**Template letter – Protect Your Pub**

[Insert your name]

[Insert address line 1]

[Insert address line 2]

[Insert address line 3]

[Postcode]

Office of [Insert name] MP

House of Commons

London

SW1A 0AA

[Insert date]

Dear [insert name],

I am writing to you, as my Member of Parliament, to ask you to support the “Protect Your Pub” campaign that has been launched by The Forum of British Pubs, aimed at highlighting the continued abuse of tied tenants by their pub-owning businesses.

Background

As a result of continued poor behaviour from pub operating businesses, including the trade’s failure to self-regulate the Pubs Code was brought in with the key principles of:

1. Removing unfair business practice from the sector
2. Making pub operating business tenants no worse off than the free of tie

This Pubs Code and the adjudicator who polices it has failed! Since the implementation of the code, we believe that of the thousands of tenants who could have achieved a market rent only, via an agreement with their pub operating company a handful if any have achieved this.

The pub companies continue to complicate the issue, confuse landlords, take excessive time in negotiations, deliberately mislead and hold back information, use tactics aimed at avoiding the code and generally game the code to their advantage.

This gaming of the code goes against the code’s aim of removing unfair practices and these unfair practices are being used to achieve compromise agreements that are not making the pub tenants any worse off than the free of tie so it’s failing in its two main principles.

While doing this the pub companies are able to explore other pub operating models, such as growing their managed estate, franchise-style agreements, change of use and selling off poorly performing pubs.

There was an assumption that the pub operating businesses would engage positively with the need to change, they have not and if anything the situation is worse than it was before the code came in.

If we don’t act we may see the complete demise of the tenanted pub sector and that would be a tragedy as it’s the only low-cost route that many entrepreneurial operators have to get a foothold in the industry to learn the trade.

Many pub tenants are losing their livelihoods or living on less than the living wage, many are ex-service people and public servants who have found their dream career to be a nightmare.

What do we want to happen?

The Protect your Pub campaign wants to work with the code and adjudicator to make sure the code works as intended, we ask that the following six steps happen:

1. The adjudicator, Paul Newby is standing down and has yet to be replaced. The review of the Pubs Code is being undertaken and the errors in the drafting need resolving, after clear consultation with stakeholders
2. The PCA needs to be able to adjudicate in line with his title so common gaming practices are removed and the results of these arbitrations are out in the open and transparent, they will also remove the high court as the final arbiter.
3. There needs to be a simple process put in place with clear steps, actions and timescales for both tenant and pub operating business when an MRO application is triggered.
4. The adjudicator needs to work with tenant bodies and the pub operating business to create an education and training process for all new pub tenants along with suggestions to modernise the tenanted pub operating model so that it works for both sides.
5. A review needs to also look at the role of the adjudicator himself and if someone with another skill set would be more suitable for the role he needs to step down and a new adjudicator put in place.

***“To delay justice is injustice”***

**William Penn**

Thank you for taking the time to read this and hopefully for your support of the campaign, I look forward to hearing from you.

Yours sincerely,

[insert your name]

[insert your job title]

PYP01/18