



LEGISLATION

Pubs code: Government praised for 'listening' to tenant campaigners

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09-Dec-2015 - Last updated on 09-Dec-2015 at 15:15 GMT

The government has been praised for 'listening' on the second part of the pubs code consultation.

Fair Deal For Your Local campaigner Simon Clarke said that despite a 'very poor start', the Government had listened to some of the concerns outlined by figures from across the trade.



“Despite the initial proposal of a pubs code that seemed to bear no resemblance to what was expected or what we thought was promised, the Government do seem to have taken on board the initial backlash which came in varying degrees from the entire industry.”

Clarke added that he hoped the second part of the consultation would go some way to clarify parallel rent assessments (PRA).

The Government has said that it will not proceed with a separate PRA mechanism but following concerns from stakeholders, its core intention-comparison of tied rent alongside a free-of-tie rent-will be provided for in the MRO process.

Pubs Advisory Service head Christ Wright described the second part of the consultation as a 'far better proposal for tied tenants' but added he was disappointed the first part had not been

scrapped.

“We are delighted the Minister took into account pubs seasonal trading patterns, it shows Government is listening to publicans. However, part two jars badly when set against the first part and we are disappointed Government was unable to pull the first part despite all its inherent problems. Looking back there was clearly no reason to produce a complicated wordy first draft and we still believe its continued use causes confusion for many tenants in responding to the consultation.”

Tenant campaigners were left reeling following the publication of the first part of the consultation, which removed PRA's and said that tenants would only be offered the market rent only option if pub companies increased their rent at a rent review.

Business minister Anna Soubry has since stressed that 'it was not the Government's intention' to limit the number of tied tenants able to go free-of-tie and asked for evidence on how the current drafting could restrict access to the MRO.

Association of Licensed Multiple Retailers chief executive Kate Nicholls agreed that the Government is running a 'genuine' consultation.

She said: “It is clear that the Government is listening and has recognised our call for legislation which pragmatic and workable. The extension of the consultation deadline and the commitment to swift implementation in line with the statutory deadline will bring welcome clarity and certainty for operators.”

Tenant campaigners and the Save the Pub Group have both praised the Department of Business, Innovation and Skills decision to extend the deadline for both parts of the consultation to the 18 January 2016.

Save the Pub Group chair and Liberal Democrat MP Greg Mulholland said that while he was pleased the deadline had been extended, the battle was far from over.

“The Code still needs to be redrafted better, as it currently denies the will of Parliament and fails to get a fair deal for tied tenants. We still need to see a proper MRO option allowed, one that tenants have long asked for and one that both Houses of Parliament voted for.”

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