



## NOTICE OF MEETING

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# Alexandra Palace and Park Board

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MONDAY, 28TH MARCH, 2011 at 19:30 HRS - THE LONDESBOROUGH ROOM,  
ALEXANDRA PALACE WAY, WOOD GREEN, LONDON N22.

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

**Non-voting representatives:**

Ms V. Paley, Mr M. Tarpey and Mr N Willmott  
(Alexandra Palace and Park Consultative Committee).

**Observer:**

Mr D. Liebeck (Chair, Alexandra Park and Palace Advisory Committee).

### AGENDA

1. **APOLOGIES FOR ABSENCE**
2. **URGENT BUSINESS**

The Chair will consider the admission of any late report in relation to the items shown on the agenda.

*(Please note that under the Council's Constitution – Part 4 Section B paragraph 17 – no other business shall be considered other than those shown on the agenda sheet).*

### **3. DECLARATIONS OF INTERESTS**

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgment of the public interest **and** if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct **and/or** if it relates to the determining of any approval, consent, licence, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

### **4. QUESTIONS, DEPUTATIONS OR PETITIONS : TO CONSIDER ANY QUESTIONS, DEPUTATIONS OR PETITIONS RECEIVED IN ACCORDANCE WITH PART 4, SECTION B29 OF THE COUNCIL'S CONSTITUTION**

### **5. FINANCE REPORT (PAGES 1 - 10)**

Report of the Head of Finance – Alexandra Palace

### **6. GOVERNANCE UPDATE (PAGES 11 - 18)**

Report of the Interim General Manager – Alexandra Palace

### **7. CAPITAL PROJECTS UPDATE (PAGES 19 - 24)**

Report of Interim General Manager – Alexandra Palace

### **8. MINUTES (PAGES 25 - 40)**

To confirm the unrestricted minutes of the Alexandra Palace and Park Board held on 15 February 2011.

### **9. EXCLUSION OF THE PUBLIC AND PRESS**

The following items are likely to be subject of a motion to exclude the press and public from the meeting as they contain exempt information as defined in Section 100a of the Local Government Act 1972; Para 3 - information relating to the business or financial affairs of any particular person (including the authority holding that information).

**10. FINANCE REPORT (PAGES 41 - 44)**

Report of the Head of Finance – Alexandra Palace

**11. GROUNDS MAINTENANCE CONTRACT (PAGES 45 - 48)**

Report of the Park Manager – Alexandra Palace

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Friday 18<sup>th</sup> March 2011

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# Alexandra Palace the people's palace.

Agenda item:

**ALEXANDRA PALACE & PARK BOARD**

**On 28<sup>th</sup> March 2011**

Report Title: **FINANCE UPDATE**

Report of: **Helen Downie, Head of Finance, Alexandra Palace & Park**

## **1. Purpose**

- 1.1 To advise the Board of the results for the ten month period to 31<sup>st</sup> January 2011 and the forecast outturn for the 2010/11 financial year
- 1.2 To obtain the Board's in principle approval of the revenue budget for the 2011/12 financial year.

## **2. Recommendations**

- 2.1 The Board is asked to note the results for the ten month period to 31<sup>st</sup> January 2011 and the forecast outturn for the 2010/11 financial year;
- 2.2 The Board is asked to note the action being taken by the Trust to minimise the call on the Council's resources for 2010/11.
- 2.3 The Board is asked to approve the Trust's revenue budget for 2011/12 as set out in Appendix 3, subject to recommendation 2.4
- 2.4 The Board is asked to approve the setting up of a working group to identify savings across the Trust and Trading company.
- 2.5 The Board is asked to note that there will be no fireworks display in 2011

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



Contact Officer: Helen Downie, Head of Finance, Alexandra Palace & Park, Alexandra Palace Way, Wood Green, London N22 7AY. Telephone number 0208 365 4310.

### **3. Executive Summary**

- 3.1 The results for the ten month period ended 31<sup>st</sup> January 2011 are given at Appendix 1. Unrestricted income is £14.7k below budget and unrestricted expenditure is £221k below budget, resulting in a net underspend of £206k against budget.
- 3.2 The Trust budget has been reforecast and a £93k underspend against the original budget is predicted. This is broadly consistent with the forecast presented at the meeting of 15<sup>th</sup> February 2011 and is analysed in more detail under 7.1.
- 3.3 The Trust has been informed that the Council has approved a budget of £2,102,200 in revenue funding for the 2011/12 financial year but indicated its desire for significant savings to be made against this budget. A revenue budget for 2011/12, based on the £2,102,200 allocation, is shown at Appendix 3 and section 8.1 to this report sets out the key assumptions used. The trustees are asked to approve this budget in principle and agree to the establishment of a working group to identify where savings can be made across the Trust and Trading company. Further information is given in the exempt report to this meeting.
- 3.4 The Trust budget assumes a gift aid payment from the trading company of £562k. The APTL Board has set a more challenging target; however, given the difficult trading environment and volatility of energy prices, the Trust budget assumes a certain level of contingency against this target. Further information is given in the exempt report to this meeting.
- 3.5 The Council has also approved a further £500,000 in capital funding. Capital expenditure priorities will be agreed in line with the independent infrastructure assessment currently being carried out and following consultation with APTL. A detailed budget will be presented to the Board at its meeting of 9<sup>th</sup> May 2011.

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

4.1 N/A

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

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

### **6. Results for the period ended 31<sup>st</sup> January 2011**

6.1 The results for the period ended 31<sup>st</sup> January 2011 are shown in Appendix 1. The restricted/designated element of the Trust's budget relates to capital grants from LB Haringey. £300k was secured in 2009/10 for targeted capital purchases to support the operations of the trading company, with £500k secured in 2010/11 for key building dilapidations work. The variable overhead expenditure in this column represents depreciation against those capital purchases, together with a small amount of expenditure against the Organ Appeal fund.

- 6.2 Unrestricted income is £14.7k below budget and unrestricted expenditure is £221k below budget, giving a net positive variance against budget of £206k. Explanations for the key variances are given below.
- 6.3 Unrestricted income is £14.7k below budget due to the cancellation of the fireworks (£29k impact) offset by leaseholder invoices for recharged electricity, part of which relates to usage during the previous financial year.
- 6.4 Salaries are £7k below budget primarily due to the difficulties in recruiting a permanent Facilities Manager, resulting in a corresponding overspend in professional fees. This post has now been filled.
- 6.5 Contracted services are £29k underspent. This comprises a £7k overspend in Parks offset by a £36k underspend in buildings security and maintenance. The former is due to an RPI increase applied retrospectively to the Parks contract; the Parks Manager is covering this increase from his variable parks budget and is still on target to deliver the agreed £10k saving overall. The latter is due to the new IFM contract, which has a lower ratio of fixed to variable costs. The overall underspend on security, repairs and maintenance for the year to date (fixed + variable costs) is £66k. This reduces to a £50k projected underspend by year end, being the agreed saving for the year.
- 6.6 Fixed overheads are £11k under budget due to lower than budgeted insurance and central admin costs. Variable overheads are £157k below budget, with the key variances summarised as follows:

Category	Year to Date (Over)/Underspend	Explanation
Repairs and maintenance	£30k	Timing of essential repairs and maintenance
Legal fees	(£29k)	Identified as risk in budget; includes both general legal advice from Howard Kennedy and recharges from LBH for contract advice
Water rates	(£18k)	Backdated bill in dispute with Thames Water
Community Events	£95k	Fireworks cancellation
Depreciation	£30k	Depreciation of assets purchased with the £300k and £500k capital grants is treated as a cost against the designated capital fund. This underspend will be partly offset by depreciation on the ice rink refurbishment in February and March.
Road repairs	£49k	Timing of essential repairs and maintenance
<b>Total underspend</b>	<b>£157k</b>	

6.7 Governance costs are £13k below budget for the year to date with a further £3k expenditure anticipated this financial year.

## 7. Forecast outturn for the financial year

7.1 Income and expenditure have been reforecast on a line by line basis, in consultation with budget holders. The Trust is now forecasting a net £93k underspend against the original budget. This position is relatively unchanged since the last Board meeting and can be analysed as follows:

Category	Projected (Over)/Underspend	Explanation
Income	(£24k)	Fireworks cancellation
Salaries	£10k	Recruitment delays, admin savings
Contracted services	£48k	£56k underspend in R&M offset by £8k overspend in parks. New IFM contract allows greater flexibility, shifting reactive and non-cyclical works from fixed to variable cost. The Trust is still on target to deliver a £50k saving in R&M overall
Fixed overheads	£13k	Insurance and central admin
Variable overheads	£33k	Fireworks cancellation (£95k) offset by above overspends in legal fees (£29k) and water rates (£18k), together with a £6k planned overspend on R&M offsetting the underspend in fixed costs. There is also a planned £7.5k overspend in IT costs reflecting urgent work arising from the IT review.
Governance	£13k	Further work in this area will be carried out in the new financial year.
<b>Total underspend</b>	<b>£93k</b>	

7.2 All budgets are being kept under close review and expenditure is being tightly controlled across the Trust.

## 8. Trust Revenue Budget 2011/12

8.1 Officers have been informed that the Council has allocated the Trust a revenue budget of £2,102,200 for the 2011/12 financial year. However, the Council has also indicated its desire for significant savings to be made against this budget allocation.

