

## **CEREDIGION COUNTY COUNCIL**

**Report to:** Licensing Committee (Non Statutory Committee)

**Date of meeting:** 6<sup>th</sup> October 2023

**Title:** General Update

**Purpose of the report:** For information

### **Welsh Government White Paper - Taxi and Private Hire Vehicle (PHV)(Wales) Bill**

On 6 March 2023, the Welsh Government published a white paper. The consultation period was from 9 March 2023 until 1 June 2023 and the summary of responses is due to be published this Autumn.

#### **Summary of proposals**

- The introduction of mandatory national minimum standards for drivers, vehicles and operators applied across Wales;
- Improved enforcement powers for local authorities. This will include provision for local authorities to take enforcement action against any driver or vehicle wherever they are licensed; and,
- Better information sharing between local authorities and better information for passengers.

The proposals include:

- Retaining the current two-tier licensing systems of taxis and private hire vehicles but introduce new definitions for them.
- Introduce national minimum standards for drivers, vehicles and operators.
- Introduce power for enforcement against drivers and vehicles licensed by another authority.
- Introduce fixed penalty notices for a range of offences.
- Introduce a national penalty points system.
- Introduce cross-border hire safeguards between Wales and England.
- Improve information sharing between local authorities and with passengers.
- Give Ministers powers to speed up the transition to zero emission taxis and private hire vehicles.
- Introduce class B licences for other type of vehicles.

All members of Ceredigion County Council's Licensing Committee were contacted in May to enable them to have an opportunity to consider the response of the Directors of Public Protection Wales (DPPW) to the Welsh Government consultation on the Taxi and Private Hire Vehicle (Wales) Bill: white paper. The DPPW response was prepared by the all-Wales Licensing Expert Panel and Ceredigion is represented on this expert panel by the Trading Standards & Licensing Manager and Senior Licensing Officer. A copy of the response is available at Appendix 1.

## **Consultation – Statutory licensing scheme for all visitor accommodation providers in Wales.**

In July 2022, Welsh Government confirmed plans to introduce a statutory licensing scheme for all visitor accommodation, including short-term lets. This will make it a requirement to obtain a licence with the aim of raising standards across the tourism industry in Wales.

In December 2022, the Welsh Government commenced a consultation, which ended on 17 March 2023. Following the consultation, the Welsh Government identified that they needed to consult further with key stakeholders from the tourism industry on specific areas of policy development.

A response to the consultation was submitted by the Directors of Public Protection Wales (DPPW), which represents Local Authority regulatory services. DPPW have several expert panels, one of which is the all-Wales Licensing Expert Panel.

In response to the consultation, DPPW agreed with the proposal of establishing a licensing scheme, as opposed to a registration scheme for all visitor accommodation in Wales. It was considered that introducing a licensing scheme would introduce a level playing field across the sector by introducing consistent enforceable safety standards. This would in turn enhance confidence in the visitor economy. This has been seen in other areas such as in food safety through the mandatory Food Hygiene Rating system.

Following the consultation, the Welsh Government identified that they needed to consult further with key stakeholders from the tourism industry on specific areas of policy development.

In July 2023 the summary of responses and supplementary response was published. A copy of the summary response is available in Appendix 2.

### **National Licensing Week 2023 12-16 June 2023**

The Authority took part in the national event, which highlights the role and importance of licensing in the UK to keep people safe when enjoying a variety of hospitality and pleasure activities. During the week each day had a theme and a summary of visits and inspections carried out by Officers were as follows:

#### **Monday 12<sup>th</sup> June 2023 (Positive Partnerships)**

Compliance inspections were conducted jointly with the Police Licensing Officer at licensed premises in the Borth, Bow Street, Aberystwyth and Llanrhystud areas. During the visits drug detecting swabs were used to test for the presence of illegal substances. Advice was provided to premises staff to be vigilant and look out for any evidence of drug use in their premises.

#### **Tuesday 13<sup>th</sup> June 2023 (Tourism and Leisure)**

Premises compliance inspections were conducted at licensed holiday parks, shops and family and adult gaming entertainment centres in the New Quay area.

#### **Wednesday 14<sup>th</sup> June 2023 (Night Time Economy) (NTE)**

Premises with NTE complaints. Evening compliance inspections were carried out to premises in the Aberystwyth and Capel Bangor areas. Some of these premises had received complaints during their night-time operations.

Thursday 15<sup>th</sup> June 2023 (Home and Family – Recreational Premises and Gambling Premises)

During the day officers visited the Aberystwyth, Borth and Ynys las areas where they conducted gambling premises inspections, visited a Golf club, carried out a visit to a premises where overnight campers were reportedly staying and carried out an inspection of a seasonal food premises to ensure they were correctly licensed.

Friday 16<sup>th</sup> June 2023 (Business and Licensing - Taxi Licensing)

Officers visited the Lampeter and Aberystwyth where compliance inspections and checks were carried out on Hackney carriages in the area. During these inspections checks were carried out to confirm that the drivers were licensed and that the vehicles were compliant and safe.

**Government “Tell Us Once” – to include licences and permits.**

The Government’s “Tell us once” service – that lets people report a death to most government organisations in one go- now included notification in relation to licences and permits.

The implication of this is that when someone registers a death through the “Tell us once” service, they will now have the option to also notify licensing authorities, amongst others.

Licensing officers will need to link in with person(s) responsible for accessing “Tell us Once” submissions because the submission portal will need regular checking.

Section 27 Licensing act 2003 – A premises licence lapses if the holder of the licence dies. An application to transfer the licence or to obtain an interim authority must take place within 28 days of the death of the licence holder in order that the licence can be resurrected.

**Recommendation(s):**

Members receive this report for information.

**Reason for recommendation**

To advise elected Members of activity undertaken by the Licensing Section since the last Committee meeting and other relevant information.

**Policy Framework:**

The statutory functions delivered by the Licensing Team is a fundamental element of Public Protection policy framework.

**Corporate Priorities**

- Boosting the economy, supporting businesses and enabling employment

**Finance and procurement implications:**

Within budget

**Service Area**

Policy, Performance and Public Protection

**Statutory Powers:**

Local Government  
(Miscellaneous Provisions) act 1976

**Background Papers**

None

**Corporate Lead Officer:**

Alun Williams (Policy, Performance and Public Protection)



**Reporting Officer:**

Anne-Louise Davies (Trading Standards & Licensing Manager) and Gareth Rees (Senior Licensing Officer).

**Date:**

11 September 2023

#### Appendices

<b>Appendix 1</b>	The response of the all-Wales Expert Licensing Panel on behalf of Directors of Public Protection Wales (DPPW) to the Welsh Government consultation on the Taxi and Private Hire Vehicle (Wales) Bill: white paper	 Taxi and Private Hire Vehicle (Wales)
<b>Appendix 2</b>	WG Consultation – summary of responses Statutory licensing scheme for all visitor accommodation providers in Wales	 Appendix 1 Eng - Summary Response_



## **Wales Licensing Expert Panel submission:**

### **Welsh Government White Paper Taxi and Private Hire Vehicle (PHV) (Wales) Bill**

#### **Consultation response**

The Directors of Public Protection Wales (DPPW) represents Local Authority regulatory services that directly affect the health, safety and well-being of local communities in Wales. Under DPPW there are several specialist/expert panels; one of which is the Wales Licensing Expert Panel.

The Panel value WG's invitation to work with its officers in helping to develop this White Paper response. The Panel are supportive of WG's vision to ensure that Wales' taxi and PHV services are safer, fairer and greener. The Panel would strongly support reforming the current legislative framework around licensing the taxi and PHV sector which will introduce a level playing field across the sector by introducing consistent enforceable public safety standards.

The Panel has however been consistent in the messaging that the proposed legislation is not ambitious enough and will only tinker around the edges with archaic legislation (Town Police Clauses Act 1847, Local Government Miscellaneous Provisions Act 1976), rather than introduce a new primary piece of legislation which is fit for the modern day. Whilst it is acknowledged that the proposals contained within the White Paper will move hackney carriage ("Taxi") and private hire services in the right direction, many of the issues and confusion with the existing legislation, stems from having a two-tier licensing system of both taxis and private hire services.

The Panel have always advocated moving to an amalgamated regime for taxis and private hire services, with a second category to capture the other services such as novelty / executive hire. Moving to this simplified "one tier" system is not only easier for the public to understand but would also alleviate many of the problems around

cross border operations, definitions of pre-booking and whether PHVs are plying for hire.

The Panel note that the Regulatory Impact Assessment (“RIA”) states “...this indicates that the way taxis and PHV operate in large urban conurbations is so similar from the customers perspective, that a legal difference may or may not be needed”. To be clear, the Panel would fully support this position and would suggest that the whole concept of a single tier approach be revisited.

### **Consultation Questions**

**Question 1: Are the proposed definitions of taxis, PHVs, there and then hire and pre-booking appropriate? Please provide comments, including anything you think is missing from the definitions.**

There has undoubtedly been a “blurring of the distinction” between taxis and PHVs. This is mainly due to the fact the majority of journeys undertaken by PHVs are identical to those that are undertaken by taxis. There has been a noticeable shift in the way that the public request a vehicle, preferring to use modern methods of communication such as booking via phone or an App. The traditional method of hailing a taxi in the street or waiting at a taxi rank has been in decline for many years and it is likely that this trend will continue, particularly as populations become more tech savvy and the take up of App based bookings systems by taxi and PHV operators stretches beyond the urban areas.

The definitions in the consultation document of “there and then hire” and “pre-booking” are clear and enforceable. However, the fact that taxis and private hire vehicles are for the most part undertaking the same role, it seems illogical that a customer can access a taxi immediately but must pre-book the private hire vehicle; this creates an unnecessary barrier to travel. With a one tier system, the whole concept of having to pre-book a vehicle is not required.

The proposed definition for pre-booking essentially maintains the status quo. Currently customers can approach a PHV and generate a booking for “future” travel which takes place in only a couple of minutes (albeit with a few administrative steps added compared to a taxi). In situations where the driver of the vehicle is also the private hire operator, then the customer will be able to book the vehicle with the driver for what will be essentially immediate hire.

**Question 2: Do you agree with our proposal to introduce national minimum standards which will apply to all taxis and PHVs in Wales? Please provide comments.**

The Panel would agree with this proposal. This is consistent with the previous consultation work undertaken between the Panel and Welsh Government lead on taxi reform in Wales. It is also consistent with recommendation 2 made by the “Ministerial Working Party into Hackney Carriage and Private Hire Licensing in England [2018]”

and the Law Commission review “Reforming the Law of Taxi and Private Hire Services” [2012]”.

National standards would ensure that taxi services are delivered consistently across Wales to ensure public safety and would deal with any perceptions of any unnecessary inconsistency across local authorities.

**Question 3: Do you agree that local authorities should be mandated to offer separate taxi and PHV driver’s licences as well as to offer the option of a dual licence? Please provide comments.**

The Panel disagrees with this proposal. The Panel feel there is limited benefit in mandating local authorities to offer separate licences. A taxi driver or a PHV driver will already have had to attain the necessary level of testing and training, so there would be no cost saving to the driver to then have a single taxi driver licence as opposed to the dual licence. Additionally, a PHV driver would only benefit from not having to undertake the knowledge test – a saving of only £20 - £30. The Panel however feel that a PHV driver would benefit from undertaking the knowledge test and not be reliant on satellite navigation systems.

As many local authorities already only issue dual licences<sup>1</sup>, the creation of additional single licence categories would cost local authorities more to administer, with additional costs associated with procuring colour coded I.D. cards and alterations to existing computer databases.

The Panel therefore consider that only dual licences should be offered. The RIA states “*as if the picture was not already very complex, the issuing of dual licences by some authorities is effectively allowing some drivers to switch between the business model that fits best with their goals*”. There are clearly benefits here for the operators and drivers which is acknowledged in the RIA by WG. The operators are able to operate a mix fleet of taxis and PHV’s with drivers being able to drive any vehicle with no enforcement implications for any party, including the local authority.

If WG proceed with the proposal to offer a single taxi driver licence, then it is important that legislation includes a provision for conditions to be attached to the licence. Under the existing legislation, local authorities cannot attach conditions to hackney carriage drivers, but issuing dual licences means that the private hire driver conditions apply to all drivers.

**Question 4: Do you agree with the national minimum standards proposed for a driver’s licence? Please identify any standards you think should be removed, changed or added.**

The Panel would agree with the national minimum standards being proposed for a driver’s licence, although it should be noted that proposals to introduce driver checks more frequently than at renewal will inevitably require additional resources to

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<sup>1</sup> As at 12/5/2023, Ceredigion County Council has 30 PHV only licences, 121 taxis only licences and 172 dual licences.

administer, this of course translates into additional costs to the Local Authority and consequently to the driver. Additional comments on each of the minimum standards are outlined below:

An enhanced DBS check, including barred lists (check conducted every 6 months once licensed using the DBS update service)

The panel agrees with this proposal. Frequent DBS checks are essential to ensure that licensed drivers remain fit and proper. The Panel are therefore supportive of checks being undertaken every 6 months, despite the additional resources that will be required to undertake the task.

Consideration should be given to the sanctions available to Local authorities where the authority is unable to process a check on a driver. This could be for various reasons such as the driver not signing up to the update service or for not continuing the subscription once signed up. Local authorities should be empowered in these situations to suspend the driver's licence until such time as the check can be carried out. Section 61 LG(MP)Act 1976 currently permits suspension of driver licences, but it should be made clear that a suspension is permissible for these reasons.

An overseas criminal record check (where applicable)

The Panel agrees with this proposal.

Evidence of right to work in the UK

The Panel agrees with this proposal.

A group 2 medical check (required on first application and then at intervals dependent on age of driver)

The Panel agrees with this proposal and suggests that a medical is required on initial application and then subsequently upon each renewal (3 years) until the age of 65 at which point both medical and licence should be annual.

Additionally, the Panel suggest that WG utilise the standards contained within the "Taxi and Private Hire Vehicles: Licensing Guidance" for medicals, but with an amendment to the person carrying out the assessment and level of history required.

Successful achievement of a regulated qualification (required every 6 years i.e. every other renewal), the syllabus for which will include: children and adult safeguarding awareness, Equality Act 2010 and disability awareness, mental health awareness, dementia awareness, Violence Against Women Domestic Abuse And Sexual Violence (VAWDASV) awareness, county lines awareness, trafficking awareness, customer service, taxi licensing legislation, conflict management, basic Welsh (how to greet passengers), data protection requirements, basic vehicle maintenance. Assessment will also cover basic literacy and numeracy skills.



The Panel agree that a comprehensive training requirement which is consistently applied throughout Wales, will add professionalism to the industry and should be introduced for all new drivers.

The cost and time involved with any professional training needs to be relevant and appropriate. There needs to be wide availability of training providers to ensure that both urban and rural authorities are adequately catered for.

Existing drivers should be given a sufficient transitional period to obtain the qualification, but with the qualification requirement date aligned with the expiry of the licence to prevent the need for requiring a power to suspend a driver licence for non-compliance.

Ongoing refresher training can then be implemented at 6 yearly periods to coincide with the expiry of licences. Refresher training should be shorter in duration and delivered at a lower cost to the driver.

For a taxi driver/dual licence, the theory test will also include basic information on running a business e.g. registering with HMRC, keeping accounts etc. This will not apply to applicants for PHV driver's licences only as they are likely to be employees of a PHV operator

The Panel disagree with the statement that private hire drivers are likely to be employees of the operator, in our experience this is generally not the case. Private hire drivers are more often self-employed, particularly in urban areas. The Panel would suggest that basic information in running a business should be incorporated as a module into the main driver qualification.

All applicants for a taxi driver/dual licence will be required to undertake a local knowledge test of the area. This will not apply to applicants for PHV driver's licences only as we feel that the pre-booking element and widespread use of digital navigation systems allows for effective route planning.

The Panel disagrees with this proposal. Please see the response in Q3 above.

**Question 5: Do you agree with the national minimum standards proposed for a vehicle licence? Please identify any standards you think should be removed, changed or added.**

The Panel agree that national minimum standards should apply to vehicle licences and make the following comments:

All proprietors to submit a basic criminal record check prior to their application (repeated each renewal) and where necessary an overseas criminal record check.

The Panel agrees with this proposal as this reflects existing practices, albeit where the operator is also a licensed driver, then the need for an additional basic DBS

check is not required. Basic DBS checks should have been issued within the last 3 months.

All taxis to display a roof light displaying only the words 'Taxi' and/or 'Taksi'

The Panel agree that roof lights should display the word 'Taxi' or 'Taksi', however a number of local authorities report that existing roof lights often have the local authority name also displayed. The Panel consider that to compel existing taxi operators to replace existing roof lights would be an unnecessary cost to the trade. The Panel would therefore suggest that the word "only" be removed from this standard.

Roof lights not allowed on PHV

The Panel agrees with this proposal

All PHVs to display 'pre-booking only' signage

The Panel agrees with this proposal

Vehicles to be tested to an agreed testing specification

The Panel agree and would recommend that these are in accordance with the "Best Practice Guide for the Inspection of Hackney Carriage and Private Hire Vehicles".

The Panel also would suggest that where local authorities utilise external garages for their testing requirements, that the garages must be approved by the local authority.

Vehicle testing to be carried out at agreed intervals.

The Panel agree and would recommend that this be every 6 months for all vehicles.

Vehicle age limits / emission requirements (with the possibility of exemptions for zero emission vehicles and/or wheelchair accessible vehicles)

The Panel strongly disagrees with mandatory age limits for vehicles. The age and mileage of a vehicle are often not directly correlated to the safety and condition of a vehicle. The better approach is to allow vehicles to continue to be licensed on merit. The "Best Practice Guide for the Inspection of Hackney Carriage and Private Hire Vehicles" offers a robust standard of testing for vehicle safety, comfort and appearance and the Panel feels that where a vehicle can attain this standard every 6 months, then it should continue to be licensed. It is inevitable that as vehicles age, it will become more difficult (and costly) to continue to meet this standard, at which point vehicles will naturally be replaced by newer models.

The Panel would support further consultation on emission standards and the possible introduction of Euro emission ratings.

Taxi maximum rate of fares tariff to be displayed inside the vehicle with the licensing authority contact details.

The Panel agrees with this proposal.

All taxis to be fitted with a taximeter.

The Panel agrees but would suggest that only one fare can be displayed to the customer. Some local authorities report that it is common practice for drivers to display the taximeter fare and the company's fare which may be different. This could cause confusion and potential conflict with the customer. Taximeter standards including the criteria for Pulse and GPS meters should be specified in the National Minimum Standards.

Vehicles driven by drivers that have medical exemption certificates issued under the Equality Act 2010 must display the exemption certificate, which will be available in English and Welsh as well as a tactile 'E'.

The Panel agrees and suggests that the tactile 'E' is issued to the driver to carry in the vehicle, which can then be given to visually impaired persons on request, rather than placed on the vehicle that could have multiple drivers.

A standard vehicle criteria to be set detailing requirements such as minimum leg room, head height, seating width, luggage capacity etc. This will ensure that there is a range of suitable vehicles and new vehicles coming onto the market that will not require additional approval, as long as they meet the criteria.

The Panel agrees, however would expect to be consulted on the detail of this criteria.

Methods of payment that should be available.

The Panel agrees and would suggest that credit/debit card payment, app-based payment (pre-paid) and cash should be available as payment options. The Panel would suggest that this standard goes further to mandate that all Taxis can accept a card payment.

Vehicles must carry a first aid kit

The Panel agrees with this proposal. There is already an obligation under the Health and Safety (first aid) Regulations 1981, for any person who is self-employed to have first aid equipment available to provide first aid to oneself. The first aid provision needs to be adequate and appropriate in the circumstances.

**Question 6: Do you agree with the national minimum standards proposed for an operator's licence? Please identify any standards you think should be removed, changed or added.**

The Panel agree that national minimum standards should apply to operator's licences and make the following comments:

A basic DBS check (repeated each renewal).

The Panel agrees with this proposal. This reflects existing practices, albeit where the operator is also a licensed driver, then the need for an additional basic DBS check is not required. An operator's licence can last a maximum of 5 years, the Panel feel that this period is too long between DBS checks and that an annual check is preferable.

An overseas criminal record check (where applicable).

The Panel agrees with this proposal as this reflects existing practices.

Successful achievement of a regulated qualification, similar to that for drivers (above) but also including basic information on running a business e.g. registering with HMRC, keeping accounts etc. This could also be extended to a requirement that at least one designated operational member of staff has achieved the qualification. Consideration could be given to sole operator-drivers undertaking less onerous training.

The Panel agrees with this proposal, however would suggest that there is only one qualification required. Different levels of qualification or training requirements for sole traders / partnerships, etc will introduce confusion and should be avoided.

Operators to ensure that all staff that have responsibility for taking bookings and dispatching vehicles have a basic criminal record check and must maintain records of such checks. Operators must have a policy in place for determining the suitability of their staff i.e., what criminal offences they would consider as 'relevant' and how they would assess applicants with criminal records.

The Panel agree with the proposal that anyone taking bookings, dispatching vehicles or holding an individual's personal information should be vetted. The Panel suggests that all such individuals should be subject to a fit and proper test via a basic DBS check.

The Panel however question the effectiveness of an unregulated policy whereby the operator determines the suitability of their own staff. Even with Local Authority oversight of operator policies or barring criteria set out by WG, local authorities would not have access to individual basic disclosures and enforcement / monitoring of such a scheme would be close to impossible.

The Panel feel that the only viable and meaningful option for vetting "dispatchers" would be to have a separate licensing scheme for such individuals.

Operators to maintain a register of complaints and should publish details on how customers can make a complaint on any website, booking app or in any booking office.

The Panel agrees with this proposal.

Operators must notify the licensing authority within 48 working hours of any dismissal of a driver in connection with unsatisfactory conduct with driving a taxi/PHV.

The Panel agrees with this proposal.

Operators to provide a documented policy to the satisfaction of the licensing authority on how they will have regard for passengers with additional needs such as disabled passengers and unaccompanied children. Operators should also nominate at least one suitably trained member of staff responsible for overseeing continued compliance with this policy.

The Panel agrees that operators should have to meet standards for dealing with passengers with additional needs, however, the Panel feels that this should not be left to the operators to regulate. WG should be introducing such standards through best practice guidance, where operators must comply unless there is a good reason not to. Where an operator falls short of the standards and complaints are received by the local authority, the local authority will investigate and where appropriate take action against the operator's licence.

**Question 7: Beyond the national minimum standards do you think local authorities should have discretion to have additional local standards/requirements for drivers, vehicles and operators in their area? If yes, what do you think these should cover?**

The Panel feel that as far as possible, standards should be consistent across the whole of Wales to ensure a level playing field within the sector. The Panel therefore feel that Local authorities should not be permitted to set additional local conditions above the national minimum standard.

**Question 8: Do you agree with our proposals for local licensing administration? Please provide comments.**

Panel agrees that the administrative, decision making and issuing licence functions for taxi and PHVs continue to be performed by local authorities and applicants will continue to apply to the local authority where they mainly intend to work.

However, the Panel are unclear how the proposals would work in practice where an additional licence is required outside the issuing authority area.

The Panel feel that there is insufficient detail contained in the proposal in respect of the intention of Welsh Government here.

The Panel is unclear on whether the subsequent issuing authorities would merely issue a licence based upon the fact that the issuing authority had completed all necessary checks to ensure the applicant was fit and proper or carry out checks on the same information supplied by the issuing authority.

Should the proposal mean that the subsequent issuing authority would merely issue a licence based upon the fact that the issuing authority had completed all checks, then the Panel has several practical concerns. This requires further consultation and engagement on the detail to enable additional comments to be made.

The Panel would not support any proposal that would overcomplicate the fee structure for additional licences and cause administrative issues and demands on the issuing local authority.

Under WG proposals for Local Licensing Administration, it is noted that taxis will remain able to accept there and then fares in the local authority area in which they are licensed and to undertake pre-booked work anywhere. PHVs will continue to undertake pre-booked work "across Wales". The Panel question whether the restrictions imposed on PHV's are intended to only work across Wales? If this is the case, then there are obvious concerns in relation to those operators who currently legitimately operate across the border in England.

**Question 9: Do you agree with our proposal to enable local authority enforcement officers to propose a sanction against a taxi or PHV driver found to be in breach of a national minimum standard while operating in their administrative area but not licenced in their area? Please provide comments.**

To be clear, the Panel answer this question on the basis that there is a breach of a vehicle national minimum standard, which has been committed by the driver of that vehicle.

The Panel does not feel that this power is necessary. Local Authority enforcement officers already routinely refer concerns about vehicles to the Home Licensing Authority for follow up action to be taken. This proposal is considered onerous and over complicates informal procedures that are already in place between Local Authorities.

**Question 10: Do you agree with our proposal to enable local authority enforcement officers to suspend a licence issued by another authority where there is an immediate risk to public safety? Please provide comments.**

To be clear the Panel answer this question on the basis that there is an immediate risk to public safety due to the condition of a vehicle.

The panel understand this to mean – every local authority enforcement officer will be authorised to issue an immediate notice (S68 LG(MP)Act 1976) against vehicles.

The Panel would fully support the proposal to enable local authority enforcement officers to suspend a licence issued by another authority where there is an immediate risk to public safety.

The Panel would suggest that action taken should be notified to the Home Licensing Authority within 7 days instead of 14 days.

Additionally, the Panel would suggest having powers to lift the suspension notice by either the Home Local Authority or the local authority that issued the notice. This would be beneficial in situations where a fault can be remedied relatively quickly,

which would allow the suspension to be lifted that same evening by the issuing officer.

The Panel however does not agree with the home local authority having the power to reverse the decision to suspend a vehicle nor the need for a confirmation process. This surely would give rise to the possibility of unnecessary challenges and court appeals leading to increased burdens and costs to local authorities.

**Question 11: Do you agree that fixed penalty notices (FPNs) should be introduced for certain taxi and PHV offences? Please provide comments.**

The Panel consider that the types of infringements set out in the White Paper at Questions 11 (FPN's) and 12 (penalty points scheme) are of a similar level – minor when considering public safety. The more serious infringements such as refusing a passenger with an assistance dog, inappropriate behaviour etc., would rightfully be dealt with by way of a hearing or legal action. The introduction then of both a FPN scheme and penalty point scheme introduces 3 levels of enforcement action; this is an over-complicated and unnecessary enforcement protocol.

The Panel consider that it would be more appropriate to introduce either a penalty points scheme or a FPN scheme for the minor infringements and the option to go straight to a hearing or legal action for the more serious infringements.

The Panel feel that the preferred choice would be to introduce penalty points scheme. The Panel had concerns about the cost of administering a FPN system to include taking payments, chasing payments, offering reduced payments and options for cases to be tried at court. This cannot be absorbed into the current resources of local authorities.

Additionally, concerns were raised that income generated from FPN's would need to be considered alongside fee setting arrangements, i.e. no profit can be made from, this would potentially lead to a reduction in the fees that can be charged for licenses. It was also felt that enforcement officers would be much less likely to issue a fixed penalty notice for minor infringements than issue penalty points.

The Panel preferred the penalty points scheme as it was felt less resources were needed to administer this process. Some local authorities already have similar schemes in place, so no additional resource is needed. Those local authorities that do not have such a scheme in place, will have a system (albeit undocumented) for determining when a driver needs to go to a hearing. In these authorities it will just be case of formalising the procedures.

The penalty points scheme is essentially an internal mechanism to determine when a driver is required to go to a hearing, it is therefore less open to challenge as any appeal would be against a decision taken at the hearing rather than points issued by an enforcement officer.

**Question 12: Do you agree that a national penalty points scheme should be introduced for certain taxi and PHV infringements? Please provide comments.**

This question has mostly been answered in Question 11 above.

The Panel would add additional comments that any penalty points scheme introduced must be consistently applied across Wales. The infringements and the number of penalty points given should be clearly set out in a national policy and should be for criteria which is not subjective e.g., not having a driver badge or door stickers displayed will incur points, but a dirty vehicle would not.

The Panel also suggest that this proposal be introduced for any infringements carried out by those licensed in 'other authorities', however the consideration of the issuing of penalty points should be referred to the home authority.

**Question 13:** Do you think that there is a need to address the negative consequences of 'multi-apping'? If yes, which option, including any suggestions of your own, do you think would be most effective. Please provide comments.

The Panel agree that there is a need to address the negative consequences of 'multi-apping' based upon the limited affect this has in Wales which is restricted to a small number of authorities.

Most of the Panel had not had any experience of this happening as licensed drivers tend to work wholly for one operator.

As a result, the Panel's view is that a driver should be restricted to work for one operator at a time and to display the name of that company to enhance public safety and traceability of the driver if required. It is felt that this will decrease the possibility of cancellations being made by drivers.

The Panel would support the practices of some operators where customers cancel a booking that is already dispatched and on way to levy a maximum penalty charge to that customer.

Similarly, the Panel would support any action taken by the operator to disengage with the driver where the driver is found to be working for more than one operator.

**Question 14:** Do you agree that option A is the best means to address concerns about cross-border hire between Wales and England? Please provide comments, including practical considerations and/or other options which you believe to be better.

The Panel disagree with Option A and in part of Option B and therefore suggest Option C as set out below.

The Panel feel that Option A is unworkable in practice and more importantly unenforceable. Using terms like 'mainly' are not clearly defined or understood for example, if the Chester PHV works every weekend in Wales but works in Chester throughout the week, they will mostly be working in England.



Option A would not adequately prevent vehicles licensed in an English Authority working 'mainly' in Wales and what sanctions would be available to Welsh Authority enforcement staff to adequately prevent this from continuing. To obtain enough evidence to achieve a positive prosecution would be extremely unlikely. The Panel feel that implementing Option A would potentially result in a significant increase in the number of English licensed vehicles operating in Wales.

Option B is the preferred option of the Panel however it is considered too restrictive for those operators located on the England/Wales border.

Therefore, the Panel would suggest utilising part of Option B with the following additions referred to as Option C, that:

1. Any taxi or PHV journey that starts and ends in Wales, must
  - a. be undertaken by a taxi where the vehicle and driver are licensed in Wales; or
  - b. be undertaken by a PHV where the vehicle, driver and operator are licensed in Wales.
2. Except where
  - a. A taxi or PHV licensed in England undertakes a booking that is under a contract for the hire of the vehicle for a period of not less than 24 hours; or
  - b. A taxi or PHV licensed in England undertakes a booking where only one booking is conducted in any given 24-hour period; or
  - c. A local authority in Wales has deemed it in the public interest for a taxi or PHV licensed in England to operate wholly or partly in their district for the purposes of servicing a community due to a lack of alternative providers in the local area.

Option C outlined above would allow effective enforcement against cross border operations whilst ensuring that contract work on the England/Wales border is not affected, and that operators licensed in England can still undertake infrequent journey's wholly within Wales. The inclusion of a discretionary power for local authorities to permit specific taxi and PHV operators which are licensed in England to operate within Wales is designed to cater for border authorities where a village or town may rely on services from England.

The Panel would suggest that once England have comparable standards to those in Wales, that this policy can be reviewed.

**Question 15:** Do you agree that use of the NR3 register in the driver licensing process should be mandatory in Wales? Please provide comments.

The Panel agrees with this proposal. All 22 Local Authorities in Wales are already signed up to use the NR3 database and the vast majority have uploaded historic data.

**Question 16: Do you think that Welsh Ministers should take action to accelerate the transition to ZEV taxis/PHVs? If yes, which of the following options would you prefer? Please provide comments.**

- a. set a deadline for all taxis and PHVs to be zero emission at the tailpipe**
- b. set an age limit for vehicles which are not ZEV**
- c. do something else**

The Panel believe that the question about when the transition to all ZEV taxis/PHV's is not one for licensing. In respect of vehicles, Licensing is primarily concerned with safety, comfort, and appearance. The Panel recognise the environmental need to accelerate such transition away from harmful emissions and are willing to play our part in aiding that transition, but this really is a matter for Welsh Government to determine the appropriate timescales and mechanisms.

The Panel are clear however, that any proposals made by Welsh Government must consider the financial implications to the taxi and PHV trades.

Comment on financial incentives for areas to put on ZEV's cross border

**Question 17: Do you agree with our proposals for Class B vehicles? Please provide comments.**

The Panel would agree with the proposals for Class B vehicles however the terminology referring to such vehicles be revisited. The Panel would suggest calling them "specialist vehicles" rather than "Class B".

The Panel would suggest the inclusion of Omnibuses in the list proposed.

**Question 18: Do you have any comments on the draft Regulatory Impact Assessment published alongside this paper?**

The Panel has provided comments in respect of the regulatory impact assessment in an addendum to this response. In addition, the Panel make the following comments:

There are inconsistencies in taxi and PHV licensing processes and standards between the 22 Local Authorities (LAs) in Wales.

The Welsh Government worked closely with a taxi working group using the best practice Welsh policies in existence to create a harmonisation document issued in March 2021<sup>28</sup>. Welsh Government recommended all Welsh Authorities adopt the template document for all 22 authorities to follow, alongside recommended application forms. Many of the local authorities have decided not to implement the policy voluntarily and currently retain localised policies. This supports the theory that national standards will not be achieved without legislative support.

The Panel have worked extensively with WG officers over many years to assist with the development of both this White Paper and the WG Harmonisation Document.

The Panel has made good progress in voluntarily adopting consistent standards and policies across Wales, and have met agreed WG / WLGA timescales to implement specific areas of the harmonisation document. Further progress was only halted to enable LA's to consider the proposals in the White paper to ensure that any policies were in line with WG plans.

Changing policies within Local Authorities can be a long and complex process with the need for consultation and political input. It was therefore agreed that the Panel would need to wait for the White Paper to be published before any further work on voluntarily pursuing consistent policies would be undertaken. The Panel feel therefore that the statement "Many of the local authorities have decided not to implement the policy voluntarily and currently retain localised policies" is fundamentally incorrect.

Page 45 3.13.2 – "National standards and a requirement for all Authorities including Cardiff to offer Private Hire Drivers licences are likely to reduce these numbers".

The Panel agrees that national standards would assist in reducing cross border operations, however cross border operations between Newport and Cardiff are primarily caused by the differences in qualification requirements, not only the knowledge test. The Panel therefore feels that offering only PHV driver licences would have a limited effect.

**Question 19: Is there any data that you would be willing to provide to help in the development of this RIA?**

Please see attached addendum.

**Question 20: We would like to know your views on the effects that the proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

Welsh Government must have regard to the Welsh Language Standards as set out by the Welsh Language Commissioner. It is important that applicants can apply in their language of choice.

**Question 21: Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

The Panel feels that positive effects could be increased by ensuring that signage, etc., is provided in bilingual format on all taxis and taxi ranks. The Panel would also suggest offering Welsh speaking drivers the opportunity to display a 'Siaradwr Cymraeg' sticker on their vehicle and on their badge.

## **Question 22: Are there any other issues you would like to raise about taxi and PHV licensing?**

### Use of Taxi Meters

The Panel believe it should be mandatory for taxis to use their meter to calculate the fare for all journeys in Wales, not just for journeys that start and end within the district. This is a particular issue of concern in Cardiff as it is geographically small but has a high number of visitors from neighbouring areas who require taxis to get home.

The Panel feels that it is unfair that a passenger that lives within the district is subject to legally regulated fares, but a passenger wishing to go outside the district is subject to fares significantly higher as taxi drivers are not obliged to use the meter and can negotiate any fare for the journey.

For example, The Senedd in Cardiff Bay to Penarth is a journey of 3.5 miles, but as the journey crosses over from the Cardiff district into the Vale of Glamorgan district, drivers are not required to use the meter. There have been numerous examples of the public having to pay £40+ for this journey.

There is an inherent imbalance of power to this situation as the normal rules of supply and demand don't apply to a person wanting to get home with no other alternative. This imbalance of power is even more acute when demand is high, such as major event days in the Principality Stadium, or when trains are cancelled. This can leave people financially vulnerable, especially if they are intoxicated, as they have no alternative but to pay an exorbitant price to get home. Cardiff receives many complaints from customers being charged significant amounts to travel back to RCT, Merthyr etc. but there is nothing officers can do despite acknowledging the unfairness.

Passengers wishing to go out of district at the end of the night in Cardiff are required to haggle with drivers or try and find a taxi willing to offer them a lower fare. This causes confusion, frustration and can lead to long queues for taxis, as people must wait for those in front of them to negotiate with the driver.

Taxi marshals on the ranks put people into taxis in queue order – for those that live out of district, they are marshalled into a taxi and then the driver negotiates the fare with them. This is an imbalance of power as the passenger doesn't really have any choice once in the vehicle.

It also encourages drivers to 'cherry pick' out of district fares, resulting in shorter fares being refused in favour of the more lucrative out of town fares, especially during busy periods. This situation has resulted in many lone female students having to walk home back to inner areas such as Cathays.

In the White Paper on page 8, it states:

*“A passenger that is picking up a taxi by hailing it in the street or by going to a taxi rank **has no choice in terms of the specification of vehicle or price.** For this reason, the service provided to them needs to be of a consistent standard and they*

*should expect consistency in terms of what they pay for the service which is what fares on a meter provide”.*

The Panel strongly believe that it is an omission not to require taxis to use the meter for all journeys. This is a relatively simple change with no foreseen unintended consequences. It is acknowledged that a customer going to a taxi rank has no choice in terms of the price, so it is important that people aren't taken advantage of for living outside of the district - even if it is just Penarth.

Drivers would still be permitted to charge the customer a lower fare than the meter price, just as they can within the district. This would ensure fares for longer journeys could still be negotiated but would provide safeguards to the customer that the price will never be more than the meter.

Drivers would not be compelled to take bookings outside of the district, but if they did, meter rules apply. This would not have the unintended consequence of drivers being unwilling to take these fares as the meter rate is still significant and drivers prefer longer journeys regardless of whether the meter is used.

#### Standardised fees

The Panel feels that prescribed fees would provide greater consistency and fairness across Wales. Local authorities are currently required to ensure that only the costs associated with providing the taxi licensing service are recovered; no profit can be made.

A recent comparison of fees across the local authorities reveals that where local authorities set fees locally, there is a wide disparity between local authorities which creates a feeling of unfairness and confusion amongst the trade. This is not to say that local authorities have set their fees incorrectly, on the contrary, properly calculated fees should always result in differences. Every Local Authority will have different costs included in the fees levied, which include, but are not limited to; officer salaries; internal recharges, procedures and procurement contracts. Standardised fees which are set by WG and reviewed annually are considered the only way to have consistency across Wales.

#### Methodology for setting taxi meter fares.

The Panel recognise that taxi meter fares will need to continue to be set locally. Journeys undertaken within the urban areas of Wales will differ greatly from those undertaken in the rural areas. For example, most journeys undertaken in Cardiff are likely to be of a shorter distance than journeys in Mid-Wales, however potentially of longer duration due to heavier volumes of traffic. The metered rate needs to account for these geographical variations to enable an appropriate fee level to be set.

The Panel feels however, that greater consistency can be applied to the fare setting process and would suggest that WG introduce standardised methodology for local authorities to use when calculating the fare levels.

#### Mandatory CCTV

The Panel believes that CCTV system in Taxis and PHV's are an excellent tool to protect both the public and the driver.

The mere presence of CCTV in a licensed vehicle would have an immediate deterrent against crime and disorder including CSE; Violence against Women; drugs; domestic violence etc.

The Panel would be able to provide extensive examples of where CCTV footage would have been invaluable evidence for corroborating or contradicting complaints received.

The Panel recognises the potential financial implications to the trade of introducing mandatory CCTV systems for all taxis and PHV's but feel that the benefits of such an introduction are far too great for this not to be revisited and seriously considered by WG.

#### Prescribed application forms

The Panel has already worked extensively with WG Officers to introduce consistency in the forms used for applications and for medicals. Whilst local authorities can continue to work closely on a voluntary basis to develop template application forms, it would be an easy task for WG to prescribe the application forms to ensure consistency across Wales.

#### Restricted Drivers

In addition to the Panel's submission in relation to Q3 regarding types of licences offered by local authorities. The Panel suggests that consideration be given to the introduction of a restricted dual licence for the purpose of home to school transport **only**. Restricted driver licences would benefit from lesser training requirement with only relevant modules included but would be conditioned so that the driver could only undertake home to school contract work. A number of local authorities in England and Swansea Council in Wales already offer this scheme and report positive effects in supporting home to school contracts.

**Neil Chapple**  
**Chair Wales Licensing Expert Panel**



Llywodraeth Cymru  
Welsh Government

**Number: WG47852**

Welsh Government

Consultation – summary of responses

## **Statutory licensing scheme for all visitor accommodation providers in Wales**

July 2023

Mae'r ddogfen hon ar gael yn Gymraeg hefyd / This document is also available in Welsh  
Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg / We welcome correspondence and telephone calls in Welsh

## Overview

This document provides a summary of the responses to the consultation on establishing a statutory licensing scheme for all visitor accommodation providers in Wales.

Author: Alma Economics



Views expressed in this report are those of the researcher and not necessarily those of the Welsh Government. This work has taken an objective and systematic analysis of all the consultation responses received and has passed internal Welsh Government quality assurance methods.

Available at: [Statutory licensing scheme for all visitor accommodation providers in Wales | GOV.WALES](#)

## Action Required

This document is for information only.

## Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

## Contact details

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## Additional copies

This summary of responses and copies of all the consultation documentation are published in electronic form only and can be accessed on the Welsh Government's website.

Link to the consultation documentation: [Statutory licensing scheme for all visitor accommodation providers in Wales | GOV.WALES](#)



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# 1. Executive summary

## Purpose of the consultation

- 1.1 In July 2022, the First Minister and the Leader of Plaid Cymru announced plans to introduce a statutory licensing scheme for all visitor accommodation in Wales. Building on these plans, Alma Economics was commissioned by the Welsh Government to analyse the responses to a public consultation seeking views on the aims, design, and operation of a statutory licensing scheme.
- 1.2 The consultation consisted of 31 open-format questions with free-text fields and 33 closed-format questions. It received 1,595 responses in total, of which 1,133 were complete and 462 were partial responses. Respondents included local authorities, visitor accommodation providers, tourism representative bodies and residents of Wales.

## Overarching themes

- 1.3 Several recurring themes were regularly reflected across multiple consultation questions. The most common overarching themes were:
- The view that the proposed statutory licensing scheme would create significant administrative and financial burden.
  - The suggestion that the visitor accommodation market is highly competitive and thus already operates efficiently.
  - General disagreement with any form of statutory licensing, without offering any further explanations for this view.
- 1.4 Across most questions, the degree of agreement was consistently split between demographics. Large tourism organisations and local authorities were more likely to agree with the proposals, while visitor accommodation providers and residents most often disagreed.
- 1.5 A summary of the responses to the consultation by topic area is presented below.

## **Proposed aims and benefits of a statutory licensing scheme**

- 1.6 Most respondents (65%) disagreed with the proposal for a statutory licensing scheme for all visitor accommodation providers, on the basis of the high administrative and financial burden, and concerns regarding the necessity and effectiveness of the scheme. The respondents agreeing with the proposal typically did so because it was viewed as likely to promote compliance with standards and a level playing field across providers.
- 1.7 Respondents most frequently (47%) disagreed with the proposal for a registration scheme, although it was generally preferred to a licensing scheme due to the perceived lower administrative and financial burden. The reasons for and against were similar to those cited for a licensing scheme.
- 1.8 The majority of respondents (61%) disagreed that the introduction of a statutory licensing scheme would ensure a level playing field for accommodation providers in Wales, because there were believed to be considerable differences among providers in terms of size, type, and turnover. Those who agreed with the statement most commonly advocated for a registration scheme instead of a licensing scheme.
- 1.9 Respondents most commonly (48%) disagreed with the proposal for a register of visitor accommodation providers for the Welsh Government, citing the potential adverse impact on the Welsh economy, the current availability of the information concerned, and the ability of the market to self-regulate. The majority of respondents in favour of the proposal viewed that the register would help ensure high quality, health, and safety standards for visitor accommodation.
- 1.10 Respondents most commonly (48%) disagreed with the proposal for a comparable register for local authorities. Most disagreeing respondents advocated for only the Welsh Government to have access to a register. Amongst those agreeing, most suggested a register would allow local authorities to leverage their knowledge of the local context, and make targeted interventions in the local visitor accommodation market.

- 1.11 Most respondents (63%) did not view the licensing scheme would be an effective platform for communication, due to the high administrative and financial burden involved. Amongst those who agreed, most did so under the condition that a registration scheme would be used instead of licensing.
- 1.12 Most respondents (64%) disagreed that the proposed licensing scheme would ensure enhanced confidence in visitor accommodation and providers, due to the perceived fact the market is successful in self-regulating. As a result, it was suggested that only providers of high quality remain in the market, ensuring confidence in the remaining providers amongst visitors. Of those who agreed, most did so on the basis that the scheme would increase confidence in visitor accommodation and providers by ensuring compliance with standards.

### **National or local delivery**

- 1.13 The majority of respondents disagreed (57%) with the proposed hybrid delivery of the scheme, where elements such as registering providers would be delivered nationally, and enforcement locally. Most respondents preferred a fully national approach to ensure consistency across local authorities. Most of those in favour suggested the proposed hybrid delivery would be an effective enforcement mechanism.

### **Accommodation types in scope**

- 1.14 Most respondents disagreed (56%) with considering all visitor accommodation providers within the scope of the scheme, with these respondents typically suggesting that smaller providers should receive a lighter touch approach. Among those agreeing with the statement in question, it was viewed that including all providers would ensure a level playing field.
- 1.15 Of those respondents offering suggestions on which accommodation types should be excluded from the scope of the licensing scheme, the majority mentioned accommodation used exclusively for holidays, and those provided in private homes.
- 1.16 Respondents most frequently (47%) disagreed that whoever is responsible for the letting of the accommodation on caravan and/or camping sites should

be required to obtain a licence. Instead, most suggested park owners should be responsible. Amongst those in favour of the statement, most viewed that it would ensure consistent application of the standards.

- 1.17 Most respondents offering additional comments on a licensing scheme for the caravan and camping sector argued that caravans should not be licensed at all, due to the perceived high administrative and financial burden of compliance.

### **Operating period**

- 1.18 The majority of respondents (61%) disagreed that a licence should be required even if the visitor accommodation is operating infrequently, with these respondents commonly arguing this would generate a disproportionately high administrative and financial burden on such providers. Those agreeing with the suggestion, did so for reasons of consistency and fairness across providers.

### **Limited licence for one-off or annual events**

- 1.19 Respondents most commonly (45%) disagreed with the need for a limited licence for one-off or annual events, and most of them cited their general disagreement with any form of licensing as the main reason. Those agreeing with the limited licence, advocated for a two-tier licence separating accommodation for one-off or annual events from the rest, and believed this would lead to a level playing field.

### **Scheme requirements**

- 1.20 The majority of respondents (55%) disagreed with the proposed information/documentation visitor accommodation providers would be required to provide to evidence their compliance with the licensing requirements. Most of them expressed general disagreement without offering any reasons. Of those respondents elaborating on their views, most disagreed because of their view that the documentation suggested in the proposal is already available through other lists. Most of those in favour mentioned the proposal would help enforce standards.

## **Compliance and enforcement**

- 1.21 Most respondents (50%) disagreed with the proposed approach to carrying out inspections, as most of them doubted the need for a licensing scheme, and by extension of any associated inspections. Most respondents in favour of the proposed approach mentioned it would promote safety for visitors and fairness among accommodation providers, by ensuring all standards are met by all providers.
- 1.22 Respondents most commonly (42%) disagreed with non-compliant providers being subject to enforcement measures, due to disagreement with the licensing scheme and enforcement measures in general. The most common theme among those agreeing was that the proposal would ensure compliance.

## **Fit and Proper Person test**

- 1.23 The majority of respondents (55%) disagreed with the inclusion of a fit and proper person test or similar as part of the scheme requirements. The majority of them did so because of the subjectivity of the term “fit and proper person”. Most respondents agreeing, mentioned the test would increase the safety of visitor accommodation.

## **Licence fees**

- 1.24 Most respondents (74%) preferred a scaled fee as opposed to the same standard fee for all accommodations. The most commonly preferred scaling factor was the size of the accommodation (46% agreed with scaling based on size).
- 1.25 Respondents most commonly (38%) disagreed with providers being able to apply for a one-off licence at a reduced cost. The most common reason for disagreeing was the administrative and financial burden for accommodation providers of one-off events associated with the application and compliance with the proposed scheme. Of those agreeing, most did so under the condition the approach would be proportional to the size and turnover of each event.

## **Frequency of application**

- 1.26 The majority of respondents (61%) preferred visitor accommodation providers to be required to renew their licence every 5 years, as this frequency was viewed as more practical and beneficial to workload, given providers would need to evidence their compliance less often.
- 1.27 Respondents most frequently (48%) disagreed with requiring visitor accommodation providers to do an annual review if the frequency of renewal is less than annual. Most of them disagreed due to the administrative and financial burden associated with reviewing the documentation necessary to evidence compliance. Most of those who agreed highlighted an annual review would align with other timescales, such as gas inspections, thus lowering the burden of evidencing compliance.

## **Transparency and access to information**

- 1.28 The majority of respondents (59%) disagreed with their information being shared with key authorities and partners. Most of them expressed concerns about data security. On the other hand, most of the respondents in favour of the proposal mentioned it would encourage compliance with standards.

## **Displaying licence numbers**

- 1.29 The majority of respondents (53%) disagreed with visitor accommodation providers being required to display their licence numbers. Most of them were concerned it would create a high administrative and financial burden, mostly due to updating advertising and marketing material. The most common theme amongst those in favour of the proposal was that it would ensure compliance with the scheme's requirements, as visitors would be able to quickly identify and choose providers of proven quality.
- 1.30 Respondents most frequently (50%) disagreed that online travel agents, travel trade organisations, other booking and social media channels, marketing platforms, and self-catering agencies should display the licence number of the accommodations they are promoting. Most of the respondents disagreeing with this statement did so because of the administrative and financial burden of complying with the scheme in order for providers to get a licence number. The respondents in favour most often believed the proposal

would promote transparency, as everyone would be aware of which providers are licensed.

### **Final comments**

- 1.31 The majority of respondents were of the opinion that a statutory licensing scheme would have no effect on the Welsh language. Among those mentioning negative effects, the most common theme was adverse effects on small Welsh businesses and communities. The respondents raising this theme believed Welsh businesses and communities are reliant on the tourism sector, which would be adversely affected by the scheme. Among those identifying positive effects, the most common theme was a positive impact on the housing stock, as local authorities would be better able to balance residential and visitor accommodation.
- 1.32 Most respondents offering evidence from other countries and similar schemes identified adverse effects on the tourism sector and the overall economy.



## **2. Introduction**

### **Background to the consultation**

- 2.1 The Welsh Government has an ambition to establish a statutory licensing scheme for all visitor accommodation in Wales. In July 2022, the First Minister and the Leader of Plaid Cymru announced plans to introduce a statutory licensing scheme for all visitor accommodation in Wales, including short-term holiday lets. The proposal is to make it a requirement for providers to obtain a licence to operate, which would help raise standards across the industry, ensure visitor safety and provide a level playing field for all operators.

### **Form of the consultation**

- 2.2 In December 2022, the Welsh Government launched a public consultation, running for 13 weeks, to collect views on its proposal to establish a statutory licensing scheme for all visitor accommodation providers in Wales.
- 2.3 The consultation sought insights on the design, scope, and purpose of a statutory licensing scheme. These included, for instance: (i) the proposed aims and benefits of a statutory licensing scheme, (ii) preferences for national or local delivery, (iii) accommodation types that should be in scope, and (iv) the impact on the Welsh language.
- 2.4 The consultation consisted of 31 open-format questions with free-text fields and 33 closed-format questions, including 25 questions on a proposed statutory licensing scheme, and 8 questions on respondent demographics.
- 2.5 The consultation received 1,133 complete and 462 partial responses. The complete responses included 1,050 responses submitted electronically as part of the main survey, and 83 hard-copy responses received via email and post in response to the main survey. All responses were treated equally regardless of how they were submitted.

### 3. Approach and Methodology

#### Data processing

- 3.1 Before the manual review of responses, we used automated text analysis algorithms to screen responses that were part of an organised campaign or that were clearly intended as offensive, abusive or explicitly vulgar. Our approach uses fuzzy matching in Python to quantitatively identify “clusters” of responses using highly similar language or sentence structure. During our manual thematic analysis, we further examine responses for potential duplicates or campaign responses. Through this process, identified a small number of campaign responses<sup>1</sup>, although these were not deemed material enough to skew the findings, so no adjustment was made.

#### Approach to quantitative analysis

- 3.2 After merging all datasets to include all responses from all sources, we undertook descriptive and segmentation analysis. The analysis is presented in charts and tables, summarising responses as a percentage of consultation respondents who answered each question. More detailed segmentation of responses by type is presented in [Appendix A](#).

#### Approach to qualitative thematic analysis

- 3.3 To analyse the free-text responses, we followed an approach that combined manual and automated coding. Our approach entailed:
- **Developing an initial codebook of themes** based on the consultation, an understanding of the policy context and wording of specific questions (the deductive phase), with further themes added as part of the review process (the inductive phase).
  - **Initial manual coding of a sample** of 150 free-text responses for each open-format question. This sample included a combination of responses from key stakeholders, more detailed responses, and a random sample of remaining responses. This approach ensured that a representative sample of respondents was considered, whilst simultaneously ensuring we reviewed the responses with the most information.

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<sup>1</sup> Maximum of 1% for each individual question, and an average of 0.2% across all questions,

- **Automated text analysis** to replicate the process of manual coding, assigning rankings to the prevalence of each theme. This approach followed a three-step process:
  - Firstly, we applied a supervised algorithm in Python to extrapolate the themes identified in the sample of free-text responses to “label” all other responses to the question. This approach consists in identifying keywords for each theme raised in the initial manually read sample, and then using the keywords to apply themes to the “unlabelled” responses.
  - Secondly, we reviewed the automatically-labelled responses and provided feedback on which responses were correctly or incorrectly labelled.
  - Thirdly, this feedback was used to adapt the algorithm to produce an updated set of theme “labels” for responses.

### **Thematic analysis**

- 3.4 For each open-ended question, we reported the key themes emerging from the integrated manual reading and automated text analysis. The identified themes reflect views raised across the main survey, and hard copies. While it is difficult to objectively provide accurate counts of responses allocated to each theme, themes are presented in the approximate order of frequency for each question.
- 3.5 Quotes from respondents have also been used to illustrate the narrative supporting specific themes. Since the majority of respondents (65%) chose to stay anonymous, any potential identifiers (such as the name of a specific organisation) have been removed from those quotes.

## 4. Summary of findings

### Profile of respondents

- 4.1 This section presents the breakdown of consultation respondents by respondent type, type of accommodation, and size of business. All analysis includes responses to the full survey, partial responses, and hard copies.<sup>2</sup>

### Respondent type

Table 1. Distribution of respondents by type

Type of respondents	Percentage of respondents
Visitor accommodation providers	82%
Residents (of Wales)	59%
Booking platforms, online travel agents, travel trade organisations, other booking and social media channels, marketing platforms	9%
Self-catering agencies	4%
Tourism associations	2%
Local authority representatives	2%
Tourism representative bodies	1%
National park authorities	1%
Other	30%

Note: Overall, 1,106 respondents answered this question, representing 69% of all consultation respondents.

- 4.2 Most of the respondents to this question (82% or 906 respondents) identified as visitor accommodation providers.<sup>3</sup> The second most prevalent type of respondent was Welsh residents (59% or 653 respondents), followed by booking platforms (9% or 95 respondents), and self-catering agencies (4% or 49 respondents).

<sup>2</sup> As the segment questions allowed respondents to select more than one option, the percentages quoted do not sum to 100% and thus are not cumulative.

<sup>3</sup> This type of respondent was calculated as the sum of all respondents that selected at least one option in the question regarding accommodation type (see Table 2).

4.3 A significant proportion of respondents (30% or 336 respondents) also viewed the existing types did not accurately describe them and selected “Other”.

## Respondents by type of accommodation

Table 2. Distribution of respondents by type of accommodation

Type of accommodation	Percentage of respondents
<b>Self-catering accommodation, short term-lets</b> (houses, cottages, chalets and apartments)	70%
<b>Bed and Breakfast (B&amp;B)</b>	8%
<b>Campsite or camping park</b>	5%
<b>Glamping accommodation</b>	5%
<b>Guest house</b>	5%
<b>Farmhouse</b>	4%
<b>Hostel style accommodation</b>	3%
<b>Hotel</b>	3%
<b>Restaurant (with rooms)</b>	2%
<b>Holiday park</b>	2%
<b>Individual caravan</b> (including those that sub-let on a holiday park)	2%
<b>Touring park</b>	1%
<b>Campus accommodation</b>	<1%
<b>Canal boats, narrow boats, house boats</b>	<1%
<b>Cruise ship</b>	<1%
<b>Holiday village</b>	<1%

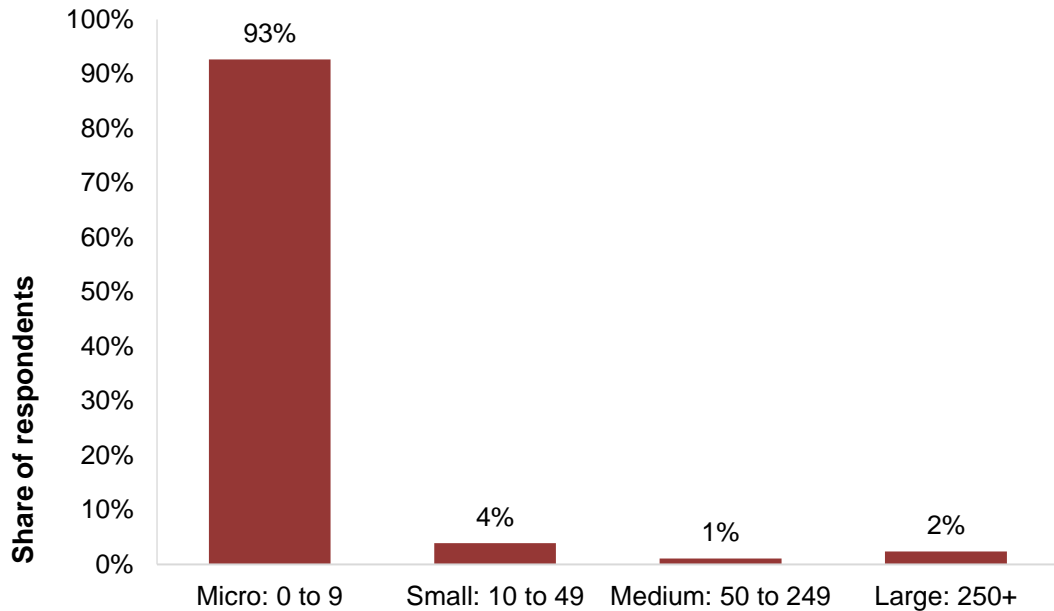
Note: Overall, 906 respondents answered this question, representing 57% of all consultation respondents.

4.4 The most common accommodation type among respondents was self-catering accommodation and short-term lets, representing 70% (or 634 respondents) of all respondents to the question. The following most common types of accommodation providers responding to the consultation were Bed & Breakfast (8% or 71 respondents), campsite or camping park (5% or 49

respondents), glamping accommodation (5% or 45 respondents), and guest house (5% or 42 respondents).

## Respondents by size of businesses

Figure 1. Distribution of respondents by size of businesses



Note: Overall, this question was answered by 925 respondents, representing 58% of all consultation respondents.

- 4.5 The vast majority of respondents to this question (93% or 857 respondents) indicated their business was of micro size, having fewer than 10 employees. The second most common business size (4% or 36 respondents) was small, representing businesses of 10-49 employees. Medium and large size businesses were the sizes selected less frequently, in 1% (or 10 respondents) and 2% (or 22 respondents) of occasions respectively.

## **Overarching Themes**

- 4.6 This section presents commonly recurring themes raised by respondents across multiple questions, regardless of their relevance to the particular question.

### **High administrative and financial burden**

- 4.7 Many respondents mentioned that the proposal will involve significant administrative burden for accommodation providers, as well as monitoring and enforcement procedures for the Welsh Government and local authorities. In most cases, respondents did not identify specific requirements or aspects of the proposal that would result in administrative burden for providers. This theme was often related to concerns about disproportionate impact on small accommodation providers, which don't have the ability to absorb the costs of the scheme. Respondents often highlighted that these administrative tasks would divert time and resources from helping visitors and improving services.

### **Market efficiency negates the need for a licensing scheme**

- 4.8 A significant number of respondents highlighted that there is no need for intervention by the Welsh Government. These respondents typically indicated that the visitor accommodation market is highly competitive, and thus can effectively self-regulate. For instance, these respondents mentioned the market will naturally exclude providers not complying with regulations and not meeting standards, through the use of customer reviews. As a result, the respondents raising this theme generally considered any form of government interference distortionary and thus unnecessary.

### **General disagreement with a licensing scheme**

- 4.9 Several respondents opposed the whole scheme as they considered it to be a regulatory overreach, adding unnecessary regulations to the market. These respondents typically did not elaborate further on their views.
- 4.10 Although they explicitly disagreed in the case of a statutory licensing scheme, some of these respondents argued that they could support the idea of keeping all providers in scope if the proposal was a voluntary registration scheme.

