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Evidence from: Professional Association of Self-Caterers, UK Cymru

Senedd Cymru | Welsh Parliament

Pwyllgor yr Economi, Masnach a Materion Gwledig | Economy, Trade, and Rural Affairs Committee

Bil Datblygu Twristiaeth a Rheoleiddio Llety Ymwelwyr (Cymru) | Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill

You do not need to answer every question, only those on which you wish to share information or have a view.

1. What are your views on the general principles of the Bill, and whether there is a need for legislation to deliver the stated policy intention?

(We would be grateful if you could keep your answer to around 500 words).

- PASC UK Cymru are - and have always been - in support of a scheme which requires Visitor Accommodation providers to complete a Statutory Registration form demonstrating that they are compliant in all key legal aspects... e.g., fire, electric, gas, and covered by public liability insurance which is an established best practice within professional operators.
 - It is our view that this could - and should have been delivered by a 'robust' Registration Scheme (including document upload and existing regulation and enforcement provision) in order to support existing health and safety regulations that the sector are already required to follow. This would eliminate the need for a separate Licensing Scheme and all that comes with it (ie costs, additional resource, uncertainty for the sector, overreach of Local Authorities, further erosion of trust in Welsh Government, additional burden on both those administering the Scheme and operators).
 - The policy intention is stated as solely to ensure 'Safe & Legal' Visitor Accommodation and resultant assurance to the visitor of such. While we believe this could have been captured within a robust Registration Scheme, we support the policy objective.
 - With this in mind, we would question why visitor safety is not considered important where a 'spare room' is offered to overnight visitors, when the risk is known to be considerably higher?
 - It is widely accepted in fire circles that residential properties are the most at risk of fire properties in the UK. Reasons for this are obvious and include, clutter in houses, lack of gas
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and electrical testing, limited fire alarms, existence of combustibles, lack of smoke detectors etc. **The Professional sector has to have mitigation in place to deal with these risks, by law.** For an effective Licensing Scheme, it is irresponsible not to mitigate these risks in 'spare room' accommodation provision.

- During the Oral Evidence Sessions, there is a suggestion of a policy intention to 'control' the provision of Visitor accommodation by Huw Thomas / WLGA. This is not a stated aim and we would not support this. This identifies a clear risk that WLGA / Local Authorities will overreach, especially if the Bill doesn't have enough scrutiny to be tightly focussed on Health & Safety and to ensure it does not provide 'back doors' for control and/or overreach.
- We welcome the objective to '**Promote Tourism, while also considering its social, environmental and Welsh-language impacts**', and believe Welsh Government's activity in this area, needs to be reviewed and re-balanced. The current legislative landscape is damaging to the Welsh Visitor Economy and hugely damaging to Welsh residents and Welsh Businesses who are being disproportionately disadvantaged. Welsh Government activities fail to demonstrate consideration to current market conditions, trends etc (e.g. 29% decrease in overnight visitor numbers 2022-2024).
- The Bill states it aims to '**Address concerns that for some property owners it may seem easier to operate as a short-term let than as a long-term tenancy.**'. On what basis is this suggested? Research suggests that there is no evidence to support this assumption, with extensive research suggesting the number of Long term landlords flipping is between 1% and 4%. [PASC UK 2025 Form & Value Report - PASC UK](#). In addition there has been 14.1% reduction in number of businesses in VOA list over 2 years 2023-2024.

RENTAL PROPERTY FEATURES	SHORT-TERM	LONG-TERM
Average stay or tenancy length	4.9 days	4.3 years
Owners organise and pay cleaning / laundry from 2-3 changeovers per week	✓	✗
Owners pay utility bills	✓	✗
Owners pay business rates (or council tax)	✓	✗
Owners pay VAT on turnover	✓	✗
Owners pay commercial waste disposal	✓	✗
Licenses needed for TV, music and film	✓	✗
Provides regular income stream	✗	✓
Management activity	Active	Passive
Fire regulations	Stringent	Standard residential
Insurance costs	High	Medium

- We have additional concerns about 'scope creep' as we are already hearing in Oral Evidence sessions that this is seen by Local Authorities (and Huw Thomas in particular) as a mechanism to maintain 'control' over self-catering businesses, particularly through Local Authority evidence sessions. This has been referenced regarding topics including Waste and Anti-social

Behaviour. We would argue that there are already other mechanisms in place to address these. If they are not effective, then they should be addressed rather than introducing a further legislative measure (and further use of public funds) which is not what the Bill aims to achieve.