8.2 It is therefore proposed to establish a working group to identify where savings can be achieved across the Trust and Trading Company. At this stage, the trustees are being asked to approve, in principle, a budget which reflects the £2,102,000 allocation. The Working Group will report back to Board outlining proposed savings and opportunities for generating additional income.



- 8.3 The proposed revenue budget for 2011/12 is given at Appendix 3. The key assumptions contained within the budget are as follows:
- Given the current economic climate, it is extremely unlikely that sponsorship will be secured to fully cover the cost of the fireworks display in 2011. It has therefore been assumed that the fireworks will not take place. No new sources of income have been assumed.
  - The total budget for buildings security and maintenance is £1.128m. An increase of 5.1% has been assumed based on the RPI for January 2011. The budget also contains a contingency of £35k.
  - The salaries budget assumes a Chief Executive replaces the existing General Manager post from 1<sup>st</sup> June. The Trust staffing structure is otherwise unchanged
  - The parks budget remains unchanged, other than applying an RPI increase to the fixed contract for grounds maintenance. £19k has been transferred from variable to fixed costs, reflecting a focus on planned maintenance which will provide better value for money. This is subject to a separate report to this meeting.
  - The ice rink refurbishment is being depreciated over 12 years, to match the loan repayment term. Over a twelve year period, the depreciation and loan interest will be covered by increased gift aid income generated by the refurbished facility
  - A £70k budget has been included for governance/regeneration work. This will be insufficient for the regeneration project and other funding will need to be secured
  - For the purposes of the Trust budget, a gift aid payment from the trading company of £562k has been assumed. The APTL Board has set a more challenging target for the APTL senior management team to achieve. However, given the difficult trading environment and the volatility of energy prices, the Trust budget assumes a certain level of contingency against this target.

## **10. Legal and Financial Comments**

- 10.1 The Trust solicitor has no specific comment on this report
- 10.2 The LBH Head of Legal Services has no specific comment on this report
- 10.3 The London Borough of Haringey Chief Finance Officer notes the contents of the report and asks that the Board continue to examine expenditure during the rest of the financial year in order to ensure the current projected overspend is reduced as much as possible.

The CFO confirms that the budget allocation within the Council's accounts for 2011/12 is £2,102k but would ask the Board to further examine the income and expenditure of both the Trust and the trading company in order to reduce this deficit provision further.

**11. Equalities Implications**

11.1 There are no perceived equalities implications

**12. Use of Appendices / Tables / Photographs**

12.1 Appendix I – Actual versus budget for the period ended 31<sup>st</sup> January 2011

12.2 Appendix 2 – Forecast outturn for the 2010/11 financial year

12.3 Appendix 3 – Trust Revenue Budget for the 2011/12 financial year

## Appendix 1

## ALEXANDRA PALACE AND PARK CHARITABLE TRUST

## ACTUAL VERSUS BUDGET FOR THE 10 MONTHS ENDING 31st JANUARY 2011

	TOTAL TRUST FUNDS		UNRESTRICTED		Variance %	Annual Budget
	Unrestricted	Restricted/ Designated	Total	Budget		
	£	£	£	£	£	£
Concessions/Leases	225,875	0	225,875	225,780	95	280,445
Community Events	26,841	0	26,841	57,386	(30,545)	58,745
Sundry Sales	4,334	0	4,334	0	4,334	100
Service Charges	11,416	0	11,416	0	11,416	12,000
Designated capital grant income	0	500,000	500,000	0	0	0
<b>TOTAL INCOME</b>	<b>268,466</b>	<b>500,000</b>	<b>768,466</b>	<b>283,166</b>	<b>268,466</b>	<b>351,290</b>
					<b>(14,700)</b>	
<b>EXPENDITURE</b>						
Salaries	284,652	0	284,652	291,750	7,098	350,100
Contracted Services	841,591	0	841,591	871,068	29,477	1,033,139
<b>TOTAL PRIME COSTS</b>	<b>1,126,243</b>	<b>0</b>	<b>1,126,243</b>	<b>1,162,818</b>	<b>36,575</b>	<b>1,383,239</b>
Fixed overheads	258,232	0	258,232	269,230	10,998	323,075
Variable overheads	785,614	40,135	825,749	942,531	156,917	1,098,176
<b>TRUST BEFORE GOVERNANCE COSTS</b>	<b>(1,901,623)</b>	<b>459,865</b>	<b>(1,441,758)</b>	<b>(2,091,413)</b>	<b>189,790</b>	<b>(2,453,200)</b>
Government costs	13,427	0	13,427	30,000	16,573	30,000
<b>TOTAL TRUST OPERATION</b>	<b>(1,915,050)</b>	<b>459,865</b>	<b>(1,455,185)</b>	<b>(2,121,413)</b>	<b>206,363</b>	<b>(2,483,200)</b>
Gift aid payment from APTL	0	0	0	0	0	284,000
<b>TRUST NET DEFICIT</b>	<b>(1,915,050)</b>	<b>459,865</b>	<b>(1,455,185)</b>	<b>(2,121,413)</b>	<b>206,363</b>	<b>(2,199,200)</b>

## ALEXANDRA PARK AND PALACE CHARITABLE TRUST

## FORECAST OUTTURN FOR THE 2010/11 FINANCIAL YEAR (UNRESTRICTED FUNDS)

	Actuals to January	Forecast Feb-Mar	Forecast Total	Annual Budget	Variance	Variance %
Concessions/Leases	225,875	45,074	270,949	280,445	(9,496)	-4%
Community Events	26,841	1,360	28,201	58,745	(30,544)	8%
Sundry Sales	4,334	100	4,434	100	4,334	-50%
Service Charges	11,416	12,000	23,416	12,000	11,416	10%
<b>TOTAL INCOME</b>	<b>268,466</b>	<b>58,534</b>	<b>327,000</b>	<b>351,290</b>	<b>(24,290)</b>	<b>2%</b>
<b>EXPENDITURE</b>						
Salaries	284,652	54,989	339,641	350,100	10,460	-42%
Contracted Services	841,591	143,676	985,267	1,033,139	47,872	0%
<b>TOTAL PRIME COSTS</b>	<b>1,126,243</b>	<b>198,665</b>	<b>1,324,908</b>	<b>1,383,239</b>	<b>58,331</b>	<b>-8%</b>
Fixed overheads	258,232	51,973	310,205	323,075	12,870	0%
Variable overheads	785,614	279,575	1,065,189	1,098,176	32,987	-9%
<b>TRUST BEFORE GOVERNANCE COSTS</b>	<b>(1,901,623)</b>	<b>(471,679)</b>	<b>(2,373,302)</b>	<b>(2,453,200)</b>	<b>79,898</b>	<b>-8%</b>
Governance costs	13,427	3,000	16,427	30,000	13,573	-17%
<b>TOTAL TRUST OPERATION</b>	<b>(1,915,050)</b>	<b>(474,679)</b>	<b>(2,389,729)</b>	<b>(2,483,200)</b>	<b>93,471</b>	<b>-8%</b>


