

MINUTES OF THE ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE TUESDAY, 15 JULY 2008

In attendance;

Attachment 'A'

Councillors: *Cooke, *Egan, *Beacham, *Dogus,*Hare, Peacock and *Williams

Nominated Members:

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 Palace Television Group		Mr J. Thompson
Alexandra Residents' Association	*	Ms C. Hayter
Bounds Green and District Residents' Association	*	Mr K. Ranson
Friends of Alexandra Park	*	Mr G. Hutchinson
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 Metro Group	*	Mr J. Boshier
New River Action Group		Mr F.W.Clark
Palace View Residents' Association	*	Ms V. Paley
Union of Construction, Allied Trades and Technicians		Mr J. McCue
Warner Estate Residents' Association	*	Prof. R. Hudson

*Members present.

Also In Attendance:

David Loudfoot - General Manager, Alexandra Palace

Clifford Hart – Clerk to the Committee – Committees Manager – LB Haringey

MINUTE NO.	SUBJECT/DECISION	ACTION BY
APCC32.	APOLOGIES FOR ABSENCE (IF ANY) Apologies for absence were received on behalf of Mr Clarke, and Mr Ballard, and Councillor Peacock, and for lateness from Councillors Dogus and Oakes. NOTED	
APCC33.	DECLARATIONS OF INTEREST MEMBERS TO DECLARE ANY INTEREST IN P OF ITEMS ON THIS AGENDA. There were no declarations of interests.	

