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STATUTORY INSTRUMENTS

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**2016 No. 790**

**The Pubs Code etc. Regulations 2016**

**PART 6**

Market rent only option: procedure to be followed in connection with an offer

**Effect of tenant's notice**

- 29.**—(1) This regulation applies where a pub-owning business has received an MRO notice.
- (2) The pub-owning business must send a written acknowledgement to the tied pub tenant as soon as reasonably practicable.
- (3) Where the pub-owning business agrees with the tied pub tenant's opinion under regulation 23(3)(e), the pub-owning business must send the tenant—
- (a) a statement confirming its agreement;
  - (b) where the MRO notice relates to a tenancy, a proposed tenancy which is MRO-compliant;
  - (c) where the MRO notice relates to a licence, a proposed licence which is MRO-compliant.
- (4) Where the pub-owning business disagrees with the tied pub tenant's opinion under regulation 23(3)(e), it must send the tenant—
- (a) a statement confirming its disagreement; and
  - (b) its reasons for disagreeing.
- (5) A response under paragraph (3) or (4) is a “full response”.
- (6) The pub-owning business must send a full response within the period of response.
- (7) The “period of response” is, subject to paragraphs (8) and (9), the period of 28 days which begins with the day on which the pub-owning business receives an MRO notice.
- (8) Where—
- (a) the tenant gives an MRO notice that the event specified in regulation 26 has occurred;
  - (b) the event is a renewal by virtue of regulation 26(2)(a); and
  - (c) the pub-owning business—
    - (i) opposes the tenant's application for a new tenancy under section 24(1) of the Landlord and Tenant Act 1954; or
    - (ii) applies to the court under section 29(2) of that Act, for an order for the termination of the tenancy,
- the “period of response” is the period of 28 days which begins with the day on which the court makes an order for the grant of a new tenancy.
- (9) Where the tenant gives an MRO notice that the event specified in regulation 26 has occurred, and the event is a renewal by virtue of regulation 26(2)(b), the “period of response” is the period of 28 days which begins —

- (a) at the end of the period of two months after the day on which the tenant makes a request for a new tenancy under section 26 of the Landlord and Tenant Act 1954; or
- (b) where the pub-owning business opposes the tenant's application for a new tenancy under section 24(1) of that Act, or applies to the court under section 29(2) of that Act, on the day on which the court makes an order for the grant of a new tenancy.