**APPENDIX 3****DRAFT TRUST REVENUE BUDGET 2011/12**

<b>INCOME</b>	<b>Proposed 2011/12</b>	<b>Approved 2010/11</b>	<b>Variance</b>
	<b>£</b>	<b>£</b>	<b>£</b>
SUNDRY SALES	150	100	50
COMMUNITY EVENTS INCOME	29,095	29,245	(150)
CONCESSION INCOME	4,000	10,000	(6,000)
LEASE INCOME	151,418	145,445	5,973
APTL LICENCE FEE	170,000	170,000	0
FIREWORKS - DONATIONS, FUNFAIR & CONCESSIONS	0	29,500	(29,500)
FIREWORKS - SPONSORSHIP	0	0	0
SERVICE CHARGES	12,000	12,000	0
<b>TOTAL INCOME</b>	<b>366,663</b>	<b>396,290</b>	<b>(29,627)</b>
<b>FIXED COSTS</b>			
PARK CONTRACT - FIXED ELEMENT	290,000	258,000	(32,000)
SECURITY/MAINTENANCE CONTRACT	710,850	777,139	66,289
<b>SUBTOTAL - CONTRACTED COSTS</b>	<b>1,000,850</b>	<b>1,035,139</b>	<b>34,289</b>
<b>OTHER FIXED COSTS</b>			
GENERAL RATES	53,903	50,000	(3,903)
GENERAL INSURANCES	256,314	248,325	(7,989)
AUDIT	15,648	14,750	(898)
DEPRECIATION	86,963	128,533	41,570
DEPRECIATION - ICE RINK	169,551	0	(169,551)
LBH CENTRAL SUPPORT	5,000	10,000	5,000
<b>SUBTOTAL - OTHER FIXED COSTS</b>	<b>587,378</b>	<b>451,608</b>	<b>(135,770)</b>
<b>TOTAL FIXED COSTS</b>	<b>1,588,228</b>	<b>1,486,747</b>	<b>(101,481)</b>
<b>SEMI VARIABLE COSTS</b>			
SALARIES	390,377	350,102	(40,275)
LEGAL AND PROFESSIONAL FEES	150,000	171,895	21,895
IT EXPENDITURE	20,000	12,000	(8,000)
PARK SECURITY	12,000	12,000	0
UTILITIES	80,371	72,876	(7,495)
PRINTING, POSTAGE, STATIONERY	8,779	8,565	(214)
CONTRACT CLEANING park toilets	13,838	13,500	(337)
REFUSE REMOVAL	1,025	1,000	(25)
<b>SUBTOTAL - SEMI VARIABLE COSTS</b>	<b>676,389</b>	<b>641,938</b>	<b>(34,451)</b>
<b>VARIABLE COSTS</b>			
R&M - VARIABLE ELEMENT	421,182	387,280	(33,902)
REPAIRS - ROAD	60,000	60,000	0
PARK CONTRACT - VARIABLE	0	0	0
INTERNAL AUDIT	6,400	6,175	(225)
MAINTENANCE - PARK	71,000	90,000	19,000
FIREWORKS	0	100,000	100,000
GOVERNANCE/REGEN COSTS	70,000	30,000	(40,000)
RECRUITMENT EXPENSES	33,000	10,000	(23,000)
ICE RINK LOAN INTEREST	79,310	0	(79,310)
OTHER VARIABLE COSTS	25,353	22,350	(3,003)
<b>TOTAL VARIABLE COSTS</b>	<b>766,245</b>	<b>705,805</b>	<b>(60,440)</b>
<b>TOTAL COSTS</b>	<b>3,030,863</b>	<b>2,834,490</b>	<b>(196,373)</b>
<b>TOTAL INCOME</b>	<b>366,663</b>	<b>396,290</b>	<b>(29,627)</b>
<b>TOTAL EXPENDITURE</b>	<b>3,030,863</b>	<b>2,834,490</b>	<b>(196,373)</b>
<b>TRUST OPERATING LOSS</b>	<b>(2,664,200)</b>	<b>(2,438,200)</b>	<b>(226,000)</b>
<b>GIFT AID APTL</b>	<b>562,000</b>	<b>239,000</b>	<b>323,000</b>
<b>NET FUNDING REQUIREMENT</b>	<b>(2,102,200)</b>	<b>(2,199,200)</b>	<b>97,000</b>

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Agenda item: 6

<b>Alexandra Palace &amp; Park Board</b>	<b>on 28th March 2011</b>
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 previous resolutions of the Board 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 - the review of the APP Statutory Advisory Committee (APPAC) and Consultative Committee (APPCC).</li> <li>d) Executive Restructuring and the recruitment of a Chief Executive Officer for Alexandra Park and Palace.</li> </ul>	
<p><b>2. Recommendations</b></p> <p>2.1 That the Board notes the progress to date 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 it will receive further reports on the matters covered in this report at future meetings of the Board.</p>	
<p>Report Authorised by: <b>Andrew Gill, Interim General Manager</b> </p>	
<p>Contact Officer: <b>Andrew Gill, Interim General Manager, Alexandra Palace &amp; Park, Alexandra Palace Way, Wood Green N22 7AY Tel No. 020 8365 4340.</b></p>	
<p><b>3. Executive Summary</b></p> <p>3.1 This report updates the Board on progress in implementing a number of its previous resolutions on Governance and Future Vision.</p> <p>3.2 Work is progressing on the recruitment of Independent Advisors to the Board and the Council will be asked on 4 April to grant the necessary delegated authorities to the Board to enable the recruitment, selection and appointment of the proposed independent advisors.</p> <p>3.3 The work of the APPRWG is ongoing and the Options Analysis and Feasibility Study has (at the time of writing) reached Stage 3 Consultation – Internal and External and will next be moving into Stage 4 Analysis and Viability.</p> <p>3.4 The Charity Commission has been engaged regarding the possibility of having a single Alexandra Park and Palace Statutory Advisory Committee, and Alexandra Palace and Park Consultative Committee and its response is awaited.</p>	

3.5 Work is progressing on the recruitment of a Chief Executive officer and Executive Search and Recruitment Consultants have been engaged to assist in this process.

3.6 The necessary changes to the Council's constitution Employment Procedure Rules will be considered at the meeting of Full Council on 4 April.

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

4.1 Resolutions made by the Board at previous meetings during 2010 and 2011.

**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 At its meeting on 15 February 2011 the Board received an update on the remaining key tasks associated with developing the Governance of the Trust. Since that date there has been progress in implementing a number of these tasks and this is outlined in the report below.

6.3 At its meeting on 15 February 2011 the Board received a report on Executive Restructuring and the Board approved the initial process for the appointment of a new Chief Executive for Alexandra Park and Palace. Since that date there has been progress in implementing the Board's decision.

**6.4 The Appointment of Independent Advisors to the Board.**

6.4.1 The Board has previously discussed the terms of engagement, job description and recruitment process for the Independent Advisors and provided a steer to the IGM on these aspects of this task.

6.4.2 The Board has previously noted that the agreement of the Full Council of LB Haringey would be required prior to the appointment of Independent Advisors, as this was a variation to the Membership of the Board – albeit the Independent Members would only be appointed in a non voting advisory capacity.

6.4.3 The Board has been advised of the need to ensure that the matter was discussed through the political groups of the LB Haringey prior to submission at Full Council.

6.4.4 Arrangements were made to brief both the Labour and Liberal Democrat Groups in early January 2011.

6.4.5 A report has been prepared on behalf of the Board for the meeting of the Full Council on 4 April 2011. The report has been seen by the Interim General Manager and the Trust's Solicitor and it has a single recommendation from the Board to the Council;

“We ask that powers be delegated to our Alexandra Palace and Park Board to commence the recruitment, selection and appointment of the proposed independent advisors.”



6.4.6 Assuming that the Council approves the above recommendation, the formal process of recruitment, selection and appointment of the Independent Advisors may therefore commence after the statutory call-in period following the 4 April Full Council meeting.

#### **6.5 Master planning (the Alexandra Park & Palace Regeneration Working Group).**

6.5.1 At its meeting on 12 January 2010 the Board resolved to abandon its former strategy to award a long lease to a single developer, with a view to adopting a new Strategy for the regeneration of AP&P.

6.5.2 At its meeting on 6 September 2010 the Board resolved to approve the terms of reference and proposed membership of the Alexandra Park & Palace Regeneration Working Group (APPRWG) and to create that Working Group to oversee and give direction to the design, formulation and adoption of a sustainable regeneration strategy for Alexandra Park and Palace that will include the delivery of a strategic master Plan which will provide an integrated framework for future commercial and development delivery.

6.5.3 At its meeting on 21 December 2010 the Board was informed that that the APPRWG considered it vital that the Board clearly sets out its Vision for AP&P in order to set the parameters for the Master Planning process. This is important because the Vision is a very clear public statement of what the Board of Trustees wants to achieve for AP&P and for whom. The Mission Statement (essentially the Alexandra Park and Palace Act 1985) sets out what is in effect the object of the charity which is the purpose the Board must try to achieve.

6.5.4 The Board was also informed at its meeting on 21 December 2010 that the APPRWG had appointed a sub-group chaired by the Vice Chair of the APPRWG to review the work previously done in this area, including the stakeholder liaison and one-to-one meetings undertaken by Harrison:Fraser as part of the Future Vision Review during 2009 and early 2010.

6.5.5 The sub-group comprised of senior officers from Alexandra Palace and Haringey Council (including the Interim General Manager). It ensured that in considering a draft Mission Statement and Vision this work was clearly grounded in the quotes, phrases and aspirations of the stakeholders and Board Members as expressed during the extensive one-to-one interviews held in the autumn of 2009.

6.5.6 Therefore, both the Mission Statement and the Vision were influenced by feedback from stakeholders and interested parties during the Governance and Future Vision review conducted during late 2009 and 2010 and the Board accordingly approved the proposed Mission Statement and Vision.

6.5.7 The sub-group of the APPRWG was tasked with the next stage in the project plan which was to deliver an Options Analysis and Feasibility Study of Alexandra Palace and Park, which will identify suitable uses for the various parts of the site. The study will inform a subsequent master planning exercise which will in turn assist the Board in determining its future strategy for Alexandra Park and Palace.

6.5.8 The Board was informed at its meeting on 15 February 2011 that the APPRWG had sought tenders for the Study and it had selected Locum Consulting as the successful bidder and the contract was awarded by Haringey Council as approved by the Director of Urban Environment.

6.5.9 The APPRWG met on 1 March 2011 and received a presentation from Locum which covered their progress to date and sought approval for the next steps of the project,

including the arrangement of a trustee Briefing Session on 1 March and two Stakeholder Meetings on 10 and 12 March.

