



## **ALEXANDRA PARK AND PALACE CHARITABLE TRUST BOARD**

**23 MARCH 2020**

**Report Title:** The Future of the Friends of Alexandra Palace Theatre

**Report of:** Louise Stewart, CEO

**Local Government (Access to Information) Act 1985** N/A

**Purpose:** To agree the desired future relationship of the Trust with the Friends of Alexandra Palace Theatre (FoAPT) to ensure that the best interests of the Charity, including the Theatre, are achieved.

### **1. INTRODUCTION**

- 1.1 The Friends of Alexandra Palace Theatre (FoAPT) was established in 2002 by the Alexandra Park and Palace Charitable Trust. The Trust delegated powers to the FoAPT to raise funds and promote awareness of the theatre.
- 1.2 FoAPT are a valued special interest group who have worked to keep the Theatre restoration project alive for many years, to its successful conclusion and the opening of the Theatre for public use in 2018.
- 1.3 The Theatre is now in full operation and a review of the relationship with the FOAPT is necessary for both the Charity and FoAPT itself.

### **2. RECOMMENDATIONS**

- 2.1 That the Trustee Board agree that they wish FoAPT continue as a special interest group undertaking activities such as those identified in paragraph 3.7 and on the same basis as other special interest groups associated with the Park and Palace.
- 2.2 To agree to request that, if FoAPT themselves wish to continue as a special interest group, that they revise their constitution to that effect, so that the transition can happen smoothly and with limited bureaucracy.
- 2.3 To agree to support FoAPT in making the changes if FoAPT requests support to do so.

### **3. BACKGROUND AND CONTEXT**

- 3.1 FoAPT was set up in 2002 to generate public support to bring the Theatre back into use, to generate funds and to advise on the uses of the Theatre.
- 3.2 The work of FoAPT kept the idea of the Theatre's re-use alive and through maintaining a membership to support the idea, holding events and its membership of the Alexandra Park and Palace Consultative Committee.
- 3.3 FoAPT had input into the shaping of the project and later the Theatre Policy. As a community group it gave support in the bidding process two for what was then Heritage Lottery funding, as well as associated planning applications. It kept its membership informed of progress and updated on construction, and with the Trust organised tours, for its members to view the progress.
- 3.4 The Trust has changed considerably since 2002. It has dedicated communication, fundraising and creative learning teams and the Theatre is now open and in full operation. Future restoration and conservation work that may be required in the space are detailed specialist restoration and conservation tasks which requires expert conservation input. It is generally accepted that the Friends have successfully achieved what they were charged with doing.
- 3.5 The context in which the Trust operates has also changed considerably; and continues to do so, particularly in relation to the regulatory environment on fundraising and the responsibility of Charity's to manage fundraising by third parties on their behalf.
- 3.6 FoAPT recognises that the opening of the Theatre necessitates a review of their future role and the Trust recognises that as the founder of the group it needs to decide and communicate what it may wish of the group in the future.
- 3.7 FoAPT has identified the following as suitable future activities
  - Talks on the history of the theatre to local community and history groups.
  - Our own series of talks on aspects of the history, by our own members or external experts.
  - Continuing participation in regular events such as the AP Garden Centre events, Local History Fair etc.
  - Promoting Drama at the Palace as widely as possible.
  - Continuing research, particularly into the stage and how it was used, and changes to the structure of the theatre over its history.
  - Participating in theatre tours, where possible.
  - Communications such as continuation of the newsletter and social media presence.
  - Arranging group ticket purchase and visits to some theatre performances.
  - Continuing to participate in the committees of the APPCT.
  - Supporting funding applications where community support is needed.

