

Pubs Code - Fairness for Tied Pub Tenants

What is the Pubs Code?

The Pubs Code regulates the relationship between the largest pub companies owning 500 or more tied pubs in England and Wales and their tied pub tenants

It gives those tenants important legal rights to ensure fairness and improve their negotiating strength

The Pubs Code has 2 core principles:

- Tied tenants are no worse off than if they were free of tie
- Pub companies deal with tied tenants fairly and lawfully

Regulated pub companies:

Admiral
Greene King
Marston's
Punch Pubs
Star Pubs & Bars
Stonegate

I'm a Tied Pub Tenant – how am I protected?

Fairness when taking on a new agreement

- ✓ You take on the right pub because you are given all the information you need to seek independent advice and prepare a sustainable business plan

Fair rent negotiations

- ✓ The pub company gives you valuable information to negotiate a fair rent
- ✓ You can ask for a rent review at least every 5 years



Right to choose whether to go free of tie

- ✓ Every time you renegotiate your tied rent under the Pubs Code you can ask to compare it with a free of tie option - known as the Market Rent Only (MRO) option
- ✓ The free of tie rent can be independently assessed if you can't agree
- ✓ Use this right to negotiate and choose the best commercial outcome for your business



Fair dealing from your pub company

- ✓ The pub company must treat you fairly and lawfully when talking about rent, repairs, and business planning – and send you accurate records of those discussions
- ✓ Each pub company must have a Code Compliance Officer available to answer questions about your Pubs Code rights and the pub company's compliance



Other important Pubs Code rights include...

- Ability to price match premises insurance
- Gaming machine tie cannot be required in new agreements
- Upwards only tied rent reviews not allowed
- Franchisees get more information
- Rules about use of flow monitoring devices



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