6.5.10 At the Stakeholder meetings (both of which were attended by the Chair) Locum presented on;

- The scope of the Study
- Summary of the Work to Date
- Options Appraisal (progress so far)
- Next Steps

6.5.11 Locum stressed that the two key drivers for the regeneration agenda were the Vision and Mission Statement approved by the Board and that the Options Analysis and Feasibility Study was a precursor to the Master Planning exercise; the Strategic Concept options emerging from the study would influence the ultimate Master Plan but they were not cast in stone at this stage.

6.5.12 The next steps (following the stakeholder meetings) were;

- High level appraisal of Strategic Concept options
  - Further desk-based research
  - High level market soundings
- Preferred option
- Conclude Options Appraisal study and report
- Preparation of planning framework documentation

6.5.13 The Board will receive a further report and a presentation on the findings of the Study at its meeting on 9 May 2011.

## 6.6 **Structural changes to streamline processes and systems.**

6.6.1 At its meeting on 15 February 2001 the Board resolved that approval be given in principle to the adoption of a two-stage process with stage one the immediate implementation of a joint Alexandra Park and Palace Statutory Advisory Committee, and Alexandra Palace and Park Consultative Committee (Model 1) and stage two a reconstituted Alexandra Park and Palace Statutory Advisory Committee (Model 2);

6.6.2 The Board instructed the Interim General Manager to investigate the practicalities of having a single Alexandra Park and Palace Statutory Advisory Committee, and Alexandra Palace and Park Consultative Committee and to seek legal and Charity Commission advice in order to advise further on this matter.

6.6.3 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. The Trusts' Solicitor has advised

6.6.4 "That the APPAC, as a creature of statute (the 1985 Act) can only be subject to change, either as regards membership or functions, by a change in the law. Such change could only be made in a limited way. Paragraph 14 of Schedule 1 of the 1985 Act provides as follows:

Where it appears to the trustees and to the Advisory Committee expedient for the purpose of assisting the continuation of the Advisory Committee-

(a) to make such amendments to sub paragraphs (a) to ( f) of paragraph 2 of this

Schedule as appear to be appropriate in the light of any alterations made or to be made in the names or areas of the wards therein mentioned or

(b) to amend the provisions of paragraphs 4 to 13 of this Schedule

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

In respect of the amendments above referred to, those in sub paragraphs (a) to (f) of paragraph 2 are the names of the wards to be represented and those in paragraphs 4 to 13 are essentially constitutional matters.

These provisions could permit changes to membership and constitution.

The Act does not contain any provision for amendment to the functions or terms of reference of the Committee.

If such changes were to be proposed, the Charity Commission might be prepared to permit them by a Charities Act Scheme. This could be a slow process and will almost certainly entail wide public consultation. Details would of course be considered with the Commission in accordance with recommendation 2.5 of the Report."

6.6.5 The Interim General Manager and the Trust's Solicitors have made contact with the Charity Commission regarding this matter and initial correspondence has been exchanged, updating the Commission on recent developments in the governance of the Trust in order to give the context for the request to consider permitting changes wider than those set out in the Act by a scheme. At the time of writing, the Commission's response is awaited.

6.6.6 Board Members will be aware that first of two joint meetings of both Committees has been scheduled for 5 April 2011.

## **6.7 Executive Restructuring and the recruitment of a Chief Executive Officer for Alexandra Park and Palace.**

6.7.1 At its meeting on 15 February 2011 the Board received a report on Executive Restructuring and the Board approved the initial process for the appointment of a new Chief Executive for Alexandra Park and Palace. In preparing this report, the Interim General Manager has liaised with the Council's Director of Corporate Resources to whom the Board has delegated, acting on behalf of the Council's Chief Executive in his "charity capacity", and in consultation with the Chair of the Board, to the appointment of the Executive Recruitment Consultant and the finalisation of the interview process and the documentation required to commence and finalise the search and recruitment.

6.7.2 There was some public interest following the Board report and an article appeared in the local press expressing concern about changing the charity into a commercial venture as part of the appointment of a new Chief Executive.

6.7.3 The Board is reminded that the Chief Executive of the Trust will be responsible for one staffing structure covering both trust and company with one lead manager. The structure would be set up with a team of senior staff able to cover the many challenges of the building and park, be commercially driven to exploit the asset for revenue generation and also work on the execution of a master plan.

6.7.4 Following the invitation to 3 Executive Search and Recruitment Consultants Odgers Berndtson were selected and the contract is being finalised. The revised costing for this activity is within the budget sum reported. It is anticipated that the Outline Programme (to be finalised in more detail) will be:

- April/May – Search for Candidates by Odgers Berndtson
- Mid to late May 2011 - Longlisting of Candidates and initial interviews by Odgers Berndtson
- Early June 2011 – Short listing of Candidates
- Mid June 2011 – Final Interviews by CEO Appointment Panel

6.7.5 A more detailed programme will be circulated to Board Members in due course.

6.7.6 The job description/person specification and remuneration package is being prepared with the assistance of Odgers Berndtson.

6.7.7 Board Members will recall that it is necessary for the Full Council of LB Haringey be requested to amend the Council's Constitution so that the Trust may appoint its new Chief Executive in full accordance of The Local Authorities Standing Orders Regulations (S.I. 2001/3384) entailing a delegation by the Alexandra Palace and Park Board to the Council's Chief Executive, in his "charity capacity", of powers to appoint, dismiss and discipline the Alexandra Palace & Park Chief Executive, and that such powers will be exercised in consultation with the Alexandra Palace and Park Board or its appointed Panel/Sub-Committee.

6.7.8 The above request to the Council is being addressed by the Council's Principal Project Lawyer, who has drafted changes to the Council's Employment Procedure Rules (Part 4 Section K) and will take these through the Council's Constitution Review Working Group. There will then be a "portmanteau" report from the Constitution Review Working Group to the 4 April full Council recommending these amendments to the Constitution.

## **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 described in previous reports to the Board and the Stakeholder meetings referred to in section 6.5 above.

## **8 Recommendations**

8.1 That the Board notes the progress to date in implementing a number of its previous resolutions on Governance and Future Vision outlined in this report.

8.2 That the Board notes that it will receive further reports on the matters covered in this report at future meetings of the Board.

## **9 Legal Implications**

9.1 The Trust's Solicitor's advice has been taken into account in the preparation of this report.

9.2 The LBH Head of Legal Services has no specific comments except to confirm that the matter of amending the Officer Employment Procedure Rules in the Constitution is being progressed.

**10 Financial Implications**

- 10.1 In 2010/11 a budget allocation of £30,000 was approved by the Trustees and no additional budget is anticipated at this stage.
- 10.2 The cost of the Options Appraisal Feasibility Study will not impact on the Trust's directly controlled budget.
- 10.3 The cost of the two recruitment exercises referred to above will be met from the Trust's 2011-12 revenue budget.
- 10.4 LBH Chief Finance Officer notes the contents of the report.

**10.5 Use of Appendices/Tables/Photographs**

None.

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Report Title: **Capital Projects Update March 2011**

Report of: **Andrew Gill, Interim General Manager, Alexandra Palace & Park Charitable Trust**

### **1. Purpose**

1.1 To update the Board of the progress on Capital Projects during 2010/11 and the outline planned programme during 2011/12

### **2. Recommendations**

2.1 The Board is asked to note the progress report on the Capital projects.

2.2 The Board is asked to note that the proposed 2011/12 capital expenditure programme will be submitted for approval at the Board's meeting on 9<sup>th</sup> May 2011.

2.3 The Board is asked to delegate to the Interim General Manager, as Project Sponsor, the negotiation and settlement of the final account payable to the contractor in the matter of the Alexandra Palace Ice Rink Refurbishment Project, including the sum of any compensation or liquidated damages payable to the Trust.

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



Contact Officer: John Barnett, **Interim Facilities Management Consultant, Alexandra Palace & Park, Alexandra Palace Way, Wood Green N22 7AY**  
**Telephone Number: 020 8365 4334**

### **3. Executive Summary**

3.1 The following report provides a progress report on the capital project works that have been undertaken during 2010/11.

3.2 The Council has approved the allocation of £500,000 capital expenditure during the 2011/12 financial year.

3.3 An independent review and report on the condition of the Palace fabric, structure and vital building services has been commissioned and its findings are expected to be received during March 2011.

3.4 The planned programme of capital expenditure for 2011/12 will be submitted for approval at the Board's meeting on 9<sup>th</sup> May 2011.

