

Gwasanaeth Tân ac Achub
De Cymru



South Wales
Fire and Rescue Service

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Our Ref: ER/Senedd
Your Ref:
Date: 14 November 2025
Contact: Group Manager E. Robson
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Dear Sir,

Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill ("the Bill")

Please find the response from South Wales Fire and Rescue Service, to questions raised by the Senedd along with our further comments and observations.

1. Do you foresee any impact on demand for independent fire assessors resulting from the Bill?

The implementation of the Bill will introduce a mandatory licensing regime for visitor accommodation in Wales. One of the key licensing conditions will require that accommodation meets specific safety standards, including evidence of a suitable fire risk assessment and related safety systems (such as smoke and carbon monoxide alarms). Consequently, accommodation owners will need to commission or provide fire risk assessments that meet regulatory scrutiny in order to obtain or maintain a licence.

It is therefore likely that demand for independent fire assessors will increase. However, the extent of this demand will depend on how the licensing system is rolled out. Factors such as the pace of implementation, enforcement mechanisms, and whether assessors are positioned as formal "gatekeepers" to the licensing process will all influence how intensely their services are required. If existing assessments are accepted by the licensing authority, demand may grow more gradually.

Additionally, it is not yet clear whether assessors will be required to meet particular accreditation or standardisation criteria. If such requirements are introduced, only suitably qualified assessors will be able to undertake this work, helping to ensure quality and consistency. Conversely, if no clear standards are set, there is a risk that less qualified individuals may provide substandard assessments.

Conclusion

In summary, the introduction of the Bill is expected to increase demand for independent fire assessors in Wales. The scale and timing of this increase will depend on how the licensing framework is implemented and whether formal qualification standards are established. Clear accreditation and phased implementation would help balance demand, maintain quality, and support effective compliance across the sector. Clarity on these matters will be highly desirable for the future of fire safety in Wales.

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We welcome correspondence in Welsh and English - we will respond equally to both and will reply in your language of choice without delay.

RAISING AWARENESS - REDUCING RISK

2. Do you have a view on section 20(8) of the Bill, which removes the requirement under article 42(1)(a) of the Fire Safety Order for the Welsh Ministers (as licensing authority) to ensure that a relevant fire and rescue authority has the opportunity to make representations before they issue a licence under this scheme?

Whilst section 20(8) of the Bill removes the requirement for the relevant fire and rescue authority to make representations, the Bill does appear to allow evidence from the fire and rescue authority to be considered when assessing licence applications. However, by not guaranteeing the fire and rescue authority a formal role in providing representations, there is a risk that the views of fire and rescue authority are not adequately elicited and vital professional evidence could be lost, which could impinge on public safety. Licences could be issued without direct input from the fire and rescue authority.

Although this change may streamline the administrative process and reduce delays in issuing licences, it also introduces potential risks. Issues related to fire safety may only come to light after a licence has been granted, rather than being identified during the application stage. This could increase the likelihood of non-compliant or unsafe premises being licensed

Furthermore, removing the fire and rescue authority as a formal consultee means the licensing process will rely more heavily on the accuracy and quality of documentation submitted by applicants. As a result, the standard of fire risk assessments will become even more critical in ensuring public safety. As mentioned previously, increased demand for assessors could affect both quality and consistency if appropriate standards and oversight are not maintained.

Conclusion

In summary, although section 20(8) has the potential to streamline the licensing process, it also diminishes the direct involvement of fire and rescue authorities, which may increase the likelihood of non-compliance going undetected. To address this, clear procedures are needed to ensure that robust fire safety evidence and competent assessments are central to licensing decisions. Nevertheless, given the critical role of fire and rescue authorities in safeguarding public safety, it is our view that they should retain formal consultee status within the licensing process.

3. In determining a licence application, Welsh Ministers will be able to use any information or evidence provided by a fire and rescue authority. Do you have a view on the information-sharing provisions in the Bill and how these will work in practice?

It is positive that section 20(6)(b)(iii) of the Bill recognises evidence supplied by fire and rescue authorities as grounds for refusing a licence application. However, the Bill does not make clear how this information-sharing process will operate in practice. There are several practical questions that arise. For example, will fire and rescue authorities be proactively asked to provide information, or will they only respond to specific requests? What mechanisms will be in place for such requests, and what timescales will apply for responses? Clarity on these points is essential to ensure a consistent and efficient process.

Additionally, it is unclear how the licensing authority will handle cases where conflicting evidence is presented, for instance, where an applicant or independent assessor asserts compliance, but the fire and rescue authority disagrees. Without clear procedures, such disputes could delay licensing decisions or undermine confidence in the process.

