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Your Ref: 1506
Our Ref: HJG 522431 CSD(T)

Date: 18 January 2006

ALEXANDRA PALACE AND PARK 281991

Thank you for your letter dated 16 January 2006.

I am writing to confirm that the points raised in my colleague's letter dated 24 October 1997 are still relevant. I appreciate the urgency of the case and clearly, when you are in a position to supply the draft lease and the requested information, I would be happy to consider it.

A meeting may well be useful at that stage if any issues need clarification.

Hilary Green

**ORDER OF
THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES**

To authorise the trustees to enter into a lease
Under the power given in the Charities (Alexandra Park and Place) Order 2004
And section 26 of the Charities Act 1993

dated

XXX

for the charity known as

ALEXANDRA PARK AND PALACE (281991)

In the
Borough of Haringey, London

ORDER

1. In this Order:

"the lease" means a lease substantially in the form of the draft provided to the Charity Commission on 2 November 2006 in respect of land at Alexandra Palace for a term of 125 years and between the Mayor and Burgesses of the London Borough of Haringey, Firoka (Alexandra Palace) Limited and Firoka (Kings Cross) Limited.

"the Charity" means the charity identified at the beginning of this Order.

"the trustees" means the trustees of the charity acting under this Order.

"the project development agreement" means the project agreement substantially in the form of the draft provided to the Charity Commission on 2 November 2006

"the tenant" means Firoka (Alexandra Palace) Limited

"the governing documents" mean the Alexandra Park and Palace Acts 1900-1985, the Alexandra Park and Palace Order 1966 and the Charities (Alexandra Park and Palace) Order 2004.

2. The Commissioners being satisfied that the grant of a lease will be within the power to lease granted by the Charities (Alexandra Park and Palace) Order 2004, that the grant of the lease represents a proper exercise of that power, and that the grant is expedient in the interest of the charity make the following Order.

3. The trustees may, subject to compliance with the directions given in clauses 4 and 5 of this Order, grant the lease to Firoka (Alexandra Palace) Limited within six months of the date of this Order.

4. (1) The trustees shall throughout the term of the lease, frequently and regularly monitor and review the performance by the tenant of the covenants contained in the lease and shall, before the execution of the lease, devise proper procedures for doing so.

(2) Those procedures shall address in particular, covenants which restrict the use of the leased premises to uses consistent with the governing documents and covenants preventing the use of the leased premises interfering with the use of the charity's retained land.

5. (1) The trustees shall, at the same time as granting the lease, enter into the development agreement with Firoka (Alexandra Palace) Limited.

(2) The development agreement must identify the development works to be carried out in suitably defined phases with means to identify the performance (or non performance) of development obligations and the completion of each phase.

(3) The development agreement shall also include the valid guarantee of a suitably secure guarantor in respect of those obligations and any cap on the guarantee shall not, in the trustees' reasonable opinion based on appropriate professional advice, materially prejudice the charity given the risks of non-performance or part performance of each phase and the risk of cost over-runs.

Your ref
Our ref IMH1/014086.00049
Document ref ES1/H2581122.1

HOWARD KENNEDY

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RECEIVED IN

FASTFLOW (1)

17 February 2006

Dear Ms Green

Alexandra Palace and Park

Thank you for your letter of 15 February.

I will revert to you with regard to your request for a copy of the proposed draft Lease.

As regards the surveyor's report, I am hoping a slightly different approach can be taken.

At the time the General Manager prepared and then presented his report it was envisaged that it might be necessary to present a surveyor's report to the Board.

When I came to review the matter and formulate what became my letter to you of 14 February the position seemed to me to be as follows:-

1. A surveyor's report is only required under Section 36 where Charity Trustees are proposing inter alia to grant a Lease for which an Order is not required.
2. Where a Lease by the Charity Trustees is authorised by Order under Section 36 (1) there is no need for a surveyors report.

It is for that reason that my letter contained the request it did in the penultimate paragraph on page 4, namely for you to confirm that the Commission was satisfied the terms offered by Firoka are at the best rent reasonably obtainable.

I am effectively asking you to confirm that the Commission is satisfied on this issue and that a surveyor's report does not need to be presented to the Board.

I hope this makes the position clearer.

Yours sincerely


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Date: 23 February 2006

ALEXANDRA PARK AND PALACE 281991

As promised I am writing to confirm the main points of our telephone conversation earlier today.

- A draft of the lease will be needed before the order could be made.
- The usual surveyors report will be needed before the case could progress. As I explained if the land was of minimal value we have discretion not to require a report. That is clearly not the case here. It is also difficult to see how the trustees would be able to make an informed decision that the proposals would be in the charity's best interests without one.
- It is likely that the order will need to be publicised as it is such an important local issue.

I hope this has clarified the position.

Hilary Green

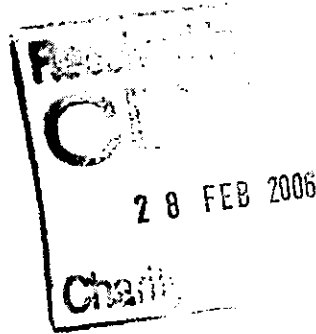
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27 February 2006

Dear Ms Green

Alexandra Palace and Park

I refer to my letter of 14 February and in particular the pre-penultimate paragraph on page 4.

Jennifer Skilbeck has now "signed off" her Opinion which I previously provided as a draft. I enclose a copy of the Opinion dated 16 February 2006. This Opinion is identical to the earlier draft.

Yours sincerely

IAIN HARRIS