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	NOTED																																				
APCC34.	<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 11 BELOW).</p> <p>There were no items of urgent business.</p> <p>NOTED</p>																																				
APCC35.	<p>MEMBERSHIP AND CONSTITUTION</p> <p>(a) The Chair asked that the Clerk update the Committee on the Constitution.</p> <p>The Clerk – Mr Hart advised that since the agenda had been despatched, which had shown the membership of the Committee, he advised that as yet he had not received confirmation whether the Alexandra Palace Indoor Bowls Club were still in existence following no response to correspondence. He would attempt further contact with the association and advise at the next meeting.</p> <p>The Chair then MOVED and it was:</p> <p>RESOLVED</p> <p>(i) That the following applications for membership of the Alexandra Palace and Park Consultative Committee for the 2008/09 municipal year be approved :–</p> <table> <tbody> <tr> <td>Alexandra Palace Allotments Association</td><td>Mr S. Ballard</td></tr> <tr> <td>Alexandra Palace Amateur Ice Skating Club</td><td>Mr. M. Tarpey</td></tr> <tr> <td>Alexandra Palace Angling Association</td><td>Mr K. Pestell</td></tr> <tr> <td>Alexandra Palace Indoor Bowls Club</td><td>TBC</td></tr> <tr> <td>Alexandra Palace Organ Appeal</td><td>Mr.J.Apperley</td></tr> <tr> <td>Alexandra Palace Television Society</td><td>Mr S. Vaughan</td></tr> <tr> <td>Alexandra Residents' Association</td><td>Ms. C. Hayter</td></tr> <tr> <td>Alexandra Palace Television Group</td><td>Mr J. Thompson</td></tr> <tr> <td>Bounds Green and District Residents' Association</td><td>Mr K. Ransom</td></tr> <tr> <td>Friends of Alexandra Park</td><td>Mr G. Hutchinson</td></tr> <tr> <td>Friends of the Alexandra Palace Theatre</td><td>Mr. N. Wilmott</td></tr> <tr> <td>Hornsey Historical Society</td><td>Mr.J.O'Callaghan</td></tr> <tr> <td>Muswell Hill and Fortis Green Association</td><td>Ms D. Feeney</td></tr> <tr> <td>Muswell Hill Metro Group</td><td>Mr J. Boshier</td></tr> <tr> <td>New River Action Group</td><td>Mr F.W.Clark</td></tr> <tr> <td>Palace View Residents' Association</td><td>Ms V. Paley</td></tr> <tr> <td>U.C.A.T.T.</td><td>Mr J. McCue</td></tr> <tr> <td>Warner Estate Residents Association</td><td>Prof R Hudson</td></tr> </tbody> </table> <p>ii. That the Constitution of the Committee be noted.</p>	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	TBC	Alexandra Palace Organ Appeal	Mr.J.Apperley	Alexandra Palace Television Society	Mr S. Vaughan	Alexandra Residents' Association	Ms. C. Hayter	Alexandra Palace Television Group	Mr J. Thompson	Bounds Green and District Residents' Association	Mr K. Ransom	Friends of Alexandra Park	Mr G. Hutchinson	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 Metro Group	Mr J. Boshier	New River Action Group	Mr F.W.Clark	Palace View Residents' Association	Ms V. Paley	U.C.A.T.T.	Mr J. McCue	Warner Estate Residents Association	Prof R Hudson
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	<p>(b) The Chair then advised that as part of the Consultative Committee's constitution it was necessary to appoint 3 of its Nominated members to serve on the Alexandra Palace and Park Board for the Municipal Year 2008/09.</p> <p>In response to points of clarification Mr Hart advised that Ms V. Paley, Mr M. Tarpey and Mr N. Willmott had been appointed as non-voting Members of the Alexandra Palace and Park Board for the municipal year 2007/8.</p> <p>The Chair asked if the representatives would be willing to continue to serve on the Board for the Municipal Year 2008/09. The Chair also asked if Mr Willmott would be willing to be nominated in his absence. Mr O'Callaghan sought clarification as to whether the Committee should be appointing a member in their absence and if the Committee's constitution allowed for this. The Chair confirmed that it was within the Committee's remit to appoint members and it did not preclude such appointments in a nominated member's absence.</p> <p>Mr Richelle confirmed that Mr Willmott would be happy to be nominated in his absence, and serve on the Board. In response to further points of clarification from Councillor Hare, and Mr O'Callaghan Mr Hart advised that it was for the whole membership of the Consultative Committee to agree to the nominations and not just nominated association members.</p> <p>The Chair then summarised and on a vote it was:</p> <p>RESOLVED</p> <p>That Ms V. Paley, Mr M. Tarpey and Mr N. Willmott be appointed as non-voting Members of the Alexandra Palace and Park Board for the municipal year 2008/09.</p> <p><i>Mr O'Callaghan and Councillor Hare asked that their abstention to the decision be recorded.</i></p>
APCC36.	<p>TERMS OF REFERENCE</p> <p>RESOLVED</p> <p>That the Terms of Reference of the Alexandra Palace and Park Consultative Committee be noted.</p>
APCC37.	<p>MINUTES:</p> <p>(i) ALEXANDRA PALACE AND PARK CONSULTATIVE COMMITTEE – 12 FEBRUARY 2008</p> <p>The Clerk to the Committee – Mr Hart advised that a revised version of the minutes had been TABLED which reflected some changes to the</p>

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wording in paragraphs on page 3 of the minutes, which had been redrafted following a point of clarification from Ms Feeney – Muswell Hill and Fortis Green Association prior to the meeting.

With the point of clarification noted it was:

RESOLVED

That the TABLED revised minutes of the Alexandra Palace and Park Consultative Committee held on 12 February 2008 be agreed and signed as an accurate record of the proceedings.

(ii) ALEXANDRA PALACE AND PARK BOARD – 10 MARCH 2008, AND SPECIAL MEETINGS - 26 FEBRUARY AND 19 MARCH 2008

The Chair asked if there were any comments in relation to the minutes.

In response to points of clarification from Mr O’Callaghan in relation to the accounts the General Manager – Mr Loudfoot outlined the large number of queries that had arisen as was documented within the minutes. In respect of the differing figures shown in both the LB Haringey’s accounts and those of Alexandra Palace it was the case that there was no requirement to have the same figures shown in each set of Accounts As it was possible for one to show potential liabilities whilst the other did not.

