

**UNRESTRICTED MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD
TUESDAY, 12 JANUARY 2010**

PRESENT : * denotes attendance

Councillors *Egan (Chair), C Harris, *Hare, *Peacock, *Scott, *Thompson (Vice-Chair) and *Williams

Non-Voting *Mr N. Willmott, *Mr M Tarpey, *Ms V. Paley
Representatives:

Observer: Mr D. Liebeck

Also present:

Mr A. Gill – Interim General Manager – Alexandra Palace
Mr I. Harris – Trust Solicitor
Mr M. Evison – Park Manager – Alexandra Palace
Ms H. Downie – Head of Finance – Alexandra Palace
Ms R. Kane – Managing Director – Alexandra Palace Trading Limited
Ms J. Parker – Director of Corporate Resources – LB Haringey
Mr C. Hart – Committee Manager (Clerk to the Board) LB Haringey

**MINUTE
NO.**

SUBJECT/DECISION

APBO01.	APOLOGIES FOR ABSENCE An apology for absence was received on behalf of Councillor C. Harris, and for lateness from Mr Willmott. NOTED
APBO02.	URGENT BUSINESS The Clerk to the Board – Mr Hart advised that there were no items of urgent business. The Chair advised that Board Members had been emailed a communication from Mr O’Callaghan in relation to agenda item 6 – The Way ahead – Governance review and vision development for Alexandra Palace. The Chair, in acknowledging receipt of the contents of the email, advised that the governance issue would be raised for discussion at the Consultative Committee on 16 February 2010 and a number of the matters raised by Mr O’Callaghan would be addressed during the introduction of the report this evening. NOTED
APBO03.	DECLARATIONS OF INTERESTS The Clerk to the Board – Mr Hart advised the Board that those members who sat as Directors to the Board of Alexandra Palace Trading Limited were required to declare a personal interest and prejudicial interest with regard to agenda items 15 & 16. However those declaring would be able to remain during consideration of

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	<p>item 15, but to leave the proceedings for Item 16.</p> <p>Councillors Egan and Scott respectively declared a personal interest and prejudicial interest with regard agenda items 15 & 16, and also declared interests of the same nature on behalf of Councillors Hare and Thompson, who were currently not in attendance but would be arriving shortly.</p> <p>Ms Parker – Director of Corporate Resources – LB Haringey also declared an interest in Exempt Items 15 – 16 as Director of Alexandra Palace Trading Limited.</p> <p>Ms Downie – Head of Finance – Alexandra Palace declared an interest in Exempt Items 15 – 16 as Head of Finance Alexandra Palace Trading Limited.</p> <p>Ms Kane – Managing Director Alexandra Palace Trading Limited declared an interest in Exempt Items 15 – 16 as Managing Director Alexandra Palace Trading Limited.</p> <p>NOTED</p>
APBO04.	<p>QUESTIONS, DEPUTATIONS OR PETITIONS : TO CONSIDER ANY QUESTIONS, DEPUTATIONS OR PETITIONS RECEIVED IN ACCORDANCE WITH PART 4, SECTION B29 OF THE COUNCIL'S CONSTITUTION</p> <p>Nil</p>
APBO05.	<p>THE WAY AHEAD - GOVERNANCE REVIEW AND VISION DEVELOPMENT FOR ALEXANDRA PALACE</p> <p>The Chair asked for a brief introduction of the report.</p> <p>Ms Kane – Managing Director – Alexandra Palace Trading Limited (APTL) advised the Board that the Project Steering Group (PSG), which presently included internal and external members, had assisted the progress of this project work and was led by her. The PSG had met on 13 November and agreed in principle the overarching programme for project delivery between Nov 2009 and Mar 2010. This had since been amended to reflect the cancellation of the APPCT Board meeting on 17/12/09 and activities delayed by one month.</p> <p>Ms Kane outlined the recent background work and reminded the Board of its Trustee Away Day on 26 September 2009 which had engaged the Board in the initial stages of the governance project and had been formulating a new vision for the future of Alexandra Palace - also known as the branding review. A summary of outcomes was reported to the Board on 15 October 2009. Ms Kane also advised of the Stakeholder Forum which had taken place on 24 October, and had been attended by c.40 invited stakeholders. The Forum had helped to develop some key themes for a future draft vision, and had resulted in clear pros and cons for various structural options, and three new options were proposed for further deliberation. Ms Kane referred to the Board to appendix 1 of the report which set out the key milestones during the period from November 2009 to March 2010, which had now been slightly revised. Also further comments had been sought from stakeholders and their constituents/contacts and these findings were attached at appendix 2. Ms Kane briefly outlined the responses in relation the structural</p>

