

MINUTES OF THE MEETING OF THE ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE – 3 APRIL 2006 (STATUTORY)

DRAFT

AGENDA ITEM 7 (i)

Members present (indicated thus*)

NOMINATED BY LOCAL RESIDENTS' ASSOCIATIONS

*Ms. J. Hutchinson : Alexandra Residents' Association
*Mr P. Wastell : Alexandra Residents' Association
*Ms. M. Myers : Muswell Hill and Fortis Green Association
*Ms J. Baker : Palace Gates Residents' Association
*Mr. D. Frith : The Rookfield Association
*Mr. F. Hilton : The Rookfield Association
*Mr. D. Liebeck : Warner Estate Residents' Association
(Chair)
*Mr H. Aspden : Warner Estate Residents' Association

Appointed Members:

*Councillor D. Beacham : Alexandra Ward
*Councillor B. Millar : Bounds Green Ward
Vacancy : Fortis Green Ward
*Councillor Q. Prescott : Hornsey Ward (arrived at 19.43)
Councillor J. Bloch : Muswell Hill Ward
Vacancy : Noel Park Ward
Vacancy :
*Councillor E. Prescott : (arrived at 19.35)

*Members present.

Also in attendance

Councillor Hare

Mr K. Holder - General Manager - Alexandra Palace
Mr C. Hart – Clerk to the Committee

At 19:30HRS the Clerk – Mr Hart advised those present that the meeting was inquorate, and in accordance with the rules of procedures there would be a 15 minute period in order to allow those members who were not present to arrive.

At 19:35HS Mr Hart advised that the meeting was now quorate and the meeting was able to commence. However the meeting agreed to wait for a few minutes in order to wait the arrival of Councillor Q. Prescott who was known to be in the building.

Councillor Q. Prescott arrived at 19:43HRS.

040 APOLOGIES FOR ABSENCE (Agenda Item 1)

There were no apologies given.

041 DECLARATIONS OF INTEREST (Agenda Item 2)

There were no declarations of interest.

At this stage in the proceedings the Chair asked, and the Committee agreed to vary the order of business on the agenda to next consider Item 7. This was due to the General Manager having to possibly leave the meeting earlier due to a personal commitment.

042 FUTURE OF THE ASSET (Agenda Item 7)

The Chair asked for a brief introduction.

Mr Holder briefly outlined that the charity's professional team had been engaged in negotiation with that of Firoka's over a number of weeks since the appointment of Firoka as preferred investment partner. Mr Holder commented that the professional team had negotiated a draft set of Heads of Terms which had been the subject of much discussion and negotiation over the period. The Board at its meeting on 27 March 2006 considered and agreed those Heads of Terms as the basis of the detailed lease.

Mr Holder also advised that as the land to be leased to Firoka was land to be used for the purpose of the charity, technically known as specie land, the Trustees had to comply with sec.36(6) of the Charities Act 1993. This required that the Trustees give notice of the proposed lease and invite representations. The purpose of such Notice was to ensure that as many people as possible in the beneficial area of the charity knew of the Trustees plans and have a chance to comment. Mr Holder commented that extremely wide publicity had already been given to the Trustees intentions and the plans had been subject to public exhibition and public discussion within both this Statutory, and the Consultative Committee. Mr Holder tabled a copy of the draft notice as agreed by the Board on 27 March 2006. The approved notice had been exhibited in and around the Palace and Park for 1 month until 27th April 2006. Any comments received would be analysed by the General Manager and reported back to the Board for further consideration.

Mr Holder also further advised that the Board had considered the residual responsibilities remaining with the charity after the transfer of business and staff to Firoka. These responsibilities were:

- landlord responsibilities arising from the 125 year lease;
- the management and maintenance of the parkland;
- decisions on future use of the parkland either for the charity or by request from other bodies/organisations;
- the annual report and accounts;
- liaison with the Advisory and Consultative Committees;
- administration of the Advisory and Consultative Committees;

- landlord responsibilities for the leases within the parkland (garden centre, 345 club, allotments and Actual Workshop if let);
- upkeep and management of its administrative headquarters;
- responsibility for insurance for the remaining assets of the charity;
- as an employing body.

The General Manager advised that the Board had agreed the majority of the residual responsibilities except for the residual charity staffing arrangements. The Board had felt that this matter required further consideration prior to making a decision.

In thanking Mr Holder for his introduction the Chair, in asking if there were any points of clarification or questions, asked whether there was any obligation on the successor lessee to retain the name 'Alexandra Palace'. In response the General Manager advised that the name 'Alexandra Palace' was used by so many organisations that there were no claim to rights of usage and it would be difficult to impose rights. However there had been no suggestion on the part of Firoka to change the name and that given that past Firoka developments had retained their name it was unlikely.

In response to a question of clarification from Mr Aspden Mr Holder advised that the theatre, ice rink and organ were all included in the development proposals.

