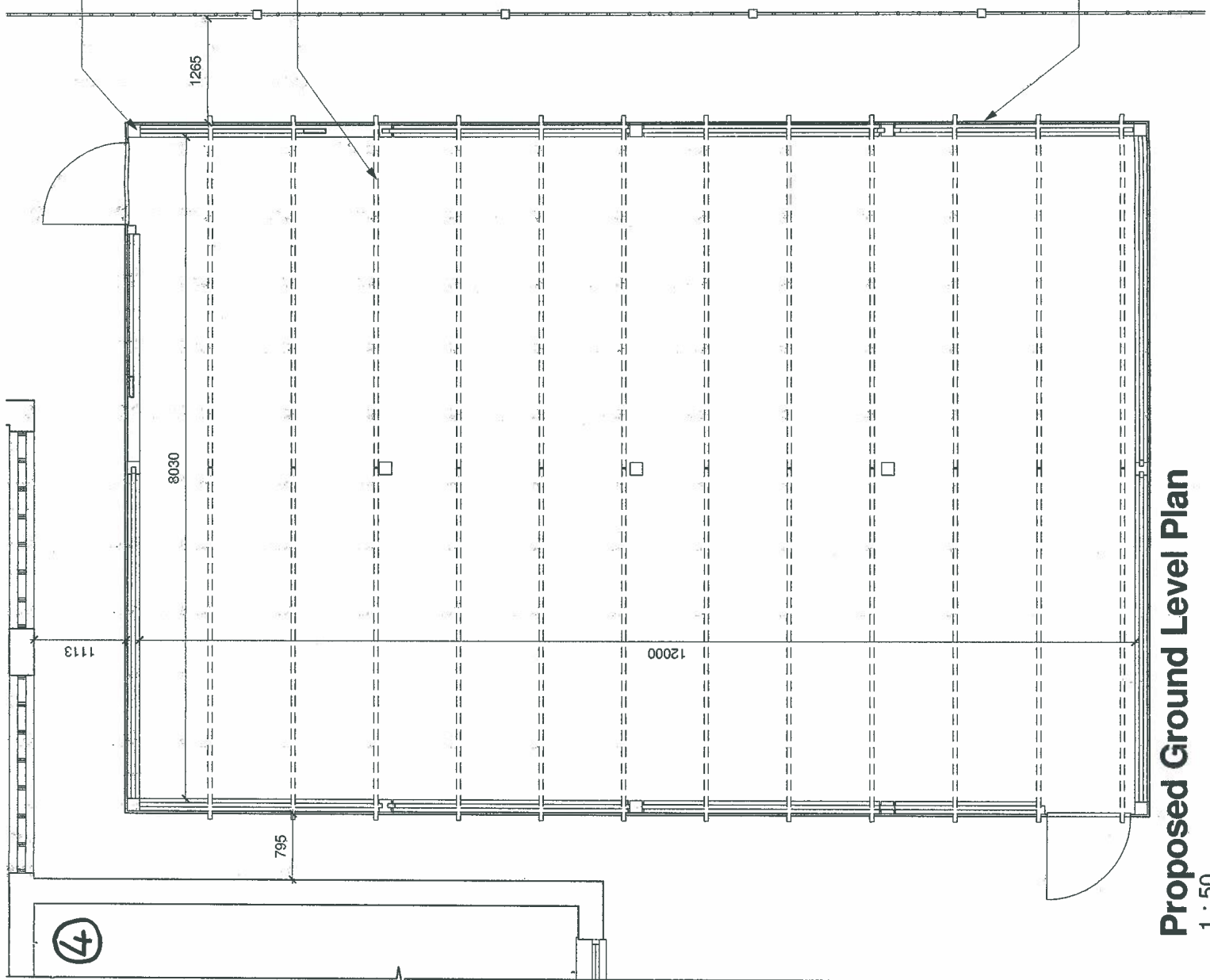
Line of timber joists over



Proposed 3D View

Approx 25mm thick polycarbonate plastic  
exterior grade sheets to form wall and roof.  
Exact sizes TBC

<b>NEP</b>	
CONSTRUCTION SERVICES	
PROJECT ADDRESS CAPITAL GARDENS 1 TOWNSEND STREET	
DRAWING TITLE PROPOSED PLAN/3D VIEW	
PROJECT NO.	0006
DRAWING NO.	SK2
SCALE	1 : 50
REV	

