Scottish Pubs Code for tied pubs: Consultation 3

September 2024

Scottish Government
Riaghaltas na h-Alba

Scottish Pubs Code for tied pubs: Consultation 3

Contents

Ministerial Foreword 2
Responding to this consultation 3
Introduction 5
Proposals 7
Market Rent Only leases 7
Information for prospective tenants 11
Guest beer agreements 14
Gaming machines 15
Respondent Information Form 17

Ministerial Foreword

I welcome your views on this further consultation on the Scottish Pubs Code for tied pubs.

The Scottish Pubs Code Regulations 2024 ("the Scottish Pubs Code" or "the code") seek to improve the position of tied pub tenants. The Scottish Pubs Code is now on the statute book and I thank everyone who has invested their time and energy to get the code to this point. I became aware, however, of stakeholder concerns about some of the content of the code and so I wanted to make time for further conversations and consultation, to try and ensure the code better reflects the needs of the sector and to achieve consensus, as far as possible. I made that commitment to the Scottish Parliament during the passage of the code.

This targeted consultation seeks to make refinements to parts of the Scottish Pubs Code to ensure that it operates effectively in practice and addresses stakeholder concerns, in line with the regulatory principles set out in the Act.

My officials met with both tenant and pub-owning business groups prior to developing this consultation paper. Depending on the outcome of this consultation, the intention is for the Scottish Government to bring forward an amending instrument to the Scottish Parliament and for the code to come into force in early 2025.

I would encourage all who have an interest in the sector – particularly tenants and pub-owning businesses but also brewers, employees, consumers and others – to have your say.

The Scottish Pubs Code is only one part of the tied pubs regulatory landscape. The independent Scottish Pubs Code Adjudicator is setting up her office and will work with the sector in the coming months to develop guidance on the code and to support implementation. This vital work, combined with refinements to the code, will set out to the sector what is expected of them and contribute to a vibrant and successful tied pubs sector in Scotland.

Minister for Employment and Investment

Tom Arthur MSP

Responding to this consultation

We are inviting responses to this consultation by 4 November 2024.

Please respond to this consultation using the Scottish Government's consultation hub, Citizen Space (http://consult.gov.scot).

Access and respond to this consultation online at:
https://consult.gov.scot/agriculture-and-rural-economy/scottish-pubs-code-for-tied-pubs/

You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted by the closing date of 4 November 2024.

If you are unable to respond using our consultation hub, please complete the Respondent Information Form to:

Food and Drink Industry Growth Team
Scottish Government
Food and Drink
Saughton House
Edinburgh, EH11 3XD

Handling your response
If you respond using the consultation hub, you will be directed to the About You page before submitting your response. Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form included in this document.

To find out how we handle your personal data, please see our privacy policy:
https://www.gov.scot/privacy/

Next steps in the process
Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at http://consult.gov.scot. If you use the consultation hub to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us in our decision-making. Responses will be published where we have been given permission to do so. An analysis report will also be made available.

Comments and complaints
If you have any comments about how this consultation exercise has been conducted, please send them to the contact address above or at tiedpubs@gov.scot.

Scottish Government consultation process
Consultation is an essential part of the policymaking process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: http://consult.gov.scot. Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Responses will be analysed and used as part of the decision-making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

Introduction

Background

1. This is a short, targeted consultation drawing upon concerns raised by stakeholders following the making of the Scottish Pubs Code Regulations 2024. The proposals have been informed by workshops that have been carried out with tenant and pub-owning business representatives.

2. The intention is for any changes to be made to the existing Scottish Pubs Code[1] before it comes into force on 31 March 2025.

3. The Scottish Pubs Code creates rights and protections for tied pub tenants and places requirements on pub-owning businesses (the tied pub landlords). It is the main instrument to implement the Tied Pubs (Scotland) Act 2021[2]. It has been prepared consistently with the three regulatory principles set out in the Act. These are:

   "a) the principle of fair and lawful dealing by pub-owning businesses in relation to their tied-pub tenants,
   (b) the principle that tied-pub tenants should not be worse off than they would be if they were subject to neither a product tie nor a service tie,
   (c) the principle that any agreement between a pub-owning business and a tied-pub tenant should fairly share the risks and rewards amongst the parties."

4. The objective of the Scottish Pubs Code is to improve the position of tied pub tenants through the creation of a statutory framework to govern the relationship between pub-owning businesses and their tied pub tenants.

5. The Scottish Government supports the principle of fair and equitable treatment within tied pub lease agreements and has a desire to see a vibrant tenanted pub sector in Scotland. The Scottish Government recognises that pub-owning businesses, tenants, and brewers, all have a vital role to play in the health of the tied pubs sector. The investment by pub-owning businesses in the tied pub system supports our hospitality sector, which is for the benefit of the wider community, and pub-owning businesses and tenants must have the ability to determine how their business works, underpinned by a fair and transparent regulatory framework as set out in the Scottish Pubs Code. The Scottish Pubs Code supports achievement of the Scottish Government's National Strategy for Economic Transformation through tackling inequality.

Purpose of this paper

6. We have sought to focus on proposals and concerns that have been put forward by the sector and which will improve the position of tied pub tenants or improve the delivery of the code. This consultation paper invites your views on various

[1] The Scottish Pubs Code Regulations 2024 (legislation.gov.uk)
[2] Tied Pubs (Scotland) Act 2021 (legislation.gov.uk)

parts of the Scottish Pubs Code. Topics covered within the consultation paper include: Market Rent Only leases, guest beer agreements, information for prospective tenants, rent assessment, flow monitoring devices and gaming machines.

7. After the consultation responses have been analysed, Ministers will decide what changes should be made to the Scottish Pubs Code. The changes will be made by regulations and will be submitted to the Scottish Parliament for approval.

What this consultation does not cover

8. This consultation does not revisit all topics within the existing code. It also does not cover questions about whether there should be a code or not. The Tied Pubs (Scotland) Act 2021 ("the Act") requires there to be a Scottish Pubs Code.

9. There will be regular opportunities to review how the Scottish Pubs Code is working and how the Scottish Pubs Code Adjudicator is performing. This is a requirement of the Act.

Consultation Proposals

Market Rent Only leases

1. Market Rent Only (MRO) leases are provided for in Schedule 1 of the Act. This requires that the landlord must, in certain circumstances, offer a tenant a lease which does not include any product or service ties. The exceptions to the requirement to offer MRO leases are set out in Part 4 of the Scottish Pubs Code.

Circumstances where Market Rent Only leases might not be offered

Notice to end the lease

2. In the Scottish Pubs Code, there are a number of exemptions where pub-owning businesses are not required to offer MRO leases to tenants. These exemptions were included following earlier consultation on the content of the code.

3. One of the exemptions is that MRO need not be offered by a pub-owning business where either the tenant or the pub-owning business has served a valid notice to bring the lease to an end. It is recognised that both parties should have the right to end the contractual relationship.

4. There has been concern from some stakeholders that this exemption could lead to notices to quit being issued very early upon entering an agreement, allowing almost the whole lease length to be exempt from MRO. It has also been suggested that there are only specific circumstances when a notice to quit can be served by pub-owning businesses, i.e. in relation to substantial breaches of lease agreements, and so this is a function of the lease rather than an issue for the code.

5. The draft code contains protection for the tenant in the form of regulation 3:

   "A pub-owning business must not subject a tied-pub tenant to any detriment as a consequence of the tenant exercising, or attempting to exercise, any right under this code."

6. We are proposing to amend this regulation to make it clearer that the MRO exemption only applies where a pub-owning business or tied pub tenant has not served a notice to bring the lease to an end before a specified period of time before the end date of the lease.

   Question 1: Do you agree or disagree with the following statement: in the case of a notice to quit, MRO exemption only applies where a pub-owning business or tied pub tenant has not served a notice to bring the lease to an end before a specified period of time before the end date of the lease.

   Strongly agree
   Agree
   Neither agree nor disagree
   Disagree

Strongly disagree

Please explain your answer.

