

# 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".)

Politician (MSP/MP/Peer/MEP/Councillor)

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 am content for this response to be attributed to me or my organisation

Please provide your name or the name of your organisation

Councillor Natasha Murphy

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:**

It is important to ensure that people are given a fair deal when running a pub: the inflated costs from buying goods from the designated supplier not only increases the actual cost to the buyer but also limits the choice of the consumer. On license sales are already decreasing meaning that income is already lower

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.

than historically. Higher wholesale prices means a higher price to the consumer. Less choice at pubs also has an impact on the number of people deciding to drink at home rather than in an establishment.

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

No

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

It would have the advantages I have mentioned on question 1.

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

I think the cost to establishments could potentially hinder people taking on a business venture like a pub alongside the ongoing costs. Also, the wholesaler would be losing profit on their regular sales to tied-pub tenants.

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**

I think it is a necessary option to have to encourage more people to think about going into the pub business instead of pub's lying empty across the country.

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?

I agree that they should mirror the current provision in England and Wales with Scottish context taken into consideration.

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.**

I think that appropriate financial sanctions should be applied to deter people from breaking the code.

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.**

Legislating for all tied pubs will make it fairer across the market.

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**

(a) Pubcos will be making less profit in wholesale purchases. (b) Tenants should see a lower wholesale invoice amount. (c) Customers will be able to be charged fairer due to tenants reduced costs plus the added benefit of variety.

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?

I think there should be a contribution made from those who will be governed under the Bill. Ongoing costs through Scottish Government after consulting on actual cost.

## 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)

**Please explain the reasons for your response**

It should not have any impact.

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

*No Response*

## 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**

I think with funding potentially being tight the costs will need to be reviewed. They will need to determine if the ongoing costs can be minimised and that the advantages to the public outweigh the financial burden.

## Page 22: General

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

*No Response*