



**DIRECTIONS FOR AN UNOPPOSED BUSINESS LEASE RENEWAL
UNDER PART II OF THE LANDLORD AND TENANT ACT 1954**

Note: These directions are given on the assumption that the Defendant has filed an Acknowledgement of Service within the period allowed. If the Acknowledgement has not been filed within the period allowed, the sanction in CPR 8.4 will apply unless the court orders otherwise (the defendant may attend the hearing of the claim but may not take part in the hearing unless the court gives permission).

Lease terms

1. The landlord must by **[two weeks from the date of these directions]** submit a draft lease to the tenant for approval.
2. The tenant must by **[four weeks from the date of these directions]** return the draft lease to the landlord with any amendments shown in red.
3. The landlord must by **[five weeks from the date of these directions]** provide the tenant with a list of the terms of the draft lease that remain in dispute.

Valuation

4. The parties' valuers must by **[two weeks from the date of these directions]** exchange their measurements of the property and details of their comparables and they must meet to clarify the issues in dispute.
5. The parties must by **[seven weeks from the date of these directions]** exchange statements of agreed facts and disputed issues and send copies to the court.
6. The parties must exchange expert reports **at least two weeks before** the hearing date notified to them in accordance with the following directions **(See the court's guidance in respect of details of comparable transactions that must be provided)**.
7. Alternatively, if the parties agree to appoint an independent joint valuer the expert report must be included in the document bundle.

Witness statements

8. If there are disputed facts the parties must exchange witness statements **at least two weeks before** the hearing date notified to them in accordance with the following directions.

Listing and hearing

9. This case is allocated to the fast track.
10. Between **Monday XX – Friday XX [seven weeks from the date of these directions]** each party must return to the court the attached listing

questionnaire showing the availability of the parties' expert witnesses and advocates during the period of [**specify dates between 12 weeks from the date of these directions and the target date**. E.g. **09 October 2017 to 1 December 2017**]. Any representations relating to the listing of the case should be set out in the questionnaire.

- 11.** Within **3 weeks** of receipt of the completed listing questionnaire the court will list the case for hearing. The court will immediately notify the parties of the hearing date.
- 12.** The hearing will take place at **10 Alfred Place, London, WC1E 7LR**. The court may wish to inspect the property. Any such inspection will take place immediately following the hearing or at an alternative time and date with the consent of the parties and by arrangement at the hearing.
- 13.** The parties must agree a bundle of documents relevant to the outstanding issues. The bundle must be indexed with numbered pages and the documents must, so far as possible, be in chronological order. The claimant must prepare the bundle, and send 1 copy to the defendant and 3 copies to the court at least **1 week** before the date of the hearing. The bundle must include copies of the following:-
 - ◆ County court particulars of claim and acknowledgement of service
 - ◆ All county court orders including the order transferring the case to the court sitting at 10 Alfred Place
 - ◆ These and any subsequent directions
 - ◆ The section 25 notice or section 26 request
 - ◆ Any agreement extending the statutory period
 - ◆ Up to date official copies of the entries at H M Land Registry of the freehold title and leasehold titles with coloured plans
 - ◆ Any relevant superior leases with coloured plans
 - ◆ The existing lease and coloured lease plan
 - ◆ The new draft lease and coloured lease plan with any disputed terms highlighted in red
 - ◆ Each parties' expert report with full details of all comparables and a memorandum of agreed facts (**See the court's guidance in respect of comparable transactions**)
 - ◆ Any witness statements of fact
 - ◆ A brief summary of the issues in dispute to be determined by the court
- 14.** Each party having been given the opportunity to make representations as to the hearing date it will be postponed only in exceptional circumstances. Any request for a postponement must be made either at a postponement hearing or at the start of the first day that the case is listed for hearing in accordance with the court's guidance.

Whenever you send a letter or email to the court you must also send a copy to the other parties and note this on the letter or email.

If the claimant fails to comply with these directions the court may strike out all or part of its case.

If the defendant fails to comply with these directions the court may bar it from taking any further part in all or part of these proceedings and may determine all issues against it.

Non-compliance could also result in the court making an adverse cost determination.

Date: