

## EQUALITY IMPACT ASSESSMENT

### Introduction

The Development of Tourism and Regulation of Visitor Accommodation (Wales) Bill (“the Bill”) provides the legislative framework for a licensing scheme for visitor accommodation in Wales, starting with self-catering accommodation. This scheme will support tourism in Wales, by reassuring visitors that accommodation meets the standards they would expect and providing a clear regime for providers.

The licensing scheme will build upon the register of visitor accommodation providers as set out in its companion legislation, the Visitor Accommodation (Register and Levy) Etc. (Wales) Act 2025 (“the VARL Act”). Under that Act, the Welsh Revenue Authority (WRA) will establish, maintain and publish the register of providers, which will also detail the type and location of the premises they operate across Wales. This information may be of interest to local authorities, visitors, businesses and researchers, and will inform the future licensing scheme.

The Bill will complement other measures introduced by the Welsh Government to address the challenges arising from a concentration of second homes and short-term holiday lets in particular areas in Wales. A secondary outcome of this Bill will be to align more closely regulation of self-catering visitor accommodation with the regulation of the private rented sector, ensuring consistent standards for that accommodation, and monitoring compliance with those standards.

The Bill also creates a Code of Welsh law on tourism that will incorporate existing legislation on the development of tourism in Wales, with a view to improving the accessibility of tourism legislation [add intro paras]

### Impacts on equality

The Equality Act 2010 places a General Equality Duty on Welsh Ministers to have ‘due regard’ to a range of requirements which relate to removing or minimising disadvantages for people with or who share protected characteristics and to remove barriers to participation.

When considering each of the protected characteristics, this equality impact assessment (EQIA) interconnects with several considerations examined in the Equality Impact Assessment completed as part of the introduction of the Visitor Accommodation (Register and Levy) Etc (Wales) Bill. The conclusions of the impact assessment completed by the Scottish Government as part of their development of short-term lets licensing scheme legislation, which came into effect in 2022, have also been considered as part of this assessment. Whilst Scotland’s scheme is limited to short-term lets (which is similar in nature to the proposals for the first phase of our scheme), the principles are also broadly similar across the wider visitor accommodation sector: [10. Equalities Impact Assessment \(EQIA\) - Short-term](#)

[lets – licensing scheme and planning control areas: consultation analysis - gov.scot](#); [4. Equalities Impact Assessment \(EQIA\) - Civic Government \(Scotland\) Act 1982 \(Licensing of Short-term Lets\) \(Amendment\) Order 2024: impact assessments - gov.scot](#)

This EQIA has considered the potential impacts of the Bill on people with protected characteristics. The EQIA has considered any potential impacts of the policy for the protected characteristics: Age, Disability, Sex, Pregnancy and Maternity, Gender reassignment, Sexual Orientation, Race, Marriage and Civil Partnership, and Religion and Belief of those directly affected, while also considering any effects on those indirectly affected.

Our assessment has identified that the provisions in this Bill are unlikely to significantly affect people with protected characteristics. Where negative impacts have been identified, efforts have been made to mitigate or minimise these.

The regulatory scheme created by the Bill will directly affect individuals and/or businesses that provide visitor accommodation at a premises that will be required to license, as well as visitors that stay overnight at that accommodation. Principal regulators that may be required to assess certain safety conditions or hazards identified at that accommodation, residents and other businesses that are in the vicinity of, or provide services to, the visitor accommodation premises or business may also be affected indirectly by the introduction of the scheme.

### *Consultation and engagement*

Welsh Government commissioned Strategic Research and Insight (SRI) to consult with stakeholders in 2021 to identify the potential benefits of introducing a statutory registration and/or licensing scheme for holiday accommodation operators in Wales [SRI Report](#). This was followed by a 13-week consultation on establishing a statutory licensing scheme for all visitor accommodation providers in Wales, which ran from 16 December 2022 to 17 March 2023. Further specific engagement with [tourism stakeholders](#), [residents and visitors](#) was also conducted from May 2023 onwards. The scope of these consultation exercises was to understand the level of interest and understanding in what a scheme could involve.

The consultation responses did not identify any concerns or impacts associated with individuals with protected characteristics. Therefore, policy officials sought to engage with the third sector to understand any potential impacts that had not been considered as part of the broader consultation exercise. These included engaging with groups that represented individuals with protected characteristics in order to ascertain whether they had any views on impacts, both direct and indirect, that would need to be considered and/or would require further engagement.

