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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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Ms H Green
Charity Commission
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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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Your Ref:

Our Ref: HJG 522431 CSD(T)

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

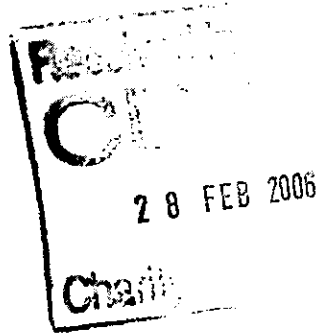
Your ref
Our ref IMH1/014086.00049
Document ref ES1/H2588260.1

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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

Email Message

HOWARD KENNEDY

To Ms H Green
Organisation Charity Commission
Your ref

Email hilary.green@charitycommission.gsi.gov.uk

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From Iain Harris
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Our ref IMH1/014086.00049
Document ref ES1/H2592284.1
Date 2 March 2006

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Please quote on all correspondence No. 1506

Dear Ms Green

Alexandra Palace and Park

Thank you for your letter of 23 February to hand in my office on 28th.

I did send you a long letter which went by email at 11.42 on Friday 24 February to which I received your "out of office" auto-reply indicating that you would return on 1 March.

What I had understood from our conversation on 23 February was that the Commission might decide that the draft Lease would need to be published.

Your letter of 23 February indicates that it is likely that the Order would need to be publicised.

If I have misunderstood the position with regard to the Lease I am obviously pleased but would ask you to confirm that you will not require draft Lease terms to be published.

Presumably, what will need to be published is not the Order itself but the Commission's intention to make an Order. This would be consistent with the view you expressed that members of the public would need to be consulted and given an opportunity to object. Obviously, if the Order is published such opportunity would have passed.

I look forward to your early response because this information is being fed into the process and will be reported at a key meeting late next week.

Yours sincerely

IAIN HARRIS

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8 March 2006

Also by email:
hilary.green@charitycommission.gsi.gov.uk

Dear Ms Green

Alexandra Palace – Section 36 Order

I refer to our recent correspondence. Whilst I am sending this letter to you by email I am also consigning a copy to the post. I understand that you are presently away from the office and so I hope this matter can be picked up in your absence and dealt with by one of your colleagues.

You told me that you had referred my letter of 14 February and the extremely helpful documentation to your legal department for comment.

You will know from the final paragraph under the heading "The Way Forward," in the middle of page 2, that Firoka has indicated that "it expects completion to take place by 1 May 2006". The Trustees wish to use their best endeavours to achieve this timescale.

I am summarising below the steps the Trustees are now taking in order to use best endeavours to achieve this timescale:-

1. Negotiation of the Heads of Terms is at an advanced stage. Once agreed negotiations will turn to the draft Lease. I understand that preparation of the first draft is well advanced.
2. A Special Board Meeting of the Charity Trustees has now been convened for Monday 27 March. A surveyor's report will be presented to the Board and the Trustees will be invited to resolve to ask the Commission to make a Section 36 Order.

Apart from advising you of the timetable the purpose of this letter is to press

- A for the earliest possible supply of any comments your legal department may wish to make and
- B for a substantive reply to my letter of 24 February in which I asked you to confirm that there would be no need to advertise proposed draft lease terms but merely to publicise the proposed Section 36 Order.

I look forward to your earliest response.

Yours sincerely

IAIN HARRIS



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Your Ref: 1506 IMH1/014086.49
Our Ref: VC/522431/A&O(T)

Date: 15 March 2006

Dear Mr Harris

Alexandra Park and Palace (reg. no. 281991)

I am writing further to your letters dated 24th Feb, 2nd March and 8th March and our conversation this morning in connection with Alexandra Park and Palace. Unfortunately Mrs Hilary Green who you have been dealing with on this case, is unexpectedly away from the office at the moment. I have taken over this issue in the interim.

I note you have raised a number of questions in connection with the lease, our order and timescales. I am not sure if you have received Hilary's letter of 23rd February, but I will take the opportunity to reiterate the points she makes in that letter.

A copy of the lease will be needed before the order can be fully considered. We do not have a copy of this lease yet, although I understand from our telephone conversation it should be with us shortly.

We will also need a copy of the surveyor's report. I understand that this is going to the Board on 27th March and you will forward a copy after this date once it has been approved.

I understand that you have spoken with Holly Cockburn, a Commission lawyer, this afternoon and she has requested we also receive a copy of the trustees' deliberations and the advisory committee's deliberations. I look forward to receiving these documents.

