



Tied Pubs Tenant Survey; FINAL Mainstage Version

Pubs Code Adjudicator

Length of interview: 15 minutes including screener

INTRODUCTION

Q1 Good morning/afternoon my name is I am calling from Ipsos MORI, an independent research agency. We are conducting a major research project on behalf of the Pubs Code Adjudicator or the PCA. We are NOT connected to (PUB OWNING BUSINESS FROM SAMPLE). Can I just check, is that (**PUB NAME FROM SAMPLE**) at (POSTCODE FROM SAMPLE)?

Yes	1	CONTINUE
No	2	TYPE IN DETAILS FOR RECORD AND CLOSE

Q2 May I speak to the tenant for this pub please? EXTRA PROMPT IF NEEDED: We are looking for the person who holds or controls the tenancy with the Pub Company for this establishment.

IF UNSURE This may be the person who owns the limited company which controls the tenancy, or the leaseholder

Put through	1	GO TO INTRO1
Speaking to correct person	2	GO TO INTRO2
Person based elsewhere	3	RECORD ON SMS WITH NAME AND NUMBER
No such person	4	RECORD ON SMS
Refused to put through	5	RECORD ON SMS
Call back later	6	MARK AS APPT ON SMS

ALL OTHER OUTCOMES RECORDED ON SMS

INTRO 1 - IF TRANSFERRED

Good morning/afternoon my name is I am calling from Ipsos MORI, an independent research agency. We are conducting a major research project for the Pubs Code Adjudicator or the PCA. We are NOT connected to (PUB OWNING BUSINESS FROM SAMPLE).

INTRO 2: ALL RESPONDENTS

We are conducting a survey of tied tenants to identify awareness and understanding of your statutory rights, any experiences you might have had exercising them and any information that is needed in the future. We want to speak to a wide range of tied tenants, whether or not you have experience of this. When we talk about tied tenants, we are referring to tied tenants or licencees. The survey will take around 15 minutes depending on the answers you give. Are you happy to continue?

ADD REASSURANCE IF NECESSARY: No information about individuals or tenancies will be identified in the results shared with the Pubs Code Adjudicator also known as the PCA. Each Pub Company will receive their own results but these will be anonymised – nothing will identify yourself.

Your personal information will always be handled confidentially; we will not make your personal information available to anyone without your knowledge and consent - it will be used solely for the purposes of the research and quality control. Participation in this survey is voluntary, and you can withdraw at any point of the interview by letting me know. For further information about your legal rights and how to exercise these I can give you the details of our website. Would you like this?

Yes – INTERVIEWER READ OUT WEB ADDRESS OR OFFER TO EMAIL:

No - CONTINUE

Not sure – If 'Not sure' - go to reassurances

Offer reassurances below and if respondent wants further information, offer contact name at Ipsos.

1. The survey is conducted on behalf of Pubs Code Adjudicator or PCA.
2. Establishments have been chosen at random to take part.

If you would like to confirm that Ipsos MORI is a bona fide Research company, you can call the Market Research society, free of charge, on 0800 975 9596. If you have any queries about the research, please contact Gemma Waring at Ipsos MORI on (0)203 059 5549

3. No information about individuals or organisations will be identified in the results or shared with your Pub Company.
4. All information collected will be used only for statistical purposes. The results will be based on an amalgamation of individual responses and we will not pass on individual results of the survey.
5. Your Pub Company is aware that you might be contacted – but you can check with them also.

SCREENING

Base: All respondents

S1

Can you confirm which Pub Company you are currently a tenant with... If you are a tenant for more than one company please think about the company you have been with the longest time. SINGLE CODE ONLY

1. Admiral Taverns Limited
2. Marston's PLC
3. Punch taverns Limited
4. Star Pubs & Bars Limited
5. Greene King PLC
6. Ei Group PLC (formerly Enterprise)
7. None of the above CLOSE

Base: IF STAR CODE 4 AT S1

S2

Please can I check whether any of your Star tenancies were previously held by Punch Taverns?
SINGLE CODE ONLY

1. Yes
2. No none at all

READ OUT IF 1 AT S2: For the avoidance of doubt, can we please discuss your tenancy experiences in respect of those pubs with Star Pubs & Bars ONLY- and not your previous experience with Punch.