In general, the evidence gathered during the targeted engagement identified similar information as the full consultation around the administration and cost of any scheme, such as keeping any processes simple, bureaucracy to a minimum and a suggestion that any fees should be scalable to the size of the accommodation being regulated. There were some potential risks raised relating to the communication of the scheme and whether the policy

interventions could lead to a reduction in employment, which may affect individuals sharing particular protected characteristics more broadly.

### ***Exemptions being considered***

The Bill will only apply to visitor accommodation as defined in the VARL Act and thus required to register. This means, for example, that gypsy and traveller sites do not fall within the scope of the Bill. The Bill initially only regulates self-contained, self-catering accommodation used for the purposes of business, leisure or educational trips, so would not include accommodation used solely as housing for asylum seekers or homeless people for example, or for care purposes. Specific exemptions have been put in place to exempt accommodation provided in these circumstances from the requirement to licence.

### ***How will the proposal promote equality?***

One of the key objectives of the scheme is to provide reassurance to visitors that self-catering visitor accommodation in Wales is compliant with licensing standards, as a way of promoting accommodation in Wales. The licensing scheme will allow concerns to be raised with the VAP or the licensing authority, which could be of benefit to visitors and local residents that may be vulnerable or previously reluctant to raise issues in the past.

Visitor accommodation providers subject to licensing will be provided with supporting guidance and training to ensure they understand the requirements expected of them.

. The training package will focus on those critical components of the scheme that VAPs will be required to comply with in order to satisfy the licensing conditions, but could also incorporate other statutory requirements that relate to the tourism sector and its obligations towards its visitors, such as accessibility and sustainable development.

The scheme will introduce conditions for self-contained, self-catering visitor accommodation, including accommodation that could otherwise be used as longer term private residences in the private rental sector, narrowing the regulatory gap between the two.

### ***Protected Groups***

We have identified the following groups that may be impacted by our proposals:

- Young Adults and Older people (age)
- Disabled people
- Race
- Sex
- Religion, belief and non-belief

### ***What are the possible negative impacts on people in protected groups and those living in low income households and how will you mitigate for these?***

## Age

Work in the tourism sector is often more insecure, in particular, employees are more likely to be hired on a part time or temporary basis or spend less time working for the same employer<sup>1</sup>. Additionally, those employed in tourism are generally younger<sup>2</sup> with 38% of tourism workers aged between 16-29 in 2022<sup>3</sup>. This is data for the tourism sector as a whole, not necessarily for VAPs, or those who work in the accommodation sector, where data is limited. However, it has been considered here as the Bill aims to promote tourism in Wales, and the performance of the accommodation sector is important to and inter-related with that of the wider tourism sector. Whilst overall, the licensing scheme seeks to promote accommodation in Wales, some marginal and/or occasional providers may consider that the costs of complying with the scheme are prohibitive to continue operating, which could in turn lead to employers reducing hours, recruitment, investment plans, salaries or making redundancies. This may ultimately impact on employees who are likely to be within the younger age profile. These results are inevitably uncertain as most providers should already be aware of, and compliant with, existing regulatory requirements. Some already go beyond these requirements due to their membership or association with affiliate groups that support their marketing reach.

Ultimately, wider factors will influence both visitor and employer behaviour, including the macro-economic context, therefore delineating any precise economic impact of a licensing scheme would be unfeasible. Factors such as the weather, the time of year, levels of disposable income, what other destinations are doing, the state of the economy and other factors will all impact on visitor behaviour and the ability of providers to continue to operate.

The intention is for the licensing scheme to be a predominantly digital service and it is anticipated that the vast majority of providers will be confident in using online services as most marketing and bookings are conducted online. For those individuals who may rely on booking agents for their digital services, the licensing authority will consider how to support anyone who might need help with IT accessibility.

The age profile of visitor accommodation providers, according to a survey by the Professional Association of Self-Caterers in 2022, suggests most providers are over the age of 50.<sup>4</sup> According to Age UK, a quarter of people aged 65 and over don't use the internet.

