



**Pubs Code
Adjudicator**

What Tied Pub Tenants Need To Know

Professional Advice



How to use this fact sheet:

This factsheet is for tied pub tenants (TPTs) who want to know more about getting independent professional advice to help them make informed business decisions and understand their Pubs Code rights.

It provides information to support tenant understanding. It is not a substitute for the Pubs Code legal framework.

Our website contains other useful information about accessing your Pubs Code rights and the PCA's role as regulator in enforcing those rights: www.pubscod adjudicator.org.uk

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At a glance... Professional Advice:

The Pubs Code emphasises the importance of independent professional advice when taking on and running a tied pub. Expert advice can help you make informed business decisions, understand your Pubs Code rights, and negotiate effectively with your pub company. This factsheet supports TPTs in understanding the importance of obtaining that advice at key points in their tenancy and when exercising their rights under the Pubs Code.

Terms and abbreviations

Term/abbreviation	What it means
BII	British Institute of Innkeeping - trade body offering advice and accredited professional networks
Code	The Pubs Code etc. Regulations 2016
MRO	Market Rent Only
PCA	Pubs Code Adjudicator
POB	Pub-owning Business (often referred to as pub companies)
TPT	Tied Pub Tenant



Getting the most from professional advice

To get the most value from professional support, it is important to choose advisors who have specific experience in the tied pub sector. The tied pub model has unique features, including the rent assessment process, pub-specific repair obligations, pre-agreement information requirements, and legal protections under the Pubs Code which general business or property advisors may not be familiar with. Selecting someone who understands these sector-specific issues ensures you receive accurate, relevant guidance that reflects the realities of operating a tied pub.

A professional advisor can represent you in your dealings with the pub company, negotiate on your behalf, and properly document any agreements. Seeking professional advice can involve up-front costs, but being fully informed from the outset can help prevent misunderstandings, avoid costly disputes later, and ultimately save money.

Why professional advice matters

An independent professional with experience in the tied pub trade can help you:

- Make informed business decisions based on expert analysis
- Understand and access your Pubs Code rights
- Prepare a sustainable business plan
- Negotiate the right rent for your pub
- Understand your repair and maintenance obligations
- Navigate complex situations like assignments, renewals, and MRO requests



When you should seek professional advice

The Pubs Code requires, in certain circumstances, that pub-owning businesses (POBs) either advise tied pub tenants (TPTs) to obtain independent professional advice, or otherwise ensure that such advice has been obtained in relation to key points in your tenancy:

Before entering into a new agreement:

See Pubs Code – **regulations 10, 11, 13, 15 and 17**

- Prior to entering into a new agreement, the pub company must make sure you have a **sustainable business plan** which has been prepared after taking independent professional advice. While accountancy input is invaluable, it is advisable to also consider legal and property or rental valuation support to advise you on matters that an accountant alone may not be able to address.
- The POB must ensure that you have received the **rent proposal** and the **information contained in Schedule 1** to the Code (for example information about the pub premises, the rent and the type of tenancy) before taking professional advice on your sustainable business plan.
- The POB must advise you to conduct a **thorough inspection of the premises** and to **obtain the advice of a qualified surveyor** with professional experience relating to tied pubs. This allows for evaluation of the condition of the premises and any future liabilities, and although there is an upfront cost, this can help to avoid bigger expenses later. This is particularly important where you are taking on responsibility for repairs at the pub.

When you negotiate your rent with your pub company:

See Pubs Code – **regulations 18 and 21**

When you are negotiating your rent under the Pubs Code (for example you have received a rent proposal in respect of a new agreement or a rent assessment proposal at rent review), the pub company must advise you to obtain independent professional advice in connection with the rent before you agree it. Getting independent professional advice from a qualified valuer who is a member of the Royal Institute of Chartered Surveyors when negotiating your rent can protect your business's financial health to secure terms that reflect current market conditions.

For further information on [rent proposals](#) and [rent assessment proposals](#) see our factsheets.



Before agreeing to an assignment

See Pubs Code – **regulation 12**

When an agreement is being assigned to someone else, professional advice can help both parties understand the implications and their obligations. Before an assignment is agreed, the POB must be satisfied that the proposed assignee has been advised to seek independent advice, including from a qualified surveyor with professional experience relating to tied pubs.