It is likely that the order will need to be published as this is such an important local issue. You are correct in understanding that it is the fact that it is the Commission's intention to make the order that is published (with the public having sight of the draft order upon request) rather than the sealed executed order. I can confirm that we will not require the lease terms to be published.

It appears that we won't have all the information we require until the beginning of April at the earliest. It is likely that the order will need to be published for 4 weeks and as such, even if we have all the information we need at some point in the week of the 27th March it is highly unlikely that the order will be sealed for 1st May. I envisage this for a number of reasons including the fact that we will need to take legal advice on the information including surveyor's report that you send in before we can agree to the making of this order, we may need to obtain more information from the trustee body, the order will need to be drafted and agreed, and we will of course need to consider

any representations we may receive to the order when published. I am just flagging this up now and would ask you to send the outstanding documents as soon as possible in light of the urgent timescale you are working too.

I understand from Holly Cockburn that you are also going to send in confirmation of the dates of the fixed charity meetings.

I understand you are concerned that you have sent us a substantial amount of information but have not been told whether this is satisfactory. At this stage, we are requesting further information (namely the lease and surveyor's report and the deliberations of both the trustees and advisory committee) so in answer to your question the information we have received is not complete at the moment.

On a different note, I wonder if any steps have been taking in giving public notice under section 36(6) of the Charities Act 1993.

I look forward to receiving the outstanding documents. I will treat the matter as urgent when they arrive with us, and either myself or Hilary Green will be in touch with you after this.

Yours sincerely

Victoria Crandon

e:vcrandon@charitycommission.gsi.gov.uk

Your ref
Our ref IMH1/014086.00049
Document ref ES1/H2604652.1

HOWARD KENNEDY

Please quote on all correspondence No. 1506

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*Received
20 March 06*

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16 March 2006

Dear Ms Coburn

Alexandra Palace

I appreciated the calls from you and your colleague, Victoria Crandon, yesterday and the indications given in our discussions were helpful.

I will deal with the matters we discussed under numbered paragraphs as follows:-

1. You told me that my letter of 14 February 2006 with enclosures had satisfactorily dealt with Paul Clapp's original letter of 24 October 1997, save in respect of one point. This was paragraph 5(4) where I gave a negative in response to the question as to whether a financial feasibility study had been conducted by the Charity identifying alternative ways to the proposed development.

I said that the issue of "to develop or not" had been considered in detail in the 1990s. The Trustees of this Charity have made extensive efforts over many years to achieve a balanced budget. Their efforts have resulted in fluctuations of the deficit but there has never been a revenue profit. Further, the Trustees own an asset in respect of which they have a statutory obligation to uphold, maintain and repair. They are unable to meet this obligation, funds having been exhausted, and approximately 40% of the asset stands derelict.

When the Trustees made their decision to ask the Charity Commission to invite them to ask it to promote a scheme a detailed report on the Trustees' options was presented to the Trustees. The Commission had some input to that document. I am enclosing a copy of my report to the Board of 6 July 1998. I hope this is a freestanding document which, as per appendix A, sets out the recent trading deficit. That report was endorsed by the Trustees and was sufficient to persuade the Commission to agree to promote a Scheme.

I hope this deals comprehensively with the issue of why the Trustees have not commissioned a financial feasibility study identifying alternative ways to a proposed development.

2. I am grateful to you for agreeing to review the Heads of Terms once these have been settled between the advisers to the Trustees and Firoka. These Heads have been the subject of fairly intensive negotiation and it will certainly assist the ongoing process if any concerns the Commission have could be raised as soon as possible. I have reported this position to the Professional Advisory Group and I envisage being in a position to provide you with the agreed Heads very soon.
3. The draft Lease is, I am told, in an advanced stage of preparation. This is going to be a lengthy document and I believe the Commission's task of approval will be facilitated if a draft is provided for your consideration as soon as it is available. I will proceed accordingly.
4. The Section 36 Report will be going to the Trustee Board on 27 March. Its form will be finalised within the next day or so and I will send you a copy within this timescale.
5. You raised enquiry with regard to formal Minutes of the Board and Statutory Advisory Committee.

There are different types of Trustee Board Meeting as follows:-

1. The "normal" cycle of full Board Meetings.
2. Special Meetings.
3. Panel Meetings.

Normal meetings are usually fixed at the start of each municipal year and generally take place at approximately 3 monthly intervals. Each Board Meeting is asked to approve Minutes of previous Boards, together with any special or panel meetings.