- Deferring the Bill until registration has been completed, would allow a data-led Impact Assessment. This could then be based on actual numbers rather than at best, a calculated guess, backed up by a clearly demonstrated lack of understanding of the nuances of the sector.
- The Bill is being rushed through at the end of the Senedd term. This unseemly rush not only undermines the scope and therefore objectives of the scheme but also the execution of the scrutiny process and the base detail of how the will operate.
 - An October–March timetable leaves too little time for scrutiny, amendment, or meaningful sector engagement.
 - A three-week consultation period was insufficient, especially for micro-businesses, and essential operational details of the scheme are clearly still undefined whilst responding at the same time to a consultation on 182.
 - Given the sector’s economic importance (£0.7bn GVA, 18,300 jobs supported), major reforms require careful, transparent examination — not accelerated legislation.
 - Scotland’s experience shows that rushed, under-tested regulation can cause significant sector damage, legal disputes, and cost inflation; Wales risks repeating this.
- With 19 separate interventions already affecting the self-catering sector, we don’t believe the impact of how this further piece of legislation interacts with those other 18 interventions.

2. What are your views on the Bill’s provisions, including whether they are workable and will deliver the stated policy intention?

(We would be grateful if you could keep your answer to around 500 words).

- We are in support of the Minimum safety requirements (FRA, electrical, gas, PLI)
 - Limiting licensing initially to self-contained self-catering properties will not deliver a level playing field due to the exclusion of a spare rooms. This was promised to the sector as a result of the previous consultation.
 - Excluding “spare rooms” creates not only safety risks but also potential loopholes (e.g., whole houses split into unlicensed rooms).
 - We would urge caution about being specific around duplicating additional requirements that are already stated in legislation (e.g., smoke detectors). It is unnecessary and makes it more difficult to update.
 - Section 46 (advertising requirements) needs clarity regarding responsibility of third-party platforms.
 - Enforcement responsibilities are unclear; risk of inconsistency if devolved to overstretched local authorities.
 - We have concerns as we are already seeing Local Authorities suggest this is a way of maintaining ‘control’ over Visitor accommodation, which is not the stated objective
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- Powers of entry are excessive given existing safety powers.
- Training requirements must respect operator experience; long-established compliant businesses should not be forced into unnecessary training – this alone would cause reputational damage, undermining the scheme.
- Annual renewal is essential to ensure a national ‘Register’ is kept up to date and therefore remains complete and useful.

3. In your view, are there any potential barriers to the implementation of the Bill’s provisions?

(We would be grateful if you could keep your answer to around 500 words).

- Rushed timetable provides insufficient time for consideration of the detail of the scheme or for the sector to respond, therefore undermining the scrutiny process.
- Lack of data on the number and type of operators – which will be provided by the registration scheme. We should wait for that before introducing this – or any other - additional legislation.
- Local authorities lack capacity, expertise, and resources for enforcement.
- Exclusion of key accommodation types creates loopholes and undermines compliance.
- Unclear responsibilities for advertising compliance on third-party platforms.
- Administrative burden: document uploads, annual renewals, duplication across local authorities.
- Micro-businesses already struggling under cumulative regulation may be unable to comply.
- Absence of a cumulative impact assessment means barriers cannot be fully evaluated.

4. Do you feel there will be any unintended consequences arising from the Bill?

(We would be grateful if you could keep your answer to around 500 words).

- The sector welcome a scheme which provides a level playing field, but we have to recognise this is yet another piece of legislation in an already over-loaded sector. There will be operators who exit the market due to this being yet another regulatory burden. ‘The straw that breaks the camel’s back’ These are micro-businesses for whom a large part of what they do is for the joy of welcoming guests to Wales. Every addition to the regulatory burden (and particularly the underlying threat of not meeting 182) continues to erode the satisfaction that keeps them operating.
 - Reduced tourism accommodation supply would affecting competitiveness with England.
 - The scheme as it stands provides incentives for avoidance and risks the growth of unregulated “black market” listings and ‘loopholes’, as seen in Scotland and already emerging in Wales.
 - Perception that this is yet another ‘attack’ on self-catering businesses further erodes trust in the Welsh Government.
 - Disproportionate impact on older and female operators and Welsh residents, families and Welsh Business owners, who make up the majority of the sector. This risks eroding Welsh language and Welsh heritage.
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- Display of License numbers – need clarity on where the Legal responsibility lies as this could leave DMOs, Visit Wales and local websites exposed to legal risk for user-generated listings.
- Negative knock-on effects for rural economies dependent on tourism.