## Proposed aims and benefits of a statutory licensing scheme

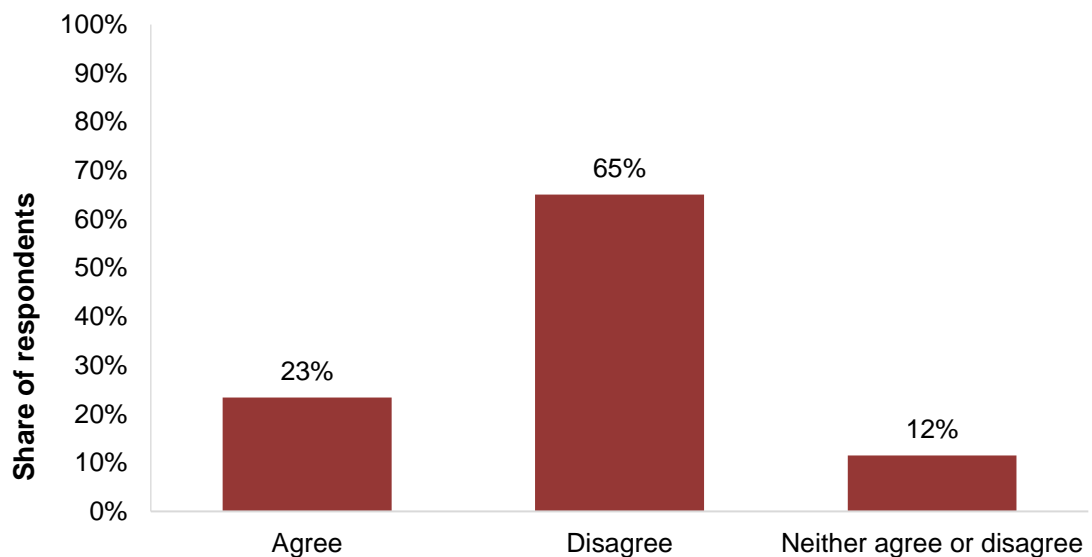
4.11 This section seeks views on the degree of agreement with establishing a licensing scheme, a registration scheme, and their proposed aims and benefits.

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Question 1: Do you agree or disagree with establishing a licensing scheme as described for all visitor accommodation in Wales?

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Figure 2. Share of respondents agreeing or disagreeing with establishing a licensing scheme for all visitor accommodation in Wales



Note: Overall, 1,424 respondents answered this question, representing 89% of all consultation respondents

4.12 The majority of respondents to this question (65% or 927 respondents) disagreed with establishing a licensing scheme as described for all visitor accommodation providers. Disagreement was highest among tourism representative bodies (77%), and visitor accommodation providers (68%).

4.13 Respondents from national parks had the highest agreement (75%) among all respondents, followed by local authorities (67%).

4.14 The most commonly mentioned reasons for the respondents' views are presented in the thematic analysis below.



## **Themes against a licensing scheme**

### **High administrative and financial burden**

- 4.15 The most prevalent theme among respondents opposing a licensing scheme was concern regarding the administrative burden due to the scheme, as mentioned in the overarching themes section. Some respondents also expressed concerns about the potential negative impact on visitor accommodation providers, and the tourism sector as a whole, often emphasising its importance for the Welsh economy.

*“It is an unnecessary new layer of pointless bureaucracy and will take up time and effort for owners of tourist accommodation. [...]. It will also add costs which will make Wales a last choice for holiday makers.” (Anonymous response)*

*“This is purely a matter of the burden that a licensing scheme may impose on accommodation providers, both in terms of the type and volume of supporting evidence that will be called for, and the cost of running such a scheme, which will obviously be impacted by the quantity of evidence to be checked, enforcement and staff requirements for this task, and will be reflected in the cost of the licence.” (Anonymous response)*

### **Doubts regarding the need for a scheme**

- 4.16 The second most common theme raised by respondents disagreeing with the proposal was doubts regarding the need and usefulness of the scheme. Respondents raising this theme most commonly mentioned that the visitor accommodation market is highly competitive, as a result it is effective at self-regulating and excluding low-quality accommodation from the market. Some responses, including from tourism representative bodies, also highlighted that there are already existing lists and accreditations that accomplish the goals of the proposed scheme. Lastly, other respondents mentioned that the scheme is not needed since the visitor accommodation sector is already meeting standards and is of high quality.

*“Most holiday let platforms advertising short stay holiday lets already have strict legislation in place, and due to customer feedback any properties that*

*fall below a certain standard are automatically removed from advertising on such sites.” (Resident of Wales)*

*“[...]. Currently all these [i.e. targets] are achieved, very effectively, by the letting agents [...]. The agencies require the relevant gas safety, water testing, risk assessments etc already and the online reviews [redacted] force owners to take action if any aspect of their accommodation is unsatisfactory. [...].” (Anonymous response)*

### **Doubts regarding the effectiveness of the scheme for the Welsh Government’s objectives**

- 4.17 The third most frequently mentioned theme against a licensing scheme was doubts regarding its effectiveness. Respondents indicated that the proposed licensing scheme would not achieve the Welsh Government’s objective to increase housing affordability. Furthermore, concerns were raised regarding the effectiveness of the monitoring, reporting and enforcement processes.

*“[...] I cannot see it making many homes available to local people to buy or live in, it will just open up more homes to rich people from away to buy and live in pushing those born in the area out.” (Resident of Wales)*

*“[...] it is very unlikely that the authorities tasked with licensing will have the resources or expertise to do the job quickly and efficiently. Providers will have to face long delays, endless form filling and additional expense - which will have to be passed on to visitors” (Anonymous response)*

### **Disproportionate impact on smaller providers and rural areas**

- 4.18 The fourth most common theme raised by respondents in opposition to the statement in question was concerns that the proposed licensing scheme would disproportionately affect certain groups. The majority of the respondents raising this theme were concerned about the impact on smaller accommodation providers, since they were believed to be unable to cope with the administrative and financial burden of compliance. A few responses also suggested that the proposal would be unfair to rural areas, that receive fewer visitors and are more dependent on the tourism sector.

*“Small businesses are finding it hard enough at the moment to be profitable without the additional costs and administration involved in such a scheme.”  
(Anonymous response)*

*“[...]. Our concerns stem from the potential unintended consequences of a licensing scheme, which could create barriers to entry for small or new accommodation providers, making it more difficult for them to compete with larger chains.” (Tourism representative body)*

*“There is a real demand for visitor accommodation in Wales, often rural areas would be completely discounted to a visitor due to its lack of available accessible accommodation/hotels etc. There is a clear need for more affordable and flexible accommodation options. This offering encourages visitors to areas, particularly rural ones.” (Anonymous response)*

### **Themes in favour of a licensing scheme**

#### **Positive effects on providers’ compliance with the scheme’s standards**

- 4.19 The majority of respondents in favour of a licensing scheme mentioned the scheme would ensure compliance with safety and quality standards. The responses indicated that the scheme would provide incentives to accommodation providers to comply with standards of safety and quality, as well as enforcement powers to the Welsh Government and local authorities to ensure compliance.

*“It will bring greater alignment on health and safety standards and overall standards available to customers, which has to be positive for the industry.”  
(Anonymous response)*

*“I agree that a licensing scheme would be good to keep high standards of safety and give a level playing field between holiday homes and hotels. [...]. As long as those that are found not complying are being investigated and heavily penalised.” (Anonymous response)*

#### **Promotes a level playing field among providers**

- 4.20 The second most frequently mentioned theme among respondents in favour of the proposal was the view it would lead to a level playing field among providers. Respondents raising this theme, including local authorities,

emphasised the importance of national implementation of the scheme to ensure consistency in standards of health, safety, and quality. As a result, visitor accommodation providers would operate on a level playing field, where everyone follows the same standards.

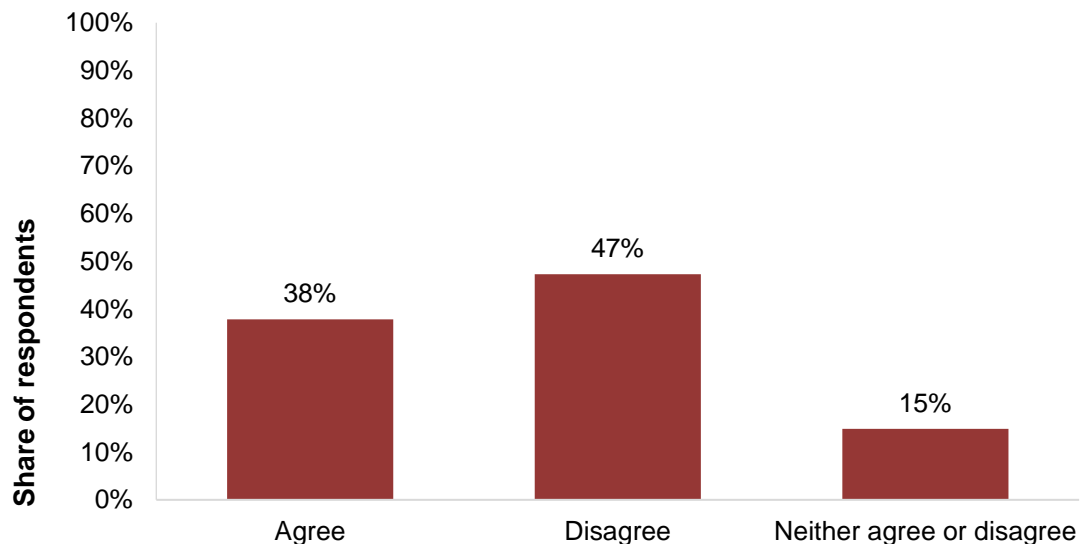
*“Wales needs a consistently applied set of standards to assure guests of the quality of visitor accommodation they are booking – customer care should be the primary reason for the scheme. This will also ensure that operating businesses maintain their own standards to achieve and retain accreditation. The follow on effect of that will be for Wales to have a level playing field for all accommodation providers – a statutory scheme will ensure that there is no space for unlicensed operators to undercut those who comply with the scheme’s requirements.” (Local authority)*

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Question 2: If you disagree with the proposal to establish a licensing scheme, do you agree with the creation of a registration scheme for all visitor accommodation in Wales?

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Figure 3. Share of respondents agreeing or disagreeing with establishing a registration scheme for all visitor accommodation in Wales



Note: Overall, 1,266 respondents answered this question, representing 79% of all consultation respondents.

4.21 Respondents answering this question most often (47% or 599 respondents) disagreed with the proposal to establish a registration scheme for all visitor

accommodation in Wales. While agreement was higher compared to the proposal for a licensing scheme (38% compared to 23%), respondents in favour remain a minority.

- 4.22 The respondent type with the highest disagreement was residents of Wales (50%).
- 4.23 Respondents from tourism associations had the highest agreement (58%) among all respondents, followed by national parks (50%).
- 4.24 The respondents to this question that offered justifications for their views, mentioned similar topics as the previous questions, indicating they did not view a licensing scheme as significantly different from a registration scheme. In particular, respondents to this question mentioned the following themes.

### **Themes against a registration scheme**

#### **High administrative and financial burden**

- 4.25 As mentioned in the previous question, the majority of respondents expressed concerns the proposal would lead to significant administrative and financial burden for accommodation providers. This was also believed to be the case for a registration scheme.

*“This proposal will generate unnecessary bureaucracy and paperwork, and will result in a waste of public and private money and time” (Resident of Wales)*

#### **Doubts regarding the need of a registration scheme**

- 4.26 Similarly to Question 1, respondents to this question disagreed with a registration scheme because they believed there are existing lists and accreditation achieving the Welsh Government’s aims, and that the visitor accommodation market is effective at self-regulating.

*“All visitor accommodation is already registered, there are multiple platforms that can be used, where the visitors go to book. Which includes thorough checks, verifications and reviews.” (Business owner)*

*“The business is already self regulated otherwise it results in the business’ demise. Interference from the local authority will damage the hospitality*

*business in Wales. [...] In my view it's a business that looks after itself."*  
(Anonymous response)

*"[...] we already have sufficient legislation to make sure that we are offering safe accommodation and the reviews market [...] ensure that only high standard accommodation is viable."* (Anonymous response)

### **Doubts regarding the scheme's effectiveness in achieving the Welsh Government's objectives**

- 4.27 The third most common theme against the proposal in question was disagreement with the proposal because it would not achieve the Welsh Government's aims. The responses indicated that a simple register would not give the Welsh Government or local authorities sufficient monitoring and enforcement powers.

*"[...] A simple list of names self-identifying as accommodation businesses without a licence to operate would not meet the policy aim. Entry on a statutory register would require evidence of compliance with agreed minimum health and safety elements and further for these to be identifiable, achievable and proportionate."* (Anonymous response)

### **Themes in favour of a registration scheme**

#### **Positive effects on providers' compliance with standards**

- 4.28 The majority of respondents in favour of a registration scheme highlighted the scheme would ensure compliance with safety and quality standards. The responses indicated that a registration scheme would allow the Welsh Government and local authorities to account for registered visitor accommodation providers and monitor compliance with safety and quality standards.

*"[...] I support a registration scheme that allows our business to complete a Statutory Registration Form that indicates we are compliant in all key legal aspects of our business - e.g. fire risk assessment, public liability insurance, etc. so that a complete National Register is compiled of safe and legal businesses.[...]. This will ensure a level of quality and trust and develop safe and legal practice and deter bad actors who are not operating within the law*

*and who may be trading uncompetitively.” (Lettings and property management agent)*

**Improves data reliability**

- 4.29 The second most common theme raised by respondents agreeing with the statement in question was the positive effect on the quantity and quality of data. The responses highlighted that a registration scheme would provide the Welsh Government with a comprehensive list of visitor accommodation providers, as well as accurate information on their safety and quality ratings. Some responses also mentioned this information would facilitate future regulation and measurement of the impact of the tourism sector.

*“To understand and develop clear data around the positive and negative impacts of visitor accommodation. This is a vital tool in establishing what or how we need to move forward around this area.” (Anonymous response)*

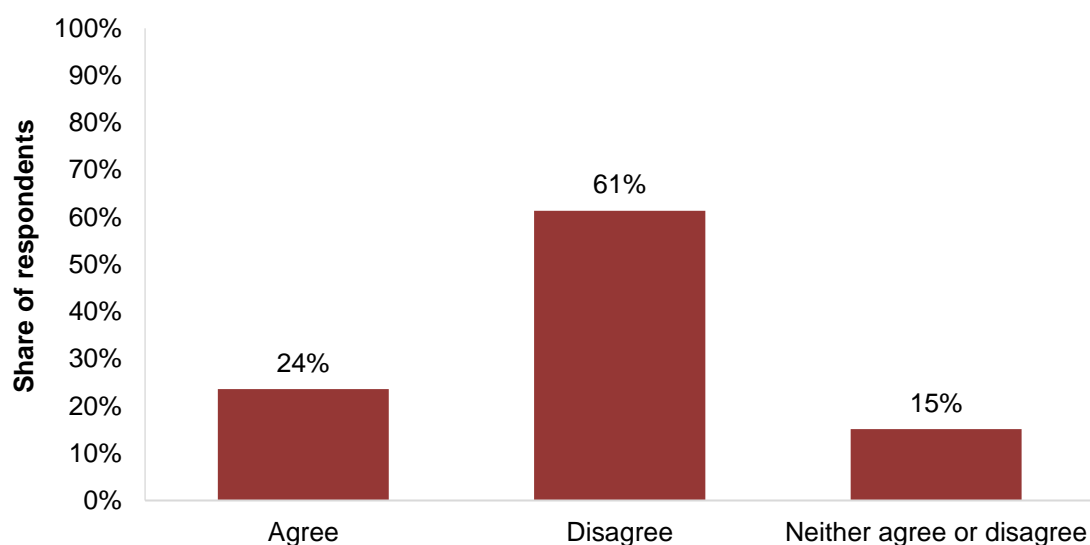
*“This would create an accurate database of the numbers and type of accommodation, which in turn could be used as a marketing tool to encourage visitors.” (Anonymous response)*

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Question 3: Do you agree or disagree that introducing a statutory licensing scheme as described will ensure a level playing field for all accommodation providers operating in Wales?

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Figure 4. Share of respondents agreeing or disagreeing that introducing a statutory licensing scheme will ensure a level playing field for all accommodation providers in Wales



Note: Overall, 1,392 respondents answered this question, representing 87% of all consultation respondents.

- 4.30 The majority of respondents to this question (61% or 854 respondents) disagreed that the introduction of a statutory licensing scheme would ensure a level playing field for all accommodation providers in Wales. Disagreement was most prevalent among self-catering agencies (69%), visitor accommodation providers (65%), and respondents identifying as “other” (64%).
- 4.31 Most respondents from local authorities viewed the introduction of a licensing scheme as beneficial to ensuring a level playing field across accommodation providers, given 58% of them agreed with the statement in question.



## **Themes opposing the suggestion that a statutory licensing scheme would ensure a level playing field among accommodation providers**

### **Variation across providers**

- 4.32 Most respondents to this question mentioned that a level playing field should not be among the Welsh Government's objectives, as there are significant differences among visitor accommodation providers. It was argued that the sector is unequal by nature, due to differences in size, market segments, and areas. Some respondents also disputed the existence of an unequal playing field across visitor accommodation providers, since there are already health and safety and quality requirements they have to comply with. A few of these respondents requested carrying out additional research to provide evidence of the unequal playing field mentioned.

*"You cannot have a level playing field for completely different accommodation options that provide totally different services to a vast range of different types of visitors with a huge range of needs and budgets."*

*(Anonymous response)*

*"The primary 'level playing field' aim of the scheme is not relevant: we meet the various standards identified in the consultation document through compliance with our insurance requirements." (Sports club / climbing club)*

### **Disproportionate impact on small and lawful providers**

- 4.33 The second most prevalent reason for disagreeing with the statement in question was that forcing a level playing field would disproportionately affect smaller visitor accommodation providers. Respondents raising this theme, including some tourism associations, raised concerns that small providers do not have the personnel and financial capacity to comply with the required standards. Some respondents also mentioned that the proposal might disproportionately burden compliant providers, while others will use loopholes to avoid the scheme and its requirements.

*"It will force small private properties making a modest income to compete with hotels who can absorb the inevitable costs of whatever licencing agencies will demand of accommodation providers" (Resident of Wales)*

*“There will still be individuals offering holiday accommodation, without the local council being aware of them. They will not incur the costs of the registration scheme, whereas legitimate businesses will have to increase costs to cover this additional cost, therefore making them less attractive to potential customers.” (Anonymous response)*

#### **Efficient market negates the need for intervention**

- 4.34 The last prevalent theme against the proposal in question was that the visitor accommodation market is highly competitive, and thus effectively self-regulates. As mentioned in the overarching themes section, respondents raising this theme were typically against any form of government intervention.

*“The market in holiday accommodation is a free market, it should not be controlled or manipulated by the Government or State. If holiday accommodation is not of a good enough standard then owners will not get bookings and better quality accommodation will be booked instead. It is so easy now to review holiday accommodation online or via social media that the need for the State to get involved is not necessary.” (Anonymous response)*

#### **Themes supporting the suggestion that a statutory licensing scheme would ensure a level playing field among accommodation providers**

##### **Conditional agreement**

- 4.35 Most respondents agreeing with the statement in question, did so only if certain conditions were met. The most commonly suggested condition was the implementation of a registration scheme instead of a licensing scheme. The respondents raising this theme mentioned that a registration would provide all the benefits of a licensing scheme, without the administrative burden. The second most frequently mentioned condition was implementation on a national scale, to ensure consistent implementation across areas. The third most common condition was making registration mandatory, to ensure all visitor accommodation providers would comply with the scheme’s requirements. Other less common conditions included making the scheme state funded, and having regular audit checks.

*“We oppose a licensing scheme. However we believe that the creation of a low cost, light-touch, digital-friendly REGISTRATION scheme for all visitor accommodation in Wales would level the playing-field between traditional providers like B&Bs and accommodation on online platforms, the latter currently being unfair competition based on non-compliance with safety regulations and cost saving.”*

*“I think that any scheme should apply across Wales, and not differ from authority to authority. I agree that there should be a mandatory registration scheme applicable across the WHOLE of Wales, as I believe that this would ensure that the quality of accommodation provided was safe and legal”*  
*(Anonymous response)*

#### **Ensures enforcement of standards among providers**

4.36 The second most common reason for agreeing with the statement in question was that the licensing scheme would be an effective way of enforcing standards. The responses highlighted that ensuring a level playing field among accommodation providers would be achieved only if all of them had to comply with the same requirements. This theme was particularly prevalent among local authorities.

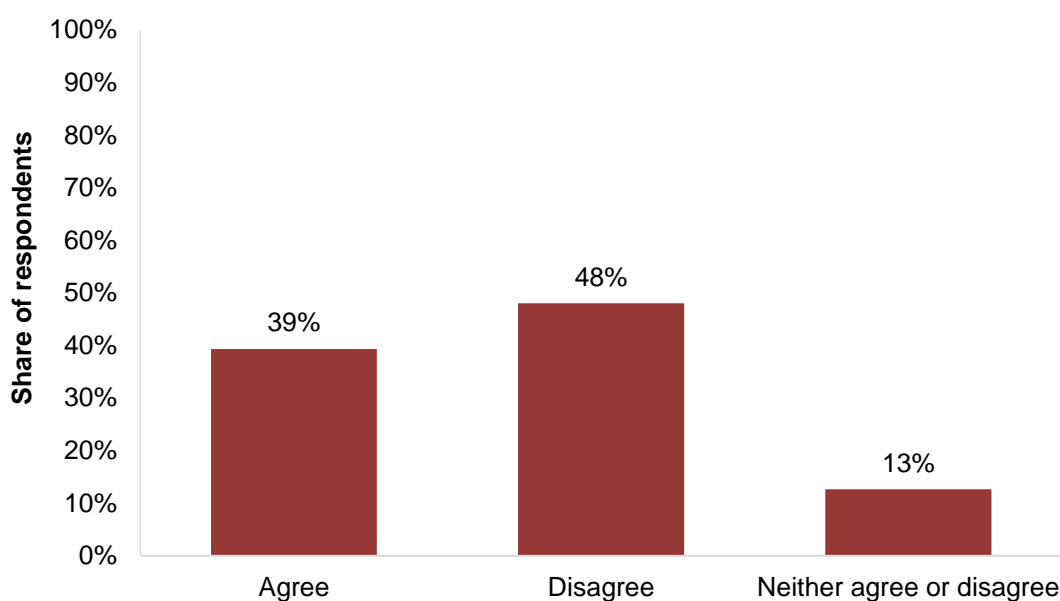
*“It is desirable that accommodation providers should be asked to show that they can meet a set of basic safety standards regardless of the size/ type of accommodation provided and the frequency under which the accommodation is offered, whether that is via licensing or via registration.”*  
*(Anonymous response)*

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Question 4: Do you agree or disagree that the Welsh Government needs a register of visitor accommodation providers in Wales to know who is operating in the industry?

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Figure 5. Share of respondents agreeing or disagreeing that the Welsh Government needs a register of visitor accommodation providers in Wales



Note: Overall, 1,393 respondents answered this question, representing 87% of all consultation respondents

- 4.37 Most often (48% or 669 respondents) respondents to this question disagreed that the Welsh Government needs a register of visitor accommodation providers to know who is operating in the industry. Disagreement was highest among residents of Wales (51%).
- 4.38 Respondents in favour of the statement in question included tourism associations (67%), national parks (63%), local authorities (58%), and tourism representative bodies (54%).

### **Themes opposing the suggestion that the Welsh Government needs a register of visitor accommodation providers**

#### **Adverse effects on the Welsh economy**

- 4.39 Most respondents against the statement in question highlighted that any form of register would have negative effects on the Welsh economy. These

respondents emphasised that the proposal puts too much pressure on visitor accommodation providers, especially smaller ones, which risks forcing them out of the market. As a result, these respondents were concerned there would be a decline in the supply of available accommodation, which would negatively impact the Welsh tourism sector, and the Welsh economy as a whole, which was viewed as highly dependent on tourism.

*“Tourism brings a huge revenue to a country that needs that to prosper. If the government makes it difficult for the tourist industry, holiday letters will go elsewhere” (Anonymous response)*

#### **Current availability of requested information**

- 4.40 The second most common theme opposing the statement in question was that any information the Welsh Government might need is already available through other lists and databases. Respondents raising this theme generally urged the Welsh Government to collaborate with departments and organisations that were believed to possess this information to avoid duplication of paperwork and enforcement powers. In particular, these respondents believed the information should be available through council taxes, tourism associations, insurance certificates, and the Valuation Office Agency.

*“It’s my understanding that the Welsh Government already has this information, my suggestion would be a greater understanding of the information that is currently being collected, and where additional information is required understanding how to receive this in the current framework. (Visitor accommodation provider)*

#### **Efficient market negates the need for intervention**

- 4.41 As discussed in the overarching themes section, some respondents also mentioned that the Welsh Government does not need any information, as it should not intervene in a highly efficient, self-regulating market.

*“Operators are already bound by statutory regulations that ensure accommodation is generally of a suitable standard and the open*

*market/internet provides perfectly adequate details to tourists who want to visit Wales” (Anonymous response)*

## **Themes supporting the suggestion that the Welsh Government needs a register of visitor accommodation providers**

### **Ensuring standards among visitor accommodation providers**

4.42 Most respondents in favour of the proposal mentioned that the register would facilitate enforcement of safety and quality standards in the sector.

Respondents mentioned that the Welsh Government, to achieve its policy goals, must ensure consistent standards are applied and enforced across all accommodation providers. To that end, the responses, including a significant share of local authorities, agreed that a register of visitor accommodation providers was necessary.

*“Possibly, to ensure that best practise is being upheld. Certain aspects (electrical safety/gas safety) should always be adhered to.” (Resident of Wales)*

*“To ensure all holiday lets are operated safely and correctly.” (Booking platform<sup>4</sup>)*

### **Promoting understanding of visitor economy**

4.43 The second most common theme in agreement with the statement in question was that a register would allow the Welsh Government to understand the state and operation of the visitor accommodation market. This understanding was viewed as necessary to facilitate future market regulation, investment, and planning in tourism.

*“To be able to control/monitor a) size of the tourism sector relative to infrastructure b) to understand growth patterns c) to be more competitive as a destination d) to improve its infrastructures in towns to cater for a known market and make an effort to attract/grow it if it is legislated.” (Anonymous response)*

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<sup>4</sup> The full respondent type is “Booking Platform/Online Travel Agent/Travel trade organisations, other booking and social media channel, marketing platforms”. Thereafter referred to as “booking platforms” for simplicity.

4.44 A considerable share of respondents requested additional clarifications on the underlying reasons the Welsh Government might need such a register. Some respondents expressed concerns that the purpose for requesting this information would not benefit the tourism sector.

*“Why does the Government need this? What useful purpose can it serve?”  
(Anonymous response)*

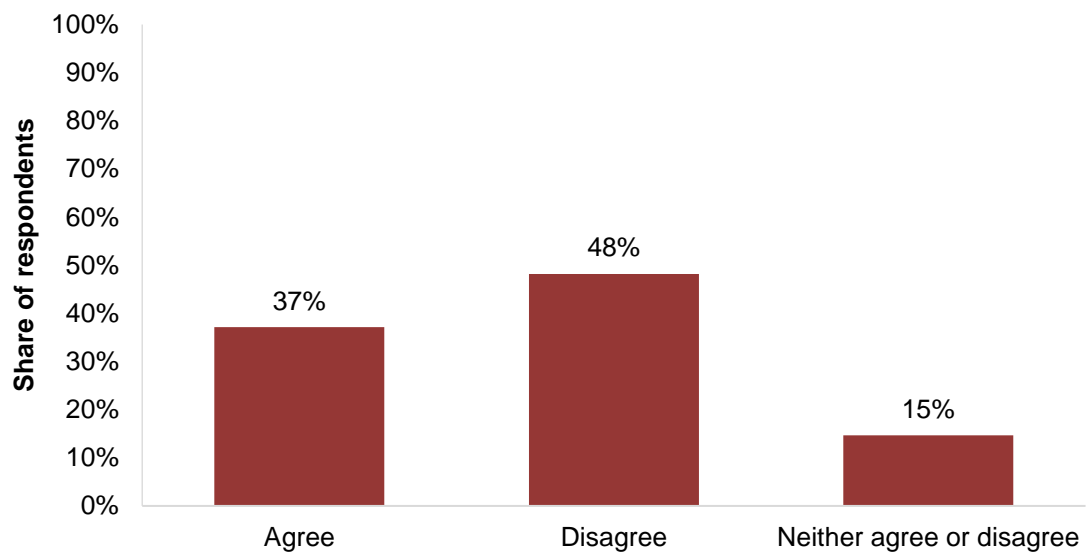
*“Well, they may need it “to know who is operating in the industry”. But why do they need to know this in the first place.” (Anonymous response)*

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Question 4a: Do you agree or disagree that local authorities need a register of visitor accommodation providers in Wales to know who is operating in the industry?

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Figure 6. Share of respondents agreeing or disagreeing that local authorities need a register of visitor accommodation providers in Wales



Note: Overall, 1,384 respondents answered this question, representing 87% of all consultation respondents.

4.45 Respondents to this question most often (48% or 667 respondents) disagreed that local authorities need a register of visitor accommodation providers in Wales to know who is operating in the industry. Residents of Wales disagreed with the proposal most often (51%).

- 4.46 However, some types of respondents were more likely to agree with the proposal. Respondents from local authorities had the highest agreement (68%) among all respondents, followed by tourism associations (65%).
- 4.47 The respondents mentioned similar themes in this question and the previous one, suggesting the Welsh Government and local authorities would have similar reasons for needing a register of visitor accommodation providers.

### **Themes in disagreement with the suggestion that local authorities need a register of visitor accommodation providers**

#### **Only needed at a national level**

- 4.48 The most common reasons for opposing the statement in question was the view that a register is only needed at the national level. Respondents raising this theme generally highlighted that only the Welsh Government might need to know who is operating in the industry. Some respondents were concerned that involving local authorities in the scheme might create inconsistencies, undermining the aim of a level playing field across providers.

*“Because the Wales Government will have that information [...]. It should be on a national database and open to public scrutiny.” (Anonymous response)*

*“Any schemes must be operated solely at a national level. If the aim is to create a level playing field across the industry, then there must be one standard across the entire country. Allowing local authorities any say in how schemes are administered or applied will inevitably create variations from region to region and destroy the entire principle of a 'level' field across the country.” (Anonymous response)*

#### **Current availability of requested information**

- 4.49 The second most prevalent theme against the statement in question was that local authorities can identify who is operating in the industry through other lists and databases. The respondents raising this theme believed that local authorities already are in possession of the information a register would offer, through non-domestic rates classifications, council tax lists, and local tourist associations.



*“Local authorities already have this information as they know which properties have a business rate classification.” (Anonymous response)*

*“That information is generally available through the local tourist boards of which many small businesses are connected.” (Anonymous response)*

### **Adverse effects on the Welsh economy**

- 4.50 Some respondents mentioned that a register would have negative effects on the Welsh economy. These respondents typically expressed concerns that the proposal would entail significant administrative and financial burden for visitor accommodation providers, especially smaller ones. As a result, these respondents emphasised there would be an adverse effect on the tourism sector, and by extension the Welsh economy.