Question 2: If a timeframe were to be specified, should that be:

A period of less than 3 months
3 months
A period of more than 3 months

Please explain your answer.

First half of the lease: earlier application process

7. The sector previously proposed an exemption that an MRO lease need not be offered in the first half of the lease. This is included in the current code. This supports the third regulatory principle of a fair share of risk and reward, by providing pub-owning businesses with some confidence of return upon entering an agreement.

8. This exemption was proposed at a time when 5-year leases were common. We understand from tenants and pub-owning businesses that shorter leases are now being offered, for example for 3 years or less. If an MRO lease need not be offered in the first half of the lease, shorter leases mean that MRO will be an option for tenants for a shorter period of their lease than was originally envisaged.

9. Given the use of shorter leases and the fact that the MRO process could take a few months to complete, it is proposed that the process of MRO should start before the half-way point of any lease, to allow the process to get underway in good time. The new lease date could then start at the half-way point of any lease. MRO leases are not required to be longer than the remainder of the existing lease and so this would give any tenants who chose to go MRO more time to realise any benefits of going MRO.

10. Tenants can still choose to remain tied following any MRO process, once they have assessed the risks and rewards.

Question 3: Do you agree or disagree with the following statement: the Market Rent Only process should be able to start before the half-way point of a tenancy?

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree

Please explain your answer

Question 4: If the Market Rent Only process were to start before the half-way point of a tenancy, how soon should it start?

Less than 6 months before the half way point of the tenancy
6 months before the half way point of the tenancy
More than 6 months before the half way point of the tenancy

Please explain your answer

Question 5: What would be the costs and benefits, if any, on your business and the sector?

Market Rent Only process: right to appeal

11. The code sets out that where the parties cannot agree the rent for the MRO lease, they would be able to seek an independent rent assessment either jointly or, where they disagree, the Adjudicator can appoint a rent assessor. The rent assessor will determine the market rent. The code requires the independent rent assessor to be a member or fellow of the Royal Institution of Chartered Surveyors (RICS).

12. Representatives of pub-owning businesses suggested that there should be a process to appeal the rent assessor's result if there is a clear error. An appeals process is in place in England and Wales (regulation 38 of their Pubs Code[3]) and this allows tenants or pub-owning businesses to refer the market rent assessment to the Adjudicator within 14 days of finding out what the market rent is, if they do not agree that this is the market rent or where the independent assessor has failed to have regard to documents set out in the legislation or guidance issued by the Adjudicator.

13. We understand from pub-owning businesses operating in England and Wales that this appeals route has been used in a few situations.

14. During the previous consultation, a key concern for tenants was around delays in the MRO process. While we want to ensure that processes are fair and clear, we also want to avoid further delays. It is therefore proposed that we introduce an appeals process, to enable parties to appeal the rent assessment if there is a clear error. To address concerns about delays, it is proposed that this appeal process should occur within the MRO offer process. In other words, appeals can be raised with the Adjudicator within 14 days of the rent determination, i.e. to run concurrently with the period in which pub-owning businesses are preparing the MRO offer when the rent assessor has confirmed the rent assessment. The appeal could be made by the pub-owning business or the tenant.

[3] The Pubs Code etc. Regulations 2016 (legislation.gov.uk)

Question 6: Do you agree or disagree with the following statement: there should be a process to appeal the result from the independent rent assessor?

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree

Please explain your answer

Question 7: Do you agree or disagree with the following statement: 14 days is the right amount of time for either party to appeal the result?

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree

Please explain your answer

Question 8: Should the time period for the appeal be included in the 4 week period to create a MRO offer or should it be additional to this?

Included
Additional
Don’t know

Please explain your answer

Information for prospective tenants

15. The purpose of requiring pub-owning businesses to provide information to prospective tenants is to assist tenants in their assessment of the risks and rewards of tenancy (third regulatory principle) and to support them in assessing whether they are no worse off than if they were subject to neither a product tie nor a service tie (second regulatory principle)

16. We recognise that tenants and pub-owning business representatives had different views on regulation 10 of the Scottish Pubs Code which sets out what information should be provided to new or renewing tenants, with tenants tending to believe there should be at least the same or more information provided and the pub-owning businesses tending to believe the requirements are too onerous.