## Disabled people

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<sup>1</sup> [Travelling light: Labour shortages hampering sustainable recovery for tourism - Cogito \(oecd.cogito.blog\)](https://oecd.cogito.blog/)

<sup>2</sup> [Tourism employment summaries - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/)

<sup>3</sup> <https://www.gov.wales/sites/default/files/statistics-and-research/2022-06/welsh-tourism-sector-business-and-labour-market-statistics-2016-to-2021.ods>

<sup>4</sup> [fhl-survey-220822.pdf](#)

In relation to tourism activity, it is estimated that 30% of all trips to Wales include somebody who is disabled or has an impairment, which is higher than trips to elsewhere in Great Britain<sup>5</sup>. As the licensing scheme will predominantly be focused on providing reassurance that visitor accommodation meets minimum standards, the licensing authority will be required to identify accessible ways in which visitors can raise concerns.

A decision has not been made on how the licensing scheme will be administered. However, it is anticipated that VAPs' experience of applying for and managing licences will be aligned with the register, which will be the responsibility of the Welsh Revenue Authority (WRA). The WRA is proposing to develop a service which will include a number of ways in which a person can interact. This should result in a minimal impact on business owners who have visual and/or hearing impairments. There will be a digital system for applying to be licensed and to update the record, alongside digital support when necessary. The licensing authority will apply similar principles in collaboration with the WRA – the principles for designing and creating gov.wales products include a principle for ensuring products are for everyone and are as inclusive as possible<sup>6</sup>. It is the intention that the new service would be tested for compliance against these standards and principles (including accessibility).

It is not anticipated that disabled visitor accommodation providers, including people with learning impairments, will be negatively impacted by the licensing scheme due to the bespoke services offered by the WRA/licensing authority in compliance with the general Public Sector Equality Duty. The licensing authority will consider the accessibility of communication campaigns to ensure providers and visitors are informed and understand the changes, and where they can obtain additional information to support any specific needs.

### ***Religion, belief and non belief***

Some people visit Wales for religious purposes or for general tourist interests in religious architecture<sup>7</sup>. An analysis of domestic tourists found that in 2023, 174,456 people “visited a cathedral, church, abbey or other religious building”, the smallest proportion across different types of visitor attractions<sup>8</sup>. Some religious buildings now offer the opportunity to camp overnight at their premises, with the concept of ‘champing’ or camping overnight in historic churches having recently been introduced by the Churches Conservation Trust: [Champing™ - The simple concept of camping in ancient churches](#). Many of the custodians of these buildings will be volunteers, so may have limited capacity to engage with a new regulatory scheme and may need additional assistance to support their application process. The licensing authority will provide, as part of their service, a contact centre function to help guide applicants, in the same way that WRA is developing its approach for the registration scheme.

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<sup>5</sup> GBTS 2022 Annual Report and Tables

<sup>6</sup> Understanding WCAG 2.2 - Service Manual - GOV.UK ([www.gov.uk](https://www.gov.uk/guidance/understanding-wcag-22-service-manual))

<sup>7</sup> Faith tourism | Historic churches and chapels | Visit Wales

<sup>8</sup> Data unpublished

However, most of this sort of accommodation will not be in the first phase of the licensing scheme.

There may be an adverse impact on those who do not engage with digital processes as part of their faith, however as set out above, support will be available.

Visitor accommodation is also used to support pilgrimages in Wales. Accommodation is only captured by the new licensing scheme if it is provided in the course of a trade or business, in line with the VARL Act, so would not necessarily require a licence if provided charitably or in exchange for voluntary donations. Overall the intention of the scheme is to promote accommodation in Wales, however there is a risk that marginal and/or occasional providers of accommodation may choose to stop operating

## **Sex**

The provisions in the Bill apply to all providers of visitor accommodation types that will be subject to a licence and do not make any distinction based on sex.

In 2022, 56% of trips to Wales were by female visitors and 43% of trips were by male visitors<sup>9</sup>. Women may be more likely to engage in informal or part-time work, with part-time work significantly more common in sectors such as tourism<sup>10</sup>. Approximately 54% of the accommodation and food service sector workforce in Wales are women<sup>11</sup>. Looking across Europe, the proportion of women in the tourism workforce is also often higher, while earnings in hotels and restaurants are lower than average earnings in the economy<sup>12</sup>.

The licensing scheme is intended to support the tourism sector, so as a whole the impact should be positive. However, there is a risk that women are disproportionately affected if marginal, occasional providers of visitor accommodation choose to shut down.

There is a potential risk that in cases of coercive control, offences or licence breaches may be a result of coercion. Operational processes for licensing would need to ensure supportive engagement when there are potential non-compliance issues and reasonable excuse will be allowed as a defence to allow consideration of the circumstances of an offence.