*“This will inevitably burden small business with extra bureaucracy and further associated costs for the property owners.” (Anonymous response)*

### **Themes in agreement with the suggestion that local authorities need a register of visitor accommodation providers**

#### **Leveraging knowledge of local context and circumstances**

- 4.51 The majority of respondents who agreed with the proposal mentioned that local authorities need a register of accommodation providers to better understand and regulate the local tourism sector. These respondents indicated that local authorities are better placed to utilise the information from the register because they possess a unique understanding of the local circumstances and economy. It was also suggested the register would then allow local authorities to make tailored interventions to the tourism sector.

*“Local authorities would better understand the facilities required and impacts on the local community” (Anonymous response)*

*“This information is best held locally, so local issues can be resolved. It is rare for a national scheme to solve local issues.” (Anonymous response)*

*“The local authorities have more local knowledge of the letting environment and thus should be aware of what is happening in their area.” (Anonymous response)*

### Ensuring a level playing field across providers

4.52 The second most common reason for agreeing with the statement in question was the view it would ensure a level playing field across local accommodation providers. These respondents typically indicated local authorities could use the register to monitor and ensure compliance with the scheme’s health and safety and quality standards.

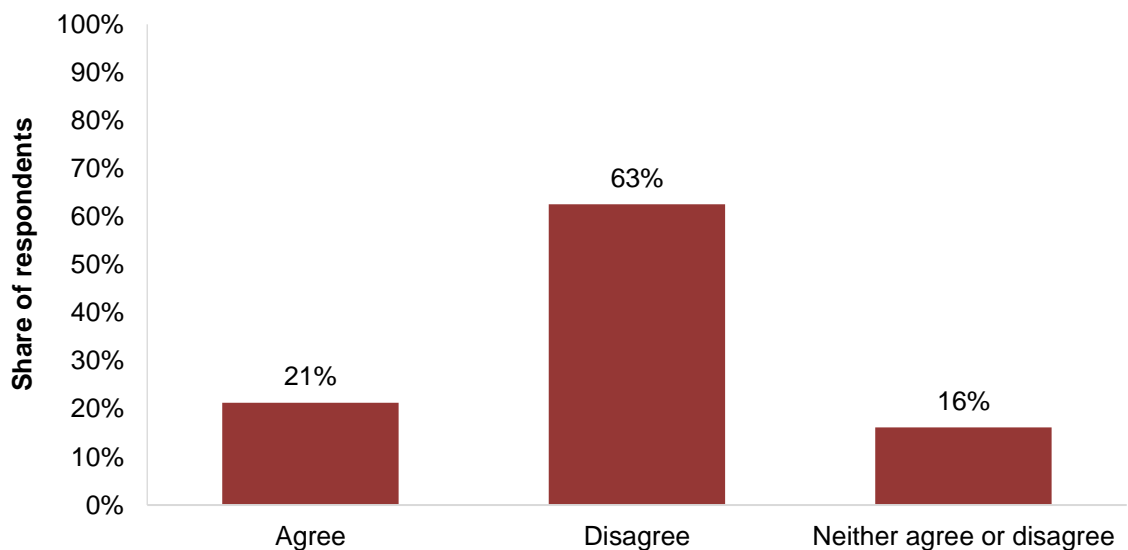
*“So there is a level playing field for all tourism and hospitality businesses and for businesses to apply to the appropriate legislation, planning permission, health and safety, hygiene etc.” (Tourism representative body)*

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Question 5: Do you agree or disagree that introducing a statutory licensing scheme will ensure an effective platform for communication between the Welsh Government and local authorities and providers of visitor accommodation in Wales?

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Figure 7. Share of respondents agreeing or disagreeing that introducing a statutory licensing scheme will ensure an effective platform for communication between the Welsh Government and local authorities and providers of visitor accommodation in Wales



Note: Overall, 1,373 respondents answered this question, representing 86% of all consultation respondents.

4.53 The majority of respondents to this question (63% or 859 respondents), disagreed that introducing a statutory licensing scheme will ensure an

effective platform for communication between the Welsh Government and local authorities and providers of visitor accommodation in Wales. The respondents who disagreed most often were booking platforms, residents of Wales, and visitor accommodation providers (all disagreeing in 65% of cases).

- 4.54 On the other hand, most respondents from local authorities were in favour of the proposal (53%).

### **Themes opposing the suggestion that the licensing scheme would be an effective communication platform**

#### **High administrative and financial burden**

- 4.55 The most common reason for disagreeing with the statement in question was the perceived increase in administrative burden and financial costs. Respondents to this question expressed concerns that the burden of compliance with the scheme would lead to rediverting resources from effective communication. Some respondents also highlighted the wider impacts of the burden on smaller providers, the tourism sector, and the Welsh economy more generally.

*“[...] In fact, the experience of licensing in Scotland at present has had the opposite effect: it is overly complicated and burdensome for all parties, and lacks clarity because of its fragmentation.” (Anonymous response)*

*“I think it is essential not to create a stranglehold on businesses. The margins can be small in some of these businesses and bringing in visitors can be absolutely vital to the local economy and provision of services.” (Anonymous response)*

#### **Existing communication channels**

- 4.56 The second most prevalent theme raised by respondents opposing the statement in question was around the necessity of a scheme given the existence of other communication channels. These respondents, including some local authorities, highlighted that the Welsh Government could instead communicate with local authorities and providers through organisations such as trade bodies, the Valuation Office Agency, Visit Wales, Business Wales, and regional tourism agencies.

*“Trade bodies exist to provide for this currently.” (Anonymous response)*

*“It is perfectly possible to set up effective communication without this. At the moment - it should be possible to contact all holiday lets via the valuation office [...]” (Resident of Wales)*

### **Concerns about the efficiency of government communication**

- 4.57 The last most prevalent theme among respondents opposing this statement was the view that the Welsh Government is inefficient at communicating. The responses indicated that the Welsh Government has proven ineffective in the past in communication both across its departments, and with external organisations. As a result, the responses doubted that the scheme would be effective in facilitating any communication involving the Welsh Government.

*“is there ever an effective platform for communications between government and council authorities? They don't have a decent track record.” (Anonymous response)*

*“This itself will not address any perceived communication problems that currently exist.” (Anonymous response)*

### **Themes supporting the suggestion that the licensing scheme would be an effective communication platform**

#### **Preference for registration instead of licencing scheme**

- 4.58 The most frequently mentioned theme in support of the statement in question was that an effective communication platform could be achieved but only through a registration scheme. The respondents, including some tourism associations and representative bodies, mentioned that a registration scheme would allow all stakeholders to effectively communicate, without the administrative and financial burden associated with a licensing scheme.

*“Registration would be a less expensive and less onerous approach [...]” (Anonymous response)*

*“A light-touch registration scheme would mean less burden for all parties, but still collate the data that is required and at the heart of this consultation.”*

*(Anonymous response)*

### **General agreement**

- 4.59 A significant share of respondents agreed with the statement in question, without offering any explanation for their views.

### **Requests for clarifications**

- 4.60 Lastly, some respondents viewed that the proposal was unclear, and requested additional clarifications on the matter. Respondents raising this theme were not generally against the proposal in principal, but needed more information to express an opinion. The most common request for clarifications concerned the purpose and content of communication, while other responses inquired about how this communication channel would work in practice.

*“I don't see what the purpose of this communication would be.” (Anonymous response)*

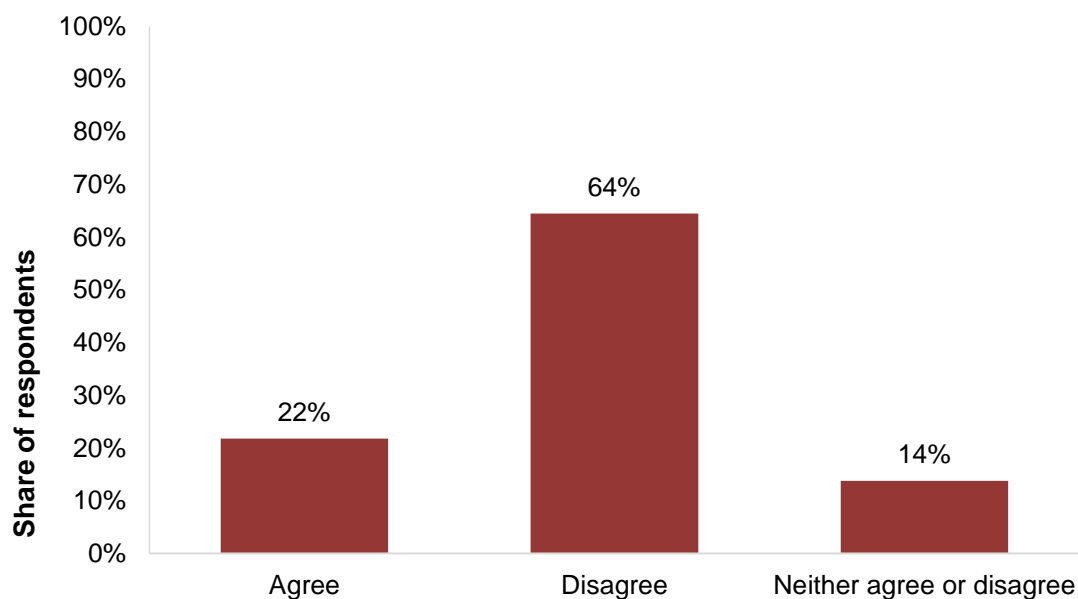
*“You need to specify how that effective communication will be ensured.” (Anonymous response)*

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Question 6: Do you agree or disagree that introducing a statutory licensing scheme will ensure enhanced confidence in visitor accommodation and accommodation providers in Wales?

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Figure 8. Share of respondents agreeing or disagreeing that introducing a statutory licensing scheme will ensure enhanced confidence in visitor accommodation and accommodation providers in Wales



Note: Overall, 1,382 respondents answered this question, representing 87% of all consultation respondents.

- 4.61 The majority of respondents to this question (64% or 891 respondents), disagreed that introducing a statutory licensing scheme will ensure enhanced confidence in visitor accommodation and accommodation providers in Wales. Visitor accommodation providers (67%), self-catering agencies (67%), and booking platforms (66%) were most often against the statement in question.
- 4.62 However, the majority of respondents from local authorities (63%) were in favour of the proposal.

## **Themes opposing the suggestion that a licensing scheme would enhance confidence in visitor accommodations and its providers**

### **Market efficiency ensures visitor confidence**

- 4.63 The majority of the respondents opposing the statement in question believed that the market already ensures confidence among visitors due to its efficiency. As described in the overarching themes section, the responses indicated that given the market's efficiency the government should not intervene.

*“Visit Wales ratings and guest reviews of properties are likely to provide potential visitors with more confidence that a registration or licence will.”*  
(Anonymous response)

*“We have an accommodation industry that has been functioning very well without such a scheme. Visitor confidence in accommodation is evident by reviews and footfall.”* (Anonymous response)

### **Adverse effects on tourism and the Welsh economy**

- 4.64 The second most frequently mentioned reason for disagreeing with the proposed scheme enhancing confidence was the negative impact on the sustainability of accommodation providers and the tourism sector. Respondents raising this theme generally emphasised that a licensing scheme would entail significant administrative and financial burden, which could result in (i) a lower supply of visitor accommodation, (ii) higher prices, or (iii) reduced quality. It was mentioned that any of those outcomes would reduce the confidence of visitors in the accommodation.

*“Your current level of accommodation in Wales in respect to cost, location, comfort and suitability for varying party sizes is great without any central intervention which will encourage unnecessary costs to yourselves that inevitably will be passed on to the visitor thus reducing numbers and therefore business losses.”* (Anonymous response)

*“This will likely be at the expense of smaller providers struggling to meet new standards, will require additional work to meet standards and thus costs that will need to be passed on to visitors and have a net detriment to the number*

*of accommodation offerings in the short term without appropriate support for smaller providers.” (Anonymous response)*

#### **Doubts regarding the scheme’s usefulness for visitors**

- 4.65 The third most common theme among respondents disagreeing with the statement in question was that a licensing scheme would not be useful to visitors. Most of the respondents raising this theme expressed concerns that visitors would not be aware of the scheme, while others mentioned that even if they are aware, they would not use the register for decision-making. The latter respondents mentioned that visitors choose accommodation based on cost and customer reviews, thus the scheme would not be of any use to them. A few respondents also highlighted that the scheme would likely be too complicated for the visitors to understand, further limiting its usefulness in enhancing confidence.

*“I do not believe people will be more likely to book because there is a statutory scheme in place - most holiday makers will be unaware of the existence of any such scheme.” (Anonymous response)*

*“It will do nothing to ensure enhanced confidence in visitor accommodation and accommodation providers. People who book holiday accommodation regularly do so based upon the quality of advertising (often via the booking services providers), cost, personal recommendation and experience.” (Booking platform)*

*“Current review sites provide confidence for visitors. Visitors will not necessarily understand the licensing system and therefore will not enhance confidence.” (Anonymous response)*

#### **Visitors do not lack confidence on accommodation and its providers**

- 4.66 The last most prevalent theme among respondents disagreeing with the statement in question was that visitors already have confidence in Welsh accommodation and accommodation providers. These respondents typically indicated that visitors’ confidence is evident by their systematic preference of Wales for tourism over the past years, leaving good reviews, and returning



for subsequent visits. A few responses asked the Welsh Government to provide evidence if there is a lack of confidence among visitors in Wales.

*“I have visitors who come back and back again. I have a rating of 4.96 out of 5. I have families that visit from Europe, the US and Australia.” (Anonymous response)*

*“Where is the evidence that visitors do not have such confidence? Before you identify a solution, you need to show that there is a problem and you need to show that the proposed solution will solve that problem.”*

*(Anonymous response)*

## **Themes supporting the suggestion that a licensing scheme would enhance confidence in visitor accommodations and its providers**

### **Ensuring standards among providers**

- 4.67 The majority of respondents agreeing with the statement in question highlighted that the licensing scheme would facilitate enforcement of safety and quality standards in the sector. These respondents typically indicated that visitors’ confidence in accommodation and its providers is dependent on the health and safety and quality standards put in place. As a result, the respondents highlighted that visitor’s confidence would be increased through the improved compliance with all standards.

*“Possibly it may add to visitor confidence if they were visiting a licensed property. It would probably be taken for example, as a proof that the property met all safe standards such as gas and electric checks etc.” (Anonymous response)*

*“It should do yes because it should ensure standards.” (Resident of Wales)*

### **Preference for a registration scheme**

- 4.68 The second most common theme raised by respondents in agreement was the view that visitors’ confidence will only be enhanced through a registration scheme. The respondents raising this theme generally emphasised that a registration scheme would also ensure compliance with standards, without the administrative burden that would divert resources from the quality of

provision. As a result, it was viewed that visitors would feel confident all standards are met, while enjoying high-quality services.

*“A robust Statutory Registration scheme, well publicised by Visit Wales, would be more than sufficient to explain to visitors that all registered self-catering in Wales was safe and legal.” (Visitor accommodation provider)*

#### **Ensuring level playing field among providers**

- 4.69 The last prevalent theme in favour of the statement in question was the view that a licensing scheme would enhance visitors’ confidence by ensuring a level playing field across providers. Respondents raising this theme typically highlighted that a scheme would force all visitor accommodation providers to comply with the same standards, thus promoting “fair competition”. Respondents viewed that currently many providers do not adhere to any standards of safety or quality and avoid the associated costs, thus lawful providers are at a competitive disadvantage. It was explained that high-quality providers might be forced off the market, thus reducing visitors’ confidence.

*“So there is a level playing field for all tourism and hospitality businesses and for businesses to apply to the appropriate legislation, planning permission, health and safety, hygiene etc.” (Tourism representative body)*

*“Established visitor accommodation will feel like it is a fair playing field. At the moment those businesses that are established as visitor accommodation businesses and have the right checks/insurances/quality are competing with [i.e. unregulated providers] and cannot match the prices they are offering.” (Tourism representative body)*

## National or local delivery and administration

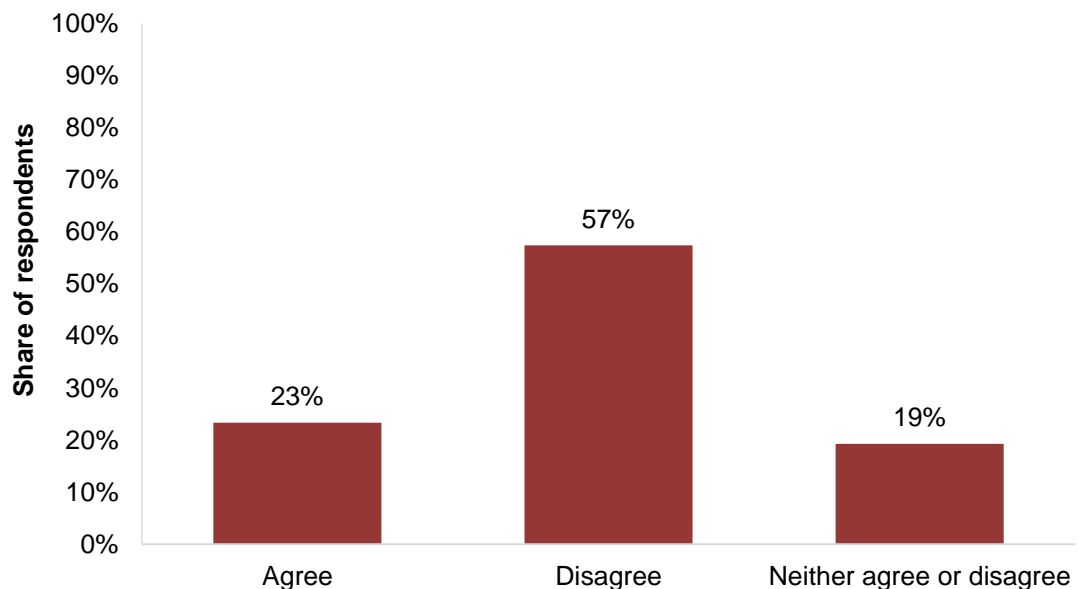
4.70 This section seeks views on which aspects of the statutory scheme should be delivered and administered locally and which on a national scale.

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Question 7: It is our view that a statutory scheme should be delivered on a hybrid basis, taking a national approach to core elements such as registering providers and processing applications, with enforcement to be undertaken by local authorities as required. Do you agree or disagree with this?

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Figure 9. Share of respondents agreeing or disagreeing that a statutory scheme should be delivered on a hybrid basis as described



Note: Overall, 1,350 respondents answered this question, representing 85% of all consultation respondents.

4.71 The majority of respondents to this question (57% or 775 respondents), disagreed that a statutory scheme should be delivered on a hybrid basis.<sup>5</sup> Disagreement was most prevalent among respondents from national parks (63%), booking platforms (62%), and visitor accommodation providers (59%).

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<sup>5</sup> The proposal was for the statutory scheme to be delivered nationally in elements such as registering providers and processing applications, as well as locally in enforcement by local authorities.

- 4.72 Respondents from local authorities had the highest level of agreement (47%), although the majority still disagreed.

## **Themes against a hybrid scheme delivery**

### **Preference for fully national delivery**

- 4.73 The most common theme raised by respondents opposing the statement in question was that the scheme should be delivered fully nationally. The respondents raising this theme typically viewed that a hybrid or local delivery would create significant disparities across regions in terms of monitoring, enforcement, and fees. As a result, these respondents generally indicated a strong preference for the Welsh Government to deliver the scheme nationally, ensuring a consistent and fair application.

*“Since the stated aim of such a scheme is to create a ‘level playing field’ across Wales it MUST be delivered on a consistent national basis. Any hybrid operation that allows local authorities to make variations to that national scheme completely undermines the intention to create a level field and will lead to inequality across the country as each local authority pursues its particular agenda.” (Anonymous response)*

### **Resource concerns for local authorities**

- 4.74 The second most frequently mentioned theme against a hybrid scheme delivery was concern regarding the resource implications for local authorities. Most respondents raising this theme expressed concerns that the proposed hybrid delivery approach would place significant administrative, monitoring and enforcement responsibilities on local authorities. These respondents also highlighted that local authorities may lack the required staff and funds to handle these responsibilities.

*“Local authorities cannot cope with the extra work or expense.” (Anonymous response)*

*“It will not be enforced since there will be no capacity to undertake enforcement.” (Resident of Wales)*

## **Preference for fully local delivery**

- 4.75 The last prevalent theme among respondents opposing a hybrid delivery was a preference for a fully local delivery. These respondents indicated that a hybrid or national delivery would not be able to account for local needs or circumstances. As a result, it was suggested that a fully local delivery should be chosen instead, leveraging local authorities' knowledge of the local context.

*"I think we need to look at the specifics of a region in relation to holiday accommodation. Certain areas of Wales have their own issues."*

*(Anonymous response)*

*"Local Authorities understand their geographic and business areas the best."*

*(Resident of Wales)*

## **Themes in favour of the hybrid scheme delivery**

### **Effective enforcement of standards**

- 4.76 The majority of respondents in favour of a hybrid scheme delivery mentioned it would be effective in enforcing standards of safety and quality. These respondents generally agreed that a hybrid scheme would be the most effective way to ensure compliance, as the Welsh Government could set consistent rules, with local authorities then enforcing them in their local areas.

*"It is important the application process is centralised to ensure consistency in its interpretation and the way it is processed. Whilst support and enforcement should be carried out by local authority, providing sufficient funding has been provided from the Government so as not to deplete already short funds." (Anonymous response)*

### **Promotes fairness among regions**

- 4.77 The last prevalent theme raised by respondents in favour of the hybrid scheme delivery was the view it would promote a level playing field across regions. These respondents generally indicated that the proposed approach would provide a fair balance between consistency, and local adaptations to account for area-specific circumstances.

*“I think this sounds a sensible approach. There has to be a national pan Wales approach to introducing this, but localised information will support enforcement etc.” (Anonymous response)*

## Accommodation types in scope

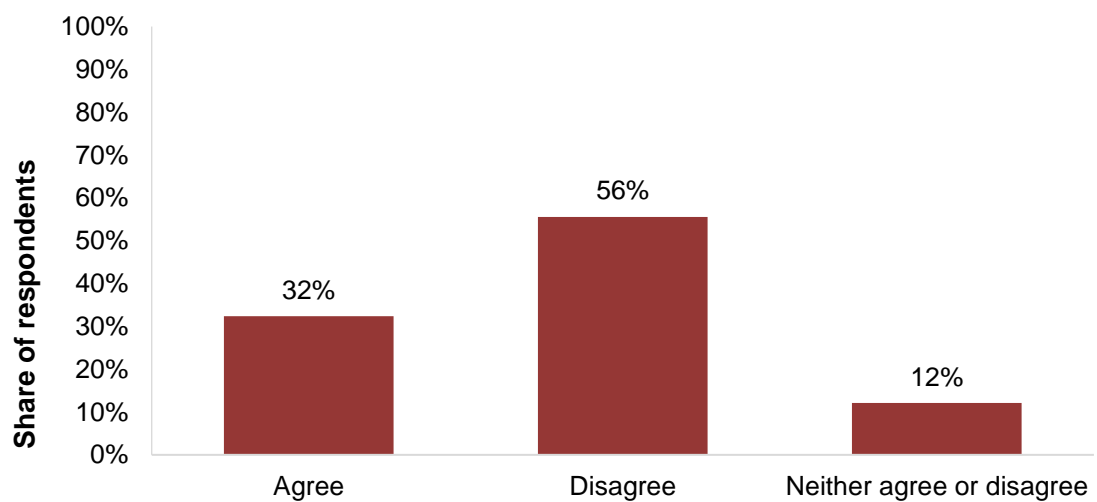
4.78 This section seeks views on visitor accommodation that should be considered within the scope of a statutory scheme, as well as potential exemptions.

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Question 8: It is proposed that all visitor accommodation is considered within the scope of a statutory scheme. Do you agree or disagree with this?

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Figure 10. Share of respondents agreeing or disagreeing with considering all visitor accommodation providers within the scope of a statutory scheme



Note: Overall, 1,357 respondents answered this question, representing 85% of all consultation responses.

4.79 The majority of respondents to this question (56% or 754 respondents), disagreed that all visitor accommodation should be considered within the scope of a statutory scheme. Visitor accommodation providers (57%) and residents of Wales (56%) were more likely to disagree among respondents to this question.

4.80 Respondents from local authorities (56%) and tourism representative bodies (54%) were typically more in favour of the statement in question.

## **Themes against including all visitor accommodation providers**

### **Differentiate between large and small providers**

- 4.81 Most respondents who were against the statement in question mentioned that such a scheme would impose disproportionately large overheads on small accommodation providers. These respondents typically argued that large hotels or professionals running multiple holiday lets, and people who share spare rooms with guests should not be treated alike, otherwise, the scheme would be unworkable, and too expensive for small operators.

*“Scheme must be fair and recognise smaller businesses can't pay the same as larger ones.” (Resident of Wales)*

*“The overhead for small enterprise, [...] , is too high for it to be equitable. Only larger businesses (above a certain level of turnover) should be included.” (Anonymous response)*

### **Suggestions on sectors to be excluded**

- 4.82 The second most common reason for disagreement was advocating for specific sectors to be excluded, such as motor homes, caravans, mountain club huts, or campsites. These respondents generally advocated for these sectors remaining unregulated as they offer affordable options for many vulnerable groups and families. Some respondents also argued that accommodation available only for short-term renting should be treated differently than year-round accommodation.

*“The hut provides subsidized accommodation to members and cheap accommodation to groups such as scouts, DofE and youth/school groups. This will add an admin and cost burden that we cannot afford.” (Anonymous response)*

*“Some accommodation is only available short term. This should be treated differently from year-round accommodation.” (Anonymous response)*

### **High administrative and financial burden**

- 4.83 Many respondents, including several visitor accommodation providers, complained about the high administrative and financial cost of the proposal



in question. A few respondents further argued that sectors such as caravan parks or campsites are already covered by licensing schemes and should be excluded to avoid duplication of regulations and penalties.

*“If it meant that we would need to pay more than a small amount to be registered/licensed it would very adversely affect our finances.” (Resident of Wales)*

*“Campsites and caravan sites, and any accommodation on them should not be included in any scheme. It’s already licensed.” (Anonymous response)*

## **Themes in favour of including all visitor accommodation providers**

### **Promotes a level playing field among providers**

- 4.84 Among those who agreed that all visitor accommodation should be considered within the scope of the scheme, the majority argued that an all-encompassing regulation would avoid potential legal loopholes, ensuring a level playing field.

*“A level playing field, currently too many loopholes and providers not addressing health and safety.” (Anonymous response)*

*“Exclusions would lead to the continued two-plus tiered system.” (National Park Authority)*

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Question 9: Can you identify any visitor accommodation that should be exempt from a statutory scheme and what are the reasons for your answer (e.g. accommodation that is used solely for education purposes or vulnerable groups)?

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- 4.85 This question sought views on whether any type of accommodation should be exempt from a statutory licensing scheme. The sections below present the most common themes among those who provided suggestions on which accommodation should be exempt.

### **Undermines the level playing field across providers**

- 4.86 The majority of respondents to this question did not believe any visitor accommodation should be exempt from the scheme. As mentioned in the previous question, these respondents emphasised that all sectors should be in scope to avoid loopholes, ensure fairness, and provide high quality accommodation across the board.

*“All should be included to be fair and to ensure high standard and legitimate accommodations. Otherwise, there will be another loophole for dodging the scheme and paying taxes.” (Anonymous response)*

*“Irrespective of the purpose of the visitor accommodation be it for holiday, education, work or vulnerable people purposes the occupants need the protection/safeguards provided by the safety certificates.” (Resident of Wales)*

### **Exempting accommodation exclusively for holidays and those provided in private homes**

- 4.87 The second most frequently raised theme was the view that dwellings used only for holiday purposes should be exempt from the proposed scheme. The respondents raising this theme highlighted that these dwellings cannot be used as residential, consequently, they are not affecting local housing availability. Additionally, some respondents mentioned that accommodation offered in private homes, and those offered for short time periods, should also be excluded. These respondents indicated that the latter is especially important for families and local people trying to supplement their income.

*“Accommodation that is used solely for holiday purposes only. This type of properties cannot be used as residential and do not deprive local people from a home.” (Resident of Wales)*

*“People letting rooms or annexes in their own accommodation should be exempt.” (Resident of Wales)*

## **Exempting small businesses from the scheme**

- 4.88 The third most common theme was that small visitor accommodation providers should be exempt since they might not be able to bear the costs of the proposed scheme. Respondents specified that small providers could include those: (i) with only one or two properties, (ii) earning below £25,000 per annum, and (iii) offering small-scale cabins. Some respondents highlighted that if small providers are also included, they should have a lighter-touch approach.

*“Small businesses or family run with few or no employees.” (Booking platform)*

*“Whilst I don’t think I could justify them being exempt from any scheme, I feel any scheme should be sophisticated enough to take a much less heavy-handed approach for smaller operators.” (Other)*

## **Mountain clubs’ huts, campsites, and privately owned caravans**

- 4.89 The third most commonly raised theme was that mountain clubs’ huts should be considered out of scope. Respondents raising this theme typically highlighted that these accommodations are often run on a volunteer or membership basis, operate with limited resources, and are not available to the public. Similarly, some respondents argued that accommodation on registered campsites and caravan parks should also be excluded as it is meant for private or family use, and is already under formal planning permissions.

*“Privately owned caravans, tourers and statics where no one else is allowed to stay. How can you tax some for living in their own property when they’ve already paid thousands to stay there and VAT. They’ve already been taxed for their stay.” (Resident of Wales)*

*“Campsites, in particular those that are already covered by a camping club licence (which includes monitoring adherence to standards and regulations).” (Anonymous response)*

## The scheme is especially important for accommodation for education purposes or vulnerable groups

4.90 Lastly, there was a significant number of respondents who disagreed with the example of exempting accommodation for vulnerable populations and for educational purposes, which was suggested in the consultation document. Respondents mentioned that these groups are often particularly vulnerable, and their accommodation should be subject to particularly strict standards. These views were held by a significant share of visitor accommodation providers.

*“No. [...] In fact the more vulnerable the guests the more protection there should be for them!” (Resident of Wales)*

## Caravan and camping sites

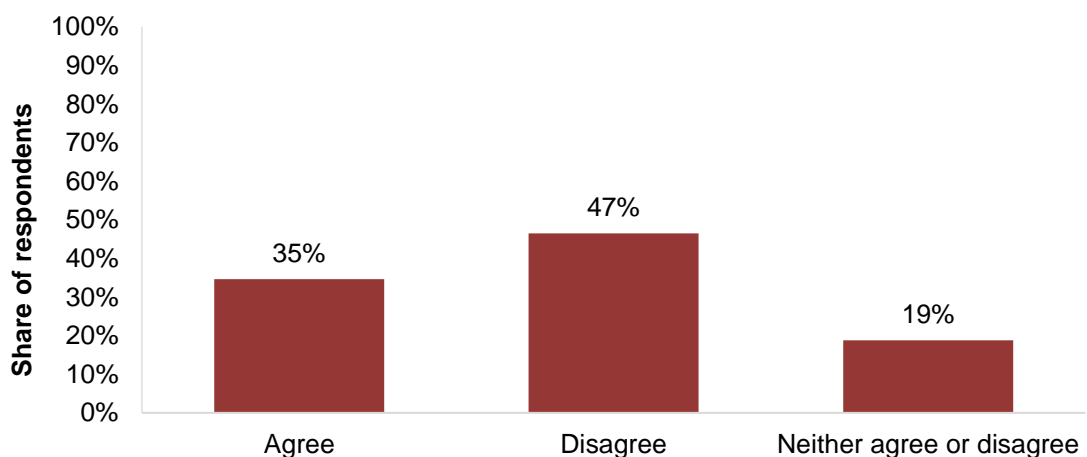
4.91 This section seeks views on the appropriate treatment of privately owned caravans which are sub-let on licensed parks.