To function effectively, the information-sharing provisions must be supported by detailed guidance. This should define what constitutes acceptable ‘evidence’, clarify the weight given to different sources of information, and set out how disagreements between assessors and fire and rescue authorities will be resolved.

Conclusion

In summary, while the inclusion of fire and rescue authority evidence in the licensing process is welcome, the Bill currently lacks detail on how information-sharing will work in practice. Clear protocols and guidance are needed to ensure timely communication, consistency in decision-making, and the effective use of fire safety evidence to support public protection.

- 4. The Bill’s accompanying Explanatory Memorandum (“EM”) states that “there is currently no data available on the characteristics of premises or levels of compliance with the existing statutory obligations.” It also refers to “anecdotal non-compliance” with existing requirements. Does this reflect the fire authority’s experience, and do you have a view on the evidence base for the proposals in this Bill?**

The EM’s reference to limited data and anecdotal non-compliance reflects the fire authority’s experience. There is currently no central database or consistent reporting mechanism capturing information on smaller visitor accommodation, such as Airbnb-type properties or small bed-and-breakfasts. As a result, understanding of overall compliance with fire safety legislation remains incomplete, with inspections typically triggered by complaints, incidents, or shared intelligence rather than proactive monitoring.

The proposed licensing regime provides an opportunity to improve data collection and understanding of fire safety risks within the sector. However, without a strong evidence base at the outset, there is a risk that the framework may not be fully proportionate or targeted to actual risk levels.

Conclusion

The EM’s assessment aligns with operational experience, better data and structured evidence gathering will be essential to ensure the Bill delivers proportionate and effective fire safety regulation.

Further to this, we have identified two further items of specific concern.

1. Responsibility for Fire Risk Assessment

Section 9(2) of The Bill places the responsibility on the Visitor Accommodation Provider (VAP) to *carry out* a fire risk assessment. However, this requirement may be impractical and could lead to inconsistent or inadequate assessments as VAPs, particularly those operating small-scale or domestic-type visitor accommodation, are unlikely to possess the necessary competence or technical understanding to carry out a compliant assessment.

The responsibility should instead be for the VAP to *ensure* that a suitable and sufficient fire risk assessment is carried out, rather than requiring them to conduct it personally and as such this should be expressly stated.

Expressly stating that VAPs can appoint a competent person, such as a qualified and experienced fire risk assessor to complete the assessment on their behalf, would ensure consistency, accuracy, and regulatory compliance. It would also align the Bill more closely with the principles of the **Regulatory Reform (Fire Safety) Order 2005**, which places the

duty on the “responsible person” to ensure that a suitable and sufficient assessment is undertaken, not necessarily to carry it out themselves.

Recommendation

The wording of the Bill should be amended to require the VAP to *ensure* a suitable and sufficient fire risk assessment is completed by a competent person, rather than the provider themselves *conducting* it. This would promote higher standards of safety and reduce the likelihood of non-compliant or inadequate assessments.

2. Provision of Smoke Alarms and Fire Detection

The Bill appears to imply that the installation of a single smoke alarm per floor would be sufficient to meet the minimum safety requirements. This approach risks oversimplifying fire safety provision and could lead to inadequate protection in certain types of visitor accommodation. In a risk-based legislative framework, the level and type of fire detection should be determined by the specific risks present within the premises, not by a blanket minimum standard.

The characteristics of visitor accommodation can vary greatly, from small single-room lets to larger multi-room or multi-storey properties with complex layouts. A single smoke alarm per floor may be appropriate for a small, open-plan dwelling but would be wholly inadequate for premises with multiple bedrooms, escape routes, or areas where a fire could develop undetected.

Under existing fire safety legislation, such as the **Regulatory Reform (Fire Safety) Order 2005**, the adequacy of fire detection and alarm systems must be informed by a *suitable and sufficient fire risk assessment*. This ensures that the level of detection is proportionate to the size, layout, and use of the property, as well as the profile of occupants.

Aligning the Bill with this established risk-based approach would strengthen its effectiveness and prevent misinterpretation of minimum requirements as “standalone” compliance. The emphasis should be on ensuring that each property has a detection system appropriate to the identified fire risks, rather than simply meeting a numerical minimum.

Recommendation

The Bill should clarify that the adequacy of smoke and fire detection systems must be determined through a *suitable and sufficient fire risk assessment*. The requirement for “one smoke alarm per floor” should be presented only as a basic starting point, not as a definitive standard of compliance.

Yours faithfully,

Duly signed and authorised by



Print Name: Group Manager E Robson

for Assistant Chief Fire Officer