**4. Reasons for any change in policy or for new policy development.**

Not applicable

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

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

**Progress Report on 2010/11 Capital Expenditure**

**6 Ice Rink Replacement**

- 6.1 Practical completion for the Ice Rink project was agreed on the 10<sup>th</sup> January 2011, which was 4 weeks later than had been scheduled.
- 6.2 The formal opening of the facility took place with an “Ice Gala” on Friday 21<sup>st</sup> January 2011. Since this time the new facility has operationally performed well and the facility has attracted good public support.
- 6.3 The current AP Project Team forecasted cost for the project is within the approved cost plan and discussions are continuing between the Team and the Principle Contractor to finalise the account. The project contingency however has been virtually exhausted and the Principal Contractor is trying to justify some additional works
- 6.4 In accordance with the Terms and Conditions of the contract, the AP Project Sponsor (the Interim General Manager representing the Project Team) is seeking compensation in the form of liquidated damages for the 4 week delay which resulted in lost profit over the Christmas period.
- 6.5 The Principal Contractor is currently trying to justify a further extension of time to the project programme to mitigate the programme delay. This is based on a number of issues, one of which was the exceptionally inclement weather conditions experienced in December 2010.
- 6.6 The Project Sponsor is continuing to review and discuss these issues at a senior level with the Principal Contractor and the Board will be briefed further once these discussions have been finalised.
- 6.7 In order to facilitate these negotiations and to avoid delay in reaching agreement, this report requests that the Board delegates to the Interim General Manager the negotiation and settlement of the final account payable to the contractor, including the sum of any compensation or liquidated damages payable to the Trust. This is on the assumption that the sums involved in any settlement are less than 5% of the contract value.
- 6.8 At practical completion a snagging list was issued for the project. Some of the items on this list are still currently outstanding (e.g. poor maintenance access,



blocked drain). The Interim General Manager instructed the AP Project Team to issue a "Written Instruction under the JCT Contract" instructing the Principal Contractor to address these items with immediate effect. Since this action the Principal Contractor has mobilised a small team on site to address these items.

## **7 Dilapidation Works**

The spend from the Council Capital grant for 2010/11 of £500,000 is currently forecast to be £450,000. The balance of £50,000 has been requested to be carried over into 2011/12 to mitigate any outstanding claims.

The following is a progress report on the works that have taken place:-

### **7.1 Internal Dilapidations**

The Palm Court meeting rooms have been refurbished with improved lighting, false ceiling, re-decoration and new flooring.

The Palm Court West Entrance refurbishment works are in progress with the stone steps being refurbished and/or replaced together with the repainting of the entrance. This work is scheduled for completion by the end of March 2011.

### **7.2 External Building Dilapidations**

Work has commenced on the high priority works previously reported on the external fabric. Abseiling techniques and high lift work platforms are being used to remove loose render and brickwork and removing the plant growth that has taken place. This phase of work is scheduled for completion by the end of March 2011.

### **7.3 Structural Steelwork Survey of Basement Level**

A detailed survey of the basement steelwork has now been completed, which has identified several areas requiring attention. The number of serious structural failures identified so far is few. However the structural engineer reported that: - *"if the conditions leading to the deterioration in condition of building fabric are not addressed urgently, then the number of structural failures and the extent of deterioration will increase quite significantly"*. Work has now commenced on the implementation of the report's recommendations. (e.g. steel supports to fractured trusses and addressing water ingress causing corrosion).

### **7.4 Fire Alarm Upgrade/Replacement**

The design and specification for the new fire detection and evacuation system is now complete. Invitations to tender went out to five recognised fire alarm contractors on Friday 11<sup>th</sup> March 2011 and the tenders are due back in four weeks. It is scheduled that a report on this item be submitted to Board meeting on 9 May 2011 and no decision will be taken on contract award until that Board meeting.

**7.5 Theatre**

The dry rot treatment, making safe some areas of structural decay and the removal of old debris/ pigeon guano from areas is now complete. This area still remains a restricted access area owing to the poor condition of the internal fabric

Discussions have taken place with English Heritage and a sum of £20,958k has been released to Alexandra Palace for works that have been carried out in previous years on the under-stage areas.

**7.6 Upgrade of the Data/Comms Infrastructure.**

A full IT system review has been completed which has endorsed the need to improve the system bandwidth which is currently a maximum of 2MB/sec, which is very slow and imposes severe restrictions on APTL. The Review also endorsed the urgent need to replace the telephone system owing to the system's age and obsolescence. APPCT are currently working with the Councils Data/comms team in upgrading the bandwidth to 10 Meg Bits/sec and reviewing the most economic way of upgrading the telephones.

**7.7 Other Funding: Signage**

Work is now in progress by APTL on Phase 1 of the improvement of the signage across the site and the Board will receive further updates on this as appropriate.

**8. 2011/12 Capital Bid to the Council**

The Council has approved the allocation of £500,000 capital grant to APPCT during the 2011/12 financial year.

As part of the bid process the Interim General Manager submitted a paper detailing a 10 year programme of "steady state" investment needed to keep the site operational and to avoid site closure. At the instigation of the Chair, an independent review and report on APPCT's assessment of the condition of the Palace fabric, structure and vital building services has been commissioned. This report is expected during March 2011.

The results of this report may influence the priorities of the proposed capital expenditure programme for 2011/12 which will be submitted to the Board for approval at its meeting on 9 May 2011.

**9. Consultation**

9.1 Progress on capital and major revenue works are reviewed on a monthly basis at the Facilities Meetings between senior management of the Trust and APTL.

9.2 A specific meeting between senior management of the Trust and APTL has been scheduled to discuss the programming and precise timing of works in order to keep disruption to the trading activity on site to a minimum.

9.2 Regular progress reports will continue to be submitted to the Board throughout the year.

**10. Recommendations**

- 10.1 The Board is asked to note the progress report on the Capital projects.
- 10.2 The Board is asked to note that the proposed 2011/12 capital expenditure programme will be submitted for approval at the Board's meeting on 9<sup>th</sup> May 2011 meeting.
- 10.3 The Board asked to delegate to the Interim General Manager, as Project Sponsor, the negotiation and settlement of the final account payable to the contractor in the matter of the Alexandra Palace Ice Rink Refurbishment Project, including the sum of any compensation or liquidated damages payable to the Trust.

**Legal and Financial Comments**

- 10.1 The Trust's solicitor has no comment on this report
- 10.2 The Council's Head of Legal Services had no specific comments on this report.
- 10.3 The LBH CFO notes the contents of this report.

**11. Equalities Implications**

- 11.1 There are no perceived equalities implications in this report.

**12. Use of Appendices / Tables / Photographs  
None**

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**UNRESTRICTED MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
TUESDAY, 15 FEBRUARY 2011**

\*Denotes attendance

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

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

Observer: David Liebeck\*

Also present:

Mr A. Gill – Interim General Manager – Alexandra Palace

Mr I. Harris – Trust Solicitor

Ms R. Kane – Managing Director – Alexandra Palace Trading Limited Ms H. Downie – Head of Finance – Alexandra Palace

Mr M. Evison – Park Manager – Alexandra Palace

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

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

**MINUTE  
NO.**

**SUBJECT/DECISION**

<b>APBO56.</b>	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>Apologies for absence were received on behalf of Val Paley, and for lateness from Councillor Stewart.</p> <p><b>NOTED</b></p>
<b>APBO57.</b>	<p><b>URGENT BUSINESS</b></p> <p>The Chair clarified that there were no items of urgent business.</p> <p>The Committee Manager – Mr Hart advised that whilst there were no urgent items for consideration, there were two items which had been marked 'TO FOLLOW' agenda item 7 – Governance Review, and agenda item 8 – Regeneration Working Group Update – for which reasons for lateness would be given by the Interim General Manager.</p> <p><b>NOTED</b></p>
<b>APBO58.</b>	<p><b>DECLARATIONS OF INTERESTS</b></p> <p>There were no declarations of interests.</p> <p><b>NOTED</b></p>

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
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**APBO59. QUESTIONS, DEPUTATIONS OR PETITIONS : TO CONSIDER ANY  
QUESTIONS, DEPUTATIONS OR PETITIONS RECEIVED IN ACCORDANCE  
WITH PART 4, SECTION B29 OF THE COUNCIL'S CONSTITUTION**

The Clerk to the Board – Mr Hart advised the meeting that 2 questions had been submitted by Mr Jacob O'Callaghan for response. The Clerk asked that Mr O'Callaghan come forward and sit at the meeting table in order to put his questions.

The Chair advised Mr O'Callaghan that whilst his questions had been submitted after the stated deadline of 10.00hrs – Monday 7 February 2011 – the rules being as detailed in the Council's Constitution, on this occasion the questions would be allowed to be put, but the Chair emphasised that this would not be setting a precedence and it was a 'one off'.

The Chair asked Mr O'Callaghan to put his questions. The Chair also advised that he would be responding to the questions on behalf of the Board.

Mr O'Callaghan asked his 1<sup>st</sup> question to all trustees, and Julie Parker:

"Would the trustees accept that the charity's main past financial, legal and PR disasters of the past thirty years of the charity (the overspend after the 1980 fire, the High Court decision, and the allowing of Firoka to take over the Palace and use charity and council resources without payment) were caused, according to both the official reports (the PFI report, and the Walklate reports respectively), because decisions were allowed to be made, and public money spent, without scrutiny, debate or indeed authority."

The Chair responded that mistakes had been made in the past, but lessons have been learned and the Board is keen to ensure that it continues to accept its trustee responsibilities for making decisions on the strategic direction of the Charity in accordance with best practice in the charity sector and the Council's rules. That was why the Board overhauled its governance arrangements and adopted the NCVO Code of Good Governance and why the Board was careful to take appropriate professional advice on every decision it had taken. The Board was accountable for these decisions; not the officers, not the Council, not the public at large and not the users of the Palace.

