

Mark Drakeford AS/MS  
Ysgrifennydd y Cabinet dros Gyllid a'r Gymraeg  
Cabinet Secretary for Finance and Welsh Language



Llywodraeth Cymru  
Welsh Government

Andrew RT Davies MS  
Chair, Economy, Trade, and Rural Affairs Committee  
Welsh Parliament  
Cardiff Bay  
Cardiff  
CF99 1SN

27 November 2025

Dear Andrew,

### **Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill**

Thank you for your letter following the final evidence session on the Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill on 20 November. Please find my response below to the additional questions set out in your letter.

#### **Fire Safety Risk Assessment**

I agree with South Wales Fire and Rescue Service (SWFRS) that a visitor accommodation provider should consider whether they are sufficiently competent to conduct a fire risk assessment themselves, or whether they should appoint somebody else to conduct the assessment on their behalf, as set out in our statutory guidance on [fire safety in guest accommodation](#). The Bill is clear that the ultimate responsibility for this assessment rests with the visitor accommodation provider, as does the responsibility to put appropriate precautions in place. This reflects the wider approach in the Bill to be clear that responsibility for ensuring the accommodation is fit rests with the provider.

I do not agree, however, with SWFRS' literal interpretation of section 9 that a visitor accommodation provider would be required to conduct the assessment personally. The wording of the requirement is similar to that in article 9(1) of the Fire Safety Order, which provides that "the responsible person must make a suitable and sufficient [fire risk] assessment". It is common practice and entirely lawful for responsible persons to discharge this duty by contracting with an external provider or delegating the task to another suitably qualified person. The same is true for the duty under the Bill. As such, I do not believe any amendment in this respect is necessary.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

## Smoke Alarms

I also agree with SWFRS that risk should determine the degree of the detection provided, and this should be informed by a suitable and sufficient fire risk assessment, considering the specific circumstances and requirements of the accommodation or premises in question. However, I believe there is added value in visitor accommodation providers being required to demonstrate compliance with a specific minimum standard as part of the licensing process.

The Bill is clear that a visitor accommodation provider must ensure there is at least one functioning smoke alarm for each storey of the premises, notwithstanding the precautions they have otherwise identified as necessary. This minimum requirement in the Bill simply sets out a demonstrable standard all providers of regulated visitor accommodation must meet. It does not supersede their responsibilities under the Fire Safety Order to make their own assessment and put appropriate equipment in place for the detection and warning of fire; nor does it preclude the installation of additional alarms where the assessment of risk justifies the need. We will make this clear in guidance and training on the scheme.

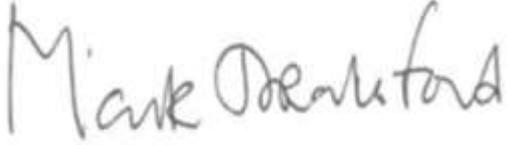
This is also consistent with the approach taken in The Renting Homes (Fitness for Human Habitation) (Wales) Regulations 2022, which introduced a similar requirement in the private rented sector.

However, as these matters have been raised with the Committee by both SWFRS, and Mid and West Wales Fire and Rescue Services, and you in turn have raised them with me, I have asked officials to consider the requirements under section 9 more generally, with a view to considering whether any amendments could or should be made to the Bill at Stage 2, to ensure it better reflects the existing obligations under the Fire Safety Order.

I look forward to seeing the Committee's report and recommendations on the Bill, and discussing them at the general principles debate.

I am copying this letter to the Chairs of the Finance and Legislation, Justice and Constitution Committees for their information.

Yours sincerely,

A handwritten signature in black ink that reads "Mark Drakeford". The signature is written in a cursive style and is contained within a thin black rectangular border.

**Mark Drakeford AS/MS**

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