

A DAY IN THE LIFE OF...A BDM



by PCA writer

Following on from our successful visits last year accompanying Business Development Managers (BDM) and other pub company representatives, the PCA team are out on the road again!

Our first visit of 2024 was to take up the offer extended by Star Pubs & Bars and as Regulatory Policy Lead at the PCA, I was eager to accompany a BDM for the day to see the Pubs Code at work and how it can benefit tied tenants. The BDM and Tied Pub Tenant relationship is fundamental to the success of the pub and so to have the opportunity to see this relationship in person with very different tenants and very different pubs, was a great opportunity.

We started off at the Duchess of Kent in Erith. I met with Toni Stevenson and Mick Bannister who took on a 5 year Foundation Tenancy (Star's standard five-year fixed term agreement) in November 2023 and have made great strides as tenants.

They are excited and enthusiastic for the future and have many plans for the business. Both of them were full of praise for the support they had received so far from their BDM Mark Marijnen and knew where to access the support available to them. Toni and Mick had limited knowledge of the Code but asked plenty of questions during the meeting and wanted to learn more.

Schedule 1 of the Pubs Code regulations sets out the information that a Pub-Owning Business must provide to a Tied Pub Tenant when they are entering into a new or renewed agreement. We discussed the information Toni and Mick had received and how time consuming it had been to read all of the information provided at the start of the tenancy.

They noted that being new to a pub and having lots of plans and tasks to do meant that it was easy to forget to read every document provided. Therefore ensuring this information is accessible is really important.

During the meeting, Mark took Toni and Mick through the upcoming events and promotions that Star were gearing up for, ensuring they had enough glasses, promotional materials and anything else they may need to make the events a success.

Mick and Toni had recently experienced an issue with the cellar and repairs can often be a concern for Tied Pub Tenants, as we have seen in the results of our previous annual surveys, but Mark was working hard to ensure that this was fixed and that they were happy with the process. It was clear to see a positive relationship between the tenants and their BDM and I am sure that there are some exciting times ahead for the Duchess.

Next, we were off to the Ivy Leaf in Dartford. The manager Jim Clarke is highly experienced and has been at the Ivy for 18 years and running pubs for 22. Jim is to leave the pub in September 2024 due to the cost of living and increases in overheads making it a difficult trading environment and he is now ready to retire with his partner.



The Ivy Leaf in Dartford

Mark has started going through Jim’s repairs and dilapidations list with him and has found a few items that required some checking, as it wasn’t clear if the responsibility was on the tenant or Star.

Pubs Code Regulation 13 (7) denotes that the Pub-Ownning Business should carry out any surveys to review any dilapidations at the premises in line with the agreement in place, and this must be at least six months before the end of the agreement. By the time of our visit a lot of the work had already been completed and was ready for the Property Manager to come out and sign it off.

It is also useful to note that since the Pubs Code was introduced the Pub-Ownning Business is required to provide a Schedule of Condition, which is a record of the state of repair at the pub premises before the Tied Pub Tenant takes on a new agreement. This is useful in alleviating any potential disagreements that may arise at the end of the lease.

During the visit I saw how Mark understood the things that mattered to Jim. I observed how they discussed issues like energy costs and their impact on the pub and how they could publicise upcoming events and promotions.



Toni and Mick from the Duchess of Kent with BDM Mark

Jim is keen to see the pub succeed, and Mark gave him an update on how progress was going on finding a new tenant. It is testament to Jim's relationship with his pub company that he has offered to meet any new potential tenants before they step into his shoes and take over at the Ivy Leaf. Despite leaving the business, Jim was extremely positive and complimentary of Mark as a BDM and all of the dealings he has had with Star Pubs & Bars.



Kirsty and Tom from the Kings Arms with Mark

Our third visit of the day was to the Kings Arms in Bexleyheath. Unfortunately, the tenant, Pete Marshall was unavailable to meet with us, but I had a great conversation with Tom the Team Leader and Kirsty the Operations Manager. They told me how Pete has a 15 year lease with Star and that he recently explored the Market Rent Only (MRO) option but decided to remain tied. The MRO option gives Tied Pub Tenants of regulated Pub-Ownning Businesses the opportunity to change to a free of tie lease. The Pubs Code is in place to ensure that tenants are no worse off than if they were free of tie.

The Kings Arms is a very successful pub and weekly figures seen by the BDM demonstrate that, with Mark explaining that staff set a great example for making the most of their assets.

Finally, we ended our day with a visit to the Millers Arms in Bexley. Lee Dubois has just signed a substantive let for the pub after being on a Tenancy at Will (TAW) since March 2023. This is also Lee's second pub with Star. Lee is looking to invest in the property, turning it into a sports bar to compete with others in the area, as well as pick up the evening trade following the closure of a local nightclub.

To attract customers in, Lee is looking to add a pool table and gaming machine and Mark was able to signpost Lee to a useful contact for this. Lee and Mark discussed how trading figures were successful and were up on the previous year, with Mark believing that this trend would continue upwards following the planned renovations.

Again, the extensive reading required as part of the Schedule 1 information was raised as a challenge for tenants, but overall, Lee was aware of how the Pubs Code could support Tied Pub Tenants such as himself. Lee was very complimentary of Mark and Star as a whole, feeling supported and kept in the loop.

I had a great day out with Mark and would like to pass on my thanks to both him, and Lynne Winter, Stars' Code Compliance Officer for allowing me to have this experience.



Mark with Lee from the Millers Arms

To find out more about the Pubs Code go to <https://www.gov.uk/government/organisations/pubs-code-adjudicator>