Publicly available reports

17. We consider the information requirements in regulation 10 to be proportionate but we propose to amend regulation 10(d)(v), for clarity.

18. Regulation 10(d)(v) requires that pub-owning businesses should provide prospective tenants with "any publicly available reports analysing the trade costs of tied pubs, including the costs of the agreements under which such pubs are occupied.". Such reports include benchmarking data produced by the British Beer and Pub Association[4].

19. We propose that pub-owning businesses be required to provide at least one report (as opposed to <u>any</u> publicly available reports) analysing the trading costs of tied pubs in the UK, including the costs of the agreements under which such pubs are occupied. Pub-owning businesses could choose to provide more reports if they wished.

Question 9: Do you agree or disagree with the following statement: pub-owning businesses should be required to give tied pub tenants <u>at least one</u> publicly available report analysing the trade costs of tied pubs in the UK, as part of the information to be provided to prospective tenants?

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree

Please explain your answer

[4] Running a pub 2023 FINAL(Shared) - Adobe cloud storage

Question 10: What would be the impact on the sector?

Number of operators of a pub

20. The Scottish Pubs Code currently requires pub-owning businesses to provide information to new tenants on the number of tenants who have occupied the pub in the past ten years. It has been suggested that this provision should cover all operators of the pub in the past ten years, not only tenants. This would mean that the figure provided by the pub-owning business would include, for example, those operating under management agreements, and it would therefore better reflect the turnover of occupiers of the pub in recent years.

21. There are many reasons why people may join or leave tenancies, but widening the basis of the evidence provided would enhance the information available to the tenant about the recent occupiers of the pub. We therefore propose to require pub-owning businesses to provide information on the number of operators who have occupied a pub in the past 10 years.

Question 11: Do you agree or disagree with the following statement: pub-owning businesses should be required to provide information on the number of <u>operators</u> who have occupied a pub in the past ten years, as opposed to the number of tenants?

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree

Please explain your answer

Repairs and dilapidations

22. We heard in previous consultations that repairs and dilapidations are one of the most contentious and difficult parts of the tenant-landlord relationship. This remains an issue of concern for tenants who have advised that they can be required to pay for repairs at the start of their tenancy and for dilapidations at the end of their tenancy without having any control over the nature and level of the costs.

23. We recognise that leases will typically spell out how these matters are to be addressed. However, there is a role for Government in making sure that tenants are made aware of their obligations and to ensure there is fair and lawful treatment as tenancies change.

24. The key requirements in the code on repairs and dilapidations are set out below: “Regulation 10(c) a copy of any dilapidation report prepared in respect of the lease covering the period of the previous tenancy of the tied pub, and

Regulation 10(d)information about—
(i) completed repairs undertaken on the tied pub covering the period of the previous tenancy
(ii)any repairs required to be carried out at the start of the lease by the tenant,
(iii) any repairs required to be carried out at the start of the lease by the pub-owning business."

25. We understand that provision of a Schedule of Condition is standard practice for the industry. In England and Wales, the Schedule of Condition is also taken into account during an assessment of any maintenance or repairs in respect of the premises and before any obligations or liabilities in respect of the condition of the premises are agreed between the pub-owning business and the tied pub tenant. The Schedule is also updated in line with the tenancy or following structural changes or 6 months before the end of the tenancy.

26. It is proposed that the Scottish Pubs Code includes a requirement for a Schedule of Condition to be provided, with similar protections as in England and Wales. This would provide reassurance to tenants about the terms of their proposed lease and the condition of the pub.

Question 12: Do you agree or disagree with the following statement: pub-owning businesses should be required by the code to provide a Schedule of Condition to prospective tenants?

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree

Please explain your answer

Question 13: Do you agree or disagree with the following statement: pub-owning businesses should be required by the code to provide a copy of the previous dilapidation report, if they are providing a Schedule of Condition?