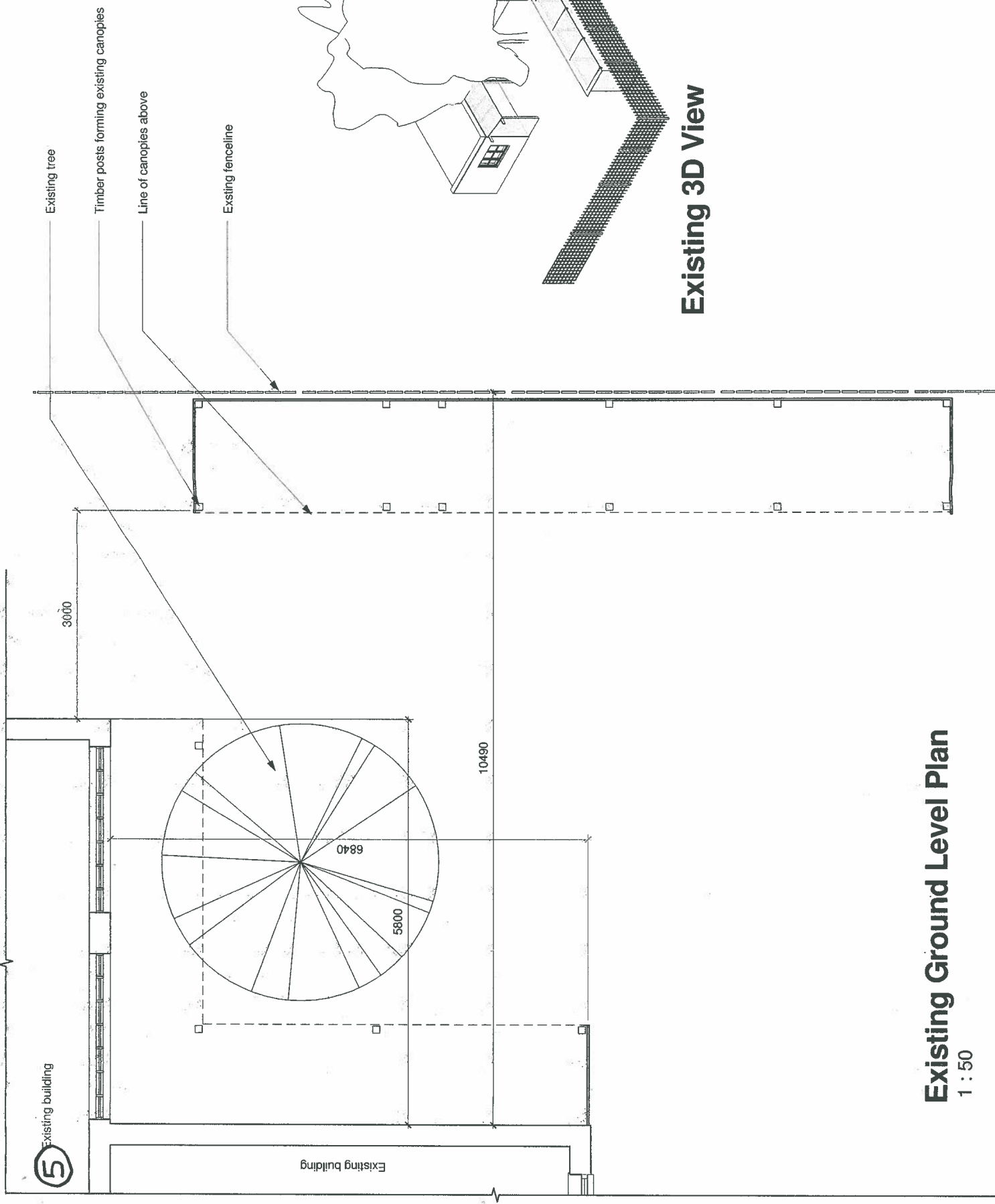


Proposed Ground Level Plan

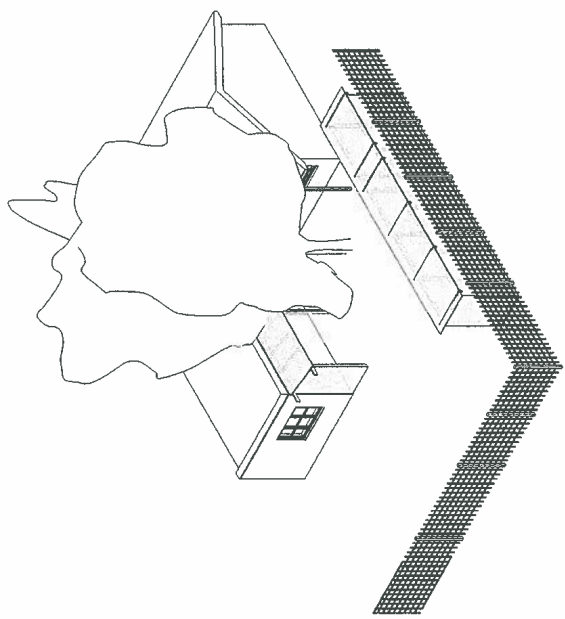
1 : 50

4

ALL DIMENSIONS TO BE CHECKED ON SITE BY CONTRACTOR



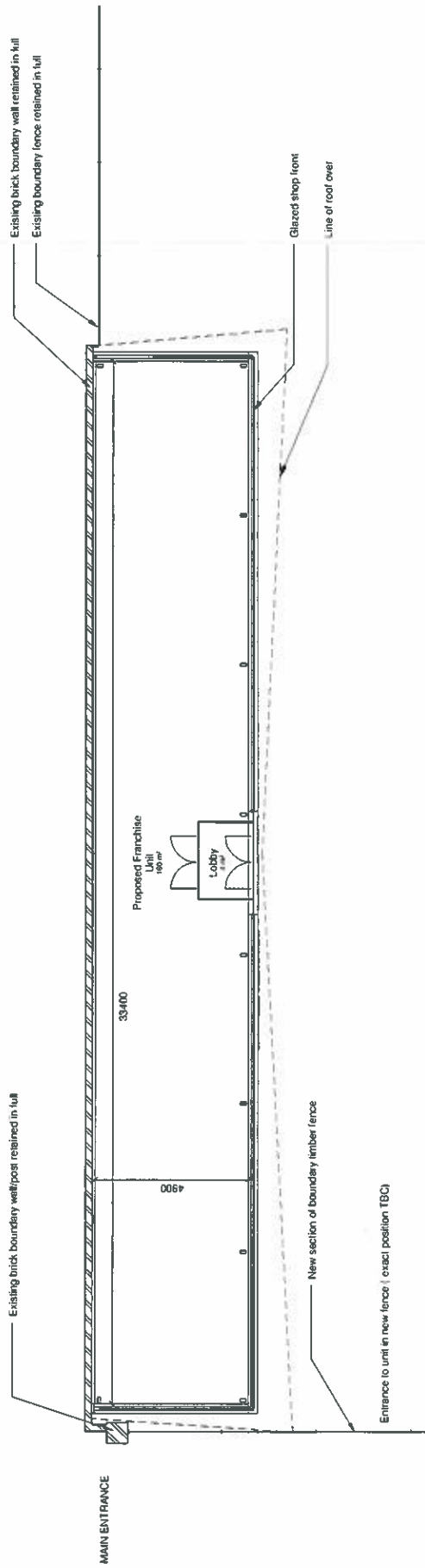
Existing 3D View



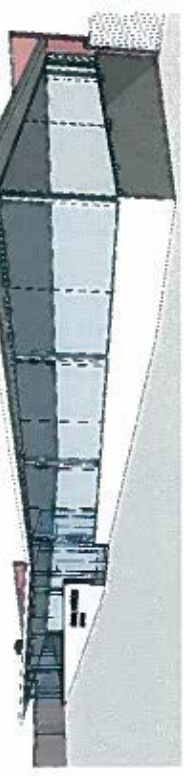
<b>NEP</b>	
CONSTRUCTION SERVICES	
PROJECT ADDRESS CAPITAL GARDENS 1 TOWNSEND STREET	
DRAWING TITLE EXISTING PLAN/3D VIEW	
PROJECT NO.	0006
DRAWING NO.	SK1
SCALE	1 : 50
REV	

Existing Ground Level Plan  
1 : 50

3



**Proposed Ground Floor Plan**  
1 : 100



**3D Lower View**



**3D Entrance View**



**3D Front View**

1. All dimensions are in millimetres unless otherwise stated.  
 2. All dimensions are to the face of the wall unless otherwise stated.  
 3. All dimensions are to the centre of the wall unless otherwise stated.  
 4. All dimensions are to the centre of the wall unless otherwise stated.  
 5. All dimensions are to the centre of the wall unless otherwise stated.  
 6. All dimensions are to the centre of the wall unless otherwise stated.  
 7. All dimensions are to the centre of the wall unless otherwise stated.  
 8. All dimensions are to the centre of the wall unless otherwise stated.  
 9. All dimensions are to the centre of the wall unless otherwise stated.  
 10. All dimensions are to the centre of the wall unless otherwise stated.

LEGEND DIRECT SCALE

<b>Ingleton Wood</b> 1000-1000 1000-1000 1000-1000 1000-1000	
Queen's Gardens Centre Adelaide Parkside Way Adelaide SA 5042 4822 4885	
Franchise Building Prospect SA 5037	
Queen's Gardens Centre	
Date: 10/05/2017 Time: 10:00 AM User: [Name] Project: [Name]	Scale: 1:100 Drawing No: 1007 Revision: 01 Status: FEASIBILITY

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Agenda item:

**Alexandra Park & Palace Advisory Committee****on 2<sup>nd</sup> November 2010**

Report Title: **Little Dinosaurs Planning Issues, General Lease Management and General Planning Proposal Procedure**

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

**1. Purpose**

- 1.1 To inform the committee of the procedures followed in the Little Dinosaurs case and the extent of the demised area following discussion of the matter at previous meetings.
- 1.2 To inform the committee of the general approach to lease management.
- 1.3 To inform the committee of the general procedures for planning proposals.

**2. Recommendations**

- 2.1 That the Committee notes the content of this report.
- 2.2 The Committee considers what advice, if any, it wishes to give to the Alexandra Palace and Park Board (APPB).

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 This report explains the background to the planning enforcement case against the Little Dinosaurs facility. The topic has been raised a recent meetings by various members.
- 3.2 The report should clarify the actions taken and the reasons why, it should clarify the extent of the facility's boundary and the current status of the planning case.
- 3.3 In response to numerous queries, the report also sets out the general approach to both lease management and to planning proposals in relation to the duty of the Board to consult the Alexandra Park and Palace Advisory Committee (APPAC).

**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 N/A

## 6. Little Dinosaurs, The Actual Workshop

- 6.1 The Actual Workshop building had lain empty for at least four years when the Alexandra Palace and Park Board agreed on 21<sup>st</sup> October 2008 to advertise the premises for let.
- 6.2 Following advertisement and a tender process, a tenant was chosen by a Panel on 29<sup>th</sup> April 2009. The agreement to convert the building into a soft-play centre was subject to planning permission.
- 6.3 The tenant submitted a planning application and the proposals attracted some considerable local opposition. The Advisory Committee considered the Planning Application on 16<sup>th</sup> June 2009. The resolutions of the Advisory Committee and the Board's responses were as follows (note: a small typographical error in has been corrected and is denoted by \*):

APPAC Resolution i: That the business described itself as an "indoor adventure and soft play area with small café" when in fact it appeared to be a small indoor play area with (larger) café area.

APPB Response: *That the Board was neither able to accept or reject the resolution as this was a statement that the Board was unable to give a view on.*

APPAC Resolution ii: That the boundaries for the site were unclear on the map provided and how and when it was intended to extend the play area to the outside area.

APPB Response: *The boundaries of the site would identified within the draft lease to be entered into*

APPAC Resolution iii: That the Board consider consulting the long established businesses in the vicinity which may be affected by this proposal

APPB Response: *That the proposal be rejected as whilst the Board would consult with its Advisory Committee – it would be neither practical, nor feasible\* for the Board to carry out such consultation and the proposals had already been consulted upon with all similar users within the Park, and indeed the Advisory Committee representatives through the Advisory Committee.*

- 6.4 Planning permission was granted by the local authority on 4<sup>th</sup> August 2009 and the lease was duly completed on 14<sup>th</sup> October 2009. The building was converted and opened for business in December 2009.
- 6.5 In early 2010, the tenant proposed a number of items for the surrounding grounds:
- Erection of demountable, wooden storage sheds on the west end of the building
  - Installation of additional decking
  - Paving over the existing concrete pad in the east of the site
- 6.6 The tenant took advice from the Planning Department and was informed verbally that these items were acceptable and would not require further planning permission, or that retrospective planning permission may be required if the items caused local concern. On that basis, the Park Manager agreed to the proposals, which is inline with the approach historically taken with other leased premises. As the proposals were not deemed to require new planning permission, the Advisory Committee were not consulted.
- 6.7 The lease is usually a confidential document, but part of it is reproduced here as it is already in the public domain because a local resident submitted a Freedom of Information request and obtained a redacted copy.



