

Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill - Committee submission (supplementary evidence – Mid Wales Tourism)

Dear Committee Members,

Thank you for your time and engagement with us at the Committee session on 20 November 2025. We appreciate the opportunity to contribute to your scrutiny of the Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill.

We support the Cabinet Minister's aims and recognise the reasoning behind the Bill.

We agree that Wales needs strong, clear minimum standards and a fair, transparent system for visitor accommodation. Our concerns are not about the direction of policy, but about how the policy will operate in practice once it becomes law.

Tourism regulation has a “butterfly effect.” A change made in one part of the system, such as licensing or numbering, can create knock on impacts elsewhere, including undermining Visit Wales quality grading, insurance liability, national and local marketing platforms, local authority enforcement, destination partnerships, and visitor communication. These impacts may not be obvious from the licensing provisions alone, but they are predictable when the whole tourism system is considered.

That is why we are urging Welsh Government to look very carefully at policies that could create unintended consequences across the wider visitor economy.

We also want to highlight the difference between intentions and statutory drafting. We understand and support much of the Ministerial intent, but legislation is interpreted by how it is written, not by what was intended.

If wording is unclear or creates overlap with existing systems, it can be interpreted in ways that cause avoidable risk, cost, or confusion. In this context, “unintended” does not mean “unforeseen.” The consequences we outline below are foreseeable now and can be addressed through straightforward amendments.

We set out our requested changes below.

1. One coherent licensing approach aligned with registration

We strongly recommend that Wales adopts one coherent licensing approach that aligns with the registration system already being developed. Registration covers all accommodation types, including temporary and ad hoc accommodation such as event based provision. It is therefore not clear why

licensing would apply only to self catering, as this creates a two tier system that will confuse visitors and businesses.

A single coherent approach would:

- provide one consistent national standard and visitor expectation
- avoid mixed requirements across the sector
- support one authoritative national database and numbering system
- prevent complexity for multi use businesses and sites

We are particularly concerned about multi use sites where some parts of a business would require licensing and others would not. This creates confusion not only for visitors but also for operators trying to comply, and increases risk of error across marketing and enforcement systems.

2. Tighten subjective drafting in Section 7

Section 7 relies on subjective terms such as *appropriate* design or layout, *adequate* lighting, *adequate* heating, and *appropriate* sleeping space. These phrases are open to interpretation, overlap with established minimum standards already used by Visit Wales 'Approved Listings' and Star Grading in Wales, and risk inconsistent enforcement and disputes.

We ask that Section 7 is amended to replace subjective wording with objective measurable requirements, or that Ministers are required to publish binding minimum specifications aligned to the national minimum standards already used through Visit Wales Star grading and *Approved Listings*.

3. Define reasonable repair time and continuous fitness duties in Sections 15 and 44

The Bill requires providers to ensure fitness throughout the stay and refers to repair within a reasonable time, but reasonable time is not defined. Without definition, this creates legal uncertainty and will invite disputes even where businesses act responsibly, particularly in rural areas or where contractors are not immediately available.

We ask that a clear definition or test for reasonable time is added through regulations or statutory guidance, taking account of seriousness of the defect, interim mitigation, contractor availability, rural and seasonal constraints, and time remaining in the stay. A safe harbour should protect those who act promptly and proportionately.

4. Add a safeguard to Section 42 to prevent multi claim liability and insurance conflict

We support extending protection to all visitors staying under a booking. However, Section 42 currently allows multiple parallel contractual claims from a single party booking because any visitor can rely on the fitness term even if they are not a contracting party. This conflicts with how public liability

insurance and standard accommodation contracting operate, where the contract sits between the named booker and the provider.

We ask that Section 42 is amended to provide a proportionate safeguard that preserves visitor rights but avoids unintended litigation. A workable approach would be:

- one claim per booking brought by the contracting party or a nominated representative, who may recover losses for the group
- a materiality threshold so trivial or preference based complaints do not trigger liability

We also ask that Welsh Government consults the insurance sector on the operation of Section 42 and publishes guidance before commencement, so that the intended protections can be delivered without creating uninsured exposure for compliant Welsh businesses.

5. Make clear that providers are solely responsible for displaying and maintaining accurate registration and licensing numbers in all marketing

We support the principle of accurate public information. However, the Bill's directory and advertising rules risk creating implied responsibility on third parties for business supplied data. DMOs and destination platforms are collaborative, not for profit bodies. Many receive no core public funding, operate with limited capacity, and have no enforcement powers. Their boards are largely made up of non executive directors and volunteers giving their time to support the visitor economy.

If DMOs, local authority sites, or other marketing platforms face real or perceived liability for incorrect or outdated registration or licensing numbers supplied by businesses, there is a serious risk of deterring volunteers from serving on boards, weakening local leadership, and damaging the collaboration that destination marketing depends on.

We therefore ask for an explicit statutory statement that accommodation providers are solely responsible for displaying a valid registration or licensing number wherever they advertise, and for ensuring that their listing information, registration status, and licence numbers remain accurate and up to date at all times.

