

From:
Sent: 03 June 2013 18:35
To: Pubs Consultation Responses
Subject: Response to Public Consultation

Comments made in a personal capacity as a consumer.

Q1. Should there be a Statutory Code?

Yes

Q2. Do you agree that the Code should be binding on all companies that own more than 500 pubs? If you think this is not the correct threshold, please suggest an alternative, with supporting evidence.

It should be binding on ALL companies.

Q.3 Do you agree that, for companies on which the Code is binding, all of that company's non-managed pubs should be covered by the Code?

Yes

Q.4 How do you consider that franchises should be treated under the Code?

In the same way as for tennanted pubs, particularly with respect to the beer tie.

Q.7 Do you agree that the Code should be based on the following two core and overarching principles?

i. Principle of Fair and Lawful Dealing

Yes

ii. Principle that the Tied Tenant Should be No Worse Off than the Free-of-tie Tenant

Yes

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Q.8 Do you agree that the Government should include the following provisions in the Statutory Code?

i. Provide the tenant the right to request an open market rent review if they have not had one in five years, if the pub company significantly increases drink prices or if an event occurs outside the tenant's control.

Yes

ii. Increase transparency, in particular by requiring the pub company to produce parallel 'tied' and 'free-of-tie' rent assessments so that a tenant can ensure that they are no worse off.

Yes

iii. Abolish the gaming machine tie and mandate that no products other than drinks may be tied.

If abolishing the tie is not an option this would be acceptable

iv. Provide a 'guest beer' option in all tied pubs.

Yes - but this should be amended to "one guest beer AND one guest real/traditional cider". For the avoidance of doubt, this must allow both a beer and a cider not one or the other (as given the choice most pubs would choose a beer.) The UK's cider makers need and deserve help, especially after the shameful way cider was kept in the duty escalator in the budget. Providing additional outlets for their products will help both producers, pubs and consumers.

v. Provide that flow monitoring equipment may not be used to determine whether a tenant is complying with purchasing obligations, or as evidence in enforcing such obligations

Yes

04/12/2013

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