Special meetings are convened on an "as and when required" basis. Special meetings do not approve Minutes which have to go to normal meetings.

Panel meetings are also convened on an as and when basis and similarly do not approve Minutes.

Since the start of 2005 the Board has met on the following dates for normal Board Meetings:-

1. 11 January
2. 15 March
3. 28 June
4. 29 November
5. 7 February 2006

There have been Special Meetings as follows:-

1. 12 July 2005
2. 13 September 2005
3. 10 January 2006

4. 30 January 2006

There have been panel meetings as follows:-

1. 9 February 2005
2. 1 November 2005

In January 2006 the Professional Advisory Group evaluated the bids. A meeting of the Statutory Advisory Committee was held on 24 January 2006. In accordance with the provisions of the 1985 Act the Trustees consulted that Committee in relation to the developers' proposals.

The Statutory Advisory Committee minuted their discussions and resolutions. I enclose a draft of the Minutes. These have not yet been approved by the Advisory Committee. The next scheduled meeting is on 28 March when the Minutes will be presented for approval.

At the Trustee Board Meeting on 30 January it received an extremely detailed paper reporting the results of the valuation process. It also considered the advice and recommendations of the Statutory Advisory Committee.

The Minutes of the Board's 30 January meeting, which were not available to be put to the Board on 7 February for approval but will be going to the next normal Board Meeting on 11 April, are in two parts. The first is marked unrestricted and the second exempt and I enclose a copy of each. I also enclose a tabulation of the advice and recommendations of the Statutory Advisory Committee drawn from the Minutes of its 24 January meeting, presented to the Board on 30 January with the Board's acceptance/rejection marked thereon. As noted from the document, if the advice and recommendations were rejected the reasons for rejection have been detailed.

I trust this explanation and documentation responds satisfactorily to your present requirement but if I can provide anything more, please do not hesitate to contact me again.

Yours sincerely



IAIN HARRIS

P.P

Cc: K Holder Esq

Ms M Griffin

L Heller Esq

Ms T Kimber

P Conboy Esq

A Travers Esq

R Vail Esq

Your ref
Our ref IMH1/014086.00049
Document ref ES1/H2613535.1

HOWARD KENNEDY

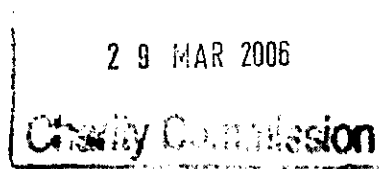
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28 March 2006

Also by email: vcrandon@charitycommission.gsi.gov.uk

Dear Ms Crandon

Alexandra Park and Palace

I refer to your letter of 15 March, to hand here on 20th and our brief subsequent conversation.

As you know, the Trustees are hoping to be empowered to enter into the Lease by 1 May, although there is a recognition this timetable may slip but hopefully by only a short time.

My letter to Ms Coburn of 16 March dealt with a significant number of outstanding issues. I am setting out below what seem to me the presently outstanding points and I will thereafter advise you of the timescale within which these will be addressed:-

1. The Section 36(6) Notice.
2. The Section 36 Report.
3. The Heads of Terms.
4. The draft Lease.

I now deal with the position in respect of each of these matters:-

Section 36(6) Notice

At last night's Board Meeting the Trustees approved the draft of the Section 36(6) Notice and resolved that this be placed at convenient locations in the Palace and Park. The Board also resolved that the General Manager publish this Notice to local journalists in order that information can be printed in local newspapers. The Board instructed the General Manager to consider any representations received and present these to a further meeting of the Board as soon as possible on or after 27 April 2006.

The Board decided to go no further in terms of publicising the Notice because the Trustees' proposed disposition of the Palace building known as the development footprint has been in the public domain for a considerable period of time.

It has been part of the Trustees' strategy and objective since the mid 1990s. There was, of course, the Parliamentary debate in early 2004 on the proposed scheme empowering the Trustees to grant a long Lease. Further, the plans and proposals of Firoka were exhibited to the public at Alexandra Palace early this year and members of the public were given an opportunity to make representations which were considered by the General Manager and summarised to the Board.

Section 36 Report

A Report and Valuation under Section 36 of the Charities Act 1993 written by Roger Vail of Messrs King Sturge was presented to last night's Board Meeting.