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree

Please explain your answer

Question 14: Should pub-owning businesses be required by the code to provide:
a) information about completed repairs undertaken on the tied pub covering the period of the previous tenancy; or
b) information about repairs completed since the last dilapidations report?

They should be required to provide a) information about completed repairs undertaken on the tied pub covering the period of the previous tenancy
They should be required to provide b) information about repairs completed since the last dilapidations report
Don't know

Please explain your answer

Guest beer agreements

27. Where requested by tenants, the code requires businesses to offer a guest beer agreement in certain circumstances. A guest beer agreement allows a tenant to sell to their customers at least one beer that the tenant has chosen, at a price of the tenant's choice. The beer can be changed as often as the tenant wishes. The guest beer agreement in the code supports in particular the second and third regulatory principles.

28. In the code, guest beer is restricted to brands of beer which have a production level of 5,000 hL or less. We do not intend to change that provision in the code.

Flow monitoring equipment

29. Flow monitoring devices measure the amount of beer sold by the tied pub tenant.

30. Tenant representatives have proposed that a flow monitoring device should not be connected to any guest beer line because it is not tied beer and therefore there should be no need to monitor flow.

31. Pub-owning businesses representatives have suggested that flow monitoring equipment is useful for a number of reasons, including assisting the operator in business planning and ensuring more accurate rental values.

32. We propose that the code states that guest beer agreements must not require the use of flow monitoring equipment on a line, without the consent of a tied pub tenant.

Question 15: Do you agree or disagree with the following statement: flow monitoring devices should be permissible on guest beer lines only with the consent of the tenant?

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree

Please explain your answer

Question 16: What might be the impact of this proposal on tenants?

Question 17: What might be the impact on pub-owning businesses?

Gaming machines

33. In the second consultation on the Scottish Pubs Code, we asked whether gaming machines should be covered by the code. We also proposed that pub-owning businesses should not be able to make it a mandatory requirement in a new tied-pub lease that a tenant has to lease a gaming machine from their pub-owning business. The code includes such a requirement, preventing a mandatory requirement in a new lease for a tenant to purchase or rent gaming machines from the pub-owning business or a supplier nominated by the pub-owning business.

34. We have had feedback from tenant representatives to the effect that existing tenants should have similar rights on gaming machines as new tenants.

35. We recognise that there may be some existing tenants who have agreed gaming machine terms in their lease. Existing lease terms are not covered by the code but it is proposed that a pub-owning business should not be able to restrict a tied pub tenant from purchasing or renting a single non-tied gaming machine, in addition to any agreement on gaming machines set out in their lease. We consider that this will give similar opportunities to existing tenants as are being provided for new tenants.

Question 18: Do you agree or disagree with the following statement: tied pub tenants should be able to purchase or rent a single gaming machine per licensed premise, in addition to any gaming machine(s) already provided for in their lease?

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree

Please explain your answer

Question 19: What would be the impact of this proposal on tenants?

Question 20: What might be the impact of this proposal on pub-owning businesses?

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Respondent Information Form

Please Note this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy: https://www.gov.scot/privacy/

Are you responding as an individual or an organisation?

☐ Individual

☐ Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email Address

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

☐ Publish response with name

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

☐ Publish response only (without name)

☐ Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

☐ Yes

☐ No

Questionnaire

Question 1

Do you agree or disagree with the following statement: in the case of a notice to quit, MRO exemption only applies where a pub-owning business or tied pub tenant has not served a notice to bring the lease to an end before a specified period of time before the end date of the lease?

- ☐ Strongly agree
- ☐ agree
- ☐ Neither agree or disagree
- ☐ disagree
- ☐ Strongly disagree

Please give reasons for your answer.

Question 2

If a timeframe were to be specified, should that be:

- ☐ A period of less than 3 months
- ☐ 3 months
- ☐ A period of more than 3 months

Please give reasons for your answer.

Question 3

Do you agree or disagree with the following statement: the Market Rent Only process should be able to start before the half-way point of a tenancy?

- ☐ Strongly agree
- ☐ agree
- ☐ Neither agree or disagree
- ☐ disagree
- ☐ Strongly disagree

Please give reasons for your answer.

