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## Alexandra Palace and Park Board

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TUESDAY, 11TH APRIL, 2006 at 19:30 HRS – THE BOXING CLUB ROOM, ALEXANDRA PALACE, ALEXANDRA WAY, WOOD GREEN, LONDON N22.

**Councillors:**

Councillor V. Manheim (Chair), Dillon (Deputy-Chair), Haley, Hare, Hoban, Krokou, Reynolds, Robertson).

**Non-voting representatives:**

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

**Observer:**

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

### **AGENDA**

**1. APOLOGIES FOR ABSENCE (IF ANY)**

**2. 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 judgement of the public interest.

**3. URGENT BUSINESS:**

The Chair will consider the admission of any late item of urgent business. (Late items will be considered under the agenda item where they appear. New items will be dealt with at items 10 & 14)

**4. MINUTES: (PAGES 1 - 16)**

- (1) To approve the minutes of the programmed meeting of the Board held on (a) 7 February 2006 **ATTACHED**, and the special meetings held on (b) 30 January 2006 **ATTACHED**, and (c) 27 March 2006 **TO FOLLOW**
- (2) To approve the minutes of the Consultative Committee held 4 April 2006; **TO FOLLOW**
- (3) To receive the minutes of the Advisory Committee held 3 April 2006 and to consider any recommendations contained therein - **TO FOLLOW**

**5. QUESTIONS**

To consider any questions received in accordance with Standing Order 30.

**6. DEPUTATIONS AND PETITIONS**

To receive any depositions and petitions in accordance with Standing Order 37

**N.B.** The Board has received a request for a deputation from the Alexandra Palace Television Group.

**7. TO CONSIDER REQUESTS FROM THE FOLLOWING ORGANISATIONS FOR REPRESENTATION ON THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE:**

**(i) ALEXANDRA PALACE TELEVISION GROUP**

**(ii) ALEXANDRA PALACE ALLOTMENTS ASSOCIATION**

**(iii) FRIENDS OF ALEXANDRA PALACE PARK**

Please note that each organisation has furnished details of their organisation's constitution, and AGM or inaugural meeting. In accordance with the requirements of the constitution of the Alexandra Palace and Park Consultative Committee (attached) the requests are therefore put to the Board for consideration.

Copies of each organisation's written requests for representation and copies of each organisation's Constitution/AGM or inaugural meeting are also attached for information.

**8. OPERATING BUDGET: (PAGES 17 - 24)**

To advise the Board of the 11 months results to end of February 2006. (Report of the General Manager)

**9. HERITAGE LOTTERY FUNDED LANDSCAPE DEVELOPMENT PROJECT UPDATE:**

To update on progress made towards the remaining programme of works under the project. (Report of the Development Manager)

**10. NEW ITEMS OF URGENT BUSINESS:**

To consider any new items of business admitted under item 2 above.

**11. EXCLUSION OF THE PRESS AND PUBLIC**

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 namely; Para 3 – Information relating to the business or financial affairs of any particular person (including the Authority holding that information).

**12. MINUTES (PAGES 25 - 44)**

To approve the exempt minutes of the programmed meeting of the Board held on (a) 7 February 2006 **ATTACHED**, and the special meetings held on (b) 30 January 2006 **ATTACHED**, and (c) 27 March 2006 **TO FOLLOW**

**13. UPDATE - FUTURE OF THE ASSET: (VERBAL REPORT OF THE GENERAL MANAGER)**

**14. NEW ITEMS OF EXEMPT URGENT BUSINESS: TO CONSIDER ANY NEW ITEMS OF EXEMPT BUSINESS ADMITTED UNDER ITEM 2 ABOVE.**

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3 April 2006

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**DRAFT**

**ITEM 4 (b)(ii)**

**Councillors:** \* Manheim (Chair), Dillon (Deputy-Chair), \*Haley, \*Krokou, Reynolds, \*Robertson, \*Hare and \*Hoban.

**Non-voting representatives:** \*Ms V. Paley, \*Mr M. Tarpey and \*Mr N Wilmott

**Observer:** Ms J. Hutchinson (representing Mr D Liebeck - Chair, Alexandra Park and Palace Advisory Committee)

\*Members present.

Also present: The Chair and Board Members welcomed Mr Ken Harrington who replaced Ms Helena Wilkinson

**AP037      APOLOGIES FOR ABSENCE (Agenda Item 1):** Apologies absence were received on behalf of Mr Liebeck, Councillor Reynolds, and for lateness from Councillors Dillon, Hare and Hoban.

