

## Further submission relating to the Tourism and Regulation of Visitor Accommodation Bill

**From: Barbara Griffiths, North Wales Holiday Cottages**

Thank you for the opportunity to submit further evidence. As a long-established holiday letting agency, we work directly with self-catering owners across North Wales and see, first-hand, the positive impact that clear regulation can have on safety, guest confidence and fairness across the sector. With that experience in mind, I would like to highlight some concerns and suggest an amendment that I believe would support the Welsh Government's stated aims.

I would strongly welcome an amendment to the Bill, and to the Explanatory Memorandum section 3.9, so that non self-contained self-catering accommodation, guest houses and B&Bs, and spare rooms are included from the start. These categories should be required to provide exactly the same documentation as self-contained self-catering properties.

At the heart of this Bill is visitor safety, and the reassurance that booked accommodation is safe and fit to occupy. Guests already assume this is the case wherever they stay. By covering only self-contained self-catering at this stage, many small guest houses, B&Bs and spare rooms are left outside the scope of the initial requirements. My concern is that, once public communications around the scheme begin, visitors may understandably assume that all accommodation in Wales is fully compliant, when this may not be true.

Since all accommodation should be registered before the Bill comes into force, it seems reasonable that all providers could be required to evidence the same core documents prior to receiving a licence. These include Gas Safe certification, Electrical Safety certification, Public Liability Insurance and a Fire Risk Assessment.

There is no need to create new safety criteria to include these other sectors, as they are already covered by existing legislation. The Welsh Government's own publication, *A Guide to Making Your Guest Accommodation Safe from Fire*, states that:

**"The Fire Safety Order applies if anyone pays to stay in your premises or in a room within your premises, other than to live there permanently. The Fire Safety Order applies to all short-term lets that are not let as a principal residence, even if you rent out a room in your premises only once..."**

The same guidelines require interconnected smoke or heat detectors in all rooms except bathrooms, and carbon monoxide detectors where gas, oil or solid fuel appliances are present. This is already a higher standard than that required by Rent Smart Wales for long-term tenancies.

Statutory Registration will help identify operators who occasionally offer whole homes or second homes on OTA platforms and may be unaware of their legal responsibilities. However, by excluding spare rooms and B&Bs at this stage, we will not achieve the level playing field or fair competition that the Bill aims to create. Operators who have made the effort to comply with updated 2023 fire regulations, including in B&B and spare-room settings, have already faced considerable cost. Continuing to exclude some sectors prolongs competitive disadvantage for compliant businesses.

Welsh Ministers have committed to delivering a Licensing scheme within the current Senedd term. This could have been incorporated into the Visitor Levy and Registration Bill. Instead, it has arrived at the last moment, with significant detail left to secondary legislation. Despite years of discussion, there has been no public consultation on this Bill itself, and most contributors had less than three weeks to assess its implications before giving evidence. This

reinforces the perception that the drafting has been rushed, leaving insufficient time for proper engagement across all accommodation types.

The Cabinet Secretary noted that including B&Bs and spare rooms would require further consideration, and that these were beyond the scope of the Bill. They also indicated that there are “particular characteristics” that must be worked through with the industry. In practice, the fundamental requirements for these sectors are the same as self-catering: Gas Safe, Electrical Safety, Fire Risk Assessment and appropriate insurance. These are simply the essentials required to ensure a home is safe to stay in, which is what every guest expects.

An assumption appears to have been made that the growth in self-catering properties increases the likelihood of non-compliance. However, spare-room accommodation has expanded dramatically in recent years, from almost non-existent to a substantial and rapidly growing sector. It is unclear whether Welsh Government or the Cabinet Secretary has reliable data on the scale of this sector in Wales. If numbers have grown quickly, the same assumption about potential non-compliance could logically apply.

The Cabinet Minister has expressed support for including occasional providers, noting the expectation that they also hold all relevant documentation. If this is the expectation, it should apply consistently across all types of visitor accommodation, whether fully self-contained or a single room.

The Bill currently anticipates an annual licensing fee of around £75. However, there is a risk that the true cost of setting up and administering the scheme could drive this significantly higher. With the lowest Scottish fee standing at £205 for three years, Wales could find itself with an annual fee closer to £200. Over three years this would amount to £600, a very different proposition from the figure initially referenced.

The argument for annual renewal, partly because some certificates last longer than a year, could equally support a longer licence period. Many new operators would prefer a multi-year licence to reduce administrative burden as they establish their business.

There is also concern regarding the amount of information that will be made publicly available. It should be straightforward for guests to check whether a property is registered and licensed, for example through a licence number displayed in advertising. However, publishing personal details such as an owner's name or home address could expose them to harassment or online accusations. All guests already receive contact details for the owner or responsible person once they have booked and paid, particularly when booking through an agency. Full operator details should certainly be available to Local Authorities, but not necessarily to the wider public.

There is a misconception that if some self-catering owners withdraw, others will fill the gap. In reality, there is very little spare capacity during high-demand periods, such as school holidays and major events. Some properties achieve 182 days, but many in remote areas struggle to attract guests between November and March, and multi-generational properties rarely fill outside the school holidays. While off-season capacity may be plentiful, peak-season capacity is not. Any significant reduction in operators would mean losing visitors during the periods Wales relies on most.

Finally, agencies, DMOs and marketing platforms cannot reasonably be held responsible for incorrect information supplied by providers. Checking a single vehicle's road tax status is entirely different from checking hundreds or thousands of registration or licence numbers

across multiple agencies. While information may be publicly available, there is no existing software capable of carrying out such checks at scale. Manual checking would be unmanageable except for the smallest operators. It remains essential that the provider themselves is responsible for ensuring the accuracy of information they publish.