## **4 Discussions to date**

- 4.1 Informal meetings have been held, between the FoAPT Committee and the Trust Chair and CEO, to listen to the group's thoughts and discuss options for the way forward and included,
- Continuation of a fully functioning group but with revised aims
  - Winding up
  - Splitting functions between the Trust and a revised Friend's group
- 4.2 The Board held a workshop in December 2019 to discuss;
- whether there are activities or functions that it would like the group to continue or undertake in the future on its behalf and if so;
  - to provide feedback on the Friends' proposed constitution, mission, purpose and activities.
- 4.3 The Board recognised the work and dedication of the group over many years but concluded that it needed more time to consider the activities that it wished FoAPT to deliver on the Trust's behalf in the future.
- 4.4 A second workshop was held in February 2020 and the options for the Trust's relationship with FoAPT discussed in more detail. The Board felt that it was important to prefix the discussion about the future of FoAPT to state that FoAPT is a valued part of the AP family of special interest groups that support AP in delivering its charitable purposes. The Trustees have an enormous sense of gratitude for the hard work and support it has provided over the years towards the reopening of the theatre.
- 4.5 Prior to the workshop FoAPT submitted written representation to the Board suggesting that the existing relationship be maintained and providing a list of potential future activities.
- 4.6 The outcome of the workshop was that the CEO was asked to prepare recommendations, based on an options and risk assessment, to the Board at its next meeting for consideration.

## **5. OPTIONS ASSESSMENT**

- 5.1 An options assessment has been undertaken. The options selected for assessment were;
- i. Remove the existing Board delegation to FoAPT
  - ii. Retain and adapt the existing delegation
  - iii. Remove the delegation and encourage FoAPT to wind itself up
- 5.2 The options were assessed against the following criteria
- Consistency with the actions identified in the Governance Improvement Programme
  - Clarity of roles and responsibilities between parties for the benefit of all stakeholders
  - Creation of a positive environment for a membership/advocacy type scheme in the future

- Does not impose constraints on the trading subsidiary
- Overall in the best interests of the Charity

5.3 The options analysis is attached at Appendix 1. The final column highlights in green text where the assessment is positive against the criteria and red where it is not.

5.4 Of the three options one is assessed as having a high level of positive outcomes against the criteria; option i) Remove existing delegation from the Board to FoAPT.

## **6. RISK ASSESSMENT**

6.1 The preferred option i) has been assessed against potential risks and recommendations made to manage those risks, attached at Appendix 2.

6.2 Only one risk, of those identified with this option, cannot be mitigated by implementing the option, on its own. However, the risk is actually a wider fundraising policy issue and will require our policy to be reviewed in due course, to provide clarity on our position when an organisation is fundraising for its own needs when their name is, or is closely associated with the Park and Palace, or any part of it.

## **7. Conclusion**

7.1 The conclusion of the options analysis and the preferred option risk assessment is

7.1.1 that it is in the best interests of the charity for the special interest group to continue if it wishes to do so, but that the constitution should be amended to recognise the next phase of the groups work and enable the charity to achieve consistency in its relationships with its special interest stakeholder groups.

7.1.2 that the Activities proposed by FoAPT in its note to the Board ahead of its workshop in February 2020 are consistent with this approach and do not require the Board to delegate any special duties to the group.

7.1.3 that changing the relationship to one that is 'independent' of the Trust strengthens the group's ability to hold the charity to account on its future care and management of the theatre, whilst facilitating the maintenance of a close relationship through appropriate regular communication.

7.1.4 that the opening of the theatre largely achieved the purpose of FoAPT and created a need to review its future and its constitution. The recommendation enables a continuation of a valued special interest group whilst also enabling the Trustees to take another step forward in improving the Charity's governance towards full compliance with the Charity Governance Code.

7.2 The FoAPT Constitution may not need great revisions and could still contain the original wording but add the details of the changed relationship for example 'formed originally by (insert original wording) and in 2020 with the full consent and support of the trustees and in recognition that the original purposes of the group had been achieved altered its constitution to reflect its revised activities.

So the constitution retains the history of the special relationship and its alteration and the basis of that change in the same place, if this is important to the Friends.

## **7. Legal Implications**

- 7.1 The Council's Assistant Director of Corporate Governance has been consulted in the preparation of this report, has no comments.

## **8. Financial Implications**

- 8.1 The Council's Chief Financial Officer has been consulted in the preparation of this report, and has no comments.

## **9. APPENDICES**

Appendix 1 – Options Analysis

Appendix 2 – Risk Assessment of Option 1