

Proposed Tied Pubs (Code and Adjudicator) (Scotland) Bill

Page 2: About you

Are you responding as an individual or on behalf of an organisation?

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Member of the Public

Please select the category which best describes your organisation

No Response

Please choose one of the following; if you choose the first option, please provide your name or the name of your organisation as you wish it to be published.

I would like this response to be anonymous (the response may be published, but no name)

Please provide your name or the name of your organisation

Please provide a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

Q1. 1. Which of the following best expresses your view of establishing a statutory Scottish Pubs Code and Scottish Pubs Code Adjudicator? Please explain the reasons for your response.

Fully supportive

Comments:

Businesses and individuals should be allowed a freedom of choice. Not all beers, wines, spirits taste the same. Being tied to a specific brand can be detrimental to a business.

Q2. 2. Could the aims of this proposal be better delivered in another way (without a Bill in the Scottish Parliament)?

Unsure

Please explain the reasons for your response.

The tenants of the pubs need to be "free houses" so the landlord would have to be compensated in some way.

Q3. 3. What do you think would be the main advantages, if any, of establishing a statutory Scottish Pubs Code and Adjudicator?

The ability of businesses to flourish and prosper by procuring the best deal with suppliers and providing a diverse product range to attract the most desirable customers. Higher earnings, higher tax revenue.

Q4. 4. What do you think would be the main disadvantages, if any, of establishing a statutory Scottish Pubs Code and Adjudicator?

Landlords (breweries) would be reluctant to upgrade establishments for the advantage of competitors. Possible closure of pubs (long term).

Q5. 5. Which of the following best expresses your view of establishing a Market Rent Only option for tenants as part of a Scottish Pubs Code?

Fully supportive

Please explain the reasons for your response

Freedom of choice, allowing businesses to attract the right clientele.

Q6. 6. What do you think of the proposed contents of the Bill and the Code, and the scope of the Adjudicator's powers, as detailed on pages 17-18 of the consultation document?

The bill is general with no real detail so it is difficult to say i agree with the contents. The Ajudicator does have some powers, but are they binding?

Q7. 7. Which of the following best expresses your view of the Scottish Pubs Code Adjudicator being able to impose financial penalties for breaches of the Code?

Fully supportive

Please explain the reasons for your response.

Whilst I do not like the Nanny state principal, we need to allow business to flourish. Landlords/breweries will not voluntarily allow change so there must be some measures to counter this, although reward might be a better way to go.

Q8. 8. In terms of who the Scottish Pubs Code, and Market Rent Only option, should apply to, which of the following best expresses your view? If you choose option (a) you will automatically be taken to question 10. If you choose (b) or (c) you will automatically be taken to question 9.

(a) The Scottish Pubs Code - including the Market Rent Only option - should apply to all tied pubs in Scotland

Please explain the reasons for your response.

By segregating different sized pubs creates confusion. What size is a larger pubco? What happens when a pub expands into the larger pubco realms?

Q9. 9. How should larger pubcos be defined (e.g. by size of turnover, number of tied pubs owned in Scotland (if so, how many, etc.))?

No Response

Page 17: Financial implications

Q10. 10. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

	Significant increase in cost	Some increase in cost	Broadly cost-neutral	Some reduction in cost	Significant reduction in cost	Unsure
(a) the pub companies which own tied pubs (Pubcos)			X			
(b) Tied-pub tenants				X		
(c) Tied-pub customers		X				

Please explain the reasons for your response

The pub companies will still be able to sell products, but hopefully to a bigger customer base (more section should equate to more customers). The tied tenants can negotiate with suppliers for price reductions and customers may have to pay more for the greater choice.

Q11. 11. How do you think the associated costs of the proposal (predominantly the establishment and on-going running costs of a Scottish Pub Code Adjudicator) should be funded?

Landlords and tenants should pay (tax on alcohol) into a fund established to run this proposal.

Page 19: Equalities

Q12. 12. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation?

Neutral (neither positive nor negative)

Q13. 13. In what ways could any negative impact of the Bill on any of the protected characteristics be minimised or avoided?

It should have no impact.

Page 21: Sustainability of the Proposal

Q14. 14. Do you consider that the proposed Bill can be delivered sustainably, i.e. without having future disproportionate economic, social and/or environmental impacts?

Unsure

Please explain the reasons for your response

The whole issue of alcohol and social behaviour in Scotland can be envisaged a problem. We need to change the mindset for a more social and family orientated environment in our pubs. Encouraging more diversity in pubs is good thing economically, we just have to be careful in the longer term, with health and social behaviour.

Page 22: General

Q15. 15. Do you have any other comments or suggestions on the proposal?

Yes, the survey took a lot longer than 2-3 minutes.