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**From:** Matthew Veasey - Nook's Yard Cider [matthew@nooksyard.com]  
**Sent:** 07 June 2013 15:45  
**To:** Pubs Consultation Responses  
**Subject:** TRIM: PubCo/Tenant Consultation - Response  
**Attachments:** AppendixOne - UKCiderMakers.pdf;  
RESPONSE\_NooksYard\_PubCoTenant\_Consultation.pdf  
**TRIM Dataset:** M1  
**TRIM Record Number:** D13/716222  
**TRIM Record URI:** 14384831

Dear Sir/Madam,

**Response to Pub Company & Tenant consultation from Nook's Yard Ltd.**

I attach two PDF documents to this email which form our response to this consultation.

- Our responses to your specific questions:  
**RESPONSE\_NooksYard\_PubCoTenant\_Consultation.pdf**

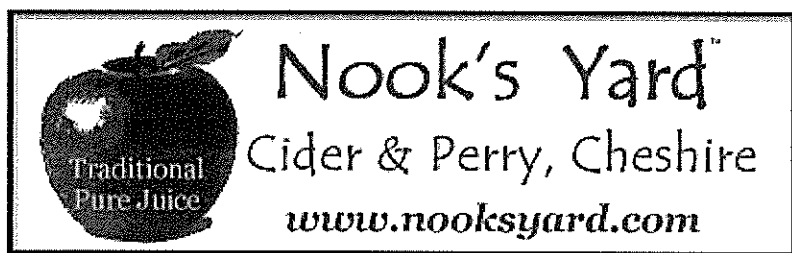
Information to support our responses:

- Appendix One - number and size of cider makers in UK: **AppendixOne - UKCiderMakers.pdf**

If I can be of any further assistance, please do not hesitate to contact me.

Kind regards, Matthew

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## Response to a Government Consultation on Pub Companies & Tenants

<b>COMPANY NAME OR ORGANISATION (if applicable)</b>
Nook's Yard Ltd – a small craft producer of Traditional Cider & Perry in North West England
<b>Which of the following best describes you or the professional interest you represent?</b>
Small to Medium Enterprise involved in the production of alcohol (up to 50 employees)

### Consultation Question 8

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

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

<b>RESPONSE</b>
<p>There should be an explicit 'Guest Cider' provision in the Statutory Code.</p> <p>All the points made about the benefits of having a 'guest beer' can equally be applied to a 'guest cider'.</p> <p>Explicitly, referencing the consultation's supporting documentation:</p> <ul style="list-style-type: none"> <li>• "of benefit to both the tenant, the consumer and independent breweries"</li> </ul> <p><b>There has not only been a recent growth in breweries, but also craft cider makers.</b> The popularity of craft cider is illustrated by the size and number of ciders available at beer &amp; cider festivals alongside many of the same beers that would be considered as a Guest Beer. For example, CAMRA Nottingham Robin Hood Beer &amp; Cider Festival had over 200 different ciders from 118 different makers; CAMRA Reading Beer &amp; Cider Festival had 170 ciders from 100 different makers.</p> <ul style="list-style-type: none"> <li>• "buy one beer of their choice from any source"</li> </ul> <p><b>During the summer tenants might wish to buy cider as an alternative drink to beer.</b> Various cider distributors sell to beer &amp; cider festivals, but also some cider makers sell and deliver direct. Either of these sources would provide a greater variety for consumers, and also maintain lower, more competitive prices.</p> <ul style="list-style-type: none"> <li>• "a popular brand demanded by their customers"</li> </ul> <p><b>Pubs are tied to the same large cider makers thus limiting choice to that maker's brands.</b> For example Robinsons Brewery have an agreement with Westons. This means although there is a 'choice' of cider, it is only different brands from the same maker. Consumers may have been to another part of the country and tried a cider from there – for example Thatchers in Somerset – but this could not be stocked by the pub. This variety would encourage more sales.</p> <ul style="list-style-type: none"> <li>• "a local beer produced by a nearby microbrewery"</li> </ul> <p><b>For "nearby microbrewery" read "local cider maker".</b> Cider was traditionally served in the local village pub. As a producer, I would like to supply to 2 local pubs within 2 miles of me with cider that is made from fruit growing the village but cannot because of the tie. Furthermore cider is now longer solely produced in the West Country or 3-Counties but in nearly every county in the UK; Cheshire has at least 4 cider makers.</p>

- “strengthening community links”

Localism, communities and reduced food miles are valid for beer, then they are also valid for cider.

In summary: there is no logic for explicit inclusion of ‘guest beer’ without also an explicit inclusion of ‘guest cider’. Any argument for providing local craft beer from any source remains equally valid for cider.

Paragraph 27 should therefore be amended as follows:

*Where drinks are supplied under a tied agreement, the Pub Company must provide the Tenant with a ‘guest beer’ or ‘guest cider’ option. This is to be interpreted to mean that the Tenant should be allowed to purchase and sell one draught beer or draught cider from any source without any control or restriction being imposed by the Pub Company.*

## Consultation Question 11

Should the Government include a mandatory free-of-tie option in the Statutory Code?

