

THE ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE

(Established by Statute in 1985)

**To: The Members of the
Advisory Committee (Statutory)**

**Secretary: Ms. Y Semambo
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15 November 2006

Dear Member

Alexandra Park and Palace Advisory Committee – 22 November 2006

Further to the agenda being forwarded to all Members of the Advisory Committee in respect of the forthcoming meeting of the Advisory Committee on 22 November 2006, please find attached the item that was marked **'TO FOLLOW'** on your agenda for the meeting.

The Agenda Item and title of the enclosed is :

ITEM NO.	TITLE
5. (I)	The deliberations of the Alexandra Palace and Park Board of 14 November 2006 in relation to the resolutions of the Advisory Committee of 31 October 2006.

Yours sincerely

Clifford Hart
Clerk to the Committee

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**ADVICE AND RECOMMENDATIONS OF THE ADVISORY COMMITTEE DRAWN FROM THE MINUTES OF ITS MEETING ON 31
OCTOBER 2006 PRESENTED TO THE ALEXANDRA PALACE AND PARK BOARD MEETING ON 14 NOVEMBER 2006
COMPLETED WITH THE BOARD'S ACCEPTANCE/REJECTION AND REASONS WHY AS APPROPRIATE**

	Advice and Recommendations	Accepted	Rejected and Reasons Why
1.	<p>(i) Item 4 – Minutes – Alexandra Palace and Park Board (12 September 2006) and Statutory Advisory Committee 29 August 2006</p> <p><u>RESOLVED</u></p> <p>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.</p>		<p>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.</p>

2.	<p>(ii) Item 5 – Future use of the Asset</p> <p><u>RESOLVED</u></p> <p>(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;</p>	<p>The principle behind this advice is substantially accepted.</p> <p>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.</p> <p>There will also be an employee of the charity who will exercise its continuing role as part of its landlord function.</p> <p>Exact details of these roles and</p>	

		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		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		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.

	<p>(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 SAC and the aims of the charity under the provisions of the Act.</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>
3	<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><u>RESOLVED</u></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</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</p>

	the project agreement.		respect of Firoka's works.

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