

UNRESTRICTED MINUTES OF THE ERROR! UNKNOWN DOCUMENT PROPERTY NAME.
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DRAFT UNRESTRICTED MINUTES

ALEXANDRA PALACE AND PARK BOARD – 14 NOVEMBER 2006 AT 18:00hrs

Councillors *Adje (Chair), *Egan (Vice-Chair), *Beacham, *Hare, *Peacock,
 *Rainger, *Thompson,

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

Observer: *Mr Liebeck

Members present *

Also present: Keith Holder – General Manager Alexandra Palace
 David Loudfoot – Facilities Manager Alexandra Palace
 Iain Harris – Trust Solicitor
 Ken Harrington – Finance Manager Alexandra Palace
 Tessa Kimber – Berwin Leighton Paisner (Legal)
 Laurie Heller - Berwin Leighton Paisner (Legal)
 Rob Eldridge – Berwin Leighton Paisner
 David Dennison – Berwin Leighton Paisner
 Clifford Hart – Clerk to the Board – LB Haringey
 Julie Harris – Assistant Clerk to the Board – LB Haringey

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NO.**

SUBJECT/DECISION

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| ABPO48 | <p>URGENT BUSINESS (AGENDA ITEM 2)</p> <p>The Clerk to the Board (Mr Hart) advised of items 12 and 13 marked 'to follow' on this agenda as they had been subject to ongoing legal negotiations after the despatch date and it had been necessary to capture as much information as possible before the documents were put before the Board.</p> |
| ABPO49 | <p>MINUTES AND RESOLUTIONS (AGENDA ITEM 4)</p> <p>(i) Minutes of the Board held on 12 September 2006 and 25 October 2006</p> <p>RESOLVED</p> <p>That the Minutes of the meetings of the Board held on 12 September 2006, and 25 October 2006 be agreed and signed by the Chair as an accurate record.</p> <p>(ii) Minutes of the Consultative Committee held on 7 November 2006</p> <p>Minutes unavailable for consideration.</p> |

- (iii) Minutes of the Advisory Committee held on 31 October 2006 and advice and recommendations contained therein.

The Board considered the advice and recommendations of the Advisory Committee as detailed in the circulated resolutions and following the advice of the Trust Solicitor, the Chair summarised and it was:

RESOLVED

The Alexandra Palace and Park Board, having considered the resolutions of the Alexandra Park and Palace Advisory Committee of 31 October 2006, advises the Advisory Committee in the following terms:

(i) Item 4 – Minutes – Alexandra Palace and Park Board (12 September 2006) and Statutory Advisory Committee 29 August 2006

That in respect of the decision of the Board from its meeting of 12 September 2006 to not take any action in respect of the Advisory Committee's recommendation of 29 August 2006 requesting that a traffic assessment is undertaken for the entire Alexandra Palace and Park site as part of the Firoka Group's developments, the Alexandra Palace and Park Board be requested to ensure that as part of the planning application process an overall traffic assessment of the scheme as a whole was made but not in a piecemeal fashion.

RESOLUTION OF THE BOARD

That, as previously stated to the Advisory Committee, in respect of their previous request to the Board that a traffic assessment is undertaken for the entire Alexandra Palace and Park site as part of the Firoka Group's proposals, and that the Alexandra Palace and Park Board be requested to ensure that as part of the planning application process an overall rather than piecemeal traffic assessment of the scheme as a whole be made then the Advisory Committee be advised that this request is not within the remit of the Board to request . It is an issue to be addressed by Firoka to the Planning authority when it makes an application for planning permission.

(ii) Item 5 – Future use of the Asset

(A) that in terms of the draft Order the Board should provide and disclose to the SAC the proper procedures it intends to devise to monitor and review the performance by (Firoka) of the covenants contained in the lease, and how these procedures will restrict the use of the leased premise to uses consistent with the aims of the charity; in particular to maintain the Palace as a place of public resort and recreation and for other public purposes, bearing in mind the SAC's statutory obligation to promote the objects of the charity;

RESOLUTION OF THE BOARD

The principle behind this advice is substantially accepted. The post of Monitoring Officer will have within its remit the role of monitoring and reviewing the performance by (Firoka) of the covenants contained in the lease, and how these procedures will restrict the use of the leased premise to uses consistent with the aims of the charity; in particular to maintain the Palace as a place of public resort and recreation and for other public purposes, and that the SAC's statutory obligation to promote the objects of the charity will be covered under the residual arrangements of the Charity after the lease was granted.

There will also be an employee of the charity who will exercise its continuing role as part of its landlord function.

Exact details of these roles and responsibilities will need to be worked through by the Board as Trustees with the assistance of professional advice.

(B) that the Board should address itself to the question (and provide the SAC with a written answer in detail) of how the role and function of the SAC, as provided for in Part III, Schedule 1, paras 19/20 of the Act will be maintained after the lease is entered into with the tenant, with particular regard to the question as to how the SAC is to discharge its statutory duties under the Act

RESOLUTION OF THE BOARD

That the Board advises the Advisory Committee that there will be no change to the role of the Advisory Committee, and it will continue under the existing rules after the lease to the Firoka Group has been granted.