- 6.8 According to the lease, the tenant covenants:  
...not without the previous consent in writing of the Landlord (such consent not to be unreasonably withheld or delayed) to make any alteration or additions of a non-structural nature to the Demised Premises PROVIDED ALWAYS that the Landlord may as a condition of giving any such consent require the Tenant to enter into such covenants with the Landlord as the Landlord may reasonably require in regard to the execution of any such works and the reinstatement of the Demised Premises at the end or sooner determination the Term...
- 6.9 It is clear that the tenant did not have previous written consent, but verbal permission had been granted.
- 6.10 Following representations to the Local Planning Authority by a concerned local resident, a planning enforcement officer visited the facility. On 19<sup>th</sup> April 2010 a copy of a planning enforcement notice (dated 15<sup>th</sup> April 2010) was received at the trust offices. In summary, the tenant was required to demolish the storage sheds and remove the wooden decking and concrete paving.
- 6.11 The tenant lodged an appeal, dated 12<sup>th</sup> May 2010, against the Enforcement Notice. The local planning authority informed the trust of this appeal in a letter received on 2<sup>nd</sup> June. The case was taken up by the planning inspectorate but their website did not allow access to any of the documentation.
- 6.12 One of the grounds for appeal was "ground (a)", that planning permission should be granted for what is alleged in the notice. At this stage officers of the trust were unaware that "ground (a)" is in effect a retrospective planning application, so no action was taken.
- 6.13 Following correspondence from a concerned committee member it was established that "ground (a)" is, in effect, a retrospective planning application. However, this was not established until after the consultation period.
- 6.14 It has been argued that the matter should have been brought before the Advisory Committee. The tenant did not consult the trust on the details of the appeal, and as neither the Local Planning Authority nor the tenant informed officers that this was in effect a retrospective planning application, there was no mechanism to trigger a report to the advisory committee.
- 6.15 However, the proposal, that the three structures should be granted planning permission, is not considered to be radically different from the original proposal presented to the Committee on 16<sup>th</sup> June 2009.
- 6.16 In terms of enforcing the conditions of the lease, officers took the view that until the Planning Enforcement case was settled, no enforcement action was necessary.

**7. Lease plans and demised area**

- 7.1 The building and its grounds have always been considered by officers of the trust as a single entity and they were advertised as such at the outset of the letting process. However, several different plans of the demised area have been in circulation. These include versions for Board reports, the draft lease plan, surveyor's reports and the planning application.
- 7.2 Confusion amongst the public and committee members has been caused by three factors:
- i) On some versions of the plan, the Ordnance Survey base-lines show the previous incarnation of the building and the surrounding fenceline (this previous building was destroyed by fire in the early 1990s)
  - ii) There have been at least three different authors of the site plans using various base plans including old and new OS maps, and landscape architects plans.
  - iii) The fenceline was relocated at the commencement of the lease term to reclaim some open space from the demise. This was despite the fact that the property was advertised as the original layout, the new tenant conceded some land (for no reduction in proposed rent) at the request of the trust.
- 7.3 The position of the final, agreed, extant fence line is attached as Appendix A.

**8. General lease management**

- 8.1 The first of a series of annual reports on Property Matters was presented to the Board on 14<sup>th</sup> October 2010. This report was, and future reports will be, exempt because they contain commercially confidential information, such as rent. The purpose of this new, regular report is intended to give the Board an overview of the current property situation at a strategic level.
- 8.2 The general terms, dates, rent reviews and other relevant information was presented to the Board. However, the background to this report is a detailed review of all of the trust's lease agreements.
- 8.3 Hitherto, officers of the trust have taken an even-handed approach to enforcing the requirements of any given lease. No two leases have identical terms and conditions. The tenants generally act reasonably and good relationships have been built up. Minor matters have been agreed verbally, and larger issues, such a large development proposals, are dealt with according to due process.
- 8.4 It is intended that all issues arising from the detailed lease review are 'regularised' so there is a consistent approach to lease management for all tenants.
- 8.5 In a bid to improve communication between the trust and its tenants, the first of a series of meetings has been scheduled for December 2010. The purpose of this meeting is to improve communication and to reinforce the tenant's responsibilities on matters such as fire & emergency response and planning proposals.
- 8.6 This and future meetings should increase understanding of the important matters that tenants should consider in order to improve longer term management of issues such as planning permission and improvement works.

8.7 The trust's tenants have also been advised that they have a right to become members of the Alexandra Palace and Park Consultative Committee and a number have already taken up this offer.

## **9. Planning proposal Procedure**

9.1 The bullet point procedure for a planning proposal on site is as follows:

- Development proposal is considered by the trust or its tenants
- Proposal is presented to the Alexandra Park and Palace Advisory Committee for consideration
- The Advisory Committee decide whether it has any advice for the Alexandra Palace and Park Board
- The Board consider whether to accept or reject the advice of the Advisory Committee and whether to approve or reject a development proposal
- Only if a Planning Application is radically different from the original proposals would a new report to the Advisory Committee be required.

## **10. Recommendations**

10.1 That the Committee notes the content of this report.

10.2 The Committee considers what advice, if any, it wishes to give to the Board.

## **11. Legal Implications**

11.1 The Trust's solicitor's advice has been taken into consideration in the preparation of this report.

11.2 LBH Head of Legal Services advises that the functions of the Board as landlord are distinct from the functions of the Council as Local Planning Authority. Once an appeal against a planning enforcement notice under ground (a) has been lodged, any decision on the grant of planning permission will be a matter for the Planning Inspectorate.

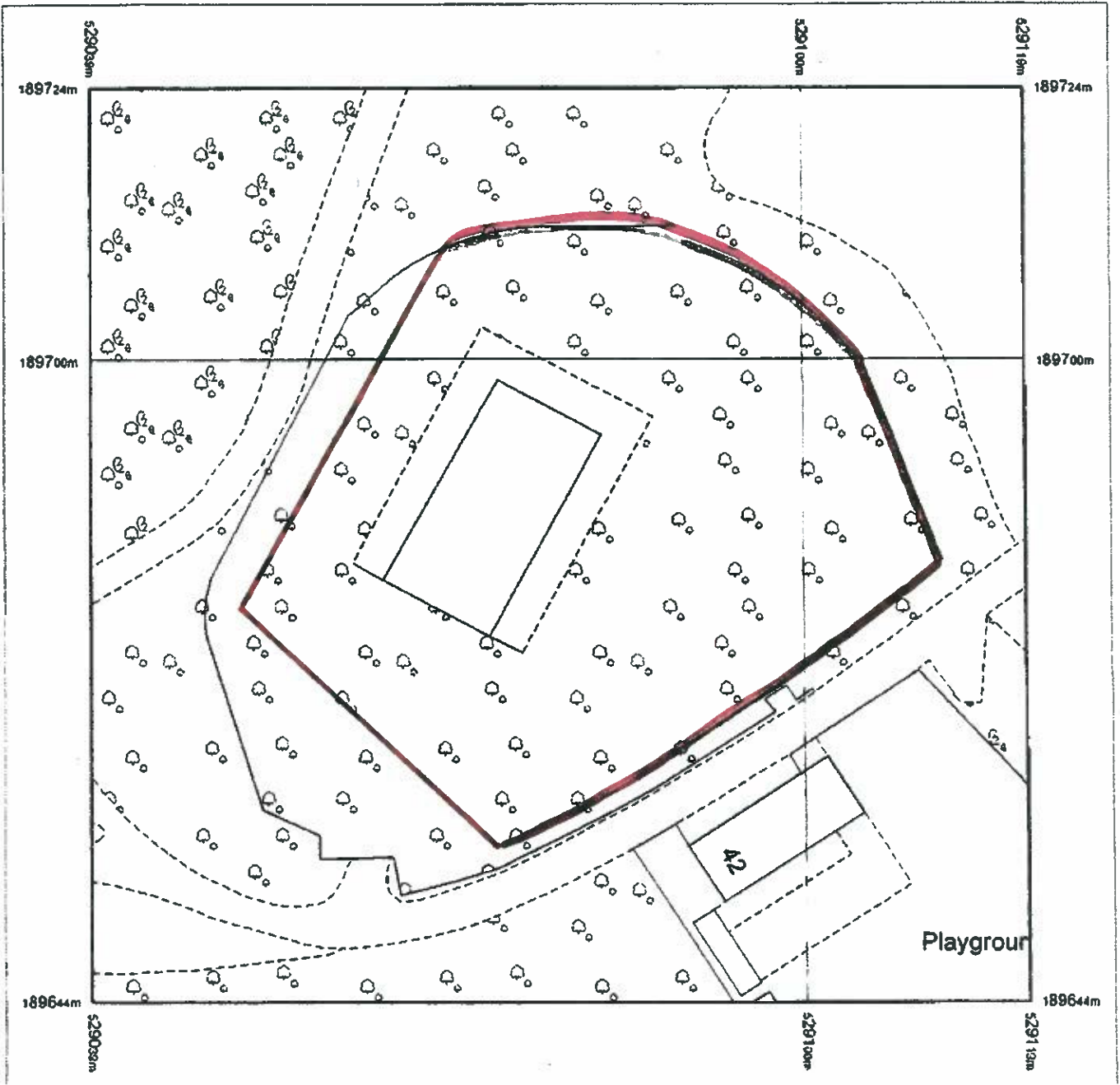
## **12. Financial Implications**

12.1 The LBH CFO notes the contents of this report.

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

13.1 Appendix A: Plan showing current building and fencing arrangements.

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Produced 07.09.2009 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. © Crown Copyright 2009

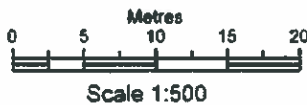
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Serial number: 01470000  
Centre coordinates: 529079 189683 75

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Agenda item: No.

