

**UNRESTRICTED MINUTES OF THE ALEXANDRA PALACE AND PARK BOARD
WEDNESDAY, 5 DECEMBER 2007**

Councillors *Cooke (Chair), *Egan (Vice-Chair), *Beacham, *Dogus, Hare,
 *Peacock and *Oakes,

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

Observer: *D. Liebeck

* Indicates Members in attendance

Also present: Councillor Aitken
 Councillor Williams

Iain Harris – Trust Solicitor
Keith Holder – Consultant Development Manager
Julie Parker - Director of Corporate Resources – LB Haringey
Gerald Almeroth – Chief Financial Officer – LB Haringey
Clifford Hart – Clerk to the Board – Non-Executive Cttees Manager
 – LB Haringey

**MINUTE
NO.**

SUBJECT/DECISION

<p>APBO27.</p>	<p>APOLOGIES FOR ABSENCE</p> <p>An apology for absence was received on behalf of Councillor Hare.</p> <p>NOTED</p>
<p>APBO28.</p>	<p>URGENT BUSINESS</p> <p>The Clerk to the Board – Mr Hart advised the meeting that there had been additional reports in relation to Item 5 other than the comments of the LB Haringey’s Chief Financial Officer which had been circulated after the agenda pack had been sent.</p> <p>Councillor Oakes asked whether the questions he had raised earlier that day would be able to be raised at Item 5. The Chair confirmed that the matters referred to by Councillor Oakes would be permissible under Item 5, and added that all Board Members had been circulated with a copy of the questions and responses.</p> <p>NOTED</p>
<p>APBO29.</p>	<p>DECLARATIONS OF INTEREST</p> <p>There were no declarations of Interests.</p> <p>NOTED</p>

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APBO30. EXCLUSION OF THE PUBLIC AND PRESS

Councillor Oakes sought clarification as to whether, as the Board was a Board of a charitable Trust, why there was a necessity to abide by the rules of the Local Government Act 1972, and the Access to Information Act 1985, and have a resolution to exclude the public and press.

The Chair asked the Trust's Solicitor to respond.

The Trust's Solicitor - Mr Harris advised this point had been raised some time previous with regard to the Board's status and adherence to various rules and regulations. Counsel's opinion from 3 Leading Counsel had confirmed, and it was the case that the Board was a body established by the Local Authority as one of its Committees and therefore as such was governed by and subject to exemption and confidentiality rules pertaining to the Local Government Act 1972, and the Access to Information Act 1985. Therefore the Board was within its rights to pass a MOTION to exclude the public and press.

Councillor Oakes responded that the response reflected his view that there needed to be independent advice obtained on such issues as in his view this was not correct.

Mr Tarpey commented that if it were to be the case that the Board was not legally deemed to be a Local Government Body then indeed as a Charity there would be no requirement for it give any notice nor to meet in public.

The Chair in response to Councillor Oakes and a further comment of Councillor Beacham, advised that the matters before the Board were of a commercially sensitive nature and therefore deemed exempt and therefore would be considered in the closed part of the meeting.

The Chair then **MOVED** that the Board exclude the public and press.

Councillor Oakes asked for named vote.

On a **MOTION** by the Chair to exclude the public and press from the meeting of the Board – there being 4 for – Cllrs Cooke, Egan Dogus and Peacock, and 2 against – Councillors Beacham and Oakes, it was:

RESOLVED

That the press and public be excluded the from the meeting for consideration of Item 5 as it contains exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings, and information relating to the business or financial affairs of any particular person (including the authority holding that information).

SUMMARY OF EXEMPT PROCEEDINGS

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APBO31. FUTURE OF THE ASSET - REPORT OF THE TRUST SOLICITOR

AGREED RECOMMENDATIONS AS MOVED BY THE CHAIR

There being no further business to discuss the meeting ended at 19:10hrs.

**Councillor Matt Cooke
Chair
Alexandra Palace and Park Board**

Date.....