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## Alexandra Palace and Park Board

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TUESDAY, 21ST JUNE, 2011 at 19:30 HRS - THE LONDESBOROUGH ROOM,  
ALEXANDRA PALACE, ALEXANDRA PALACE WAY, WOOD GREEN, LONDON N22.

**Councillors:**

Cooke (Chair), Hare, Peacock, Scott, Stewart (Vice-Chair), Waters 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 items of urgent business. (Late items will be considered under the agenda item where they appear. New items will be dealt with at items 9 & 13 below)

**3. DECLARATIONS OF INTEREST**

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. GOVERNANCE UPDATE (PAGES 1 - 6)**

Report of the Interim General Manager Alexandra Palace – To advise of progress to date in implementing a number of its previous resolutions on Governance and Future Vision.

**6. PARK UPDATE (PAGES 7 - 14)**

Report of the Park Manager – Alexandra Palace - To inform the Alexandra Palace and Park Board of various matters relating to the park and its tenants.

**7. UPDATE REPORT - ALEXANDRA PALACE AND PARK REGENERATION WORKING GROUP - TO FOLLOW**

Report of the Interim General Manager Alexandra Palace

**8. MINUTES (PAGES 15 - 30)**

- i. To confirm the unrestricted minutes of the Alexandra Palace and Park Board held on 9 May 2011 (Special) as an accurate record of the proceedings;
- ii. To receive the minutes of the Alexandra Park and Palace Advisory Committee held on 31 May 2011, and to consider any recommendations from that Committee (see attached Appendix A) **TO FOLLOW**; and
- iii. To receive and consider the notes of the informal joint Alexandra Palace and Park Consultative Committee, and Alexandra Park and Palace Advisory Committee held on 31 May 2011 (see attached Appendix B) **TO FOLLOW**.

**9. ANY OTHER UNRESTRICTED BUSINESS THE CHAIR CONSIDERS TO BE URGENT**

**10. 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).

**11. DRAFT TRUSTEES REPORT AND FINANCIAL STATEMENT FOR THE YEAR ENDING 31 MARCH 2011 (PAGES 31 - 72)**

Report of the Head of Finance – Alexandra Palace

**12. FINANCE UPDATE - TO FOLLOW**

Report of the Head of Finance - Alexandra Palace

**13. ANY OTHER EXEMPT BUSINESS THE CHAIR CONSIDERS TO BE URGENT**

**14. RE-ADMITTANCE OF PRESS AND PUBLIC**

**15. APPOINTMENT OF DIRECTORS TO THE BOARD OF ALEXANDRA PALACE TRADING LIMITED AND BANK SIGNATORY CHANGES FOR 2011/12 (PAGES 73 - 88)**

Report of Interim General Manager – Alexandra Palace - To report to the Board the resignation of Councillors Egan and Strickland as Directors of APTL and to seek nominations for replacements to act as Directors of APTL, and seeking nominations for trustee signatories to the Trust bank account.


**16. TO NOTE THE DATES OF FORTHCOMING MEETINGS OF THE BOARD FOR 2011/12**

18 October 2011  
29 November 2011  
19 December 2011  
16 February 2012  
3 April 2012

David McNulty  
Head of Local Democracy & Member Services  
River Park House  
225 High Road  
Wood Green  
London N22 8HQ

Clifford Hart  
Committee Manager  
Tel: 020-8489 2920  
Fax: 020-8881 5218  
E-mail: [clifford.hart@haringey.gov.uk](mailto:clifford.hart@haringey.gov.uk)

13 June 2011

Alexandra Palace & Park Board	on 21 <sup>st</sup> June 2011
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 and activities of the Board in the following areas:</p> <ul style="list-style-type: none"> <li>a) Trustee Induction and governing documents</li> <li>b) Structural changes to streamline processes and systems - the review of the APP Statutory Advisory Committee (APPAC) and Consultative Committee (APPCC).</li> <li>c) 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>	
Report Authorised by: <b>Andrew Gill, Interim General Manager</b>	
	
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><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 As much of the activity described in this report is work in progress by officers under delegated or specific authority, the Board is simply asked to note the contents of this report.</p> <p>3.3 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. This report outlines the Commission's initial thoughts and seeks to interpret them in addressing the question of whether one committee is feasible.</p> <p>3.4 The above Committees have held two joint meetings and arrangements have been made for the respective Chairs to meet to review the joint meetings and consider the recommendations of interested stakeholders.</p>	

3.5 Work is progressing on the recruitment of a Chief Executive officer and this report provides the Board with an update on the process at 6.7

3.6 Other matters arising, including the appointment of Independent Advisors to the Board and the new Finance, Audit and Human resources Working Group will be reported to the board at its meeting in July 2011.

#### **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 9 May 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 decisions.

6.4 Other matters arising, including the appointment of Independent Advisors to the Board and the new Finance, Audit and Human resources Working Group will be reported to the board at its meeting in July 2011.

#### **6.5 Trustee Induction and Governing Documents**

6.5.1 On 2 June 2011 Trustees were invited to attend the annual Induction Session for Trustees, where presentations were given by officers and the Trust's Solicitor and Trustees were given the opportunity to ask questions and to comment on matter of interest to the Board. Five of the Trustees attended, including both of those recently appointed to the Board.

6.5.2 At the Induction meeting Trustees were given the usual comprehensive suite of documents prepared by the Trust's Solicitors, including the relevant legislation and orders that pertain to the Trust, annual accounts from recent years and the guidance documents recommended for Trustees by the Charity Commission.

6.5.3 Trustees also received individual copies of the Trustee Handbook (the contents of which have previously been reported to the Board). The Trustee handbook has at its hub the NCVO Code of Governance and it also includes Haringey Council's constitution, protocols for the Trusts' relationship with Haringey Council, the role of the General Manager and a range of policy and procedure documents.

- 6.5.4 The Trustee handbook also includes the Trust's Policy on managing Conflicts of Interest (including a Declaration of Interests form) and the Board's Code of Conduct for Trustees. At the time of writing, five of the seven Trustees have completed and signed these two documents.
- 6.5.5 All of the documents that comprise the Trustee Handbook will be available to download on the Alexandra Park and Palace web site [www.alexandrapalace.com](http://www.alexandrapalace.com) so the public will be able to access them when individual documents are updated or superseded.

## 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 advice and Charity Commission guidance in order to advise further on this matter.
- 6.6.3 It is recognised that whilst the APP Statutory Advisory Committee (APPSAC) 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 APPSAC, 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.
- 6.6.6 At the time of writing, dialogue with the Commission will resume following the Board's consideration of the review of the Joint Meetings referred to above.
- 6.6.7 The Commission was asked whether there could be a single committee, combining the members and roles of the SAC and Consultative Committee. The Commission's initial view of the practicalities of having a single SAC and Consultative Committee may be summarised below;
  - 6.6.7.1 For the purpose of providing their advice, the Commission sought clarification in terms of breaking the proposed single committee down into its constituent parts. These were membership and functions.
  - 6.6.7.2 The Commission in their communication have transposed the issues and dealt with them as "Scope" and "Composition." On scope, the short answer is that there is nothing to prevent the SAC widening its scope and consulting on matters beyond those upon which it is obliged to consult.
  - 6.6.7.3 On composition, the short answer is that the membership categories cannot be altered. What may be useful in the response is that the Commission no longer seems to have any objection to additional attendees at the SAC.
  - 6.6.7.4 However matters have moved on since then and the Commission now state, that there is nothing to prevent the SAC from inviting additional attendees. The SAC would of course need to be careful that this did not interfere with the statutory jurisdiction.
  - 6.6.7.5 One option for future consideration may be for the present arrangement of a single meeting of both Committee members to be formalised. This would probably require the adoption of a new constitution for the SAC and eventual abolition of the CC.
  - 6.6.7.6 It has been suggested by some stakeholders that Trustees should sit on any reconstituted Alexandra Park and Palace Statutory Advisory Committee. It is the firm view of the Interim General Manager (with which the Trust's solicitors concurs) that this would not be appropriate. Some years ago, the Charity Commission expressed concern that there were members of the Board who were also members of the SAC. It indicated that it would be better practice for the Board members not to be members of the SAC. This was because membership of both committees would only add to the conflicts of interest faced by Board members.
  - 6.6.7.7 The Commission may alter its view on the above but in the opinion of the IGM it is unlikely to do so.
- 6.6.8 Board Members will be aware that two joint meetings of both Committees have been held on 5 April 2011 and 31 May 2011.
- 6.6.9 As requested by the Board, a review of the Joint Meeting of both Committees by the respective Chairs took place on 4 May 2011 and a second review meeting has been



arranged for 20 June. The Chair of the Board may wish to provide a verbal update to this Board meeting.

6.6.10 The Board will receive further reports on this matter at future meetings of the Board.

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

6.7.1 The Board was updated with the progress with the appointment process at the last Board meeting on the 9 May 2011 following the Executive Restructuring Report to Board on the 15 February 2011.

6.7.2 In preparing this update 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, the finalisation of the interview process and the documentation required to commence and finalise the search and recruitment.

6.7.3 The search process and external advertisement were completed with the closing of applications on the 11 May 2011. The various stages of the recruitment process are being undertaken during June with final interviews scheduled for the end of June.

6.7.4 The remuneration package and full job description/person specification documents were approved in accordance with 1.1.2 above. On the basis of legal advice received, the Chief Executive will be an employee of the Council.

6.7.5 The changes to the Council 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), were approved at the annual Council meeting on the 23 May 2011.

**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, the reviews of the Joint Meetings mentioned above and the Stakeholder meetings described in previous reports to the Board.

**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 Council's Acting Head of Legal Services has no comments on this report.


**10 Financial Implications**

10.1 The cost of the Chief Executive recruitment exercise will be met from the Trust's 2011-12 revenue budget.

10.2 The Chief Financial Officer has no additional comments to make on this report.

**10.3 Use of Appendices/Tables/Photographs**

None.

<b>Alexandra Palace &amp; Park Board</b>	<b>on 21<sup>st</sup> June 2011</b>
Report Title: <b>Park Update</b>	
Report of: <b>Mark Evison, Park Manager, Alexandra Park and Palace Charitable Trust</b>	
<b>1. Purpose</b> 1.1 To inform the Alexandra Palace and Park Board of various matters relating to the park and its tenants.	
<b>2. Recommendations</b> 2.1 That the Board notes the contents of the report. 2.2 That the Board considers the advice of the joint informal meeting of the Advisory and Consultative Committees and the formal resolutions of the Advisory Committee and decides whether to accept or reject that advice, namely, 2.2.1 That the Board should object to the Coronation Sidings Development. 2.2.2 That the Board should agree to the replacement of the roof of the Muswell Hill pedestrian bridge.	
Report Authorised by: <b>Andrew Gill, Interim General Manager</b> ..... 	
Contact Officer: <b>Mark Evison, Park Manager, Alexandra Palace &amp; Park, Alexandra Palace Way, Wood Green N22 7AY Tel No. 020 8365 2121</b>	
<b>3. Executive Summary</b> 3.1 This report provides an update on general park management issues and an overview of progress regarding the tenants. 3.2 The Coronation Sidings development and a proposal for the Muswell Hill Entrance were considered by the Advisory and Consultative Committees and their advice is that the Board objects to the first and agrees to the second.	
<b>4. Reasons for any change in policy or for new policy development (if applicable)</b> 4.1 N/A	
<b>5. Local Government (Access to Information) Act 1985</b> 5.1 N/A	

**6. Park Management & Grounds Maintenance**

- 6.1 The Grounds Maintenance Contractor recently undertook a customer survey regarding the park and their service.
- 6.2 The survey was web-based and was circulated to all members of the Advisory Committee and Consultative Committee (38 individuals in total). Members representing groups such as resident's associations were encouraged to pass the link on.
- 6.3 Eleven individuals responded to the questionnaire.
- 6.4 The comments were largely positive, almost all responses were either satisfactory, good or very good.
- 6.5 Where respondents left particular comments they were generally to highlight their feelings about dog fouling and littering by park users.

**7. Park Tenants**

- 7.1 The extension to the Islands Building by the 345 preschool is now complete. At the time of writing they were due to move back in after the May half-term. The building is now much improved and provides a great setting for local children.
- 7.2 The Grove Café seems to be suffering from targeted vandalism and anti-social behaviour overnight. The local police are aware of the incidents and a new 24-hour park patrol officer is monitoring the area during the routine patrols.

**8. Planning Matters**

- 8.1 The Board resolved at the meeting of 9<sup>th</sup> May to make a submission to the planning department in relation to the proposed Coronation Sidings development. The letter submitted by the Interim General Manager is attached as appendix 1.
- 8.2 The Informal Joint Meeting of the Advisory and Consultative Committees and the formal meeting of the Advisory Committee considered this matter on 31 May and resolved as follows:
  - The joint informal meeting agreed to ask the Board to object to the development.
  - The formal Advisory Committee resolved to recommend the Board strongly object to the planning application on the grounds that the view from the park will be blighted by such a large structure.
- 8.3 A second proposal to replace the roof of the Muswell Hill pedestrian footbridge was also considered by both meetings and in general the proposal was agreed. Although the direct costs of this project will not be charged to the Trust, the planning application and associated officer time will be.
- 8.4 A sketch of the proposal is attached as appendix 2.

**9. Recommendations**

- 9.1 That the Board notes the contents of the report.
- 9.2 That the Board considered the advice of the joint informal meeting of the Advisory and Consultative Committees and the formal resolutions of the Advisory Committee and decides whether to accept or reject that advice on the following two subjects:
  - 9.2.1 That the Board should object to the Coronation Sidings Development
  - 9.2.2 That the Board should agree to the replacement of the roof of the Muswell Hill pedestrian bridge.

**10. Legal Implications**

- 10.1 The Trust solicitor's advice has been taken into account in the preparation of this report.
- 10.2 The Acting Head of Legal Services has no comments on this report.

**11. Financial Implications**

- 11.1 A planning application for the Muswell Hill footbridge will incur officer time and costs of a few hundred pounds, it is planned that this will be funded by the existing park maintenance budget.
- 11.2 The London Borough of Haringey's Chief Financial Officer notes the contents of this report.

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

**Appendix 1:** Submission regarding the Coronation Sidings planning proposal.

**Appendix 2:** Sketch of Muswell Hill footbridge proposal.

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11 May 2011

Ms Michelle Bradshaw  
London Borough of Haringey  
639 High Road  
Tottenham  
N17 8BD

Dear Ms Bradshaw

**Application Reference HGY/2011/0612 - Coronation Sidings**

The Alexandra Palace and Park Board has requested that I write on the subject of the above-mentioned application. The general feeling of the Board is that the views from the Park and Palace are an important asset that all visitors to the site can enjoy.

Although the Board discussed the application it delegated authority to me, the Interim General Manager to make a representation on the Trust's behalf.

If the application is approved our comments are:

- That the developer be requested to provide trees, shrubs and/or climbing plants on their land to screen the building
- That the permitted colour scheme blends into the landscape
- That the Council bears in mind its own policies regarding views, namely:

"The Council will seek to protect locally important views that contribute to the interest and character of the borough. These may include: Views of and from large open space, such as Alexandra Palace and Finsbury Park and View into and from Conservation Areas."

- That the developer's funding contribution under section 106 of the Town and Country Planning Act includes provision for screening trees to be planted in Alexandra Park to mitigate the impact on the view from the palace

Please feel free to contact me if you require any clarification or further information.