**Alexandra Park and Palace Statutory Advisory Committee**      **On 2 November 2010**

Report Title: **Forthcoming Events**

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

**1. Purpose**

1.1 To advise the SAC of the forthcoming events to March 2011.

**2. Recommendations**

2.1 That the Committee notes the report.

Report Authorised by: **Rebecca Kane**: *R. Kane* ..... Date: *21/10/10* .....

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. 02 November 2010 to 31 March 2011

EVENT	DATE	AREA
Prospects Transitions Event	9 Nov	Panorama and Londesborough Room
LCD Soundsystem/Hotchip Concert (10K +)	10 Nov	Great Hall
Antique & 20 <sup>th</sup> Century Fair	14 Nov	Great Hall
Visit of Amma	16-18 Nov	Great and West Hall, Panorama Room, PCS
Indian Property Exhibition	20-21 Nov	Panorama Room
Asian Wedding Show	20-21 Nov	Great Hall
Bungee	20 Nov	Park (Beach Area)
Organ Concert & Dinner	24 Nov	Great Hall and Londesborough Room
Farmers Market	31 Oct	Paddock Car Park
Vampire Weekend Concert (10K +)	2 & 3 Dec	Great Hall
Farmers Market	5 Dec	Paddock Car Park
Farmers Market	12 Dec	Paddock Car Park
Ladbrokes. Com World Championship Darts	18 Dec-2 Jan	West Hall
Farmers Market	19 Dec	Paddock Car Park
Farmers Market	2 Jan	Paddock Car Park
<i>Yoga Event</i>	<i>8 Jan</i>	<i>Great Hall</i>
Farmers Market	9 Jan	Paddock Car Park
Excursions Travel Trade Show	15 Jan	West Hall, Panorama and Londesborough Room, Palace Suite
Farmers Market	16 Jan	Paddock Car Park
Model Engineering	21-23 Jan	Great Hall, Palm Court, Palace Suite
Make Up Trade Show	29 & 30 Jan	West Hall, Panorama, Londesborough Room, Palace Suite
Farmers Market	30 Jan	Paddock Car Park
<i>Antiques &amp; Collectors Fair</i>	<i>6 Feb</i>	<i>Great and West Hall, Panorama room</i>
Prospects Transitions Event	10 Feb	Panorama & Londesborough Room
Farmers Market	20 Feb	Paddock Car Park
<i>Motorcycle Show</i>	<i>26-27 Feb</i>	<i>West Hall, West Corridor, Panorama Room and Palace Suite</i>
RYA Dinghy Show	5 & 6 Mar	Great and West Hall, Panorama room



Woodworking Exhibition	11 & 12 Mar	Great Hall
Farmers Market	13 Mar	Paddock Car Park
London Festival of Railway Modelling	25-27 Mar	Great/ West Hall, Panorama, Palace Suite

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

*\*\* Overnight event*

*\* 01:00 event finish*

## **7. Summary and Conclusions**

7.1 N/A

## **8. Recommendations**

8.1 The SAC 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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Alexandra Palace & Park Board	on 14 <sup>th</sup> October 2010
Report Title: <b>Governance Update</b>	
Report of: <b>Andrew Gill, Interim General Manager, Alexandra Palace &amp; Park Charitable Trust</b>	
<p><b>1. Purpose</b></p> <p>1.1 To report back on progress, following the resolutions of the Board on 6 September 2010 in the following areas:</p> <ul style="list-style-type: none"> <li>a) Recruitment of Independent Advisors to the Board</li> <li>b) Master planning (the Alexandra Park &amp; Palace Regeneration Working Group)</li> <li>c) Structural changes to streamline processes and systems</li> </ul> <p>1.2 Following the end of the Governance and Future Vision Project and the winding up of the Project Steering Group, to inform the Board of the tasks remaining at the handover by the Project Manager to the Interim General Manager.</p> <p>1.3 To inform the Board that it will receive further reports at future meetings on the matters above and progress and timescale concerning the following matters;</p> <ul style="list-style-type: none"> <li>d) Financial Independence, including the focus of APTL on increasing profits and APCCT on fundraising.</li> <li>e) The review of the APP Statutory Advisory Committee (APPAC) and Consultative Committee (APPCC),</li> </ul>	
<p><b>2. Recommendations</b></p> <p>2.1 That the Board notes the progress in implementing a number of its previous resolutions on Governance and Future Vision outlined in this report.</p> <p>2.2 That the Board notes that following the completion of its key objectives (previously reported to the Board), the Project Steering Group for Governance and Future Vision has now been wound up.</p> <p>2.3 That the Board notes that the remaining key tasks associated with developing the Governance of the Trust have been entrusted to the Interim General Manager.</p> <p>2.4 That the Board endorses the approach to the recruitment of the Independent Advisers to the Board detailed in section 6.7 of this report.</p> <p>2.5 That the Board considers the draft job description for Independent Advisors appended to this report and provides guidance to the Interim General Manager on its preferences thereon.</p>	
<p>Report Authorised by: <b>Andrew Gill, Interim General Manager</b></p> 	

Contact Officer: **Andrew Gill, Interim General Manager, Alexandra Palace & Park, Alexandra Palace Way, Wood Green N22 7AY Tel No. 020 8365 4340.**

### **3. Executive Summary**

- 3.1 This report updates the Board on progress in implementing a number of its previous resolutions on Governance and Future Vision.
- 3.2 The Project Steering Group for Governance and Future Vision has now been wound up and the remaining key tasks associated with developing the Governance of the Trust have been entrusted to the Interim General Manager (IGM) and are outlined in this report.
- 3.3 Development of the NCVO Code of Good Governance into a bespoke Code of Governance for the Trust is the subject of a separate report to this Board meeting.
- 3.4 The IGM has drafted a Job Description for the Independent Advisors which is appended to this report at Appendix 1.
- 3.5 The Board may wish to consider whether it wishes to specify skills, experience or qualifications for inclusion in a Candidate Specification.
- 3.6 The recruitment process cannot commence until the Full Council of LB Haringey is requested to delegate to the Alexandra Palace and Park Board the recruitment, selection and appointment of the independent advisers to the Board.
- 3.7 A meeting of the Alexandra Park & Palace Regeneration Working Group is scheduled for 5 October 2010.
- 3.8 There has been limited progress towards a combined and more effective stakeholder forum;
  - 3.8.1 The APPAC at its meeting on 7 September 2010 declined to agree to a joint meeting with the APPCC but instead resolved to create a Sub Group to explore the proposals and to consider how the Committee might operate more effectively.
  - 3.8.2 The APPCC at its meeting on 14 September 2010 noted the response of the APPAC outlined above and the APPCC resolved to await the findings of the APPAC Sub Group before progressing the matter.

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

- 4.1 Resolutions made by the Board on 29 June 2010 and 6 September 2010.

### **5. Local Government (Access to Information) Act 1985**

- 5.1 N/A

### **6. Description**

- 6.1 At its meeting on 6 September 2010 the Board resolved to adopt an 'interim' model for structural change, including the appointment of Independent Advisors to the Board and a review of the Alexandra Park and Palace Advisory Committee and Alexandra Palace and Park Consultative Committee as the most appropriate phased approach towards the longer term aspiration of legal/financial independence.
- 6.2 The Board has also resolved;
  - 6.2.1 To approve terms of reference and proposed membership of the Alexandra Park & Palace Regeneration Working Group (APPRWG).

- 6.2.2 That in respect of the recommendations arising from the work of the APPRWG requiring consideration by the Board it be noted that special meetings of the Board will be convened as and when required to consider such issues.
- 6.2.3 That support be given to the financial focus in the short term for APPCT, APTL and the APPRWG;
- APTL: increase profit and drive commercial activity
  - APPCT: fundraise
  - APPRWG: identify untapped investment sources/funding  
(to include quick wins as well as longer term investment)
- 6.2.4 That the full Council of LB Haringey be requested to delegate to the Alexandra Palace and Park Board the recruitment, selection and appointment of the independent advisers to the Board
- 6.3 Following the completion of its key objectives (previously reported to the Board), the Project Steering Group (PSG) for Governance and Future Vision has now been wound up and the remaining key tasks associated with developing the Governance of the Trust have been entrusted to the Interim General Manager (IGM).
- 6.4 The key tasks remaining are;
- 6.4.1 Development of the NCVO Code of Good Governance code adopted by the Board on 2 March 2010 into a bespoke Code of Governance for the Trust. This is the subject of a separate report to this Board meeting.
  - 6.4.2 The appointment of Independent Advisors to the Board.
  - 6.4.3 Working towards a Stakeholder Forum via the review of the Alexandra Park and Palace Advisory Committee and Alexandra Palace and Park Consultative Committee.
  - 6.4.4 The development of a new Strategy for the Trust following the Board's decision to abandon the former Strategy of awarding a long lease for the site to a single developer.
  - 6.4.5 Work towards achieving financial and (ultimately) legal independence of the Trust.
- 6.5 Of the five tasks listed above, 6.4.1 and 6.4.2 can be achieved in the short term, i.e. within a matter of weeks from now. 6.4.3 is likely to take more time to achieve i.e. within a matter of months from now. 6.4.4 will be informed by the outputs of the APPRWG and should be achieved within the next year. 6.4.5 is unlikely to be achieved in the near future and may take a number of years to achieve, because, among other reasons it will require new legislation.
- 6.6 The Board is asked to note the status of the key tasks described above and progress made since the Board's meeting on 6 September 2010 as follows;
- 6.7 **A) The appointment of Independent Advisors to the Board.** The Board has discussed the terms of engagement, job description and recruitment process for the Independent Advisors and provided a steer to the IGM via discussion of the matter and in the following terms:
- attracting advisers with particular historic interest or ability to fund raise and an understanding of commerciality/fund raising, or high profile nationally
  - the need to not limit the number of advisors but this be dependent on the specific criteria and skill set e.g. advisers similar to those used for the development of St Pancras or Tate Modern or other such large scale development
  - that the criteria for expertise could fall into 3 main categories – fund raising, heritage, hospitality
  - that the Independent Advisors would not receive any monetary stipend for the role but would be able to claim reasonable expenses
  - that the Independent Advisors would be seen in an ambassadorial role with a whole range of abilities and that their function be a meaningful one