**AP038      DECLARATIONS OF INTERESTS (Agenda Item 2):**

Cllr Hare was absent at the beginning of the meeting but on reaching Item 11, Planning Consent for the Panorama Room, Alexandra Palace declared an interest as he is a member of the Planning Applications Sub Committee for Haringey Council. He decided not to participate in the discussions and decision on this item.

**AP039      URGENT BUSINESS (Agenda Item 3):**

Dr Vivienne Manheim, the Chair of the Trustees of the Alexandra Park and Palace Charitable Trust, made the following statement with regard to the evaluation of submissions for the redevelopment of Alexandra Palace and the selection of preferred investment partner:

*'As Chair of Trustees I am very pleased to clarify the situation surrounding the evaluation of tenders for the redevelopment of Alexandra Palace and the selection of preferred investment partner.*

*The process undertaken by the relevant members of our professional advisory team, overseen by myself and the General Manager of the Palace; was clearly set out to all tendering parties in November 2005 in the form of a Development Brief. It involved scoring each proposal against a set of clear criteria; including but not restricted to; economic value, transfer of risk, deliverability and creation of other beneficial uses for the Palace.*

*It is my firm view that the duty of the professional advisory team; to make a recommendation to the Trustee Body as to who should become the preferred investment partner, was discharged without flaw.*

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*There have been suggestions in some quarters that the differing approaches of the bidding companies to the ongoing business placed the General Manager in a position of personal and professional conflict of interest. This is clearly not the case. He is not a member of the Trustee Board which made the decision. Therefore, I cannot refute this strongly enough and would like to put on record my firm view that his integrity and authority in this matter are beyond reproach.*

*Any suggestion that the General Manager allowed this supposed conflict of interest to influence the judgement of the rest of the professional team calls into doubt the professional integrity of the other members of the selection/evaluation panel, which includes myself, in a way that is quite unacceptable.*

*When the Trustee Body met on Monday, 30 January, it endorsed the recommendation of the professional team. The integrity of the process has always been of paramount importance and it remains so'.*

**RESOLVED**

That the members present when the Chair made the above statement unanimously endorse it.

**NOTED**

**AP040**

**MINUTES (Agenda Item 4):** (1) Meetings of the Alexandra Palace and Park Board held on (a) 29.11.05, Special meetings held on (b) 10.01.06, and (c) 30.01.06; (2) to approve the minutes of the Consultative Committee held on 31.01.06 and (3) to receive the minutes of the Advisory Committee held on 24.01.06.

**(1)(a) Alexandra Palace and Park Board – 29.11.05**

**RESOLVED**

That the Minutes of the meeting of the Board held on 29.11.05 be approved and signed by the Chair.

**(1)(b) Special Alexandra Palace and Park Board – 10.01.06**

**RESOLVED**

That the Minutes of the special meeting of the Board held on 10.01.06 approved and signed by the Chair but with an amendment to show that Cllr Hoban was present at this meeting.

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**(1)(c) Special Alexandra Palace and Park Board – 30.01.06**

**RESOLVED**

That the Minutes of the meeting of the Board held on 30.01.06 be considered at the next meeting on 11.04.06.

**(2) Alexandra Palace and Park Consultative Committee – 31.01.06**

**RESOLVED**

That the Minutes of the meeting held on 31.01.06 be approved

**(3) Alexandra Palace and Park Advisory Committee – 24.01.06**

**RESOLVED**

That the Minutes of the Advisory Committee held 24.01.06 be considered and the recommendations noted.

**AP041 QUESTIONS (Agenda Item 5):**

None were received

**AP042 DEPUTATIONS/PETITIONS (Agenda Item 6):**

None were received

**AP043 8 MONTHS RESULT TO END OF NOVEMBER AND FULL YEAR FORECAST 2005-06 (Agenda Item 7):**

Mr Holder, the General Manager, advised the Board of the 8 month result to the end of November 2005 and the forecast to the end of the year. Members were asked to note that the result for period 8 when compared with the budget for the same period showed a saving of £235K before development costs (set out in Appendix 1 of the report); representing an overall saving against budget of 14.3% for the comparable period.

**RESOLVED**

That the contents of the report be noted and agreed.

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**AP044 OPERATING BUDGET : 7 MONTHS RESULTS TO THE END OF MAY  
2005 & FULL YEAR FORECAST 2005/06 (Agenda Item 8):**

Mr Holder advised the Board of the proposed budget for the Charity and the level of revenue and capital support required from the local authority for 2006/07. Members were asked to note that the £2.38m deficit detailed in the report would be reduced by the covenant to £1.3m. That sum plus the £300K capital would be contained within the cap of £1.5m. Members also noted that an early signing of the Lease, with the new Investment Partner, would result in less assistance being required from the Local Authority. Members asked for a further breakdown of the figures by the end of March.