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Question 10: We are proposing that whoever is responsible for the letting of the accommodation for holiday purposes on caravan and/or camping sites (i.e. the park owner or individual owner) should be required to obtain a licence. Do you agree or disagree with this proposal?

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Figure 11. Share of respondents agreeing or disagreeing that whoever is responsible for the letting of the accommodation for holiday purposes on caravan and/or camping sites should be required to obtain a licence



Note: Overall, 1,154 respondents answered this question, representing 72% of all consultation respondents.

- 4.92 Respondents to this question most often (47% or 537 respondents) disagreed that whoever is responsible for the letting of the accommodation for holiday purposes on caravan and/or camping sites (i.e. the park owner or individual owner) should be required to obtain a licence. Respondents from booking platforms had the highest disagreement (52%) among all respondents to this question.
- 4.93 Most respondents from local authorities and national parks (63% in both) agreed with the statement in question.
- 4.94 The majority of respondents to this question offered views on whether caravans should be licensed, instead of who should be responsible for the licensing. The most prevalent themes among those who explicitly answered the question are presented below.

### **Themes against requiring whoever is responsible for the letting of the accommodation to obtain a licence**

- 4.95 This section includes alternative suggestions on who should be responsible to obtain a licence.

#### **Park owners should obtain the licence**

- 4.96 Some respondents viewed that the owner of the site or park should be responsible of obtaining the licence. However, none of them offered specific reasons for their views.

*“I think for bricks and mortar that is fine, for caravan parks, I think camp owners should be responsible.” (Anonymous response)*

#### **Third-parties to obtain licence**

- 4.97 A few respondents suggested greater third-party involvement, for instance from letting agents. The respondents raising this theme generally suggested that third parties are often handling the bookings, so they possess the required information. As a result, it was suggested these third parties should be the ones obtaining the licence.

*“We are volunteers and the bookings are done through an online platform. No one person is responsible.” (Anonymous response)*

*“I let via [i.e. booking platform]. They already collect this information re electrical test, fire, gas etc so where it’s a professional agency why not use them?” (Visitor accommodation provider)*

## **Themes in favour of requiring whoever is responsible for the letting of the accommodation to obtain a licence**

### **General agreement with the statement**

- 4.98 Among the respondents answering this question, most were in agreement that whoever is responsible for the letting should be responsible for obtaining the licence. The respondents raising this theme did not typically elaborate further on their views, apart from mentioning this was the most obvious solution.

*“Who else would be a better candidate?” (Anonymous response)*

*“If a scheme is introduced the owner of the accommodation is best placed to obtain the licence.” (Anonymous response)*

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Question 10A: Do you have any other comments or suggestions relating to a statutory scheme and the caravan and camping sector?

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- 4.99 The sections below list the most prevalent themes concerning a statutory scheme and the caravan and camping sector.

## **Themes against the suggestion that the statutory scheme should involve the caravan and camping sector**

### **Doubts regarding the need for a licensing scheme**

- 4.100 The majority of respondents against including the caravan and camping sector viewed that an additional registration for caravan and camping sites was not necessary. The respondents raising this theme typically highlighted that the Welsh Government’s aims are already achieved by the current schemes and registrations. As a result, the proposed scheme was viewed to lead to duplication of administration and penalties, without offering any additional benefits.

*“Our caravan members suggest that this licencing scheme is tantamount to double registration and thus unnecessary.” (Tourism association)*

#### **High administrative and financial burden**

- 4.101 Some respondents also reiterated the point that the proposal would result in significant administrative and financial burden.

*“This type of government overreach leads to completely unnecessary cost and compliance burdens to small business owners.” (Anonymous response)*

#### **General disagreement with a scheme**

- 4.102 As mentioned in the overarching themes section, a common theme across questions is general disagreement with the licencing scheme and hence, a scheme that includes the caravan and the camping sector.

*“I disagree with the proposal to introduce any licence scheme or fees.” (Anonymous response)*

#### **Adverse effect on tourism**

- 4.103 The last prevalent theme against the statement in question concerned the impacts of a licensing scheme on tourism. These respondents generally indicated concerns about the threat to the competitiveness of visitor accommodation in Wales compared to those in England and Scotland. The respondents raising this theme typically emphasised that the licensing scheme would lead to increased costs for providers, which would either reduce the quality of accommodation or increase prices.

*“Will the licensing scheme plus tourism tax [i.e. visitor levy]<sup>6</sup>, deter people from holidaying in Wales if they can go across the border and it's cheaper? As a family who goes camping, I'm going for cheap and cheerful accommodation/field, so a statutory scheme does seem overkill for this sector.” (Resident of Wales)*

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<sup>6</sup> The Welsh Government consulted on the design and operation of a discretionary visitor levy for all visitor accommodation providers in Wales. Additional details available at: <https://www.gov.wales/visitor-levy>

## **Themes in favour of the suggestion that the statutory scheme should involve the caravan and camping sector**

### **Ensures a level playing field among accommodation providers**

- 4.104 The most common theme in favour of the proposal in question was that it would ensure a level playing field across providers. Respondents to this question highlighted that all visitor accommodation should be subject to the same standards, to avoid discrimination against certain providers.

*“Any scheme should also be applied to accommodation provided on caravan/camp sites to ensure a level playing field amongst accommodation providers.” (Anonymous response)*

### **Conditional agreement**

- 4.105 The second most frequently raised theme in favour of the statement in question was that only certain caravans should be included. Respondents raising this theme generally viewed that licensing should be conditional on the type of use or frequency of operation. It was argued that caravans bought for purely commercial reasons should be included in the scheme, while those mainly used by their owners and only occasionally let out should be exempt.

*“I think the scheme should apply to people buying caravans [...] purely for letting purposes and as a business for profit not an owner like us who lets occasionally to help cover maintenance but still pays the council tax on top.” (Anonymous response)*

### **Ensures enforcement of standards**

- 4.106 Lastly, some respondents mentioned that the caravan and camping sector should be included in the scheme to ensure a certain level of standards. Respondents raising this theme highlighted that including caravans in the scope of the scheme would force them to comply with the agreed health and safety standards, thus benefiting visitors staying in caravans and camping sites.

*“Caravans and camping sites should also have the same levels of hygiene, health and safety etc as other accommodation providers.” (Anonymous response)*



4.107 A significant number of respondents expressed concerns regarding the lack of consideration for pop-up campsites. Respondents raising this theme typically highlighted that pop-up campsites were not explicitly addressed in the statutory scheme, while they are not currently being regulated and pose health and safety risks. Some respondents also expressed concerns about a potential increase in the practice of wild camping, due to providers transitioning to this sector after the introduction of the scheme.

*“To have stricter regulations on the 28day licence, the amount of “pop up” campsites around is ridiculous and is over crowding protected and wild areas.” (Anonymous response)*

*“If informal camp sites close because new legislation is too onerous, there is likely to be more illegal wild camping as a result - which will benefit nobody.” (Anonymous response)*

### **Operating period**

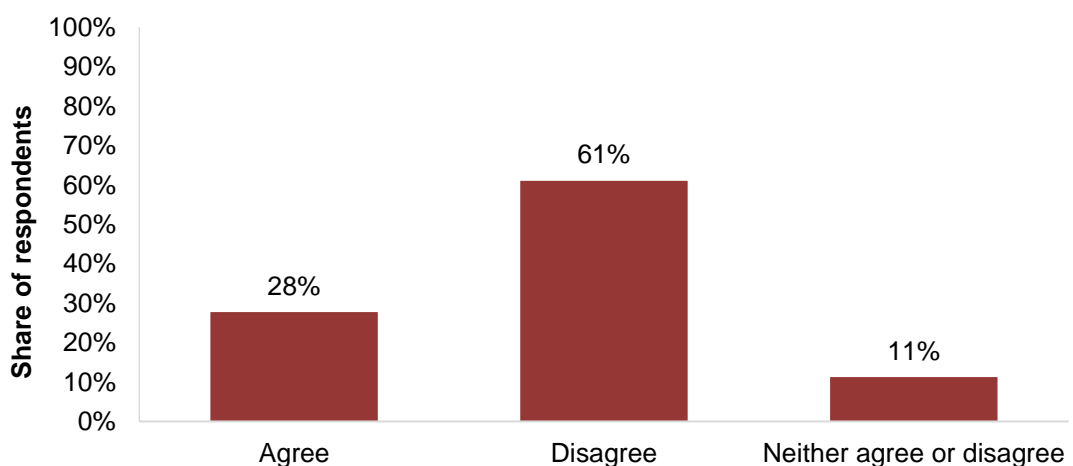
4.108 This section seeks views on whether a statutory licensing scheme should apply to all operators, including those operating for only one night a year.

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Question 11: We are proposing that a licence is required even if the visitor accommodation is operating infrequently (including one night per year). Do you agree or disagree with this proposal?

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Figure 12. Share of respondents agreeing or disagreeing that a licence should be required even if the visitor accommodation is operating infrequently (including one night per year)



Note: Overall, 1,132 respondents answered this question, representing 71% of all consultation respondents.

- 4.109 The majority of respondents to this question (61% or 691 respondents) disagreed that a licence should be required even if the visitor accommodation is operating infrequently (including one night per year). Disagreement was most prevalent among residents of Wales and visitor accommodation providers (61% in both cases).
- 4.110 Most respondents from local authorities (56%) and tourism associations (52%) agreed with the statement in question.

### **Themes against including infrequently used visitor accommodation**

#### **General disagreement with a scheme**

- 4.111 The most common theme against including infrequently used visitor accommodation into the licensing scheme was general disagreement with the scheme and disagreement with the value it would provide. Respondents raising this theme expressed even greater opposition to the scheme when it concerns infrequent letters.

*“Doesn't matter how many nights, we do not agree with a statutory scheme.”  
(Anonymous response)*

*“A licence requirement for one night's letting a year is a ludicrous notion.”  
(Anonymous response)*

#### **High administrative and financial burden**

- 4.112 As mentioned in the overarching themes section, a considerable share of respondents were concerned about the high administrative and financial burden associated with the scheme. Regarding this question specifically, most respondents viewed that the proposal would disproportionately burden small and infrequent letters.

*“It adds nothing and yet there will be a substantial cost to small business owners, both in terms of their time and their money.” (Anonymous response)*

### **Adverse effect on tourism**

- 4.113 The third most frequently mentioned theme against the statement in question was concern about the impact on visitor accommodation availability. These responses generally indicated the proposal would adversely affect the sustainability of providers, leading to a potentially insufficient supply of visitor accommodation. This was related to the view that these types of lets are mostly used during big events that cannot be covered by the usual let accommodation available.

*“If you are introducing a scheme and your reason is for increased confidence then I'm afraid that all providers should be included but the negative effect on the industry will be felt. [...]” (Anonymous response)*

*“I think the admin burden coupled with additional requirements may reduce the availability of some infrequently used but still quality accommodation. This would be a loss to the economy. [...]” (Anonymous response)*

### **Enforcement concerns for infrequent letters**

- 4.114 Lastly, some respondents against the idea of including infrequently used visitor accommodation expressed doubts regarding the enforceability of the scheme. These respondents mentioned that enforcement of the licence would not be possible, as these types of letters would not comply with the scheme.

*“[...] Surely it is obvious that someone who only provides accommodation for a few nights a year is not going to register - so how will this unrealistic requirement achieve anything useful?” (Resident of Wales)*

*“I see no problem with someone letting a room for say a week or so however the system would become impossible to regulate.” (Resident of Wales)*

### **Themes in favour of including infrequently used visitor accommodation**

#### **Promotes consistency and fairness among providers**

- 4.115 The most common theme raised by respondents in favour of the statement in question was promoting consistency and fairness. A significant proportion of respondents mentioned that including all providers in the scheme would

help avoid loopholes, thus ensuring consistent application of standards and a level playing field.

*“Yes, if rules are to be introduced then they must be applied in a consistent and fair manner.” (Anonymous response)*

*“If you have loopholes based on number of nights let etc then you make the scheme much more complex and provide ways for people who wish to play the system to avoid registration. This will have the impact of adding more bureaucracy for legitimate businesses and not levelling the playing field as per the stated aim.” (Local authority)*

### **Promotes safety standards**

- 4.116 The second most common reason in favour of including infrequently used visitor accommodation in the scheme was the enforcement of safety standards. Respondents raising this theme typically emphasised all accommodations should be held accountable to the same safety standards. A few responses also indicated that infrequent letters, especially, should be included in the scheme, as they are more inexperienced and more likely to be of lower quality.

*“The same duty of care exists whether for 1 night or for 365.” (Anonymous response)*

*“If you truly want to improve visitor experiences and safety then it doesn’t matter whether it’s one night or 7 the same rules should apply- I would argue that inexperienced hosts are more likely to bend rules regarding numbers and safety as it’s a ‘one off’ and is more likely to result in problems than an experienced host.” (Anonymous response)*

### **Preference for registration instead of licencing scheme**

- 4.117 The third most frequently mentioned theme in favour of the statement in question was that infrequently used visitor accommodation should be included in the scheme, but only if a registration scheme is chosen instead of a licencing scheme.

*“A registration scheme that is easy to sign up for will allow all types of operator to adhere to the scheme which, in turn, will allow for greater compliance and a clearer picture of the tourism industry in Wales. [...]”*  
(Anonymous response)

### **Tailored approach for infrequent letters**

- 4.118 Some respondents indicated that infrequent letters should be treated differently compared to the rest of the providers. The respondents raising this theme typically suggested that infrequent letters do not have the capacity to comply with the full scheme requirements, thus it would be unfair to treat them the same way. Some respondents suggested that these letters should receive lighter regulation, or lower fees, while others suggested setting a threshold that excludes very infrequent letters.

*“As stated above, people who let out part of their home or their whole home for less than 30 days during the year could enjoy a cheaper and lighter touch regime to encourage this form of supply of tourist accommodation that by its nature does not interfere with the supply of homes.”* (Other)

### **Limited licence for one-off or annual events**

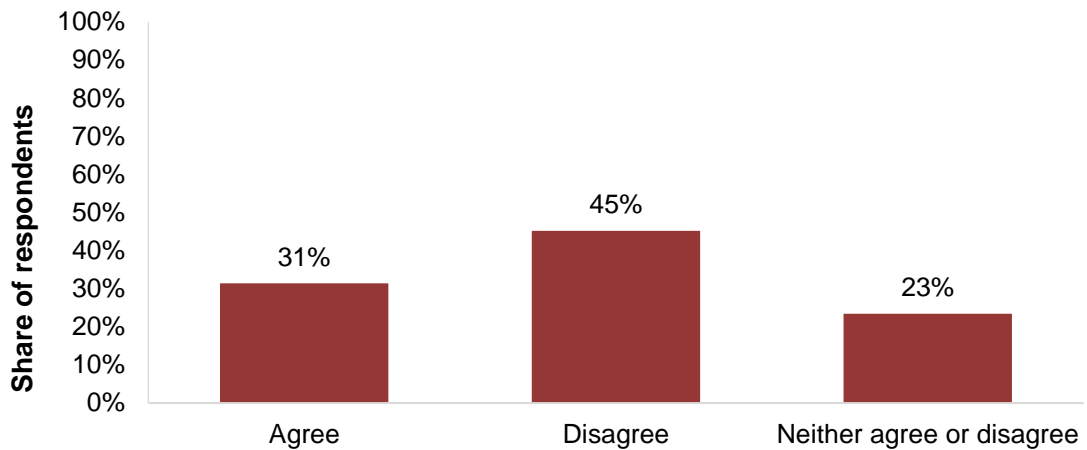
- 4.119 This section seeks views on whether providers could apply for a limited licence at a reduced cost, if a one-off type event was held within a specific area with a shortage of available accommodation.

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Question 12: Do you agree with the need for a limited licence for one-off or annual events?

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Figure 13. Share of respondents agreeing or disagreeing with the need for a limited licence for one-off or annual events



Note: Overall, 1,115 respondents answered this question, representing 70% of all consultation respondents.

- 4.120 Respondents to this question most often (45% or 504 respondents) disagreed with the need for a limited licence for providers of accommodation for one-off or annual events. Disagreement was most widespread among tourism representative bodies (54%), local authorities (53%), and tourism associations (52%).
- 4.121 While no type of respondent agreed with the suggestion by majority, respondents from self-catering agencies had the highest agreement (41%) across all respondents.

### **Disagreement with any form of licensing**

- 4.122 Most of the respondents to this question expressed their general disagreement with applying any form of licensing for providers of accommodation for one-off or annual events. The most common reasons are presented below.

#### **Existing regulations for one-off events**

- 4.123 The majority of respondents disagreeing with any form of licence highlighted that accommodations for one-off or annual events are already regulated. As a result, it was viewed that any additional licensing would lead to duplication of efforts and would be ineffective.

*“Surely one-off events are covered by other licensing requirements such as entertainment/ alcohol licensing etc” (Anonymous response)*

*“They are already liable under Health and Safety and Public Liability regulations and are liable to prosecution for breaches” (Resident of Wales)*

#### **Disproportionate financial cost for providers of accommodation for one-off or annual events**

- 4.124 The second most common reason for disagreeing with the statement in question was that the licensing costs would be disproportionately high for providers of one-off events. The respondents raising this theme generally highlighted that providers of such events are typically small and cannot bear the financial cost associated with licensing.

*“Larger businesses won't have a problem doing this scheme however you are penalising those families who rely on this income as a top up”  
(Anonymous response)*

#### **Doubts around the scheme's benefits for providers of accommodation for one-off or annual events**

- 4.125 Lastly, some respondents expressed concerns that any benefits from the proposed licensing will not be applicable to providers of one-off or annual events. The respondents raising this theme often highlighted that these providers do not operate long enough to receive any benefits from the licence, as there were viewed to take longer to be realised.

*“Fairness is not applicable for one-off licences as the service being provided would not be comparable. One-off licences would also have a great barrier to the market as there would be less market recognition.” (Other)*

#### **Agreement with limited licence for one-off or annual events**

- 4.126 The second most prevalent theme was the view that there should be a two-tier licence, separating providers of one-off events from the overall scheme. The main argument was that this would be a fairer and more proportional approach. Some respondents also highlighted this approach would promote health and safety and quality standards, compared to one-off events not being licensed at all.

*“A short term licence for specific events should be available at reduced cost, but this should not be extended for longer periods, such as covering the right*

*of landowners to promote camping on their site for a period of 28 days during a year without planning permission.” (Local authority)*

*“A limited licence for an annual event would be appropriate for visitor safety and fairness reasons.” (Anonymous response)*

### **In favour of one common licence**

- 4.127 The third most common theme was advocating for a common licence for all respondents. The respondents raising this theme typically suggested that a level playing field among providers can only be achieved by enforcing common safety standards, thus promoting consistency and fairness.

*“Any licensing scheme should be introduced consistently or a level playing field can never be achieved. The safety risk remains the same for single and multiple nights. It is the fee that should vary, not the licence itself.” (Anonymous response)*

### **Additional clarifications needed**

- 4.128 The last prevalent theme raised was asking for more information on the proposal, with a significant share of respondents requested additional information on what constitutes a “one-off” event.

*“This depends on the scale and how much it is likely to impact the local community. Rock festivals, yes. Wedding reception or School Duke of Edinburgh's expeditions camping in someone's field, no. Probably yes for events involving >100 people.” (Anonymous response)*

*“It's not clear to me what sort of "one off events" are envisaged. Presumably festivals already have rules and regulations to comply with, and could be subject to inspections within existing legislation.” (Anonymous response)*

### **Scheme requirements**

- 4.129 This section seeks views on the details and evidence requested by visitor accommodation providers to demonstrate compliance with the licensing scheme.

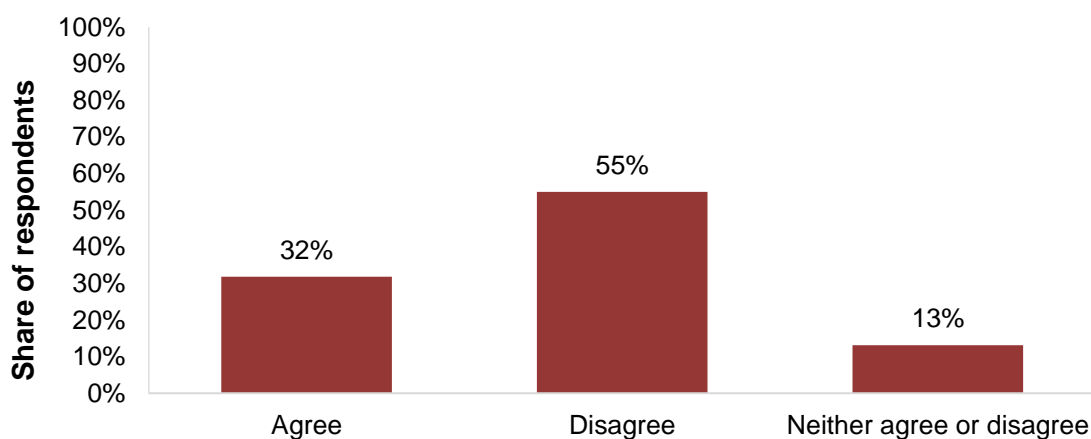


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Question 13: We are proposing that a provider of visitor accommodation should supply the above information/documentation and be required to provide evidence/confirmation that they comply with the requirements as detailed above. Do you agree or disagree with this proposal?

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Figure 14. Share of respondents agreeing or disagreeing with the proposed information needed to evidence compliance



Note: Overall, 1,133 respondents answered this question, representing 71% of all consultation respondents.

- 4.130 The majority of respondents to this question (55% or 623 respondents) disagreed with the proposed information and documentation visitor accommodation providers would be required to provide to evidence their compliance with the licensing requirements. Tourism representative bodies were the responses with the highest disagreement (67%), followed by residents of Wales (57%), and visitor accommodation providers (56%).
- 4.131 On the other hand, most respondents from national parks (63%) and local authorities (60%) agreed with the proposed information needed to evidence compliance.

## **Themes against the proposed information needed to evidence compliance**

### **General disagreement with licensing**

- 4.132 The most common theme against the statement in question was disagreeing with the idea of a licensing scheme in general, as discussed in the

overarching themes section. As a result, the respondents raising this theme generally did not want to provide any information to evidence compliance.

*“I disagree with the proposal to introduce any licence scheme or fees.”  
(Anonymous response)*

*“we don’t need this scheme therefore we don’t need to provide additional information” (Anonymous response)*

#### **Requested documentation is already being provided**

- 4.133 The second most common theme opposing the suggested documentation was that providers already share all the listed information through other channels. For example, some respondents mentioned that they need to file the same information for the planning permission, insurance, letting agents and non-domestic rates reviews. Some respondents suggested that the government should gather this information from the different departments, instead of having providers duplicate their efforts.

*“It is a concern that for official operators, much of this information is already in existence, often already within other local authority departments - and it seems unnecessarily onerous for operators to need to provide the evidence multiple times. The optimum solution would be for a scheme that can access the existing required proof and evidence and store it in a centralised location.” (Anonymous response)*

#### **High administrative and financial burden**

- 4.134 As mentioned in the overarching themes section, respondents were often concerned with the high administrative and financial burden that the provision of the listed information would cause.

*“The extensive list of evidence proposed is exactly why licensing should not be implemented. The bureaucratic burden would be immense, costly to administer, and provide poor value for money to the public and taxpayers.”  
(Anonymous response)*

*“Increase costs, is a detriment to the industry and is poorly timed during a cost of living crisis. This is a significant additional burden and not driven by a need for the industry or visitors.” (Anonymous response)*

## **Themes in favour of the proposed information needed to evidence compliance**

### **Promoting enforcement of quality standards**

- 4.135 The most common theme in favour of the proposed information was that it will promote the enforcement of quality standards<sup>7</sup>. The respondents raising this theme typically highlighted that the requested information would allow the Welsh Government to monitor compliance with the agreed health and safety and quality and apply enforcement measures where needed. Some respondents also mentioned the enforcement of standards would help to ensure a level playing field across visitor accommodation providers. Some respondents raising this theme highlighted that lawful providers already provide this information, while others avoid this administrative burden.

*“All providers should provide the necessary information so holidaymakers are in safe secure accommodation.” (Anonymous response)*

*“Will help to get all accommodation up to a high standard of safety”  
(Anonymous response)*

*“We have invested heavily in the property we have as a holiday let (which we have now qualified for business rates) and conform to all building, fire safety requirements while you see many other local lets who haven't gone to the same lengths as us who are making the same kind of money but for less input.” (Anonymous response)*

### **General agreement with the statement**

- 4.136 The second most common theme in favour of the statement in question was general agreement, as the listed documentation was seen as reasonable and fair.

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<sup>7</sup> Respondents in this theme might have meant safety standards, as quality standards are ensured through the Visit Wales Quality Assurance scheme.

*“These all seem appropriate to evidence quality and compliance which has to be a positive for the tourism industry. [...]” (Anonymous response)*

### **Preference for registration instead of licencing scheme**

- 4.137 Some respondents agreed with the listed information but argued that the same documentation could be provided through a registration scheme instead of a licensing scheme. The respondents raising this theme generally emphasised that the registration scheme would achieve the Welsh Government’s policy objectives without the high administrative and financial burden associated with licensing.

*“I would still prefer a national registration where the info listed above is simply uploaded - you are given a number and the local authority can run spot checks.” (Anonymous response)*

### **Conditional agreement with the statement**

- 4.138 Lastly, some respondents in agreement with the proposed list argued that the approach should be tailored, as one size does not fit all. The most common concern held by this group was that the requirements could be onerous for small operators. Hence, they proposed lighter touch documentation requirements, depending on the size of the operator.

*“Gas safety certificates are a must in any property that is let but to request evidence of PAT tested appliances and fire risk assessments could be a significant cost to the business and risks the viability of small businesses in obtaining this evidence. This is punitive to small businesses, the vast majority bring responsible owners and this should be considered carefully. One size does not fit all. Evidence of adequate insurance should suffice.” (Anonymous response)*

## **Themes proposing modifications for the proposed information needed to evidence compliance**

### **Suggested additions to the proposed list of information**

- 4.139 The most commonly proposed modification was a range of additions to the required information. The addition most frequently requested was the EICR (Electrical installation condition report), with some people proposing to replace the PAT (portable appliance testing). The second most frequently

proposed addition was evidence for smoke detectors and carbon monoxide detectors.

*“Agree, but you have forgotten the 5 year EICR certificate that is required by my insurance. [...]” (Anonymous response)*

*“Resident LA would also need to know heating system/ number of smoke alarms as per Rent Smart Wales guidance [...].” (Resident of Wales)*

### **Suggested subtractions from the proposed list of information**

- 4.140 The second most commonly raised theme across the proposed modifications was removing some of the proposed documentation. The most frequently requested subtraction was planning permission, as this is not currently required for many operators and would be too costly and time consuming to obtain. The second most commonly suggested removal from the documentation list was the PAT testing, which is not required legally and would add also add significant costs for the providers. Some respondents also proposed removing the fire risk assessment, as there were concerns about the necessary skilled work force to conduct all of these assessments.

*“I agree with the health and safety aspects. However, the lack of planning permission does not represent a health and safety risk. A number of businesses have been operating many for years without planning permission because it was not a requirement in the past. To make this a condition of trading now would be unfair. Evidence of operation over a period should be taken as evidence of planning permission. [...]” (Anonymous response)*

*“Tentatively agree. However, I suspect PAT testing would be an extra expense for many providers. [...]” (Anonymous response)*

### **Compliance and enforcement**

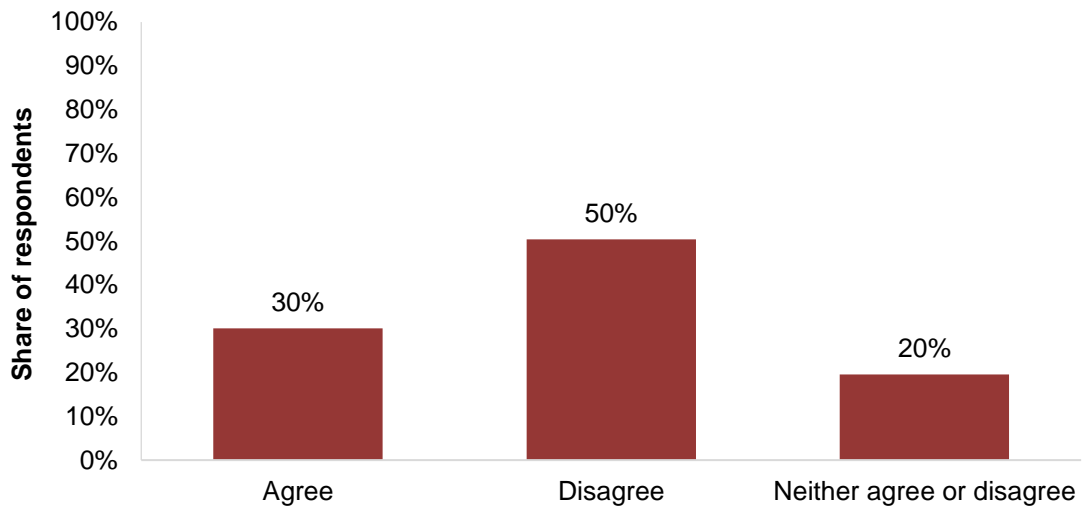
- 4.141 This section seeks views on enforcement options, inspections, and sanctions.

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Question 14: We are proposing that inspections are carried out on a 1:50 ratio using a risk-based approach and additional inspections in response to

customer complaints or other concerns brought to the attention of the licensing authority. Do you agree or disagree with this proposal?

Figure 15. Share of respondents agreeing or disagreeing with carrying out inspections on a 1:50 ratio using a risk-based approach and additional inspections



Note: Overall, 1,111 respondents answered this question, representing 70% of all consultation respondents.

- 4.142 Half of the respondents to this question (or 560 respondents), disagreed with the proposed approach to carrying out inspections. Residents of Wales and visitor accommodation providers were the respondents most likely to disagree with the proposal (52% and 51% disagreement respectively).
- 4.143 Respondents from local authorities were the only respondents agreeing with the proposal by majority (57%).