- 6.7.1 The Board (via the IGM) has invited suggestions regarding the recruitment of the Independent Advisors from Stakeholders and members of the Alexandra Park and Palace Advisory Committee. The Chair of the Board has also invited suggestions from members of the Alexandra Palace and Park Consultative Committee to be sent to the IGM. At the time of writing, the IGM has received suggestions from one person.
- 6.7.2 While the role of Independent Advisor to the Board is not the same as that of a Trustee, there are enough similarities in the role to the role of Trustee and Chair of a Board of Trustees that resources are available to assist in the recruitment process.
- 6.7.3 The IGM has researched the options for recruiting the Independent Advisors and considered best practice in the Third Sector and has drafted a 6 step Recruitment Plan, based on the NCVO plan for recruiting Trustees.
- 6.7.4 The key Steps of the Recruitment Plan are summarised below;
- Step 1 Getting started, checking the legals and planning the process.
  - Step 2 Who Are You Looking For? Do they exist? Defining the role, skills and experience, telling people about the role
  - Step 3 Attracting the new Advisors, advertising the role, meeting with potential applicants, observing board meetings, dealing with queries etc.
  - Step 4 Selection and Appointment, use of specialist recruitment agency, shortlist, interview, etc.
  - Step 5 Welcoming the new Advisors, induction, assigning specialist roles, officer support etc.
  - Step 6 What Next? Developing the Board, succession planning, etc.
- 6.7.5 The recruitment process is currently at Step 2. Further details, including the full Recruitment Plan, will be reported to a future Board meeting.
- 6.7.6 The IGM has taken advice and considered best practice in the Third Sector and has drafted a Job Description for the Independent Advisors which is appended to this report at Appendix 1. The Board may wish to consider whether it wishes to specify skills, experience or qualifications for inclusion in a Candidate Specification.
- 6.7.7 The recruitment process cannot commence until the Full Council of LB Haringey is requested to delegate to the Alexandra Palace and Park Board the recruitment, selection and appointment of the independent advisers to the Board.
- 6.7.8 The Chair is anxious to ensure support for any changes to the Trust's governing documents before full Council approval is sought. Therefore no date has been set for Full Council approval.
- 6.8 **B) Master planning (the Alexandra Park & Palace Regeneration Working Group).** The role of the APPRWG (as approved by the board in its Terms of Reference) is;
- “To oversee and give direction to the design, formulation and adoption of a sustainable regeneration strategy for Alexandra Park and Palace and will include the delivery of a strategic master Plan which will provide an integrated framework for future commercial and development delivery.”
- 6.8.1 Once the planning framework has been resolved the Board may move on to consider a new Strategy to replace the one of holistic development abandoned by the Board in January 2010.
- 6.8.2 The inaugural meeting of the APPRWG is scheduled for 5 October 2010. The IGM will ensure that any decision requiring approval by the Board is communicated promptly to the Chair of the Board and to the Board as appropriate.
- 6.9 **C) Structural changes to streamline processes and systems.** It is recognised that whilst the APP Statutory Advisory Committee (APPAC) is constituted in an Act of Parliament, there could be means of enhancing its current remit/membership. Progress towards a combined and more effective stakeholder forum has commenced. The APP Statutory Advisory Committee (APPAC) and Consultative Committee (APPCC) have both held meetings since 6 September 2010. Both Committees were requested by their Chairs to consider holding an inaugural joint meeting at which both groups need to agree a process for ‘holding a mirror to themselves’, as

the Trustees have done, and identify actions to streamline their processes and improve effectiveness; including consideration of the necessity of having two separate groups.

- 6.9.1 The APPCC at its meeting on 14 September 2010 noted the response of the APPAC outlined above and the APPCC resolved to await the findings of the APPAC Sub Group before progressing the matter.
- 6.9.2 The APPAC at its meeting on 7 September 2010 declined to agree to a joint meeting with the APPCC but instead resolved to create a Sub Group to explore the proposals and to consider how the Committee might operate more effectively.
- 6.9.3 Officers continue to support both Committees in this matter and will advise the Chair of the Board on the legal and constitutional aspects of the Committee's deliberations. Further reports on the matter will be provided to future meetings of the Board.

## **7 Consultation**

- 7.1 There has been no specific consultation on this report beyond the liaison with the APP Statutory Advisory Committee and APP Consultative Committee (APPCC) described at 6.9 above.

## **8 Recommendations**

- 8.1 That the Board notes the progress in implementing a number of its previous resolutions on Governance and Future Vision outlined in this report.
- 8.2 That the Board notes that following the completion of its key objectives (previously reported to the Board), the Project Steering Group for Governance and Future Vision has now been wound up.
- 8.3 That the Board notes that the remaining key tasks associated with developing the Governance of the Trust have been entrusted to the Interim General Manager.
- 8.4 That the Board endorses the approach to the recruitment of the Independent Advisers to the Board detailed in section 6.7 of this report.
- 8.5 That the Board considers the draft job description for Independent Advisors appended to this report and provides guidance to the Interim General Manager on its preferences thereon.

## **9 Legal Implications**

- 9.1 The Trust's Solicitor's advice has been taken into account in preparing this report.
- 9.2 This report was sent to the LBH Head of Legal Services for comment.

## **10 Financial Implications**

- 10.1 In 2010/11 a budget allocation of £30,000 was approved by the Trustees to complete this work. Actual spend YTD is £15,000. No additional budget is anticipated at this stage. If additional funding were required, Trustees would be asked to redirect funds from other revenue budgets.
- 10.2 The LBH CFO notes the contents of the report.

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

11.1 Appendix 1 - Draft Job Description for Independent Advisor



## Appendix 1

### Alexandra Palace & Park Charitable Trust (APPCT)

#### **DRAFT JOB DESCRIPTION**

**Post:** Independent Advisor to the Board

**Responsible to:** The Board of APPCT

#### **Working Context**

Alexandra Park and Palace has a long history as a popular destination for leisure dating back to the 1860's. The origin of the charity is in the 1900 act of parliament titled the "Alexandra Park and Palace (public purposes) Act 1900. The act established a "body of trustees to acquire Alexandra Park and Palace and other lands and to hold them for the unlimited use and recreation of the public forever".

The trusteeship of the charity was passed to the London Borough of Haringey from the Greater London council (GLC) in 1980. The objects and powers of the charity and trustees are contained in various acts of parliament and orders known collectively as the Alexandra Park and Palace Acts and Orders 1900-2004.

The charity governance is delegated by the corporate trustee (Haringey Council) to a board of the local authority known as the Alexandra Palace and Park board. This delegation means that the individual members of the Board are, as a matter of charity law the "charity trustees." In consequence they are responsible for all the charity does and how it does it.

The board currently consists of seven trustees who are elected members of the council and four non voting representatives. These are drawn from the Alexandra Palace and Park Consultative Committee which advises the board of the views and desires of the park and palace user groups and also gives opportunity to those local and national organisations that wish to have an input into the operation of the charity.

The board is also advised by a (Statutory) advisory committee which consists of local residents associations and ward councillors from the adjacent local wards along with two council wide representatives.

The Board has recently created a new working group, the Alexandra Park & Palace Regeneration Working Group (APPRWG) the role of which is to oversee and give direction to the design, formulation and adoption of a sustainable regeneration strategy for Alexandra Park and Palace and will include the delivery of a strategic master Plan which will provide an integrated framework for future commercial and development delivery.

Once the planning framework has been resolved the Board will move on to consider a new Strategy to replace the one of holistic development abandoned by the Board in January 2010.

### **The Role of the Trustees**

Trustees take ultimate responsibility for the work that the Trust does, and the way in which it spends its money to achieve its aims. It is a big responsibility, focussing on the strategic direction of the organisation, agreeing plans and budgets, and holding the Chief Officer to account for the delivery of the plans.

It has a legal dimension too, with Trustees legally responsible for ensuring that the organisation operates to standards set by Parliament and the Charity Commission.

### **The Role of the Independent Advisors**

The role differs from that of Trustee in the sense that it has no general or regulatory accountability for the operation of the Charity's affairs. At APPCT it also differs in that, currently, only elected members of Haringey Council can be Trustees of the Charity. Accordingly Independent Advisors are full members of the Board but they are not able to vote in board meetings. In practice, decisions are rarely pushed to a vote as the Chair tries hard to seek consensus and unanimity when the Board is asked make decisions.