The Chair commented that it was the case that a number of questions had been submitted for response which had been answered verbally, and that indeed as the minutes of the meetings showed – the accounts were finally signed off.

In response to further points from Mr O’Callaghan, Councillor Hare commented that whilst there had been some issues surrounding how explicit and worded certain elements of the accounts had been when submitted for consideration the accounts had eventually been agreed as minuted. The Chair also advised that the accounts had been set out in the an established format required by the charities act and that they had been audited by one of the most senior and specialised auditors in the Country who had been more than happy in the way in which they had been compiled. There had been some issues pertaining to some elements of the narrative which had been adequately answered and he reiterated his earlier comment that the accounts had then been agreed.

Councillor Hare, in concurring with the comments of the Chair, commented that the Board had benefited from the process and that it had allowed a good opportunity to make comment.

(Councillor Oakes arrived at 19.57hrs)

There being no further points of clarification it was:

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RESOLVED

That the minutes of Alexandra Palace and Park Board held on 10 March 2008, and special meetings held on 26 February, and 19 March 2008 be noted.

APCC38. FUTURE OF THE ASSET:

The Chair asked for a brief introduction.

The General Manager – Mr Loudfoot advised that since the last meeting of the Committee there had been little progress in forwarding the development project. It had been agreed that should any significant progress be made before the next scheduled meeting then a special meeting of the Consultative Committee would be called to discuss the progress. It had not been necessary to call this meeting. Mr Loudfoot further commented that at this point in time it was still the case that insufficient progress had been made to be able to offer any meaningful report on negotiations.

In response to a number of points of clarification and concerns at the lack of progress thus far Mr Loudfoot advised that he fully appreciated the frustrations expressed at the lack of progress and that in terms of the Firoka bid it was the case that the Board were still in negotiations with Firoka and they were still the Board's chosen preferred bidder, and a holistic development and approach was still the aim of Board. The Board were conscious of the fact that the local community was hanging on to the fact that there had been a deal struck with the Firoka Group and that in this respect the local community needed to know what the latest position was.

With regard to points of clarification in terms of timescales for further consultation by the Charity Commission and finalising the contract Mr Loudfoot advised that it was difficult to put a time frame and that he did not feel that he could speculate. In terms of the Charity Commission undertaking further consultation this was as yet not confirmed. Whilst stressing that that the consultation was the Charity Commission's and not the Board's it was likely that the Board would be asked to comment on the process for its views. Dependent on the outcome of the consultation and the subsequent consideration and agreement of the Board, and any possible Judicial Reviews arising therefrom it was likely that it would be at least 12 months before there could be a conclusion. It was also the case that the Board would not re-open any negotiations with the Firoka Group and the current development brief would remain unchanged.

Mr O'Callaghan commented on the judgement of the judicial review which had technically centred on the consultation process embarked upon by the

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Charity Commission, and yet it could have also commented on the contents of the proposed lease, but had not. Given that there was likely to be a further consultation there was time to take steps to ensure that, as a matter of principal, to ensure that the elements of concern in relation to the lease and its contents, were made readily available during the consultation process. Mr O'Callaghan also referred to the objects of the Charity and the issue of the accounts which showed no proceeds during the time that Firoka were in the palace, and the issue of £3million held by the Firoka group which was rightfully the Trust's he commented that no charitable activity had happened during the time Firoka were in the building. In stating that it had been a bad idea to proceed with the Firoka bid, Mr O'Callaghan further commented on the issue of T.V studios and it being leased at a not for profit level.

Ms Paley commented on a number of issues raised by stating that if people thought that it was realistically possible to engage with another developer then this view was much mistaken as it was the case that there would be no other developer coming forward. As the Committee were aware it was a fact that the Board had undergone a considerable process of identifying a preferred developer with little interest, other than the Firoka Group and 2 other bidders. After rigorous assessment the Firoka Group had been chosen and it was a fact that the Firoka Group would have the necessary financial standing to take on the lease and refurbish and repair the Palace.

