

From: [redacted] .om]
Sent: 16 May 2013 19:55
To: Pubs Consultation Responses
Subject: former tenant of The [redacted] (Marston's tied tenancy)

In relation to your e-mail in regard to introducing a code of practice & appointing an indepent adjudicator (with teeth) In my view this is several years too late for me & hundreds of other licensees who have been bankrupted by these "sharks" who had no qualms about appointing their next tenant in the same underhand manner & driving them in the same path

1/ Self regulation will not & cannot work because most of these companies have no vested interest in the pub industry but are controlled by city property speculators who have no interest in any thing but a rent yield at the end of each financial year

2/ In my experience pub companies market the prospect of a pub tenancy with very "optomistic" trading figures & try as I might before actually signing a tenancy aggreement Marstons Nor Punch pub company would show me a cost price list for drinks & gave no indication of their wet rent being so closely calculated that atenant might only survive on a meagre existence

3/ Definitely tied tenants should be no worse off than "free of tie " tenants but the only way to ensure this is to make the beer tie optional but definitely not compulsory For example 11 gallons of Fosters Lager from Marstons cost me £109+vat yet to buy exactly the same Lager from a local independent supplier the cost was £76+vat Likewise bottled beers & alcopops cost exactly double from Marston's that they could be bought from Makro or Bookers & the suppliers fitted diferent caps to the ones supplied by Marston's so they could do fridge inspections at random for "outsourced" stock

Why should pub companies recieve 50% of the income from gaming machines & pool tables when they never install them nor have they any input into them whatsoever

In early 2007 when business began to dwindle for me Marston's had just sacked some experienced Regional Managers & Area Managers & drafted in new recruits from the Managed section of the company I requested a "crisis meeting " with [redacted] (Regional Manager) &

(Area Manager) This took place on [redacted] /2007 when proposals were put in place to refurbish the pub & also introduce a food offer It was stated that work would commence within three weeks After the introduction of the smoking ban on 1/7/2007 Marston's had undertaken to install smoking shelters c/w overhead heaters & lights in all tenanted pubs A smoking shelter was installed in [redacted] 2007 but the heaters & lights never appeared A surveyors meeting took place by Marston's where they laid out the plans for refurbishment but after that NOTHING HAPPENED & Mr [redacted] & [redacted] conveniently refused to answer my calls By Early October 2007 trade on weeknights had dwindled to nothing & Mr [redacted] still ignoring my calls I sent him a text stating I would be leaving as soon as possible but again was ignored By early December 2007 I told him I was leaving on [redacted] /2007 to which he was very angry stating I hadn't given suitable notice (impossible if he can't be contacted) I left on [redacted] '07 with £700 in my pocket to fund a rented property A few weeks later I recieved a summons to court from Marston's suing me for Breach Of Contract , Back Rent , Loss of income, Dilapidations of fixtures & fittings (never valued or signed for) & buying out of tie (Weekend delivery service had been stopped) I was so distraught I had no fight left in me to contest this in court & Marston's were awarded over £9000 in damages by the court which after their collection costs rose to over £11000 The pub in question never re-opened & was the sixth in [redacted] district owned by Marston's to have closed down within months Due to the [redacted] of Marston's I have had to sell my house , have lost my car , my health has detriorated due to stress My situation is by no means unique as pub companies do the minimum

repairs to boilers etc & expect tenants to live in sub standard living accommodation above their pubs In my pub the windows were steel & most didn't close properly Upstairs had no domestic kitchen & was impossibly cold The boiler was very old & when technicians were called to fix it they said " do not call us back we have never seen anything so old & knackered "

Hundreds of people have been financially ruined by these companies & their "beer tie " Self regulation is a joke as area manager "go to ground " & tenants are on their own sinking in debt I did hear of a pub which had been closed for some time (The) A tenant reopened it at a rent of of £100 per week from Punch Pub company & reestablished a reasonable trade After several months Punch Pub company proposed to refurbish the pub but on completion the rent would be £461/week or £24k per annum Needless to say he left

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