Yours sincerely

**Andrew Gill**  
Interim General Manager

Cc: Cllr Pat Egan, Chair, Alexandra Palace and Park Board

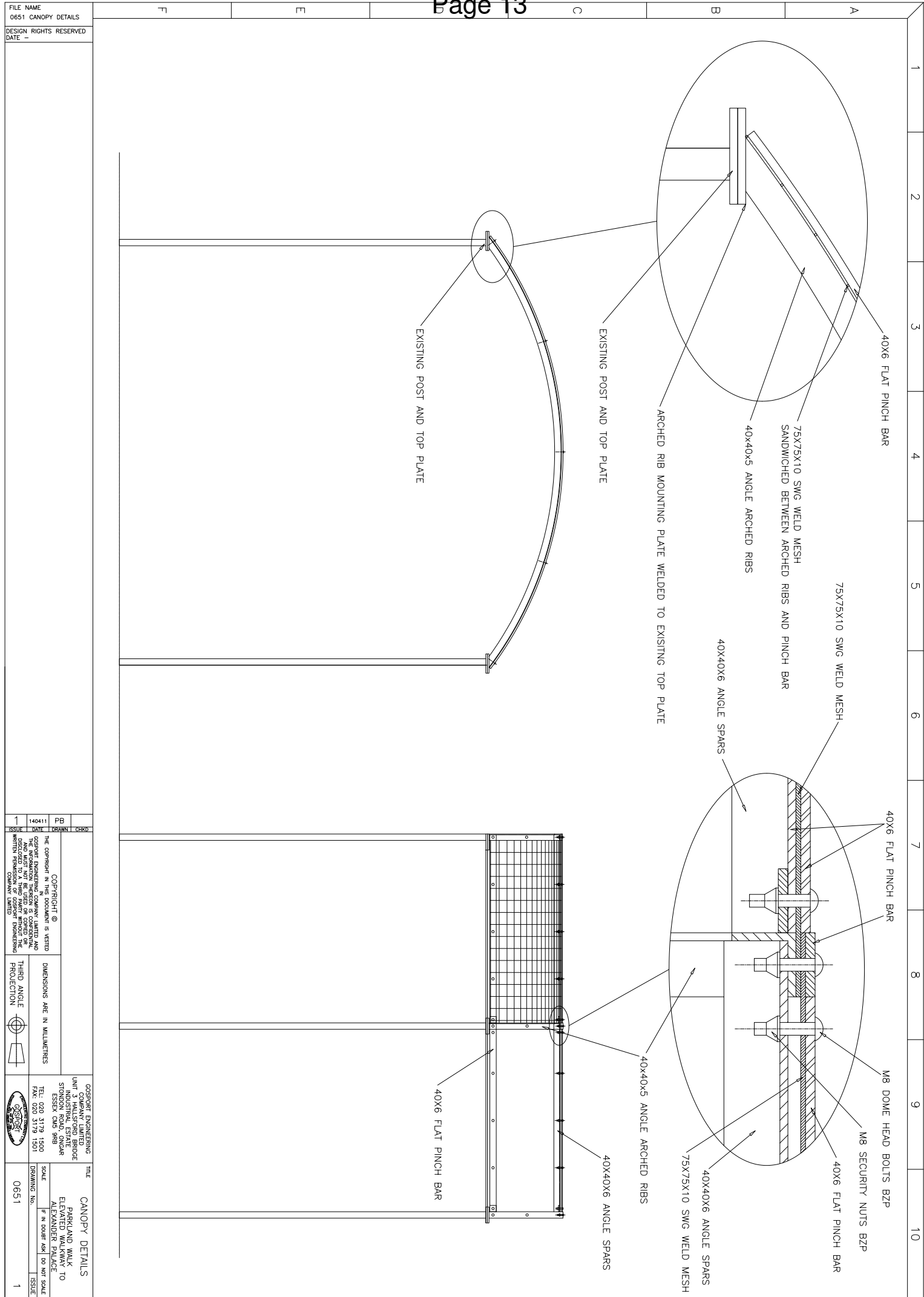


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**UNRESTRICTED MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD**  
**MONDAY, 9 MAY 2011**

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

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

Observer: David Liebeck\*

\* Denotes present at meeting

Also present:

Mr A. Gill – Interim General Manager – Alexandra Palace

Mr I. Harris – Trust Solicitor

Ms H. Downie – Head of Finance – Alexandra Palace

Mr G. Oliver – Head of Finance - Accounting, Control & Income on behalf of the Director of Corporate Resources – LB Haringey

Ms A. Lippitt – Interim Director of Place and Sustainability – LB Haringey (part meeting)

Mr M. Hopson - Physical & Area Regeneration Manager – LB Haringey (part meeting)

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

Mr Rick Wills (Non Executive Director – Alexandra Palace Trading Limited - part meeting)

Mr Dan Anderson Colliers International (Locum) (part meeting)

Mr Jim Robertson Colliers International (Locum) (part meeting)

Mr Graeme Clark – Director – Mazars (part meeting)

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**MINUTE  
NO.**

**SUBJECT/DECISION**

**APBO83. APOLOGIES FOR ABSENCE**

The Chair asked if there were any apologies for absence.

The Committee Manager – Mr Hart advised that apologies for absence had been received from Councillor Stewart due to being unwell, and from Ms Parker – Director of Corporate Resources – LB Haringey –for who Mr Graham Oliver was in attendance on behalf of.

The Chair welcomed to the proceedings a number of attendees in respect of Agenda Item 5 – Regeneration Update. The Chair advised that Mr Rick Wills (Non Executive Director – Alexandra Palace Trading Limited), and Mr Mark Hopson - Physical & Area Regeneration Manager – LB Haringey - two members of the Alexandra Park & Palace Regeneration Working Group –were in attendance to make a presentation to the Board in respect of the options analysis and feasibility study presentation detailed at appendix 1 of the report, and also attending were Ms Anne Lippitt – Interim Director of Place and Sustainability – LB Haringey (and Chair of the APPRWG), and Mr Dan Anderson and Mr Jim Robertson from Colliers International (Locum) who were the joint contributors to of the Options Analysis and feasibility Study detailed at appendix 1 of the report.

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	<p>The Chair also welcomed Mr Graeme Clark – Director – Mazars who was in attendance for agenda Item 8 – Internal Audit Plan and Report Back.</p> <p>The Chair advised that at the point of allowing Messrs Wills, Anderson or Robertson in respect of Item 5, and Mr Clarke in respect of Item 8, to address the meeting, Standing Orders would be suspended and asked that the Board agree to the suspension in advance.</p> <p>The Board agreed to the suspension of standing orders as required for the consideration of agenda items 5 and 8 nemine contradicente.</p>
<b>APBO84.</b>	<p><b>URGENT BUSINESS</b></p> <p>The Committee Manager – Mr Hart advised that there were no items of urgent business to consider however in respect of agenda item 7 – Finance Update there would need to be reasons for lateness given as the item had been marked ‘TO FOLLOW’ on the agenda and had been despatched after the main agenda’s publication.</p> <p><b>NOTED</b></p>
<b>APBO85.</b>	<p><b>DECLARATIONS OF INTERESTS</b></p> <p>Councillor Egan declared a personal but not prejudicial interest in respect of agenda item 11 – Park Update specifically in relation to the issue of the Coronation Sidings development in his capacity as a local resident.</p> <p>Councillor Strickland declared a personal but not prejudicial interest in respect of agenda item 11 – Park Update specifically in relation to the issue of the Coronation Sidings development, as he was a ward Councillor from the ward where the proposed development was to be located.</p> <p>Councillor Peacock declared a personal but not prejudicial interest in respect of agenda item 11 – Park Update specifically in relation to the issue of the Coronation Sidings development, as she was the Chair of LB Haringey’s Planning Committee.</p> <p><b>NOTED</b></p>
<b>APBO86.</b>	<p><b>QUESTIONS, DEPUTATIONS OR PETITIONS : TO CONSIDER ANY QUESTIONS, DEPUTATIONS OR PETITIONS RECEIVED IN ACCORDANCE WITH PART 4, SECTION B29 OF THE COUNCIL'S CONSTITUTION</b></p> <p>Nil</p>
<b>APBO87.</b>	<p><b>REGENERATION UPDATE</b></p> <p>The Chair, in asking for an introduction to the report, referred previous mention of the attendance of the two members of the Alexandra Park &amp; Palace Regeneration Working Group – Mr Rick Wills (Non Executive Director – Alexandra Palace</p>

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
MONDAY, 9 MAY 2011**

Trading Limited), and Mr Mark Hopson - Physical & Area Regeneration Manager – LB Haringey, and the need for the suspension of Standing Orders to allow Mr Wills to address the meeting.

The Interim General Manager – Mr Gill, by way of background to the report before the Board, reminded the meeting of the Board of its previous considerations and decisions in respect of the regeneration of the Alexandra Palace.

(Mr Liebeck arrived at 19.37hrs).

Mr Gill then reported that 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, identifying suitable uses for the various parts of the site. The study was to inform a subsequent master planning exercise which in turn would assist the Board in determining its future strategy for Alexandra Palace and Park.

(Councillor Scott arrived at 19.38hrs).

Mr Gill commented that the Board was informed at its meeting on 15 February 2011 that the APPRWG had sought tenders for the Study and it had selected Colliers International (Locum Consulting) as the successful bidder and the contract was awarded by Haringey Council.

Mr Gill went on to advise that the Board was informed of progress made by the APPRWG and Locum at its meeting on 28 March 2011. Prior to this, the APPRWG had met on a number of occasions to consider the feedback received from stakeholders at the meetings on 10 and 12 March and to discuss the initial findings of the study. The APPRWG then received Locum's draft report in early April and it held a Special Meeting of the APPRWG on 15 April 2011 which approved the content of Locum's report and approved the recommendations and next steps therein.

Mr Gill concluded, in reference to the presentation, that the presentation attached at appendix 2 was the same as that given to the 'Report Back to Stakeholders' meeting which took place on 3 May 2011. The APPRWG had committed to feeding back to Stakeholders on behalf of the Board and in consultation with the Chair, the findings of the Options Appraisal before the Board was asked to consider the report. The options appraisal report itself as appended at appendix 1 would not be presented again this evening. The presentation given to the stakeholder feedback session on 3 May would now be given to Board.

The Chair thanked Mr Gill for his introduction and advised standing orders would be suspended in order for the presentation to be given, and questions and answers following.