You will have demonstrable expertise and board level experience in one or more of the areas of fund raising, heritage or hospitality.

### **Commitment**

This is a meaningful and important role in which you will be expected to act as an Ambassador for Alexandra Park & Palace. It is a task that will take time to do properly, we estimate the equivalent of at least one day per month on average, possibly more during periods of intense activity.

APPCT Board meets about 6 or 7 times per year, usually taking a long break during the summer period. There may be sub committees or working groups, with authority delegated to them by the Board, meeting at other intervals. Staff or stakeholders may seek to consult with you on your particular area of expertise. You may be asked to represent the Trust at outside meetings with potential funders or influencers, attend our open days, or work alongside staff at events and receptions.

### **Key Responsibilities**

- 1 To provide specific advice to the Board on your area/s of expertise and professional experience.
- 2 To act as an Ambassador for APPCT
- 3 To assist other Board members to hold APPCT 'in trust' for donors and current and future beneficiaries by;

- Ensuring that the Trust has a clear vision, mission and strategic direction, and is focused on achieving these
- Being responsible for the performance of the Trust and for its 'corporate' behaviour
- Ensuring that the Trust complies with all legal and regulatory requirements
- Acting as guardians of the Trust's assets, both tangible and intangible, taking all due care over their security, deployment and proper application
- Ensuring that the Trust's governance is of the highest possible standard
- To work in partnership with other Board members, the Chief Officer and other senior staff

### **Duties**

To use your knowledge, skills, experience and expertise to assist the Board to;

1. To agree the vision and strategy for the Trust
2. To ensure that the business plan and budget reflect the agreed strategic direction and are appropriate
3. To agree the measures for objectively monitoring the progress of the charity towards its strategic goals
4. To monitor the achievement of the Trust against the key measures from the business plan and budget
5. To hold the Chief Officer accountable for the achievement of the Trust's goals, and provide them with regular, constructive feedback on both management and overall achievement
6. To appoint the Chief Officer, to set their terms and conditions and to ensure that the organisation and the appointee invests in ongoing professional development, and considers succession planning
7. To agree the Trust's policies and ensure that they will assist in the achievement of the strategic and business plans
8. To ensure that the Trust has satisfactory financial control systems and procedures, and to review the level of risk annually
9. To safeguard the Trust's reputation, and other intangible assets
10. To reflect annually on the Board's performance and your own performance as a Board Member.

### **Tasks**

1. To participate in the annual Trustee induction meeting and planning workshops or Away Days.

2. To attend Board meetings, read relevant papers and be prepared to make relevant contributions to discussion and providing guidance to officers of the Trust.
3. To support the staff when requested, sharing expertise, as a member of a working group or in other appropriate ways
4. To be prepared to act as a spokesperson for the Trust when asked by the Chair or Chief Officer, and to work within an agreed brief
5. To attend events as an ambassador for Trust, to network and promote the work of the organisation
6. To assist with fundraising by speaking, networking and otherwise seeking donations in conjunction with staff and volunteers as appropriate

### **Self Development**

To develop own skills and capabilities through appropriate continuing professional development, including participation in Board appraisals and review of strategic plans.

### **Adherence to Legislation and Policy**

1. To ensure that all responsibilities are carried out under relevant health and safety legislation and Trust Policy.
2. To comply with the Trust's Governing Documents, including its Code of Governance and its various policies and procedures relating to the Trust's activities.

### **Equalities**

To promote and implement the Trust's Equality and Diversity policies in all areas of the work.

### **Terms of Engagement**

1. The role of Independent Advisor, like that of Trustee, is unpaid but reasonable expenses incurred may be reclaimed from the Trust.
2. The term of office will be in accordance with the Constitution of Haringey Council, which currently means that APPCT Board members are appointed annually at the Council's AGM.

### **Key Working Relationships**

1. Board of APPCT
2. General Manager APPCT
3. Alexandra Palace Stakeholder Committees
4. Alexandra Palace Trading Ltd

## **Other Information**

*The role of Independent Advisor to the Board of Alexandra Park & Palace is an exciting development in the long history of the iconic site we know as "Ally Pally". As the Board moves into the next crucial phase of developing its long-term strategy you could play a key part in influencing and advising on the direction Ally Pally takes next.*

*Your knowledge, experience and expertise will be valued and respected by the Board, its officers and stakeholders. Your advice could make a real difference, not merely to the Board, but to the hundreds of thousands of people who visit Ally Pally each year and the millions who might visit a regenerated Ally Pally in the future.*

*Further details are available from;*

### **Councillor Pat Egan**

Chair of APPCT  
Alexandra Palace & Park Charitable Trust  
Telephone 0208 365 4321

Email [Patrick.Egan@haringey.gov.uk](mailto:Patrick.Egan@haringey.gov.uk)

### **Andrew Gill**

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**Alexandra Palace & Park Board****on 14<sup>th</sup> October 2010**Report Title: **Bespoke Code of Governance (Part 1)**Report of: **Andrew Gill, Interim General Manager, Alexandra Palace & Park Charitable Trust****1. Purpose**

- 1.1 To update the Board on progress in making the NCVO Code of Governance bespoke to Alexandra Park & Palace Charitable Trust.
- 1.2 To advise the Board of clauses of the NCVO Code that do not apply to APPCT which are (as required by the Code) documented in this report.
- 1.3 To seek guidance from the Board on the integration of the NCVO code with the existing governing documents of APPCT and ancillary documents in draft form.
- 1.4 To request the Board to consider adopting a Code of Conduct for Trustees.
- 1.5 To prepare the Board for consideration of a comprehensive suite of documents comprising the Governing Documents in the form of a Trustee Handbook.

**Please note; this is Part 1 of a two-part report. It does not contain the bespoke code itself as it seeks approval for the methodology, process and contents of developing a Trustee handbook that will encompass the code and other governing documents of the Trust. Part 2 will be submitted to the Board at its meeting on 30 November 2010.**

**2. Recommendations**

- 2.1 That the Board approves the proposed exemptions from the NCVO Code of Governance as listed at section 6.9 of this report.
- 2.2 That the Board approves the proposed approach to the integration of the NCVO code with the existing governing documents of APPCT and ancillary documents as listed in this report and that the suite of documents shall collectively be known as the Trustee Handbook.
- 2.3 That the Board approves in principle the adoption of a Code of Conduct for Trustees and provides such guidance as the Board deems appropriate on the content of such a code.
- 2.4 That the Board considers the creation of a new committee or committees to enable compliance with the Code of Good Governance as outlined in section 6.10 of this report and provides such guidance as the Board deems appropriate on the role of such committee/s.
- 2.5 That the Board instructs the Interim General Manager to progress the development and further drafting of the documents as necessary to present the Trustee Handbook to a future meeting of the Board.

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



Contact Officer: **Andrew Gill, Interim General Manager, Alexandra Palace & Park, Alexandra Palace Way, Wood Green N22 7AY Tel No. 020 8365 4340.**

### **3. Executive Summary**

- 3.1 This report updates the Board on progress in making the NCVO Code of Governance bespoke to Alexandra Park & Palace Charitable Trust.
- 3.2 It is not considered practicable to incorporate all the Trust's governing documents into one single document.
- 3.3 It is proposed by the IGM that the NCVO Code should form the cornerstone of the Trust's Governing Documents, the whole suite of which will form the Trustee Handbook.
- 3.4 The relationship between the various documents forming the proposed Trustee Handbook is depicted in the diagram at figure 1 below.
- 3.5 This report identifies those areas where the Trust will be able to comply (assuming the implementation of the Trustee Handbook) with the Code and those few areas where it may not comply.
- 3.6 In order to comply with the Code the Trust will need to implement a number of new policies and procedures and these are listed in the report.
- 3.7 The Board is invited to consider whether it may improve its governance by adopting a separate Code of Conduct for Trustees and a sample code is attached at Appendix 1.
- 3.8 The report lists the ancillary documents which exist in draft or final draft form and would be incorporated in the Trustee Handbook.
- 3.9 Subject to the Board's approval of the approach to the Trustee Handbook described above, the Implementation Plan for this work will be submitted to the Board at its meeting on 30 November 2010.

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

- 4.1 Resolutions made by the Board on 2 March 2010.

