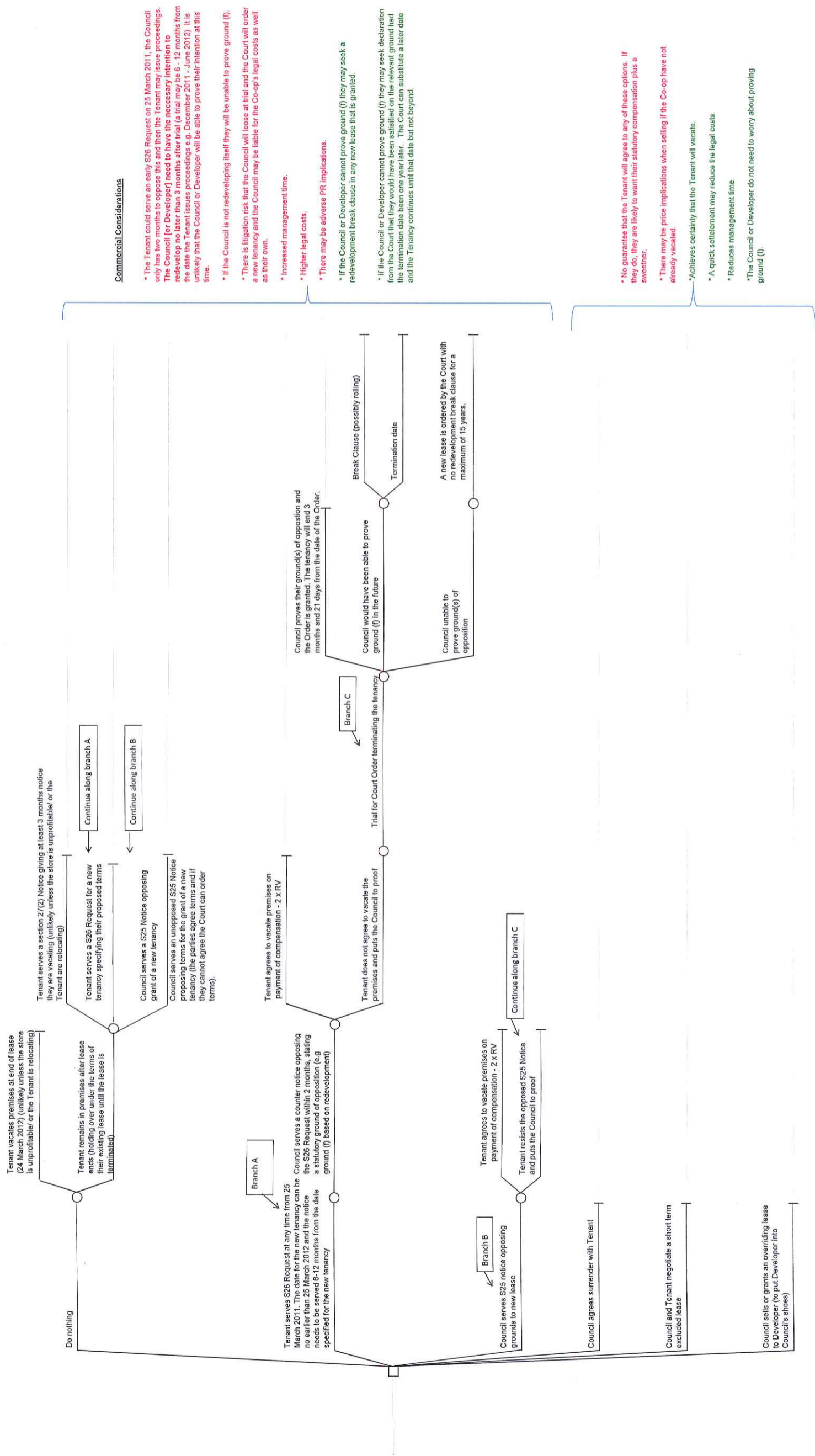


**Draft**

**Decision Tree Analysis - Vacant Possession (excluding CPO)**

Case facts: The Council are freehold owners of premises at Botley where the Co-op is in occupation under the terms of a lease contractually due to expire on 24 March 2012. The lease is protected by the Landlord and Tenant Act 1954. The premises are being sold by the Council (along with other properties belonging to two other parties) for redevelopment as a supermarket. There is planning policy to support the planning application but no consent has been given yet. The sale will be conditional on planning and the development is expected to begin in 2-3 years time. The Council need to know what options they have to acquire vacant possession of the premises to allow the redevelopment to go ahead.

Colour coding for commercial considerations  
Unfavourable consequences  
Favourable consequences



\* No guarantee that the Tenant will agree to any of these options. If they do, they are likely to want their statutory compensation plus a sweetener.

\* There may be price implications when selling if the Co-op have not already vacated.

\* Achieves certainty that the Tenant will vacate.

\* A quick settlement may reduce the legal costs

\* Reduces management time

\* The Council or Developer do not need to worry about proving ground (f).