(C) that the Board ought to make a provision in the lease to preserve the current powers and duties of the SAC to enable the local community in the form of the current make-up of the SAC (local residents' associations' representatives and councillors) to continue to be consulted and for the tenant to have due and proper regard to its views, and use their best efforts to give effect to its recommendations, in respect of the general policy relating to the activities and events arranged or permitted in the Palace, and generally in respect of the functions of the SAC under Schedule 1 Part III of the Act

RESOLUTION OF THE BOARD

That the Board advises the Advisory Committee that there will be no change to the role of the Advisory Committee, and it will continue to exist after the lease to the Firoka has been granted.

(D) that the Board provides the SAC with a copy of the draft lease, the project agreement and master agreement to be entered into by the Board of Trustees and the Firoka Group to enable the SAC to become conversant with the terms of the lease insofar it effects the role of the

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| | <p>SAC and the aims of the charity under the provisions of the Act.</p> <p>RESOLUTION OF THE BOARD</p> <p>That the Board advises the Advisory Committee that its Chair has been provided with such copy draft documentation but that it is not appropriate for the Board to disclose the draft documentation to the Advisory Committee as they contain confidential and commercially sensitive information. The Board also considers that in advancing this request the Advisory Committee is going beyond its remit.</p> <p>Item 7 (ii)The structure of the residual organisation that will be left to deal with matters relating to the Palace and the Park, on behalf of the Board</p> <p>that in respect of the Board’s residual functions post transfer of the asset to the Firoka Group, the Advisory Committee requests that the Board establishes a proper and effective monitoring procedure in respect of Firoka’s works and that the post be created of a ‘Clerk of Works’ to ensure that the works are carried in accordance with the terms of the project agreement.</p> <p>RESOLUTION OF THE BOARD</p> <p>That the Advisory Committee be advised that in respect of its request that the Board establishes a proper and effective monitoring procedure in respect of Firoka’s works and that the post be created of a ‘Clerk of Works’ to ensure that the works are carried in accordance with the terms of the project agreement, the Advisory Committee be advised that the proposed role of Monitoring Officer to the Trustees will encapsulate a proper and effective monitoring procedure in respect of Firoka’s works.</p> |
| <p>ABPO50</p> | <p>OPERATING BUDGET (AGENDA ITEM 7)</p> <p>The Head of Finance introduced this item and reported the improved position and savings compared to last year (as set out in Appendix 3)</p> <p>RESOLVED</p> <p>That the Board note the income and expenditure for 6 months to the end of September 2006 contained in the report and summarised at Appendix 1.</p> |
| <p>ABPO51</p> | <p>HERITAGE LOTTERY FUNDED LANDSCAPE DEVELOPMENT PROJECT UPDATE (AGENDA ITEM 8)</p> <p>The Facilities Manager introduced this item and reported that the report was an update following a request from the Advisory Committee and was therefore not intended as a report to the board other than to advise on what had been previously presented. To this end, the comments of the Director of Finance (as set out in the second despatch of this agenda) were felt to be unfounded.</p> |

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| | <p>RESOLVED</p> <p>That the Board note the report.</p> <p>At this point in the meeting Mr Harrington and Mr Loudfoot withdrew from the proceedings.</p> |
| APBO52 | <p>EXCLUSION OF THE PRESS AND PUBLIC:</p> <p>RESOLVED</p> <p>That the Public and press be excluded from the proceedings as the following items contain exempt information as defined in section 100A of the Local Government Act 1972 namely; Para 1 – Information relating to an individual, and Para 3 – Information relating to the business or financial affairs of any particular person (including the Authority holding that information).</p> |
| APBO59 | <p>EXEMPT MINUTES (AGENDA ITEM 11)</p> <p>(1) Meetings of the Alexandra Palace and Park Board held on (a) 12 September 2006 and (b) 25 October 2006.</p> <p>RESOLVED</p> <p>That the Exempt Minutes of the meetings of the Board held on 12 September 2006, and 25 October 2006 be agreed and signed by the Chair as an accurate record.</p> |
| APBO60 | <p>FUTURE USE OF ALEXANDRA PALACE (AGENDA ITEM 12)</p> <p>AGREED RECOMMENDATIONS</p> |
| APBO61 | <p>THE MANANAGEMENT OF THE RESIDUAL FUNCTIONS OF THE CHARITY (REPORT OF THE HEAD OF PERSONNEL) – AGENDA ITEM 13</p> <p>AGREED RECOMMENDATIONS</p> |
| APBO63 | <p>TO NOTE THE DATES OF MEETINGS OF THE BOARD FOR THE REMAINDER OF THE MUNICIPAL YEAR 2006/2007 AS FOLLOWS</p> |
| | <p>6 February 2006 10 April 2006</p> |

The meeting ended at 20:00HRS.

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COUNCILLOR CHARLES ADJE

Chair