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options, branding, governance, and general issues.

(Councillors Hare and Thompson arrived at 19.40hrs).

Ms Kane briefly outlined the recent work of KPMG in applying an assessment of tax, legal and local government implications to the three new structural options proposed at the Stakeholder Forum, and KPMG had advised about the viability of all three proposals and whether they would warrant further investigation. Ms Kane referred the Board to the structural options under consideration detailed in Appendix 3 of the report and briefly outlined each of the models:

The Management Committee Model

- Board of Trustees includes three councillors
- Independent Trustees appointed with specialist expertise onto the Management Committee
- Single Officer responsible for trading and charity activity
- Independent Chair of Management Committee

The Streamlined Model

- Board of trustees includes APTL Board
- Independent Chair and elected reps
- Board includes three Councillors

The Commissioning Model

- As above but LBH no longer sole trustee – passes to APPCT
- Haringey and others fund charitable activity under agreed Terms of Reference

Delegation to APTL

- Board of Trustees includes APTL Board
- Independent elected representatives with specialist expertise
- APTL operates Alexandra Palace under 125 year lease

Patron's model

- Role of London Borough of Haringey is unclear
- Patrons committees represent Specialist Interest Groups within the venue

The Beneficiaries Model

- Independent Chair and Board
- Additional body representing the public and beneficiaries

Ms Kane also advised the Board that a communications strategy had been drawn up and issued for tender and had resulted in two submissions.

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	<p>Following evaluation of both bids, Bell Pottinger was appointed. The scope of their appointment depended on the allocation of funding which officers were attempting to find from existing budgets. It was the case that Bell Pottinger had been asked to review their bid and prioritise activity for 2009/10 which resulted in a reduction from £35k to £31k. This had then been subjected to further review by Project Steering Group (PSG) on 4 January 2010.</p> <p>Ms Kane also advised the Board that the work of the PSG established in assisting with the detailed project work in terms of the 'way ahead' should be formally noted, and that it be stressed that this body were not making any formal decisions but recommended options for the Board to consider as part of a continuing process, operating as a forum for preparing recommendations to the Board which supported the project.</p> <p>There being no comments from the Board the Chair summarised and it was:</p> <p>RESOLVED</p> <ul style="list-style-type: none"> i. that support be given to the overarching programme for delivery as outlined in (Appendix 1) of the report; ii. that it be noted that the three new structural options as detailed in appendix 3 of the report, and as proposed by attendees at the Stakeholder Forum on 24 October 2009, had been subject to further scrutiny by KPMG and their opinion sought re the validity of these options for further work. iii. that the sum of £46k required to deliver the remainder of the project by year end, including delivery of the Communications Strategy (£31k) and further legal and tax advice on any preferred structural option be noted: and . iv. That the work of the established Project Steering Group (PSG) in assisting with the detailed project work in terms of the 'way a head' be noted and recognised, and that the work of the PSG continue as a forum for preparing recommendations to the Alexandra Palace and Park Board which support the project.
APBO06.	<p>INTERNAL AUDIT PLAN 2010/2011</p> <p>The Chair asked for a brief introduction of the report.</p> <p>The Head of Finance – Alexandra Palace Ms Downie advised the Board that the 2008 LBH Internal Audit Report recommended that internal auditors be appointed to improve corporate governance and the system of internal financial control within the Trust and Trading Company. As previously reported to the Board, Ms Downie advised that Mazars had been appointed internal auditors to the Trust following a competitive tender process. With reference to the appendices</p>

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attached to the report – Ms Downie advised that Appendix 1 & 2 detailed the Internal Audit Strategy and Internal Audit Plan for the financial years 2010/11 through to 2012/13.

