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DRAFT STATUTORY INSTRUMENTS

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**2016 No.**

**The Pubs Code etc. Regulations 2016**

**PART 3**

**Duties of pub-owning businesses in their dealings  
with their tied pub tenants: rent proposals**

**Duty to provide a rent proposal**

**15.**—(1) Where any of paragraphs (2) to (7) apply, the pub-owning business must provide a rent proposal to the tied pub tenant.

(2) This paragraph applies where—

- (a) the tenant receives a notice from the pub-owning business under section 25(1)(1) of the Landlord and Tenant Act 1954;
- (b) the tenant requests a rent proposal within the period of 21 days beginning with the day on which the notice is received; and
- (c) the pub-owning business has not—
  - (i) within the time ordinarily allowed, opposed under section 24(1)(2) of the Landlord and Tenant Act 1954, the tenant's application for a new tenancy; and
  - (ii) within the time ordinarily allowed, applied to the court, under section 29(2)(3) of that Act, for an order for the termination of the tenancy.

(3) This paragraph applies where—

- (a) the tenant receives a notice from the pub-owning business under section 25(1) of the Landlord and Tenant Act 1954;
- (b) the tenant requests a rent proposal within the period of 21 days beginning with the day on which the notice is received; and
- (c) the pub-owning business—
  - (i) opposes the tenant's application under section 24(1) of that Act for a new tenancy; or
  - (ii) applies to the court, under section 29(2) of that Act, for an order for the termination of the tenancy.

(4) This paragraph applies where—

- (a) the tenant makes a request for a new tenancy under section 26(4) of the Landlord and Tenant Act 1954;
- (b) the tenant requests a rent proposal within the period of 21 days beginning with the day on which the request for a new tenancy is made; and

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(1) Section 25(1) was amended by [S.I. 2003/3096](#).

(2) Section 24(1) was amended by section 3(2) of the Law of Property Act 1969 and by [S.I. 2003/3096](#).

(3) Section 29(2) was substituted by [S.I. 2003/3096](#).

(4) Section 26 was amended by [S.I. 2003/3096](#).

- (c) the pub-owning business has not—
  - (i) within the time ordinarily allowed, opposed the tenant’s application for a new tenancy under section 24(1) of that Act; and
  - (ii) within the time ordinarily allowed, applied to the court, under section 29(2) of that Act.
- (5) This paragraph applies where—
  - (a) the tenant makes a request for a new tenancy under section 26 of the Landlord and Tenant Act 1954;
  - (b) the tenant requests a rent proposal within the period of 21 days beginning with the day on which the request for a new tenancy is made; and
  - (c) the pub-owning business —
    - (i) opposes, under section 24(1) of that Act, the tenant’s application for a new tenancy under section 26 of the Landlord and Tenant Act 1954; or
    - (ii) applies to the court under section 29(2) of that Act.
- (6) This paragraph applies where—
  - (a) there is a change in the amount of rent or money payable in lieu of rent payable by the tenant under the tenancy or licence except where the change is due to an annual or other periodic indexation of rent which was agreed by the tenant when the tenancy or licence was entered into; and
  - (b) the tenant requests a rent proposal within the period of 21 days beginning with the day on which the change is notified to the tenant.
- (7) This paragraph applies where the pub-owning business notifies the tenant of a proposal to negotiate a new agreement with the tenant.
- (8) A pub-owning business is not required to provide a rent proposal where—
  - (a) the event in paragraph (6) occurs; and
  - (b) regulation 19(1) applies in connection with the initial or revised rent.