

**TABLE OF ADVICE AND RECOMMENDATIONS OF THE ADVISORY COMMITTEE DRAWN FROM THE MINUTES OF ITS MEETING ON  
24 JANUARY 2006 PRESENTED TO THE ALEXANDRA PALACE AND PARK BOARD MEETING ON 30 JANUARY 2006  
COMPLETED WITH THE BOARD'S ACCEPTANCE/REJECTION AND REASONS WHY AS APPROPRIATE**

	<b>Advice and Recommendations</b>	<b>Accepted</b>	<b>Rejected and Reasons Why</b>
1.	In view of the Advisory Committee's comments at paragraphs 1(a) – (c) of its resolution, it asks the Board to seek professional advice and/or to satisfy itself that all the rules applying to the bidding process were made clear to ECO, and whether the Board ought to have given ECO an extension of time to allow any further more detailed submission by ECO (resolution 1(d)). <sup>1</sup>		That the Board has satisfied itself that it had sought professional advice and had complied with all the rules applying to the bidding process and that these were made clear to ECO, and that ECO had been appraised of the timescale of the bidding process, as was Firoka , and that ECO had taken a decision without any influence of the Board, not to attend the presentation and therefore any extension would be against the agreed process and therefore not permissible.

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<sup>1</sup> BLP who are solicitors to the project have advised that all rules applicable to the bidding process were made clear to ECO. BLP further advise that it would not be appropriate to have given or now give ECO any further time to make a more detailed submission. If the Board were to do so this might unfairly prejudice other bidders and give them an opportunity to challenge the process.

2.	The Board should ensure that CUFOS continue to occupy its premises without interruption under its existing lease and be allowed to continue operating beyond its expiry date of March 2011 (resolution 2(d)). <sup>2</sup>	That the comment of the Advisory Committee was noted and any lease entered into with the chosen preferred bidder would include the existing lease to CUFOS, expiring in March 2011. At that time CUFOS would then be required to negotiate a new term of lease with the chosen preferred bidder.	
3.	In the light of resolution 3(a) the Board be asked to reconsider the issue of consultation, and whether there is any legal constraint to the period of consultation for both bids being extended by one further month and if not that such extension be given (resolution (3)(b)). <sup>3</sup>		A period of further consultation at this stage was inappropriate in the light of the development timetable proposed and agreed by the Board and notified to bidders. From a legal position a set of rules had been agreed upon by the Board

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<sup>2</sup> The Old Station Building let to CUFOS is within the development footprint and it is proposed will be included in any Lease to be granted as a result of the bidding process. The Lease granted by the Trustees to the Trustees of CUFOS is contracted out of the renewal provisions of the Landlord and Tenant Act 1954. Future arrangements in respect of this building will fall to be made between the Trustees' Lessee and CUFOS and the Trustees are not able to impose terms although can give an indication of their wishes to which regard may be had in the negotiating process.

<sup>3</sup> A period of further consultation at this stage is inappropriate in the light of the development timetable proposed and agreed by the Board and notified to bidders. In any event, further consultation in the absence of appropriate information from ECO probably serves little purpose, and as referred to above, BLP

			in November 2005 and there were therefore legal constraints in changing the competition rules.
4.	The Board should determine whether it is obliged to make a decision on either of the bids on 30 <sup>th</sup> January, 2006 in the light of the foregoing comments expressed above concerning the lack of consultation, and the state/ lack of detail of the ECO bid (resolution 3(c)). <sup>4</sup>		There is no obligation on the Board to make a decision. However, the published timetable indicates a decision will be made by the end of January and there is a report before the Board containing its professional adviser's recommendations.
5.	That the Board determines, as a delegated body of the Council in respect of any further consultation with the public and the Advisory Committee relating to proposals concerning the future use of the Asset, that it will ensure that it meets the eight "Principles of consultation" and 'good consultation practices'		A period of further consultation at this stage was inappropriate in the light of the development timetable proposed and agreed by the Board and notified to bidders. From a legal position a set of rules had been agreed upon by the Board

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as legal advisers to the Project have advised that it would not be appropriate to give ECO the opportunity to present a more detailed submission which would facilitate this.

<sup>4</sup> There is no obligation on the Board to make a decision. However, the published timetable indicates a decision will be made by the end of January and there is a report before the Board containing its professional adviser's recommendations. The professional advisers are of the view that any protracted delay would be potentially damaging to the process.

	adopted by Haringey Council in 2003 (resolution 3(d)).		in November 2005 and there were therefore legal constraints in changing the competition rules. The preferred partner will also deal with all aspects of consultation and dealing with the public once selected.
6.	That, the successful bidder, by its representatives, be required by the Board to meet the Advisory Committee as soon as practically possible and provide to it a full and detailed presentation of its bid, and to hear the views of the Advisory Committee in respect of its proposals concerning the future use of the Asset furthermore, in order to maintain such consultation on a continuing basis, to attend subsequent Advisory Committee meetings in the way that current Management representatives do (resolution 4).		That the Board accepts the recommendation of the Advisory Committee and will convey the request to the preferred bidder, but the Board could not guarantee that the preferred bidder will accede to this request.
7.	That the Board disclose to the Advisory Committee in time for its next meeting the criteria it set for the	The Board can accede to the request.	

	bidding and for the evaluation process (resolution 5). <sup>5</sup>		
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<sup>5</sup> The Board will have to decide whether to make available the evaluation and methodology appointing a preferred bidder and the two appendices attached. This is provided at appendix 5 of the General Manager's report to the Board on 30 January.