Short Term Accommodation Association
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For the attention of the Economy, Trade and Rural Affairs Committee

Dear Committee members,

Following on from the oral evidence provided to the Committee by STAA Board Member and Policy Working Group Co-Chair, Charlie Reith, and the written evidence submitted by the STAA to the Committee on 5 November 2025, please find below further comments from the STAA on the Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill. These cover the general and specific fitness standards for visitor accommodation, contractual terms and fitness for visitor accommodation, liability on advertisers, licence numbers estimates, and the scope of the Bill.

Fitness for visitor accommodation: general standard (7)

The STAA believes in the principle that accommodation providers should provide safe premises for guests and the sector and the accommodation providers already take safety seriously. As the Committee heard in oral evidence from STAA member, Airbnb, complaints relating to compliance or safety concerns in Wales are negligible or non-existent. This is a view our other members would echo. However, based on feedback we have received since the evidence session, it is now clear that our members believe that section 7 of the Bill unnecessarily goes beyond existing legal obligations for accommodation providers in respect of health and safety.

Feedback has been that requirements set out in section 7 come across as “subjective” or are worded too vaguely. To begin with, we must note that the vagueness of the standards hindered members’ ability to provide feedback, when already dealing with the rushed timeline was a significant obstacle. We have not had a chance to hear from all our members on these points so additional concerns may be raised in the coming weeks / months, as the Bill progresses through the Senedd.

In terms of specific comments we have received, the use of terms such as 'appropriate' or 'adequate' in the fitness standards leads to ambiguity. For instance, saying that the layout and construction should be 'appropriate' does not provide a clear standard in a sector where premises range from shepherds huts and bothies on mountainsides to luxury properties and castles. It is also not clear what 'appropriate' space for sleeping means. Mentions of 'adequate' lighting, heating, drainage, and other amenities are equally vague. Similarly, what constitutes 'hygienic' or 'secure' premises is largely subjective and it is unspecified whether other conditions would require any certifications (e.g. whether owners need to obtain a structural survey to declare premises 'structurally stable'). Accordingly, most requirements set out in section 7 would benefit from specification and concrete benchmarks in further guidance. In particular, members would welcome guidance that clarifies what constitutes compliance, particularly with reference to existing legal standards or buildings regulations. If a general fitness standard cannot be clearly articulated, then we would advocate for its removal from the legislation. Indeed, some members have already questioned the need to include carbon monoxide and fire conditions in section 7 when these are covered in sections 8 - 12. Others suggested replacing a requirement to be 'free' of carbon monoxide with specifications around types of alarms and detectors needed and testing.

Members have also suggested removing section 7 (b) altogether on the grounds of it being wholly reliant on subjective terms and beyond what is legally required to provide a safe environment. At the least, it could be removed from the face of the bill and become the subject of a further regulation and associated consultation process. We would argue that regulating the quality of amenities is not necessary in the short-term rental market. Typically, before booking, guests have access to significant amounts of information on the layout, design and amenities before booking the property. They will have had access to photos on the website, property descriptions and reviews from previous guests. And if the property is not as expected, from a quality perspective, guests can leave, complain to the agent or platform, leave a negative review, and/or issue a claim for a credit card charge back. This is quite different from the situation of long-term tenants who may find themselves unable to easily leave a sub-standard property due to lack of options or a restrictive tenancy agreement. Thus, the market automatically regulates quality standards for short-term lets. Moreover, certain off-grid accommodation is sought after precisely because it might be of a nature which does not have some of the described elements. Providing guidance for such subjective measures would also require a disproportionate effort that is simply not necessary.

Furthermore, these subjective elements create additional uncertainty for operators as well as a risk that local authorities (or the main license scheme administrator) would exploit them to

deny licenses and limit short-term lets numbers unfairly. Whilst we had welcomed the declared policy intent as improving health and safety, the Cabinet Secretary subsequently claimed during a Committee evidence session on 20th November that the policy intent is not just promoting health and safety but also tackling housing pressures. We would note that currently the license conditions do not include anything that could be used to assess housing concerns (should they exist), so we are concerned that an over-zealous interpretation of the fitness standard could be used to achieve this aim. The WLGA also said during the oral evidence sessions that they see the Bill as a control mechanism for housing but did not specify the lever within the license conditions that would allow them to refuse a license application on grounds relating to housing. This heightens the need for the Bill provisions to be tightly scoped and drafted. Policy intent must be clear and provisions should be proportionate with that intent - the sector is keen to avoid the issues which plagued the Scottish licensing scheme and led to costly, albeit successful, Judicial Reviews to the licensing scheme and the way it has been implemented and administered.

