

Senedd Cymru | Welsh Parliament

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

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

Evidence from Cymdeithas yr Iaith (Submitted in Welsh only)

English translation provided by the Senedd Translation Reporting Service

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

We welcome the introduction of the Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill. It will be of assistance in implementing measures such as Article 4 orders, as well as regulating holiday accommodation.

We believe that communities need a greater say in tourism and holiday developments, given that they have a significant impact on communities.

Tourism is an important industry, but it is currently an extractive industry whose wages are unstable and are among the lowest of all industries. Therefore, we need a better and more sustainable model for tourism – a model that brings far greater benefits to communities.

Section 2, which sets out the Welsh Ministers' functions in terms of tourism development, mainly relates to encouraging tourism in Wales. Although a subsequent clause sets out a duty in respect of "mitigating the social and environmental impact of tourists", the clause acknowledges that tourism is harmful.

Rather than mitigating any impacts, tourism should be developed with a view to avoiding negative impacts on communities and the environment. The best way to do this is to collaborate with communities. The best examples of sustainable tourism are those that have been community-led. Antur Stiniog is the most prominent example, which has led to the creation of activities that are suitable for the community and for tourism, and where profits are invested in initiatives to develop community resources.

We therefore recommend that a clause be added to section 2 that sets out the Welsh Ministers' functions in developing tourism, to state that there is a duty to ensure that tourism is sustainable and beneficial to communities, and that community-led tourism developments are facilitated.

In the case of holiday accommodation, a business is located in the middle of a community or street. The holiday accommodation licensing scheme in Scotland allows neighbours to respond to licence applications for holiday accommodation. Under that scheme, neighbours' objections may be considered as a possible basis for rejecting a licence application.

We therefore recommend that clauses be added to the Bill to this end, stating specifically that neighbours will be notified of new licence applications for holiday accommodation, as well as licence renewal applications, and that the licensing authority may consider objections as a possible basis for rejecting a licence application.

We also believe that a clause is needed in section 15 of the Bill, stating that one of the conditions to be met in granting a license is that local communities will not be disrupted in a way that causes a nuisance.

Evidence given by people who already live next door to homes that have been converted into holiday accommodation shows that their privacy has been disturbed and that noise levels are disrupting their everyday lives.

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

See our response to question 1.

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

The main potential barrier would be if the fines for non-compliance were too low, meaning that it would be cheaper not to comply and pay a fine than to comply with the requirements. We therefore call for penalties that would have a genuine impact, bearing in mind how much profit could be made by not adhering to the rules for holiday accommodation.

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

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

As a means of ensuring compliance, the Act is based on having financial penalties that are proportionate to the profit that could be made by not complying. It is therefore strange to read that the penalty levels will be set in a way that makes the whole exercise

cost neutral (page 79). We request that the money raised through penalties is used to alleviate the housing crisis in areas where the number of homes used as holiday accommodation and second homes is making it unaffordable for people to stay in those areas. For example, in Gwynedd, two-thirds of the population have been priced out of the housing market.

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

We are in favour of using the powers; see our answer to question 1.

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