### **5. Local Government (Access to Information) Act 1985**

- 5.1 NCVO Code of Good Governance (available on request)
- 5.2 Codes of Conduct for Trustees by Charity Trustee Networks

## **6. Description**

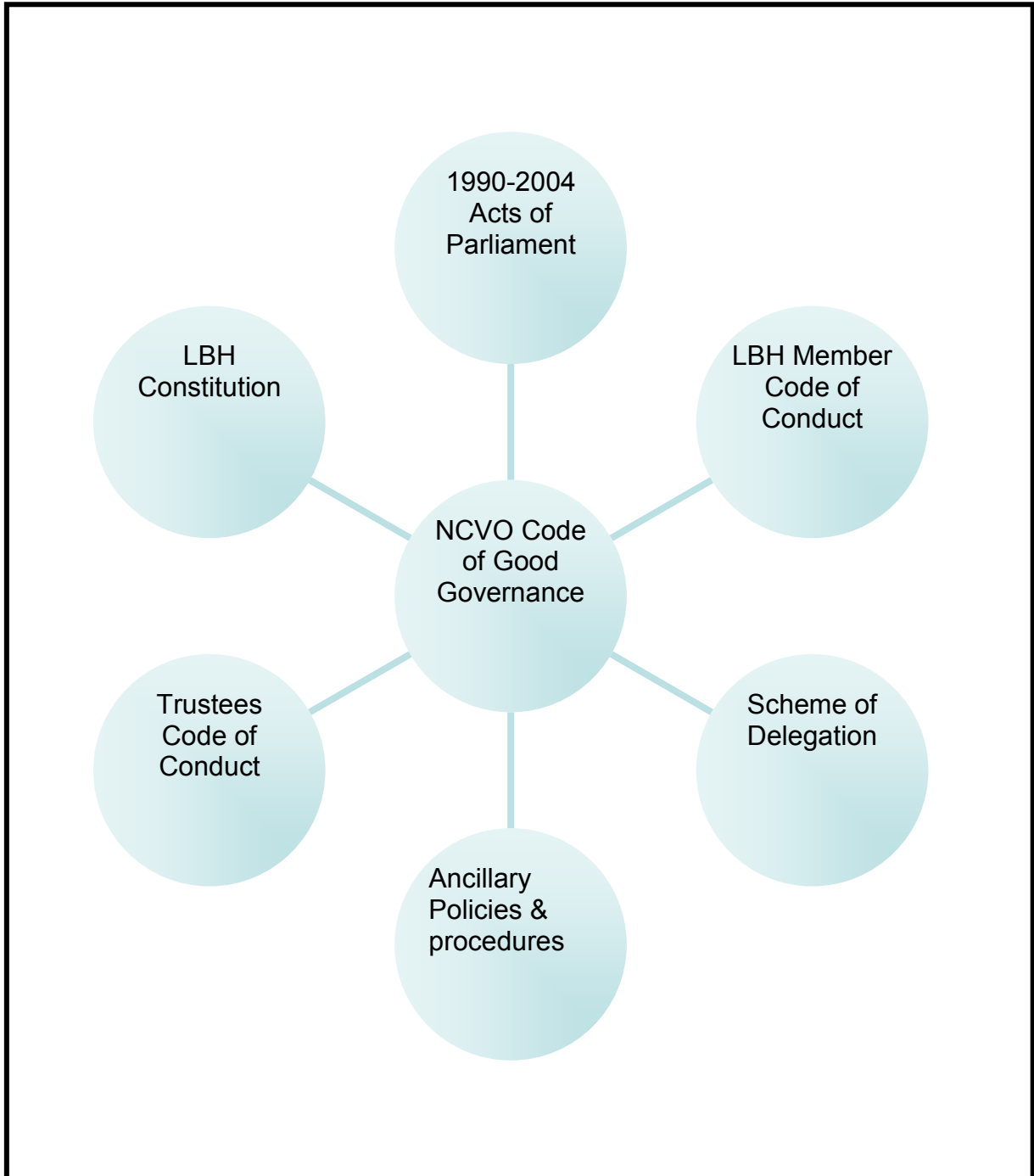
- 6.1 Following its work with Stakeholders during the Review of Governance and Vision in 2009 and early 2010, the Board at its meeting on 2 March 2010 resolved that the NCVO Good Governance Code (henceforth referred to as "the Code") and the Key Principles of the Code be endorsed and adopted subject to the provisions of Haringey Council's Constitution as they apply to the Alexandra Palace and Park Board and its officers.
- 6.2 The Code is attached for ease of reference at Appendix 2 to this report. The Key Principles are;
  - Board Leadership
  - The Board in control
  - The High Performance Board
  - Board Review and Renewal
  - Board Delegation



- Board and trustee Integrity
- Board Openness

- 6.3 The Interim General Manger (IGM) was asked to brief the Board in detail on the implications of the Code with particular emphasis on the role of the Board and its work with stakeholders. Further work to implement the Code was undertaken during the Board induction process in May and June 2010 and the IGM was asked to bespoke the Code to suit the preferred structure of the Trustees and reflect the work already completed by trustees and stakeholders on
- a) Objectives
  - b) Principles
  - c) Processes
- 6.4 The IGM has reviewed the work done by previous management of the Trust in this area and researched the Codes of other organisations with a view to developing a Code of Governance for the Trust in the form of a single document and has concluded that it is not possible to incorporate all the necessary papers into one document.
- 6.5 In addition to the various Acts of Parliament that set the Trust's charitable object, the Trust is also governed by the Constitution of Haringey Council and its Trustees are covered by the Haringey Council Code of Conduct for Members. The Trust is also subject to the regulations and Standing Orders of Haringey Council in relation to certain financial and procurement matters.
- 6.6 The NCVO Code of Good Governance is a very comprehensive and well drafted document that provides an excellent basis for the governance of a third sector body such as the Trust.
- 6.7 Full implementation of the Code inevitably requires a number of supplementary documents in the form of policies and procedures, some of which the Trust already has in place and some of which the Trust has in draft form.
- 6.8 It is proposed by the IGM that the Code should form the cornerstone of the Trust's Governing Documents, the whole suite of which will form the Trustee Handbook. The relationship between the various documents forming the proposed Trustee Handbook is depicted in the diagram at figure 1 overleaf;

# Figure 1 Trustee Handbook



6.9 Compliance with the Code is not mandatory but, where an organisation does not comply with a specific part of the Code, it is invited to record this fact and to set out the reasons for the non-compliance. The table below identifies those areas where the Trust will be able to comply (assuming the implementation of the Trustee Handbook) with the Code and those few areas where it may not;

**Table 1 – APPCT Compliance with the Code**

<b>Part of NCVO Code</b>	<b>Requirements</b>	<b>APPCT Compliance</b>
<b>A   Preamble</b>	Complying with the Code, terminology	Can comply, no exemptions
<b>B   Board Leadership</b>	The role of the Board, Strategic Direction	Can comply, no exemptions
<b>C   The Board in Control</b>	Compliance, internal controls, managing risk, equality and diversity	Will not comply with C8, quality assurance system as beneficiaries are too many and services too broad.
<b>D   The High Performance Board</b>	Trustee duties and responsibilities, the Effective Board, etc.	Can comply, no exemptions
<b>E   Board Review and Renewal</b>	Performance appraisal, renewal and recruitment, review.	Cannot comply with E3 to E12 recruitment of Trustees as they are appointed by Haringey Council.
<b>F   Board Delegation</b>	Clarity of roles, effective delegation, terms of reference, monitoring.	Can comply, no exemptions
<b>G   Board and Trustee Integrity</b>	No personal benefits, conflicts of interest, probity.	Can comply via Trustees Code of Conduct.
<b>H   Board Openness</b>	Communication and consultation, openness and accountability, stakeholder involvement.	Can comply, no exemptions

6.10 In order to comply with the Code the Trust will need to implement a number of new policies and procedures (in addition to those already in draft form). These are listed below in table 2 with proposed action to ensure compliance and target dates;

Table 2 – New Policies and Procedures

Part of NCVO Code	Requirements	Proposed Action to Ensure Compliance & Target Date
<b>C   The Board in Control</b>	C7: Internal controls, set up an Audit Committee.	Board to consider setting up Finance, Audit and HR Committee. Target date TBA.
<b>C   The Board in Control</b>	C14: The Board should have a whistle blowing policy and procedures.	Policy and procedures to be adopted as part of revised internal finance procedures. December 2010.
<b>D   The High Performance Board</b>	D1: Trustee's statement or letter setting out duties and responsibilities and the expectations of the Trust on trustees.	Letter to be signed by Trustees when appointed in May 2011. Letter to include Declaration of Interests.
<b>D   The High Performance Board</b>	D14: Strategy for support and personal development of Trustees. Induction (already comply).	Trustees Induction process to be enhanced to include this requirement for individual Trustees. June 2011
<b>E   Board Review and Renewal</b>	E1: Performance appraisal of the Board, individual Trustees and sub-committees.	Biennial review of Board performance, annual review of individual Trustees by Chair and of Chair by Board. July 2011.
<b>E   Board Review and Renewal</b>	E16: Review, strategic reviews of all aspects of the Trusts' work.	Key Action Review completed for 2009-10 in Business Plan. Strategic review to be finessed for future annual refresh of Business Plan. April 2011.
<b>F   Board Delegation</b>	F1: Clarity of roles, define the role of the Chair and other honorary roles including Independent Advisors.	Job description to be adopted for Chair and other roles as approved by the Board. December 2010.