Fitness for visitor accommodation: specific standards; fire prevention (8-9)

Whilst we agree in principle with the provisions of section 8, which set out what is already legally required in respect of fire, electrical, gas and carbon monoxide risk, the wording could be improved. We are concerned that the provisions of some of the specific standards are not consistent with current regulations and Welsh Government guidance. Two examples of this can be found in section 9. Section 9(3)(b) seems to suggest the minimum requirement for smoke alarms is at least one on each floor. However, on page 17 of the Welsh Government's "A guide to making your guest accommodation safe from fire", the guidance states that "smoke alarms should be installed in hallways, corridors, staircases, lounges, dining rooms and bedrooms". This inconsistency in the Bill could lead an operator to be misled on what is required. Secondly, section 9(4) seems to suggest that the smoke alarms also need to be hard wired where there is an electrical supply. Again, this is inconsistent with guidance on page 17 of the Welsh Government's fire guidance that says "all smoke and heat alarms should be mains powered with a tamperproof standby power supply consisting of a battery. These are technically known as Grade D1 alarms. However, long-life, sealed battery alarms (known as Grade F1 alarms) may be acceptable as a short-term measure (say, around 2-3 years)." There is then a risk that an accommodation provider who has relied on the Welsh Government's detailed fire guidance may inadvertently be in breach of licensing rules. These inconsistencies lead us to question whether a full review of compatibility and consistency with the existing legal framework for short-term lets has been carried out. If not, it is essential that one is carried out as part of the Bill drafting scrutiny process and its results published. It is

yet another example of the provisions of the Bill potentially being rushed as they do not take into account these inconsistencies, and risk storing up problems for compliance in future. Inconsistencies like this will also inevitably slow the approvals process for a license, compounding the well-articulated concerns of many of your witnesses that the time it will take for the authority to grant licenses has been understated in the impact assessment.

Contractual terms and fitness for visitor accommodation (42-43-44)

Agents, platforms and property managers typically include provisions in the contract for the accommodation confirming that the property complies with the relevant statutory requirements. Therefore, provided the scope of the fitness standards is amended to focus solely on what is legally required to provide a safe environment, the STAA has no concerns on the principle of section 42. However, if the scope of the fitness standards remain as wide and subjective as they are, we would need to revisit this wording.

Liability on advertisers (46-47)

We note the Cabinet Secretary's comments in the evidence session on 20th November 2025 concerning these sections. As the Committee knows, we had raised concerns both in our written and oral submissions about the disproportionate level of liability being placed on websites that advertise or otherwise promote accommodation listings. These comments were echoed by other witnesses including representatives of property managers and Destination Management Organisations.

We were therefore disappointed at the evidence given to the Committee by the Cabinet Secretary on 20th November noting that those raising concerns are "not organisations that readily want to accept new responsibilities". This does not accurately reflect the position of booking websites of any size. Our members include booking platforms, large and small and they take the accuracy of the information on their site extremely seriously. Indeed it would be fair to say that they would not be as commercially successful as they are if the information they provide to their customers is regularly inaccurate. Our members are keen to do what they can to help ensure compliance with the registration requirement and as an association we have long supported registration schemes in all nations of the UK.

But that is not the same as our members accepting criminal liability, against individual senior officers of the company, for ensuring all registration numbers are entered correctly on their websites, when this is not something they have control over. It would be counter to the normal

functioning of online regulation for platforms to be liable in this way and marks Wales out as having a very different and aggressive approach to booking platforms when compared to England, Scotland and the Member States of the EU via the EU Short Term Rental Regulation, which was confirmed just last year. As many witnesses said, legal liability for the accuracy of registration numbers should ultimately rest with the Visitor Accommodation Provider.

Companies running booking websites and platforms are keen to work with the Welsh Government to help ensure compliance with the requirement to ensure all listings have a registration number displayed. Discussions have already taken place with the Welsh Revenue Authority about what steps can be taken in respect of the registration scheme. This might include ensuring that a registration number is mandatory on all listings and responding to takedown requests from a relevant authority, to ensure listings that are non-compliant are removed. In practice it may be that this is the type of reasonable 'compliance by design' activity that would be compliant with sections 46 and 47. If so, our members and the Welsh Government are in alignment. But due to the vague wording of section 46, it potentially creates a very deep obligation that our members are concerned they will not be able to comply with and therefore risk being criminalised for something out of their control. We would encourage the Committee to press the Welsh Government for more clarity about what is being required by this clause, in order to reassure the sector and for the wording to be changed by amendment so that Visitor Accommodation Providers are ultimately responsible for the accuracy of the information they provide.

