
DRAFT STATUTORY INSTRUMENTS

2016 No.

The Pubs Code etc. Regulations 2016

PART 9

Business development managers and compliance officers

Business development managers

- 41.**—(1) The pub-owning business must ensure that each of its business development managers—
- (a) receives a copy of these Regulations before the business development manager liaises with tied pub tenants over any matters relating to the Regulations;
 - (b) is provided with appropriate training in relation to the requirements of these Regulations at least once every 12 months; and
 - (c) deals with tied pub tenants in a manner that is consistent with the principle referred to in section 42(3)(a) of SBEEA 2015.
- (2) A pub-owning business must provide to its tied pub tenants information about—
- (a) the role of the business development manager; and
 - (b) the support and guidance which the business development manager will provide to the tenants.
- (3) Where a business development manager is responsible for conducting rent assessments or assessments of money payable in lieu of rent, the pub-owning business must ensure that the business development manager receives appropriate training before conducting any such assessment.
- (4) A pub-owning business must ensure that the business development manager—
- (a) makes appropriate notes of any discussions with tied pub tenants in connection with—
 - (i) rent proposals;
 - (ii) rent assessments or assessments of money payable in lieu of rent;
 - (iii) repairs to the tied pub premises;
 - (iv) matters relating to the tied pub tenants' current or future business plans;
 - (b) provides tied pub tenants with a record of any such discussions within the period of 14 days beginning with the day on which the discussion occurred; and
 - (c) requests that the tenant respond to the business development manager if the tenant does not agree with any aspect of the record within the period of 7 days beginning with the day on which the record was received.
- (5) A pub-owning business must specify, in a document published by the pub-owning business—
- (a) its commitment towards the continuous professional development and improvement of its business development managers; and
 - (b) how it proposes to fulfil such a commitment, referring where appropriate to relevant qualifications and training.

- (6) A “business development manager” means—
- (a) a person who is employed as such by a pub-owning business; or
 - (b) any other person who represents the pub-owning business in negotiations with tied pub tenants in connection with the matters listed in paragraph (4)(a).