**RESOLVED**

- That the operating deficit for 2006/07 in the sum of £2.38M be noted.
- That the capital funding budget of £300,000 be approved
- That the budget and operating deficit of £1.3m be approved on the basis that the Council confirms it's previous practice of proving funding because the Trust funds are exhausted;
- That members note that an early signing of the lease in the current financial year will result in less revenue support being required from the Council;
- That the funding limit used in the local authority's forward planning of £1.5M would prevail;
- That the key areas and levels of expenditure outlined in paragraph 5 be noted.

**AP045 CAPITAL AND MAINTENANCE WORKS ( Agenda Item 9):**

Mr Loudfoot introduced this item reporting on the latest works undertaken He advised that the significant flooring repairs required to the ice rink were pending the decision on Developer. In response to the Chair's question about outstanding Health and Safety matters, he confirmed that these were being managed; i.e. the roof area was currently out of bounds. Members endorsed the choice of environmentally friendly timeclocks and asked for confirmation that local contractors had been considered in the tendering process.

**RESOLVED**

That the report be agreed and noted.

**AP046 HERITAGE LOTTERY FUNDED LANDSCAPE DEVELOPMENT PROJECT  
UPDATE (Agenda Item 10):**

Mr Baker introduced this item which updated the Board on progress on the HLF refurbishment of the park and specifically highlighted changes to Alexandra Palace way and the additional parking facilities which would be provided by the narrowing of the main road from the Bedford Road to the east car park, a mini roundabout at the BBC entrance, speed tables, an



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extra bus stop and improved coach park. He also asked members to note improvement to the Bedford Road Entrance, the Boating Lake and Dive Car Park.

Members noted that the current tendered package was currently running at £170-£200k under budget, not including contingencies.

In response to the members' queries he advised that coaches would be able to drive over the new mini roundabout; traffic light phasing would be speeded up to accommodate traffic flow; there would be no disruption to bus services; crossing points would be similar to those at the garden centre and would appear at both entrances; centre islands would be included to aid crossing and he noted members' requests for a digital bus timetable/information board; raised table and pelican crossings, as opposed to normal zebra crossings; the use of rubber strip speed bumps (as often used in supermarkets) and which were permissible on private land and confirmed that the new children's toilets would have provision of baby change facilities.

In response to Members' questions and concerns about the choice of contractor, The General Manager confirmed that, although this contractor had proved highly competitive in terms of value for money, strict monitoring and quality control systems were in place.

In response to a query about Redstone Playing Fields, Mr Baker advised that installation of the fence, park signage and furniture had been paused during the bad weather.

With regard to the Muswell Hill entrance; pruning had been completed and improvements made to lighting, road surface and kerbs. Members also asked about the pedestrian entrance to the Grove from Muswell Hill and Mr Baker confirmed that the bridge would be tidied, graffiti was being controlled, new benches would be in place and a lighting survey was being carried out. Members' requests for signs from Muswell Hill to the Park were noted; possibly near the bus stop on the down hill section and of Victorian design. He would also investigate circumstances relating to permissions for those residents with gates on the park. Letters had been sent to all relevant properties in respect of gates and boundaries and advice on the data collection would be sought.

Mr Holder advised members that the workshop building in the Grove was a possible alternative administration centre for the charity as a functional space for the remaining staff in order that the Investment Partner gets a 'clean lease'. However; detailed discussions on this matter had not commenced.

Finally, Members paid tribute to the unique helipad feature.

**RESOLVED:**

That the report be agreed and noted

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**APO47 PLANNING APPLICATION AND LISTED BUILDING CONSENT,  
PANORAMA ROOM, ALEXANDRA PALACE (Agenda Item 11)**

Mr Loudfoot introduced this item explaining that this application was to vary a term in the original planning application. In response to a written inquiry from the Director of Finance, explained to members that were only limited costs for the application which would be contained within budget. The expenditure for the residual lease on the building was contained within the 2005/06 budget and the estimates agreed earlier for the 2006/07 budget. It was further stated that if this application were not approved it could result in a loss of income to APTL and subsequently a lower covenant to the Charity. Members noted the advice from the Advisory Committee that this application should be endorsed

**RESOLVED**

That the advice received from the Statutory Advisory Committee be noted and with the benefit of this advice that the application be considered and supported.