Base: All respondents

S3

Please think about your relationship with [PUB OWNING BUSINESS], across all tenancies with this company if you have more than one. Can you confirm that you have held **tied tenancies** with them at any point since 21st of July 2016? READ OUT. CODE ALL THAT APPLY. NOTE THAT MULTIPLE OPERATORS CAN WORK UNDER DIFFERENT AGREEMENTS

1. Yes – Some or all tenancies were tied for beer, other drinks, other products, services
CONTINUE
2. No - Fully Free of tie CODE 2 ONLY CLOSE

Base: All respondents

S4

In terms of the number of tied pubs you are a tenant or licensee of, are you currently a single site or multiple operator with [PUB OWNING BUSINESS]? IF MULTIPLE PROMPT FOR NUMBER OF TIED PUBS. INTERVIEWER NOTE: SOME WILL REFERENCE THEMSELVES AS AN OPERATOR OR RETAILER.

1. Single operator
2. Multiple operator: 2 tied pubs
3. Multiple operator: 3 tied pubs
4. Multiple operator: 4 tied pubs
5. Multiple operator: 5 or more tied pubs
6. Don't know/refused (DO NOT READ OUT): IF CODE 6 CLOSE

SECTION A: CONTEXT AND OPERATING ENVIRONMENT

Base: All respondents

READ OUT: To start the interview I just need to ask a few questions about your tenancy and pubs you operate. IF MULTIPLE OPERATOR: Could you just talk to us about your tenancy/tenancies with [PUB OWNING BUSINESS].

Base: All respondents

A1

Which if any of the following apply to yourself and your operation[s]. READ OUT ONE AT A TIME. CODE ALL THAT APPLY

1. We operate under a franchise agreement
2. I am currently a tenant with a short agreement of less than 12 months or a tenancy at will
3. The Pub Company has invested heavily in the pub recently
4. I have taken on my first tenancy since 21st July 2016
5. I have held tenancies in the past, and have taken on a new tenancy since 21st July 2016
6. None of these

CATI CHECK: codes 4 and 5 should be mutually exclusive. If code YES to both – please check: “Can I just check please, you said you have taken on your first tenancy since 21st July 2016, AND have held tenancies in the past and have taken on a new tenancy since July 21st 2016 - Could I please check which one is correct?” SINGLE CODE:

1. I have taken on my first tenancy since 21st July 2016
2. I have held tenancies in the past, and have taken on a new tenancy since 21st July 2016

Base: All respondents

A2

Thinking about the sales relating to [IF SINGLE] your pub [IF MULTIPLE] all the pubs which you are a tenant for, what proportion of sales are from drinks, what are from food, and what are from other sources (these may include boarding, room rentals and so on)?[IF MULTIPLE] Please think about all of your tenancies **in total** under [PUB OWNING BUSINESS].

CATI INTERVIEWER: ENTER ACTUAL PROPORTION GIVEN AS PERCENTAGE

PERCENTAGE ENTER _____ Drinks

PERCENTAGE ENTER _____ Food

PERCENTAGE ENTER _____ Other

Don't know

Prefer not to say

CATI SCRIPT CALCULATE TOTAL _____ Total

CATI SCRIPT CHECK: SHOULD TOTAL 100% UNLESS DK IS INCLUDED IN RESPONSE

CATI SCRIPT: PLEASE ALLOW ZERO / NO ENTRY FOR „other“, but 1 or more for drinks / food

SECTION B: AWARENESS AND UNDERSTANDING OF THE CODE AND PCA

Base: All respondents

B1

Have you ever read, seen or heard anything in relation to the Pubs Code? READ OUT. CODE ONE ONLY

1. Yes
2. No
3. Don't know / can't remember

Base: All respondents

READ OUT

The code came into force as a statutory code on 21 July 2016 and applies to all pub companies owning 500 or more tied pubs in England and Wales. It governs their relationships with their pubs but not with their managed houses or free-of-tie pub tenants. This replaces the voluntary code previously operated by your Pub Company.