Ms Downie advised that at this stage the Board was being asked to review and approve the Internal Audit Strategy and the Internal Audit Plan for 2010/11, and that it should be noted that with future annual audit plans these would be reviewed and approved prior to the commencement of the financial year in question. Ms Downie also advised that the Internal Audit Plan recommended a total of 13 days be committed in 2010/11, resulting in a cost of £6,175 excluding disbursement.

In thanking Ms Downie for her introduction, the Chair welcomed Mr Richard Bott from Mazars. The Chair agreed to suspend Standing Orders in order for Mr Bott to address the Board.

Mr Bott thanked the Chair and briefly outlined to the Board the draft strategy and operational plan for the period 31 March 2011 as detailed in appendix 1 of the report.

Mr Bott detailed:

- The scope and purpose of internal audit
- The Internal audit strategy and Audit Needs Assessment Process (ANA)
- Prioritisation of coverage and resources
- Strategy/Operational Audit Plan for the period ending 31 March 2011

The Chair asked if there were any points of clarification from Mr Bott.

In response to questions from Councillors Thompson and Hare Mr Bott advised that Mazars would use their professional judgement with regard to flagging any control weaknesses identified to the Board. Mr Bott also responded that the proposed governance arrangements and risk management framework of the Trust should prevent a trustee from embarking on a course of action that could be detrimental to the Trust.

The Interim General Manager Alexandra Palace – Mr Gill advised the Board that at Appendix A - page 22 there was clear detail that allowed for follow-up on governance work.

Mr Tarpey sought clarification as to the stated 13 days of work and whether these were company days, or individual person days. Mr Tarpey also commented that perhaps 1 full day to assess core financial controls was not sufficient, as he did not feel that, and with no disrespect, that given that Mazars were new to the organisation.

In response Mr Bott advised that the 13 days were person days and that time had been allowed in the APTL internal audit plan to review core financial controls. As the same financial controls were relied upon by the two entities, 1 day was felt to be sufficient in this instance.

There being no further questions the Chair thanked Mr Bott for his contribution

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	<p>and response, and agreed that standing orders be resumed.</p> <p>The Chair then summarised and it was:</p> <p>RESOLVED</p> <ul style="list-style-type: none"> i. That the Internal Audit Strategy (as set out in Appendix A (Mazars' report)) be endorsed as covering the organisation's key risks; ii. that the Internal Audit Strategy be endorsed as including all areas required to be subject to internal audit coverage, both in terms of Mazars' professional responsibilities as well as covering areas of concern flagged by Senior Management of Alexandra Palace; iii. That the areas identified in the Strategy and Plan for the period ending 31st March 2011 be endorsed as those areas to be covered as a priority, and that the level of resources identified for the purpose were appropriate given the assurances required; iv. that approval be given, in principle, to the endorsement of the plan for the period ending 31st March 2011 and the corresponding cost of £6,175 excluding disbursements and VAT; and v. that power be delegated to the Interim General Manager Alexandra Palace to set the exact internal audit fee for 2010/11, dependent on the amount of follow-up work required, and that the Head of Finance be authorised to provide for these costs within the Trust revenue budget for 2010/11.
<p>APBO07.</p>	<p>FINANCE UPDATE</p> <p>The Chair asked for a brief introduction of the report.</p> <p>The Head of Finance – Alexandra Palace Ms Downie reported the report before the Board detailed the financial results for the eight month period to 30 November 2009 and the forecast outturn for the 2009/10 financial year. Ms Downie advised the Board that overall, year to date income was £20k above budget and expenditure was £121k above budget, giving a net adverse variance against budget of £101k. Income was £20k above budget due to the receipt of £16k of restricted income which was not budgeted for and community events income being £11k above budget. The latter included public donations for the fireworks, which were £6k above budget. Concession/lease income was £5k below budget due to the delay in signing the Workshop lease. This had now been signed with the leaseholder commencing trading. Sundry sales were £3k below budget.</p> <p>Ms Downie reported that prime costs were £57k (5%) over budget for the year to date, with salaries £68k above budget due to higher management costs and increased staff costs during the secondment period. The contracted services were £11k below budget in the areas of park security and park maintenance, although the Park Manager had indicated there was likely to be an underspend in his budget overall by year end. In respect of fixed overheads Ms Downie reported that these were £18.5k above budget due to a £33k overspend in legal costs offset by a £15k underspend in central admin charges. Legal fees include fees from LBH Legal Services Team as well as Howard Kennedy. The underspend in central admin charges was due to the timing of invoices and the forecast had been adjusted to reflect this.</p>

