



Office of the Pubs Code Adjudicator  
Lower Ground  
Victoria Square House  
Victoria Square  
Birmingham  
B2 4AJ  
Email: [office@pubscodeadjudicator.gov.uk](mailto:office@pubscodeadjudicator.gov.uk)

06 December 2019

Dear [REDACTED]

Thank you for your email, received on 11 November, in which you requested information from the office of the Pubs Code Adjudicator (PCA) under the Freedom of Information Act 2000 (the Act).

The Act entitles you to:

- know whether the information you have requested is held by the PCA; and
- be provided with that information, subject to any exemptions in the Act which may apply.

You have requested the following information:

1. *“copies of the minutes and or any notes from the meeting Sarah arranged with you.”*
2. *“copies of all correspondence between the parties i.e. the PCA and Sarah Wollaston office and or her aides.”*

We have interpreted your request to refer to the meeting held on 13<sup>th</sup> February 2019 and correspondence between the PCA and/or DPCA and/or the Office of the PCA and the MP's office/aides in respect of that meeting. We do not understand your request to be seeking the names of officials in the PCA office or Sarah Wollaton MPs office.

In relation to request 1, I can confirm that the office of the PCA does not hold information relevant to your request. There were no minutes or notes taken at the meeting because it was simply a courtesy briefing of Sarah Wollaston MP ahead of her meeting with the Minister, to discuss the matter of disclosing the quantity of drinkable beer in a cask during rent assessments. A matter which formed part of the PCA consultation on statutory guidance, which had recently concluded.

In relation to request 2, I can confirm that the office of the PCA does hold information relevant to your request. This information is included as an annex to this correspondence for your ease of reference. As stated above, we have not included references to personal data because we do not understand your request to be seeking the names of officials in the PCA office or Sarah Wollaton MPs office.

If you do not believe that the office of the PCA has provided an appropriate response to your request, as set out above, you are entitled to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original request and should be made in writing, quoting the above reference, to [office@pubscodeadjudicator.gov.uk](mailto:office@pubscodeadjudicator.gov.uk) or:



## Pubs Code Adjudicator

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If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,

[Redacted signature]

**Office of the Pubs Code Adjudicator**



## Pubs Code Adjudicator

**Annex A:** Correspondence between the Office of the Pubs Code Adjudicator (OPCA) and Sarah Wollaston MP (SWMP).

**25/01/2019 OPCA - SWMP**

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Dear Dr Wollaston

We are writing to you as the statutory Pubs Code Adjudicator (PCA) and Deputy PCA with responsibility for enforcing the Pubs Code enacted by Parliament in 2016. The Pubs Code governs the relationships between the six large pub-owning businesses (those with estates of 500 or more tied pubs) and their approximately 10,500 tied pub tenants in England and Wales. The Code requires fair and lawful dealing by those businesses with their tied tenants; and that a tied tenant should be no worse off under their tied deal than they would be were they free of the tie. These core Code principles are underpinned by specific transparency provisions on how and when tied tenants must be provided with information on the terms of their tenancy –including how the tied rent has been assessed; and by a right for tied tenants to request a Market Rent Only proposal for a free of tie tenancy at specified times –including when there is a tied rent review.

We are aware that you raised an issue governed by the Pubs Code –the disclosure of the quantity of drinkable beer in a cask during rent assessments –with the Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy, Kelly Tolhurst, in the House of Commons on 8<sup>th</sup> January. We understand that the Minister has promised to meet you and some of your constituents to discuss this matter further. We would also welcome the opportunity to meet you and to brief you on the history of our engagement with tenant campaigners on this issue. If convenient, it might be helpful to do this before you meet the Minister.

The Office of the PCA has recently concluded a consultation on statutory guidance setting out how pub-owning businesses must calculate and set out in rent assessments the duty paid on alcohol supplied under the tie and the volume of draught beers and ciders that will be unsaleable for reasons of both sediment and operational wastage. The consultation period closed on 11<sup>th</sup> January, and detailed responses have been received from a number of tenant campaigners –including Mr Chris Wright of the Pubs Advisory Service. We are currently analysing those responses and will publish a formal response to consultees as soon as possible. We aim to bring the statutory guidance into force for the start of the next Pubs Code reporting period on 1<sup>st</sup> April 2019. The consultation document can be viewed at: [www.gov.uk/pcahttps://www.gov.uk/government/consultations/pubs-code-consultation-accounting-for-duty-paid-on-alcohol-and-volumes-of-unsaleable-draught-products](https://www.gov.uk/government/consultations/pubs-code-consultation-accounting-for-duty-paid-on-alcohol-and-volumes-of-unsaleable-draught-products)

If you are agreeable to a meeting, we will contact your office to make the arrangements. We look forward to meeting you.

Paul Newby  
Fiona Dickie  
PUBS CODE ADJUDICATOR  
DEPUTY PUBS CODE ADJUDICATOR

**04/02/2019 SWMP – OPCA**

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Dear [REDACTED]



## Pubs Code Adjudicator

Thank you for your kind email. Dr Wollaston would be keen to meet with Paul and Fiona ahead of her meeting with the Minister and has asked me to propose some times – please let me know if any of the below may be convenient

- 13/02, afternoon
- 14/02, before 1400

Best wishes

**04/02/2019 OPCA – SWMP**

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Dear [REDACTED]

Does Dr Wollaston have time available on or after 1pm on the 13th?

Kind regards

[REDACTED]

**05/02/2019 SWMP - OPCA**

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Thanks [REDACTED]

1330 on 13th would work for Sarah

Best wishes

[REDACTED]

**06/02/2019 OPCA – SWMP**

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Good morning [REDACTED]

I'll put 13:30 in Paul and Fiona's diaries. Shall I say 1 hour? Is the venue Portcullis House?

Thanks

[REDACTED]

**13/03/2019 SWMP - OPCA**

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Thanks [REDACTED], 1330 on 13 February confirmed – I expect the meeting will last c 30-45 minutes if that helps

Best wishes

[REDACTED]