**AP048 THEATRE STAGE, ALEXANDRA PALACE, LISTED BUILDING  
CONSENT (Agenda Item 12):**

Mr Loudfoot introduced this item and outlined the works required and the intended use of a local contractor for the repairs. In response to a written inquiry from the Director of Finance, explained to members that this project would be grant aided by the Wolfen Foundation, which would in turn be match funded by English Heritage. Members commented on the importance of a sympathetic design and recycled materials and noted the advice from the Advisory Committee that this application should be endorsed.

**RESOLVED**

That the advice received from the Statutory Advisory Committee be noted and with the benefit of this advice that the application be considered and supported.

**AP049 EXCLUSION OF THE PRESS AND PUBLIC (Agenda Item 13):**

**RESOLVED**

That the press and public be excluded from the meeting as they contain exempt information as defined in section 100A of the Local Government Act 1972; namely terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services and information relating to the financial or business affairs of any particular person (other than the authority).

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**SUMMARY OF EXEMPT/CONFIDENTIAL PROCEEDINGS**

**AP050 MINUTES (Agenda Item 14):**

Agreed the exempt minutes of the meetings of the Board held on 29 November 2005, the Special Meeting held on 10 January 2006 and that the Minutes of the Special Meeting held on 30 January 2006 be approved at the next meeting on 11.04.06.

**AP051 UPDATE – FUTURE OF THE –ASSET (Agenda Item 15):**

The General Manager stated there was nothing further to report at this stage.

**AP053 TO NOTE THE DATES OF MEETINGS OF THE BOARD FOR THE REMAINDER OF THE MUNICIPAL YEAR 2005/2006:**

**RESOLVED**

That the following dates be noted as scheduled meetings of the Board for the remainder of the Municipal Year 2005/06:

**11 APRIL 2006**

**VIVIENNE MANHEIM**  
**Chair**

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**DRAFT**

**ITEM (4)(b)(i)**

**Councillors:** \* Manheim (Chair), Dillon (Deputy-Chair), \*Haley, \*Hare, \*Hoban, \*Krokou, Reynolds, \*Robertson

**Non-voting representatives:** \*Ms V. Paley, \*Mr M. Tarpey and \*Mr N Wilmott

**Observer:** \*Mr D Liebeck - Chair, Alexandra Park and Palace Advisory Committee

\*Members present.

Also present:-

Melanie Griffin	Broadway Malyan (Planning)
Tessa Kimber	Berwin Leighton Paisner (Legal)
Roger Vail	King Sturge (Valuation, Market Knowledge & Building Surveyors)
Ian Harris	Trust Solicitor
Peter Conboy	Abros

**AP033**      **APOLOGIES FOR ABSENCE:** An apology for was absence was received on behalf of Councillor Dillon (due to a family bereavement) and for lateness from Councillor Haley.

**AP034**      **URGENT BUSINESS**

The Chair asked if there were any items of urgent business,.

At this point in the proceedings Councillor Hare advised the Chair that he wished to raise a matter of urgent business in conjunction with Item 5 on the exempt part of the agenda. He presented a letter to the Chair which he had written to the Chief Executive of Haringey Council that afternoon in respect of his concerns that the General Manager of Alexandra Palace had a conflict of interest in respect of the two bidders.

The Chair then read out the content of the letter which in essence commented on the retention of existing staff by one bidder – Firoka, but not by the other – Earls Court and Olympia Limited (ECO). The letter commented on ECO not providing any detailed proposals to the Board and that the General Manager had summarised such proposals to both the Board, at its meeting on 10 January 2006, and the Statutory Advisory Committee on 24 January 2006, based on seemingly scant information of that bidder's original expression of interest and possibly subsequent communication (s). Councillor Hare's letter further commented that the presentations conflicted with the details of a letter from the bidder dated 13 January 2006 received by all Trustees included detailed differences in relation to the future of the organ, ice-rink and hotel and perhaps more significantly the sense of interest and commitment to public facilities expressed in that letter of 13 January 2006, were not in anyway reflected in the negative picture given to both the Board and the Advisory Committee.

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Councillor Hare's letter further commented on when Councillors had a similar conflict of interest it would be a requirement that such interest be declared, and given its significance, for the Member to leave the room for the entire item. Councillor Hare's letter went on to further state that he felt that it raised questions in relation to the involvement to date of an officer in as many quite critical ways as had been the case now. The conflict of interest would have become apparent at an early stage and that at the point that the conflict of interest was apparent of any staff member then no further involvement in the bidding process should have been permitted. Councillor Hare's stated view was that the General Manager had had a defining role in both the process and the presentations to the Board and the Statutory Advisory Committee. The letter concluded that in Councillor Hare's view the General Manager should not take part in the proceedings this evening, should be entirely separated from the rest of the process and that the potential conflicts of interest in his role to date be investigated.

The Chair, having read the letter's contents, asked if members had any comments.

Councillor Hoban confirmed his sentiments in support of the contents of the letter, and that it was appropriate to raise the matter as urgent business in accordance with Item 5.

Following questions from Members clarifying when the letter was sent, Councillor Hare confirmed it was sent at 16:34HRS that afternoon and he had not received a response from the Chief Executive. The Chair asked that the Board adjourn the proceedings for a 10 minute period to seek legal clarification from the Trust Solicitor – Mr Harris, and the Project Team Legal Adviser - Ms Kimber. The Chair passed a copy of the letter from Councillor Hare, to both Mr Harris and Ms Kimber.

The Board then adjourned at 19:40HRS and reconvened at 19:50HRS.

The Trust Solicitor – Mr Harris advised that the contents of the letter passed to the Chair of the Board from Board Trustee Member Councillor Hare – sent the Chief Executive of Haringey Council at 16:34HRS that day, asserted that the General Manager should not participate in the Board meeting, that the General Manager should be separated from the whole process currently embarked upon, that there was a conflict in the General Manager's role to date, and that role should be investigated.

Mr Harris commented that the whole process of finding a preferred bidder since 1995 had been bedevilled by conflicts of interest of both Board Members and officers. It was possible that the General Manager had been faced with potential conflicts but these conflicts, if they did exist at all, were neutralised by the advice tendered by the professional team throughout the process.. The role of the General Manager had been, since 1995, to search for a suitable investment partner (as outlined in Item 5 before the Board this evening in respect of the 1996 bid process in which the General Manager had a primary role). It would be unreal for the General Manager at this stage to step aside and withdraw and the Board would not be advised to take a decision to ask him to do so. Mr Harris advised that the conflict had

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indeed been managed to date and would continue to be managed throughout the process.

In respect of paragraph 4 of Councillor Hare's letter and the reference to the letter from ECO of 13 January 2006 to the Trustees this letter had neither been seen or commented on by the professional team. The letter had been sent after the official closure of bid/tender process and if the contents of the letter from ECO of 13 January 2006 were to be accepted and considered that evening then this would prejudice the Board's position and lead to possible challenge by the other short listed bidder.

Ms Kimber, in concurring with the views expressed by Mr Harris, reiterated that the letter from ECO of 13 January 2006 had been sent to Trustees after the deadline for the bid process had closed – 6 January 2006. This information had been sent after and outside the agreed process and should such information be considered then it would most certainly be open to challenge by the Firoka Group.

Councillor Hoban asked if it would be useful to know whether the content of the ECO letter of 13 January 2006 varied significantly to the presentation of the General Manager to the Board on 10 January 2006, and the Advisory Committee of 24 January 2006, and also if the contents of that letter could be considered during the course of the meeting this evening. Councillor Hoban commented that it was difficult to picture the bid and address the points raised in paragraph 3 of Councillor Hare's letter otherwise.

Ms Kimber responded that if the Board were mindful to consider the contents of the letter of 13 January 2006, she would strongly advise the Board against considering its contents as it would serve to undermine the whole process. Ms Kimber reminded the Board of the need for fairness and transparency in the process it had agreed on 29<sup>th</sup> November 2005. The letter from ECO dated 13 January 2006 should be disregarded and were it not, then Firoka could challenge the process.

In response to comments from Mr Liebeck in respect of the process for the bidders to comply with, and their availability if they were unable to attend on 10 January 2006, Ms Kimber confirmed that ECO had been advised of the Board's request to interview/receive a presentation from them in early December 2005 at the same time as Firoka and were asked at that time to make a presentation to the Board on 10 January 2006. The response from ECO on around 18 December 2005 was that ECO was not available on 10 January 2006 and would not be available until after the evaluation process of the bids had been completed.

In response to questions from Mr Liebeck on whether ECO had been offered an alternative date to give a presentation, and from Councillor Hoban as to the email received by him from one of the 3 principals ECO, a Mr. Anthony Lyons, Mr Harris advised of the particular provision of the bid process that stated that there should be no contact between the bidders, and the Trustees, officers of the Council (other than seeking a planning perspective).

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Ms. Kimber stated her agreement with the views expressed by the Trust Solicitor and made reference to paragraph 7.5 of the development brief sent to the bidders in early November.

Councillor Robertson commented that Mr Harris's comment perfectly confirmed that on no account were Members to have contact with either of the bidders and that by attempting to have this further information received from ECO discussed Councillor Hoban was in effect advocating on behalf of ECO which clearly was not allowed, as detailed in the confidentiality clauses of the bid process.