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	<p>Ms Downie, in reference to the forecast gift aid payment from Alexandra Palace Trading Limited, advised that this had now been reduced to £477k, as reported to the APTL Board. Ms Downie commented that the APPCT Board had previously been informed that the original budget of £600k was seen as a very challenging target in the current business environment. The year end position was difficult to predict until after the World Darts Championships, which made a significant contribution to the Trading Company's net profit for the year. Ms Downie commented that the £477k represented a realistic target taking into account year to date performance, contracted and pipeline bookings for the remainder of 2009/10.</p> <p>Ms Downie concluded that as previously reported, the Trading company's performance was monitored by the APTL Board and Senior Management Team on a monthly basis and the Managing Director liaised closely with the Interim General Manager of the Trust to highlight areas of concern.</p> <p>Following responses to questions in relation to matters contained within the circulated report the Chair summarised and it was:</p> <p>RESOLVED</p> <p>that the results for the eight month period to 30 November 2009, and the forecast outturn for the 2009/10 financial year be noted.</p>
<p>APBO08.</p>	<p>EXECUTIVE BRIEFING</p> <p>The Chair asked for a brief introduction of the report.</p> <p>The Interim General Manager Alexandra Palace – Mr Gill advised the Board that the report informed the Board of the identified key priorities for action and actions taken to date, including the management of risks and legislative and regulatory compliance. Mr Gill informed Members that while much progress had been made since June 2009 on the key priority areas, this report highlighted some areas of further development and capacity building. In addition to a specific risk register for health and safety, the Trust has adopted a Compliance Matrix to monitor and record the current status and compliance level of key features, operations and facilities.</p> <p>Mr Gill went on to advise that the report detailed:-</p> <ul style="list-style-type: none"> • a draft Risk Register which identified the key risks to the Trust, and quantified those risks in terms of probability and severity of impact • a list of the controls necessary for mitigating risks • an Action Plan to deliver the controls, which scored the risks before and after mitigation <p>Mr Gill also commented on the Trust's Business Plan for 2009/10, and APTL that of APTL's (reviewed annually). The IGM is working on a draft Business Plan to cover 3 years from April 2010 to April 2013.</p> <p>Mr Gill went on to briefly explain the contents of both appendices attached to the</p>

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report in respect of Risk Register (being one of the outcomes of the Governance Action Plan), and the Compliance Matrix which was drawn up to monitor and record current status and compliance level of key features, operation and facilities management in accordance legislative, regulatory and safety requirements. Mr Gill reminded the Board that previous reports (in June and October 2009) had detailed progress towards completing the actions arising from the recommendations in the Follow-up Internal Audit report in April 2009. Mr Gill reported that several of the audit recommendations had been addressed by action taken by him and his team, and of the original twelve recommendations - ten had been addressed and/or were in progress. The remaining two recommendations (Corporate Governance and Risk Management Framework) were being addressed by the Review of Governance & Branding Project and the Business Planning work in train. Consideration was being given to the Trust adopting the NCVO "Good Governance Code".

