



RPK/AB

14 June 2013

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Pubs consultation  
Consumer and Competition Police  
Department for business, Innovation and Skills

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

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

I write on behalf of Joseph Holt in response to the above consultation. Joseph Holt has been brewing beer in Manchester since 1849 and currently owns 126 public houses throughout the North West, a number of which are run as traditional brewery tenancies. We oppose the imposition of the Statutory Code as proposed in this Government consultation. We are members of both the Independent Family Brewers (IFBB) and the British Beer and Pub Association (BBPA) and we support both these submissions. In addition to the IFBB document, which we enclose as part of our submission, we would also wish to make the following specific points:

**Question 1: Should there be a Statutory Code:**

Joseph Holt does not believe there is any need for a Statutory Code. As we only operate short term brewery tenancies we feel that the introduction of a Statutory Code would only add further costs to ourselves, and more importantly, our tenants. It would be much more sensible to allow the industry's voluntary Code of Practice, which was introduced in 2011, to continue to operate in its existing successful form.

**Question 4: Do you consider franchisees should be considered under the Code:**

Under the Joseph Holt model of a franchise, it would be illogical for it to be included under any Statutory Code and should therefore definitely be excluded. Our estate includes a number of pubs in which we appoint a self-employed person to run the operation. This operator receives a percentage of turnover and is responsible for employing all his own staff. We are responsible for all brands sold and how the food menu operates. The profit generated by the pub reverts to the company. To suggest therefore that these pubs could be included purely because they are being run by a self-employed person would not be logical.

**Question 8(iii) Should the Government abolish the gaming machine tie and mandate that no products other than drinks may be tied:**

Joseph Holt would not be in favour of abolishing the gaming machine tie. We currently operate a system with our tenants that gives them access through our nominated suppliers to quality new fruit machines with an excellent 24-hour repair backup service. We would be wary that removing the tie could lead to inappropriate and unscrupulous suppliers of gaming machines being involved our tenants and in our pubs.

In conclusion therefore, we feel that as an industry we have been subjected to considerable unhelpful Government and European influence over the years and it would now be much more appropriate if our licensees and ourselves were allowed to focus our attention on making a success of our pubs rather than be subjected to more legislation.

Yours faithfully,

**RICHARD P KERSHAW**  
Chief Executive: