

**MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE.
TUESDAY, 23 OCTOBER 2007**

Councillors: Cooke (Chair), Beacham, Egan, Hare, Peacock

Nominated Members:

Alexandra Palace Action Group		(To be advised)
Alexandra Palace Allotments Association	*	Mr S. Ballard
Alexandra Palace Amateur Ice Skating Club		Mr. M. Tarpey
Alexandra Palace Angling Association		Mr K. Pestell
Alexandra Palace Indoor Bowls Club		(To be advised)
Alexandra Palace Organ Appeal	*	Mr.J. Apperley
Alexandra Palace Television Society		Mr S. Vaughan
Alexandra Residents' Association	*	Ms. C. Hayter
Bounds Green and District Residents' Association		Mr K. Ranson
Friends of the Alexandra Palace Theatre		Mr. N. Wilmott
Hornsey Historical Society	*	Mr.J.O'Callaghan
Muswell Hill and Fortis Green Association	*	Ms D. Feeney
Muswell Hill Friends of the Earth		(To be advised)
Muswell Hill Metro Group	*	Mr J. Boshier
New River Action Group		Mr F. Clark
Palace Skatepark Association		Mr. P. Lumsden
Palace View Residents' Association		Ms V. Paley
U.C.A.T.T.		Mr J. McCue
Warner Estate Residents' Association	*	Prof. R. Hudson

*Members present.

Also In Attendance:

Colin Richelle (substituting for Nigel Wilmott)

David Loudfoot	The General Manager, Alexandra Palace
Keith Holder	Consultant Development Managaer
Mark Evison	Park Manager
Clifford Hart	Clerk to the Committee – LB Haringey
Jeremy Williams	Assistant to the Clerk to the Committee – LB Haringey

Mr C. Richell – Friends of Alexandra Palace Theatre Company

MINUTE NO.	SUBJECT/DECISION	ACTION BY
APCC13.	APOLOGIES FOR ABSENCE (IF ANY). Apologies for absence were received from Nigel Wilmott, who was substituted for by Colin Richelle. Apologies for absence were also received from Mr. M	

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	Tarpey.
APCC14.	<p>URGENT BUSINESS - THE CHAIR WILL CONSIDER THE ADMISSION OF ANY ITEMS OF URGENT BUSINESS. (LATE ITEMS WILL BE CONSIDERED UNDER AGENDA ITEM WHERE THEY APPEAR. NEW ITEMS WILL BE DEALT WITH A 9 BELOW).</p> <p>There were no such items.</p>
APCC15.	<p>DECLARATIONS OF INTEREST- MEMBERS ARE ASKED TO DECLARE ANY INTEREST IN RESPECT OF ITEMS ON THIS AGENDA.</p> <p>There were no such declarations.</p>
APCC16.	<p>MINUTES</p> <p style="text-align: center;">RESOLVED:</p> <ol style="list-style-type: none"> 1. That the minutes of the meeting of the Alexandra Palace and Park Consultative Committee held on 10 July 2007 be confirmed and signed as a correct record; and 2. That the minutes of the meeting of the Alexandra Palace and Park Board held on 17 July 2007 be noted.
APCC17.	<p>FUTURE OF THE ASSET – UPDATE (VERBAL REPORT OF THE CONSULTANT DEVELOPMENT MANAGER, ALEXANDRA PALACE) TO ADVISE THE COMMITTEE OF PROGRESS</p> <p>At this point in the proceedings (19:35hrs) the Chair advised that had been a request for a presentation by the Martin Hay and Clive Carter of the Save Ally Pally Campaign. The Chair, in welcoming both Mr Hay and Mr Carter asked that the presentation take no more than 5 minutes.</p> <p>At 19.37hrs Mr Hay handed round a copy of his presentation, a copy of which will be interleaved in the Minutes. Mr Hay informed the meeting that the Save Ally Pally Campaign was a non political, rapidly growing group of individuals and organisations who had a keen desire to ensure that the Charity properly fulfilled its objectives for the beneficiaries - the people of London.</p> <p>Mr Hay referred to the sale of the 125 year lease to Firoka which in his view was not going to happen. He commented on the recent successful court action of the Save Ally Pally Campaign and the comments of Firoka that if the JR was successful then the Firoka Group would walk away from the agreement. In Court Mr Kassam had advised that he had he been required to disclose the details of the agreements (as the judgement established he should have done) then he would never have entered into negotiations in the first place.</p> <p>Mr Hay commented that following the successful Court case by Save Ally Pally where Mr Justice Sullivan commented that the Trustees are the authors of their own misfortunes – and awarded Save Ally Pally’s costs against the Trustees – the Save Ally Pally Campaign had been advised that it had several courses of legal action that would block any future sale. Mr Hay also remarked that crucially</p>

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if the public were to ever find out the price at which the palace was being sold, the Trustees would soon be asked to attempt to justify selling the palace for less than the price of a house in Dukes Avenue.