(Mr Tarpey arrived at 19.42hrs)

Mr Wills - Non Executive Director – Alexandra Palace Trading Limited, with the aid of power point, presented to the Board the circulated appendix 2 of the report

**MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD  
MONDAY, 9 MAY 2011**

– which detailed Options appraisal & feasibility report, namely:

- The background to the process
- Vision & Mission - the vision being: to regenerate Alexandra Palace and Park in the pioneering spirit of our founders, creating a proud, iconic London Destination with global appeal, a successful, valuable and sustainable asset for all, including the local community and stakeholders; the mission being: to uphold, maintain and repair the Palace and to maintain the said Park and Palace as a place of public resort and recreation and for other public purposes.
- The brief for the options appraisal
- The strategic options
- The consultation process
- The conclusions of the exercise – the preferred strategic concept that had emerged was : Leisure and entertainment focus, Live music concerts, parallel developments and supporting uses in Palace & Park, maintaining the iconic status and historic prestige of Palace & Park, integration of heritage assets in any future use including the BBC Studios, theatre and open space

The Chair commented that in terms of the feed back from the Stakeholder presentation of 3 May 2011, as well as the whole process of consultation, there had been a general positive feeling to the overall direction of the forward concepts, and that it had been accepted that the status quo was not an option. The concerns expressed through the process had centred on noise nuisance and too many concerts taking place, but assurances would be given as to the number of concerts and the already established protocols in relation to noise disturbance.

Mr Gill also added that it was a fact that to do nothing was not an option and that there was and had been a broad level of acceptance of this fact. The options that the Board were being asked to consider and agree were indeed of a mix of potential uses. The recommendation by the Locum Consulting team of Colliers International was for the Board to approve the selection of the 'Leisure and Entertainment' Strategic Concept and pursue a 'core use' for the Palace and Park which focused on 'Live Music'.

Mr Wills also advised that the preferred option for Leisure and entertainment recognised the very original concept of the Palace dating back to 1873, for music and concerts. It was a fact that if the Palace would be able to secure a global music entertainment supplier then a number of associated ventures would come with this, and major world performers would perform. The recommendations for the Board to now consider focused on the 'core use' which would relate to only part of the overall Palace and Park. Mr Wills reiterated that it was anticipated that many other complementary uses would ultimately form part of the whole destination offer of Alexandra Palace and Park (many of which were already active) and all of which would embrace the core themes of community and the rich cultural heritage to underpin the regeneration strategy and its long term sustainability. Mr Wills added that of particular relevance to other uses was the 'Sport and Active Leisure' offer which was recognised to have clear synergy with the core use of Live Music and which to a certain extent already took place through the existing Ice Skating Rink.

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The Chair thanked Mr Wills for his concise presentation, and asked if there were any points of clarification or comment.

Councillor Hare sought clarification as to the next stage in the process and the work of the Regeneration Working group, and also the mention of Heritage Lottery Grants process and some explanation of the sequence of the funding application and whether any of that process would be tied in to the next steps in the process of the APPRWG. He also sought reassurances in terms of dedicated officer time in terms of taking the process forward.

Mr Wills responded that the next stage of the work of the APPRWG would be to progress a phase of concept planning focusing on resolving the big master plan issues required in order for any significant regeneration of Alexandra Palace to proceed and then defining the physical and tactical parameters within which the development must be maintained. This would then initiate the process for tendering for anchor a Live Music Operator on a basis of a competitive dialogue given the complexities of the Palace usage and the fact that live music operators each had very different business models.

Mr Robertson from Colliers International (Locum) and Mr Hopson responded that in respect of the Heritage Lottery Fund (HLF) application process this would commence in parallel with the operator tendering. It was not unprecedented to have different funding stream processes to run in tandem. There would also be an application to English Heritage. It was the case that the overall funding strategy would have been refined during the Concept Planning phase with an HLF application for a significant capital sum being highly probable.

Ms Lippitt – Interim Director of Place and Sustainability – LB Haringey responded in respect of the matter of officer resource that Mr Hopson would be seconded fulltime on the project, given his extensive expertise and knowledge of the project, in order to progress the finer details during the next intense period.

Councillor Williams referred to the issue of the transport infrastructure at Alexandra Palace and asked how it was envisaged to overcome this issue.

In response Mr Anderson from Colliers International (Locum) advised that in terms of the transport situation regarding target audiences attending the venue for concerts and events whilst it was too early to seek views of potential Live Music Operators as to how transport arrangements would be managed, there would be as part of the process of clarification on all such arrangements at the appropriate time. Mr Robertson added that in terms of a Live Music Operator attracting global acts to the Palace it would be the case that the target audiences would overcome any difficulties to attend an event whatever the transport infrastructure happened to be. Mr Hopson concurred with Mr Robertson and advised that there would be an in-depth review of the transport infrastructure as part of the wider context.

Councillor Strickland commented that in respect of the transport infrastructure issues, should there be the securing of a Live Music Operator who would attract global acts then it would be the case that the Council would be in a position to have some considerable dialogue in terms of improving existing transport systems with Transport for London (TFL).

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	<p>(Mr Willmott arrived at 20.05hrs)</p> <p>In clarification to concerns from Councillor Hare Mr Gill advised that there were no decisions being taken at this meeting as regards agreeing to proceed to formally approach Live Music Operators. As part of the next stage in the process, the APPRWG would seek to approach Live Music Operators informally but there would be further reports to the Board before any formal tendering approach would happen. Mr Robertson added that any informal discussion with Live Music Operators would be in the form of soft market testing.</p> <p>The Chair then summarised and it was:</p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>i. That approval be given to the key recommendation in the Colliers International (Locum) report; namely that the selection of the 'Leisure and Entertainment' Strategic concept and pursue a 'core use' for the Palace and Park which focuses on 'Live Music';</li> <li>ii. That the two important notes made by Locum alongside the recommendations referred to in (i) above be recognised and noted as follows; <ul style="list-style-type: none"> <li>• the recommendation focuses only on the 'core use' which will relate to only part of the overall Palace and park. It is anticipated that many other complimentary uses will ultimately form part of the whole destination offer of Alexandra Palace and Park (many of which are already active) and all of which will embrace the core themes of community and the rich cultural heritage to underpin the regeneration strategy and its long term sustainability</li> <li>• of particular relevance to other uses is the 'Sport and Active' offer which is recognised to have clear synergy with the core use of Live Music and which to a certain extent already takes place through the existing Ice Skating Rink.</li> </ul> </li> <li>iii. That in respect of the suggested next steps proposed in the Locum report (appendix 1) and outlined in the Interim General Manager's report, the Alexandra Palace and Park Regeneration Working Group be instructed to progress accordingly to the Concept Planning stage using funds currently available;</li> <li>iv. That it be noted that further reports would be submitted to future Board meetings on the matters covered in the report, in particular a detailed Regeneration Project Plan including key milestones and forecast costs; and</li> <li>v. That it be noted that following the departure of the former Director of Urban Environment from Haringey Council that the Chair of the APPRWG is now Anne Lippitt, Interim Director of Place &amp; Sustainability.</li> </ol>
APBO88.	<p><b>GOVERNANCE UPDATE</b></p> <p>The Board received an introduction of the circulated report by the Interim General</p>



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Manager – Mr Gill and were advised of the LB Haringey's Full Council approval on 4 April 2011 to delegate powers to the Alexandra Palace and Park Board to commence the recruitment, selection and appointment of the proposed independent advisors of the appointment of Independent Advisors to the Board'. Mr Gill also highlighted the process to be adopted for the recruitment as detailed in paras 6.4.5 and 6.4.6 of the report which had previously been agreed by the Board on 15 February 2011.

Mr Gill also advised of the matter of the possible merging the current Advisory Committee, and Consultative Committee and referred to the Board's meeting of 15 February 2001 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), and gave instruction to 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 proceed further on this matter .

Mr Harris – the Trust Solicitor advised the meeting that following the decision of the Board the advice of the Charity Commission was sought and in effect their initial response was that in terms of the question of merger this would not be possible given the statutory status of the Advisory Committee, but consideration may be given to varying the remit of the Advisory Committee and the inviting of other non voting representatives on the Advisory Committee – but that the core membership of the Advisory Committee would have to remain and that core members were only able to take decisions. Mr Harris advised that it would be appropriate in light of that initial response for the Interim General Manager to now work on a possible model to be considered and then report to the Board.

The Chair referred to the first informal meeting of the Advisory, and Consultative Committee which had taken place on 5 April 2011 which had been a very positive and effective meeting and productive in terms of discussion and outcomes. The Chair felt that it would be appropriate for the matter of variation to the Statutory Committee membership as outlined be furthered and reported to the Board. The Chair also placed on record his thanks to all those concerned who had helped to make the process a positive one, particularly the efforts of Colin Marr, and Dennis Heathcote – representatives of the Consultative, and Advisory Committees.