Base: All respondents

B2

How aware, if at all, were you before today of The Pubs Code? READ OUT. CODE ONE ONLY

1. Very aware
2. Quite aware
3. Not very aware
4. Not at all aware
5. Don't know (DO NOT READ OUT)

Base: If code 1, 2 or 3 at B2

B3

How well informed, if at all, do you feel of your rights to the following...READ OUT CODE ONE ONLY FOR EACH STATEMENT. DO NOT READ OUT DON'T KNOW PLEASE ROTATE

	Very well informed	Quite well informed	Not very well informed	Not informed at all	Don't know	Refused
A. Information to make informed decisions about taking on a tied tenancy	1	2	3	4	5	6
B. The right to a rent assessment every 5 years as a maximum	1	2	3	4	5	6
C. The responsibility of your Pub Company representative to provide you with notes of discussions about rent, repairs and your business plans	1	2	3	4	5	6
D. Right to request a market rent only option to go free of tie in specific circumstances	1	2	3	4	5	6

Base: If code 1,2 or 3 at B2

B4

What sources of information have increased your awareness of the Pubs Code? DO NOT READ OUT. CODE ALL THAT APPLY. PROBE FULLY

PCA:

- Website
- Enquiry line
- Publications / announcements
- Factsheets / flowcharts
- Magazines
- Leaflets
- Videos

PUB COMPANY / BUSINESS DEVELOPMENT MANAGER:

- Roadshows
- Leaflets
- Information / advice from colleagues / BDM

TRADE / TENANT NETWORK:

- Tenant representative groups (eg British institute of innkeeping / CAMRA)
- Word of mouth – internal / external colleagues
- Publications
- Websites
- Factsheets
- Social media

OTHER:

- Radio programmes / news
- Internet / google
- Newspapers

Base: All respondents

READ OUT

The Pubs Code Adjudicator or PCA is responsible for enforcing the statutory Pubs Code. The Pubs Code regulates the relationship between all businesses owning 500 or more tied pubs in England and Wales and their tied tenants. From now on we will refer to them as the Pubs Code Adjudicator.

Base: All respondents

B5

Before today, how aware, if at all, were you of The Pubs Code Adjudicator? READ OUT. CODE ONE ONLY

1. Very aware
2. Quite aware
3. Not very aware
4. Not at all aware
5. Don't know (DO NOT READ OUT)

Base: If code 1 or 2 at B5

B6

Have you ever had contact with the Pubs Code Adjudicator in the past? This could have been for information or enquiries, or having been through a MRO or arbitration process. If yes - What sources have you used? DO NOT READ OUT. CODE ALL THAT APPLY

1. No – not used in the past
2. PCA attendance at Road show
3. PCA authored Leaflets
4. PCA Website (general)
5. PCA Website (factsheets and flowcharts)
6. PCA Videos
7. PCA announcements
8. PCA Bulletins
9. YouTube
10. PCA Telephone Enquiry Line
11. PCA online Enquiry Form
12. Other correspondence with the PCA (eg completed the MRO questionnaire, or Tied tenant survey)
13. Other (specify)
14. Don't know

Base: If code 2-11 at B6

B6a

And how satisfied were you with the outcome of this?

1. Very satisfied
2. Quite satisfied
3. Neither satisfied nor dissatisfied
4. Quite dissatisfied
5. Very dissatisfied
6. Don't know

Base: If code 2-11 at B6

B6b

And how helpful did you find the PCA, throughout your contact with them?

