



**Scottish Pubs
Code Adjudicator**



Scottish Government
Riaghaltas na h-Alba

The Scottish Pubs Code Adjudicator Annual Delivery Plan 2025/2026

Foreword



**by Sarah Havlin,
Scottish Pubs Code Adjudicator**

Scotland's tied pub sector remains a vital part of our social, cultural, and economic fabric. My role as the Scottish Pubs Code Adjudicator is to ensure that the Code is implemented in a way that reflects fairness, transparency, and respect for the rights of tenants. We recognise the challenges and opportunities facing the sector—and we remain committed to supporting a constructive regulatory environment where all stakeholders can thrive.

Over the coming year, we will continue our efforts to provide clarity and confidence to tenants and pub-owning businesses alike. Through informed engagement, effective oversight, and proactive education, we aim to strengthen trust in the regulatory framework and promote best practices across the industry.

In addition to our core functions, we will:

- Oversee the implementation of the Scottish Pubs Code Regulations 2024, which came into force on 31 March 2025, ensuring compliance and raising awareness across the sector
- Support tenants in exercising new rights, including the Market Rent Only lease option and the ability to stock guest beers, which enhance commercial flexibility and tenant autonomy
- Enforce the Code through investigations, arbitration, and financial penalties where necessary, ensuring accountability and fair dealing
- Provide guidance and training resources, including pre-entry awareness modules, to help tenants and pub-owning businesses navigate the Code confidently

I would like to thank all those who contribute to the continued success and resilience of Scotland's pub sector. I look forward to working with you in the year ahead.

Our mission



As the regulator for Scotland's tied pub sector, our mission is to uphold fairness, transparency, and clarity by safeguarding the rights of tenants and ensuring adherence to the Scottish Pubs Code. We are committed to supporting a balanced and sustainable industry that works for all stakeholders. In 2025/26, we will continue to monitor how the Code is being implemented and engage constructively with the sector to ensure it delivers real protections and drives continual improvement.

Our aim

Our primary goal is to ensure fairness, transparency, and equity in Scotland's tied pub sector by upholding the rights of tied pub tenants while fostering a balanced and sustainable environment for all stakeholders. We are committed to maintaining effective oversight, promoting best practices, and strengthening the industry through regulatory compliance and constructive engagement.

What we do

As the Scottish Tied Pubs Adjudicator, we:

- **Safeguard tenant rights:** We provide clarity on the rights and responsibilities of tied pub tenants, ensuring they are well-informed and supported
- **Resolve disputes:** Through independent adjudication, we assist in resolving conflicts fairly and efficiently between tenants and pub-owning businesses
- **Monitor compliance:** We oversee adherence to the Scottish Pubs Code Regulations 2024, ensuring fair contractual agreements and responsible business conduct
- **Engage and educate:** By fostering dialogue with tenants, businesses, and stakeholders, we promote awareness and encourage industry-wide collaboration for sustainable success

Through these initiatives, we strive to create a robust and fair regulatory framework that benefits Scotland's tied pub sector, supporting its long-term growth and stability.

Corporate objectives



This Annual Business Plan sets out how we will deliver on our Corporate Objectives in 2025/26. These four strategic pillars guide all areas of our regulatory activity, ensuring a fair, transparent, and effective approach to overseeing the Tied Pubs (Scotland) Act 2021:

1. Ensuring compliance with the Scottish Pubs Code

- Conduct investigations into non-compliance
- Provide guidance and enforcement actions, including financial penalties
- Raise awareness among pub-owning businesses and tenants

2. Stakeholder engagement & transparency

- Publish regular updates and reports on adjudications
- Maintain open communication channels with tenants and pub-owning businesses
- Host annual forums for industry feedback

3. Dispute resolution & arbitration

- Develop streamlined arbitration processes for tenant-landlord disputes
- Offer clear guidance on Market Rent Only (MRO) lease requests
- Ensure fair rent assessments

4. Operational efficiency & governance

- Establish performance metrics for Adjudicator effectiveness
- Implement digital tools for case management and reporting
- Conduct periodic reviews of the Code's impact
- Delivering value for money at all times and being accountable for the prudent stewardship of levy income

Our strategic objectives



To support a fair, balanced, and transparent tied pub sector in Scotland, our strategic objectives guide all aspects of our regulatory work:

- **Ensure compliance:** Monitor how pub-owning businesses adhere to the Scottish Pubs Code and investigate concerns as they arise
- **Promote fair dealings:** Support fair, lawful relationships between tied pub tenants and pub-owning businesses
- **Provide guidance and support:** Offer clear, accessible resources to help stakeholders understand their rights and responsibilities
- **Monitor and report on enforcement:** Maintain transparency through consistent reporting and evaluation of regulatory actions

Key deliverables

To achieve these objectives, our 2025/26 priorities include:

- Supporting Ministers in their review of the Scottish Pubs Code and its effectiveness
- Conducting stakeholder engagement
- Leading compliance monitoring activities via surveys, audits, and investigations
- Producing reports that detail enforcement actions and outcomes of adjudicated cases

Our focus

As the Scottish Tied Pubs Adjudicator, our primary mission is to ensure fairness and transparency in the relationships between tied pub tenants and pub-owning businesses. Over the coming year, we will continue to uphold the principles set out in the Tied Pubs (Scotland) Act 2021, ensuring compliance and supporting tenants in understanding and exercising their rights.

