

DISCUSSIONS AND RESOLUTIONS OF THE ALEXANDRA PALACE AND PARK BOARD – 30 JUNE 2009 IN RESPECT OF MATTERS REFERRED TO IT FROM THE STATUTORY ADVISORY COMMITTEE – 16 JUNE 2009 AND URGENCY SUB COMMITTEE – 21 MAY 2009

(i) Park Workshop

The Chair asked for a brief introduction of the report.

The Park Manager Alexandra Palace – Mr Evison briefly outlined the park events as detailed in paragraphs 6.1-6.6 of the report.

Mr Evison then referred to the Park Concession Workshop – which had been the subject of consideration at an Urgency panel of the Board on 29 April 2009 where the panel had agreed to lease the workshop to tenderer 3, subject to receiving advice from the Alexandra Park and Palace Advisory Committee. The Panel had also delegated to officers and legal advisers the power to conclude negotiations and finalise lease terms once that advice had been received and considered. The successful tenderer had proposed to refurbish the building for use as a children's soft play centre and ancillary café, providing a high quality facility for the families in the local community. The Trust Solicitor had then prepared a draft lease for the building, which was forwarded to the tenant's solicitor for consideration. Mr Evison also advised that the agreement was subject to planning permission and the tenant submitted a planning application to LB Haringey on 15th May 2009.

Mr Evison advised that the Advisory Committee considered this planning application at its meeting of 16th June 2009, as part of the process set out in the Alexandra Park and Palace Act 1985, and the deliberations of the Advisory Committee were before the Board, and circulated under Item 14 – Resolutions of the Advisory Committee.

The Chair asked that Mr Liebeck give some response as the Chair of the Advisory Committee.

Mr Liebeck commented that the discussions at the Advisory Committee had centred on the business, which had described itself as an "indoor adventure and soft play area with small café" when in fact it appeared to be a small indoor play area with (larger) café area. Comments had also been expressed that the boundaries for the site were unclear on the map provided and how and when it was intended to extend the play area to the outside area. Mr Liebeck also advised that the Advisory Committee consider consulting the long established businesses in the vicinity which may be affected by this proposal.

Following further discussion, it was clarified by Mr Evison that whilst it was likely that in terms of any proposed usage or proposed development outside of the facility the Lessee would be subject to submitting a further planning

application and any variation to the proposed lease would be subject to the permission of the Board.

In respect of clarification from members as to how the resolutions of the Advisory Committee should be dealt with the Trust Solicitor Mr Harris advised that as with previous practice the Board either accepted or rejected the advice of the Advisory Committee. In the case of the 3 informal resolutions from the Advisory Committee to the Board on this occasion with regard to the 1st resolution - the Board was neither able to accept or reject the resolution as this was a statement that the Board was unable to give a view on. In respect of resolution 2 the boundaries of the site would be identified within the draft lease to be entered into, and in respect of resolution 3 the proposal was not a practical one as whilst the Board would consult with its Advisory Committee – it would be for the Advisory Committee to advise local businesses or representative groups on its Committee as to the proposals – and the time it would take for the Board to consult all businesses in the vicinity would not be practicable or in any way serve as a benefit.

Following further discussion and clarification, the Chair summarised and it was:

RESOLVED

- i. that the report be noted;
- ii. that in respect of the 3 resolutions from the Advisory Committee of 16 June 2009 in respect of the Workshop Café the Advisory Committee be informed in the following terms:
 - i. That the business described itself as an “indoor adventure and soft play area with small café” when in fact it appeared to be a small indoor play area with (larger) café area.

That the Board was neither able to accept or reject the resolution as this was a statement that the Board was unable to give a view on.
 - ii. That the boundaries for the site were unclear on the map provided and how and when it was intended to extend the play area to the outside area.

The boundaries of the site would be identified within the draft lease to be entered into
 - iii. That the Board consider consulting the long established businesses in the vicinity which may be affected. by this proposal

That the proposal be rejected as whilst the Board would consult with its Advisory Committee – it would be neither practical or feasible for the Board to carry out such consultation and the proposals had already been consulted upon with all similar users within the Park, and indeed the Advisory Committee representatives through the Advisory Committee.

(ii) Great Hall Capacity

The Chair asked for a brief introduction of the report.

The Acting General Manager – Alexandra Palace – Mr Gill advised the Board of the considerations of the Advisory Committee albeit informally at its meeting on 16 June 2009 and the subsequent resolution of the Advisory Committee to the Board – circulated under Item 14.

Following a brief introduction by the Managing Director – Alexandra Palace Trading Limited - Ms Kane in respect of the application for variation of licence to the LB Haringey for a variation of the existing licence to increase capacity over 10,000 – with events lasting till 23.00hrs but not all night, the Chair asked that the Trust Solicitor – Mr Harris advise on views expressed by the Advisory Committee.

