

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:

This is about FAIRNESS in an industry that employs a large number of people in Scotland, and contributes significantly to the Scottish economy. It is absolutely clear that many (a high proportion) of tourists visiting Scotland spend money in pubs. Again: the economic factor.

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.

I simply don't know. Legislation is probably best as we are a law abiding nation, so people will comply.

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

There would be an office from which people (employers, employees, customers) could seek advice and, if necessary, to which they could complain.

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

There would be a cost issue: an office to maintain and a person or persons to be paid out of the public purse. This should be carefully watched, carefully budgeted and carefully accounted for.

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?

Unsure

Please explain the reasons for your response

Probably yes.

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?

Would seem to me to cover what is required.

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.

See previous answer about fairness and law.

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

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

I just don't know.

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?

Ah, the key question. I think it should all be paid for out of the tax on alcohol.

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?

Positive

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?

Please explain the reasons for your response

See previous answer about fairness and law. I suspect it might encourage those who are or feel disadvantaged to become tenants, or get into work in the pub industry.

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

By being up front about how it will be paid for.

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

A key question. See previous answers. Is there evidence from the experience elsewhere in the UK that might be helpful here.

Page 22: General

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

This is the first time I have been consulted like this. I am a beer drinker, and like the culture of pubs. Pub landlords, tenants, owners are criticised about the abuse of alcohol, but they have legal responsibility to see that alcohol is not abused on their premises. They carry heavier burdens than the supermarket owners, who never seem to get the blame about irresponsible drinking or drunkenness in public places, despite selling some alcohol for less than pubs can buy it.

This bill, although not directly concerned with this issue, will ensure that 'responsible drinking' and 'the transparency of pub ownership' will be kept on the public agenda.

I am dyslexic. It has taken me a LONG time to read the proposal. There may be (will be) things I have missed. It has taken me a long time to complete this questionnaire, but I hope my comments are helpful.