Our focus will be on:

- **Tenant engagement:** Strengthening support for tied pub tenants by providing clear guidance, accessible resources, and effective dispute resolution mechanisms
- **Investigations and oversight:** Monitoring compliance with statutory requirements, addressing concerns, and ensuring that businesses operate within the legal framework
- **Collaboration and outreach:** Building relationships with stakeholders across the pub sector to enhance awareness and encourage best practices
- **Continuous improvement:** Reviewing and refining processes to ensure efficiency, responsiveness, and transparency in adjudication decisions

Annual priorities



In 2025/26 our goal is to foster a balanced and sustainable environment for Scotland's tied pub sector—one that acknowledges and respects the interests of tenants, pub-owning companies, and the broader hospitality industry.

Taking each commitment in turn:

- Tenant Engagement
- Regulatory Oversight
- Collaboration & Outreach
- Continuous Improvement

Tenant engagement

Strengthening support for tied pub tenants by providing clear guidance, accessible resources, and effective dispute resolution mechanisms.

In 25/26 we will:

- **Enhance accessibility:** Improve access to guidance materials by developing user-friendly online resources, including step-by-step guides and case studies to support tenants in understanding their rights
- **Expand outreach:** Conduct targeted engagement sessions with tied pub tenants across Scotland to address concerns, gather feedback, and provide tailored advice
- **Streamline dispute resolution:** Strengthen dispute resolution mechanisms by refining processes for handling complaints efficiently, ensuring fair outcomes and timely responses
- **Collaboration and support:** Work closely with industry stakeholders, tenant associations, and legal advisors to enhance available support and drive constructive dialogue within the sector
- **Continuous improvement:** Monitor tenant experiences, assess evolving challenges, and adapt our strategies to ensure ongoing effectiveness in delivering transparent and practical solutions. Provide tenant feedback directly into the Scottish Government's statutory review of the Scottish Pubs Code and the Adjudicator's performance, ensuring that tenant voices are central to future improvements

Key strategic measure

Track uptake and usage of new guidance materials, aiming for a 25% increase in downloads and views in year.



Regulatory oversight

Monitoring compliance with statutory requirements, addressing concerns, and ensuring that businesses operate within the legal framework.

In 2025/26 we will:

- **Strengthen compliance monitoring:** Conduct targeted assessments to ensure pub-owning businesses are adhering to the Scottish Pubs Code Regulations 2024, promoting fair practices and transparency
- **Address tenant concerns effectively:** Improve reporting mechanisms for tenants, ensuring concerns are addressed promptly and consistently within the regulatory framework
- **Enhance data-driven oversight:** Utilise insights from case reviews and industry feedback to identify trends, refine policies, and proactively address emerging challenges
- **Increase stakeholder engagement:** Work closely with trade organizations, pub-owning businesses, and tenant groups to drive improvements in compliance and dispute resolution
- **Refine regulatory guidance:** Develop clearer, more accessible guidance to assist businesses and tenants in understanding and meeting their obligations under the law

Key strategic measure

Track adherence through annual compliance reviews, with a target of resolving 90% of identified issues within six months of each review's completion.

Collaboration and outreach

Building relationships with stakeholders across the pub sector to enhance awareness and encourage best practices.

In 2025/26 we will:

- **Expand stakeholder engagement:** Strengthen relationships with tied pub tenants, pub-owning businesses, trade associations, and legal experts to promote best practices and industry-wide improvements
- **Facilitate knowledge sharing:** Organise forums, workshops, and advisory sessions to enhance awareness of regulatory requirements and encourage proactive compliance
- **Promote transparent communication:** Develop clear and accessible guidance to improve understanding among all stakeholders and support informed decision-making
- **Encourage industry collaboration:** Foster constructive dialogue between tenants and pub-owning businesses, working towards fair and mutually beneficial agreements
- **Support sector development:** Contribute to wider discussions on the future of Scotland's tied pub sector, ensuring that regulation continues to evolve to meet industry needs

Key strategic measure

Host stakeholder engagement activities, with post-event feedback indicating 85%+ found them useful for improving awareness and collaboration.



Continuous improvement

Reviewing and refining processes to ensure efficiency, responsiveness, and transparency in adjudication decisions.

In 2025/26 we will:

- **Enhance adjudication efficiency:** Streamline case management processes to ensure timely, fair, and consistent decision-making for all disputes
- **Improve accessibility:** Make guidance and adjudication outcomes clearer and more accessible, enabling tenants and pub-owning businesses to navigate regulatory requirements with confidence
- **Leverage data and insights:** Analyse case trends and stakeholder feedback to refine our approach, identify emerging challenges, and proactively address areas of concern
- **Increase transparency:** Strengthen communication around adjudication procedures, providing stakeholders with greater clarity on decision-making criteria and expectations
- **Commit to ongoing development:** Regularly review and adapt our regulatory framework to ensure it remains effective, practical, and responsive to the evolving needs of Scotland's tied pub sector

Key strategic measure

Resolve 90% of adjudication cases within 3 months, with published summaries and guidance updates issued quarterly to reflect key trends and learning.

How we'll measure success



- Number of disputes resolved and investigations completed
- Timeliness of our decisions
- Where needed, monitoring compliance following investigation
- Ensuring independent rent assessors conducting activity within statutory timescales
- Feedback from tenants, pub-owning businesses, and stakeholder groups
- 100% of summaries published on case completion, unless restricted by confidentiality agreements

Year at a glance

Quarter	Key activities
Q1	Publish updated guidance materials and hold tenant engagement sessions
Q2	Conduct compliance investigations and respond to reports
Q3	Review findings and assess impact of actions
Q4	Publish Annual Report and outline goals 2026/27



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