In terms of the establishment of a Finance, Audit and Human Resources Working Group, Mr Gill, in highlighting the terms of reference of the group as attached to the report stressed that the Working Group would not have an executive remit and had no decision making powers.

Concerning the process for the recruitment of the Chief Executive the process was now commenced and that there had been a slight slippage in the programme with the long listing commencing the week of 23 May, the shortlisting the week of 13 June, and the final interviews the week commencing 27 June 2011.

In regard to the recruitment, selection and appointment of the proposed independent advisors to the Board the Chair asked and received confirmation

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	<p>from members that this should proceed immediately and not be delayed until the recruitment process for the Chief Executive had been completed.</p> <p>Councillor Hare suggested and it was agreed by members that Councillor Scott should chair the proposed Finance, Audit and Human Resources Working Group.</p> <p>The Chair then summarised and it was:</p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>i. That the progress to date in implementing a number of previous resolutions on Governance and Future Vision outlined in the report be noted;</li> <li>ii. That in respect of the timescale for the recruitment of Independent Advisors to the Alexandra Palace and Park Board, the Interim General Manager Alexandra Palace be asked to commence the process of recruitment with immediate effect;</li> <li>iii. That approval be given to the draft terms of reference for the Finance, Audit and Human Resources Working Group;</li> <li>iv. That approval be given to the creation of the Finance, Audit and Human Resources Working Group and that Councillor Nigel Scott be appointed as Chair, and that the remaining members of the working group to be notified to the Interim General Manager, in accordance with the Working Group's terms of reference; and</li> <li>v. That it be noted that further reports will be brought to future meetings of the Alexandra Palace and Park Board.</li> </ul>
<p><b>APBO89.</b></p>	<p><b>FINANCE UPDATE</b></p> <p>The Board received an introduction of the circulated report by the Head of Finance Alexandra Palace – Ms Downie. Ms Downie advised that the reasons for lateness were due to the compilation of the year end accounts data which was not finalised at the publication date of the agenda.</p> <p>Ms Downie advised that the draft, unaudited results for the Trust for the year ended 31<sup>st</sup> March 2011 were tabulated against budget at Appendix 1 of the report. Ms Downie commented that unrestricted income was £36k below budget, £25k of which being due to the further reduction in the APTL licence fee, and unrestricted expenditure was £139k below budget, giving a net underspend against budget of £103k. Ms Downie reported that this was consistent with the level of saving the Interim General Manager committed to delivering in 2010/11. The proposed capital budget for 2011/12 was detailed in para 7.3 of the report, and was designed to address the priority risk areas, as identified by independent reports. Ms Downie also referred to progress of the Finance Working Group in reviewing the revenue budgets of the Trust and Trading Company with a view to identifying savings and further income generating opportunities.</p>

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	<p>The Board then asked points of clarification as to matters referred to in the report and received responses thereto.</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 draft, unaudited results for the financial year ended 31<sup>st</sup> March 2011 attached at appendix 1 of the report be noted;</li> <li>ii. That approval be given to the proposed capital budget for 2011/12 as set out at 7.3 of the report; and</li> <li>iii. That the progress of the Finance Working Group in reviewing the revenue budgets of the Trust and Trading Company with a view to identifying savings and further income generating opportunities be noted.</li> </ul>
<b>APBO90.</b>	<p><b>INTERNAL AUDIT PLAN AND REPORT BACK</b></p> <p>The Chair advised standing orders would be suspended in order for Graeme Clarke from Mazars to give a brief report to the Board and to answer any questions.</p> <p>Mr Clarke informed the Board that following on from the follow up review of the outstanding recommendations in May 2010 which concluded that of the original 12 recommendations, six had been fully implemented, five were in progress and one had been superseded. A further visit was conducted in April 2011, the results of which were included in the report at Appendix , and Mazars had concluded that 11 of the 12 recommendations had been fully implemented, the exception being the recommendation relating to the development and approval of the Trust's three year business plan, which was 'in progress'.</p> <p>Mr Clarke further advised of the proposed operational audit plan for the 2011/12 financial year detailed at Appendix 2 of the report, which had been drafted in the context of the impending recruitment of a Chief Executive for the Trust and in light of the considerable financial pressures the Trust would be facing in 2011/12. The plan focused on risk management and following up the recommendations made in 2010/11.</p> <p>There being no comments or questions from Members Standing Orders were un-suspended and the Chair summarised and it was:-</p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>i. That the outcome of the second follow up visit relating to the Council's 2008 internal audit be noted; and</li> <li>ii. that approval be given to the Internal Audit plan for the 2011/12 financial year.</li> </ul>
<b>APBO91.</b>	<p><b>CAPITAL PROJECTS UPDATE</b></p> <p>The Board received an introduction of the circulated report by the Interim General Manager – Mr Gill highlighting the main aspects of the capital projects in progress and reporting a forecast spend for 2010-11 of £450,000 out of a grant allocation</p>

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	<p>of £500,000 from the LB Haringey. Mr Gill reported that the balance of £50,000 had been requested to be carried over into 2011-12 to mitigate any outstanding claims that may result for extra works.</p> <p>In response to questions from the Board in relation to the signage strategy and the refocusing/renaming of the Phoenix Bar Mr Gill and Ms Kane – Managing Director – Alexandra Palace Trading Limited (APTL) reported that the signage strategy was progressing well with two clear phases of work proposed. Mr Gill advised of the views expressed at the informal SAC/CC meeting (circulated with the agenda) and that these comments had been taken on board, particularly in relation to phase two with the advertising consent application being revised accordingly, and submitted to LB Haringey in mid May 2011, and with an aim to generate commercial returns from signage where possible.</p> <p>Ms Kane commented that there was unanimous support for a re-focus and re-vamp of the current Phoenix pub with the name change recommended as ‘the Bar and Kitchen’ to underpin a fresh new direction, and a revamping of menus focusing on local British produce would happen (attached to the report at appendix 1 and 2) together with some minor re-decoration. Ms Kane stressed that this work was vital to underpin the company’s plans to generate better returns from the pub in 2011-12. As part of the revamp Ms Kane advised that in terms there would be invitations to come to the Bar and Grill, residents in the vicinity of the Palace, together with planned open air B.B.Q events, and local media/radio advertising. The pub on the whole had a near excellent trading year in 2010/11 and with an actual loss of £2/£3K.</p> <p>There being no further comments or 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 capital works completed during 2010-11 as detailed in the report be noted;</li> <li>ii. That the current status on the final account settlement for the Ice Rink project be noted;</li> <li>iii. That it be noted that the items raised by the Statutory Advisory Committee/Consultative Committee had been fed into the Phase II signage strategy and the application for advertising consent to be submitted pending approval of the pub name change by the Alexandra Palace and Park Board; and</li> <li>iv. That approval be given to the name change from the Phoenix to the ‘Bar &amp; Kitchen’, with the redecoration and works to be carried out within May 2011.</li> </ul>
<b>APBO92.</b>	<p><b>TRUST BUSINESS PLAN</b></p> <p>The Board received an introduction of the circulated report by the Interim General Manager – Mr Gill highlighting that following on from the Board’s decision of 29 June 2010 to have a draft 3 year business. Following subsequent identification of 20 Business Objectives, the report before the Board detailed that 13 were completed on time and on budget, 3 were largely completed with remaining tasks scheduled for 2011-12 and 4 were ongoing.</p>

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	<p>In response to points of clarification from members, Mr Gill responded that the Business Objectives were monitored throughout 2010-11 through regular monthly 1-2-1 meetings between officers and their line managers and performance appraisals in line with the Trust's Human Resources policy. The Chair of the Board had been regularly briefed on progress and top level reviews were conducted through Mr Gill's annual Performance Appraisals and Mid-Year review, conducted by the Director of Corporate Resources on behalf of the Chief Executive of Haringey Council.</p> <p>With regard to the review of the draft, 3 year Business Plan this would happen shortly after the arrival of the new Chief Executive and be presented to the Board for approval at a future Board meeting.</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 outcome of the Business Plan Objectives allocated to the Trusts' team for 2010-11, and that the great majority of those Objectives had been achieved within the allocated resources, be noted; and</li> <li>ii. that in the light of other resolutions concerning regeneration of Alexandra Palace &amp; Park, and in light of available revenue resources, the Interim General Manager Alexandra Palace be instructed to prepare the content of the Trust's next Business Plan for review by the incoming Chief Executive.</li> </ul>
<p><b>APBO93.</b></p>	<p><b>PARK UPDATE</b></p> <p>The Board received an introduction of the circulated report by the Park Manager Alexandra Palace – Mr Evison.</p> <p>Councillor Peacock advised that she would not be commenting on, and be party to the likely resolution in respect of Coronation sidings as a member of the Planning Committee of LB Haringey. Mr Willmott declared a personal interest in respect of Coronation sidings as he had a family member living in the new river apartments adjacent to the proposals.</p> <p>The Board raised some concerns at the 'Exercise Professionals' proposal and questioned the commercial legality of allowing individuals offering fitness training and exercise classes to the paying public, and issues of liability in case of injury to individuals partaking in such activities. Mr Evison advised that existing by-laws prohibited such contracts unless there was permission granted by the Trustees – the Board. It would also be necessary for the operator to submit the relevant paperwork and pay a fee for undertaking their business on site. In terms of the issue of liability, it would be necessary for the operator concerned to list their professional qualifications in fitness training and exercise. Professional liability for their services rested with them.</p> <p>With regard to the planning application from Network Rail for the Coronation</p>

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Sidings Development, members commented on the overall visual impact of the proposed development and the likely detrimental effect on the views from the Palace and Park and felt that that the developers should be asked as a condition of granting the application, to provide adequate screening of the sheds within the boundary of the development and the colour of the building be in neutral colours.