When agreeing to an MRO investment exception

See Pubs Code – **regulation 56**

Your MRO right can be restricted where you agree to the POB making a significant investment in your tied pub premises. This restriction is known as the investment exception and applies for a defined period during which you cannot request the MRO option at renewal of your tenancy or when receiving a rent assessment proposal.

The investment agreement must include confirmation that the TPT has obtained independent professional advice in relation to the agreement.

For further information, see our [investment exception](#) factsheet.

Types of professional advice

Business advice

Accountants and business advisors with experience in tied pubs can assist with:

- **Business planning:** Developing a clear plan for running or growing the pub
- **Financial forecasts and viability assessments:** Projecting income, costs, margins and long-term sustainability
- **Cash flow management:** Helping you understand, predict and manage day to day finances
- **Understanding implications of taking on or continuing to operate a tied pub:** Including rent, beer ties, trading terms and overall financial impact



Legal advice

Solicitors experienced in the tied pub sector can advise on:

- **Tenancy and lease agreements:** Understanding the different terms, the responsibilities of each party and any other legal implications before signing a new agreement or renewing
- **Rights and obligations under the Pubs Code:** Including MRO, information rights and protections for tied tenants
- **Contractual matters and dispute resolution:** Helping to resolve disagreements with POBs and advising on contractual compliance

Property, repairs and maintenance advice

Chartered surveyors (Members or Fellows of the Royal Institute of Chartered Surveyors (RICS)) with tied-pub experience can:

- **Assess the condition of premises:** Identifying issues that could affect repairs, investment or operational costs. This can be particularly important before the start of the agreement, when you receive the schedule of condition prepared by the POB to ensure the state of the property at the start of the tenancy is accurately recorded.
- **Advise on initial works:** Identifying essential repairs or upgrades at the start of a tenancy, so that responsibilities and timescales are documented and costs are clear.
- **Clarify repair responsibilities:** Helping you understand what you must maintain versus what the pub company is responsible for under the tenancy agreement.
- **Advise on dilapidations:** Advising on what you and pub company are responsible for at the end of the agreement and negotiating in relation to works or charges.

Valuation advice

Specialist valuers with expertise in the tied pub sector can:

- **Provide rental valuations:** advise you on the market rent for the pub based on trading potential, condition and other factors affecting valuation, and act as expert negotiator for you e.g. at rent review or renewal.
- **Licensed trade (inventory) valuers** can: assess the fixtures and fittings in your pub and prepare a schedule that records inventory and condition at the start of the tenancy.



Where to find professional advisors

Visit the [PCA website](#) for information about finding professional advisors, as well as other sources of help and support, including:

- The British Institute of Innkeeping (BII) has expert helplines which offer tied tenants 30 minutes of free advice from industry and business professionals. The BII also has networks of independent accredited accountants, chartered surveyors (valuers) and solicitors plus building surveyors and licensed trade (inventory / fixtures and fittings) valuers who offer expert advice for tenants at all stages of their pub journey. Again a 30-minute introductory call is available to members. All six regulated pub companies – Admiral, Greene King, Marston's, Punch Pubs, Star Pubs and Stonegate – take out BII membership which covers their tied tenants on substantive agreements and those negotiating for a tenancy.
- Industry trade body UKHospitality, has a wealth of resources for licensees from which multiple operators, can benefit. Its supplier directory includes professional advisors such as specialist solicitors. UKH also offers a legal advice helpline which its members can access when needed.



Questions about this factsheet

For **general queries** about the information in this factsheet, you may contact our enquiry service.

Please note, we can provide information about your rights, the Code and our processes. We cannot advise you about your case.



Complete our [online enquiry form](#)



Email: office@pubscodeadjudicator.gov.uk



Call 0800 528 8080 to request a call back

This factsheet provides information to support tenant understanding. It is not a substitute for the Pubs Code framework.

You may find it helpful to take independent professional advice before making any decisions that may affect you and your business.

Find out more

Follow the PCA on social media [@pubscodepca](#)



[Access all PCA factsheets here](#)

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