Third party marketing bodies, including DMOs and local authority platforms, should be required only to provide a clear place for numbers to be shown and to communicate regularly to their member businesses that the duty to keep numbers accurate sits with the provider. They must not be responsible for verifying provider data and must not be liable for inaccuracies supplied by businesses. This should be supported by a single authoritative national data source that marketing platforms can reference safely and consistently.

There is also a practical data matching issue with major implications for deliverability and cost. At present, when a business is graded and holds a current grading number, that grading number is the single recognised identifier within the Visit Wales quality assurance system. Once issued, it links automatically to VisitWales.com so the business can be published consistently across national and partner marketing platforms.

If the Bill introduces a second tier of identifiers alongside grading numbers, these systems will not align easily. A business may have one registration or licence number under the Bill but still hold one or even two grading numbers depending on how its accommodation is structured. Existing platforms have no automated way to determine which identifier is the primary record, or to reliably link a Bill registration number to the correct grading record across multiple properties or mixed sites. The likely outcome is clashing datasets, inaccurate listings, and uncertainty for both businesses and visitors.

To make two numbering systems work together would require significant technical development for VisitWales.com, local authority platforms, DMOs, and any other marketing site listing Welsh accommodation. Without that investment, it will be extremely difficult to cross match, verify, and keep records accurate over time, especially for multi site operators. This creates avoidable cost for Welsh Government and Visit Wales, and pushes risk and complexity onto local marketing partners who do not have the capacity or powers to manage it.

We therefore ask that the Bill includes a clear duty on Welsh Ministers to ensure that registration, licensing, Visit Wales *Approved Listings* and star grading, and the public directory are technically integrated, with a single identifier flowing through to marketing platforms. This is essential if the national directory and advertising requirements are to work in practice without costly duplication.

6. Use the Visit Wales Quality Assurance system as the licensing standard

We ask that the Bill uses the existing Visit Wales Quality Assurance framework as the licensing standard. In practice, this means making the current *Approved* listing the legal minimum licensing gateway, and strengthening its safety and compliance checks where Ministers consider necessary. Businesses could then choose to move up to full grading to demonstrate higher quality.

Wales already has the trained Quality Assurance team, sector by sector minimum standards, inspection processes, a formal complaints procedure, and national systems linked into VisitWales.com. *Approved* is the minimum standards tier, and grading provides the route to level up quality beyond the minimum. Expanding *Approved Listings* as the licensing gateway avoids reinventing the wheel or creating a parallel inspection and complaints regime that would duplicate effort, cost more to deliver, and risk confusing or weakening the recognised national quality framework.

Approved Listings and star grading also solve a practical standards issue across sectors. The Bill uses broad concepts such as adequate sleeping provision, appropriate facilities, and suitable structures. These terms mean very different things depending on whether the accommodation is a cottage, a hotel room, a touring pitch, a tent, or a glamping unit. A single generic test will inevitably be interpreted inconsistently. The *Approved Listings* and grading framework already provides harmonised sector specific minimum standards and guidance for every accommodation type, including camping, touring and glamping, and is recognised nationally and across the UK. Using this framework as the baseline ensures that fitness expectations work properly across all sectors without ambiguity or inconsistent enforcement.

7. Handling sectors already regulated through statutory licences (conditional on a single all sector system)

We recognise that holiday parks and other site licensed sectors are currently excluded from licensing in the Bill. The point below relates to how these sectors should be handled if Government adopts the single all sector licensing approach we recommend in Section 1, so that Wales ends with one coherent system and avoids mixed requirements for multi use sites.

We do not believe holiday parks, caravan sites, touring sites, and camping or glamping sites need to be re licensed. These sectors already operate under statutory site licensing and existing inspection systems. Within a single national system, they should be recognised through a simple upload and verification route. Where premises already hold a valid statutory licence or regulated approval, the operator should upload that licence, have it verified once, and automatically receive a recognised number within the national system.

This is consistent with the existing Visit Wales WATO approach, where businesses with AALA accreditation upload that evidence once and receive a recognised Visit Wales identifier for national listing and marketing purposes. This demonstrates that an upload and recognise model already works in Wales, reduces burden, and supports a single verified database.

Conclusion

We support the policy objectives of the Bill. Our requested changes are intended to ensure the Bill is clear, consistent across sectors, deliverable in practice, and built on the effective Welsh Government quality assurance systems already in place.

In summary we ask for amendments to:

1. Establish one coherent licensing approach aligned with registration and applying consistently across all accommodation types, to avoid a two tier system and multi use site confusion.
2. Tighten subjective drafting in Section 7.
3. Define reasonable repair time and realistic continuous fitness expectations in Sections 15 and 44.
4. Add a safeguard to Section 42 to avoid multiple contractual claims arising from one booking and to resolve associated insurance conflict, supported by insurer consultation and guidance before commencement.
5. Place sole responsibility for displaying and maintaining accurate registration and licensing numbers on accommodation providers, protect DMOs and local authority platforms from liability, and require a single integrated identifier and dataset across registration, licensing, *Approved Listings*/star grading, and the directory.

6. Make the *Approved Listings* the national minimum licensing gateway and strengthen its safety checks where needed, with grading remaining the route to level up quality beyond the minimum.
7. Where sectors already hold statutory licences, recognise these through upload and verification within the single national system, rather than re licensing.

We would welcome continued engagement to assist with developing precise amendments.



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