

**ATTACHMENT B i**

**ADVICE AND RECOMMENDATIONS OF THE ADVISORY COMMITTEE DRAWN FROM THE MINUTES OF ITS MEETING ON 5  
FEBRUARY 2008 PRESENTED TO THE ALEXANDRA PALACE AND PARK BOARD MEETING ON 22 JULY 2008  
COMPLETED WITH THE BOARD'S ACCEPTANCE/REJECTION AND REASONS WHY AS APPROPRIATE**

	<b>Advice and Recommendations</b>	<b>Accepted or Noted</b>	<b>Rejected and Reasons Why</b>
1.	<b>Alexandra Palace and Park Board – 22 JULY 2008</b> <b>RESOLUTIONS of the Alexandra Park and Palace Advisory Committee (“SAC”) dated 5<sup>th</sup> February 2008</b>		
(a)	<b>Future of the Asset</b> <b>RESOLVED</b>  that in respect of a number of recommendations put to the Board by the Advisory Committee on 16th October 2007 (and the subsequent response of the Board to those recommendations on 30th October		

	<p>2007) (see attached marked A) the Advisory Committee request the Board to respond to the following points of clarification in a clear and considered manner giving reasons for either accepting or rejecting the Advisory Committee's advice:</p>		
	<p>i. that the decision of the Board on 30th October 2007 not to review and/or reconsider the Board's responses of 14th November 2006 (as per attachment B), and deferring such consideration until the Charity Commission had indicated its position, was in the view of the Advisory Committee, unacceptable and that it appeared to this Committee that the Board was thereby failing to act in accordance with the 1985 Act;</p>	<p>That the comments of the Advisory Committee be noted and that in respect of the future of the asset the Advisory Committee be advised that further negotiations were proceeding with the preferred bidder which were at a delicate stage and once further information had been received a Special meeting of the Board would be arranged to enable it to consider the future of the project and the advice of the SAC.</p>	
	<p>ii. that in view of the Judicial Review</p>	<p>That the Board accepts, as did the High</p>	

	<p>Decision of 5<sup>th</sup> October 2007 that the consultation process carried out by the Charity Commission was flawed; when the Charity Commission publishes its statement on how it intends to carry out a further consultation the Advisory Committee be provided with the relevant documents (unredacted) in order to enable the Advisory Committee to consider the proposals and express their view and tender advice to the Charity Commission and to the Board;</p>	<p>Court, that the Charity Commission consultation was flawed and further accepts the the principle that in any further consultation by the Commission the maximum number of relevant documents be produced with the minimal redactions possible, to recognise both the indications in the judgement of Mr Justice Sullivan that some key commercial information could be redacted, and the views of the Charity Commission, the Board and the prospective lessee.</p>	
	<p>iii. that the Board be asked to consider the points previously made in respect of the lack of disclosure of the proposed Lease and Project Agreement to the Advisory Committee, and to comment on the view of this Committee that, had</p>	<p>That the comments of the Advisory Committee be noted and that had there been disclosure of documentation the outcome of a judicial review application may have been different or no such application might have been made.</p>	

	proper disclosure been made, the outcome of the Judicial Review may have been different;		
	iv. that the Board should confirm that in respect of this Committee it will in future adopt the policy, principles and objectives of the London Borough of Haringey and central Government in relation to the consultation process concerning the Firoka proposals;		The Board could not provide this confirmation because the consultation was by the Charity Commission and it is a matter for the Commission to decide upon the appropriate process. The Advisory Committee may wish to advise the Charity Commission of its views as to how it feels the Charity commission should conduct any future consultation.
	v. that the Board agrees to respond in detail to the Advisory Committee's advice in future and provide the reasons for either accepting or rejecting such advice; and	That the Board will respond in detail to the Advisory Committee's advice in future and provide the reasons for either accepting or rejecting such advice.	
	vi. that the Board be requested to explain why the Board had not notified the Committee of the proposed Licence agreement to be entered into with the		That this matter was not within the remit of the Advisory Committee.

	Firoka Group by APTL in May 2007, and the consequences of such arrangements on the finances of APTL		
	vii. that the Advisory Committee did not wish to be seen as being obstructive in its requests but was merely seeking to be properly equipped to fulfil its duties under the 1985 Act and to act in the best interests of the charity.	That the request of the Advisory Committee be noted. The Board's responses were detailed in the above responses.	