The Report was carefully considered by the Board as Charity Trustees. The Board accepted the advice and resolved to request the Charity Commission to make an Order under Section 36. I appreciate that until the Lease terms have been agreed no formal Order can be made but it is clearly appropriate that you are aware of this position. I am enclosing a full coloured copy of the Report.

Heads of Terms

At paragraph 2 of my letter to Ms Coburn of 16 March I said I was grateful to her for agreeing to review the Heads of Terms once they had been settled between the parties' respective advisers.

The Heads of Terms are nearly agreed; there are three outstanding areas not yet resolved.

The draft in its existing state was presented to the Board last night and considered in the course of a 2 hour debate. The outcome was that the Board approved the draft Heads of Terms, recognising that there were some outstanding points still to be agreed.

My view is that it would be prudent for me to await agreement upon these outstanding issues before sending the terms to you for review. Whilst substantial changes are not anticipated, I believe the course of action I have outlined would be preferable than a draft at this stage.

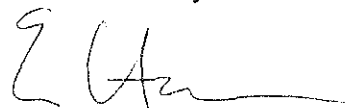
Further meetings of the advisers are convened for this week and it is hoped that these will result in the document being agreed and finalised, following which I will send it to you.

Draft Lease

As indicated at paragraph 3 of my letter to Ms Coburn of 16 March this is in an advanced state of preparation. However, the draft cannot be finalised until the Heads of Terms have been agreed and I do not believe it would be helpful for me to provide you with a copy of the draft until this later stage.

I hope I have covered the outstanding points. I would be grateful if you would be so kind as to acknowledge receipt of this letter and the enclosures, which you will see is being sent both by email and post. If there are any issues you would like me to address at this stage please let me hear from you as soon as possible.

Yours sincerely



IAIN HARRIS

Mick George

From: Crandon Victoria
Sent: 05 April 2006 16:01
To: 'Iain Harris'
Subject: RE: Alexandra Palace

Dear Iain

Sorry I have not got back to you on this matter of publicity for the draft Order.

I have revisited the Parliamentary Debate of 14th January 2004 on this issue. An undertaking was given by Fiona MacTaggart that it will be possible to raise concerns with the Commission in connection with the granting of this lease. If we agree to the making of this Order, we will wish to give 4 weeks notice of our intention to make the Order. I hope this clarifies the issue.

I look forward to receiving the lease and heads of term in due course.

Just so are aware, I am out of the office between Wed 12th April and Mon 8th May. My colleague, who you were originally dealing with (Mrs Hilary Green) is not due back until the middle of April. You may wish to contact my line manager Harvey Grenville, on 01823 345472, if I am unavailable.

Yours sincerely

Victoria Crandon (Mrs)

Victoria Crandon
Senior Specialist Casework Manager
Tel (01823) 345135

From: Iain Harris [mailto:I.Harris@howardkennedy.com]
Sent: Wednesday, April 05, 2006 2:22 PM
To: Crandon Victoria
Subject: Alexandra Palace

Victoria

When we spoke on Friday you said you hoped to get back to me early this week on whether or not the Commission would wish to give notice of its intention to make a S 36 Order.

I wonder whether you are in a position to respond on this issue

Iain Harris
Partner

Howard Kennedy, Solicitors

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21/02/2007

Mick George

From: Iain Harris [I.Harris@howardkennedy.com]
Sent: 11 April 2006 10:05
To: Crandon Victoria
Subject: Alexandra Palace

Victoria

I refer to our telephone conversation on 31 March when I said that I hoped to provide you with the agreed Heads of Terms by 7 April and the draft Lease before 14 April.

I am afraid the timescale has slipped slightly and I have not been able to meet the first deadline and will not meet the second.

The Heads are still being negotiated and our next meeting with Firoka is on 19 April. As and when Heads are agreed I will forward a copy. When the draft Lease is sufficiently far advanced I will do likewise. I am grateful to you for the contact details in your email of 5 April.

Iain Harris
Partner
Howard Kennedy, Solicitors

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21/02/2007

Your ref
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Direct line +44 (0)20 7546 8986
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Mrs V Crandon
The Charity Commission
Woodfield House
Tangier
Taunton
Somerset
TA1 4BL

11 May 2006

Also by email: vcrandon@charitycommission.gsi.gov.uk

Dear Mrs Crandon

Alexandra Park and Palace

I refer to our recent exchange which I believe rests at early April.

