



Department  
for Business  
Innovation & Skills

**PUB COMPANIES AND TENANTS**

**Consultation Responses**

DECEMBER 2013

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# Letter from Jo Swinson, Minister for Consumer Affairs



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13 December 2013

## **PUB COMPANIES AND TENANTS: A GOVERNMENT CONSULTATION**

Thank you for responding to the Government's consultation on establishing a statutory Code of Practice and an independent Adjudicator to govern the relationship between pub companies and their tenants.

The response to the consultation has been staggering and demonstrates the depth of feeling on this issue. We received 1,120 written responses and 7,038 responses to the online questionnaire. Responses came from a wide range of interested parties. These included tenants, brewers, pub companies and their employees as well as a number of interest groups and trade bodies, supply chain companies, consumers and political representatives.

We committed to publishing the responses which we have done today at:

[www.gov.uk/government/consultations/pub-companies-and-tenants-consultation](http://www.gov.uk/government/consultations/pub-companies-and-tenants-consultation)

The consultation closed on Friday 14 June and all written responses received by 9am on Monday 17 June have now been published. We have sought to publish all responses but redactions have been made to ensure we properly handle personal and commercial data.

In the consultation, we committed to commission independent analysis of the impact of our proposals on pub closures and employment levels and today we have also published research from London Economics. Other survey data has been published since the close of the consultation by the Federation of Small Businesses

<http://www.fsb.org.uk/frontpage/assets/pubs%20research.pdf> and the Association of Licensed Multiple Retailers <http://www.almr.org.uk/hotpdfs/214.pdf>.

While we had intended to publish our response to the consultation before the end of the year, and I understand that those affected by the proposals need clarity from us, it is important that we do not rush into a decision. We promised Government intervention to address the unfairness in the relationship between pub companies and tenants and this remains our commitment. We also said that intervention would be proportionate and targeted and, in taking the time to process, evaluate and assess the excellent response to the consultation, that remains our goal. We will decide on the next steps very soon.

Thank you again for taking the time to respond to the consultation.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jo Swinson', written in a cursive style.

**JO SWINSON MP**

## Approach to Publication

### Data Protection and Freedom of Information

The consultation document outlined Government's intention to publish all of the consultation responses in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 and the Data Protection Act 1998).

We have released the vast majority of the responses received but limited information has been redacted, for example:

- a) personal information which would identify individual tenants or pub company employees;
- b) information which could prejudice the commercial interests of a person if released (wherever possible we have taken into account the views of the relevant person);
- c) information provided in confidence.

### The Online Questionnaire

We are also publishing the results of the response to our questionnaire. The aim of the questionnaire was to encourage responses from a range of people who might otherwise be reluctant to complete a full response to the consultation. Some respondents nevertheless expressed concern about the Government's use of an online questionnaire, for example, some respondents felt the questionnaire process could be abused. We have tried to mitigate this risk as far as possible by investigating the IP addresses used by respondents to the online survey. The vast majority of responses came from different IP addresses but we did identify 325 IP addresses from which more than one response was submitted. An examination of the effect of this showed a difference of only four percentage points between the two analyses, which we do not consider to be significant.

## List of Information Published

The following information can be found on the webpage for the Pub Companies and Tenants Consultation:

1. Statistical analysis of written responses
2. The individual responses grouped together for ease of reference in the following categories:
  - a. Pub Companies and Breweries with more than 500 pubs
  - b. Pub Companies and Breweries with fewer than 500 pubs, including micro-breweries
  - c. Pub company and brewery Employees
  - d. Tenants
  - e. Interest Groups, Trade Bodies and other organisations
  - f. Supply Chain
  - g. Political representatives
  - h. Other Individuals, eg: Consumers
3. Online survey responses
4. The London Economics report

To browse the information you can click on the link for the category you are interested in and it will take you to a front page which lists all of the responses. The list is also hyperlinked so you can navigate directly to the individual response. The exception to this is the individual, tenant and employee categories where the responses were anonymised.

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