Question 4

If the Market Rent Only process were to start before the half-way point of a tenancy, how soon should it start?

- ☐ Less than 6 months before the half way point of the tenancy
- ☐ 6 months before the half way point of the tenancy
- ☐ More than 6 months before the half way point of the tenancy

Please give reasons for your answer.

Question 5

What would be the costs and benefits, if any, on your business and the sector?

Question 6: Do you agree or disagree with the following statement: there should be a process to appeal the result from the independent rent assessor?

- ☐ Strongly agree
- ☐ agree
- ☐ Neither agree or disagree
- ☐ disagree
- ☐ Strongly disagree

Please give reasons for your answer.

Question 7: Do you agree or disagree with the following statement: 14 days is the right amount of time for either party to appeal the result?

- ☐ Strongly agree
- ☐ agree
- ☐ Neither agree or disagree
- ☐ disagree
- ☐ Strongly disagree

Please give reasons for your answer.

Question 8: Should the time period for the appeal be included in the 4 week period to create a MRO offer or should it be additional to this?

- ☐ Included
- ☐ Additional
- ☐ Don't know

Please give reasons for your answer.

Question 9: Do you agree or disagree with the following statement: pub-owning businesses should be required to give tied pub tenants <u>at least one</u> publicly available report analysing the trade costs of tied pubs in the UK, as part of the information to be provided to prospective tenants?

- ☐ Strongly agree
- ☐ agree
- ☐ Neither agree or disagree
- ☐ disagree
- ☐ Strongly disagree

Please give reasons for your answer.

Question 10: What would be the impact on the sector?

Question 11: Do you agree or disagree with the following statement: pub-owning businesses should be required to provide information on the number of operators who have occupied a pub in the past ten years, as opposed to the number of tenants?

- ☐ Strongly agree
- ☐ agree
- ☐ Neither agree or disagree
- ☐ disagree
- ☐ Strongly disagree

Please give reasons for your answer.

Question 12: Do you agree or disagree with the following statement: pub-owning businesses should be required by the code to provide a Schedule of Condition to prospective tenants?

- [ ] Strongly agree
- [ ] agree
- [ ] Neither agree or disagree
- [ ] disagree
- [ ] Strongly disagree

Please give reasons for your answer.

Question 13: Do you agree or disagree with the following statement: pub-owning businesses should be required by the code to provide a copy of the previous dilapidation report, if they are providing a Schedule of Condition?

- [ ] Strongly agree
- [ ] agree
- [ ] Neither agree or disagree
- [ ] disagree
- [ ] Strongly disagree

Please give reasons for your answer.

Question 14: Should pub-owning businesses be required by the code to provide:

a) information about completed repairs undertaken on the tied pub covering the period of the previous tenancy; or
b) information about repairs completed since the last dilapidations report?

☐ They should be required to provide a) information about completed repairs undertaken on the tied pub covering the period of the previous tenancy

☐ They should be required to provide b) information about repairs completed since the last dilapidations report

☐ Don't know

Please give reasons for your answer.

Question 15: Do you agree or disagree with the following statement: flow monitoring devices should be permissible on guest beer lines only with the consent of the tenant?

☐ Strongly agree

☐ agree

☐ Neither agree or disagree

☐ disagree

☐ Strongly disagree

Please give reasons for your answer.

Question 16: What might be the impact of this proposal on tenants?

Question 17: What might be the impact on pub-owning businesses?

Question 18: Do you agree or disagree with the following statement: tied pub tenants should be able to purchase or rent a single gaming machine per licensed premise, in addition to any gaming machine(s) already provided for in their lease?

- ☐ Strongly agree
- ☐ agree
- ☐ Neither agree or disagree
- ☐ disagree
- ☐ Strongly disagree

Please give reasons for your answer.

Question 19: What would be the impact of this proposal on tenants?

Question 20: What might be the impact of this proposal on pub-owning businesses?

This publication is available at **www.gov.scot**

Any enquiries regarding this publication should be sent to us at

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