Mr Gill requested that Board Members provide comments to him, in particular on the risks he had identified. Mr Gill went on to further advise that in addition to the tasks and activities that trustees were aware of, he identified the following key priority areas for his team during 2009/10 (following the advice by expert consultants in the fields of Facilities Management and Healthy and Safety);

- skills and resources
- legislative, regulatory and health and safety compliance
- finance – capital and revenue budgets
- establishing and quantifying the extent of dilapidations
- governance and organisational issues
- practical and proactive support of APTL in meeting their business objectives (facilities management)

Mr Gill also referred to each of the key priorities, and action taken to date and remaining actions in the Draft Risk Register at Appendix 1.

In highlighting each element of both appendices Mr Gill commented on the importance of working in a culture of good safety management which had been enhanced in the past few months throughout the site by the greater involvement of managers and improved awareness of both staff and contractors of the need for good management of safety.

Mr Gill referred to the financial situation of the Palace as detailed at para 6.6 of the report and in particular advised that the Trust had submitted a bid to the Council in respect of the Trust's revenue budget for 2010/11. The bid represented the estimated additional funding requirement, over and above the £1.7m allocated by the Council in 2009/10. The bid was prepared on a prudent basis and assumed that the dilapidations capital bid was not successful but that the ice rink capital bid were to be successful. However this did represent the 'worst case scenario' in terms of the impact on next year's revenue budget. The growth bids were:-

- Core budget uplift - £243k
- Repairs and maintenance - £250k
- Reduction in APTL gift aid payment - £211k
- Master Plan for Alexandra Palace - £150k

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Mr Gill advised that the bids would be considered by Cabinet and a formal decision will be taken in February 2010. Mr Gill also advised that the £300K capital investment awarded to the Trust by LB Haringey in June 2009 had enabled improvements to the lettable space and the outright purchase of equipment which was previously rented.

Item	Current Status at the 23/12/09
○ West Hall flooring	Work completed
○ Cleaning machines	Equipment operational
○ Kiosks in Great Hall	Work completed
○ Improve Palm Court 2/3 meeting room	Tenders received`
○ Portable AV	Specification being finalised
○ Dishwasher	Completed
○ Motorised pallet truck	Completed
○ Crockery / cutlery / glassware	Completed
○ Ice Rink catering	Work completed
○ Ad hoc catering Equipment	Completed
○ Automated answering service	Quotes invited
○ Information point in Palm Court	Works Held
○ General site signage	Works Held
○ Phoenix Bar Furniture	Added 03/09/09
○ Palace Suite Entrance	Added 03/09/09
○ Pump Priming for Ice Rink	Added

Mr Gill, in concluding his introduction also reminded the Board of the Trust's present strategic objective which was the grant of a long lease to a single developer. Mr Gill advised that whilst it may take some time to develop new strategic objectives, it may now be appropriate for the Trust formally to resolve that its strategic objective was no longer the grant of a long lease to a single developer, and that the existing strategic objective could therefore be abandoned pending agreement on and adoption of a new objective.

The Chair thanked Mr Gill for his succinct introduction to the report. He also recorded his thanks to Mr Gill and his team for the efforts to produce such a detailed, concise and informative report.

The Board briefly discussed the report's contents and sought clarification to a number of points contained therein.

Councillor Hare also thanked officers for their efforts in producing such a comprehensive report and in particular welcomed the recommendation in relation to the Board formally resolving that its strategic objective was no longer the grant of a long lease to a single developer as detailed in para 2.4 of the report. He sought clarification as to whether this would have any specific significance with regard to future funding from the LB Haringey and whether funding had been given on the basis that this was only whilst the Board's primary objective was to grant a long lease to a single developer. In response the Director of Corporate Resources, LB Haringey – Ms Parker advised that the basis for the funding provision from LB Haringey was not specific.