## **Themes against the proposed approach to carrying out inspections**

### **Doubts regarding the need for a licensing scheme and inspections**

- 4.144 The most common theme among respondents opposing the statement in question was doubts regarding the need for a licensing scheme. As detailed in the overarching themes section, respondents generally mentioned that there is enough existing regulation, and that customer reviews as well as sources such as Visit Wales already cover the problems targeted by the licensing scheme.

*“Question 13 suggests a list of documentation that is to be uploaded in support of an application, all of which can be examined and verified without need for an inspection of the accommodation. The imposition of a regular inspection regime, even at a low level, implies some form of quality control or additional, and as yet unspecified, requirements having to be met, the question being who, and with what knowledge/experience, will undertake these inspections? [...]” (Anonymous response)*

### **High administrative and financial burden**

- 4.145 The second most frequently raised theme against the proposed form of inspection was concern about the high financial and administrative burden. This burden was associated with the overall licensing scheme, and specifically with the time and costs of inspections.

*“Inspections presumably come with a cost. Who will be footing this bill?”  
(Visitor accommodation provider)*

*“If certification is provided why burden the owner with additional wasted time and expense which would be difficult to arrange due to visitor bookings.”  
(Other)*

### **The Welsh Government does not have capacity to carry out inspections**

- 4.146 Lastly, some respondents doubted the Welsh Government’s financial and administrative capacity to carry out the proposed inspections. The respondents raising this theme generally highlighted that the suggested form and frequency of inspections would require considerable staff time, training, and infrastructure that the Welsh Government does not possess.

*“[...] There will be significant costs incurred in setting up the means of applying for the statutory licence, training of enforcement officers will also be required and potentially the appointment of full time local enforcement officers within local authorities. Budgets and resources in local Government are already spread extremely thin so any extra burden would be placed on businesses applying for the scheme. [...]” (Anonymous response)*

## **Themes in favour of the proposed approach to carrying out inspections**

### **Promotes safety for visitors and fairness among providers**

- 4.147 The most prevalent theme in favour of the proposal was general agreement with the proposed approach to carrying out inspections. These respondents typically expressed their satisfaction with a risk-based and light-touch approach, promoting effectiveness, safety and fairness.

*“In order to make sure that the programme is reliable, I agree that there should be a reasonable level of inspection on a risk-based basis, with the information gathered being utilised to make any programme modifications. [...]” (Anonymous response)*

*“This seems to be a practical solution to a challenging aspect of the scheme.” (Local authority)*

### **Conditional agreement**

- 4.148 The second most frequently raised theme in agreement with the statement in question was agreement under certain conditions. A considerable share of respondents agreed with the proposed approach to carrying out inspections, but preferred either a registration scheme or self-certification, to avoid a high administrative and financial burden on providers. The second most common condition was accounting for different accommodation types and sizes. However, there was no clear consensus among these respondents on who should be facing a lighter level of inspections. Some respondents expressed that small-scale providers would be penalised more by these inspections and should therefore face lighter regulation. On the other hand, others mentioned that larger providers such as hotels already have a high level of regulation, meaning they already adhere to the licensing conditions, while small-scale providers need more supervision.

*“We propose there would be no licence holders as no licence should be required. Registered accommodation providers should be moderated with a similar model of regulation implemented without a licence.” (Anonymous Response)*



*“[...] I suspect these measures will likely penalise smaller providers most unfortunately. I think more onus should be placed on larger providers that make more money and are better equipped to be able to comply with any new requirements.” (Anonymous response)*

*“I think there needs to be more weighting to the self catering sector as these are more likely to currently not be complying, Hotels and B&Bs will have had continuous inspections just because there are less of them and it is highly regulated.” (Anonymous response)*

## **Themes proposing modifications for the proposed approach to carrying out inspections**

### **Fewer inspections than proposed**

- 4.149 The most frequently suggested modification to the proposed approach was carrying out fewer inspections than suggested. The majority of respondents raising this theme proposed that inspections should only be carried out if there are complaints or known problems, instead of conducting random inspections. Respondents indicated that these modifications would promote efficient use of resources, and minimise the disturbance inspections will cause to the providers.

*“It would seem sensible for the focus to be on properties that receive complaints. To make best use of resources it would seem logical to focus on where the problems are rather than pick properties at random that haven't had any problems. [...]” (Anonymous response)*

### **More inspections than proposed**

- 4.150 The second most commonly suggested modification to the proposed approach was conducting more inspections. In contrast with the previous theme, these responses indicated that every provider should be checked at least once, and that the 1:50 ratio is too low. The reasoning behind this was that the licence will not aid the Welsh Government's objectives, including visitor health and safety and a level playing field across all providers.

*“I believe all properties should be inspected once during the term of the licence. At the very least the ratio should be 1:10. Otherwise it makes a*

*farce of the licence scheme and does make it seem as though the scheme is more about creating revenue for the government than creating a level playing field for operators and ensuring safety and high standards for visitors.” (Anonymous response)*

#### **Protection from false complaints**

- 4.151 Lastly, some respondents expressed concerns regarding the proposal to base inspections on complaints. The respondents raising this theme were worried about how false or vexatious complaints can affect the livelihoods of providers. To address this concern, it was proposed that providers should be able to respond to complaints and that there should be evidence for these complaints before an inspection is conducted.

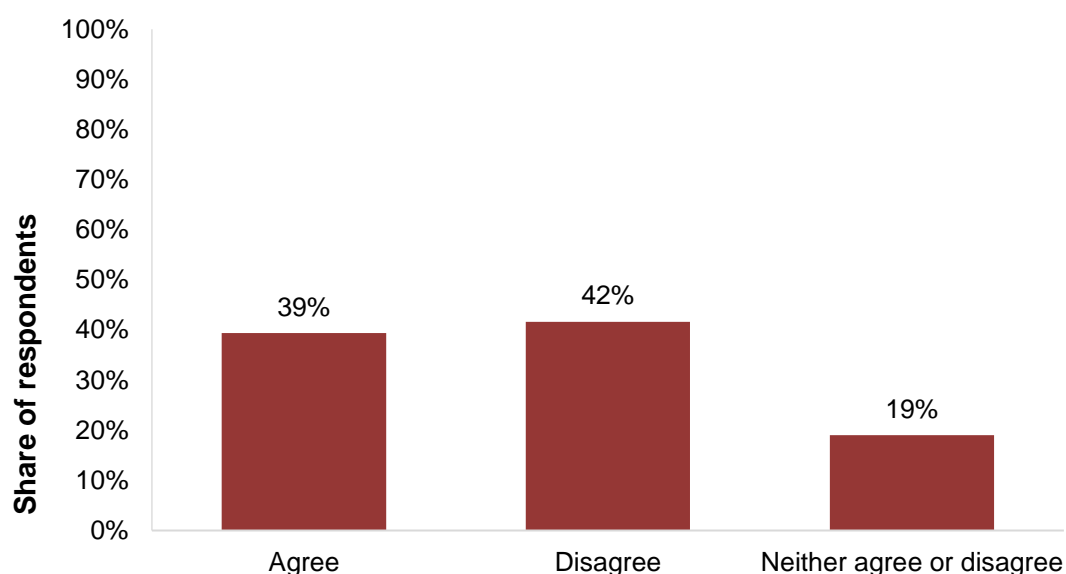
*“I agree but I think caution should be taken for consumer complaints. Evidence should be required from any consumer complaint so that the system is not bogged down with frivolous complaints.” (Anonymous response)*

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Question 15: Do you agree with the principle that visitor accommodation providers that do not comply should be subject to enforcement measures?

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Figure 16. Share of respondents agreeing or disagreeing with the principle that visitor accommodation providers that do not comply should be subject to enforcement measures



Note: Overall, 1,110 respondents answered this question, representing 70% of all consultation respondents.

- 4.152 Respondents to this question most often (42% or 462 respondents) disagreed with the principle raised in the question, with a considerable share of respondents (39% or 437 respondents) agreeing with the proposal in question. No type of respondents disagreed by majority with this proposal.
- 4.153 The majority of respondents from tourism representative bodies (67%) agreed with the proposal, as did national parks (63%), and local authorities (60%), tourism associations (55%), and self-catering agencies (51%).

## **Themes against the use of enforcement measures for non-compliant providers**

### **General disagreement with a licensing scheme**

- 4.154 As mentioned in the overarching themes section, a significant share of respondents disagreed with a licensing scheme in general, and by extension, with any enforcement measures.

*“If I don’t agree with registration and licences why would I agree with penalties for non compliance.” (Resident of Wales)*

### **Disagreement with enforcement measures**

- 4.155 The second most prevalent theme opposing enforcement measures was general disagreement with the suggestion. The respondents raising this theme did not typically disagree with the principle of a licensing scheme but viewed any enforcement measures as unnecessary and costly. Disagreement was particularly prevalent regarding any form of criminal prosecution as an enforcement measure. Some responses indicated that the documentation provided as part of the scheme requirements would adequately enforce health and safety and quality standards.

*“[...] I would assume that a licence would only be granted when all documentation is confirmed and up to date, and the fee has been paid, therefore the reference to penalties for non-compliance are irrelevant. [...]”*  
*(Anonymous response)*

### **Themes in favour of using enforcement measures for non-compliant providers**

#### **Increased compliance with the scheme’s standards**

- 4.156 The most common theme in favour of enforcement measures was the view they would ensure compliance with safety and quality standards. Respondents raising this theme generally doubted providers would voluntarily comply with regulations, so incentives and enforcement were deemed necessary.

*“Absolutely agree. If no enforcement measures exist, then the policy is essentially toothless.” (Anonymous Response)*

*“If a property is dangerous then clearly the local authority needs to be aware of this and take action to ensure that accommodation is safe for visitors.”*  
*(Anonymous Response)*

#### **Favour for light-touch enforcement measures**

- 4.157 The second most prominent theme in favour was requesting lighter touch enforcement. The respondents raising this theme generally agreed that

enforcement was necessary, but suggested starting with a more collaborative approach before any penalties are applied. The majority of respondents advocated for initially offering support and advice, as providers might face practical challenges in complying with regulations. The second most frequent suggestion was that non-compliers should first get a warning, and then be allowed enough time to address any issues.

*“The emphasis seems to be on punishment of accommodation providers. Rather than this, the first steps should be support, advice and guidance on how providers can adapt their offers in order to comply with any rules they are not complying with. Issuing of fines, pursuing prosecutions for non-compliance and applying for court orders should be absolute last resorts and by no means the first steps.” (Anonymous response)*

*“As long as providers are given an opportunity to rectify the situation - some may have overlooked something or thought they had not needed something (especially new providers) but if they don't comply after a set timeframe then their registration should be suspended until these requirements have been met.” (Resident of Wales)*

*“[...] By adopting a registration scheme that emphasises fair and balanced enforcement, the Welsh Government can ensure that businesses are held accountable for maintaining essential standards without facing undue hardships due to minor administrative issues. [...]” (Tourism representative body)*

#### **Favour for stricter enforcement measures**

- 4.158 The third most common theme was advocating for stricter measures such as sanctions, especially for serial offenders, those that have not been able to resolve their issues within a fair time frame, and breaches of safety regulations. The sanction that was mentioned the most was the revocation of the licence. The second most commonly suggested sanction was the introduction of fines.

*“[...] If they fail to comply within the time limit, their licence should be revoked and they would not be allowed to operate.” (Anonymous response)*

*“[...] Appropriate level of fines need to be imposed make this a meaningful deterrent.” (Tourism association)*

### **Favour for proportionate enforcement measures**

4.159 The last prevalent theme among respondents in favour of enforcement measures was adopting a proportionate approach. Respondents raising this theme generally agreed with the necessity of enforcement measures but stressed they must be proportionate to the type, frequency, and severity of the offence.

*“It would depend on the problem found. For example, if there was no carbon monoxide detector, it would be appropriate to shut the accommodation immediately until one is fitted. If the gas safety certificate had expired, the provider could be given 60 days to obtain a new one. The measures should be appropriate.” (Resident of Wales)*

### **Fit and Proper Person Test**

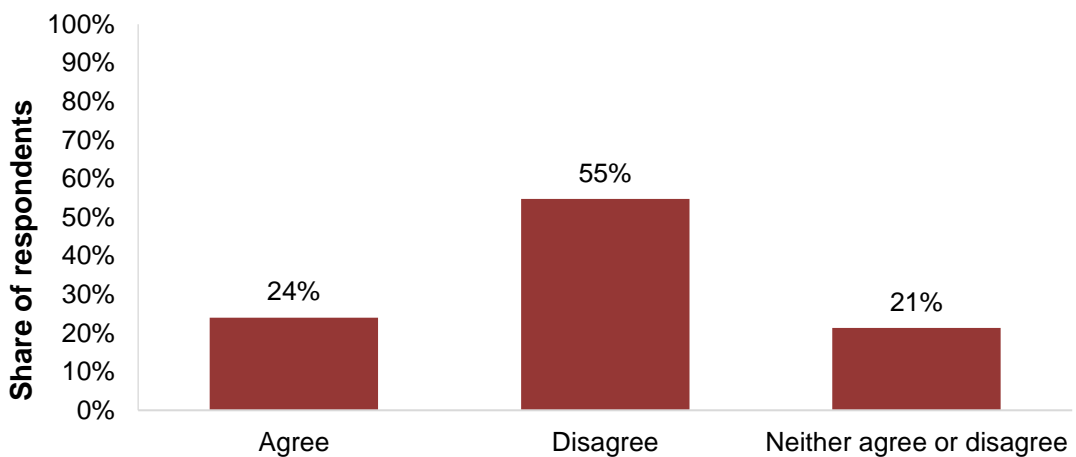
4.160 This section seeks views on whether a fit and proper person test or equivalent should be included in the scheme requirements.

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Question 16: Do you agree that a fit and proper person test or similar should be included as part of the scheme requirements for all visitor accommodation providers?

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Figure 17. Share of respondents agreeing or disagreeing with the inclusion of a fit and proper person test or similar as part of the scheme requirements



Note: Overall, 1,102 respondents answered this question, representing 69% of all consultation respondents.

- 4.161 The majority of respondents to this question (55% or 603 respondents) disagreed with the inclusion of a fit and proper person test or similar as part of the scheme requirements. Disagreement with this statement was most prevalent among tourism representative bodies (62%), booking platforms (58%), residents of Wales (56%), and visitor accommodation providers (56%).
- 4.162 The only respondents agreeing by majority with the proposal were local authorities (56%).

### **Themes opposing the establishment of ‘fit and proper person’ tests**

#### **Concerns regarding the subjectivity of the term “fit and proper person”**

- 4.163 The most common theme amongst respondents disagreeing with the establishment of a fit and proper person test was the view that the term ‘fit and proper person’ was too subjective. Many respondents raising this theme were concerned that the phrase may be interpreted in different ways, resulting in considerable differences and complications across the implementation process.

*“The wording here is really subjective - what defines a fit and proper person and what impacts does this have on the above criteria”. (Resident of Wales)*

*“The proposals under this section could be described as ‘discriminatory’ and it is not the place of a registration scheme to be judge and jury as to who and who should not operate an accommodation business.” (Visitor accommodation provider)*

#### **High administrative and financial burden**

- 4.164 The second most commonly raised theme against the proposal was that conducting ‘fit and proper person’ tests would lengthen the licensing process, delaying its issuing and increasing the administrative burden for accommodation providers.

*“A “fit and proper person test” introduces a huge and unnecessary layer of burdensome bureaucracy into the process, so we are strongly opposed to it” (Resident of Wales)*

### **Alternative suggestions regarding fit and proper person tests**

- 4.165 Respondents to this question also frequently suggested alternative approaches to fit and proper person tests. One of the most common alternative suggestions was that fit and proper tests should be used to judge the accommodation instead of the property owner. Some respondents stated that accommodation owners had little in-person contact with visitors as many processes were conducted remotely via online platforms. This limited interaction subsequently limited the usefulness of fit and proper person tests on the property owner. Other common alternative suggestions included the adoption of less lengthy measures, including checking existing law court records and using DBS checks.

*“The primary focus of any policy in this area should be on the quality and reliability of the visitor accommodations themselves, rather than the character of the individuals operating these establishments” (Anonymous response)*

*“Most providers of holiday letting never meet their guests, with bookings and financial business transacted via an agency. The only people likely to come into contact with guests are cleaners (very briefly) and trades people carrying out any repairs needed. It would be more appropriate to carry out fit and proper person tests on those individuals but then where would it end?” (Local authority)*

*“I suppose if pushed to suggest a means by which the registration authority could decide who was fit and proper there is a DBS check which could be used or a declaration that they are not a criminal or sex offender. However, I am concerned by extra costs that may be incurred” (Anonymous response)*

### **Themes in favour of the establishment of ‘fit and proper person’ tests**

#### **Promotes safety for visitors**

- 4.166 The most common theme amongst respondents in favour of the establishment of ‘fit and proper’ tests was the view that it would enhance visitor safety. Respondents generally expressed particular concern around



individuals with previous sexual offence or violent crime convictions, seeing them as a danger to visitors.

*“The person (including company directors) should not have any criminal convictions and should not be on a criminal register - such as sex offender's register. The licensing authority should also be able to check if the applicant has changed his/her name”. (Anonymous response)*

### **Conditional agreement**

- 4.167 Most respondents agreeing with the statement in question, did so only if certain conditions were met. The most commonly raised condition was ensuring the implementation of the scheme would not be overly expensive or administratively burdensome. Another condition was that the starting assumption should be that all accommodation providers are fit and proper, and the burden of proof should be on establishing they are not.

*“If the scheme is to be introduced then some sort of checks are probably necessary but the starting point should be that the person is "suitable" and then they only become "unsuitable" under certain circumstances (e.g. having a criminal record for fraud etc). This would seem a far fairer approach than starting on the basis that they are "unsuitable" and then having to prove that they are "suitable". (Anonymous response)*

## **Licence fees**

- 4.168 This section seeks views on the type of fee that should be applied, as well as the factors that should be considered when setting the fees.

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Question 17: We would like your views on whether all visitor accommodation providers should pay the same standard fee or should the fees be scaled (i.e. based on the type and size of the visitor accommodation)?

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- 4.169 The sections below present the most common themes raised by respondents on whether all visitor accommodation providers should pay the same standard fee or if it should be scaled. The themes also include views on which should be the scaling factors if a scaled fee is implemented.

### **Preference for a scaled fee**

- 4.170 The most common theme raised by respondents was the view that visitor accommodation providers should pay scaled fees. Many respondents then proceeded to suggest the most effective ways to scale the fee.

#### **Fees scaled by size of accommodation**

- 4.171 The majority of respondents, including several tourist accommodation providers and representative bodies, stated that the fees should be determined by the size of the accommodation where the smallest visitor accommodations should be charged the lowest, rising to higher charges for larger providers. A sliding scale approach was deemed the fairest approach for avoiding penalising small property owners.

*“We think that fees should be proportionate bearing in mind the size of the business – which in the case of the smallest micro-enterprises should mean very low fees; this would seem to dictate a simple fee scale with lower charges for the smallest home-based operators, rising to larger charges for (eg) large hotels or holiday resorts” (Tourism association)*

#### **Fees scaled by type of accommodation**

- 4.172 The second most frequently suggested scaling factor was by type of accommodation. Types of accommodation were frequently discussed in tandem with the size of accommodation, as specific types of accommodation

including hotels or holiday resorts were assumed to be larger than, for instance, apartments, cottages, and hostels.

*“If someone has one small cottage will they be expected to pay the same as a hotel with numerous rooms etc. are you trying to kill off the small independent holiday let. It will make renting unaffordable and unattractive. Thereby reducing choice for visitors!” (Anonymous response)*

### **Fees scaled by profitability**

- 4.173 The last prevalent scaling factor suggested was profitability. It was argued that larger businesses with higher profits and turnovers would be able to cover licensing costs more easily than those with lower profits. Discussions surrounding business profitability were also often conflated with accommodation size and type, given respondents assumed accommodation providers such as hotels were assumed to be larger in terms of their size and turnover.

*“Fee should be scaled - a 200-bedroom hotel has a larger turnover and budget than a 2 or 3 bedroomed B&B. Charging the same for both establishments may be not cost effective for small micro sized businesses”. (Tourism representative body)*

### **Preference for the same standard fee**

- 4.174 Some respondents advocated for a standard fee being applied, as they expected it to be small in magnitude. A common reason for the establishment of low standard fees was that the work required to register and license a property was understood to be the same irrespective of its size, type, and turnover. Some respondents also suggested that a standard fee would be the fairest approach for all accommodation providers.

*“A registration scheme will be simple and cost effective to administer and therefore a standard small registration fee should be charged” (Accommodation provider)*

*“The information requested would not take more time to be provided or to be checked depending on the scheme. It appears to be a paperwork exercise and larger businesses should not be treated unfairly” (Self-catering agency)*

*“Registration standards and compliance would be the same for all providers, and so the fee should be the same” (Resident of Wales)*

### **Disagreement with fees**

- 4.175 A considerable share of respondents expressed general disagreement with imposing any kind of fee. Respondents typically argued that any fees would have adverse impacts on residents and the local economy, with particular concern expressed for smaller businesses. These respondents indicated that the fees would increase costs for providers, which might force some providers out of the market. In response, several respondents suggested that the government should take responsibility for any fees to alleviate the financial burden on accommodation providers.

*“I don’t think there should be a fee at all. There are a lot of people who are running very small businesses which make little profit but allow them to survive in the area where they lived their lives”. (Anonymous response)*

*“Tourism operators pay enough for business rates or council tax plus other taxes. More cost is my big objection to this, by the time Welsh Government add a Tourism Tax [i.e. visitor levy] Wales will be even less competitive in the UK market” (Visitor accommodation provider)*

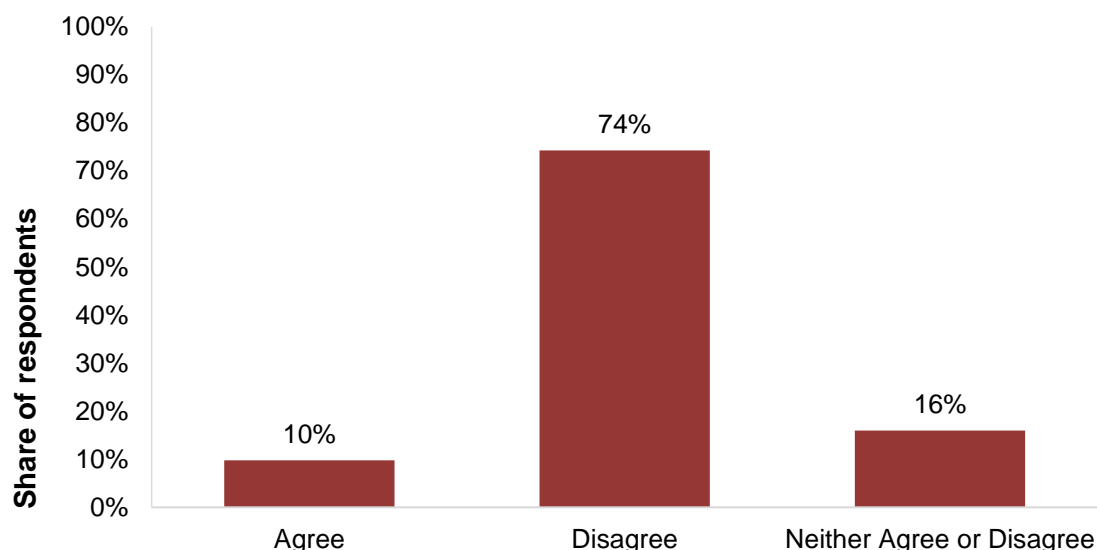
*“If the Welsh Government wants to bring in this legislation then they should pay for it, whether that be through the proposed visitor to Wales Tax or through the general taxes” (Anonymous response)*

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Question 17a: Do you agree that all visitor accommodation providers should pay the same fee?

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Figure 18. Share of respondents agreeing or disagreeing with all visitor accommodation providers paying the same fee



Note: Overall, 1,115 respondents answered this question, representing 70% of all consultation respondents.

- 4.176 The majority of respondents to this question (74% or 828 respondents) disagreed with all visitor accommodation providers paying the same fee. All types of respondents apart from national parks disagreed by majority with the proposal. Disagreement was most common among residents of Wales (78%), visitor accommodation providers (75%), and tourism representative bodies (71%).
- 4.177 While no type of respondent agreed by majority with the statement, respondents from local authorities had the highest likelihood of agreeing (21%) across all respondents.
- 4.178 There are clear similarities between the analysis of responses to question 17 and 17a, given many respondents provided similar explanations to both questions.

### **Preference for scaled fees**

- 4.179 Similar to question 17, the most common theme raised by respondents was agreement with scaled fees instead of a standard fee.

#### **Fees scaled by size of accommodation**

- 4.180 The most frequently suggested scaling factor was by size of the accommodation. The majority of respondents suggested that larger accommodations should pay a higher price than smaller accommodations.

*“Notwithstanding our principled objection to the introduction of a statutory licensing scheme, it would not be fair for a small business providing accommodation to be subject to the same fee as a large one. Smaller businesses should be entitled to pay proportionately less, and larger ones required to pay proportionately more” (Anonymous response)*

#### **Fees scaled by provider profitability**

- 4.181 The second most common scaling factor was by profitability and overall turnover. Accommodation providers with higher profitability and turnover were generally viewed as more able to absorb the cost of the licensing scheme.

*“Definitely there should be different fees for different types of providers. Clubs providing accommodation to their members on a not-for-profit basis should be treated differently to, say, a luxury hotel which could absorb the cost relatively easily” (Anonymous response)*

#### **Fees scaled by locality of provider**

- 4.182 Some respondents stated that the fee should also be dependent on whether the accommodation was privately or commercially owned. It was deemed unreasonable to expect a local accommodation provider to pay the same fee as large-scale professional or commercial accommodation providers. Local accommodation providers were seen to sufficiently contribute to the local economy through their residence, in contrast to external business owners.

*“I don’t think people who live and work in Wales should have to pay a fee. There should be a limit - under a certain amount of profit pa should not have*

*to pay. A hotel chain and a local offering B&B in their own home should not be expected to pay the same” (Anonymous response)*

### **Preference for the same standard fee**

- 4.183 Similar to responses to question 17, fewer respondents preferred a standard fee compared to a scaled one. Among respondents preferring a standard fee, most cited reasons of fairness and equality, underscoring the importance of a level playing field. Others argued that the registration standards and required information would be similar for all providers irrespective of their size, type, and profit. As a result, the enforcement of a standard fee was seen as reasonable.

*“Every accommodation provider should be required to register and pay at least a minimum registration fee. [...]. Furthermore, it establishes a level playing field for all accommodation businesses, fostering fair competition within the tourism sector” (Anonymous response)*

*“There should be a moderate fee associated with one registration - and this would be fair across the board. As set out in this consultation document, the same information would need to be provided for all accommodation providers falling within scope, whether they are offering one room, 100 rooms or 100 pitches” (Anonymous response)*

### **General disagreement with any fee**

- 4.184 As with responses to question 17, some respondents expressed general disagreement with the establishment of any fee. Many respondents raising this theme viewed the implementation of fees as unfair. Instead, it was suggested that these fees should be paid by the government. If introduced, however, respondents emphasised that the fees should remain low and be paid in instalments to alleviate the financial burden on accommodation providers.

*“Don’t agree with anybody paying any fees. If you do this because you want to do it, then you pick up the cost. It should not be put onto the businesses” (Anonymous response)*

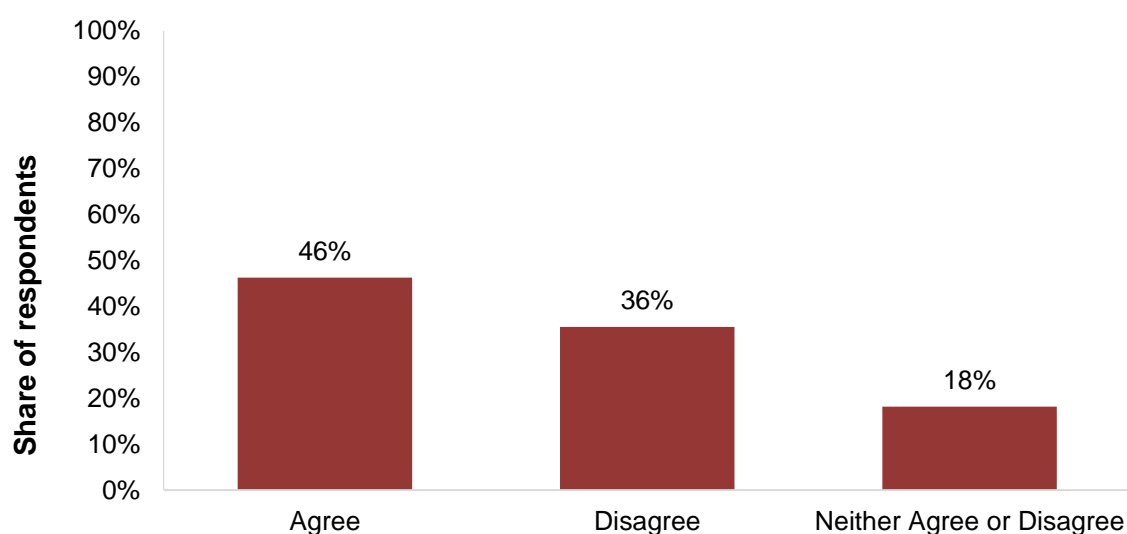
*“It should also be possible to pay in instalments, given that the primary reason for most small business failures is cash flow related” (Local authority representative)*

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Question 17b: Do you agree that fees should be scaled based on the size of the visitor accommodation?

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Figure 19. Share of respondents agreeing or disagreeing with scaling fees based on the size of visitor accommodation



Note: Overall, 1,089 respondents answered this question, representing 68% of all consultation respondents.

- 4.185 The respondents to this question most frequently (46% or 504 respondents) agreed with scaling fees based on the size of the visitor accommodation. Agreement was most prevalent among local authorities (53%) and self-catering agencies (53%).
- 4.186 While no type of respondents disagreed with the proposal by majority, disagreement was most prevalent among respondents identifying as “Other” (38%).

## **Themes in favour of scaling fees by size**

### **General agreement with scaling by size**

- 4.187 The most commonly suggested scaling factor was size. Many of these respondents saw scaling by size as the fairest approach to adjusting



licensing costs. Some respondents differentiated between size of the accommodation in terms of the number of units and the number of properties. These respondents typically highlighted that accommodation providers with more units should pay a higher price in comparison to accommodation providers with fewer units.

*“This appears to be the fairest way to determine the level of fees” (Local authority)*

*“Fee should be scaled relative to the number of properties owned by each individual and the number of guests that can be accommodated at any one time” (Anonymous response)*

*“It would be fairer to charge a fee according to the number of guests the accommodation caters for, not the size of the accommodation” (Anonymous response)*

### **Themes in opposition of scaling fees by size: Other scaling factors**

- 4.188 The majority of respondents who disagreed with scaling fees based on size, offered suggestions on alternative scaling factors.