Mr Harris reiterated his earlier advice in respect of previous practices of the Board considering the resolutions of the Advisory Committee. In respect of the resolutions of the Advisory Committee in terms of the Great Hall capacity in terms of the request by the Advisory Committee that it be consulted on any likely increases in the number of large events in a relatively short period of time before any commitments are made – that this recommendation be accepted by the Board but that it would not be possible to carry out consultation with all residents on all such events and give advance notice but that there would be publicity given on the website.

Following further clarification, the Chair summarised and it was:

RESOLVED

- i. That the report and proposals be noted and welcomed;
- ii. That in respect of the resolutions from the Advisory Committee of 16 June 2009 as regards the proposed variation of the licence to increase capacity in the Great Hall, the Advisory Committee be informed in the following terms:

The SAC asked to be informed of large events in future Forthcoming Events papers and if APTL anticipated that there was likely to be a significant increase in the number of large events in a relatively short period of time, that this

should be brought to the attention of this Committee prior to any commitment being made.

That this recommendation be accepted by the Board but that it would not be possible to carry out consultation with all residents on all such events and give advance notice but that there would be publicity given on the website.

(iii) Heartlands Planning Application

Minutes of the Urgency Committee of the Alexandra Park and Palace Advisory Committee held on 21 May 2009 to consider any recommendations contained therein and the minutes of the Advisory Committee held on 16 June 2009

The Clerk to the Board – Mr Hart advised that the minutes of the Urgency Sub-Committee of the Advisory Committee of 21 May 2009, in respect of the Heartlands School application was referred for consideration, as well as the reiterated view of the Advisory Committee of 16 June 2009. Mr Hart also referred to the advice of the Trust Solicitor which he had supplied in relation to the referral, which should be considered in tandem.

The Chair advised that the resolution of the Urgency Sub-Committee was:

That the Alexandra Palace and Park Board be asked to note the main points of concern of the Advisory Committee in respect of the Heartlands Outline Planning Application, as outlined in the 8 bullet points detailed above, and, in particular, the following concerns:

- (1) This Committee endorses the widely held views of local residents, that the scale and size of the development, and, in particular, the height of the buildings, are excessive, and that there will be a significant PERMANENT (not just “long term”) adverse effect on the cherished and exceptional vistas of the surrounding area from the Palace, and
- (2) The apparent lack of provision in the plans for a more satisfactory and substantial means of pedestrian access from the Heartlands site to the Palace and Park.

The Chair further referred to the comments of the Advisory Committee of 16 June 2009 which stated:

That the Chair of the Advisory Committee urge the Alexandra Palace and Park Board (the Board) to give due consideration to the views expressed by the Urgency Sub-Committee on the planning application relating to the Haringey Heartlands Development, which this committee endorsed.

The Chair asked that the Trust Solicitor – Mr Harris give an explanation of his comments that had been circulated.

Mr Harris responded that in respect of the referral from the Advisory Committee and its Urgency Sub-Committee the Heartlands Application was on land clearly not in the ownership of the trustees and therefore it was not within the remit of the Advisory Committee to refer the issue to the Board for its consideration.

The Chair asked if there were any points of clarification.

Councillor C. Harris commented that having read the Advice of the Trust Solicitor it was perfectly clear that the application clearly fell outside the remit of the Advisory Committee's ambit of referral and therefore it should be advised of this.

Mr Liebeck commented that he would beg to differ and that the advice was extremely narrow his view as the application was impacting on the Park and Palace long term and therefore was of considerable importance and that in this respect local concerns had been expressed and the Advisory Committee had taken account of them., and were asking the Board to consider these and refer them on.

Mr Harris commented that whilst there may be expressed views the appropriate channel was via the Local Authority's planning service. He reiterated his earlier comment that as such the consideration was outside the remit of the Advisory Committee to refer such matters to the Board, and the Board to give consideration thereto.

In response to points of clarification, and a suggestion from Councillor Hare as to whether the Board could request consideration of the Heartlands Application, and comments from Councillor C. Harris that the proposed development would actually block out the rather unsightly view of the railway tracks etc, and confirmation from the Acting General Manager - Mr Gill that as yet the Board had not been consulted on the planning application, and how this now might be requested the Chair summarised and it was:

RESOLVED

- i. that the resolutions of the Statutory Advisory Committee of 16 June 2009, and its Urgency Sub-Committee be responded to as the Board's response:

that the Board would not comment on the referral from the Advisory Committee and its Urgency Sub-Committee in respect of the Heartlands Application as the site application was on land clearly not in the ownership of the trustees and therefore it was not in the remit of the Advisory Committee to refer the issue to the Board for its consideration, and that any such comments should be referred directly to the LB Haringey Planning Service;

- ii. That the General Manager Alexandra Palace be asked to ascertain if the Heartlands Application would be put to the Board for comment and advise the Board accordingly of any required timescales.