Impact assessment - Forecast licence application numbers

We thank the Committee for considering and raising the point we made in our written evidence on the number of licence applications processed by Rent Smart Wales. We found the responses from both Ms Bethan Jones and the Cabinet Secretary in their oral evidence sessions unclear.

They both pointed to the number of properties covered by the scheme, rather than the number of applications the scheme administrator processes each year. Both Ms Jones and the Cabinet Secretary referred to the c. 100k landlords and c. 200k properties covered by the scheme. This does not reflect the number of applications actually processed by Rent Smart Wales as (i) landlords do not appear to need a licence if they do not manage the property themselves and instead use a licensed agent and (ii) licenses last for 5 years, meaning the number of applications made and processed each year are significantly reduced. Both of those elements mean the number of applications processed by the Rent Smart Wales team

each year is lower than the total number of landlords or the total number of properties that fall within the scheme. We would consider the licence application type closest to what is being proposed for short-term lets to be that of the single landlord licence (we assume the agent licence, covering the management of multiple properties, will be different).

In our written evidence we pointed to Table 4.2 of the Welsh Government's Evaluation of Rent Smart Wales: final report, 2025 (see below). This contains the figures we used to calculate the average of just under 6,000 landlord licenses issued each year by RSW since 2019. We find that the data does not corroborate Ms Jones or the Cabinet Secretary's reference 6,000 applications per year referred to agent licences - the table referred suggests the highest number of agent licenses issued in any quarter between 2019 and 2024 was 287. In fact, it appears that only 3,618 agent licences have been issued in total in the 5 years from 2019 to 2024.

Table 4.2 Total number of licenses issued (RSW), per quarter, 2019 to 2024

Year	Quarter	Agent Licenses (Total Issued in Quarter)	Landlord Licenses (Total Issued in Quarter	Total Licenses Issued
2019	Q1 (Jan)	191	1,533	1,724
2019	Q2 (Apr)	213	1,686	1,899
2019	Q3 (Jul)	206	3,732	3,938
2019	Q4 (Oct)	287	3,272	3,559
2020	Q1 (Jan)	256	2,316	2,572
2020	Q2 (Apr)	151	664	815
2020	Q3 (Jul)	138	1,445	1,583
2020	Q4 (Oct)	141	1,318	1,459
2021	Q1 (Jan)	127	1,099	1,226
2021	Q2 (Apr)	121	1,224	1,345
2021	Q3 (Jul)	140	1,376	1,516
2021	Q4 (Oct)	120	1,067	1,187
2022	Q1 (Jan)	184	1,030	1,214
2022	Q2 (Apr)	232	1,077	1,309
2022	Q3 (Jul)	177	1,137	1,314
2022	Q4 (Oct)	154	1,098	1,252
2023	Q1 (Jan)	164	1,614	1,778
2023	Q2 (Apr)	172	1,246	1,418
2023	Q3 (Jul)	207	1,496	1,703
2023	Q4 (Oct)	123	1,076	1,199
2024	Q1 (Jan)	114	918	1,032

Scope of the Bill

As noted above, we had accepted the government's statement that the policy intent of the Bill was to promote health and safety. The written and oral evidence we provided (in the short window allowed) was drafted under that assumption. We were therefore disappointed to note the pivot made by the Cabinet Secretary in his evidence on 20th November to include housing, and not just health and safety, as the policy objective of the Bill. Had this clarification been made when the Bill was first introduced to the Senedd, rather than in the last evidence session, our evidence and feedback on the principles of part of the Bill would have been changed accordingly. Moreover, powers to address housing supply and control housing use

are already catered for with the separate planning use classes and ability to make Article 4 directions.

We would appreciate formal clarification of the policy intent of the Bill, and the opportunity to provide further evidence, if indeed the intent is to tackle both housing and health and safety. We also believe all members of the sector, including the experts that were invited to give oral evidence, deserve that opportunity to resubmit evidence. The Committee also appeared to operate under the same assumption and we therefore assume it approached its scrutiny without concerns over the Bill's impact on housing. As we note above, if this is indeed the policy intent of the Bill, there are no explicit levers in the provisions that would enable a licensing authority to make a determination on an application based on housing 'concerns'.

To reiterate, we do not believe that a licensing scheme is the right way to implement housing policy, but we were left more unclear by the Cabinet Secretary's final evidence session and more concerned about what Welsh Ministers might seek to add to the Bill at a later date, providing even less time for effective scrutiny.