



Newby wants to 'accelerate' pubs code arbitration process

By Claire Churchard [↗](#)

20-Nov-2017 - Last updated on 20-Nov-2017 at 09:25 GMT

Paul Newby has told Rachel Reeves MP he is “constantly looking for opportunities to accelerate” the pubs code arbitration process in a letter responding to her questions about the performance of his office.



In October, Reeves, the chair of the Business, Energy & Industrial Strategy (BEIS) select committee, [wrote to the pubs code adjudicator \(PCA\)](#) requesting information about how many tied pub tenants had obtained new market-rent-only (MRO) agreements.

She also requested data on how many tenants had been through the entire MRO process and had obtained an independently assessed rent, among other things.

Under scrutiny

Her letter emphasised the PCA was under scrutiny following concerns about the time it is taking tenants to complete the arbitration process and the number of MRO agreements achieved.

However, in response to Reeves' questions about the number of tenants that have been through the MRO process, obtained an independently assessed rent and, subsequently, a new MRO agreement, Newby wrote: “The information held by my office does not provide a complete picture of MRO

negotiations or agreements across the industry because in the ordinary course of events many of these take place directly between tied pub tenants and their pub-owning business, and my office is not involved.”

Confidentiality

Campaigning group, the Pubs Advisory Service (PAS), has called on Newby to share the data it has on MRO agreements Newby has presided over. But the PCA office has said it would not do this because it could identify individual cases, which would break the confidentiality of the arbitration process.

PAS has also questioned Newby’s definition of an MRO agreement. The group said that agreements reached between the tenant and pub company outside the MRO process are not MROs.

In response to concerns about the length of time it is taking to complete an arbitration, Newby restated his position that this is “dependent on a number of different factors but is primarily driven by the parties themselves”.

Frustrations

He also acknowledged tenants’ frustrations with the arbitration process, which frequently centre on the length of time the process takes, and said he was “constantly looking for opportunities to accelerate this process”.

Rachel Reeves' office was asked whether she would now call on Newby to answer more questions. In a statement she said: “The reply from Mr Newby seems to highlight an unresolved issue in how the pubs code adjudicator is operating since the pubs code was introduced last year. The committee will keep this under review and consider further steps in due course.”

Copyright - Unless otherwise stated all contents of this web site are © 2018 - William Reed Business Media Ltd - All Rights Reserved - Full details for the use of materials on this site can be found in the Terms & Conditions

RELATED TOPICS: [Legislation](#)