Mr Hay further referred to the issue of how the Palace was currently being managed and the appointment of a second General Manager by the Firoka Group. There was no knowledge of on what terms the appointment had been made, and that this was a most unsuitable situation for customers, the public, and Palace staff – and this issue needed to be clarified and resolved urgently.

Mr Hay also advised that one of the main aims was to replace the municipal trustees who had managed the Palace for the past 27 years, with a new Board of Trustees who would be professional, competent and most importantly interested in the future of palace and park. It was felt that because the current trustees were local authority appointees they did not have the vision or insight as to how the palace should be operated, and that their interests were not focused entirely on the Palace, whereas the Campaign's proposed Trustees would be. It was intended that the new trustees would sever all financial links with the Council and would suggest that Haringey Council pass on to the new trustees the £8 million dowry it received in 1980, and also that it participated fully in consultation of the future of the Palace. It was hoped that the Council would be proud of the results of working co-operatively.

Mr Hay advised that Save Ally Pally were working with the appropriate authorities to ensure a peaceful handover and would hope to persuade the narrow majority of the trustees who currently opposed Save Ally Pally's proposals that all can work together to achieve a successful outcome for all.

Save Ally Pally were also currently reviewing the appropriate structure for an effective board of trustees. It was in the process of preparing job descriptions and the structure would be in accordance with good practice as set by the Charity Commission, and it was unfortunate that the current structure was so obviously not so, and that the palace had been mismanaged by Trustees over the past years.

Mr Hay concluded that Save Ally Pally was committed to a transparent and fair process and would be happy to discuss its proposals in more depth.

The Chair then asked Mr Carter to give his presentation.

At 19.41hrs Mr Carter gave a brief personal presentation and commented that though a long term resident of the area he was originally from New Zealand. He had known about the TV studios at Alexandra Palace all of his life and had an uncle who had worked at the Palace involved in the fitting of tubes for transmission, and advised the meeting of the history of TV development, its importance as well as its importance in the development of radar – a vital weapon during World War II.

Mr Carter commented on the TV studios at Alexandra Palace being the birth place of TV in the whole world and that this should be celebrated and welcomed. Mr Carter felt that in any other country there would be full backing by the government for the concept of a heritage museum to celebrate the history

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through the development of a museum in the Studios. It was the case that in 50 years time it would assume a greater importance and be recognised. Therefore it was vital that this be recognised and planned for now.

The Chair thanked Mr Carter for his presentation, and asked if there were any questions.

In response to questions from Mr Tucker Mr Hay advised that the Save Ally Pally group were looking at a number of structures for how the business would be run and he commented on the difficulties of the existing structure to engage in long term exhibition and show contracts, and that there had been no investment in this area. There needed to be a robust approach to attract sources of investment for long term contracts and that the campaign was aware of a number of potentially interested parties that were looking at sponsorship.

Mr Hay added that he was working on putting together a business plan and was working in tandem with the Charity Commission to this effect focusing on incremental investment over a number of years, with financial backers being secured for this.

The Chair sought clarification as to who the financial backers were and Mr Hay advised that both the Nationwide and Co-op Bank had been approached and that in the region of £10 million would be secured.

Prof Hudson referred to the comments of the presentation in relation to the inadequate performance and work of the Trustees over the past 27 years. Prof Hudson commented that he had sat on the Consultative Committee for almost 10 years and that the motivation and enthusiasm of the Board of Trustees to the work of maintaining the Palace and Park was without question, and that the up keep of the park especially had been a spectacular success. Prof Hudson questioned the comments made by Mr Hay and sought clarification of their meaning.

Mr Hay responded that the idea of a casino at the palace was one example where the best interests of the palace and the area had not been borne in mind. He also felt that the park in the last 10 years had a certain untidy quality to it in parts which as a user he welcomed but these sorts of issues needed addressing. It was felt that there had been no incentive or motivation to improve or obtain the best uses for the Palace.

The Chair referred to the comments expressed during the presentation and reference therein to this mismanagement of the palace, and, in commenting that he and many of the existing and past trustees would find rather offensive, asked whether Mr Hay would wish to retract any parts of the statement or comments he had made.

In response Mr Hay advised that he would not wish to retract anything in his statement that was not true, and would not be retracting any comments contained therein.

Councillor Egan sought clarification from Mr Hay as to whether he had given his presentation to any other body or Committee. In response Mr Hay advised that as

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yet he had not, but he hoped to do so to a number of bodies, including the Council in the near future.