5. What are your views on the Welsh Government's assessment of the financial and other impacts of the Bill as set out in Part 2 of the Explanatory Memorandum?

(We would be grateful if you could keep your answer to around 500 words).

- We appreciate the Welsh Government's genuine efforts to keep the costs of the scheme low. We believe WG have listened to our concerns in this area and the cost are stated in good faith, but we do have concerns that it is not realistic.
- The proposed £75 licence fee does not align with existing schemes e.g. RentSmart Wales, Scottish scheme.
- Impact Assessment assumptions on staffing and processing capacity are not credible, particularly compared to RentSmart Wales. (£254, with fewer checks)
- The Explanatory Memorandum repeatedly acknowledges data gaps yet proceeds regardless, undermining financial assessment validity.
- Paper-based applications and supporting document verification are not costed.
- Ministers have powers to raise fees or introduce premiums, this is a major concern given Scotland's escalating costs.
- Annual compliance costs will reduce margins or raise prices, though raising prices risks losing competitiveness with England.
- While a *robust* scheme is welcomed by the sector, we do need to consider that this is a cost to operators. If considered in isolation, it is ok, but it is one of many legislative and operational costs and it needs to be considered in this context. In particular the entire sector risks excessive council tax costs which threatens all Self-catering businesses in Wales (regardless of whether they achieve 182 or not). As we have seen this is impacted by elements outside of their control e.g. Covid, weather, cost of living.
- Little consideration appears to have been given to the 'multiplier effect'. Larger sites would face disproportionate costs (e.g. A 50-unit business would be £3,750).
- Had a robust Registration Scheme been executed this would save a large part of the estimated £4.5m required for this scheme.

6. What are your views on the appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Part 1: Chapter 5 of the Explanatory Memorandum)?

(We would be grateful if you could keep your answer to around 500 words).

- Many key elements - fees, renewals, training requirements, premiums - are delegated rather than set on the face of the Bill.
- This appears driven by the rushed timetable rather than good legislative design.
- Delegated powers could allow significant cost escalation or expansion of scope without sufficient scrutiny. For example the appetite from Local Authorities to 'control' the sector – this needs to be clearly defined.
- Lack of fixed parameters creates further uncertainty for operators
- Greater detail should be included in the Bill to ensure transparency.
- This scheme is an opportunity for Welsh Government to win back some trust from the sector. As the Bill stands the scheme lacks necessary detail and therefore risks further erosion of that trust.

7. Are there any other issues you would like to raise about the Bill and the Explanatory Memorandum or any related matters?

(We would be grateful if you could keep your answer to around 500 words).

- We appreciate the engagement with Welsh Government and officials on this scheme since its inception and we welcome some of the key points such as a National Scheme, We also welcome the comments from Mark Drakeford in his Oral Evidence session relating to Training.
- No cumulative impact assessment has been carried out, despite 19 concurrent interventions affecting the sector, and despite ministers being fully aware of the 'scale of the attack' on Welsh self-catering businesses.
- Majority of Welsh self-catering businesses are micro-businesses, locally owned, often by women and people over 60 — the Bill disproportionately affects them.
- Mental health impacts are significant (94% report increased stress since the 182-day rule). These impacts have repeatedly been brought to the attention of the Welsh Government with no meaningful acknowledgement or strategy to reduce them.
- Failing to wait for registration scheme data risks designing legislation blind.
- A proportionate Safe & Legal Registration Scheme is strongly supported — but the Bill's timing, scope and design risk harming the very businesses it seeks to regulate.
- Our key concerns are:
 - Scope – not including 'spare rooms'
 - This must be an 'Apply and operate' scheme with no delay in operation
 - The cost
 - While we appreciate the effort to keep the costs low and believe this is in response to our engagement with Welsh Government on this point. We believe this is intended in good faith, but... the costs seem out of line with existing schemes and without the data required to make a robust estimate.
 - Selling as a going concern – If a business is to be sold, any suggestion of 'waiting for a License' will jeopardise a sale. There must be provision to transfer a licence to a new buyer.
 - Rushed Process – outlined above