The Chair asked, for the purpose of elucidation if Mr O'Callaghan had a further point.

Mr O'Callaghan responded in the guise of a statement to the Board and the Chair reminded him that he would only allow a point of elucidation – therefore if there was not a point in this respect then to move on to the 2<sup>nd</sup> question.

The Chair then asked Mr O'Callaghan to state his second question.

Mr O'Callaghan asked his 2<sup>nd</sup> question to all trustees, and Julie Parker:

"Would the trustees, and Ms Parker, accept that several of the items they have taken in recent months, and are asked to consider tonight, including the decision they took in December about merging of the trading company and the charity's

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TUESDAY, 15 FEBRUARY 2011**

identity, decisions of the regeneration working group, and Ms Parker's report on executive restructuring tonight, should have first been the subject of wider explanation, debate and consultation with interested parties and "stakeholders". Will they now kindly agree to postpone them until that explanation, debate and consultation has been arranged?"

The Chair responded that the premise upon which this question was based, namely that the Board had agreed to merge the identity of the charity and the trading company, is not correct. The work of the Regeneration Working Group and the Executive Restructure were both rooted in the Governance and Future Vision review, upon which the Board had consulted widely with a large number of stakeholders. There had been no requests to the Board to consult again on whether it should find the money to regenerate the Palace or to address the obvious need for an effective management structure. There had been no suggested viable alternative to what the Board was doing. The Board stood by its decisions in these areas. It was painfully aware of the urgent need to arrest the dilapidation of the building and to find viable uses for the space that accord with our Vision for Alexandra Palace. The Board would like the support of all its stakeholders in this process but it was not prepared to delay further the key decisions it must take to allow officers to get on with the job of saving Ally Pally from a fate like the Crystal Palace.

The Chair asked, for the purpose of elucidation if Mr O'Callaghan had a further point.

Mr O'Callaghan commented that he had not understood the detail of the answer and that it had not addressed a number of issues in relation to the lack of consultation, and questioned whether officers had understood what consultation meant.

In response the Chair commented that he had raised the issue of consultation at the Consultative Committee on 8 February 2011 and the Chair reiterated the point made at that meeting that there seemed to be a misconception on behalf of people of what was meant by consultation and negotiation, and that there should not be any misconception.

The Chair then thanked Mr O'Callaghan for his questions on behalf of the Board.

**NOTED**

**APBO60. EXECUTIVE RESTRUCTURING**

The Chair asked for an introduction of the report.

The Director of Corporate Resources – LB Haringey – Ms Parker advised that there were two reports on the agenda in respect of the Executive Restructure of Alexandra Palace, being this and the other in the exempt part of the proceedings. The purpose of the report was to seek the Board's approval to the process for

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and appointment of a new Chief Executive for the Trust as part of a staged restructuring of the Trust and its operations. and also, to consider interim arrangements as detailed in the exempt report before the Board later in the agenda.

Ms Parker referred the Board to its decision of 2 March 2010 to agree that proposals be drawn up for consideration of a permanent staffing arrangement. Ms Parker advised that the current staffing structure of Alexandra Palace and Park Charitable Trust (APPCT) was established in May 2007 and had been designed to meet the managerial and operational needs when it was planned to grant a lease to Firoka. However the current staffing structure was not appropriate in the light of the fact that the proposed lease to Firoka was not to be granted and does not recognise the current consideration of the future strategic direction of the Palace. It also had some inbuilt inefficiencies, lacked cohesion at strategic and delivery levels, as well as creating some unnecessary elements of competition, duplication of work and effort, leading to slow decision making. It therefore did not fit for the current needs of both the Trust and Alexandra Palace Trading Limited.

Ms Parker outlined the strategic work of the Trust in the coming months which included the completion of the new governance structure and standards, maintaining the momentum of the master planning process for the site, and managing any capital allocation for dilapidations while continuing to address compliance matters for the site. She also referred to the potential strategic work of APTL over the next year – namely building and consolidating its business position, embedding a number of new staff appointments into the senior management team, and continuing to build upon its profile to maximise commercial returns.

Ms Parker advised that in the past ten months considerable consideration had been given to what was the most appropriate management and staffing structure would be in a way that supported the long term future of the Trust//APTL and the recently approved new vision. Ms Parker commented that many of the weaknesses and inefficiencies of the current management arrangements would be addressed if there was one staffing structure covering both trust and company with one lead manager. The structure would be set up with a team of senior staff able to cover the many challenges of the building and park, be commercially driven to exploit the asset for revenue generation and also work on the execution of a master plan.

Ms Parker also advised that the management of the Palace would continue with its overriding requirement to act in accordance with charity law and discharge the charitable objectives of the Trust. A possible single staffing structure had been assessed, which had been examined and discussed with the Board, and the Directors of APTL, together with the Interim General Manager and Managing Director APTL. It was felt appropriate that a phased approach be taken to any reorganisation with an appointment of a new Chief Executive in lieu of the General Manager post in the first instance. In recognising that the Palace needed to move on after the period of uncertainty and align all its developing strategies and restructure it was felt appropriate that the new Chief Executive (to be appointed in June 2011), once appointed, would need to examine the resource requirements in the Autumn of 2011 with a view to developing a plan to



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migrate to a single staffing structure to operate within the new governance structure and to meet the future strategic direction of the Trust.

In terms of the way forward, Ms Parker commented that the Charity Commission would be advised of any proposals by the Trust when they were informed of any changes to the governance arrangements. In terms of the recruitment process it was recognised that this role will not be easy to fill and to progress the selection and interview process it would be appropriate to select support from an Executive Recruitment Consultant to assist in the search and selection of prospective candidates and to establish an Appointment Panel to act on behalf of the Board. Ms Parker advised that she was recommending the utilising of the Council's Framework for Executive Recruitment Consultants and that delegation be provided to the Director of Corporate Resources, acting on behalf of the Council's Chief Executive in his "charity capacity" to appoint a Consultant after a mini competition, in consultation with the Chair of the Board, at a cost circa £33,000.

Ms Parker referred to the Panel Membership of the Chief Executive's Appointment Panel, recommended as any five Members of the Board and a political composition of three majority party Members to two minority party Members, together with invited non-voting observers, the two Non-Executive Directors of APTL and the Director of Corporate Resources, as the representative of the Council's Chief Executive. Ms Parker concluded that there would be a number of processes and procedures that would be adopted over the next few months to guide the Panel to its decision and recommendation on a suitable candidate and whilst the Executive Recruitment Consultant appointed would assist it was considered pertinent for the final decisions on these arrangements to be delegated to the Director of Corporate Resources, acting on behalf of the Council's Chief Executive in his "charity capacity", and in consultation with the Chair of the Board. This would also include the final remuneration package to be offered.

The Chair thanked Ms Parker for her detailed introduction and asked that the Board focus on the first recommendation as detailed in terms of consideration of the appointment of a Chief Executive to replace the position of General Manager, as if this were not to be agreed then the remainder of the recommendations would not be considered. The Chair asked if there were any points of clarification from Members.

Councillor Williams queried the engaging of external consultants for the purpose of recruitment and the associated cost of this, and also whether there was a likely conflict in terms of the functions of Alexandra Palace and Park Board, and Alexandra Palace Trading Limited. Councillor Scott also sought clarification as to whether there were any other possible arrangements looked at as regards the proposed new structure.

In response Ms Parker advised that in terms of the engaging of consultants, it was felt necessary given the type of work required to carry out the recruitment process at this level, and that an external consultant would be able to assess the market to source and attract the required calibre of candidates. In terms of the proposed structure it had taken approximately a year to give thought to the outlined structure and though at times there may be a conflict as Chief Executive managing both the Charitable Trust and APTL but where there were such

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conflicts there would be assistance from the LB Haringey's Chief Executive as Head of Paid Service. Ms Parker also stressed that the areas of conflict were not considerable and would not cause difficulties in terms of the overall management of the service areas.

In response to points of clarification from Mr Tarpey in respect of the LB Haringey's Chief Executive delegation as referred to in para 13.2 of the report the LB Haringey's Principal Lawyer – Mr Mitchison advised the Board that there was an overlap of regulations in terms of the Charity and the Council given that Council regulations required appointments taken by a Member level body with a Member of the Council's Cabinet sitting on that panel. In that respect such an arrangement would not be acceptable to the Charity Commission and therefore the alternative was to delegate the final decision to an officer – the Chief Executive of LB Haringey as Head of Paid Service to have the final say, and the Chief Executive would then delegate this to the Director of Corporate Resources who would sit on the Panel on their behalf.

(Mr Willmott arrived at 19.58hrs)

In response to further points of clarification, Mr Mitchison advised that the Interview panel would be sitting as Charity Trustees and acting solely in the interest of the Charity when making their decision.

The Trust Solicitor – Mr Harris, in concurring with the views expressed by Mr Mitchison, advised that in effect the Chief Executive of LB Haringey was the line manager of the current General Manager and would continue to line manage the newly appointed Chief Executive.