#### **Fees scaled based on provider profitability**

- 4.189 The most common alternative suggestion was that fees should be determined by each provider’s profitability. It was argued that mountaineering huts could be defined as ‘large’ accommodations due to the high number of units, however, owners typically earned little profit due to the low price charged per unit. For this reason, scaling by size was deemed an unfair approach as it disadvantaged certain accommodations including mountaineering huts.

*“A private club hut, operated on a not-for-profit basis solely for the benefit of the members of that club might have 30 beds in just 7 rooms and charge £4 a night. Whilst it is a larger accommodation, the private, not for profit, club hut cannot be compared with a smaller, but more profitable commercial accommodation” (Anonymous response)*

### **Fees conditional on locality of provider**

- 4.190 The next most common alternative suggestion was that fees should be scaled by whether the accommodation provider was owned by residents or larger external businesses. Similar to responses to question 17, it was deemed unfair to expect local accommodation providers to pay the same fee as external accommodation providers, given the former sufficiently contribute to the local economy through the tax system.

*“Welsh families already running legitimate businesses already pay taxes to fund the LA and Local Government including income tax, corporation tax, council tax, VAT etc etc there should be NO additional charging scheme for indigenous operators” (Anonymous response)*

### **Themes in opposition of scaling fees by size: General disagreement**

- 4.191 A significant number of respondents disagreed with the introduction of any fee, and by extension of a scaled fee. These respondents expressed concerns about its implications for the tourism industry.

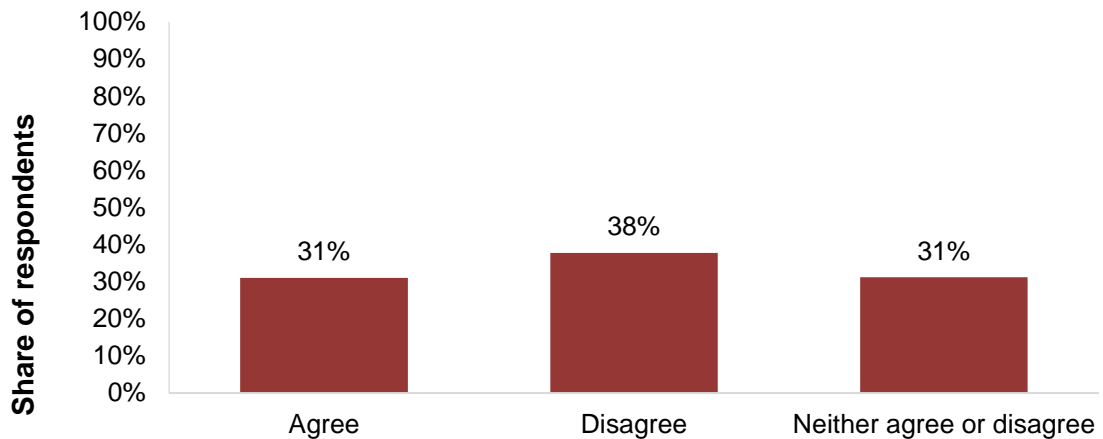
*“It will be costly to run and bearing in mind the current tax legislation, general increase in costs to run a let (insurance, safety checks, repairs etc) + the proposed tourist tax that I may have to administer - it makes Wales look completely anti business, anti tourists and I'll just quit” (Anonymous response)*

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Question 18: In Question 12, we asked about Limited licences for one-off or annual events. Do you agree or disagree that providers could apply for a one-off licence at a reduced cost?

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Figure 20. Share of respondents agreeing or disagreeing that providers could apply for a one-off licence at a reduced cost.



Note: Overall, 1,073 respondents answered this question, representing 67% of all consultation respondents.

- 4.192 The respondents answering this question most commonly (38% or 405 respondents) disagreed with providers being able to apply for a one-off licence at a reduced cost. However, a considerable share of respondents (31% or 333 respondents) agreed with the proposal, and a similar number of respondents (31% or 335 respondents) neither agreed nor disagreed.
- 4.193 Disagreement was most prevalent among booking platforms (49%), and tourism representative bodies (45%).
- 4.194 Respondents from tourism representative bodies also had the highest level of agreement (45%) across all respondents, followed by local authorities (41%), and self-catering agencies (40%).

## **Themes in opposition of the suggestion on limited licences for one-off or annual events**

### **High administrative and financial burden**

- 4.195 The most common reason amongst respondents disagreeing with the establishment of limited licences for one-off or annual events was concern regarding the high administrative and financial burden for accommodation providers. As mentioned in the overarching themes section, respondents expressed concern about the implications for local businesses, particularly in rural areas.

*“This is creating unnecessary bureaucracy. Welsh Government will end up employing thousands of new staff at a cost to the taxpayer with no positive*

*benefit. It will lead to Welsh local businesses closing and increased unemployment in rural Wales". (Anonymous response)*

### **Safety concerns**

- 4.196 The second most common theme raised by respondents disagreeing with the statement in question was safety concerns. The respondents raising this theme generally mentioned the proposed reduced cost of licences for one-off events would compromise the safety of events. As a result, it was suggested there should be a standard cost to enforce the same safety standards across all accommodation types.

*"The event should be safe and so reductions undermine this (Resident of Wales)*

*"All accommodation providers need to be treated equally, and need to provide the same levels of safety / legality, therefore whether for 1 night or 365 nights the registration process and fee should be the same"*  
*(Anonymous response)*

### **There are existing schemes for annual events**

- 4.197 The next most common theme raised by those disagreeing with the statement was the view that schemes were already in place for one-off and annual events. For example, some respondents emphasised that many events already have a licence requirement in place that could be extended to cover their accommodation, rendering the scheme redundant.

*"They shouldn't need a licence. If they are holding a licensed event, they already pay for a TENS licence [i.e. Temporary Events Notice]<sup>8</sup>".*  
*(Anonymous response)*

### **Themes in favour of the suggestion on limited licences for one-off or annual events**

#### **Approach proportionate with the size and turnover of providers**

- 4.198 The most commonly raised theme was agreement with the proposed scheme conditional on authorities enforcing a proportionate approach. These

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<sup>8</sup> Available at: <https://www.gov.uk/temporary-events-notice>

respondents, including several tourist representative bodies, typically viewed that the 'reduced cost' of the scheme should be priced depending on the size and turnover of the event in question. It was suggested that larger events should pay a higher price to avoid penalising smaller events that are less able to cover the licensing cost. Closely linked to this argument, it was also suggested by some that events that generated higher profits should also pay a higher price.

*"So, will there be a scaled approach to this? Because some one-off events can be huge and bring in a lot of revenue, so you're saying they pay a reduced price! You're bringing in unfairness to what could be a very complicated system, keep it simple and fair". (Anonymous response)*

*"The one-off income for an annual event such as The Green Man Festival can run to millions - why not look at annual income as well as size of accommodation" (Anonymous response)*

### **Promoting fairness**

- 4.199 The second most commonly raised theme in favour of the statement in question was the view that the implementation of a one-off licence at a reduced cost was the fairest approach. However, very few respondents provided an explanation for their answers.

*"Yes, it would seem fair to make a licence for a one-off event or limited timeframe lower in cost" (Anonymous response)*

### **Requests for more information**

- 4.200 A considerable share of respondents requested more information, particularly on the definitions of 'one-off' and 'annual events'.

*"How do you define a one off or annual event? A wedding or funeral could be a one-off event for a family and a birthday party could be described as an annual event" (Anonymous response)*

*"How would a 'one off event' be defined? Christmas, school holidays etc are annual events. Would this fall under an 'annual event' criteria?" (Anonymous response)*

## Frequency of application

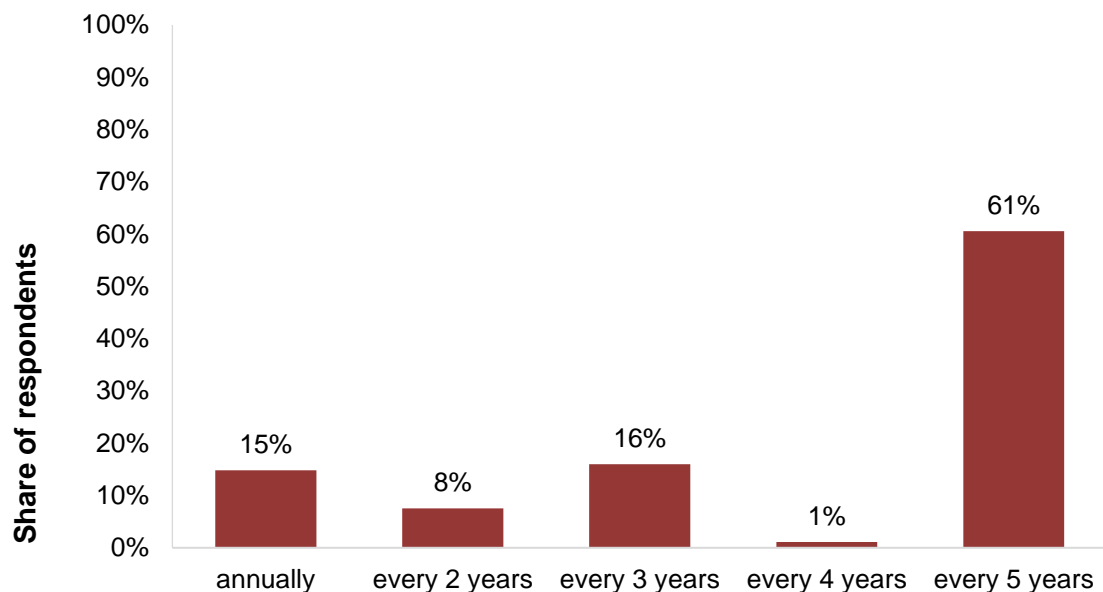
4.201 This section seeks views on how often visitor accommodation providers should be required to renew their licences.

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Question 19: How often should a visitor accommodation provider be required to renew their licence?

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Figure 21. Share of respondents preferring options for renewal frequency



Note: Overall, 837 respondents answered this question, representing 52% of all consultation respondents.

4.202 The majority of respondents answering this question (61% or 507 respondents) preferred the visitor accommodation provider to be required to renew their licence every 5 years. The second most frequently selected option was every 3 years (16% or 134 respondents), followed by every year (15% or 124 respondents).

4.203 Respondents from local authorities were the most likely (30%) to prefer an annual renewal frequency, while a biannual frequency was most common among tourism representative bodies (22%). Respondents from local authorities also selected a frequency of 3 years more frequently than the other respondent types (30%). The 5-year frequency was most prevalent among visitor accommodation providers (64%).

## **Themes in favour of 3-5 year frequency included:**

### **More practical**

- 4.204 The most frequently raised theme by respondents in favour of less regular renewals was the view that this time period was a more practical timeframe. Most respondents raising this theme viewed that less regular renewals would reduce the workload and hence, the administrative burden on accommodation providers.

*“This is the most realistic time frame to comply with” (Other)*

*“So much bureaucracy. Nobody will want to offer accommodation if there is an unreasonable amount of paperwork” (Anonymous response)*

### **Incentive for compliance**

- 4.205 The next most frequently raised theme by respondents in favour of renewals from 3-5 year frequency was the view it would incite compliance amongst accommodation providers. Respondents generally argued that annual or more regular renewals could be seen as ‘off-putting’, disincentivising proper engagement and reducing the accuracy of the information available.

*“Annual registration may be an off-putting burden for some - better to require it less frequently to encourage more to do so” (Anonymous response)*

## **Themes in favour of 1-2 year frequency included:**

### **Alignment with other timescales**

- 4.206 The most frequently raised reason for supporting more frequent renewals was that they would align with other annual checks required for the licensing process, including insurance, gas, and fire safety checks.

*“As most certificates are renewed on an annual basis, such as gas-safe and fire safety; along with insurance, therefore annual registration would make most sense”. (Anonymous response)*

*“The premises need to be checked annually - such as businesses that have to have fire safety checks etc. unless this happens, standards can be neglected and deteriorate” (Local authority)*

### **Accounts for socio-economic changes**

- 4.207 The next most commonly raised theme in favour of more regular renewals was the view that a period of 1-2 years would better reflect the rapid socio-economic changes which may occur during this time. Some respondents expressed concern that accommodation standards may fall if there were long gaps between renewals with significant socio-economic changes, in turn, reducing the credibility of their licences.

*“A lot can happen in 12 months. Therefore, it is essential that the licences retain credibility by being administered annually” (Anonymous response)*

### **Suggestions on the renewal process**

- 4.208 Lastly, some respondents offered suggestions on the ways in which the length of the renewal process could be scaled in line with different factors. The most commonly cited factor was the risk level of the accommodation provider, followed by the scale of the organisation. For example, it was viewed by some that big businesses should have annual renewals, while smaller businesses should have less frequent renewals.

*“But again proportional to risk and volume. 300 caravan site could be annual. One self-catering unit for 2, every 3 years. Again reason why can’t be a level playing field!” (Anonymous response)*

*“On average. You could scale this - annually for big businesses e.g. hotels. For a single cottage, let it go for 3 (with the provisions in the following question)” (Anonymous response)*

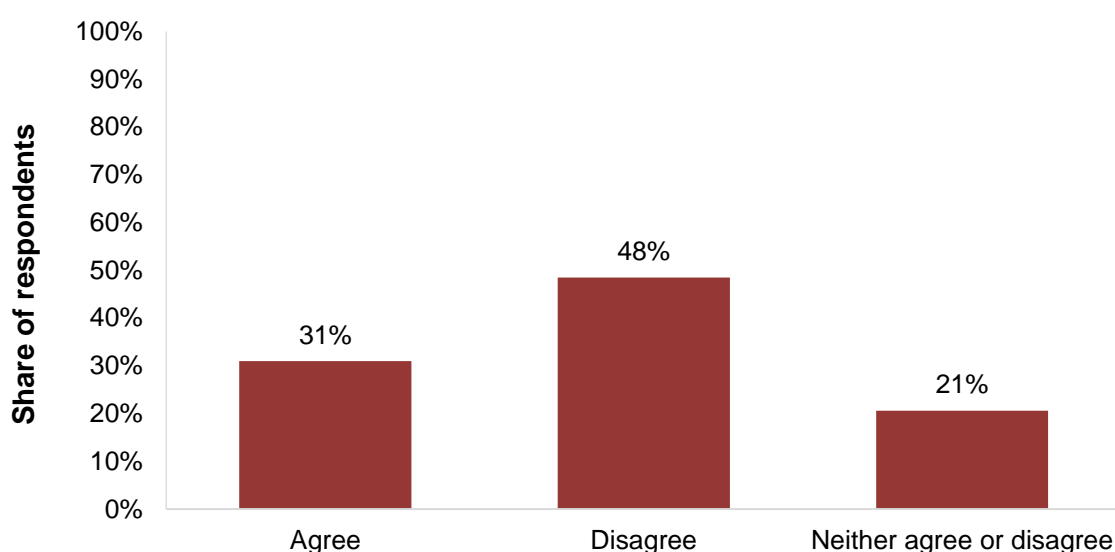


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Question 20: If the frequency of renewal is less often than annual, do you agree or disagree that visitor accommodation providers be required to do an annual review i.e. upload up-to-date evidence/confirmation that they comply with their licence requirements?

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Figure 22. Share of respondents agreeing visitor accommodation providers be required to do an annual review if the frequency of renewal is less often than annual



Note: Overall, 1,065 respondents answered this question, representing 67% of all consultation respondents.

- 4.209 Respondents answering this question most often (48% or 516 respondents) disagreed with requiring visitor accommodation providers to do an annual review if the frequency of renewal is less than annual. Disagreement was most common among residents of Wales and visitor accommodation providers, where approximately half of the respondents disagreed.
- 4.210 The majority of respondents from local authorities agreed (53%) with the proposal, while half of the responses by national parks were also in favour.

## **Themes against the establishment of an annual review**

### **High administrative and financial burden**

- 4.211 As mentioned in previous questions, a considerable share of respondents expressed concerns that the establishment of an annual review would lead

to significant administrative and financial burden for accommodation providers. Respondents expressed particular concern about the implications for smaller businesses with limited resources.

*“Too much admin work already. Far too onerous for small and micro businesses” (Anonymous response)*

#### **Doubts regarding the need for annual reviews**

- 4.212 The second most frequently raised theme against the establishment of an annual review was the view that it was viewed as ‘unnecessary’ and overreach by the Welsh government. Some respondents viewed that there would be sufficient monitoring within the licensing scheme, given the random inspections. As a result, these respondents considered the annual reviews redundant.

*“If the licence scheme is run well (i.e. regular, proper random inspections and relevant enforcements), frequent renewals are not needed. In the above case “bad” accommodation providers will be found out reasonably quickly and the licence scheme will serve its purpose well, leaving the majority of licence abiding providers with running their business” (Visitor accommodation provider)*

#### **Suggestions on form and frequency of reviews**

- 4.213 Lastly, some respondents offered suggestions for how the scheme could be improved. The most common suggestion was conducting the reviews on a less regular basis. It was typically suggested that said reviews should be conducted once every two years. The next most frequently mentioned suggestion was that the review should be scaled in line with the needs of different accommodation providers, particularly smaller ones.

*“Again, you can't use one rule for all... There are huge differences between providers and these should be reflected in any such process” (Anonymous response)*

## **Themes in favour of the establishment of an annual review**

### **Alignment with other timescales**

- 4.214 The most frequently raised theme in favour of annual reviews was the view that they would align with checks such as gas certificates and insurance. As a result, it was deemed important that up-to-date information was provided on an annual basis. However, some respondents drew attention to the fact that the renewal of certain checks, such as insurance, may not coincide with the anniversary of the registration. It was hence suggested that the certificates were valid a year from upload rather than the initial date of registration.

*“Gas certificates and insurance expire annually so up to date copies should always be provided” (Self-catering agencies)*

### **Increased data accuracy**

- 4.215 The next most commonly raised theme in agreement with the proposed statement was the view that it would be beneficial to data quality and quantity. The respondents raising this theme generally highlighted that annual reviews would offer the Welsh Government up-to-date information on the number and compliance of visitor accommodation providers. This was viewed to be crucial for the integrity of the scheme in the long term.

*“To guarantee the accuracy of the data held and ensure the integrity of the scheme” (Resident of Wales)*

## Transparency and access to information

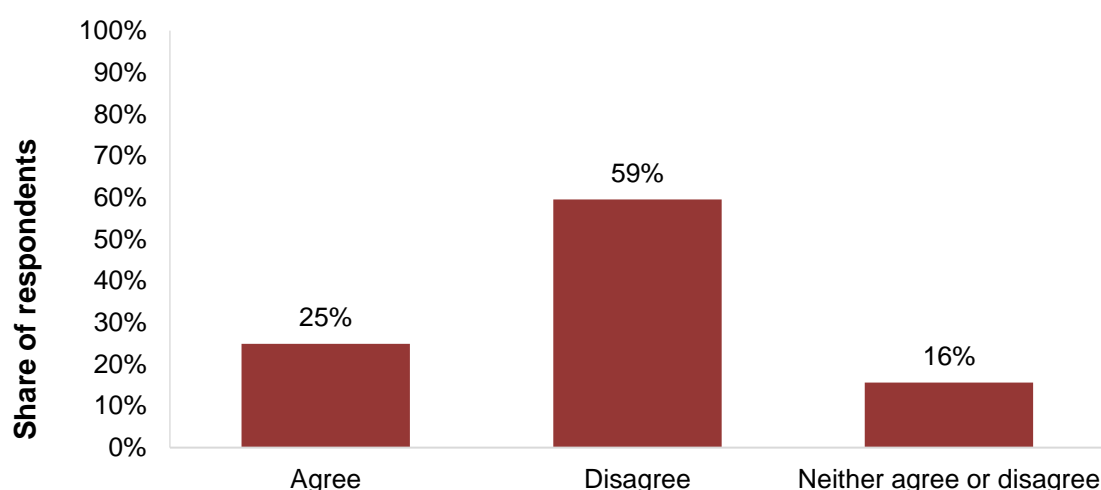
4.216 This section seeks views on the list of key authorities and partners the Welsh Government and local authorities might share information and personal data with.

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Question 21: We are proposing that as part of the licence application process, accommodation providers are asked to give their consent to the information they supply being shared between key authorities and partners for the purposes of communication, safety, compliance, enforcement and implementation of a visitor levy. Do you agree or disagree with this proposal?

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Figure 23. Share of respondents agreeing or disagreeing with the Welsh Government and local authorities sharing information with key authorities and partners



Note: Overall, 1,069 respondents answered this question, representing 67% of all consultation respondents.

4.217 The majority of respondents to this question (59% or 636 respondents) disagreed with their information being shared with key authorities and partners for the purposes of communication, safety, compliance, enforcement and implementation of a visitor levy. Self-catering agencies were the most likely respondents to disagree (65%), followed by visitor accommodation providers (62%), and residents of Wales (61%).

- 4.218 Most respondents from local authorities (62%) agreed with the statement in question, as did almost half of the respondents from national parks and tourism representative bodies.

## **Themes against sharing information between key authorities and partners**

### **Data security concerns**

- 4.219 The most common theme raised by respondents against the sharing of information between key authorities and partners was concern regarding potential data breaches. The private and personal nature of the data shared was seen to increase the risk and in turn, repercussions of any security breach. Many respondents proceeded to describe the act as a breach of GDPR (General Data Protection Regulation) principles.

*“This creates an open-ended exposure and breach of Data Protection and GDPR rules. You cannot ask accommodation providers to give an open-ended consent, to unnamed parties, where personal data is shared”  
(Anonymous response)*

### **Excluding specific recipients and information**

- 4.220 The next most commonly raised theme by respondents was the view that some recipients should be excluded from certain information or that some information should not be shared. Regarding the former, there was broad disagreement with any information sharing with third-party commercial entities, as many respondents expressed concern that their data may be sold for marketing purposes. In terms of the latter, respondents typically argued that the Welsh Government had access to sufficient information, questioning the need for any further information.

*“I do not want my data sold for marketing purposes to potential competitors with deep pockets. Authorities, yes, commercial entities, no” (Visitor accommodation provider)*

*“Local authorities should already have all the information they need through Planning. Environmental health and business rates departments. You're just*

*trying to add more bureaucracy so you can lumber operators with fees”  
(Anonymous response)*

### **Disagreement with the purpose of sharing information**

- 4.221 The third most commonly raised theme by respondents against the proposal was the information shared should not be used for visitor levies. Many respondents expressed concern surrounding the implementation of visitor levies and its perceived negative financial ramifications for providers and the tourism sector. Several respondents requested more information on the policy and its aims, arguing that conversations surrounding visitor levies should be separated from the current consultation.

*“I totally disagree with any plans to create a visitor levy. It will mean tourists don’t stay the night and will visit other areas or stay in England. Wales needs to increase overnight stays of visitors, not penalise those that do” (Booking Platform)*

*“I thought this was a registration/licensing issue not an implementation of a visitor levy. The visitor levy charge is a separate issue”. (Resident of Wales)*

### **Themes in favour of sharing information between key authorities and partners**

#### **Encouraging compliance**

- 4.222 The most commonly raised theme amongst those respondents in favour of sharing information between key authorities and partners was the view that it would encourage compliance across different visitor accommodation providers.

*“We believe management and build of a registration scheme should be delivered by Welsh Government via Visit Wales. Standards should be maintained consistently across Wales by Welsh Government centrally to avoid individual Authorities have differing standards which could make one authority area more or less competitive over its neighbour. Compliance and enforcement should be monitored and managed by Local Trading Standards Officers”. (Anonymous response)*

## Displaying licence numbers

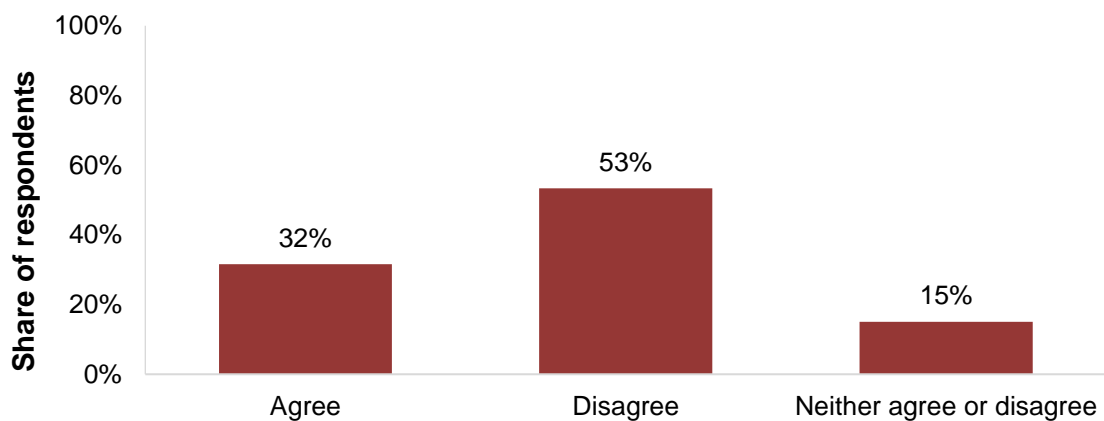
4.223 This section seeks views on whether visitor accommodation providers should be required to display their licence number on advertising and marketing materials. The second section questions seeks views on whether all online travel agents (OTAs), travel trade organisations, other booking and social media channels, marketing platforms and self-catering agencies should be required to display the licence number of the visitor accommodation they are promoting. The questions also explore the potential for sanctions for those deliberately or negligently advertising unlicensed visitor accommodation.

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Question 22: Do you agree or disagree with the proposal that all visitor accommodation providers should be required to display their licence number on all advertising/marketing materials and at their visitor accommodation and be subject to penalties if they do not comply?

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Figure 24. Share of respondents agreeing or disagreeing with all visitor accommodation providers being required to display their licence number on all advertising/marketing materials and at their visitor accommodation and being subject to penalties if they do not comply



Note: Overall, 1,069 respondents answered this question, representing 67% of all consultation respondents.

4.224 The majority of respondents to this question (53% or 570 respondents) disagreed with the proposal. Visitor accommodation providers and residents

of Wales were the only respondent types expressing majority disagreement (55% and 54% respectively).

- 4.225 The majority of respondents from local authorities (64%), national parks (57%), tourism associations (57%), and tourism representative bodies (55%) agreed with the statement in question.

### **Themes in opposition to the suggestion that accommodation providers should be required to display their licence number**

#### **High administrative and financial burden**

- 4.226 The most common theme raised by respondents disagreeing with visitor accommodation providers displaying their licence number was the view that the process would be too administratively and financially burdensome. This was most frequently raised with respect to updates to the advertising and marketing materials, with concern over the time and cost of changing marketing materials.

#### **Challenges with enforcement**

- 4.227 The second most common theme amongst respondents opposing the suggestion in question was the view it would be too difficult to enforce. These views were also related to the financial and administrative concerns raised in the previous theme. Other respondents drew attention to the fact that accommodation providers could forge their licence number in order to provide a false sense of reassurance to potential visitors.

*“Not sure how you would police this requirement due to the vast number of ways people can use technology, particularly as a clerical error could invoke a penalty” (Anonymous response)*

*“People could easily make a number up & who would check” (Resident of Wales)*

#### **Limited impact of displaying licence numbers**

- 4.228 The next most common theme amongst respondents disagreeing with visitors displaying licence numbers was the view that it would have limited impact. This was often linked to the view that visitors would neither care nor



be aware of the meaning of the licence number, hence, having limited impact on their decision-making when choosing where to stay.

*“I don't think a licence should be required. If it does come into place, what would be the purpose of displaying this? I don't think the general public would care at all, so is this to look for opportunities to fine providers?”*  
(Anonymous response)

*“This will add burden and the public would not know what this means considering other accreditation that already exists”* (Anonymous response)

## **Themes in favour of the suggestion that accommodation providers should be required to display their licence number**

### **Increased compliance with the scheme's requirements**

- 4.229 The most common theme raised by respondents agreeing with the visitor accommodation providers displaying their licence number was the view that it would act as a clear demonstration of compliance. The display of the licence number was seen to reassure visitors that the accommodation in question was covered by the scheme and hence, met certain standards.

*“If all accommodations comply with conditions, then there should be no reason not to display their licence. This would give visitors confidence that the property is one that complies with certain conditions”* (Booking platform)

*“Visitors will be confident when they book that the accommodation reaches a good standard and is safe.”* (Booking platform)

### **Protecting the interests of visitors and businesses**

- 4.230 The next most common theme raised by respondents in favour of the suggestion was the view that the scheme would protect the interests of businesses and visitors. Regarding the former, some mentioned it would promote fairness among visitor accommodation providers, given they would all need to follow the same standards. In terms of the latter, it was seen to promote confidence amongst visitors, as discussed in the previous theme.

*“This will be needed to create a level playing field and assist in consumer confidence in the accommodation sector. A business/property should not be*

able to advertise on websites, or in printed form, without displaying the registration number”. (Anonymous response)

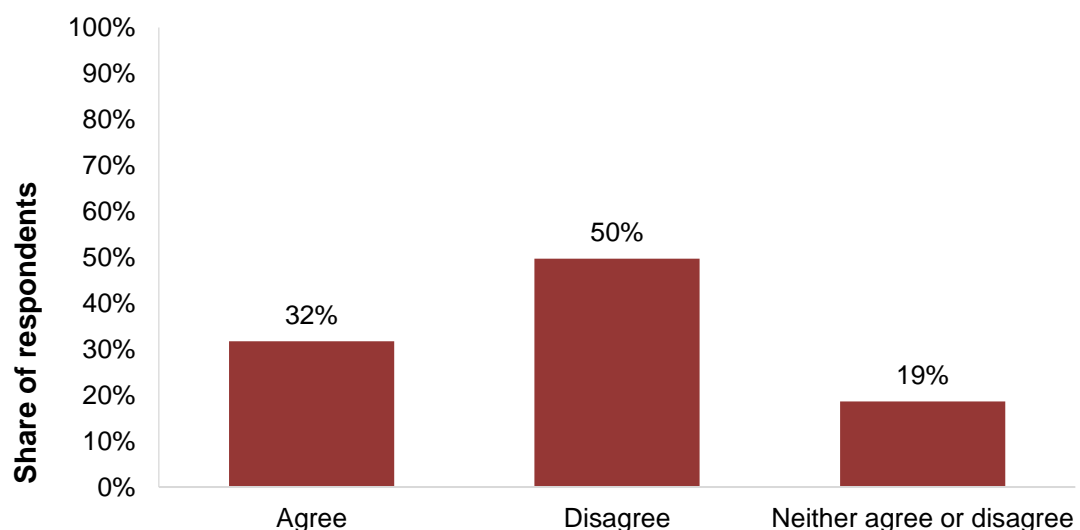
“It holds them to account and gives visitors confidence when booking without them having to go looking for their licence status.” (Anonymous response)

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Question 23: Do you agree or disagree with the proposal that all online travel agents (OTAs), travel trade organisations, other booking and social media channels, marketing platforms and self-catering agencies should be required to display the licence number of the visitor accommodation they are promoting on their listings and/or adverts and be subject to sanctions if they deliberately or negligently advertise unlicensed visitor accommodation?

