

Information and advice to prospective pub tenants

The Scottish Pubs Code ensures that prospective tied pub tenants receive important information and advice to make informed decisions. This includes details about:

- Pre-entry training: What you need to know before starting
- Your pub and the pub trade: General information about running a pub
- Business plan development: Helping you and your landlord negotiate your lease

Why this matters

The Code ensures fair and lawful dealings between you and your landlord. It aims to make sure you're not worse off due to product or service ties and promotes a fair sharing of risks and rewards.

Information to provide before entering into a lease

1. Pre-entry training

Your landlord must provide you with information about pre-entry training **before** you enter into a lease agreement with them.

This training will help you understand what's involved in running a pub and your obligations. They'll also tell you who can provide this training.

Note: If you're already a tied pub tenant or have been one in the last three years, the landlord doesn't have to give you this information.

2. Draft lease proposal

Your landlord must send you a draft lease, including:

- How to handle lease breaches
- How to deal with complaints and disputes
- How to address potential breaches of the Scottish Pubs Code
- Responsibilities for repairs and dilapidations
- Any landlord investment proposals
- Current price list for tied products and services, and any expected changes (including details of discounts) within the first three months following the start of the lease

3. Rent assessment statement

Your landlord must provide a rent assessment statement, including:

- Proposed rent
- A profit and loss forecast for the next 12 months
- Details of alcohol purchases over the last 3 years including, if reasonably available, the number of barrels of alcohol
- Any other information used to assess the rent



4. Dilapidation report and repair details

Your landlord must give you:

- A copy of any previous dilapidation reports
- Details of previous repairs
- Information on future repairs required at the lease start

5. Costs and charges

Your landlord must inform you about the costs and charges that you will be responsible for i.e., business rates, fees, service rates or other costs. You must also be provided with any published reports analysing the trading costs of tied pubs in the UK, including on the costs of the tied pub agreements.

6. Gaming machines

Your landlord must provide you with information on the proposed arrangements for gaming machines at your pub, including how any revenue from these machines is to be distributed.

7. Advice and support

Your landlord must provide you with information about advice and support they can offer including:

- Training needs for you and your employees
- Licensing requirements
- Brand promotion and marketing
- Business management aspects including promotion and marketing of your pub
- Provision and maintenance of dispensing equipment
- Benefits from the landlord's procurement and supply capabilities
- Exterior decoration of the premises and any signs, car parks and gardens

8. Information about your pub

If this is your first tenancy, your landlord must provide additional details about the pub including:

- A description of your pub
- Current licenses for the pub
- Enforcement actions in the last 2 years
- Number of previous tenants in the last 10 years

What to do if you don't receive this information

This information is important for making an informed decision about entering into a lease with your landlord. If you don't receive the information detailed above, raise the issue with your landlord and refer to this guidance.

Find more information



Go to the Scottish Pubs Code Adjudicator website:
www.gov.scot/groups/scottish-pubs-code-adjudicator/



Contact the office of the Scottish Pubs Code Adjudicator
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**Scottish Pubs
Code Adjudicator**