In response the Interim General Manager – Mr Gill advised that the planning authority could be asked to request such conditions. Mr Gill suggested that authority be delegated to him in conjunction with the Chair to respond to the Planning Authority in terms of the response from the Board. The Board were also asked to note the views expressed by the Joint Advisory and Consultative Committee meeting on 5<sup>th</sup> April 2011 in relation to limited information available on the proposals despite requests by the Park Manager for more detail from Network Rail, and similar concerns to those expressed this evening about the height of the proposed shed with 11 metres to be very high, which would detract from the view to the east from the Palace, and encouraging the Board to reject the proposals if more information was not provided by Network Rail. Mr Gill, in response to further clarification advised that there may be an opportunity for the Board to request some funding through a section 106 agreement for tree planting to provide screening for the development or more general habitat improvement works.

The Chair then summarised and it was:-

**RESOLVED**

- i. That the Board notes the contents of the report;
- ii. That approval be given to the proposed scheme to register Exercise Professionals;
- iii. That authority be delegated to the Interim General Manager Alexandra Palace in conjunction with the Chair of the Board to make a representation regarding the planning application for the Coronation Sidings development, and request section 106 funds to carry out a planting scheme.

Councillor Peacock abstained from resolution 3 above.

**APB094. CRICKET CLUB PROPOSALS**

In a brief introduction of the report circulated the Park Manager Alexandra Palace – Mr Evison advised of the requirement of the new The Heartlands High School (HHS) to access playing fields for its pupils. The facilities leased to the Alexandra Park Club (AP Club) were identified by Haringey Council's *Building Schools for the Future* team (BSF) as a suitable location. The primary objective of BSF was to provide HHS with access to playing fields. The school would benefit from these proposals, as it would be able to fully deliver the curriculum. In addition, Haringey Council would fulfil the requirements of the Office of the Schools Adjudicator. The Cricket Club and the Trust would also benefit from the capital investment. Mr Evison advised that in considering this report the Board must consider the issues exclusively in the best interests of the charity and should not have any regard to the needs of school.

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Mr Evison went to detail the practical issues identified by BSF and HHS two phases according to the work required to overcome each issue namely

**Phase 1:**

- The grass pitches being unplayable for significant parts of the year due to water-logging
- The internal layout of the building was currently unsuitable for school use, as the only access to the female toilets was through the bar area.
- The entrance/exit routes were unsuitable and adaptations would be required to improve accessibility

**Phase 2**

- An all-weather practice area was required so the school could train without wear and tear on the grass areas during extremes of weather and to reduce the need for the club's members to travel to alternative training venues. This facility would require floodlighting to fulfil the requirements of the Football Foundation (a major funding partner in this project).

With regard to the Alexandra Park Cricket Club Mr Evison reported that the Club had been a tenant at the palace since the 1900s, they were currently very successful with many football and cricket teams. Due to the current practice of having to pay for hiring training facilities off-site and transporting players back and forth because the poor condition of the pitches, and also they were also unable to train after dark. The phase 2 proposals as outlined would bring the teams back to the ground for training which would help to foster a club spirit and help improve the club's financial position.

Mr Evison further advised that in terms of the current lease to the Cricket club it had been granted a 20 year lease in 2001. It was proposed that the Board agreed to a new lease along the following key terms:

- That the current lease is surrendered
- That a new lease be agreed that permitted the Alexandra Park Club to sub-let the facilities (the grounds and building) to Heartlands High School
- That the rent be reviewed at the appropriate time to consider the benefit of any enhancements

Mr Evison further advised that in terms of consultation the views of the Advisory and consultative committees were detailed, and that the Committees generally supported Phase 1 of the proposals to improve facilities at the Alexandra Park cricket clubhouse and grounds as part of a project with Heartlands High School, and that in respect of Phase 2 this was a concern at the need for proper consultation with the local community including details of extensive plans on the scale and size of the all-weather practice area and full details about the proposed floodlighting. There were other observations from local groups as detailed in the report.

The Board then discussed in detail the proposals and made the main observations :

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	<ul style="list-style-type: none"> <li>• The natural habitat of the Park being affected by the proposals and concerns in relation to affects on wildlife, and light nuisance from the floodlighting of the proposed pitches</li> <li>• Whether the process of applying for planning permission by the BSF team before Phase II of the proposals proceeded was the correct process and whether in fact the phase II of the exercise should proceed before planning permission was sought, and clarification from officers that Phase II could not proceed without Phase I being agreed, and phase II could not stand alone, but phase I could, and that planning permission was required as part of the process before Phase II could proceed</li> </ul> <p>The Chair then summarised and it was:</p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>i. That in respect of the proposals as outlined and the comments of the Alexandra Park and Palace Advisory Committee – the views of the Advisory Committee be noted;</li> <li>ii. That permission be granted for Phase I of the development to proceed subject to planning permission being granted;</li> <li>iii. That sub-letting by Alexandra Park Club to the Heartlands School by mechanism of a surrender of the existing lease, and the granting of a new lease to Alexandra Park Club be agreed ;</li> <li>iv. That authority be delegated to the Interim General manager – Alexandra Palace to agree final terms of the new lease to the Alexandra Park Club subject to a satisfactory section 36 Charities Act report to be reported to the Alexandra Palace and Park Board in due course;</li> <li>v. That the LB Haringey's Head of Legal Services be authorised to seal the finalised lease; and</li> <li>vi. That in respect of Phase II of the proposals it be noted that the Building Schools for the Future Team would carry out further consultation with local residents and undertake appropriate wildlife and habitat surveys and that it be agreed that phase II of the proposals be brought back to the Alexandra Palace and Park Board for consideration if and when planning permission has been granted by the LB Haringey.</li> </ol>
APBO95.	<p><b>MINUTES</b></p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>i. that the unrestricted minutes of the Alexandra Palace and Park Board held on 28 March 2011 (Special) as an accurate record of the proceedings subject to small drafting amendment to page 209 paragraph 4;</li> <li>ii. that the minutes of the Alexandra Park and Palace Advisory Committee held on 5 April 2011, be received noting that the recommendations from that Committee see attached at Appendix A had been responded to during discussions of said items early in the meeting; and</li> <li>iii. that the notes of the informal joint Alexandra Palace and Park Consultative Committee, and Alexandra Park and Palace Advisory Committee held on 5</li> </ol>



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	April 2011 be received noting that the recommendations from that informal meeting appended at Appendix A had been responded to during discussions of said items early in the meeting.
<b>APBO96.</b>	<b>ANY OTHER UNRESTRICTED BUSINESS THE CHAIR CONSIDERS TO BE URGENT</b> There were no urgent unrestricted items.
<b>APBO97.</b>	<b>EXCLUSION OF THE PUBLIC AND PRESS</b>  <b>RESOLVED</b>  That the press and public be excluded the from the meeting for consideration of Items and as they contain exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985) paras 1,2 and 3 - namely information relating to any individual, information which is likely to reveal the identity of an individual and information relating to the business or financial affairs of any particular person (including the authority holding that information).  <b>SUMMARY OF EXEMPT/CONFIDENTIAL PROCEEDINGS</b>
<b>APBO98.</b>	<b>EXEMPT MINUTES</b>  <b>AGREED</b> the exempt minutes of the Alexandra Palace and Park Board held on 15 February 2011, and 28 March 2011 (Special) .
<b>APBO99.</b>	<b>ANY OTHER EXEMPT BUSINESS THE CHAIR CONSIDERS TO BE URGENT</b>  There were no urgent exempt items.

The Chair on behalf of the Board placed on record his personal thanks to all officers of the Trust and LB Haringey for their hard work and sterling efforts during the past year.

NOTED

There being no further business to discuss the meeting ended at 21.50hrs.