Councillor Hare referred to the composition of the Interview panel and asked whether there should some merit to having an independent person sitting on the panel in a non voting capacity. In response, Ms Parker expressed her caution at the suggestion as currently the Panel was totalling seven in total, which in itself would be a daunting task for any interviewee. In her view, the role of the external recruitment consultants would fulfil this role adequately.

Councillor Strickland commented that the composition of the Panel involving non voting representatives was welcomed and that the advice of the external consultants in the process would offer a degree of external independence in terms of giving a view.

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

**RESOLVED**

- i. that approval be given to the appointment of a Chief Executive to replace the position of General Manager within the Trust as part of a future plan to bring in one staffing structure for the Trust and APTL;
- ii. that the Full Council of LB Haringey be requested to amend the Council's Constitution so that the Trust may appoint its new Chief Executive in full accordance of The Local Authorities

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	<p>Standing Orders Regulations (S.I. 2001/3384) entailing a delegation by the Alexandra Palace and Park Board to the Council's Chief Executive, in his "charity capacity", of powers to appoint, dismiss and discipline the Alexandra Palace &amp; Park Chief Executive, and that such powers will be exercised in consultation with the Alexandra Palace and Park Board or its appointed Panel/Sub-Committee.</p> <p>iii. that the Council's framework to appoint Executive Recruitment Consultants be utilised to assist and support in the search and selection of suitable candidates with the contractual relationship to be with the Trust;</p> <p>iv. that authority be delegated to the Director of Corporate Resources, LB Haringey, acting on behalf of the Council's Chief Executive in his "charity capacity", and in consultation with the Chair of the Board, to the appointment of the Executive Recruitment Consultant and the finalisation of the interview process and the documentation required to commence and finalise the search and recruitment; and</p> <p>v. that an Appointment Panel for the recruitment of the Chief Executive be appointed as detailed in 11.6 of the report consisting of any 5 Members of the Board with the Panel having a political composition of 3 majority party Members to 2 minority party Members with invited non-voting observers consisting of one Advisory/Statutory Advisory Board Trustee; the two Non-Executive Directors of APTL and the Director of Corporate Resources, LB Haringey as the representative of the Council's Chief Executive.</p>
<p><b>APBO61.</b></p>	<p><b>FINANCE UPDATE</b></p> <p>The Chair asked for a brief introduction of the report.</p> <p>The Head of Finance Alexandra Palace – Ms Downie advised the meeting of the results for the nine month period ended 31<sup>st</sup> December 2010 which were tabulated against budget at Appendix 1 of the report.</p> <p>Ms Downie went on to advise that unrestricted income was £12k below budget and unrestricted expenditure was £226k below budget, giving a net positive variance against budget of £214k. The reforecast for the year was detailed at Appendix 2 of the report and Ms Downie commented that the Trust's unrestricted deficit for the year was currently projected to be £100k lower than budget, before the reforecast position of APTL had been taken into account. This reflected the £40k forecast underspend presented to the Board in November together with further savings on security, repairs and maintenance (£42k), parks (£10k) and Trust staffing costs.</p> <p>Ms Downie went on to advise the Board of a potential pension liability in respect of one individual transferred to the new IFM contractor under TUPE. The potential liability was un-quantified, subject to change over time and would only crystallise</p>

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	<p>if the individual concerned leaves the organisation due to redundancy or retirement.</p> <p>There being no points of clarification the Chair summarised and it was:</p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>i. That the results for the nine month period to 31<sup>st</sup> December 2010 and the forecast outturn for the 2010/11 financial year be noted;</li> <li>ii. that the savings being implemented by the Trust to reduce the call on the Council's corporate resources in 2010/11 be noted; and</li> <li>iii. that the potential pension liability in respect of one individual transferred under TUPE to the new IFM contract provider.</li> </ul>
<p><b>APBO62.</b></p>	<p><b>GOVERNANCE UPDATE</b></p> <p>The Chair asked for a brief introduction of the report.</p> <p>The Interim General Manager – Mr Gill advised that the reasons for lateness of the report was as a result of consideration by the Alexandra Palace and Park Consultative Committee meeting after the agenda publication, and the need to report the outcome of that discussion to the Board.</p> <p>Mr Gill informed the meeting that the report gave an update on progress towards a combined and more effective stakeholder forum following the work done by both the Consultative Committee and the Statutory Advisory Committee in reviewing their relative effectiveness. As the Board were aware both Committees had established working groups which had met on several occasions and held a joint meeting on 14 January 2011. As a result, a report approved by the Chairs of both Working Groups was considered by the Statutory Advisory Committee on 25 January 2011 and by the Consultative Committee on 8 February 2011. The joint report recommended a two-stage process to move to a single 'reconstituted' Statutory Advisory Committee, which would effectively incorporate the Consultative Committee.</p> <p>Mr Gill went on to comment that the report before the Board detailed the process of the Review and informed the Board that both Committees were in accord with the proposed next steps, the first of which was to hold two joint meetings of both Committees, followed by a review after each meeting. The first such joint meeting was proposed for 5 April 2011.</p> <p>(Councillor Stewart arrived at 20.14hrs)</p> <p>The Chair thanked Mr Gill for his succinct introduction and asked if Mr Liebeck or Mr Willmott would wish to give their views.</p> <p>Mr Liebeck commented on the positiveness of the working groups and their due consideration of issues which had resulted in the formation of the two models. The second of the two models had been viewed as the most effective model to try and it did in effect avoid a considerable amount of duplication.</p>

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Mr Willmott, in sharing Mr Liebeck's view, commented that the joint meeting of the working group had been enthusiastic with a cross fertilisation of issues. There had been some useful and constructive comment and that there had been two main points that arose – namely that it had been felt that there had not always been due courtesy shown by the Board to the views of the Advisory Committee when referred to the Board, and the perception that the Board at times may see the Advisory Committee as more of a hindrance. The second point that had arisen was whether there may be an effective 'annual meeting' type event where all three bodies would meet to discuss issues likely to be forthcoming over the next year, and areas of commonality.

The Chair thanked Messrs Liebeck and Willmott for their contribution which was much appreciated and welcomed. The issue of overlapping between the two bodies would most certainly cease in terms of a joint meeting in the future and that any proposals for a joint body being informed would require certain agreement by the Charity Commission, and a change in existing primary legislation.

There being no further comments Mr Willmott placed on record his appreciation and thanks to those who had participated in the individual and joint working groups, particularly the effort of Colin Marr of the Consultative Committee. This view was shared by the Board as a whole.

The Chair then summarised and it was:

**RESOLVED**

- i. That the joint recommendations and comments of the two Working Groups and the resolutions of the Alexandra Park and Palace Statutory Advisory Committee from its 25 January 2011, and those of the Alexandra Palace and Park Consultative Committee of 8 February 2011 be noted;
- ii. That the approval be given to the proposal to hold two joint meetings of Alexandra Park and Palace Statutory Advisory Committee and the Alexandra Palace and Park Consultative Committee with the first such meeting on taking place on 5 April 2011, as proposed by the joint recommendation 1 of the two Working Groups;
- iii. That authority be delegated to the Chair of the Board with the assistance and advice of the Interim General Manager, to liaise with the Chair of the Alexandra Park and Palace Statutory Advisory Committee, in respect of an initial review of the joint meetings ;
- iv. that approval be given in principle to the adoption of a two-stage process with stage one the immediate implementation of a joint Alexandra Park and Palace Statutory Advisory Committee, and Alexandra Palace and Park Consultative Committee (Model 1) and stage two a reconstituted Alexandra Park and Palace Statutory Advisory Committee (Model 2);
- v. That the Interim General Manager be instructed to investigate the practicalities of having a single Alexandra Park and Palace Statutory Advisory

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	<p>Committee, and Alexandra Palace and Park Consultative Committee and to seek legal and Charity Commission advice in order to advise further on this matter;</p> <p>vi. That further reports be submitted on this matter at future meetings and after the two trial meetings referred to (ii) to above had been held.</p>
<b>APBO63.</b>	<p><b>REGENERATION WORKING GROUP - UPDATE &amp; FEEDBACK</b></p> <p>The Chair asked for a brief introduction of the report.</p> <p>The Interim General Manager – Mr Gill informed the meeting that the report gave an update on progress made by the Alexandra Park &amp; Palace Regeneration Working Group (APPRWG) since the last report to the Board on this matter on 21 December 2010. The reasons for lateness of the report were due to the Interim General Manager wishing to present to the Board the most recent activity of the APPRWG, which had met on 2 February 2011.</p> <p>Mr Gill advised that the report provided the Board with more details of the Options Analysis and Feasibility Study currently being undertaken by Locum (Colliers International) including the procurement and selection process that resulted in the appointment of Locum to undertake the Options Analysis and Feasibility Study. With regard the Communications Strategy for the Regeneration Project, this was now at an advanced draft stage and its primary aim was to undertake effective stakeholder engagement, through clear and accurate information about each stage of the Regeneration process to be disseminated effectively, manifested in a two-way conversation with a range of stakeholders.</p> <p>Mr Gill advised that pending the consideration of the Communications Strategy for the Regeneration Project the report sought the Board's approval for the Chair/Vice Chair to act as spokespeople on behalf of the Board and for the handling of media enquiries. Mr Gill advised of the six key work stages involved in the study;</p> <ul style="list-style-type: none"> <li>Stage 1 Inception and Review (complete)</li> <li>Stage 2 Site Analysis (complete)</li> <li>Stage 3 Consultation – Internal and External</li> <li>Stage 4 Analysis and Viability</li> <li>Stage 5 Draft Report</li> <li>Stage 6 Final Report</li> </ul> <p>Mr Gill also advised that Locum would not engage with any external stakeholders, potential operators or funders at this stage without the permission of the Working Group or the Board. The target date for Stage 5 was 1 April with a view to presenting the final report to the Board at its meeting on 28 April 2011. Mr Gill also stressed that key to all of the objectives was the imperative for clear and accurate information about each stage of the Regeneration process to be disseminated effectively, manifested in a two-way conversation with stakeholders.</p> <p>Mr Gill further commented that further reports would be submitted to the Board on the Regeneration project at future meetings and at its meeting on 28 April 2011, there would be a report and a presentation on the findings of the Options Analysis</p>