There being no further questions the Chair thanked Mr Hay and Mr Carter for their attendance.

NOTED

The Chair asked for a brief introduction of the report.

Mr Holder stated that he had been away on holiday and not in Court to hear the judicial review and subsequent judgment. He had been informed by those who had attended the Court hearing that the judge had concluded that the consultation process had been flawed as it did not comply with the description of the process provided by the Minister during the passage of the Order through Parliament. The Charity Commission had not carried out the full consultation process in accordance with the commitment given by the Minister (to the committee on delegated legislation). The judge highlighted the failure to disclose a (redacted) copy of the lease and project agreement to interested parties during the consultation process. The order had therefore been quashed. Mr Holder however stated that until there was a full transcript of the judgment he was not in a position to comment further.

Mr Holder also advised the Committee of the decision of the Special Board meeting on 10 October, 2007, that the Board had noted the judgment, reaffirmed its strategy specifically appertaining to further negotiations with the Firoka Group, and confirmed its intention to continue negotiations with the Firoka Group should the Firoka Group wish to proceed but that the Board would not renegotiate or revise the existing project agreement and lease as agreed by the Board in July 2006. The Firoka Group was currently considering its position and there had been an exchange between the legal parties for each it side. It was the case that the Firoka Group had not walked away from the development process at this stage.

The Chair sought clarification as to timescales and the matter of issuing a new order by the Charity Commission. In response Mr Harris – the Trust Solicitor advised that the Charity Commission was currently seeking legal advice in relation to how it should now proceed in terms of the consultation process to be embarked upon. Once this had been clarified and the process recommenced then it was likely to be between a further 6 weeks and 3 months before a completion could be envisaged.

The Chair asked if there were any questions.

Mr O'Callaghan, in commenting that he was the successful claimant in the Judicial Review hearing, was attending in his capacity as representative of the Hornsey Historical Society, who incidentally had been very pleased with the outcome and his efforts of the judicial review. In terms of the future of the TV studios at the palace Mr O'Callaghan referred to the clause in the lease for people to put forward ideas for the future use of this historic site and the rent for this would be set as a market rent. It was his belief that this was incorrect and

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the studios were able to be let at a peppercorn rent. However it was his belief and the case that if the order had been quashed then the lease must fall as well.

The Chair asked Mr Harris to respond.

Mr Harris advised that in respect of letting space the Charity Trustees had a duty as stated in the 1985 Act, to let at a best rent reasonably obtainable having regard to the purposes of the Act and that it was a question of looking at the what particular spaces could be used for – the rent would be according to that use. Therefore the best rent for the studios would be set the market rate having regard to the purposes of the Act .

In respect of the lease Mr Harris that the lease did not fall because the order had been quashed. The further consultation would be based on a redacted version of the existing lease, with the financial and commercially sensitive information removed. In further response to the Chair's clarification Mr Harris advised that there was a 3 year period for interested parties to give expressions of interest in relation to the studio area..

Mr O'Callaghan commented that in terms of the interpretation of the Act he advised that he was correct in his interpretation and that Mr Harris's interpretation was wrong. Mr O'Callaghan commented that as the lease could not be enforced and due to the fact that the Firoka Group was not taking over the Palace – what was the current Firoka General Manager – Mr Ormrod doing working and exercising judgements about activities at the Palace.

Mr Holder responded that the appointee referred to was Firoka's appointee. In light of the recent judgement the current arrangements needed to be reviewed and given the further period of consultation for the new order from the Charity Commission – this would take a further 3 to 4 months.

Mr Tucker commented on the rather opaque management currently existing and that it was the case that Mr Ormrod was acting in an unauthorised capacity. He commented on recent comments that the person had made in relation to the future maintenance of the Willis Organ.

Mr Loudfoot responded that he was unable to comment further on the discussion between Messrs Tucker and Ormrod. However the Charity remained in control of the building and maintenance whatever comments or pronunciations had been given.

Ms Hayter referred to the new consultation to be carried out and asked if there would be an opportunity to see a copy of the lease and project agreement.

Mr Harris responded that as stated in the judgement any further consultation must include key documentation – which was in effect the lease and project agreement though this would be in a redacted form with the removal of financial and commercially sensitive information. The judge at the hearing had not been prescriptive as to what should constitute the consultation.

In response to a request for clarification from Mrs Hayter as to why the financial information would be omitted Mr Holder advised that the draft lease and project

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agreement was still part of a tendering process and that until completed the financial and commercially sensitive information could not be released as this could prejudice the existing process and give unfair advantage to any future bidders should this process require to be carried out in the future. In any tender process the financial information of any bidder was confidential information and therefore could not be disclosed in the public domain. In further response to Ms Hayter Mr Holder advised that the contract had not as yet been delivered, however close the negotiations had progressed and therefore no financial information would be divulged.