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Figure 25. Share of respondents agreeing or disagreeing with the proposal that all OTAs, travel trade organisations, other booking and social media channels, marketing platforms and self-catering agencies should be required to display the licence number of the visitor accommodation they are promoting on their listings and/or adverts and be subject to sanctions if they deliberately or negligently advertise unlicensed visitor accommodation



Note: Overall, 1,075 respondents answered this question, representing 67% of all consultation respondents.

- 4.231 Around half of the respondents to this question (or 534 respondents) disagreed with the proposal in question. Majority disagreement was only expressed by residents of Wales (52%).

- 4.232 Respondents from national parks had the highest agreement (57%) among all respondents, followed by tourism representative bodies (55%), and local authorities (47%).

**Themes in opposition to the suggestion that all online travel agents (OTAs), travel trade organisations, other booking and social media channels, marketing platforms and self-catering agencies displaying a licence number**

**High administrative and financial burden**

- 4.233 The most common theme amongst respondents disagreeing that OTAs, travel trade organisations and other self-catering agencies should display the licence number was the view that it would increase the administrative and associated financial burden. This concern was especially prevalent with regard to smaller providers.

*“all this means for the holiday accommodation provider is more time spent on unnecessary administration and more cost for absolutely no gain whatsoever” (Anonymous response)*

**General disagreement with sanctions**

- 4.234 The next most common theme was general caution against sanctions generally. The respondents raising this theme generally doubted the effectiveness of any imposition of sanctions, especially when considering the time and money invested in their implementation and monitoring. Some respondents also focused on the difficulties of imposing sanctions on online travel organisations that operate beyond Welsh borders.

*“I certainly do not accept that there should be sanctions for not displaying the licence number. Again, I ask, what purpose will this have? What problem (related to the stated justification of safety) is being solved and how will this solve it?” (Anonymous response)*

*“Travel trade is international, and it would be difficult or even impossible to enforce such a requirement in all cases. Indeed, it may not actually be legally possible to do so” (Local authority)*

### **Overreach by the Welsh Government**

- 4.235 The third most common theme amongst respondents in disagreement with the statement was that the scheme was considered to be overreach. More government control was seen as unnecessary and damaging to businesses and the Welsh economy. Instead, it was suggested that visitors should be responsible for assessing the standards of their accommodation.

*“Too much regulation. Let visitors make their own enquiries & take some responsibility for their own choices & decisions”. (Anonymous response)*

### **Well-established systems in place**

- 4.236 The next most common theme amongst respondents was doubts regarding the necessity of the scheme. Respondents raising this theme most frequently mentioned that there were already sufficient systems in place that accomplish the goals of the proposed scheme.

*“Why would these companies want to take on this task? They have their own checks and balance that hosts have to adhere to before they will advertise accommodation already” (Anonymous response)*

*“Your scheme will be operating in Wales only. Just doesn't work. [i.e. booking platforms] do their own checks already. there are a number of hurdles that accommodation providers have to jump already. You're just duplicating systems”. (Anonymous response)*

### **Themes in favour of the suggestion that all online travel agents (OTAs), travel trade organisations, other booking and social media channels, marketing platforms and self-catering agencies displaying a licence number**

#### **Increased transparency of accommodation standards**

- 4.237 The most common theme amongst respondents who were in favour of the proposal was the view that the licensing information on all OTAs would promote transparency. The respondents raising this theme mentioned the proposal would increase the visibility of health and safety and quality standards, enabling visitors to make informed choices.

*“The OTAs need to be brought into line, they are all geared towards visitors benefits not hosts and constantly change the rules! Making them comply with host registration number is a good step forwards”. (Anonymous response)*

**Preference for fines as a sanction**

- 4.238 Regarding sanctions, fines were the most frequently supported sanction, followed by suspension of operation, to encourage compliance with the system. For some respondents, there was concern however, that the use of sanctions, in particular fines, could lead to OTAs withdrawing from the Welsh market, thus damaging the tourist sector.

*“By far the greatest majority of business is attracted via the OTA's. Without their full compliance the scheme would fall apart. [...] Once again fines for non compliance but I can see this getting messy with the ultimate withdrawal of some OTA's when they don't have this unnecessary grief in other parts of the country” (Tourism association)*

## 5. Final comments

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Question 24: We would like to know your views on the effects that a statutory licensing scheme for all visitor accommodation would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favorably than English. What effects do you think there may be? How could positive effects be increased, or negative effects be mitigated?

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- 5.1 This question sought views on the potential impact of the scheme on the Welsh language, the opportunity for people to use Welsh, and on treating the Welsh language no less favourably than English. However, the most common theme in responses to whether the scheme would have positive or negative effects on the Welsh language was that this scheme would have no effect.

### **Limited impact on the Welsh language**

- 5.2 The majority of respondents viewed that the scheme would have little or no impact on the use of Welsh. Respondents generally argued that they do not see how a licensing scheme could affect opportunities for people to use Welsh.

*“This is all about improving the standards and safety of accommodation not driving Welsh language. It will have a neutral effect.” (Resident of Wales)*

*“No effects. This is already covered in existing legislation and by customer demand.” (Anonymous response)*

### **Main themes among those who identified potential negative effects**

#### **Adverse impact on Welsh small businesses and communities**

- 5.3 Most respondents who highlighted negative impacts on the Welsh language highlighted that the scheme could negatively affect the tourism sector. Respondents raising this theme generally highlighted that the negative effects on tourism might force many local businesses, which could be run by Welsh speakers, out of the market. A few respondents suggested that

mountaineering clubs' huts would also be negatively affected. According to these respondents, these huts bring people to Welsh mountains who would otherwise not do so, promoting the Welsh language and culture. The latter theme was raised, mostly, by representatives of mountaineering clubs.

*“Small local businesses that are often run by local Welsh people will be pushed out the industry and only large companies and wealthy people moving from the cities will be able to afford to function here who are unable to promote the Welsh language.” (Self-catering agencies)*

*“Mountain huts bring people into the mountains who would not be able to do so otherwise. It encourages guests to enjoy the Welsh Mountains and culture as well as promoting the Welsh language.” (Anonymous response)*

### **Reductions in cultural exchange**

- 5.4 A small number of respondents commented that statutory licensing would reduce the number of visitor accommodation operators, leading to fewer visitors and less cultural exchange between Wales and other countries. According to these respondents, the proposed scheme would reduce visitors' likelihood of experiencing Welsh being used in daily situations and thus engaging with Welsh culture and language. Some suggested it would also have an adverse effect on visitors' opinion of Wales as a country.

*“As statutory licensing will reduce the number of small operators, the opportunity for seeing Welsh used in a day-to-day situation will decrease.” (Anonymous response).*

### **Main themes among those who identified potential positive effects**

#### **Positive effects on the housing market and communities**

- 5.5 The most common theme among respondents identifying positive effects was that authorities could better balance the supply of accommodation between holiday businesses and residential housing in their communities. These respondents often argued that licensing or registration schemes could return housing stock to the local housing market and increase opportunities for local people, who speak Welsh.

*“If accommodation providers are priced out by licences, housing stock could potentially revert back to locals which could encourage the Welsh language.”  
(Resident of Wales)*

*“Combined measures, including a registration or licensing scheme, may help bring together responsible accommodation owners and also hopefully educate many to realise the impact holiday homes can have on vulnerable communities in Wales, and the language.” (National Park Authority)*

### **Increased usage and visibility in public administration**

- 5.6 A few respondents mentioned that there might be additional benefits to the scheme if Welsh becomes its primary language and is used in any new administrative jobs created. These respondents typically mentioned that registration services, materials, and communications should also be available in Welsh.

*“Offer Welsh language registration service and published material.”  
(Anonymous response)*

*“If there was an option to communicate in Welsh both verbally and in written form with the licensing authority, then Welsh language speakers would be treated equally with English speakers as they should be.” (Anonymous response)*

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Question 25: Do you have any insight or evidence on the impact of any different type of schemes that are already running, or approaches taken elsewhere in the world, that you think the Welsh Government could learn from or implement?

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- 5.7 The sections below list the most prevalent themes among respondents offering insights or evidence on the impact of any different types of schemes that are already running, or approaches taken elsewhere in the world.
- 5.8 A significant number of respondents did not directly answer the question, and offered evidence relating to visitor levies instead of statutory licensing schemes.



## **Adverse impacts on the Welsh economy**

- 5.9 The majority of respondents argued that visitor accommodation licensing schemes typically harm the economy and reduce the availability of tourist accommodation. Respondents raising this theme, including several tourist accommodation providers and representative bodies, mentioned the example of Scotland, where a licensing scheme negatively affected business confidence, costs, and operations. Other examples offered by respondents included: (i) Italy, where the number of businesses and visitors decreased, and (ii) France, where licensing schemes made it prohibitively expensive to operate as a small accommodation provider.

*“If you look at the recent issues that Scotland have had with their licensing scheme, you will find that it has lost all confidence from the owners - and according to recent surveys over 75% of business owners have found that the licensing was a significant or a medium threat to their business.”*

*(Anonymous response)*

*“The licensing scheme in Scotland seems to have been very badly thought through and implemented. Licence fees that are prohibitive and onerous requirements. Lack of tradespeople qualified to do the required testing.”*

*(Resident of Wales)*

*“In France, licensing makes it prohibitively expensive to run a small operation.” (Other)*

## **High administrative costs**

- 5.10 The second most common theme was that the proposed scheme is likely to increase the administrative burden of running visitor accommodation. Respondents argued that this has happened in Scotland, and also in the privately rented sector in Wales after the creation of Rent Smart Wales. Among those who pointed out the administrative costs of the proposed scheme, a majority of respondents identified as residents of Wales or booking platforms. Finally, some respondents mentioned successful light-touch registration schemes implemented in Portugal and Greece. According

to these respondents, registration services in place in these countries are fully online and have lower administrative costs than the proposed scheme.

*“All this means for the holiday accommodation provider is more time spent on unnecessary administration and more cost for absolutely no gain whatsoever.” (Anonymous response)*

*“Portugal has established a mandatory and easy registration system for STR hosts. The process for registering as an STR is the same nationwide and is 100% online.” (Anonymous response).*

### **Examples of best practice across Europe**

5.11 The third most common theme in this question included specific countries in which similar schemes, visitor levies, or controls over foreign ownership were implemented successfully. These respondents generally explained that some degree of regulation or monitoring of visitor accommodation and visitor numbers has been implemented successfully in several countries.

Respondents specified, amongst others, (i) tourist fees in Venice, which are used to fund new infrastructure, (ii) visiting fees or local taxes across Europe to make use of local services and facilities, and (iii) licensing schemes for online booking platforms in Canada and Spain.

*“Look what happens in Europe. Everyone visiting pays a local tax to make use of local bus services and get access to facilities. Make it an all round programme which doesn’t simply charge money but gives something back as well.” (Anonymous response)*

*“Licensing is already used in Europe and it can only be a good thing.” (Anonymous response)*

### **Leverage existing systems for enforcement**

5.12 Lastly, a few respondents mentioned that existing systems, such as ratings and reviews on booking platforms, have proven to be effective forms of enforcing safety and quality standards.

*“I think the guest ratings of accommodations are a very simple way to risk assess providers.” (Second home owner)*

*“I think as long as the websites holiday let companies do their checks and have all visitors/providers information and identification there should not be any need for this scheme.” (Resident of Wales)*

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Question 26: Do you have any other comments on the proposed statutory licensing scheme not covered in your answers to any of the above questions?

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- 5.13 This question sought additional views on the proposed statutory licensing scheme, and the following themes represent the most frequently mentioned views.

### **High administrative and financial cost**

- 5.14 Most of the respondents used this question to reiterate that regardless of the operational details of the scheme, the associated financial and administrative costs should be kept at a minimum. The majority of respondents raising this theme expressed concerns regarding the fees, which could potentially push some providers out of the market.

*“Providing accommodation is a very competitive business, costs are high and margins are slim for most people so any fees to be paid for obtaining a licence should be kept to the absolute minimum.” (Resident of Wales)*

*“Fee must be realistic, costs are rising and this must not be too much as it will cause some to hide, and others will close due to all the costs.” (Resident of Wales)*

### **Adverse impacts on the tourism sector**

- 5.15 The second most common theme was that the design and delivery of the scheme would possibly have negative effects on visitor accommodation providers, and by extension, the tourism sector and the Welsh economy. Some respondents considered the scheme to be unnecessary, damaging to the industry, and costly for the tourism and hospitality sector.

*“Far from introducing new fees and barriers to providing visitor accommodation, the Welsh government should be encouraging more of it*

*and therefore boosting the Welsh economy and provide more jobs, particularly in rural areas.” (Visitor Accommodation Provider)*

*“This is discouraging a really valuable industry and will result in extra costs and effort. It will discourage smaller providers and damage the industry, restricting growth in areas dependent on tourism.” (Anonymous response)*

### **Views against statutory licensing**

- 5.16 As discussed in the overarching themes section, a significant number of respondents disagreed with the scheme as a whole, regardless of the operational details. However, some respondents were in favour of a registration scheme, instead. Other respondents doubted the effectiveness of either scheme regarding the Welsh Government’s objectives. As a result, it was suggested that different strategies should be explored to solve housing market problems, including second home ownership, and housing stock availability and affordability.

*“Overall, I totally disagree with the licencing scheme.” (Visitor Accommodation Provider)*

*“A registration scheme would be simple, cheap and be of real value. Licensing would be expensive and complex and there don’t appear to be any real benefits for either operators, guests, or councils.” (Resident of Wales)*

*“If the real aim is the supposed reduction in second home ownership and making Welsh homes for local Welsh people, there are other ways to achieve this (new builds with restricted covenants, tied houses to employment sector).” (Other)*

### **Specific consideration for small businesses, low-income families, and rural areas**

- 5.17 The fourth most common theme was that the scheme could harm small businesses, low-income families, and rural areas. Respondents raising this theme, including several visitor accommodation providers and Welsh residents, generally expressed concerns that the aforementioned groups are highly dependent on the visitor economy, and would be disproportionately affected by the proposed scheme.

*“Don’t create a huge new tourist accommodation monitoring empire which will cost the public purse a fortune and harm local people’s small businesses. Running a holiday let is not easy - tourists have high expectations and to be successful you have to have consistent good reviews and high standards.” (Anonymous response)*

*“Very important that you consider the viability of a scheme like this for smaller part-time accommodation providers too - both in costs (financial) and in time. They should not be penalised but in fact encouraged as variety, as well as more specialist accommodation.” (Anonymous response)*

### **Cooperation between the Welsh Government and industry**

- 5.18 The fifth most common theme was that the Welsh Government should cooperate and engage with private sector stakeholders to reconsider their approach. Some respondents deemed it important to agree on a sensible level of monitoring and enforcement, and a few of them proposed that compliant providers should receive benefits, as non-compliant ones receive penalties.

*“I urge the Welsh Government to liaise with tourist organisations such as the Wales Tourism Alliance and other stakeholders before coming up with further consultation documents.” (Anonymous response)*

*“The Welsh Government must listen to the sector [...] whilst enabling a series of comprehensive impact assessments to be carried out into the economic, social, cultural and environmental impacts of all the changes being implemented.” (Resident of Wales)*

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Question 27: Is there anything else you wish to say which you think would help the Welsh Government proceed with their proposals?

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- 5.19 The following themes represent the most frequently mentioned views on what would help the Welsh Government proceed with their proposals.

## **Adverse impacts on the Welsh economy and accommodation providers**

- 5.20 The most common theme was that the proposed scheme would harm accommodation providers, the tourism sector, and by extension the Welsh economy. Many of these respondents did not disagree with the scheme in principle, but they claimed that the proposal could be damaging for small businesses, communities, and rural areas. According to these respondents, small providers operate with limited resources in a competitive environment, and respondents feared this scheme could negatively affect their operations.

*“The tourism industry is suffering, many of us have greatly lowered our nightly rates just to make ends meet and having yet another 'bill' hit the doormat could be extremely detrimental. People will then be clouded by what is a good idea and focus more on how much it will cost them.” (Anonymous response)*

*“Bear in mind that not all people want to stay in hotels and b and b's. People with families and pets need self catering accommodation so it worries me that the new laws regarding minimum bookings and availability are causing selfcatering businesses to close in less touristy areas.” (Anonymous response)*

*“It is a good idea as long as it does not burden the small business either with cost or paper work.” (Anonymous response)*

## **Distinguishing between holiday property owners and second homes**

The second most frequently raised theme was that the Welsh Government should make a clear distinction between holiday properties and second homes. According to the respondents, including several visitor accommodation providers and tourism representative bodies, holiday lets provide attractive visitor accommodation, which brings year-round economic benefits, while second homes might not.

*“It does not take into account the clear distinction between the benefits of a holiday property (that brings year-round economic benefits to an area),*

*versus a second home (that is only used by an individual a few times a year).” (Anonymous response)*

*“The government needs to acknowledge that professional holiday lets form part of the tourism industry in Wales and contribute to the national and local economy.” (Holiday cottage business owner)*

### **General disagreement with licensing**

- 5.21 Lastly, many respondents reiterated their objection to a licensing scheme, arguing that this would be a harmful policy in an already highly competitive sector. As discussed as part of the overarching themes at the beginning of this report, many respondents felt this would be a regulatory overreach, and they believed the government should refrain from intervening in the economy. However, several respondents highlighted a registration scheme, instead of a statutory licensing one, could be an effective, less intrusive, alternative, and a few of them said it would be a useful tool to scope the state of the sector.

*“I think it is a bad idea in a very competitive field.” (Anonymous response)*

*“Over regulation does not help. What we need is enforcement of existing custom and practice and resourcing of local authorities so these can be policed. There are rules and regulations in place which we comply with now, unfortunately good compliance is not rewarded and bad compliance is inadequately policed.” (Resident of Wales)*

*“Invite registration as a first step to determine the scale, scope and composition of the sector.” (Resident of Wales)*

## 6. Appendix A – detailed segmentation analysis

Figure 26. Breakdown of respondents agreeing or disagreeing with establishing a licensing scheme for all visitor accommodation in Wales

	Agree	Disagree	Neither agree nor disagree
National park	75%	25%	0%
Local Authority	67%	33%	0%
Tourism association	32%	64%	5%
Booking platform	30%	64%	6%
Self-catering agencies	29%	65%	6%
Resident (of Wales)	25%	67%	8%
Other	24%	62%	14%
Tourism representative body	23%	77%	0%
Visitor Accommodation provider	21%	68%	12%

Figure 27. Breakdown of respondents agreeing or disagreeing with establishing a registration scheme for all visitor accommodation in Wales

	Agree	Disagree	Neither agree nor disagree
Tourism association	58%	42%	0%
National park	50%	33%	17%
Local Authority	47%	40%	13%
Self-catering agencies	47%	40%	13%
Booking platform	45%	48%	7%
Tourism representative body	42%	42%	17%
Resident (of Wales)	38%	50%	12%
Visitor Accommodation provider	37%	49%	14%
Other	32%	50%	18%



Figure 28. Breakdown of respondents agreeing or disagreeing that introducing a statutory licensing scheme will ensure a level playing field for all accommodation providers in Wales

	Agree	Disagree	Neither agree nor disagree
Local Authority	58%	37%	5%
National park	38%	25%	38%
Tourism association	32%	50%	18%
Booking platform	29%	59%	13%
Resident (of Wales)	25%	62%	14%
Tourism representative body	23%	31%	46%
Other	23%	64%	13%
Self-catering agencies	22%	69%	8%
Visitor Accommodation provider	21%	65%	14%

Figure 29. Breakdown of respondents agreeing or disagreeing that the Welsh Government needs a register of visitor accommodation providers in Wales

	Agree	Disagree	Neither agree nor disagree
Tourism association	67%	29%	4%
National park	63%	38%	0%
Local Authority	58%	42%	0%
Tourism representative body	54%	38%	8%
Self-catering agencies	49%	43%	8%
Booking platform	44%	49%	6%
Other	40%	45%	16%
Resident (of Wales)	39%	51%	11%
Visitor Accommodation provider	38%	50%	12%

Figure 30. Breakdown of respondents agreeing or disagreeing that local authorities need a register of visitor accommodation providers in Wales

	Agree	Disagree	Neither agree nor disagree
Local Authority	68%	26%	5%
Tourism association	65%	22%	13%
National park	50%	50%	0%
Tourism representative body	50%	25%	25%
Self-catering agencies	44%	44%	13%
Booking platform	43%	43%	14%
Other	37%	46%	17%
Visitor Accommodation provider	36%	49%	15%
Resident (of Wales)	36%	51%	13%

Figure 31. Breakdown of respondents agreeing or disagreeing that introducing a statutory licensing scheme will ensure an effective platform for communication between the Welsh Government and local authorities and providers of visitor accommodation in Wales

	Agree	Disagree	Neither agree nor disagree
Local Authority	53%	41%	6%
Tourism association	43%	48%	10%
Tourism representative body	31%	54%	15%
National park	29%	29%	43%
Self-catering agencies	26%	63%	11%
Booking platform	23%	65%	12%
Resident (of Wales)	22%	65%	13%
Other	19%	59%	22%
Visitor Accommodation provider	19%	65%	16%

Figure 32. Breakdown of respondents agreeing or disagreeing that introducing a statutory licensing scheme will ensure enhanced confidence in visitor accommodation and accommodation providers in Wales

	Agree	Disagree	Neither agree nor disagree
Local Authority	63%	32%	5%
National park	38%	38%	25%
Tourism association	30%	48%	22%
Booking platform	30%	66%	4%
Self-catering agencies	27%	67%	6%
Resident (of Wales)	23%	66%	12%
Tourism representative body	21%	43%	36%
Visitor Accommodation provider	20%	67%	13%
Other	19%	63%	19%

Figure 33. Breakdown of respondents agreeing or disagreeing that a statutory scheme should be delivered on a hybrid basis as described

	Agree	Disagree	Neither agree nor disagree
Local Authority	47%	47%	7%
Tourism representative body	38%	38%	23%
Self-catering agencies	31%	58%	10%
Tourism association	29%	57%	14%
Booking platform	28%	62%	10%
Other	27%	54%	19%
National park	25%	63%	13%
Resident (of Wales)	24%	58%	18%
Visitor Accommodation provider	22%	59%	19%

Figure 34. Breakdown of respondents agreeing or disagreeing with considering all visitor accommodation providers within the scope of a statutory scheme

	Agree	Disagree	Neither agree nor disagree
Local Authority	56%	44%	0%
Tourism representative body	54%	46%	0%
National park	50%	25%	25%
Tourism association	45%	36%	18%
Booking platform	38%	53%	9%
Self-catering agencies	38%	50%	13%
Resident (of Wales)	35%	56%	10%
Other	33%	55%	12%
Visitor Accommodation provider	32%	57%	12%

Figure 35. Breakdown of respondents agreeing or disagreeing that whoever is responsible for the letting of the accommodation for holiday purposes on caravan and/or camping sites should be required to obtain a licence

	Agree	Disagree	Neither agree nor disagree
Local Authority	63%	37%	0%
National park	63%	38%	0%
Self-catering agencies	49%	43%	9%
Tourism association	48%	44%	8%
Tourism representative body	38%	38%	23%
Booking platform	38%	52%	11%
Resident (of Wales)	37%	48%	15%
Visitor Accommodation provider	34%	46%	20%
Other	33%	44%	23%

Figure 36. Breakdown of respondents agreeing or disagreeing that a licence should be required even if the visitor accommodation is operating infrequently (including one night per year)

	Agree	Disagree	Neither agree nor disagree
Local Authority	56%	44%	0%
Tourism association	52%	43%	4%
National park	50%	38%	13%
Tourism representative body	46%	46%	8%
Self-catering agencies	41%	57%	2%
Booking platform	35%	56%	9%
Other	31%	56%	13%
Resident (of Wales)	29%	61%	10%
Visitor Accommodation provider	27%	61%	12%

Figure 37. Breakdown of respondents agreeing or disagreeing with the need for a limited licence for one-off or annual events

	Agree	Disagree	Neither agree nor disagree
Self-catering agencies	41%	46%	13%
Tourism association	38%	52%	10%
Booking platform	36%	47%	17%
Local Authority	33%	53%	13%
Resident (of Wales)	33%	46%	21%
Visitor Accommodation provider	31%	44%	25%
Other	30%	41%	30%
National park	25%	50%	25%
Tourism representative body	15%	54%	31%

Figure 38. Breakdown of respondents agreeing or disagreeing with the proposed information needed to evidence compliance

	Agree	Disagree	Neither agree nor disagree
National park	63%	38%	0%
Local Authority	60%	33%	7%
Tourism association	48%	52%	0%
Self-catering agencies	40%	52%	8%
Booking platform	35%	52%	13%
Tourism representative body	33%	67%	0%
Resident (of Wales)	32%	57%	10%
Other	32%	50%	18%
Visitor Accommodation provider	30%	56%	13%

Figure 39. Breakdown of respondents agreeing or disagreeing with carrying out inspections on a 1:50 ratio using a risk-based approach and additional inspections

	Agree	Disagree	Neither agree nor disagree
Local Authority	57%	29%	14%
Self-catering agencies	48%	31%	21%
Tourism association	45%	41%	14%
Tourism representative body	38%	38%	23%
National park	38%	38%	25%
Booking platform	34%	48%	17%
Resident (of Wales)	31%	52%	17%
Visitor Accommodation provider	30%	51%	19%
Other	28%	47%	24%

Figure 40. Breakdown of respondents agreeing or disagreeing with the principle that visitor accommodation providers that do not comply should be subject to enforcement measures

	Agree	Disagree	Neither agree nor disagree
Tourism representative body	67%	25%	8%
National park	63%	38%	0%
Local Authority	60%	27%	13%
Tourism association	55%	36%	9%
Self-catering agencies	51%	36%	13%
Booking platform	49%	41%	10%
Other	41%	36%	23%
Resident (of Wales)	40%	44%	16%
Visitor Accommodation provider	38%	42%	20%

Figure 41. Breakdown of respondents agreeing or disagreeing with the inclusion of a fit and proper person test or similar as part of the scheme requirements

	Agree	Disagree	Neither agree nor disagree
Local Authority	56%	44%	0%
Tourism representative body	38%	62%	0%
National park	38%	38%	25%
Self-catering agencies	32%	53%	15%
Tourism association	32%	55%	14%
Resident (of Wales)	26%	56%	18%
Booking platform	25%	58%	16%
Visitor Accommodation provider	23%	56%	22%
Other	22%	53%	26%

Figure 42. Breakdown of respondents agreeing or disagreeing with all visitor accommodation providers paying the same fee

	Agree	Disagree	Neither agree nor disagree
Local Authority	21%	68%	11%
Tourism association	13%	65%	22%
Self-catering agencies	12%	65%	22%
Booking platform	11%	70%	19%
Other	10%	71%	19%
Visitor Accommodation provider	9%	75%	16%
Resident (of Wales)	9%	78%	13%
Tourism representative body	7%	71%	21%
National park	0%	50%	50%

Figure 43. Breakdown of respondents agreeing or disagreeing with scaling fees based on the size of visitor accommodation

	Agree	Disagree	Neither agree nor disagree
Local Authority	53%	27%	20%
Self-catering agencies	53%	36%	11%
Resident (of Wales)	50%	33%	16%
Tourism association	50%	23%	27%
Booking platform	47%	30%	23%
Visitor Accommodation provider	47%	35%	18%
Tourism representative body	46%	31%	23%
Other	42%	38%	20%
National park	38%	0%	63%



Figure 44. Breakdown of respondents agreeing or disagreeing that providers could apply for a one-off licence at a reduced cost.

	Agree	Disagree	Neither agree nor disagree
Tourism representative body	45%	45%	9%
Local Authority	41%	41%	18%
Self-catering agencies	40%	38%	21%
Visitor Accommodation provider	30%	37%	33%
Resident (of Wales)	30%	41%	29%
Other	29%	36%	34%
Booking platform	28%	49%	23%
National park	25%	25%	50%
Tourism association	22%	39%	39%

Figure 45. Breakdown of respondents preferring options for renewal frequency

	Annually	Every 2 years	Every 3 years	Every 4 years	Every 5 years
Local Authority	30%	20%	30%	0%	20%
Tourism representative body	22%	22%	22%	0%	33%
Booking platform	19%	13%	21%	1%	46%
Resident (of Wales)	15%	8%	17%	2%	58%
National park	14%	14%	29%	0%	43%
Other	13%	8%	15%	1%	64%
Visitor Accommodation provider	12%	7%	16%	1%	64%
Tourism association	12%	18%	29%	0%	41%
Self-catering agencies	9%	14%	29%	3%	46%

Figure 46. Breakdown of respondents agreeing visitor accommodation providers be required to do an annual review if the frequency of renewal is less often than annual

	Agree	Disagree	Neither agree nor disagree
Local Authority	53%	26%	21%
National park	50%	13%	38%
Tourism association	48%	33%	19%
Tourism representative body	44%	33%	22%
Self-catering agencies	36%	49%	15%
Booking platform	32%	47%	20%
Resident (of Wales)	32%	49%	19%
Visitor Accommodation provider	29%	50%	20%
Other	25%	50%	24%

Figure 47. Breakdown of respondents agreeing or disagreeing with the Welsh Government and local authorities sharing information with key authorities and partners

	Agree	Disagree	Neither agree nor disagree
Local Authority	62%	38%	0%
National park	50%	38%	13%
Tourism representative body	50%	50%	0%
Tourism association	38%	48%	14%
Booking platform	31%	60%	9%
Self-catering agencies	26%	65%	9%
Resident (of Wales)	26%	61%	13%
Other	23%	57%	20%
Visitor Accommodation provider	22%	62%	16%

Figure 48. Breakdown of respondents agreeing or disagreeing with all visitor accommodation providers being required to display their licence number on all advertising/marketing materials and at their visitor accommodation and being subject to penalties if they do not comply

	Agree	Disagree	Neither agree nor disagree
Local Authority	64%	21%	14%
National park	57%	14%	29%
Tourism association	57%	33%	10%
Tourism representative body	55%	27%	18%
Booking platform	39%	48%	13%
Self-catering agencies	38%	44%	18%
Resident (of Wales)	33%	54%	12%
Other	31%	49%	20%
Visitor Accommodation provider	30%	55%	15%

Figure 49. Breakdown of respondents agreeing or disagreeing with the proposal that all OTAs, travel trade organisations, other booking and social media channels, marketing platforms and self-catering agencies should be required to display the licence number of the visitor accommodation they are promoting on their listings and/or adverts and be subject to sanctions if they deliberately or negligently advertise unlicensed visitor accommodation

	Agree	Disagree	Neither agree nor disagree
National park	57%	14%	29%
Tourism representative body	55%	36%	9%
Local Authority	47%	33%	20%
Tourism association	43%	48%	9%
Booking platform	34%	50%	16%
Resident (of Wales)	33%	52%	15%
Other	31%	44%	25%
Visitor Accommodation provider	30%	51%	19%
Self-catering agencies	30%	50%	20%