1. Very helpful
2. Quite helpful
3. Neither helpful nor unhelpful
4. Quite unhelpful
5. Very unhelpful
6. Don't know

SECTION C: RELATIONSHIP WITH PUB OWNING BUSINESS AND BUSINESS DEVELOPMENT MANAGER

READ OUT: The next section is about your relationship with [PUB OWNING BUSINESS]

Base: All respondents

C1

To what extent, if at all, do you agree with the following statements about your contact with your business development manager...READ OUT. RANDOMISE STATEMENTS BUT STATEMENT 4 MUST ONLY BE ASKED IF AGREE STRONGLY/SLIGHTLY AT STATEMENT 3 AND MUST ALWAYS FOLLOW STATEMENT 3

1. I have all the information I need about their role
2. They supply the support I need on an ongoing basis
3. They make formal notes of discussions about rent, repairs and business plans for my pub
4. I receive the notes made within 14 days; and I'm given 7 days to comment
5. They can inform me clearly on the details of the Pubs Code; and signpost appropriate sources of further advice
6. I have confidence in the way they handle my tenancy
7. I am happy with the frequency of contact with my business development manager.
8. I am happy with the way they manage issues relating to repairs and dilapidations at my pub

Base: If code 4/5 at A1

C2

We understand that you have taken on a tied tenancy at some point since 21st July 2016. Can you tell us whether or not you have done any of the following since this date? READ OUT ONE AT A TIME. CODE ALL THAT APPLY [RANDOMISED LIST]

1. Completed new entrant training
2. Submitted a sustainable business plan
3. Received information from your Pub Company describing the pub, setting out the rent and explaining both your and their obligations under the tenancy
4. Inspected the pub premises
5. None of the above

Base: If code 2 @ C2

C2a. And when submitting the sustainable business plan, did you seek your own professional advice, or did you have to use an advisor from the list provided by your pub company?

1. Sought my own professional advice
2. Had to use an advisor from list provided by my pub company
3. Don't know (DO NOT READ OUT)

SECTION D: EXPERIENCE OF CODE RELATED EVENTS

Base: All respondents

D1

There are various events under the Pubs Code that you may have experienced since 21st July 2016. Thinking about events since July 2016 with [PUB OPERATING BUSINESS], have you...READ OUT ONE AT A TIME. CODE ALL THAT APPLY [RANDOMISED LIST]

1. Received a tied rent proposal or rent assessment proposal
2. Renewed your tenancy agreement under the Landlord and Tenant Act
3. Other (specify)
4. None of these
5. Dont know (DO NOT READ OUT)

Base: if code 2 at D1

D1a

You said that you have renewed your tenancy agreement – was your renewal opposed by your Pub Company?

1. Yes
2. No

Base: If code 1/2at D1 (CODE 3 / 4 / 5 SKIP TO D10)

D2

Did this or these events lead to you submitting a Market Rent Only or MRO Notice? READ OUT EACH OPTION BEFORE CODING. SINGLE CODE

1. Yes
2. No – although an MRO notice was considered
3. No – an MRO notice was never considered
4. Don't know (DO NOT READ OUT)

Base: If code 1 at D2

D2a

[IF MULTIPLE OPERATOR] READ OUT:If you have been through the MRO application more than once with [PUB OPERATING BUSINESS], please think about the most recent occasion

What has been the outcome of this process? Would you say you are...READ OUT. CODE ONE ONLY

1. Now operating free of tie
2. Still tied to the Pub Company on your pre-existing tied terms
3. Still tied to the Pub Company, but the MRO process helped you to negotiate a better tied deal
4. Still going through the MRO process
5. Other (specify)
6. Don't know (DO NOT READ OUT)

Base: If code 1 at D2

D3

You said you had served an MRO Notice on [PUB OPERATING BUSINESS], which of these steps did you go through as a result.....IF CODE 4 AT D2a If the process has not completed please identify the steps taken to date. READ OUT. CODE YES, NO OR DONT' KNOW.