COUNCILLOR PAT EGAN  
Chair

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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Agenda item:

**ALEXANDRA PALACE & PARK BOARD**

**On 21<sup>st</sup> June 2011**

Report Title: **APPOINTMENT OF DIRECTORS TO THE BOARD OF ALEXANDRA PALACE TRADING LIMITED**

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

### **1. Purpose**

- 1.1 To advise the Board of the resignation of Cllrs Egan (Chair) and Strickland from the Board of Directors of APTL on 25<sup>th</sup> May 2011
- 1.2 To seek two nominations and agreement of such nominees to act as Directors of APTL
- 1.3 To formally resolve, as sole shareholder of APTL, to appoint such nominees as directors under clause 8 of the Memorandum and Articles
- 1.4 To seek a nomination to act as bank signatory for the Trust.

### **2. Recommendations**

- 2.1 That the Board notes the resignation of Cllrs Egan and Strickland
- 2.2 That the Board receives the nomination of two of the councillor members of the Board to be appointed as Directors to APTL.
- 2.3 That the Board, in its capacity as sole shareholder of APTL resolves, subject to the willingness of the nominees, that they be appointed directors of APTL.
- 2.4 That that Board nominates one of its members to act as bank signatory for the Trust to replace Cllr Egan.

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



Contact Officer: Andrew Gill, Interim General Manager, Alexandra Palace & Park, Alexandra Palace Way, Wood Green, London N22 7AY. Telephone number 0208 365 4334.

### **3. Executive Summary**

- 3.1 The resignation of Cllrs Egan and Strickland from the Board of APTL requires two replacement nominees from amongst the councillor members of the board to serve as Directors of APTL and a formal resolution of the shareholder that such nominees be appointed as directors.

3.2 Following the resignation of Cllr Egan from the Board of trustees, the Board is asked to nominate a trustee to act as bank signatory to the Trust.
<b>4. Reasons for any change in policy or for new policy development (if applicable)</b> 4.1 N/A
<b>5. Use of Appendices / Tables / Photographs</b> 5.1 Appendix I – Memorandum and Articles, Alexandra Palace Trading Limited
<b>6. Local Government (Access to Information) Act 1985</b> 6.1 No specific background papers were used in compiling this report.

## 6. Report

6.1 Following their ceasing to be members of the APP Board and charity trustees and therefore not eligible to be directors of the Trading Company, Cllrs Egan and Strickland resigned as directors on 25<sup>th</sup> and 28<sup>th</sup> May 2011 respectively.

6.2 Appendix 1 contains the Memorandum and Articles of Association of APTL.

Article 7.1 provides that the APTL Board consist of a maximum of eight Directors of which up to four shall be trustees of the charity, one shall be an employee of the company, one shall be an officer of the Council and two shall not be officers or members of the Council, employees of the Company or trustees of the charity ('non-executive Directors')

6.3 The current Directors of the Trading Company are;

Cllr Bob Hare (as trustee)  
Cllr Nigel Scott (as trustee)  
Julie Parker (as officer of the Council)  
Richard Wills (non-executive Director)  
Kumar Muthalagappan (non-executive Director)

6.4 Under Article 8 of the company's Memorandum and Articles of Association, the Directors must be appointed by resolution of the sole member (Alexandra Park and Palace Charitable Trust). The political balance rules do not apply to the selection of Directors for APTL.

6.5 As Cllr Egan was also a bank signatory for the Trust, the Board is asked to nominate a trustee to act as signatory to the Trust's bank account. The current signatories are;

Andrew Gill



Cllr Nigel Scott  
Cllr Bob Hare

**8. Consultation**

8.1 N/A

**9. Legal and Financial Comments**

9.1 Trustees acting as Directors of APTL do not receive any remuneration and as such, appointment of a new Director from the trustees has no cost implications

The Trust's Solicitor's advice has been taken into account in preparing this report

The Acting Head of Legal Services has no comments on this report

The LBH CFO has no comment on this report

**10. Equalities Implications**

10.1 There are no perceived equalities implications in this report.

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**THE COMPANIES ACTS 1985 TO 1989**

**COMPANY LIMITED BY SHARES**

**MEMORANDUM AND ARTICLES OF ASSOCIATION**

**OF**

**ALEXANDRA PALACE TRADING LIMITED**

**(As amended by Special Resolutions dated 19<sup>th</sup> August 1999,  
12<sup>th</sup> October 1999 and 13<sup>th</sup> February 2002)**

**BATES, WELLS & BRAITHWAITE**  
Cheapside House  
138 Cheapside  
London EC2V 6BB  
STL.MG.JM.016883.4

THE COMPANIES ACTS 1985 TO 1989

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COMPANY LIMITED BY SHARES

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MEMORANDUM OF ASSOCIATION

of

ALEXANDRA PALACE TRADING LIMITED

(As amended by Special Resolutions dated 19<sup>th</sup> August 1999,  
12<sup>th</sup> October 1999)

1. The Company's name is Alexandra Palace Trading Limited.
2. The Company's registered office is to be situated in England, and Wales.
- 3A. The object of the company is to carry on business as a general commercial company to procure profits and gains for the purpose of paying them to Alexandra Palace and Park Charitable Trust (registered charity number 281991) or any other charitable body which succeeds to its charitable purposes.
- 3B. The company shall pay such profits and gains at such times and after making such retention for the purposes of the company's continued trade and development as the directors think fit.
4. The liability of the members is limited.
5. The Company's share capital is £100 divided into 100 shares of £1 each.

We the subscribers to this Memorandum of Association wish to be formed into a company pursuant to this Memorandum; and we agree to take the number of shares shown opposite our respective names.

NAMES AND ADDRESSES OF SUBSCRIBERS	Number of Shares taken by each Subscribers
LONDON LAW SERVICES LIMITED Temple Chambers Temple Avenue London EC4Y OHP	One
LONDON LAW SECRETARIAL LIMITED Temple Chambers Temple Avenue London EC4Y OHP	One
Total of shares taken	Two

Dated the 29<sup>th</sup> day of July 1999

Witness to the above signature:-

COLIN A LAW  
Temple Chambers  
Temple Avenue  
London EC4Y OHP

THE COMPANIES ACTS 1985 – 1989

COMPANY LIMITED BY SHARES

ARTICLES OF ASSOCIATION

of

ALEXANDRA PALACE TRADING LIMITED

(As amended by Special Resolutions dated 19<sup>th</sup> August 1999,  
12<sup>th</sup> October 1999 and 13<sup>th</sup> February 2002)

INTERPRETATION

1. In these articles:-
  - 1.1 “the Act” means the Companies Act 1985 including any statutory modification or re-enactment thereof for the time being in force.
  - 1.2 “the Articles” means these articles of the company.
  - 1.3 “the Charity” means Alexandra Palace and Park Charitable Trust (registered charity number 281991) or any other charitable body which succeeds to its charitable purposes.
  - 1.4 “clear days” in relation to the period of a notice means that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect.
  - 1.5 “the Council” means Haringey Council of Civic Centre, Wood Green, London N22 8LE.
  - 1.6 “the Memorandum” means the memorandum of association of the company.
  - 1.7 “Secretary” means the secretary of the company or any other person appointed to perform the duties of the secretary of the company.
  - 1.8 Unless the context otherwise requires, words or expression contained in the Articles bear the same meaning as in the Act but excluding any statutory modification thereof not in force when the Articles become binding on the company.
  - 1.9 The provisions of Table A shall not apply to and are expressly excluded from the Articles except where they are expressly included.

SHARES

2. Subject to the provisions of the Act any share may be issued with such rights or restrictions as the company may by ordinary resolution determine.
3. No share shall be transferred except with the consent of the member which may in its absolute discretion and without giving any reason decline to register any transfer of any share.

AUTHORISED REPRESENTATIVES

4. The company secretary from time to time of each corporate member (or such other person as is from time to time notified to the company in writing) shall be the duly authorised representative of such corporate member.

MEETINGS AND COMPANY RESOLUTIONS

5. Subject to the provisions of the Act, the company shall dispense with the holding of general meetings and all resolutions of the company shall be passed by way of written resolution signed by the member or, in the case of a corporate member, by its duly authorised representative.
6. If in accordance with the Act a general meeting is required to be called then the provisions of articles 40 to 63 inclusive of Table A in force on the date of incorporation of the company shall apply to such meeting.

DIRECTORS

- 7.1 The maximum number of directors shall be eight and the minimum two.
- 7.2 The Board of directors shall comprise eight directors of which:
  - 7.2.1 up to four shall be trustees of the Charity;
  - 7.2.2 one shall be an employee of the Company;
  - 7.2.3 one shall be an officer of the Council;
  - 7.2.4 two others who shall not be officers or members of the Council, employees of the Company or trustees of the Charity.