Following a brief discussion the Committee felt that that the name 'Alexandra Palace' be retained in the future development of the palace and that this requirement be imposed on the new tenant, and that the Board be asked to make this request to the new tenant.

The Advisory Committee then undertook a wide ranging discussion in respect of the future of the asset and the following main points highlight that discussion:

- that in respect the Notice of proposed disposition under Section 36(6) Charities Act 1993 there was considerable objection to the inclusion of the roadway and southern extension in respect of the lease to be granted to the Firoka Group, and there was much surprise that such notice (which was advised by the General Manager as being inaccurate) should be displayed in an inaccurate form;
- concerns that that full liaison would not take place in future between the Board and the Advisory Committee, and the Firoka Group, and that this should continue and mirror the current arrangement that existed between both the Advisory Committee/Board, and the General Manager of Alexandra Palace, and that the appointed liaison officer /site Manager appointed by the Firoka Group should be asked to attend future meetings of the Advisory Committee, in order for a good working relationship and understand of roles being nurtured;
- that in respect of the future development of the Palace and the use of parking facilities for patrons, there should no charging for public parking in those areas not within the jurisdiction of the future tenant.

- Wide ranging concerns at the future of the Advisory Committee in context of the new lessee and the liaison between them and residual staff at the Palace
- The likely frequency of future Board and Advisory Committee meetings and the potential for the Committee not to be kept abreast of matters requiring its attention/consideration

The Chair then summarised and it was:

RESOLVED

That the Alexandra Palace and Park Board be requested to consider the decisions of the Advisory Committee of 3 April 2006 in respect of the future use of the Asset at the meeting of the Board on 11 April 2006 and take account of those decisions:

- i. that the name 'Alexandra Palace' be retained in the future development of the palace and that this requirement be imposed on the new tenant;
- ii. that in respect the Notice of proposed disposition under Section 36(6) Charities Act 1993 the Advisory Committee objects to the inclusion of the roadway and southern extension in respect of the lease to be granted to the Firoka Group, and expresses its surprise that such notice (which was advised by the General Manager as being inaccurate) should be displayed in an inaccurate form;
- iii. that the Board of Trustees be requested to ensure that full liaison takes place in future between the Board and the Advisory Committee, and the Firoka Group which mirrors the current arrangement that exists between both the Advisory Committee/Board, and the General Manager of Alexandra Palace, and that the Board be requested to invite the appointed liaison officer /site Manager appointed by the Firoka Group to attend future meetings of the Advisory Committee, in order for a good working relationship and understand of roles being nurtured;
- iv. That in respect of the future development of the Palace and the use of parking facilities for patrons, the Board be asked to consider and endorse the view of the Advisory Committee that no charge should be made for public parking in those areas not within the jurisdiction of the future tenant;
- v. that the Board be requested to ensure that a full traffic survey be undertaken and provided as soon as possible and before the proposal be finally accepted.

The Committee next agreed to consider Item 5 as detailed in the order of business on the agenda.

043 TO NOTE THE RESPONSES OF THE ALEXANDRA PALACE AND PARK BOARD IN RESPECT OF QUESTIONS ARISING FROM THE MEETING OF THE ADVISORY COMMITTEE ON 24 JANUARY 2006 (Agenda Item 5)

The Committee proceeded to consider the circulated responses and made various comments, the main points being;

- deep concern at the total lack of consideration by the Board to extend its period of public consultation in respect of the submitted plans for the development of the Palace;
- concerns that in respect of the timetable agreed by the Board in November 2005 (as detailed in the extracts tabled) this had not had any consideration of consultation with the local community nor did the Board see fit to agree an extended period of public consultation following the bid submission deadline;
- concerns that since the preferred bidder had been selected on 30 January 2006 there had been no further consultation with the local community as to the proposed development although it had been advised by the Board that this would be requested, and the view that such consultation should be carried out forthwith and in accordance with the 8 principles adopted by LB Haringey in respect of consultation;
- That that the Board had no real regard of the views and recommendations forwarded to it by the Advisory Committee on such occasions and that the Board should be reminded of its duties to consult the Advisory Committee and take note and act on the recommendations or views of the Advisory Committee in accordance with the Alexandra Park and Palace Act 1985 Part 9 (3) which stated

‘The Trustees shall consult the Alexandra Park and Palace Advisory Committee on all matters specified in paragraph 19 of Schedule 1 of this Act, shall have due and proper regard to advice from the said Committee on those matters and shall use their best endeavours to give effect to such reasonable recommendations of the said Committee as are expedient in the interests of the charity and consistent with the trusts thereof. ‘
- That in respect of the lease arrangement currently entered into by CUFOS , the Board be recommended to request the new tenant to enter into further negotiations with CUFOS to extend their current lease at the end of their lease term (2011) for continued use of the premises as a community facility for an extended period of 30 years plus at an affordable rent, but that should CUFOS not wish to continue using the premises then the new tenant ensure continued community usage from 2011 onwards at an affordable rent

