



**Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill – PASC UK
comments on draft Section 7: November 2025**

1. Overall position

- The self-catering (and wider short term let) sector already has to operate within a robust health and safety framework of legislation and Government (both Welsh and UK) guidance.
- PASC UK have always sought to uphold this existing, important Health and Safety standards and advocated for the upload of legally required certificates and assessments to be included in the Welsh Registration Scheme to ensure that:
 - New entrants are made aware of these requirements as soon as possible (especially those not marketing through a traditional agent who would ensure the accommodation provider was aware of these requirements); and
 - There is a level playing field, based on existing legal requirements, for all short term let operators.
- The Bill, however, introduces additional layers of subjective and, in places, inconsistent requirements that risk overreach and confusion. And it fails to create a level playing field by not addressing providers of spare rooms (who are likely to be less aware of their existing legal requirements to keep guests safe).

We would prefer the Bill to be paused and revisited following full consultation and detailed scrutiny. However, if the Welsh Government proceeds regardless, substantial redrafting is needed.

2. Core ask on the structure of the Bill

If the draft Bill is to continue, **section 7 should be deleted in full** and instead and replaced with a **delegated power** to introduce further amenity/harm conditions in future, when there is sufficient time to ensure the appropriate balance is met to achieve a proportionate approach.

Provisions introduced by that delegated power would need **Senedd approval** and **formal consultation** with the sector.

This would:

- Reduce the immediate subjectivity and uncertainty around “fitness” standards.

- Avoid rushed, poorly targeted quality requirements.
- Limit the risk of scope creep and arbitrary local interpretations.

It would also allow time to **review sections 8–12 comprehensively** to ensure it aligns with:

- Existing health and safety law, and
- Welsh Government guidance for visitor accommodation.

3. Why PASC UK considers section 7 is unnecessary

Short-term lets are not long-term tenancies

- Guests see extensive information before booking (photos, layouts, amenity lists, guest reviews etc).
- If the property does not meet guests expectations when they arrive, they can:
 - Leave,
 - Raise the issue with the owner, agent or platform,
 - Post a negative review, and/or
 - Seek a credit card chargeback.

In contrast, a long-term tenant may be stuck in substandard housing. That dynamic simply does **not** apply here. Poor quality short-term lets tend to fail commercially without the need for regulatory intervention.

Market vs. regulation

- The Bill should limit itself to **objective safety requirements**, not subjective notions of quality.
- Market feedback mechanisms (reviews, ratings, repeat bookings) already regulate quality in a proportionate way.
- Introducing broad “amenity” and “quality” tests risks turning a safety scheme into a housing or control tool, something the Cabinet Secretary and WLGA evidence now hints at.

4. Specific subjectivity concerns with section 7

Section 7(1)(a) and (b) contain terms that are inherently subjective and operationally unclear:

- **“Appropriate” layout and construction**
 - What is “appropriate” when comparing a rural bothy, a shepherd’s hut, a city apartment or a castle? Who would be making that decision, and what qualifications would they have to do so?

- **Structural stability**
 - How is an operator expected to prove this? Who would be making that decision, and what qualifications would they have to do so?
 - Would a structural survey be needed for every property?
- **Duplication of fire and CO provisions**
 - Fire and carbon monoxide are already dealt with in sections 8–12; repeating them in section 7 is unnecessary and confusing.
- **Hygiene and security**
 - Framed in broad terms that will require extensive guidance to avoid arbitrary enforcement.

Overall, section 7 goes beyond what is reasonably required to secure safe visitor accommodation and embeds too much subjectivity into the licensing test.

5. Concerns about sections 8–12 and consistency with existing rules

We support the principle that the Bill should reflect existing legal standards on fire, gas, electrical and carbon monoxide safety. And we welcome the inclusion of public liability as an additional specific requirement. However, elements of the current drafting seem inconsistent with current Welsh Government guidance. They also run the risk of becoming outdated with changes in Government guidance and accepted market standards. For example:

- **Minimum smoke alarm coverage (section 9(3)(b))**
 - The Bill suggests at least one alarm per floor.
 - Government fire guidance expects alarms throughout the property in all rooms except bathrooms and toilets. (P17 of Wales, A Guide to making your guest accommodation safe from fire²⁰²³).
https://www.gov.wales/sites/default/files/https://www.bbc.co.uk/news/articles/c62d9nv1pp4os/publications/2023-09/guest-accommodation-safe-from-fire_0.pdf
 - This lower standard risks misleading operators who rely on the Bill rather than guidance.
- **Hard-wiring of smoke alarms (section 9(4))**
 - The Bill appears to require hard-wired alarms wherever there is an electrical supply in a property.
 - Existing guidance allows Grade F1 long-life sealed battery alarms as an acceptable short-term (2-3yr) measure.
 - An operator following that guidance in good faith could find themselves unintentionally non-compliant with the licensing rules.

Clause 9(3)(b) and (4) are otiose but worse than that:

- the Fire Guidance can be changed easily as fire safety recommendations are updated - this could leave the Bill even more disconnected with the Guidance and **primary legislation** would then need to be amended, and
- these subsections dangerously give the impression that these are the key fire safety measures (and standards) above other measures or guidance.

The Bill should not be trying to replicate fire guidance - it should refer to complying with the Fire Safety Order as it does elsewhere in that clause and leave it at that.

These examples also raise a broader question: has there been a full compatibility check between the Bill and the existing regulatory framework for visitor accommodation? If not, such a review is essential before the Bill is finalised and should be made available as part of the scrutiny process.

Conclusion

We support proportionate policy to ensure all guests are safe and legal. These legal requirements already exist and a more proportionate manner to create a level playing field would be to add the requirement to upload the necessary safety certificates and assessments as part of the Registration Scheme. Local Authorities could then take a risk based approach to enforcement checks, with full data and details on the operator and contemporaneous evidence of their safety certificates and assessments that were submitted as part of the registration scheme.

Section 7 of the Bill goes too far and is not required for a sector where the market dictates the appropriate standards are being met from a quality perspective.

This Bill is not Emergency Legislation, it is Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill and there is simply no reason to rush this Bill through. As stated above considerable work is still needed in order for this Bill to create that safe and legal level playing field that was promised, and to make the Bill proportionate and workable for the businesses that will be impacted.