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	<p>Following discussion as regards the wording of the recommendation in respect of the Board resolving its strategic objective the Chair summarised and it was:</p> <p>RESOLVED</p> <ol style="list-style-type: none"> i. that the content of the report and appendices be noted; ii. that the Draft Risk Register be agreed together with the stated timescales and priorities; iii. that the development of the three-year Business Plan as detailed within the report be endorsed; and iv. that it be agreed that the current strategic objective to granting a long lease to a single developer no longer be the Board's primary objective, and that this strategic objective be abandoned, pending agreement on and adoption of a new objective by the Board.
<p>APBO09.</p>	<p>ADDITIONAL SOURCES OF INCOME FOR APPCT - SCOPING REPORT</p> <p>The Chair asked for a brief introduction of the report.</p> <p>The Interim General Manager – Mr Gill advised that Mr Evison the Park Manager would be presenting the report as Mr Evison had carried out the investigation work into proposals as part of a development project.</p> <p>Mr Evison advised the Board that following on from the decision of the Board of 24 November 2009 which had resolved that the Interim General Manager prepare a scoping report in respect of charging for use of car parks together with details of projected incomes, and also the legal process for seeking a change to primary legislation, and also to include the pros and cons of toll charging and costs of road maintenance of the private road.</p> <p>Mr Evison referred to the financial position of the trust and advised that in summary the income was currently derived from four main sources:</p> <ul style="list-style-type: none"> • Alexandra Palace Trading Ltd (APTL) licence fee • APTL gift aid payment • park income (leases and licences) • community event income (e.g. circus, funfair and fireworks donation cash collection) <p>In advising that that the current budget for maintaining Alexandra Palace Way and the other park roads and paths was £60,000, Mr Evison outlined the four options for generating additional income that could be considered together with the legal, financial and practical impacts:</p> <p>Implementing a toll on Alexandra Palace Way</p> <p>Mr Evison reported that in respect of the option of toll-road scheme was investigated by a previous General Manager. The view of the Treasury Solicitor in 1995 was that primary legislation would be required. This was</p>

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because the Alexandra Park and Palace Acts and Orders 1900 to 2007 did not authorise charging save for specific purposes of which a road toll levy is not one. Mr Evison referred to the advice of the Trust Solicitor that such primary legislation could take more than two years to complete via a private bill. If permission was granted for a toll it would require significant infrastructure in the form of barriers and toll-booths, and construction and implementation would follow the legislation taking perhaps a further 12 months. If a toll was enforced, drivers could easily take alternative routes so there may be little traffic to collect fees from. There would also be issues with regard to difficulties with regard to leaseholders from the trustees, in particular the Garden Centre. It, together with its lawful visitors, would have a right under the lease to pass over the trustee's land for access purposes without charge, and therefore arrangements to permit this would need to be negotiated.

Implementing a charging regime on the existing car parks

Mr Evison reported that the trustees could be authorised by an order made under section 17 or 26 of the Charities Act 1993 to levy car park charges. Mr Evison advised that following an exchange of correspondence between the charity's solicitors and the Charity Commission in 2004, the Commission indicated it might be prepared to consider dealing with the matter under S26.

Mr Evison went to outline that a section 26 order was a comparatively more straightforward, cheaper and simpler process than a section 17 order or primary legislation. It was however the Charity Commission's scheme, made at the request of the trustees. The Commission may give directions for advertising and possibly consultation. In terms of the administration of this option new infrastructure would be required including, road markings, signs and pay & display machines, and this could be implemented within perhaps six-months after an Order. As a result there would be revenue generated from the ticket sales and fines issued. Mr Evison commented that if the LB Haringey model was followed the parking enforcement contractor would retain the fines and the palace would keep the income from ticket sales. However as any sales income and fine receipts were technically "trust monies" terms for engaging any enforcement contractor would have to be agreed. A sliding scale of charges would be applied so that the impact of such charges would vary according to the nature of the users. Such details would be fully explored during the feasibility stage.