In response to a number of the comments expressed the Chair advised that in terms of the development brief and the information contained in the draft lease it was the case that some of the information contained therein was legally commercially sensitive in nature and therefore would not be disclosed publicly. It was also the case that the palace was operational during the period that the Firoka Group was present at the palace and the bar and cafes and other public facilities/exhibitions had remained opened and functional.

In response to further comments of Mr O'Callaghan as to the issue of a holistic approach and whether this was a viable solution, and therefore should be revisited, and also the articles and information contained on the web on wikipedia in relation to Mr Kassam of the Firoka Group showed that the Firoka organisation was not suitable.

The chair responded that in terms of any information anywhere on the web i.e. on wikipedia or otherwise and also comments expressed regarding Mr Kassam here or otherwise he cautioned Members from making such comments and that it was dangerous to do so.

In response to further comments of Mr O'Callaghan in relation to if the current preferred bidder were to withdraw and a hotelier were to develop a hotel facility in the southwest wing of the palace and whether the profits would assist in the running costs of the palace Mr Loudfoot advised that in granting any form of lease or tenure to a hotelier the Trustees would only receive ground rent for the site and the hotelier would retain the profits.

Mr Hutchinson referred to the fact that in terms the actions of the Trustees

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and the objectives of the Charitable Trust it was evident that the maintenance and up-keep of the building was of a considerable enormity and that it was just not the case that funds coming from either events or sub leasing parts would cover the maintenance costs. Whilst there was some negative view prevailing in terms of the Firoka bid it was a fact, as stated by Ms Paley that there was no other bidder and therefore the Trustees were attempting to broker the best deal possible for the future of the palace.

Mr Tarpey, in sharing the views of Ms Paley and Mr Hutchinson, commented that in terms of the fabric of the building – the costs on a day to day basis were considerable, and there were issues to face in terms of the Ice Rink and the fact that the ice generator was nearing the end of its use and would need replacement. The Firoka bid was the only possible source of capital investment and that the figures that the bid represented would restore the palace. It was an obvious that no other bidder willing to or able to fund the costs of this required level of restoration.

In response to further points of clarification Mr Loudfoot advised that the Ice Rink represented about 20% of the usable area at the palace. It was the case that whilst individual profit centres (such as the ice rink) generated income that was in excess of direct expenditure, overall the entire operation of the palace ran at a loss and that to replace the floor of the Ice rink and replace the existing ice plant the costs would be in the region of £1 million.

Mr O'Callaghan further commented in terms the palace running at a surplus prior to 1965, and the requirements of the trustees to ensure that the palace was run within the auspices of the 1985 Act, and he stated that in his view he did not accept the concept of selling off the Palace, as embarked upon by the current trustees. There were other avenues that should be explored other than selling the Palace as a whole to one developer in a holistic development concept and that these had not been fully explored.

Ms Paley commented that previously when the concept of hoteliers developing a hotel at the palace it was the case that on each occasion the financial assessment had shown that it would not be viable financially just to have a hotel. She added that whilst she was not particularly happy with the Firoka bid it was the only bid that came close to having the palace restored and maintained as required. Mr Boshier referred to comments in relation to the Palace being sold off to the Firoka Group, and in reference to the reports in the press – The Ham and High to sell off the palace, reminded the meeting that the palace was not being sold off, but that the Trust was entering into a lease with the proposed developer – Firoka –and this had always been the case.

The Chair thanked and concurred with the comments of Mr Boshier.