Mr Harris and Ms Kimber both quoted the terms of para 7.5.1 of the development brief as follows:

*The bidders are not permitted to make any contact with:*

*Any member, officer, employee, or representative of the Trustees or the Trading Company save as specifically provided for in this brief;*

*Any existing client or customer of the Trustees or the Trading company; and*

*Any members, officers, employees or representatives of the London Borough of Haringey for advice other than in connection with the Planning Department on the planning process.*

Ms Kimber went on to advise that ECO were in fact, by writing on or after 13 January 2006, in breach of the confidentiality agreement, and whilst this was inadvertently an error, the Board of Trustees could have disqualified ECO on these grounds.

The Chair commented that the Board would not be considering the contents of the letter of 13 January 2006 from ECO, and the request from Councillors Hare and Hoban would not be acceptable.

Mr Tarpey, in stating that he was not affiliated to any political party, commented that in terms of the agreed process, it was evident that a Member of the Board was in breach of this by responding to an email sent by one of the bidder project team and asked whether the Member had responded or commented back to that person.

Councillor Hoban confirmed that he was happy to comment that he had not responded to the email and that the information had been received passively. He was happy to accept the ruling of the Chair in terms of the consideration of the letter of 13 January 2006 from ECO.

Councillor Hare commented of the fact that ECO had been not offered an alternative date for the presentation that both ECO and Firoka could attend and surely the Board were beholden to do so, and was not this then prejudicing one bidder. In response Ms Kimber advised that the date chosen for the bidders had been conveyed well in advance of the actual



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presentation date and that for a bidder to decline the opportunity to make a presentation was unusual, and that given the size of ECO it was surprising that other persons could not have presented on 10 January 2006.

Mr Vale commented that by emphasising that having in the past acted on both sides of bidding processes clients did have a whole project team of professionals and in most situations expected to, and made themselves available for presentations and fitted in to timescales set. It was also the case that it was not appropriate to give two different days for presentations as there would then be a risk of 'spill out information'. It was the case that the date and time were offered to both short listed bidders and ECO chose not to attend.

In response to questions from Mr Liebeck, Ms Griffin advised that the Board made its decision on 29 November 2005 to invite presentations from Firoka and ECO, in addition to agreeing the submission date for the final bids – being 6 January 2006, and the assessment of bids dates. Ms Griffin commented that personal contact was made with ECO and they were advised of the timetable for the final bid submission date, presentation date, and bid assessment date. Further contact was made just prior to Christmas when ECO advised that whilst its bid was ready and offered to submit the document early, ECO would not be available to make a presentation on 10 January 2006 as two of the three principals would be on holiday. Ms Griffin advised that ECO were asked if they would have other people to put forward for the presentation and were asked a second time, but this request was declined.

Councillor Krokou advised the Board that he had also received an email from ECO and had responded to them that any questions should be put directly to the Chair of the Board.

Councillor Hare advised that upon receipt of the email he sought clarification from the General Manager, and had responded to ECO that he had been advised by the General Manager to decline the ECO invitation. A one line response back from ECO had said 'why had he said that' then no further response.

The Chair commented that the letter of 13 January 2006 was irrelevant to the process and was therefore disregarded. She had herself received the email letter in hard form through the post and had ignored it and had not replied.

Councillor Robertson also commented that the actions and deeds of members could be regarded as seditious.

Mr Harris, to clarify further comments, reiterated his earlier comment that if the Board was to breach the terms of the process it had agreed to abide by the Firoka Group could challenge the fact that this letter had be integrated into the process. Ms Kimber added that Firoka had an expectation that the Board would abide by the process it had adopted.

Councillor Hoban stated that he was personally disappointed that the Board

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did not take every opportunity to allow both bidders to present and disappointed that ECO had not been given an alternative date to make its presentation.

Mr Vale commented that under the 'rules of engagement' this body was vested with taking decisions as to the future of the asset. In terms of conflicts there should be no due influence and that it was the case that the Board agreed a submission of final bids by 6 January 2006, and that both bids were received. The requested presentation by each bidder was in addition to the original bid process and that the evaluation process was where the actual bids would be considered. The fact that one of the bidders not presenting was something of a 'red herring' as the bids had been received on the due date of 6 January 2006 and were evaluated on 18 and 19 January 2006, and the actual presentation was to further the Board's knowledge of bidder intentions, and no more than that. It was the case that the ECO bidder team had viewed a ski-ing holiday more important than a presentation.

