

Press release: Pubs Code Adjudicator data reveals significant activity in first year of new law

Paul Newby, the Pubs Code Adjudicator, today marked the Pubs Code's major milestone by releasing first year data.

Mr Newby said the detailed figures revealed significant activity in the first year of new rights and protections for tied pub tenants.

He announced that in the first 12 months since the Pubs Code became law, the PCA has accepted 156 cases for arbitration.

Of the 156 cases, 131 relate to the Market Rent Only (MRO) option, the process by which tied tenants can request an option from their pub-owning business to go free of tie. Other issues covered by the cases include compliant rent assessment proposals and Independent Assessor determinations of market rent. The Adjudicator has now made awards in 48 cases.

With such significant numbers the PCA is now able to provide further information on the proportion of disputes relating to different pub-owning businesses without the risk of identifying individual cases.

Of the 156 arbitration cases accepted by the PCA, the breakdown is as follows:

Pub-owning business Accepted cases

Admiral Taverns	0
Marston's	1-10
Punch Taverns	11-20
Star Pubs and Bars	11-20
Greene King	21-30
Ei Group	>30

Of the 131 MRO cases the breakdown is:

Pub-owning business MRO cases

Admiral Taverns	0
Marston's	1-10
Star Pubs and Bars	1-10
Punch Taverns	11-20
Greene King	21-30
Ei Group	>30

Mr Newby said: "These figures reveal a very significant level of activity. They demonstrate that tied pub tenants are aware of their rights and are

taking up those rights. As might have been expected, they also show that the largest pub-owning businesses are involved in the most cases.

“I have now made awards in 48 cases and this shows that cases are progressing through the arbitration process. I am aware that concerns have been voiced about this progress being slow. However, both tenants and pub-owning businesses are testing the new law robustly.

“Parties in a dispute are entitled to a proper opportunity to put their case and rebut that of the other party. In my role as arbitrator I seek to ensure that this happens, especially where there is an imbalance between the parties. This is one of the reasons why more cases have not yet completed the process.

“But as cases are completed and principles published I fully expect to see progress over the coming year.

“I am also awaiting the results of the fact-finding exercise on access to the Market Rent Only option. This will provide evidence on how the Code is working in practice and how effective it is proving in delivering its core principles. When I have those results I will decide what action is appropriate.”

Business Minister Margot James said: “The Pubs Code is an important piece of legislation that is helping pub tenants get a fairer deal. It is encouraging to see people are aware of their rights under the Code and are contacting the Enquiry Line for more information.

“I would encourage both tenants and pub-owning companies to continue working with the Pubs Code Adjudicator, to make sure the Code works for the whole industry.”

To mark the first anniversary the PCA is also launching a series of six short videos featuring the Adjudicator on 26 July. These explain key Code processes such as requesting a MRO option or appointing an Independent Assessor. The videos can be accessed via the [PCA website](#)

Mr Newby said: “From day one I have made it a priority to engage with tenants and raise awareness of the new rights under the Code across the community. The PCA Enquiry Line staffed by dedicated caseworkers has received more than 550 enquiries over the past year, and our factsheets and flowcharts guide tenants and pub-owning businesses through the relevant processes.

“I want to ensure that I reach as many tenants as possible to inform them of their rights and these videos are designed to reach a wider audience. I know tenants have very busy working lives but I hope they can spend a few minutes checking how these rights can help them make the best decisions for their businesses.”

For further information contact Sheree Dodd on office@pca.gsi.gov.uk