There being no further comments it was:

RESOLVED

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	<p>That the report on the future of the asset be noted.</p>
APCC39.	<p>PARK ACTIVITIES UPDATE:</p> <p>The Chair then asked for a brief introduction of the report.</p> <p>In a succinct introduction to the circulated report the General Manager – Mr Loudfoot gave a brief update of recent activities carried out in Alexandra Park and answered points of clarification. In particular Mr Evison's report advised that Warner Estate Residents Association had consulted their members over their request for a new pathway from the Redstone Road entrance. The report commented that Mr Evison had attended the WERA AGM on 6 July 2008 where the meeting had fully endorsed the proposals. He would now commence drawing up detailed plans.</p> <p>Mr Loudfoot further commented that:</p> <ul style="list-style-type: none"> • The Alexandra Park Ornithological Group (APOG) held a public bird walk in May and 43 species were sighted. This list has been published on the Alexandra Palace Website and is available in the Information Centre. APOG was preparing a 'Birds of Alexandra Park' leaflet detailing all species that may be seen; • Traffic Engineers have reviewed the crossing point on Alexandra Palace Way (below the Palm Court entrance) and feel a traffic island could be installed to provide a refuge for pedestrians. Quotations for this project were being sought. <p>Mr Loudfoot also advised that following the conclusion of the HLF an event had been arranged for Sunday 10 August 2008 to celebrate the success of the HLF project, with full media coverage, and all members of the Advisory, and Consultative Committee, and the Alexandra Palace and Park Board would be invited to the event. In response to points of clarification the committee were advised that the event was not open to the public and was by invitation only. The event would not be appearing on the Palace's website.</p> <p>Mr Loudfoot further advised that there had been a positive visit from the Green Flag Judges at the end of May 2008, where it had been remarked upon how improved the park had appeared since the previous year by one of the judges who had been judging the park the previous year. The judges' results were expected on 17 July 2008.</p> <p>The Committee then briefly raised the following points;</p> <ul style="list-style-type: none"> • Whether the gantries would be replaced and the response from Mr Loudfoot that the columns had been cast iron, filled with concrete which had subsequently caused corrosion which resulted in the need for their removal. The gantries would not be returning. New signage had been ordered and would be visible shortly.

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	<ul style="list-style-type: none"> • That in response to comments relating to the public showing of the park by-laws the new park notices did in effect show the do's and don'ts but were less authoritarian • That there was considerable positive feedback from users in relation to how good the park was looking and that both the park manager and the contractors should be congratulated on their excellent efforts • The temporary use of the lower car-park by the contractors Costains and confirmation that this had been agreed at a small fee in order for workers on the building site below the palace having a place to park during the day whilst working on site • Concerns at a recent corporate event and the close of pathways to the enclosure in the Upper Field and the comments of the General Manager that the event's organisation had not been clearly detailed when the event was booked and not as the company had explained it would happen, There would be no further occurrences as what had happened though there were usually 3 /4 events of this nature during one calendar year • That there was better signage needed around the park, especially showing where the pitch and putt was in operation and Mr Loudfoot confirmed that signage was in the process of being ordered <p>There being no further discussions it was:</p> <p>RESOLVED</p> <p>That the report be noted.</p>
APCC40.	<p>FORTHCOMING EVENTS:</p> <p>The General Manager advised the Committee of those events provisionally confirmed (<i>in italics</i>) and those confirmed on the events sheet. In particular he referred the Committee to the new antique fair scheduled and the good quality feedback of the previous event by the new organiser.</p> <p>In response to in relation to how the booking of events at the Palace had been affected by the uncertainties of the future of the palace Mr Loudfoot advised that at this time it was not clear if the current difficult market conditions or adverse publicity surrounding the development would affect bookings at the Palace. APTL did not rely so heavily (as others) on trade shows which were perhaps the most vulnerable type of events to an economic slowdown.</p> <p>In response to further clarification as to bookings Mr Loudfoot advised that there were bookings being taken for up to 3 years ahead, and the Trading Company was fully engaged in actively progressing bookings etc.</p> <p>NOTED</p>
APCC41.	<p>ITEMS REQUESTED BY NOMINATED REPRESENTATIVES</p> <p>(i) Items raised by J. O'Callaghan – Hornsey Historical Society</p>

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- (a) Whether representatives of the Consultative cttee on the Board should report back to the committee

Mr O'Callaghan commented on the fact that he could not recall any incident in the past few years whereby the Board had responded to the Consultative Committee on views expressed by it. In response the Chair advised that in terms of reporting back it was the case that the minutes of the Consultative Committee were reported to the Board, and vice a versa and any matters raised by the Committee would be considered by the Board. It was also the case that the representatives appointed by the Consultative committee to the Board in a non voting capacity would also report back there were matters needing clarifying arsing from Board minutes. It was further the case that the Consultative Committee representatives had always expressed the views of the Consultative Committee at Board meetings.

