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13 June 2013

Pubs Consultation  
 Consumer and Competition Policy  
 Department for Business, Innovation and Skills

Via email: [pubs.consultation@bis.gsi.gov.uk](mailto:pubs.consultation@bis.gsi.gov.uk)

Dear Sirs,

**PUB COMPANIES AND TENANTS:**  
**A GOVERNMENT CONSULTATION BY THE**  
**DEPARTMENT FOR BUSINESS, INNOVATION AND SKILLS**

I write on behalf of Arkell's Brewery and in response to the Government consultation.

We strongly oppose the imposition of a Statutory Code on the industry as proposed by the Department for Business, Innovation and Skills. As members of the IFBB and BBPA the Company wholeheartedly supports both their detailed responses.

Arkell's Brewery was established in 1843 and still remains in the control of the original founding family. We employ 300 people and have an annual turnover of over £19m. Our pub estate comprises 99 pubs of which 85 are tenanted houses, all of which operate under a system that ties tenants to purchasing all their drink products from us. Our tenancy agreements incorporate Version 6 of the recently launched Industry Framework Code (IFC) and are based on a 3 year renewal term and contracted into the Landlord & Tenant Act 1954. It is a business model that works well and indeed has stood the test of time.

We operate in a highly competitive marketplace and given the current particularly challenging economic conditions, we are constantly seeking ways of improving our support to our tenants through benefits that are recognised by the European Commission as Special Commercial or Financial Advantages (SCORFA).

Through a combination of embracing Version 6 of the IFC and increasing SCORFA benefits we believe that self-regulation is working.

In the event that a Statutory Code were implemented we would support the 500 pub threshold on the basis that it includes tenanted and leased pubs only and not managed houses.

Our industry has already suffered too much unwarranted Government and European interference over recent years and given the extreme pressure on business in this recession, we appeal to the Government to finally let our industry get on with trying to make a success

James R Arkell TD DL *Chairman* Nicholas H Arkell *Vintners and Sales*  
 Barry J Russell ACA *Finance* George J Arkell *Tied Trade* Teresa D Hill *Company Secretary*  
 Executive Directors: A T Arkell *Brewer* S P Berry *Free Trade* C Titchener *Managed Houses*

of pubs in the collaboration with our licensees as opposed to spending even more time grappling with yet more regulation.

Yours faithfully;

**James R Arkell**  
**CHAIRMAN**