

Economy, Trade and Rural Affairs Committee: Welsh Government's Call for Evidence: Development of Tourism and Visitor Accommodation (Wales) Bill

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Welsh Local Government Association - The Voice of Welsh Councils

The Welsh Local Government Association (WLGA) is a politically led cross party organisation that seeks to give local government a strong voice at a national level.

We represent the interests of local government and promote local democracy in Wales.

The 22 councils in Wales are our members with the 3 Fire and Rescue authorities and 3 National Park authorities being associate members.

We believe that the ideas that change people's lives, happen locally.

Communities are at their best when they feel connected to their council through local democracy. By championing, facilitating, and achieving these connections, we can build a vibrant local democracy that allows communities to thrive.

Our ultimate goal is to promote, protect, support and develop democratic local government and the interests of councils in Wales.

We'll achieve our vision by

- Promoting the role and prominence of councillors and council leaders
- Ensuring maximum local discretion in legislation or statutory guidance
- Championing and securing long-term and sustainable funding for councils
- Promoting sector-led improvement
- Encouraging a vibrant local democracy, promoting greater diversity
- Supporting councils to effectively manage their workforce



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WLGA's written response in relation to the Development of Tourism and Regulation of Visitor Accommodation Bill

Thank you for providing the WLGA with the opportunity to respond to the above Bill. As the WLGA will provide oral evidence to the Economy, Trade and Rural Affairs Committee on 13th November, this written response will be general in its nature and will not seek to address any matters in any great detail at this time.

Wales currently lacks a unified licensing framework for visitor accommodation. Existing measures under the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 only provide for registration and a levy, not quality or safety standards. Therefore, we can see the rationale and benefits of progressing to a system of licensing to ensure compliance with standards and statutory requirements.

The proposed legislation would serve to address concerns about the limited regulation of short-term lets which can impact housing availability and community cohesion. It should also serve to enhance consumer confidence by ensuring minimum safety and fitness standards as well as supporting destination management and sustainable tourism by linking licensing with levy revenue for local improvements. It would also appear to fit with the Welsh Government's goals under the Well-being of Future Generations Act 2015, promoting economic sustainability and community well-being.

We are not privy to the reasons for bringing in this Bill, however, we assume that short-term lets such as Airbnb are assumed to have fallen through the gaps in regulatory terms.

Our analysis of the Citizens Advice Consumer Service database show 28 notifications and referrals across Wales in relation to self-catering accommodation during 2023/24 and 18 during 2024/25. We have also conducted further analysis of the number of noise complaints and other anti-social behaviour emanating from such premises. This analysis has been focused on our capital city as well as a predominantly rural local authority. Our findings indicate that there were 9 complaints within Cardiff for 2023/24 increasing to 12 during 2024/25. In the rural authority, this was lower with 7 recorded during 2023/24 and 1 during 2024/25. In both instances, the analysis was conducted over a period of two years post-COVID. We are somewhat unclear as to the expectation in relation to anti-social behaviour, waste management and noise issues emanating from self-catering accommodation as many of these matters can be dealt with using existing enforcement powers. We would also bring to your attention the fact that a single complaint could result in a referral to multiple agencies and we cannot overemphasise our concerns that this could become somewhat disjointed unless proper procedures are put in place.



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We note that the Bill does provide flexibility for Welsh Ministers to set detailed standards via subordinate legislation. We also note and applaud the fact that over time, the scheme can be rolled out to cover a wider range of premises such as caravans and campsites which, arguably, are more problematic than self-catering accommodation.

With regard to standards, we would stress the need for consistency across Wales to avoid regional disparities. From a certification perspective, we would refer to parallels from other existing licensing schemes, for example, Rent Smart Wales, with individual local authorities dealing with complaints that might require enforcement action against visitor accommodation providers within its administrative area, based on an intelligence led and risk-based basis in the case of non-compliance. To this end, we are firmly of the opinion that on this occasion, any such licensing scheme should be run centrally by means of a single licensing authority rather than locally, otherwise there is likely to be a significant financial and administrative burden on each of the 22 Welsh local authorities as well as a scope for inconsistency. On the subject of existing licensing regimes, we would point out that where there are existing licensing regimes, for example, in relation to Houses in Multiple Occupation or Caravan and Camping Sites there should be no overlap. It is possible for a property to be occupied for private rented and holiday let purposes; there needs to be clarity about how the schemes would interact in those circumstances and whether one scheme would trump the other to avoid duplication.

Safeguarding should be an integrated part of a licensing scheme and we would consider it reasonable to include a fit and proper person test or a similar requirement as part of the scheme conditions for all visitor accommodation providers. The fitness and propriety standard to be applied should be consistent with other licensing schemes, albeit the existing standards need to be reviewed. There is also a need to build in the ability to prevent re-application for a licence once refused for specific periods.

We believe that the scheme could have unintended consequences for smaller short-term let providers as compliance costs may deter small-scale operators, reducing accommodation diversity. It is a well established fact that some householders let their properties or a room within their property at times of great demand. In a Welsh context, we refer, in particular, to sporting events such as the Six Nations Tournament or the Royal Welsh Agricultural Show, the latter serving precious accommodation needs in a rural area where such accommodation is sparse.

We note that enforcement provisions are built into the Bill and welcome the fixed penalty provision. Resourcing this work activity will be critical to the scheme's success as weak enforcement could lead to informal arrangements or unlicensed operations by operators.

We assume that technological advances mean that much of the certification documentation provided will be checked electronically. Whilst we are very much in



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favour of such advances, we would be interested to establish how such technology can assess with a high degree of confidence that submitted certification and other documentary evidence of compliance is genuine and has not been fraudulently produced. With regard to the setting up of a technological solution to a national licensing scheme, it is critical that sufficient time is provided for the development and testing of any such solution. More generally from a technological perspective, a centralised national I.T platform linked to the registration process would appear to be the way forward for the gathering and sharing of information with key partners.

Due consideration will need to be given in respect of any financial or reputational risk to local authorities. In the case of a centralised model being preferred, particular regard will need to be given to these aspects in respect of the authority that agrees to undertake the centralised responsibility for any licensing role as well as delivery timescales. We note that the Welsh Government is committed to addressing any reasonable costs incurred in terms of enforcement which is, of course, in addition to that of cost-recovery associated with pure licensing. This commitment is critical in addressing additional burdens and costs to local authorities. In addition, we would highlight the unintended financial and resource burden of introducing the scheme – previous projects have led to a higher demand on existing services due to the additional publicity surrounding the topic. We would anticipate additional complaints being received in relation to waste management, health and safety issues, anti-social behaviour and property and contract issues. Financial recompense will be required to enable an appropriate response to this demand. We would be happy to have a more detailed discussion in relation to funding for local authority regulatory services in relation to the enforcement and advice roles.

In terms of contractual liability, it would be useful to provide interpretation in respect of the term 'holiday let' as it has always proved to be problematic for enforcing authorities as to what constitutes a tenancy and what constitutes a holiday let contract. Distinguishing between a tenancy and a holiday let is important because the legal rights, responsibilities, and protections for both landlords and occupiers are very different. Misclassifying one as the other can lead to legal and financial consequences.

Finally, we thank you once again for providing us with the opportunity to share our thoughts with you in relation to this Bill.