The Chair then summarised and it was:

RESOLVED

That the Alexandra Palace and Park Board be requested to consider the following resolutions of the Advisory Committee as detailed below in response to the replies of the Alexandra Palace and Park Board on 30 January 2006 (relating to the 7

points of advice and recommendations arising from the meeting of the Advisory Committee on 24 January 2006):

1. Point 2

in respect of the CUFOS lease, that the developer be required to commit to maintain a community use for the premises on favourable terms with CUFOS or another similar party at the end of their lease term (2011) to ensure that the premises continue to be used as a community facility at an affordable rent;

2. Points 3 & 4

i. That the Board review its response and note the committee's criticism of:

- (a) the Board's refusal to extend its period of public consultation in respect of the submitted plans for the development of the Palace;
- (b) of the lack of public consultation with the local community in respect of the development brief and the refusal to agree an extended period of public consultation prior to the expiry of the bid submission deadline;
- (c) That since 30 January 2006 there has been no consultation with the local community as to the proposed development although the Board advised that this would be requested, and that such consultation should be carried out forthwith and in accordance with the 8 principles of consultation adopted by LB Haringey;

ii. that the Board be reminded of its duties to consult the Advisory Committee and take note and give due and proper regard to the recommendations of the Advisory Committee in accordance with the Alexandra Park and Palace Act 1985 Part 9 (3):

'The Trustees shall consult the Alexandra Park and Palace Advisory Committee on all matters specified in paragraph 19 of Schedule 1 of this Act, shall have due and proper regard to advice from the said Committee on those matters and shall use their best endeavours to give effect to such reasonable recommendations of the said Committee as are expedient in the interests of the charity and consistent with the trusts thereof. '

044 ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE –PROCEDURAL RULES PERTAINING TO THE COMMITTEE (Agenda Item 6)

The Clerk advised that due to the lateness of the proceedings he suggested that a group comprising of 4/5 Advisory Members meet with him prior to the meeting of the Advisory Committee in June in order to discuss revisions to the procedural rules of the Advisory Committee. The Chair confirmed that this course of action was a positive way forward, and following a brief discussion it was:

RESOLVED

That a meeting take place prior to the next meeting of the Advisory Committee in June 2006 to discuss revisions to the procedural rules of the Advisory Committee, to be arranged by the Clerk, and comprising of Mr Aspden, Mr Frith, Mr Liebeck, Ms Myers, and Mr Wastell,

045 MINUTES (Agenda Item 4)

(i) **Minutes of the Advisory Committee – 14 June, & 6 September 2005, and 24 January 2006**

The Chair asked if there were any points of clarification as to the accuracy of the minutes. Mr Aspden asked that the reference to locking the gates at Redston Road be included as previously agreed. He also sought clarification as to the status of the record of the meeting of the Advisory Committee of 15 November 2005, and further to his correspondence with the Clerk, whether these notes could be revised. The Clerk advised that these notes had been noted at the last meeting on 24 January where they were noted. At the meeting the Chair asked if had been any further points of accuracy. As there were none the notes of the inquorate meeting were noted as an accurate record. It was not permissible to revise them now, and at the point of considering them no challenge to their accuracy had been voiced.

RESOLVED

- (i) That the minutes of the meetings of the Advisory Committee held on 14 June, and 6 September 2005 be confirmed as an accurate record of the proceedings.
- (ii) That the Minutes of the meeting of the Advisory Committee held on 24 January 2006 be confirmed as an accurate record of the proceedings subject to the inclusion of the 'gate locking at Redston Road'.
- (iii) That the draft minutes of the Board held on 30 January 2006, and 7 February 2006 be noted.

Matters Arising

24 January 2006

Mr Aspden referred to Minute 036 – and comments stated that the Board should give full consideration of a comprehensive traffic assessment being carried out before either proposal be accepted.

The Chair asked for its inclusion within the resolution to the Board on 11 April 2006.

NOTED

Draft Board Minutes – 30 January 2006

In response to the request from Mr Aspden the Clerk advised that he would check on the actual status of the said recommendations in terms of the future of the asset, and if possible circulate these to the Advisory Committee.

NOTED

046 ANY OTHER BUSINESS

The following items of other business were raised by the Committee:

- a. Fencing at Redston Road – whether this was a permanent or temporary structure
- b. HLF WORKS – An update was required from the Parks Manager as one had not been given for sometime.
- c. Concerns at the road narrowing at the Bedford Road to the east car park and difficulties with buses and large vehicles.

The Chair asked that the Committee be updated at its next meeting.

Time meeting concluded: 22.35hrs

David Liebeck
Chair of the Advisory Committee