



Department
for Business
Innovation & Skills

Enterprise Bill: Pubs Code and Pubs Adjudicator

Issue:

The introduction of a Statutory Pubs Code and independent Adjudicator will address the imbalance in bargaining power between large pub-owning businesses and their tied tenants. It will help ensure fair treatment for the sole traders and small businesses that run thousands of tied pubs across England and Wales.

Measure:

The measure will:

- make provision which is similar to sections 43(1), (6) and (9) of the Small Business, Enterprise and Employment (SBEE) Act 2015. Government is currently consulting on secondary legislation that implements these sections. The government understands that the intended effect of this amendment is to make clear that the Secretary of State does not have power to qualify or limit the circumstances in which pub-owning businesses will be required to offer a Market Rent Only option.
- require the Pubs Code Adjudicator to report to the Secretary of State where such businesses have unfairly taken steps to avoid provisions in Part 4 of the SBEE Act.

Aims and Impact:

The measures will:

- enable tied tenants to obtain a Market Rent Only offer at all scheduled rent assessments if their pub-owning business owns 500 or more tied pubs in England and Wales.
- inhibit unfair business practices that would take such pub-owning businesses out of scope of the Pubs Code.

For further information, go to: <https://www.gov.uk/government/publications/pubs-code-and-adjudicator>.