With regard to income from charges Mr Evison reported that the former General Manager had estimated in 2005 that car park charging could generate between £750,000 and £1 million per annum, after initial setup costs. There was however no documentation to assess the accuracy of this estimate and the methodology of its calculation. A full cost-benefit analysis will need to be carried out as part of the further scoping paper. Also following a feasibility study of the car park charging option, the Board may wish only to seek the power to levy car park charges and then consider implementing appropriate charges as part of the overall master planning scheme.

Construction of a multi-story car park

Mr Evison advised that the 1985 Alexandra Park and Palace Act authorised

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the Board to let or licence land at the rear of the Palace, effectively part of the north service yard, for the provision of a car park. It also empowered the Board or any other person, to make reasonable charges to the public for the use of such car park. Mr Evison further advised that increasing the overall available car parking capacity would increase the desirability of the palace as a venue and could increase hall bookings, and if more visitors attended the associated food and beverage sales may increase. In respect of likely costs these could well be extremely large, but could possibly be funded by prudential borrowing. Mr Evison advised that planning permission was likely to be required for this scheme and the timescale would be measured in years.

Enforcing road traffic infringements and collecting fines

In respect of this option Mr Evison reported that Alexandra Palace Way had a speed limit of 20mph and a number of no-overtaking zones, pedestrian crossings and traffic lights, though enforcement of these was not currently carried out. The permanent speed cameras were operated by the Camera Safety Partnership, and a new camera required a collision history of four KSI (killed or seriously injured) in 36 months though this was not a factor for Alexandra Palace Way. There were also Mobile speed cameras operated by the Metropolitan Police and a request had been sent for consideration. Other traffic infringements may possibly be enforced by cameras and generate fines.

Mr Evison advised that the capital cost to install the cameras was potentially quite small and could be completed fairly quickly. However processing the penalty notices and pursuing those who did not pay could be difficult and would have potential cost implications as at present the only method of claiming the penalty fee was by complaint through the magistrate's court.

The Chair, in thanking Mr Evison for his succinct introduction, referred the Board to the option in relation to Toll charges for the private road. The Chair expressed a view that the Board should reject this option, together with the option in respect of the multi-storey car-park, and asked that the Board support this course of action, and ask for further feasibility studies in respect of the options for charging for use of the car park, and road traffic infringements.

Councillors Hare and Scott, in sharing the Chair's views, also felt that the rejected options could be explored at a later date if the Board felt in the future that they should be examined further, and that at the current time only focus on the 2 viable options.

Councillor Scott, in reference to the option of speed enforcement, commented on whether there could be a speed camera system installed with a camera at each end which logged the speed and time taken by a vehicle between the 2 camera points. He also asked whether it would be legal for the Palace to enforce a speed restriction and cameras as owner of the road, and if there were similar arrangements and enforceable restrictions for the LB Haringey to apply.

In response the Trust Solicitor – Mr Harris advised that in terms of the private road it was for the owner to enforce whatever restrictions it wished, and therefore the Palace's position was different to that of the LB Haringey as the Local authority did not itself own the roads through the Borough. Mr Harris also advised

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that the by-laws that existed were enforceable by a private road owner though there may well be difficulties for the owner to then enforce any restrictions. It would be the case that where a speed infringement was found the owner would then have to apply to the Magistrate's court to enforce a fine as a penalty.

In response to further points of clarification from Councillors Scott and Williams as to whether an imposing of a fine was likely to be a non-starter, Mr Harris advised that in effect there were 2 separate issues. These were the enforcing of a by-law to impose a 20 mph speed limit through the private road, and then the issue of applying to the Court to recover the fine from the individual concerned.

The Chair commented that in view of Mr Harris's comments the speed enforcement option may also well be a non-starter given that there would costs involved to recover fines from magistrates etc.

Mr Harris advised that the report before the Board was a scoping paper which outlined the 4 options. It was therefore for the Board to decide whether the outlined options were individually to be worked up further or not pursued further. The whole of the scoping exercise had been to give outline views in respect of those 4 options the Board had asked to be scoped in November 2009. It appeared from the discussions that, at this stage, 1 option was an attractive one to pursue further and the other 3 were not.