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and Feasibility Study. Mr Gill also commented that the Working Group recognised that it would need to communicate to stakeholders and interested parties what it was doing and the Communications Strategy outlined in the report was designed to ensure that there was a two-way conversation with stakeholders underpinned by clear and accurate information about each stage of the Regeneration process to be disseminated effectively. Mr Gill concluded that Locum would commence engaging with selected stakeholders as part of the work on the Options Analysis and Feasibility Study, and letters would be sent within 48 hours of this evening's meeting to invite Trustees and Stakeholders to consultation workshops.

The Chair thanked Mr Gill for his introduction and asked if there were any points of clarification from Members.

Councillor Hare commented on some of the wording at para 6.14 of the report as regards to the consultation work of LOCUM and the possible perceptions externally that work was being carried directly by them without approval or knowledge of the Working Group and the reference to 'and/or the Board', and that perhaps to allay those possible perception the wording should be changed by deleting 'or'.

Mr Gill responded that the wording in the report could be amended to show that the Board would be giving authority, via the APPRWG. Mr Gill advised that the wording would be changed in the report and it be reflected and noted in the Minutes that the wording at paragraph 6.14 should read 'and the Board', and not 'and/or the Board', as stated.

Councillor Williams referred to recommendation 2.5 in terms of the Board agreeing that the Chair and/or Vice Chair are authorised to speak publicly on behalf of the Board concerning the Regeneration Project, and commented that he would also wish to give comment on the media on matters relating to the future regeneration of the Palace as a Member of the Board, and why this recommendation had been suggested.

Mr Gill responded that it was normal practice that any comments in terms of media or press and publicly should be channelled through the Chair or Vice-Chair and the recommendation was there to confirm that this process would continue.

Councillor Williams commented that he was unhappy with such a recommendation and that he would be unable to support it.

The Chair commented that in respect of the recommendation it was a fact that there had to be a collective voice reflecting a collective decision and that the Board should be acting independently of the Council and in the best interests of the Palace and park.

Councillor Hare commented that comment was issue dependent based and that comment did not change the actual decision of the Board.

The Managing Director Alexandra Palace Training Limited -Ms Kane commented that the reason for the recommendation being there was in order to have one voice in the consultation process and that it was easier for all media enquiries to

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be handled by the Chair/Vice-Chair on behalf of the Board, speaking collectively and as one.

The Chair then summarised and it was:

**RESOLVED**

- i. That the recent and proposed work of the Alexandra Park & Palace Regeneration Working Group (APPRWG) as outlined in the report be noted;
- ii. That the procurement and selection process that resulted in the appointment of Locum to undertake the Options Analysis and Feasibility Study be noted;
- iii. That the APPRWG be requested to provide a synopsis of the Communications Strategy for circulation to Alexandra Palace and Park Board Members;
- iv. That the Chair and/or Vice Chair be authorised to speak publicly on behalf of the Alexandra Palace and Park Board concerning the Regeneration Project;
- v. That any media enquiries be referred to the Chair via the Alexandra Palace normal communications handling agency;
- vi. That the Chair of the APPRWG (or his nominated representative) be requested to present the findings of the Options Analysis and Feasibility Study to the Board's meeting on 28 April 2011; and
- vii. That the Interim General Manager be instructed to inform the Chair of the APPRWG of its resolutions on these matters.
- viii. That the wording in paragraph 6.14 be altered to read 'and the Board', and not 'and/or the Board'.

Councillor Williams asked that his dissent be recorded against resolution 5.

**APBO64. PARK UPDATE**

The Chair asked for a brief introduction of the report.

The Park Manager – Mr Evison in a detailed introduction gave reference to the report circulated and in particular gave an update to the Board in respect of interim figures from the car park data collection exercise, together with issues relating to park tenants, including the issues regarding the Lease renewal for the old station building. Mr Evison also referred to suggestions from a local resident for a number of ideas to improve AP's sustainability, with a proposed response to the short-term suggestions shown at Appendix A, together with recommended actions.

In particular Mr Evison referred to the CUFOS issue and advised that since the report had been written CUFOS Trustees had met with the Interim General Manager and himself to discuss the key terms of the new lease. Mr Evison advised that the meeting had been a very positive one, and as a result there was



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	<p>unlikely to be a difficulty with the level of rent. The CUFOS Trustees were considering two options regarding the term of the rent and a break clause in respect of regeneration of the park and palace.</p> <p>Cllr Hare sought and received clarification to a number of matters as detailed in the report.</p> <p>The Chair then summarised and it was:</p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>i. that the initial information from the car park data collection exercise be noted;</li> <li>ii. That the updates regarding park tenants be noted;</li> <li>iii. That authority be delegated to the Interim General Manager to agree renewal terms for the Lease to CUFOS before the deadline of 25 March 2011 and in default of agreement to instruct the Trust's solicitors to issue proceedings for interim rent;</li> <li>iv. That the London Borough of Haringey's Head of Legal Services be authorised to seal the finalised lease on behalf of the Alexandra Palace and Park Board; and</li> <li>iv. That the responses to the sustainability ideas suggested by a local resident be noted, and that those recommended items be included in the Trust's work programme for 2011-12.</li> </ul>
<p><b>APBO65.</b></p>	<p><b>MINUTES</b></p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>i. That the unrestricted minutes of the Alexandra Palace and Park Board held on 30 November 2010, 21 December 2010, and 28 January 2011 (Special) be agreed, and signed by the Chair as an accurate record of the proceedings;</li> <li>ii. That the minutes of the Alexandra Palace and Park Consultative Committee held on 8 February 2011 be noted; and</li> <li>iii. That the minutes of the Alexandra Park and Palace Advisory Committee held on 25 January 2011 be received and noted.</li> </ul>
<p><b>APBO66.</b></p>	<p><b>ANY OTHER UNRESTRICTED BUSINESS THE CHAIR CONSIDERS TO BE URGENT</b></p> <p>There were no items of unrestricted urgent business.</p> <p><b>NOTED</b></p>

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<b>APBO67.</b>	<p><b>EXCLUSION OF THE PUBLIC AND PRESS</b></p> <p><b>RESOLVED</b></p> <p>That the press and public be excluded from the meeting in respect of Items 13-17 as they contain exempt information as defined in Section 100a of the Local Government Act 1972; Paras 1, 2, 3, and 5 - namely information relating to an individual, and information which is likely to reveal the identity of an individual, information relating to the business or financial affairs of any particular person (including the authority holding that information), and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p> <p>At this point in the proceedings (20.50hrs) the Chair MOVED an adjournment of the proceedings for a period of 5 minutes, which was agreed nemine contradicente.</p> <p style="text-align: center;"><b><u>SUMMARY OF EXEMPT/CONFIDENTIAL PROCEEDINGS</u></b></p>
<b>APBO68.</b>	<p><b>MINUTES</b></p> <p>iv. AGREED the exempt minutes of the Alexandra Palace and Park Board held on 30 November 2010, and 21 December 2010,;</p> <p>v. AGREED the exempt minutes of the Special Alexandra Palace and Park Board held on 28 January 2011, subject to minor amendment.</p>
<b>APBO69.</b>	<p><b>FINANCE UPDATE</b></p> <p>AGREED TO NOTE THE REPORT</p>
<b>APBO70.</b>	<p><b>EXECUTIVE RESTRUCTURING</b></p> <p>At this point in the proceedings all officers present, with the exception of the Director of Corporate Resources, LB Haringey - Ms Parker, the Trust Solicitor - Mr Harris, and the Committee Manager - Mr Hart, withdrew from the meeting.</p> <p>AGREED RECOMMENDATIONS</p>
<b>APBO71.</b>	<p><b>ANY OTHER EXEMPT BUSINESS THE CHAIR CONSIDERS TO BE URGENT</b></p> <p>There were no items of exempt urgent business.</p> <p><b>NOTED</b></p>

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There being no further business to discuss the meeting ended at 21.36

COUNCILLOR PAT EGAN

Chair

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