



## Pubs Code Adjudicator

### **Pubs Code Adjudicator and Code Compliance Officer meeting 20 June 2017, 13.00 – 15.30**

#### **Attendees:**

Paul Newby	PCA	Rob May	Ei Group
Kathy Lee-Cole	PCA (chair)	Sara Kitchen	Ei Group
Laura Campbell	PCA (notes)	Chris Moore	Star Pubs & Bars
Julia Tortise	PCA	Julie Jolly	Greene King
Jenny Nobes	BEIS	James Edwards	Marston's
Jim Cathcart	BBPA	James Richards	Punch Taverns
Andy Tighe	BBPA	Stuart Gallyot	Punch Taverns

#### **Apologies:**

Mark Brown                      Admiral Taverns

### **Key points and actions**

#### **1. Addressing costs and delays to arbitrations – potential lead/test case**

No agreement has been reached between the regulated pub-owning businesses and tenant representative groups to bring a potential test/lead case.

The PCA intends to publish general precedents from arbitrations to inform other cases; however, there needs to be a sufficient number of cases in order to do so.

#### **2. Tenant survey**

Jenny Nobes, analytical advisor to the PCA, presented the PCA's plans for a tenant survey, currently scheduled to take place September/October 2017. The purpose of the survey is to provide evidence of the current views and experiences of tied pub tenants on specific issues which the Pubs Code is designed to address, and to provide a baseline position to track change over time.

CCOs were asked to support the survey by identifying tied pub tenants in scope of the Code, within the provisions of the Data Protection Act, so that the market research company can obtain a representative sample, and promote participation in the tenant survey through communications (information to be supplied by the PCA).

**Action:** PCA to provide CCOs, via BBPA, with a copy of the tenant survey presentation.

**Action:** CCOs to consider sharing details of tied-pub tenants, within the provisions of the Data Protection Act, for the PCA tenant survey and report back to the PCA by 19 July.

SG requested sight of the tenant survey questions, once available. SK requested that the results of the survey be shared with CCOs in advance of being published, so that the pub-owning businesses had an opportunity to respond.

**Action:** PCA to consider handling issues related to tenant survey.

The meeting noted that the annual tenant track survey, commissioned by pub-owning businesses, is also undertaken in the autumn.

**Action:** CCOs to consider whether the tenant track survey could be re-scheduled to avoid both surveys taking place at same time.

**Action:** BBPA to check which market research company runs the tenant track survey.

### **3. Progress of PCA's validation exercise on the Pubs Code's implementation / annual compliance reports**

PN confirmed that the validation exercise was on-going. The meeting discussed how pub-owning businesses were raising awareness of the Pubs Code via their websites.

PN noted that the validation exercise is separate to the annual compliance reports required from the pub-owning businesses. JJ requested further information from the PCA on what information should be included in the compliance reports.

### **4. CCO matters**

JC reported that Recommendation Group meetings had been broadly positive with some outputs noted. JC requested PCA's feedback on the recommendations from the Recommendation Group.

**Action:** PCA to provide feedback on Recommendation Group's recommendations.

### **5. PCA update**

KLC updated the meeting on: staffing changes at the PCA; the approach to 2017/18 levy methodology; new web products due to be published; the PCA's release of information policy, and the process and timings for the PCA's annual report. KLC thanked CCOs for their support in distributing the Pubs Code leaflet.

PN requested that CCOs confirm whether hard copy documents issued to tied pub tenants are clearly marked as important, for example RAPs. Ei Group noted that their Rent Assessment Proposals were also emailed to tied pub tenants.

**Action:** CCOs to confirm whether hard copy documents issued to tied pub tenants are clearly marked as important.

### **6. PIRRS update**

JC will report back on the possible further extension of the PIRRS scheme for tied rent disputes to include circumstances where tied pub tenants are pursuing the MRO option.

**Action:** BBPA to report back to the PCA on the extension of the PIRRS scheme.

## **7. AOB**

The meeting agreed that more detailed agendas and pre-meeting material, where appropriate, would be welcomed for future meetings.

**Next meeting:** 20 September 2017