Mr Willmott also commented that the presentation had been in addition to the process of bid submission.

In conclusion the Chair commented that in respect of the letter sent by Councillor Hare to the Chief Executive on the afternoon of 30 January 2006 with regard to the role of the General Manager this did not constitute a substantial or serious conflict of interest,. With regard to further inference in the letter that the Board should consider details of a letter dated 13 January 2006 to Trustees from ECO , on the legal advice given during this discussion the contents of the letter from ECO was received out of time and would not be considered as part of the process..

NOTED

**AP034            DECLARATIONS OF INTERESTS**

There were no declarations of interests.

NOTED

**AP035            EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED**

The following item is likely to be subject of a motion to exclude the press and public from the meeting as it contains exempt information as defined in section 100A of the Local Government Act 1972; namely information relating to the financial or business affairs of any particular person (other than the authority), and terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services

**Unrestricted Minutes of the Alexandra Palace and Park Board  
30 JANUARY 2006**

**SUMMARY OF EXEMPT/CONFIDENTIAL PROCEEDINGS**

**AP032 FUTURE USE OF ALEXANDRA PALACE**

**AGREED the recommendations contained in the report.**

The meeting ended at 22.45HRS.

**VIVIENNE MANHEIM**  
Chair

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Agenda item: 8

**Alexandra Palace & Park Board****On 11<sup>th</sup> April 2005**

Report Title: **11 MONTHS RESULT TO END OF FEBRUARY +FULL YEAR FORECAST  
2005-6**

Report of: **Keith Holder, General Manager**

**1. Purpose**

1.1 To advise the Board of the 11 months result to the end of February and forecast to the end of the year

**2. Recommendations**

2.1 That Members are asked to note the income and expenditure for 11 months to end of February 2005 contained in the report and summarised at Appendix I. The 11 + 1 forecast against budget is tabulated at Appendix II.

Report Authorised by: **Keith Holder, General Manager**.....

Contact Officer: **Ken Harrington, Head of Finance, Alexandra Palace & Park,  
Alexandra Palace Way, Wood Green N22 7AY Tel No. 020 8365 2121**

**3. Executive Summary**

3.1 The 11 months result is tabulated against budget at Appendix I. The 11 + 1 forecast against budget is tabulated at Appendix II.

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

4.1 N/A

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

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

## 6. Description

- 6.1 The actual cumulative results for the accounting period to February 2006 (11 months) show an overall saving over budget of £318K (14.4%) before development costs.(**Appendix I**).
- 6.2 The 12 months forecast comprising 11 months' actual results and the final month of the budget as shown in (**Appendix II**). The forecast result –after development costs-is an improvement on the previous forecast presented to the Board in February which comprised 8 months actual results and 4 months budget i.e.( £2,794) compared to (£2,836).

### **Comparison of actual to budget results for the 11 month period (Appendix1)**

- 6.3 Overall net income was £1,166 K compared to a budget of £951K i.e. an increase of £215K (22.6 %). Detailed comments are as follows:
- Concession/ Leases : Actual results are £15K less than budget(15.8%) which as pointed out previously is attributable to over estimating of budgeted income within the budget period.
  - Net Ice Rink income: Comparison of net actual £774K with net budget of £559K shows an increase of £215K which is a gain of 38.5% on budget. Clearly this represents a very positive result.
  - Grants : The saving that arose of £10K is due to unbudgeted restricted grants from the Environment Agency for improvements to the lake..
  - Sundry The £5K saving against budget is mainly attributable to the receipt of insurance monies for the Great Hall lining claim.
- 6.4 Payroll and contracted services for the period show a saving of £20K over budget for the period (1.3%). This saving can be analysed as follows:
- Salaries: This shows a saving of £60K (14.7%) over budget for the period and arises mainly from vacancies within the ice rink and community events. This has been a continuing trend throughout the year. The remaining cost centres are broadly in line with budget and therefore warrant no further comment.
  - Wages/Casuals: A loss of £17K over budget arises for the period (11.6%) when the actual of £164K is compared to the budget of £147K and is entirely confined to the ice rink area. However this must be seen in the light of the savings in the ice rink salaries as pointed out above where the loss arising within wages/casuals for this area has been more than compensated by the saving in salaries.
  - Contracted services: This shows an increase over budget of £23K (2.5%) and arises within the park maintenance contract area. When the annual budget was established the need to apply the necessary escalation clause with Service Team was overlooked thus accounting for the excess .
  - Fixed overheads show an increase over budget of £20K for the period representing 5.5% of the budget £365K.This is mainly attributable to legal and insurance costs with savings arising in the remaining areas..