I sent you an email on 11 April in which I indicated that the timescale had slipped slightly. I will shortly be in a position to send to you documentation and in order to put matters into context have re-read my letter to you of 28 March. In that letter I dealt with what were then four, and are now, three key issues. I hope it will be convenient if I indicate the position on those issues under appropriate headings as follows.

Section 36(6) Notice

Up to the closure of the consultation process on 27 April there were 23 responses. 18 were in relation to CUFOS, 3 came from TV/radio groups, one from the Alexandra Park and Palace Conservation Advisory Committee and one from the Hornsey Historical Society.

Section 36 (b)(ii) of The Charities Act 1993 stipulates that representations must be "taken into consideration". Does the Commission have any particular requirement in this regard?

Heads of Terms

The amendments proposed by Firoka's solicitors have been agreed and we have requested and presently await confirmation that the latest draft is agreed.

You have kindly agreed to review the Heads of Terms and I will send you an agreed copy for this purpose very shortly.

It would be helpful following your review, if you can confirm, if it be the case, that the Commission will, subject to final Lease terms and Board approval, approve the proposed transaction.

Draft Lease

I hope to be in a position to let you have a draft of the proposed Lease by the end of the week commencing 15 May,

Yours sincerely

IAIN HARRIS

Mick George

From: Crandon Victoria
Sent: 15 May 2006 10:56
To: 'Iain Harris'
Subject: FW: Alexandra Palace and Park

Dear Mr Harris

Thank you for the attached letter.

In connection with your question regarding the representations received under the public notice given under section 36(6)(b), the trustees need to take professional advice where appropriate on any representations received by them as part of the consultation process under this section of the Charities Act 1993. The trustees need to give proper consideration and due diligence to all representations received.

In answer to your question the Commission does not have any particular requirement in this regard, but we would expect the trustees to produce a full and detailed report on any representations received detailing reasons for rejecting or accepting representations and a full response to any representations. It is the duty of the trustees to discharge their duties with care to the charity. We would not, as routine, ask for a copy of this report, but it may be necessary for us to obtain a copy if those people who provided representations consider that their representations have not been fully considered by the trustee body.

I hope this is helpful and that you will be able to confirm, in due course, that the trustees have fully considered the representations received by them under section 36(6)(b)(ii) of the Charities Act 1993.

I look forward to hearing from you shortly.

Yours sincerely

Victoria Crandon

Victoria Crandon
Senior Specialist Casework Manager
Tel (01823) 345135

From: Emma Sherwood [mailto:E.Sherwood@howardkennedy.com]
Sent: Thursday, May 11, 2006 4:39 PM
To: Crandon Victoria
Subject: Alexandra Palace and Park

Please see attached letter which is being re-sent on behalf of Iain Harris due to the original letter being incorrectly dated.

Many thanks,

Emma Sherwood

21/02/2007

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Secretary
Howard Kennedy, Solicitors

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tel: +44(0)20 7546 8823
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Mrs V Crandon
The Charity Commission
Woodfield House
Tangier
Taunton
Somerset
TA1 4BL

19 May 2006

Also by email: vcrandon@charitycommission.gsi.gov.uk

Dear Mrs Crandon

Alexandra Park and Palace

I refer to my letter of 11 May and also our subsequent exchange.

In this letter I will address the outstanding matters from my letter of 11 May as follows:-

Heads of Terms

The Heads of Terms have now been agreed and I enclose and attach a copy. These Heads have been agreed following a period of negotiation between their parties and their respective solicitors. They contain, as you would expect, the principle terms of the transaction.

You have kindly agreed to review this document and I hope following such review you would be able to confirm that the Commission, subject to final lease terms and Board approval, will authorise the proposed transaction.

Draft Lease

A draft Lease has now also been prepared. As I have previously advised Messrs Berwin Leighton Paisner are acting for the Trustees in relation to the development proposals.

The draftsman of the Lease at Messrs Berwin Leighton Paisner is Laurie Heller and he tells me the Lease contains blank spaces for the Profit Rent and Overage provisions which will be drafted in due course. This draft is subject to negotiation but it conforms with the Heads of Terms.

I appreciate that the Commission will obviously not be able to make any Order until the Lease has been agreed but having regard to the processes and procedures to be followed, it would be very helpful if you could let me have any comments and observations that may be appropriate at this stage so that they can be taken into account, if necessary, as early as possible in the negotiating process.

I hope you will not mind if I telephone you next week to seek some indication as to possible timescale as this is of some importance to the process of negotiation with the proposed Lessee.

Yours sincerely

IAIN HARRIS