In response to further points of clarification from Mr O'Callaghan the Chair advised that the Consultative Committee had and were kept fully updated in terms of the developments at the palace and that indeed matters of a commercially sensitive and confidential, as with any constituted Committee of the LB Haringey, would not be divulged in public session.

Mr Tarpey commented that the minutes of the Board meetings clearly showed the views of the Board, together with those comments of the 3 non voting representatives, and observer. It was also the case that where necessary when speaking at Board meetings each non voting representative was giving the views of the Consultative Committee and the consensus views of the consultative committee were amplified, though of course personal views were not. The Board had always allowed the non voting representatives, and observer to be present during the exempt part of the proceedings and each representative recognised that whilst they were able to comment and give view there would be no disclosure of such discussions, for the reasons as stated by the Chair. Ms Paley shared the comments expressed by Mr Tarpey and added that there was good reason why there had and were reasons for matters to be of a confidential nature.

Mr Hutchinson referred to the process for the Advisory Committee and the recommendations arising therefrom to the Board, and that at each subsequent meeting there was a clear set of observations from the Board to the Advisory committee and vise a versa. He felt that the Consultative Committee should adopt the same process as when it had any matters for the Board to consider.

Ms Hayter commented that she could not recall the Consultative Committee discussing the proposed lease. She was aware that there had been Freedom of Information requests for information contained in the lease but by and large people were unaware of its content. In her view much of the lease should be within the public domain.

In response to a number of points raised the General Manager advised that some sections of the lease were and would remain confidential but

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	<p>much of the lease was not and had indeed been discussed in open forum.</p> <p>In conclusion the Chair felt that Mr Hutchinson's suggestion was an excellent one and that the Committee would be able to follow this practice in future.</p> <p>RESOLVED</p> <p>That in future recommendations arising from discussions of the Committee which require consideration by the Board, be reported to the Board in tabulated format, and the responses of the Board be reported to the next meeting of the Consultative Committee in the same format, as was the practice of the Advisory Committee.</p> <p>(b) The general policy relating to leasing and sub-leasing to not for Profit organizations carrying out the charity's objects, and the proportion of the charity land currently designated</p> <p>Mr O'Callaghan raised the issue as stated in relation to the Sports club and that lease did not allow for sub-letting</p> <p>Mr Loudfoot explained that the sports club wished for some changes to allow use of the ground by the soon to be built secondary school. It was the case that the current lease was due for a rent review and that this was a perfectly normal thing. It was the unfortunate that some publicity had been generated to pressure the trustees into not pursuing the 'best rent reasonably obtainable' Mr Loudfoot explained that the principles of best rent were a requirement of the charities act.</p> <p>In further response to clarification from Mr O'Callaghan Mr Loudfoot advised that no leases were set aside specifically for any charitable use and that it was not the case that this should be so.</p> <p>In due course the rent review would be reported to the board.</p> <p>In conclusion the Chair summarised and it was:</p> <p>RESOLVED</p> <p>That the Consultative Committee discuss the lease at its meeting in October 2008.</p> <p>(c) Firoka</p> <p>Matter dealt with earlier in the meeting.</p>
APCC42.	<p>ANY OTHER BUSINESS</p> <p>Nil items</p>

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APCC43.	TO NOTE THE FOLLOWING DATES OF THE CONSULTATIVE COMMITTEE FOR MUNICIPAL YEAR 2008/09 14 October 2008 17 February 2009 There being no further business to discuss the meeting ended at 21.20hrs.
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COUNCILLOR MATT COOKE

Chair