YES	No
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### RESPONSE

#### A Market Rent Only option would allow direct access to pubs for cider makers

There are now nearly 500 cider makers in the UK, according to the National Association of Cider Makers. A vast majority of these are small makers. These makers already sell locally to free houses, beer festivals and farm shops, or to distributors for national delivery.

Allowing a Market Rent Only option would significantly increase the number of outlets for these makers. The popularity of craft cider at Beer & Cider Festivals demonstrates the demand is there. The tie is currently restricting this opportunity, both for makers, consumers and the tenants.

## General Comment

### Annex B: List of individuals/Organisations consulted

Those who have been consulted include:

All-Party Parliamentary Beer Group

Society of Independent Brewers

A significant number of small, independent breweries.

Not consulted so far are any of the following:

All-party Parliamentary Cider Group

National Association of Cider Makers

South West of England Cidermakers’ Association

The Three Counties Cider & Perry Association

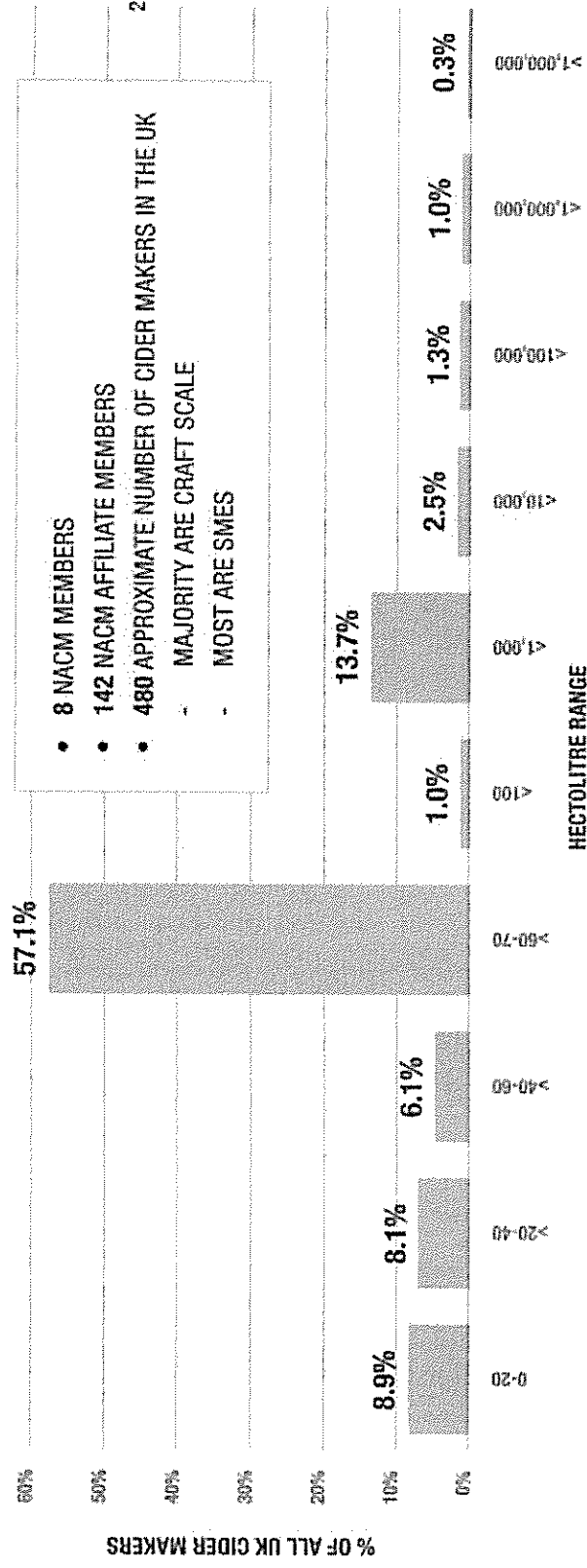
Welsh Perry & Cider Society

Westons Cider, Thatchers Cider, or any other cider-only maker (apart from C&C)

This imbalance seems to be reflected in the wording of Paragraph 26 of the Statutory Code – ie exclusion of cider.

## CIDER INDUSTRY – NUMBER OF UK CIDER MAKERS

### CIDER COMPANIES BY SIZE



VOLUME PRODUCED BY  
NACM MEMBERS

3

84% OF THE UK  
MARKET

SOURCE: 1 NACM NUMBERS AND NACM ESTIMATE OF TOTAL NUMBERS 2 NACM ESTIMATE OF CIDER MAKERS AND OUTPUTS 3 NACM MEMBERS' VOLUME AND NACM RELEASES

Produced by NACM – full slides available at [http://cideruk.com/cider\\_market/responsible\\_market](http://cideruk.com/cider_market/responsible_market)