Councillor Hare referred to a number of questions he had been attempting to receive answers for in the past year in relation to the trading company – APTL and the subsequent Fol request which the Chief Executive had suggested he submit. The questions related to rent issues, and the likely rent for the museum space.

Mr Holder advised that the issues raised by Councillor Hare were ones for the APTL to consider and that a meeting needed to be convened in the near future. Councillor Hare reminded Mr Holder that a meeting had been convened at a day's notice some 6 weeks previous and questioned why there were delays now.

The Chair responded that this was a matter for the Board to consider and that they should be raised there accordingly, as an APTL issue.

Mr Ballard asked for clarification as to the current role of Mr Holder.

Mr Holder advised that he was appointed and employed on a part time consultancy basis as Consultant Development Manager to the charitable trust with a remit to ensure that the trustees' requirements, both under the 2004 Order, and otherwise, were met in respect of the implementation of the proposed lease and project plan with the proposed lessee, the Firoka Group. Mr. Holder confirmed that all other matters concerning the Charity's management and asset were now dealt with by David Loudfoot.

The Chair then brought the discussions to a close and it was:

RESOLVED

That the verbal update be noted.

**APCC18. HERITAGE LOTTERY FUNDED LANDSCAPE DEVELOPMENT PROJECT UPDA
(REPORT OF THE PARK MANAGER) TO UPDATE ON PROGRESS MADE TOV
THE PROGRAMME OF WORKS FOR THIS YEAR'S PROJECT ITEMS**

The committee was informed of the progress in the park project.

Proposals relating to the Grove and Lakeside café's were distributed to Members of the Committee, who were pleased to learn that the Lakeside café would continue to be open 7 days a week from 10am, with for late opening for Firework night of 3rd November being worked on. It was noted that the Grove Café was open daily with the exception of Mondays.

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The committee was assured that the pond soakaway was working correctly, fulfilling its function of collecting run-off water from the paddock car parks. Recent flooding problems had been caused by two burst water mains in the lower road section, creating a level of water which the soakaway was not equipped to cope with.

It was noted that the installation of interpretation boards as set out in item 20.7.5 of the appendix to the report was a continuing aspiration of the Park Manager, and would be kept on the list of things to do moving forward.

The Parks Manager agreed to provide to Cllr Egan and other interested Members information on the Mesh Panel Fence at the rear of housing on North View Road included fencing my Redstone.

In response to a query over CCTV, Members of the committee were assured that this feed on the site was monitored 24 hours a day.

In mind of the Heritage Lottery Funding coming to an end, the committee was assured that this funding had been dependant on the position of Parks Manager being guaranteed for a further ten years, and that there were no plans to terminate the vacancy. Funding for the post came from the Charity itself.

It was noted that the Heritage Lottery Fund were unlikely to provide further funding to the committee as its focus of fund distribution had since changed. The Board were able, however, to pursue funds for further improvements to the park from other sources. It was noted that the park would continue to be kept to a high standard, in accordance with the Council's obligations under the Open Spaces Act.

RESOLVED:

1. That Cllr Egan and other interested Members be provided with information on the North View Road fence as stated above.
2. That the report and schedule of works be noted.

APCC19. FORTHCOMING EVENTS (REPORT OF THE GENERAL MANAGER, ALEXANDRA PALACE) TO ADVISE THE COMMITTEE ON FORTHCOMING EVENTS TO THE FINANCIAL YEAR.

The committee were informed of forthcoming events due to take place at the Palace for the remainder of the financial year.

The committee was made aware that the 'Slammin' Vinyl' event scheduled for 22 March 2008 was due to be an overnight event. The committee were also informed that the Fireworks Night was due to take place as usual this year, with invitations having recently been sent out. The Charity was responsible for the financing of the event as this year it was without sponsorship.

RESOLVED:

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	That the report be noted.
APCC20.	ITEMS REQUESTED BY NOMINATED REPRESENTATIVES There were no such items.
APCC21.	URGENT BUSINESS TO CONSIDER ANY NEW ITEM OF BUSINESS ADMITTE UNDER ITEM 2. There was no such business.
APCC22.	TO NOTE THE DATES OF MEETINGS OF THE CONSULTATIVE COMMITTEE F REMAINDER OF THE MUNICIPAL YEAR 2007/2008 AS FOLLOWS: The next meeting was to be held on 12 th February 2008. Members of the Committee agreed that it would be useful were there to be an opportunity to consider a copy of the judgement in the recent court case. The Chair and Officers of the Palace agreed that as events occurred, a decision would be made over the need to convene an additional meeting before the aforementioned date.

COUNCILLOR MATT COOKE

Chair