

Appendix 2 – SAC & CC Consultation Feedback

DRAFT MINUTE OF THE MEETING OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE. HELD ON TUESDAY 23RD JANUARY 2018

Item 10 – Governance Review Update

RECEIVED the report of Louise Stewart, Chief Executive Officer (CEO), Alexandra Park and Palace.

The following matters arose from the discussion of the report:

- a. The Committee sought clarification on the proposal to have clearer separation between stakeholder views and the Board. In response the CEO advised that Board members had to act in the best interests of charity and that there was considered to be an inherent conflict with Committee members sitting on the Board as non-voting members, as they had specific interests arising from their membership of a particular stakeholder group.
- b. The Board was also advised that a proposal to change the format of engagement away from council meetings, was in relation the current to statutory requirements around local government decision making that were placed on the Consultative Committee as a committee of Haringey Council.
- c. In response to a query around authorisation required to dispose of property acquired prior to 1985, the CEO advised that authorisation would require a specific scheme to be agreed by the Charity Commission, and possibly even an Act of Parliament.
- d. The Commission was advised that both Alexandra Palace and Park Panel and the Alexandra Palace and Park Consultative Forum were obsolete bodies that had not been in use for some time.
- e. The Committee raised concerns with the potential for meetings of the proposed stakeholder group to not have agendas or papers publically available.
- f. In response to questions around the proposed justification for replacing the Committee with a stakeholder forum, the CEO advised that the intention was to engage with a wider array of stakeholders including the beneficiaries. As presently formulated the Consultative Committee was limited to 30 specific interest groups. It was suggested that the Palace's stakeholders were much broader than that and that their preferred forms of engagement may be quite diverse.
- g. The Committee suggested that by developing a stakeholder forum there were concerns that this would result in a loss of experience and expertise from local groups. It was also suggested that the new format might result in broader and less focused discussion.
- h. The Committee advocated that current arrangements could be built upon to ensure that members' experience was not lost. It was proposed that perhaps a meeting of local constituted groups could meet once or twice a year and that this could be supplemented by wider forum meetings with different stakeholders. It was suggested that such a meeting could focus on a particular issue.
- i. It was also suggested that in the interests of widening participation the residents groups could be taken off the Consultative Committee as they were already represented through the Advisory Committee.

- j. Concerns were raised that there was a wider democratic deficit within the Palace's governance arrangements and that these proposals would reduce the involvement of local interested groups. In response the Chair commented that the organisation was a charity not a public body, that operations were governed by the Charity Commission and that ultimately the charity was accountable to its Board of Trustees.
- k. The Committee were advised that the Friends of Alexandra Palace Theatre were going to draft a response to the paper and would share it with members for comments in due course.
- l. The Committee considered that it was imperative that the Trust Board had the requisite skill set and knowledge base to be able to carry out its work in the best interests of the charity. The role of co-optees was to bring expertise to the Board and it was suggested that the existing model did not fully utilise this role.
- m. In response to a request that the Board consider examples of other organisations who were charities with a local authority as corporate trustee, the CEO acknowledged that there were examples elsewhere but that they tended to be for much smaller organisations such as town halls and recreation grounds. There were significant number of comparative examples of large charitable companies limited by guarantee and that the report recommended that this was the most suitable model given the charities size and complex history.
- n. The Committee advised that it felt that there was a lack of briefing for new members and organisations who sat on the Committee and that a learning point to consider was that the Trust could do more to clearly set out the role and contribution expected of associated groups.
- o. In response to a query of whether future meetings would be held in public, the Committee was advised that ultimately this was a decision for the Board to make. Most charities did not meet in public but still produced public minutes of meetings.

DRAFT MINUTE OF THE MEETING OF THE STATUTORAY ADVISORY COMMITTEE - TUESDAY 23RD JANUARY 2018

Item 9 – Governance Review Update

The SAC noted the discussion that took place during the Joint SAC-CC meeting and the following points were raised for noting by the Alexandra Park & Palace Board:

- a. The SAC recommended that it should be maintained as part of the overall governance structure and sought to affirm its ongoing role.
- b. The Committee raised concerns with a lack of political buy-in to the process and suggested that perhaps Councillors could have been consulted prior to SAC meeting.
- c. The Committee also emphasised that any further consultation should be on a borough wide basis as APPCT was subsidised by council tax payers. In response the management team advised that this consultation was on proposals at an early stage, as there was an expectation from the Charity Commission that consultation took place with stakeholders. The Board would make a decision on how the Corporate Trustee would be consulted following feedback from the SAC and CC.
- d. The Committee were advised that ultimately, it would be Full Council that would be required to take a decision from a Council perspective as current proposals would involve changes to the Council's constitution.
- e. The Committee sought clarification around the position of the Chair of the SAC sitting on the Board as a non-voting observer. It was queried whether there was an inherent conflict with an SAC member also sitting on the Board and apprehension was noted with the discontinuation of this arrangement.
- f. In response to a query around the likely date for implementation of the governance review, the Committee was advised that further legal advice would be sought and that resources would need to be identified before the Board made a final decision. It was anticipated that the earliest opportunity would be in late summer but that this may be impacted by the election of a new council administration in May.
- g. The CEO acknowledged that the SAC would be consulted on the final arrangements.
- h. The Chair of the SAC suggested that he would like to speak to the Council about the future governance arrangements of the SAC.