Appointment and Removal of Directors

8. The directors shall be appointed by resolution of the member. The directors shall be removed by service of a notice as provided for in article 9.7.
9. The office of a director shall be vacated if -
  - 9.1 he or she ceases to be a director by virtue of any provision of the Act or he or she becomes prohibited by law from being a director; or
  - 9.2 he or she ceases to be a member of the London Borough of Haringey and is disqualified from such duty; but this Article will not apply to any director whose membership of the Council terminates in the period immediately prior to Council elections as part of the Council's election cycle. Any such director shall continue in office until replaced by a successor or re-appointed following the Council elections.
  - 9.3 he or she becomes bankrupt or makes any arrangement or composition with his or her creditors generally; or
  - 9.4 he or she is, or may be, suffering from mental disorder and either:-
    - (i) he or she is admitted to hospital in pursuance of an application for admission for treatment under the Mental Health Act 1983 or in Scotland, an application for admission under the Mental Health (Scotland) Act 1960; or
    - (ii) an order is made by a court having jurisdiction (whether in the United Kingdom or elsewhere) in matters concerning mental disorder for his or her detention or for the appointment of a receiver, curator bonis or other person to exercise powers with respect to his or her property or affairs; or
  - 9.5 he or she resigns his or her office by notice to the company; or
  - 9.6 he or she shall for more than six consecutive months have been absent without permission of the directors from meetings of directors held during that period and the directors resolve that his or her office be vacated.
  - 9.7 a written notice dismissing the director signed by the member's authorised representative, is served on the company at its registered office.



Powers of Directors

10. Subject to the provisions of the Act, the Memorandum and the Articles and to any directions given by special resolution, the business of the company shall be managed by the directors who may exercise all the powers of the company. No alteration of the Memorandum or Articles and no such direction shall invalidate any prior act of the directors which would have been valid if that alteration had not been made or that direction had not been given. The powers given by this article shall not be limited by any special power given to the directors by the Articles and a meeting of directors at which a quorum is present may exercise all powers exercisable by the directors.
11. The directors may, by power of attorney or otherwise, appoint any person to be the agent of the company for such purposes and on such conditions as they determine, including authority for the agent to delegate all or any of his or her powers.

Delegation of Directors' Power

12. The directors may delegate any of their powers to any committee consisting of one or more directors. ~~They may also delegate to any~~ managing director or any director holding any other executive office such of their powers as they consider desirable to be exercised by him or her. Any such delegation may be made subject to any conditions the directors may impose, and either collaterally with or to the exclusion of their own powers and may be revoked or altered. Subject to any such conditions, the proceedings of a committee with two or more members shall be governed by the Articles regulating the proceedings of directors so far as they are capable of applying.

Remuneration of Directors

13. The directors (other than the director identified in Article 7.2.3 and directors who are also trustees of the Charity) shall be entitled to such remuneration as the company may by ordinary resolution determine.

Directors' Expenses

14. The directors may be paid all travelling, hotel, and other expenses properly incurred by them in connection with their attendance at meetings of directors or committees of directors or general meetings or otherwise in connection with the discharge of their duties.

Directors' Appointments and Interests

15. Subject to the provisions of the Act a director

- 15.1 may be a director or other officer of, or employed by the Charity or any body corporate promoted by the company or in which the company is otherwise interested provided that no director who is also a trustee of the Charity shall be remunerated or receive other benefits in respect of such employment or office; and
- 15.2 shall not, by reason of his or her office, be accountable to the company for any benefit which he or she derives from any such office or employment and no transaction or arrangement of the company shall be liable to be avoided on the ground of any such benefit.

Proceedings of Directors

16. Subject to the provisions of the Articles, the directors may regulate their proceedings as they think fit. A director may, and the secretary at the request of a director shall, call a meeting of the directors. Questions arising at a meeting shall be decided by a majority of votes. In the case of an equality of votes, the chair shall have a second or casting vote.
17. The quorum for the transaction of the business of the directors may be fixed by the member and unless so fixed at any other number shall be two.
18. The continuing directors or a sole continuing director may act notwithstanding any vacancies in their number, but, if the number of directors is less than the number fixed as the quorum, the continuing directors or director may act only for the purpose of calling a general meeting.
19. The directors may appoint one of their number to be the chair of the board of directors and may at any time remove him or her from that office. Unless he or she is unwilling to do so, the director so appointed shall preside at every meeting of directors at which he or she is present. If there is no director holding that office, or if the director holding it is unwilling to preside or is not present within five minutes after the time appointed for the meeting, the directors present may appoint one of their number to be chair of the meeting.
20. All acts done by a meeting of directors, or of a committee of directors, or by a person acting as a director shall, notwithstanding that it be afterwards discovered that there was a defect in the appointment of any director or that any of them were disqualified from holding office, or had vacated office, or were not entitled to vote, be as valid as if every such person had been duly appointed and was qualified and had continued to be a director and had been entitled to vote.

21. A resolution in writing signed by all the directors entitled to receive notice of a meeting of directors or of a committee of directors shall be as valid and effectual as if it had been passed at a meeting of directors or (as the case may be) a committee of directors duly convened and held and may consist of several documents in the like form each signed by one or more directors. The date of a written resolution of the directors shall be the date on which the last director signs.
- 22.1 Save as otherwise provided by the Articles, a director shall not vote at a meeting of directors or of a committee of directors on any resolution concerning a matter in which he or she has, directly or indirectly, an interest or duty which is material and which conflicts or may conflict with the interests of the company.
- 22.2 Any person who is both a director and an officer of the Council should at a meeting of directors or of a committee of directors declare his interest and not vote on a resolution concerning any matter which relates to the relationship between the Company and the Council.
23. A director shall not be counted in the quorum present at a meeting in relation to a resolution on which he or she is not entitled to vote.
24. The company may by ordinary resolution suspend or relax to any extent, either generally or in respect of any particular matter, any provision of the Articles prohibiting a director from voting at a meeting of directors or of a committee of directors.
25. Where proposals are under consideration concerning the appointment of two or more directors to offices or employments with the company or any body corporate in which the company is interested the proposals may be divided and considered in relation to each director separately and (provided he or she is not for another reason precluded from voting) each of the directors concerned shall be entitled to vote and be counted in the quorum in respect of each resolution except that concerning his or her own appointment.
26. If a question arises at a meeting of directors or of a committee of directors as to the right of a director to vote, the question may, before the conclusion of the meeting, be referred to the chair of the meeting and his or her ruling in relation to any director other than himself or herself shall be final and conclusive.

SECRETARY

27. Subject to the provisions of the Act, the secretary shall be appointed by the directors for such term, at such remuneration and upon such

conditions as they may think fit; and any secretary so appointed may be removed by them. The secretary shall not be remunerated if he or she is a trustee of the Charity but shall be entitled to reimbursement of expenses to the same extent that the directors are entitled.

#### MINUTES

28. The directors shall cause minutes to be made in books kept for the purpose:-

28.1 of all appointments of officers made by the directors; and

28.2 of all proceeding at meetings of the company and of the directors, and of committees of directors, including the names of the directors present at each such meeting;

and the directors shall cause all written resolutions of the members and of the directors to be kept in such books.

#### ACCOUNTS

29. Accounts shall be prepared in accordance with the Act.

#### NOTICES

30. Notices under the Articles may be sent by hand, or by post or by suitable electronic means. The only address at which the member is entitled to receive notices is the address shown in the register of members. Any notice given in accordance with the Articles is to be treated for all purposes as having been received three days after being sent by first class post to that address or immediately if sent by electronic means effecting immediate transmission and receipt or, if earlier, on being handed personally to the member or, in the case of a corporate member, its duly authorised representative.

#### WINDING UP

31. If the company is wound up all remaining assets of the company after paying the debts of the company and the costs of winding up shall be paid to the Charity.

#### INDEMNITY

32. Subject to the provisions of the Act but without prejudice to any indemnity to which a director may otherwise be entitled, every director or other officer or auditor of the company shall be indemnified out of

the assets of the company against any liability incurred by him or her in defending any proceedings, whether civil or criminal, in which judgment is given in his or her favour or in which he or she is acquitted or in connection with any application in which relief is granted to him or her by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the company.

DIRECTORS' INDEMNITY INSURANCE

33. The directors shall have power to resolve to effect directors' indemnity insurance despite their interest in such policy.

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NAME AND ADDRESSES OF SUBSCRIBERS

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LONDON LAW SERVICES LIMITED  
Temple Chambers  
Temple Avenue  
London EC4Y OHP

LONDON LAW SECRETARIAL LIMITED  
Temple Chambers  
Temple Avenue  
London EC4Y OHP

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Dated the 29<sup>th</sup> day of July 1999

Witness to the above signature:-

COLIN A LAY  
Temple Chambers  
Temple Avenue  
London EC4Y OHP

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