Councillor Williams sought clarification as to whether the enforcement of traffic restrictions option would be difficult to apply. Mr Harris reiterated his earlier points and added that the option would be difficult to manage from an administrative perspective.

(Mr Willmott arrived at 20.40hrs)

In respect of the option of Car park charging the Chair felt that this option should be pursued further.

Mr Gill advised the Board that in respect of car-parking that once the Board had had the necessary powers it could choose to charge or not charge for car parking at the Palace and it could choose to suspend charging for a period of time if appropriate.

Councillor Hare commented that the public used the car-parks for a whole range of reasons – using the Phoenix Bar, going to a live concert, walking in the Park, and therefore in his view, he did not think that it was unreasonable to impose a charge.

In drawing the discussions to a close the Chair asked that should Board members have any other ideas for additional sources of income then they should feed these through directly to Mr Evison.

In response to points of clarification from Ms Paley and Councillor Thompson Mr Harris advised that the trustees Palace had always had the option to seek a power to charge but had never before decided to do so. The process for seeking agreement to car-park charging would be by way of applying to the Charity Commission for a Section 26 Order under the Charities Act. This would take

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	<p>some months to do but there was likely not to be any objection from the Charity Commission. Mr Harris also advised that in deciding not to pursue³ of the options the Board should state the reasons why it was not further pursuing those options.</p> <p>The Chair then summarised and it was:</p> <p>RESOLVED</p> <p>i. that the four options detailed in the scoping report as follows be noted:</p> <ul style="list-style-type: none"> a. Implementing a toll on Alexandra Palace Way b. Implementing a charging regime on the existing car parks c. Construction of a multi-storey car-park d. Enforcing road traffic infringements and collecting fees <p>ii. that in respect of options a, c and d above these options not be pursued at this time as it was not viewed that each option was a viable one, at this stage, due their being costly, unpractical, and difficult to administer; and</p> <p>iii. that in respect of Option b - implementing a charging regime on the existing car parks, the Interim General Manager be requested to carry out a more detailed feasibility study to be reported to a future meeting of the Board.</p>
APBO10.	<p>MINUTES</p> <p>RESOLVED</p> <p>That the unrestricted minutes of the meeting the Alexandra Palace and Park Board held on 24 November 2009 be agreed and signed by the Chair as an accurate record of the proceedings.</p>
APBO11.	<p>ANY OTHER UNRESTRICTED BUSINESS THE CHAIR CONSIDERS TO BE URGENT</p> <p>Nil Items.</p>
APBO12.	<p>EXCLUSION OF THE PUBLIC AND PRESS</p> <p>RESOLVED</p> <p>That the press and public be excluded the from the meeting for consideration of Items 13, 14, 15, 16 as they contain exempt information as defined in paras 1,2, 3, and 5 of Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); namely information relating to an individual, information which is likely to reveal the identity of an individual, information relating to the business or financial affairs of any particular person (including the authority holding that information), information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p> <p>SUMMARY OF EXEMPT/CONFIDENTIAL PROCEEDINGS</p>

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APBO13.	MINUTES AGREED - the exempt minutes of the Alexandra Palace and Park Board of 24 November 2009.
APBO14.	ADVICE ON THE CURRENT POSITION IN RELATION TO POTENTIAL LITIGATION AGREED -THE RECOMMENDATIONS AS CONTAINED IN THE REPORT
APBO15.	CONFIRMATION OF APPOINTMENT OF NON-EXECUTIVE DIRECTORS TO THE BOARD OF ALEXANDRA PALACE TRADING LIMITED AGREED -THE RECOMMENDATIONS AS CONTAINED IN THE REPORT
APBO16.	APTL LICENCE FEE 2010/11 AGREED -THE RECOMMENDATIONS AS CONTAINED IN THE REPORT
APBO17.	ANY OTHER EXEMPT BUSINESS THE CHAIR CONSIDERS TO BE URGENT Nil

There being no further business to discuss the meeting ended at 21.35hrs

COUNCILLOR PAT EGAN

Chair