

The PCA publishes new and improved arbitration quarterly report.

The PCA has today published its new Pubs Code Arbitration Quarterly Report, for the period January to March 2022. This latest improvement follows the appointment of the Chartered Institute of Arbitrators (CIArb) as the sole provider of the PCA's arbitration referral service.

Continuing to build on the recommendations of [independent research](#) into PCA communications, this report gives a picture of progress over time providing a comparison to the previous quarter and total for the year. Significantly, it provides more detail on the types of disputes referred for arbitration, the outcome, and duration. It also gives the industry more information to compare by pub company.

For example, the new style Quarterly Report enables the industry to see that Stonegate and Star, the two pub companies who had the highest number of cases at the end of last quarter (31 December 2021) have notably closed a number of cases this quarter. This has had a positive impact on the total open cases. Star continues to have the most open disputes. The majority of arbitrations (15 across all pub companies) ended this quarter with the parties agreeing a Market Rent Only tenancy.

This first report shows the number of open arbitrations continuing to fall, the majority of which are about the Market Rent Only full response. The PCA has focused on improving compliance and reducing disputes in this area, including the [MRO Compliance Record and Declaration(<https://www.gov.uk/government/publications/regulatory-compliance-handbook-market-rent-only-proposals>) introduced in November 2019, [publication](#) of arbitration awards on its website, and the recent [consultation](#) on upcoming guidance to reduce financial barriers for tenants taking the MRO option. Recent changes in the law allowing the tenant and pub company more time to negotiate the MRO option before considering arbitration are an opportunity to reduce the need for arbitration further.

The PCA continues to work with CIArb in ensuring arbitrators follow the [standards](#) introduced in April 2021 to ensure parties receive an efficient and quality service. CIArb is currently developing arbitrator training and assessment to ensure arbitrators considered by the PCA for appointment have demonstrated their knowledge of Pubs Code arbitrations to a required standard.

Fiona Dickie, Pubs Code Adjudicator, said:

"I am pleased to be launching the PCA's new-style quarterly arbitration report, which offers more meaningful insights for the industry on Pubs Code arbitrations. I think it is right that the PCA publishes more detailed data, such as about arbitration outcomes, and to enable comparisons to be made by pub company. It is encouraging to see the number of open arbitrations

continuing to fall. We nevertheless continue our work to ensure that where arbitration is required, the parties receive a quality service.”

Note: The quarterly arbitration report replaces the PCA Arbitration Data – Quarterly Release. Total number of enquiries received is no longer reported on a quarterly basis. The updated PCA arbitration information publication policy can be found [here](#).

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