- Variable overheads show a favourable variance of £103K which represents 7.9% of the £1,312K budgeted figure for the period.
- Development costs show an increase over the 11 month period reflecting an excess over budget of £212K(46.3%). However it must be emphasised that this arises as the result of the arbitrary split of the budget development costs over a two year period and the actual incidence and phasing of expenditure within the financial year.

## **7. Consultation**

7.1 N/A

## **8. Summary and Conclusions**

8.1 The 11 months result is tabulated against budget at Appendix I. The 11 + 1 forecast is tabulated against budget at appendix II.

## **9. Recommendations**

9.1 Members are asked to note the income and expenditure for the 11 months to the end of February 2006 contained in the report and summarised at Appendix I. The 11 + 1 forecast against budget is tabulated at Appendix II.

## **10. Legal and Financial Implications**

10.1.1 The Trust's Solicitor and Director of Finance have been sent a copy of this report, . The Director of Finance has responded that the projected £318k positive variance against the deficit budget before development costs is noted.

## **11. Equalities Implications**

11.1 There are no perceived equalities implications in this report.

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

12.1 Appendix I – Summary of the budget versus actual for 11 months to February 2006.

12.2 Appendix II – Summary of the budget versus 11 + 1 forecast for 2005/06.

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**ALEXANDRA PALACE**  
**BUDGET VERSUS ACTUAL**  
**2005-06**  
**£000's**

	BUDGET MONTH 11	ACTUAL MONTH 11	VARIANCE
Concessions/Leases	95	80	(15)
Ice Rink Income	575	785	210
Trading: licence	234	234	0
Community events	59	59	0
Grants	0	10	10
Sundry	4	9	5
<b>TOTAL INCOME</b>	<b>967</b>	<b>1,177</b>	<b>210</b>
Ice Rink Drinks/Food costs	-16	-11	5
<b>NET INCOME</b>	<b>951</b>	<b>1,166</b>	<b>215</b>
Salaries	(407)	(347)	60
Wages/Casuals	(147)	(164)	(17)
Contracted services	(934)	(957)	(23)
<b>PAYROLL &amp; CONTRACTED SERVICES</b>	<b>(1,488)</b>	<b>(1,468)</b>	<b>20</b>
<b>COSTS BEFORE OVERHEADS</b>	<b>(537)</b>	<b>(302)</b>	<b>235</b>
Fixed Overheads	(365)	(385)	(20)
Variable Overheads	(1,312)	(1,209)	103
<b>TRUST BEFORE DEVELOPMENT COSTS</b>	<b>(2,214)</b>	<b>(1,896)</b>	<b>318</b>
Development costs	(458)	(670)	(212)
<b>TOTAL TRUST OPERATION</b>	<b>(2,672)</b>	<b>(2,566)</b>	<b>106</b>

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**ALEXANDRA PALACE**  
**BUDGET VERSUS FORECAST**  
**2005-06**  
**£000's**

	BUDGET 2005-06	11 + 1 FORECAST	VARIANCE
Concessions/Leases	104	89	(15)
Ice Rink Income	636	846	210
Trading: licence	255	255	0
Community events	59	59	0
Restricted grant	0	10	10
Sundry	4	9	5
<b>TOTAL INCOME</b>	<b>1,058</b>	<b>1,268</b>	<b>210</b>
Ice Rink Drinks/Food costs	-17	-12	5
<b>NET INCOME</b>	<b>1,041</b>	<b>1,256</b>	<b>215</b>
Salaries	(444)	(384)	60
Wages/Casuals	(160)	(177)	(17)
Contracted services	(1,016)	(1,039)	(23)
<b>PAYROLL</b>	<b>(1,620)</b>	<b>(1,600)</b>	<b>20</b>
<b>COSTS BEFORE OVERHEADS</b>	<b>(579)</b>	<b>(344)</b>	<b>235</b>
Fixed Overheads	(398)	(418)	(20)
Variable Overheads	(1,423)	(1,320)	103
<b>TRUST BEFORE DEVELOPMENT COSTS</b>	<b>(2,400)</b>	<b>(2,082)</b>	<b>318</b>
Development costs	(500)	(712)	(212)
<b>TOTAL TRUST OPERATION</b>	<b>(2,900)</b>	<b>(2,794)</b>	<b>106</b>
AP Trading Limited: deed of covenant (forecast only)	1,200	1,100	(100)
<b>CONSOLIDATED TRUST OPERATION BEFORE LOTTERY FUNDING</b>	<b>(1,200)</b>	<b>(982)</b>	<b>218</b>

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By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is exempt

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