

From:
Sent: 21 May 2013 13:51
To: Pubs Consultation Responses
Subject: Pub companies and tenants - A government consultation
 Please find my responses to the questions set

Q1. Yes there should be a code in place set by government, giving clear guild lines in ties, rents, repair etc

Q2. The code, if set, should have no bounds in the number of pub's a pub co has, Rules should be set for all not some. At the present time pub co are dumping pubs into "retail agreements" like Marston's, to reduce the number below the 500, even now selling chunks of their estate and leasing them back to get under the proposed 500 marker. At the end of the day a "pub co is a Pub co", and has to be treated with the same code if they have 500 pubs or 2.

Q3. Depending upon the agreement, as knowing the pub industry, they will come up with a concept, like the retail agreement, they will find ways around codes set in place. These agreements as they are controlled by the Brewery, as they pay the expenses as well as set prices set menus and control most things should stay in the hands of the brewery.

Q4. see reply above

Q5. Bringing a "fair, open trading market" into force, will have a few effects, the breweries becoming more competitive, but offering better deals to "free of tie" customers. Myself, I will be able to save around £400 per week by buying free of tied prices on the same products from Marston's, I can offer a larger range of product, esp. local micro brewery beers, so hopefully increasing their business and aiding local employment. The customer may benefit as well as having a larger choice and well as better pricing, drawing more customers back to their "local pub, a hub for community".

Q6. Self regulation? lol. Sorry but have to put that, the person who is in charge of the fair rents body, just happens to be connected to all the breweries, his company assesses the fixtures and fittings for pub co's. Self regulation not worked since 2004, so why would it work now.

Q7 the 2 core "principles" have to fit to what's stated, fair to all and allow the tenant the ability to earn a living.

Q8. Marston's rent review is set every 5 years from the start of the contract. At the start of our contract, we had agreed to pay £1k for bar beer garden and working Kitchen, income based on 50% wet, 50% dry, on taking the pub on the kitchen never worked and Marston's wrote it off, but we replaced the Kitchen costing £1k. the rent was never reduced. For 5 years we paid around £700 per week, till we reached the 5 year rent review, taking the kitchen problem and the economy into the review, our rent is now £300 per week. Reason why explaining this, is that for all we asked for rent adjustment over the years, no organisation was able to assist us.

Like every business, deals to be done, but price increases happens so cost of good increase, sometime can be held back, but if a fair market place happens, products might increase so costs have to be passed on, but as long as they are fair, and transparent. Open market price can be easy seen today, but more clear guild lines will improve the system. Marston's sell Banks bitter in 3 retail agreement pubs in our market town at £2.40 per pint, we know Marston's have a gp% level set at 40%. Yet for us to achieve 35% we sell at £2.60 per pint. Looking around on the internet in possible buying a pub, Marston's are selling banks in some areas at £1.90 a pint

So what's the real cost and selling price? we pay £110 a firkin than vat to be added, Yet a company in Manchester who can supply us Banks bitter can sell us it at £89.00 and that's with vat added

So ask the question

The gaming aspect, easy a tenant takes a business on, they run the pub the way they want, but pub co force machines into pub's with the 50/50 split condition. If a tenant wants machines, should be up to them, no string

attached by pub co's

Guest beers, if free of tie, this question does not need to be answered

Flow monitoring equipment. Here the "spy in the line" has never really worked. According to Brew line, we never cleaned our Guinness line for 5 month.

If a system had to be devised so fair to all, the monitoring system that worked, could be useful the pub co getting a fair rent, and beer supplied by them keeps the beer raising equipment in the pub, but for every pint sold, a cash levy say of 2p a pint is charged, so covering the cost on the equipment

Q9. All we want is a fair market place to trade in, make a living, not have to be collecting "working tax credit of £38 pound a week from government. A fair playing field, where we can trade, and not like us, be in direct competition with our pub co, as their buying power on food and the use of managed house prices in the retail agreement pubs, which there are 3 in our town, have caused us total hardship, no earnings, claiming benefits. NOT RIGHT

Q10. A "health check" would be a good idea, seeing if the principles and code is working, and if can be improved.

Q11. A set principle in law to be clear if "free of tie" to be fully complied with, or a option of 3 pub co beers and the rest free of tie. Either should be very clearly stated in Law.

Q12. As mentioned before, the free of tie option, allows TRUE business persons, whom want to run a pub, have a fair crack of the whip, we have the Food option to increase our business, no food tied, so can do our own menu's , events etc to improve out business and be fair in competition as well as given the consumer a larger range of choice, and if like us support local economy. Free beer ties allow us to use "micro breweries" local and afar to give greater range that what we are allowed to sell at present. Only one more thing would assist the "local hub(pub) if a community, unit prices, supermarkets cut price deals, mainly keeping people at home drinking, they consume more drink as the are not keeping tabs on amount, the Tax man suffers as less tax paid on the drink than what would be collected by pubs, drink problem on health, and the young, getting "tanked up" on cheap booze before going out. 50p a unit will not effect the normal market price, but will curb supermarkets using it as a marketing ploy, getting men/husbands in, who have a tendency to spend more when shopping.

Q13. Yes

Q14. Yes this person and their office should be able to judge right and wrongs and give both parties a fair deal. If a breach of code comes to light, then the Adjudicator should have to powers to investigate and fine the offender

Q15, on offences carried out both if tenant or pub co, yes name and shame, but have to power in the case of pub co, to fine them up to 10% of net yearly profits

Q16. Yes

Q17. Funding, from all, the tenant can have a small fee added to the liquor licensing certificate, via the local authorities, pub co, have a license fee to operate a pub co brought in, the tax payer can also add a bit, Breweries and producers as well. A bit from there, here and everywhere, as everyone would benefit from a fair trade aspect of free trade pubs

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