1. I had the MRO Notice accepted (IF NEEDED: ACCEPTED BY THE PUB COMPANY AT THE FIRST STAGE OF THE PROCESS FOR CONSIDERATION)

2. I had the MRO Notice rejected by the Pub Company
3. ONLY IF CODE 2 (YES) I rectified the MRO Notice and successfully re-submitted it to the Pub Company
4. The Pub Company provided an MRO agreement and rent, but there was no negotiation
5. ONLY IF CODE 4 (NO) The Pub Company provided an MRO agreement and rent, and we went through an MRO negotiation process
6. The MRO Rent went to Independent Assessment
7. ONLY IF CODE 6 (YES) I and/or my Pub Company challenged the Independent Assessment
8. I submitted a formal referral of the MRO proposal to the PCA for arbitration

Base: If code 2 OR 3 at D2

D4

It seems that you had the right to request an MRO agreement, but chose not to, why was that? DO NOT READ OUT. PROBE FULLY. CODE ALL THAT APPLY

1. Didn't know had the right to MRO at the time
2. Couldn't see any advantage in going MRO / free of tie
3. Happy with existing tied relationship / tied terms and/or rent
4. Thought the process would be too complicated
5. Thought the process would take too long
6. Thought the process would be too expensive
7. I didn't have the time
8. Wasn't confident in going through the process
9. Pub Company influenced me not to go for MRO
10. Pub Company pressured me not to go for MRO
11. Couldn't see the point in trying
12. Other (specify)
13. Don't know

Base: If code 2 OR 3 OR 5 at D2a (STILL TIED OR DISCONTINUED THE PROCESS)

D5

It seems that you requested MRO but elected to stay tied, why was that? DO NOT READ OUT. PROBE FULLY. CODE ALL THAT APPLY

1. Couldn't see any benefits / improvements in going MRO / free of tie
2. Made me appreciate benefits of tied tenancy / Pub Company support/relationship
3. Deterred by high upfront costs for MRO tenancy
4. Deterred by high amount of assessment of dilapidations
5. MRO terms / rent not what I was expecting
6. Process turned out to be too complicated
7. Process turned out to be taking too long
8. I didn't have the time / support necessary to go through the MRO process
9. Happy with existing / offered tied terms
10. Wasn't confident in going further through the process
11. Secured a better tied deal in negotiations with the Pub Company
12. Pub Company influenced me not to go further through the process
13. Pub Company pressured me not to go further through the process
14. Couldn't see the point in trying
15. Put off by other upfront costs
16. Other (specify)
17. Don't know

Base: If code 1 at D2

D6

Focussing on the process of dealing with an MRO Notice, how satisfied have you been with the following...READ OUT AND CODE ONLY ONLY. [RANDOMISED LIST]

		Very satisfied	Quite satisfied	Quite dissatisfied	Very dissatisfied	Don't know	
A. The ease of identifying the event that gave you the right to ask for an MRO		1	2	3	4	5	
B. Sources of information available to you when submitting your MRO Notice		1	2	3	4	5	
C. The timings for submitting your MRO Notice		1	2	3	4	5	
D. The response from your Pub Company i.e within the 28 day deadline of receipt of your notice		1	2	3	4	5	
E. IF NOTICE REJECTED BY PUB OWNING BUSINESS The clarity of the response from your Pub Company about why it was not in agreement with your MRO Notice		1	2	3	4	5	
G. IF NEGOTIATION PERIOD Willingness of your Pub Company to negotiate on terms and rent		1	2	3	4	5	
H. IF INDEPENDENT ASSESSMENT Overall satisfaction with the assesment process		1	2	3	4	5	
F. The final level of MRO or free of tie rent reached whether or not an MRO tenancy was signed		1	2	3	4	5	

Base: If code 5 at D3 (went through negotiation process)

D7

Thinking specifically about the negotiation process, how helpful were [PUB OWNING BUSINESS] during this time READ OUT AND CODE ONE ONLY

1. Very helpful
2. Quite helpful
3. Neither helpful nor unhelpful
4. Not very helpful
5. Not at all helpful
6. Don't know

Base: If code 5 at D3 (went through negotiation process)

D8

Did the process of negotiation regarding your MRO request have a positive influence on your tied terms and rent? READ OUT.

1. No (SINGLE CODE)
2. Yes: tied rent agreed was lower than Pub Company's original tied offer (MULTI)
3. Yes: new tied rent was lower than existing tied rent I was paying (MULTI)
4. Yes: I was able to secure improved tied tenancy terms (other than the rent) (MULTI)
5. Other (specify)
6. Don't know

Base: 1-4 @ D1

D9

Based on everything we have discussed so far, would you say you had the opportunity to make a **genuine** choice between the tied and MRO offers made by your Pub Company? CODE ONE ONLY

1. Yes
2. No
3. Don't know
- 4.

Base: Code 1 @ D2 AND NOT code 1 @ D2a

D9a

And would you consider applying for MRO again?

1. Yes
2. No
3. Don't know

Base: All respondents

D10

And since 21st July 2016, have you experienced a need for information on any of the following issues governed by the Pubs Code....READ OUT ONE AT A TIME. CODE ALL THAT APPLY [RANDOMISED LIST]

1. Information on Insurance charges
2. Gaming machines tie
3. Notification by Pub Company of the sale of your pub
4. Use by Pub Company of flow monitoring devices
5. Agreeing an investment by the Pub Company that excludes your MRO right
6. Information on repairs / dilapidations
7. None of these





SECTION F: PERSONAL DEMOGRAPHICS

Base: All respondents

READ OUT Finally, I would just like to ask a few questions to help classify your answers. Everything you say will be treated in confidence.

Base: All respondents

F1

INTERVIEWER: RECORD GENDER OF RESPONDENT NOTE – DO NOT READ OUT

1. Male
2. Female

Base: All respondents

F2

What is your age? *INTERVIEWER: PROMPT RESPONSE INTO BAND*

1. 16-24
2. 25-34
3. 35-44
4. 45-54
5. 55-64
6. 65-74
7. 75+
8. Refused

Base: All respondents

F3

For how many years in total have you held pub tenancies. Please think across all experience in various pubs and/or Pub Companies. *DO NOT READ OUT - PROMPT TO RANGES*

1. Less than a year
2. 1 – 3 years
3. Over 3 years up to 5 years
4. Over 5 years up to 10 years
5. Over 10 years or more
6. Don't know

Base: All respondents

F4

Can you see yourself remaining as a tenant with your current operation and tenancy agreement for the next five years? *PROMPT TO PRECODES*

1. Yes: definitely
2. Yes: maybe
3. No
4. Don't know

SECTION G: RECONTACT

Base: All respondents

G1

The PCA wants to do further research about the issues we have discussed today with a small number of tied tenants. Would you be happy to be re-contacted by the research team at Ipsos MORI if selected as part of this research within the next couple of months? They would like to spend some more time with you on the telephone conducting a less structured interview and covering some of the experiences you have had in more detail. Due to the amount of time we are asking there would be an incentive of £40.

- This would mean a 30-40 minute conversation at a convenient time for you with a researcher from Ipsos MORI who is working for the Pubs Code Adjudicator (PCA) on this project.
- You would not be identified in any way to the PCA and your responses would remain strictly confidential

1. Yes
2. No

IF YES please note that we will select a number of respondents from those who are interested in participating, and not everyone who agrees will be chosen to participate

Base: If code 1 at G1

G2

Can I take your name down again please?

(interviewer enter name and read back to respondent to confirm)

Base: If Code 1 at G1

G3

May I also check that [textfill PHONE NUMBER FROM SAMPLE] is the best number to reach you on?

Yes

No (interviewer enter new number and read back to respondent to confirm)

Base: All respondents

CLOSE – READ OUT

On behalf of Ipsos MORI and the PCA, thank you very much for your time.

IF SEEKING MORE INFORMATION ABOUT THE PROJECT If you have any queries about this research project you can contact Gemma Waring at Ipsos MORI on (0)203 059 5549

IF SEEKING MORE INFORMATION ABOUT THE PCA OR PUBS CODE If you would like more information about the Pubs Code or the Pubs Code Adjudicator you can go to WEBSITE/TELEPHONE NUMBER