- 6.11 The Code refers to a Code of Conduct for Trustees. The Trustees of APPCT in their capacity as Elected Members of the Council are required to comply with Haringey Council's Code of Conducts for Members. The Board is invited to consider whether it may improve its governance by adopting a separate Code of Conduct for Trustees. A sample code based on that suggested by the Charity Trustee Networks in its publication 'Codes of Conduct for Trustees' is attached at Appendix 1 of this report.
- 6.12 It may be helpful to the current and future Chair and to the Board to particularise the role and functions of the Chair. The Code states that the role of the Chair should include, as a minimum;
- (a) the efficient conduct of business at the organisation's Board and general meetings;
  - (b) that the organisation's business is efficiently and accountably conducted between Board meetings;
  - (c) that the organisation complies generally with this code;
  - (d) specifically that the appraisal and remuneration of the organisation's chief executive is conducted in accordance with this Code;

(e) that the employment of the chief executive complies with employment legislation and good practice; and

(f) that the appraisal of board and trustee performance is conducted in accordance with this Code.

- 6.13 The purpose of a code of conduct is to provide a structure for the responsibilities and expectations of the trustees to help avoid or address problems. It is not about a lack of trust between or in the trustees of an organisation. A code of conduct provides trustees with an understanding of what is required of their role, enabling them to be transparent, open and accountable in what they do and how they do it. For the most part, a code will simply codify the good practice and behaviour already in existence.
- 6.14 There are many codes and standards across the sector. They exist because all charities and trustees are different and will find varying styles and types of resources helpful. Many boards have said that finding the particular type of resource, training or support that helps them deal with issues is a matter of trial and error – if it doesn't work, they try something else.
- 6.15 One such set of standards came out of the Nolan Committee, which published its Seven Principles of Public Life, and recommended that all public bodies adopt codes of conduct incorporating those principles. The Nolan Principles form the basis of many codes of conduct, translated into contexts outside of the public sector, and have been adopted widely.

## The Nolan Principles – adapted for trustees

### 1. Selflessness

Trustees should act solely in terms of public benefit. They should not act in order to gain financial or other benefits for themselves, their family or their friends.

### 2. Integrity

Trustees should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their role as a trustee.

### 3. Objectivity

In carrying out the business of the organisation, trustees should make choices based on merit.

### 4. Accountability

Trustees are accountable for their decisions and actions to their stakeholders and the public and must submit themselves to whatever scrutiny is appropriate to their role.

### 5. Openness

Trustees should be as open as possible about all the decisions and actions they take.

### 6. Honesty

Trustees should declare any private interests relating to their trusteeship and take steps to resolve any conflicts arising in a way that protects the public benefit.

### 7. Leadership

Trustees should promote and support these principles by leadership and example.

6.16 The following list of ancillary documents exist in draft or final draft form and would be incorporated in the Trustee Handbook;

1. Code of Conduct for Trustees and Members of the Board (including Letter of understanding and Trustees Declaration of Interests)
2. Constitution and Terms of Reference (including Haringey Elected Member Code of Conduct and the Trust's Relationship with Haringey Council)
3. Scheme of Delegation (including Summary of General Manager's role, responsibilities and delegated authority)
4. Trust Governance Structure Chart
5. Trust 3 year rolling Business Plan (including strategic objectives and annual work plan for Chief Officer).
6. Risk Management Framework (including Risk Register)
7. General Procedures, Protocol for decision making and reporting (including Board annual work programme, Business Plan and Trustee Induction plan)

8. Relationship between APP Charitable Trust and AP Trading Company (including APTL Company structure).
9. Summary of APPCT Internal Procedures (including structure chart, finance and expenditure policy/procedures, Staff Handbook, etc.)
- 6.17 Subject to the Board's approval of the approach to the Trustee Handbook described above, the Implementation Plan for this work will be submitted to the Board at its meeting on 30 November 2010.

## **7 Consultation**

- 7.1 There has been no specific consultation on this report beyond the work done by the Board with stakeholders during the Review of Governance and Vision in 2009 and early 2010 described at 6.1 above.
- 7.2 Both the APP Statutory Advisory Committee and APP Consultative Committee have welcomed the Board's adoption of the Code.

## **8 Recommendations**

- 8.1 That the Board approves the proposed exemptions from the NCVO Code of Governance as listed at section 6.9 of this report.
- 8.2 That the Board approves the proposed approach to the integration of the NCVO code with the existing governing documents of APPCT and ancillary documents as listed in this report and that the suite of documents shall collectively be known as the Trustee Handbook.
- 8.3 That the Board approves in principle the adoption of a Code of Conduct for Trustees and provides such guidance as the Board deems appropriate on the content of such a code.
- 8.4 That the Board considers the creation of a new committee or committees to enable compliance with the Code of Good Governance as outlined in section 6.10 of this report and provides such guidance as the Board deems appropriate on the role of such committee/s.
- 8.5 That the Board instructs the Interim General Manager to progress the development and further drafting of the documents as necessary to present the Trustee Handbook to a future meeting of the Board.

## **9 Legal Implications**

- 9.1 The Trust's Solicitor's advice has been taken into account in preparing this report.
- 9.2 This report was sent to the LBH Head of Legal Services for comment.

## **10 Financial Implications**

- 10.1 The LBH CFO notes the contents of this report.
- 10.2 There are no significant financial implications of this report. Most of the work involved in implementing the new Governing Documents will fall to the Trust's officers.

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

- 11.1 Table 1 - APPCT Compliance with the Code

- 11.2 Table 2 – New Policies and Procedures
- 11.3 Appendix 1 – Detailed model code of conduct for trustees
- 11.4 Appendix 2 - NCVO Code of Good Governance



## Appendix 1

### A detailed model code of conduct for trustees

I will respect and uphold the values of [organisation name]  
[list values of organisation]

#### GENERAL

- I will act within the governing document of [organisation name] and the law, and abide by the policies and procedures of the organisation. This includes having a knowledge of the contents of the [governing document] and relevant policies and procedures.
- I will support the objects and mission of [organisation name], championing it, using any skills or knowledge I have to further that mission and seeking expert advice where appropriate.
- I will be an active trustee, making my skills, experience and knowledge available to [organisation name] and seeking to do what additional work I can outside trustee meetings, including sitting on sub-committees.
- I will respect organisational, board and individual confidentiality, while never using confidentiality as an excuse not to disclose matters that should be transparent and open.
- I will develop and maintain a sound and up-to-date knowledge of [organisation name] and its environment. This will include an understanding of how [organisation name] operates, the social, political and economic environment in which it operates and the nature and extent of its work.
- I will use [organisation name]'s resources responsibly, and when claiming expenses will do so in line with [organisation name] procedures.
- I will seek to be accountable for my actions as a trustee of [organisation name], and will submit myself to whatever scrutiny is appropriate.
- I accept my responsibility to ensure that [organisation name] is well run and will raise issues and questions in an appropriate and sensitive way to ensure that this is the case.

#### MANAGING INTERESTS

- I will not gain materially or financially from my involvement with [organisation name] unless specifically authorised to do so.
- I will act in the best interests of [organisation name] as a whole, and not as a representative of any group – considering what is best for [organisation name] and its present and future beneficiaries and avoiding bringing [organisation name] into disrepute.
- Unless authorised, I will not put myself in a position where my personal interests conflict with my duty to act in the interests of the organisation. Where there is a conflict of interest I will ensure that this is managed effectively in line with [organisation name] policy.
- I understand that a failure to declare a conflict of interest may be considered to be a breach of this code.

**MEETINGS**

- I will attend all appropriate meetings and other appointments at [organisation name] or give apologies. If I cannot regularly attend meetings I will consider whether there are other ways I can engage with [organisation name].
- I will prepare fully for all meetings and work for the organisation. This will include reading papers, querying anything I do not understand, thinking through issues before meetings and completing any tasks assigned to me in the agreed time.
- I will actively engage in discussion, debate and voting in meetings; contributing in a considered and constructive way, listening carefully, challenging sensitively and avoiding conflict.
- I will participate in collective decision making, accept a majority decision of the board and will not act individually unless specifically authorised to do so.

**GOVERNANCE**

- I will actively contribute towards improving the governance of the trustee board, participating in induction and training and sharing ideas for improvement with the board.
- I will help to identify good candidates for trusteeship at [organisation name] and, with my fellow trustees, will appoint new trustees in accordance with agreed selection criteria.

**RELATIONS WITH OTHERS**

- I will endeavour to work considerately and respectfully with all those I come into contact with at [organisation name]. I will respect diversity, different roles and boundaries, and avoid giving offence.
- I recognise that the roles of trustees, volunteers and staff of [organisation name] are different, and I will seek to understand and respect the difference between these roles.
- Where I also volunteer with the organisation I will maintain the separation of my role as a trustee and as a volunteer.
- I will seek to support and encourage all those I come into contact with at [organisation name]. In particular I recognise my responsibility to support the chair and the senior staff member.
- I will not make public comments about the organisation unless authorised to do so. Any public comments I make about [organisation name] will be considered and in line with organisational policy, whether I make them as an individual or as a trustee.

**LEAVING THE BOARD**

- I understand that substantial breach of any part of this code may result in procedures being put in motion that may result in my being asked to resign from the trustee board.
- Should this happen I will be given the opportunity to be heard. In the event that I am asked to resign from the board I will accept the majority decision of the board in this matter and resign at the earliest opportunity.
- If I wish to cease being a trustee of [organisation name] at any time, I will inform the chair in advance in writing, stating my reasons for leaving.

Signed . . . . .  
Name . . . . .  
Date . . . . .