***Race considerations, including homelessness, gypsy and Roma Traveller sites, asylum seekers and refugees and women fleeing domestic abuse, and minority ethnic people.***

The provisions in the Bill apply to all VAPs with visitor accommodation in Wales, and it does not make any distinction based on race or ethnicity.

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<sup>9</sup> Domestic GB tourism statistics, Wales overnight tourism: annual report: 2022 | GOV.WALES

<sup>10</sup> UDW SSS Tackling undeclared work in the tourism sector.pdf (europa.eu)

<sup>11</sup> NOMIS data showing Workforce jobs in accommodation etc in Wales, by gender, Dec 2024  
<http://www.nomisweb.co.uk/livelihoods/17239.xlsx>

<sup>12</sup> 5js4rv0g7szz-en.pdf (oecd-ilibrary.org)

According to the Ethnic group, national identity, language and religion (Census 2021), in 2021, 155,000 people in Wales (5.0% of the population) identified not as white<sup>13</sup>. We know from labour market data that ethnic minority job seekers face a tougher time finding employment and are more likely to be employed in insecure jobs, for example in the tourism sector. In Wales a higher proportion of the tourism workforce are those from minority ethnic backgrounds when compared to all industries (9.6% of tourism employment compared to 4.4% of all industries employment in 2021)<sup>14</sup>. The overall intention of the licensing scheme is to promote visitor accommodation in Wales, but there may be employment risks associated with a reduction in visitor accommodation due to providers leaving the sector. Quantifying this risk is difficult, although - in the same way as we assessed any impacts on the basis of age or sex - it is thought to be low, as it is expected that most providers will already be aware of, and compliant with, the requirements which underpin the licensing scheme.

Ultimately, wider factors will influence both visitor and employer behaviour including the macro-economic context, therefore delineating any precise economic impact of a licensing scheme would be unfeasible. Factors such as the weather, the time of year, levels of disposable income, what other destinations are doing, the state of the economy and other factors will all impact on visitor behaviour and the ability of providers to continue to operate.

#### *Record of Impacts by protected characteristic:*

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
Age (think about different age groups)	<p>Younger people may be more IT savvy and comfortable with digital comms and application process. Whereas some older people who may be more likely to own a short term let, may not have the IT skills or confidence to use the service.</p> <p>Differential impacts are possible based on composition of the tourism workforce. The</p>		<p>Provide support for those unfamiliar with digital services and learn from the implementation of the registration scheme to ensure services are joined up and accessible.</p> <p>Aim to make the licensing scheme straightforward and manage costs, to mitigate the impact on accommodation providers, and manage</p>

<sup>13</sup> Ethnic group, national identity, language and religion in Wales (Census 2021) | GOV.WALES

<sup>14</sup> Ad-hoc statistical requests: 6 to 17 June 2022 | GOV.WALES

	Bill aims to support tourism, so this is expected to be a net positive impact, although some individuals may be negatively affected.		it effectively to promote tourism in Wales.
Disability (consider the social model of disability <sup>15</sup> and the way in which your proposal could inadvertently cause, or could be used to proactively remove, the barriers that disable people with different types of impairments)	Digital system will be an enabler for some, but may be a barrier for others. This is true for VAPs, visitors with complaints about their accommodation and people accessing information via the directory.		Ensure we follow government guidelines on accessibility approach for digital applications. Ensure service has accessible ways of complaining to the licensing authority.
Gender Reassignment (the act of transitioning and Transgender people)	No specific positive or negative impacts have been identified		We will monitor the delivery of the proposals and remain alert to new evidence suggesting any negative impacts, discrimination or other prohibited conduct is, or could be, occurring and take appropriate action to prevent this happening.

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<sup>15</sup> Welsh Government uses the social model of disability. We understand that disabled people are not disabled by their impairments but by barriers that they encounter in society. Ensuring that your proposal removes barriers, rather than creating them, is the best way to improve equality for disabled people. For more information, go to the intranet and search 'social model'.

Pregnancy and maternity	No specific positive or negative impacts have been identified		We will monitor the delivery of the proposals and remain alert to new evidence suggesting any negative impacts, discrimination or other prohibited conduct is, or could be, occurring and take appropriate action to prevent this happening.
Race (include different ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)	<p>No specific positive or negative impacts have been identified</p> <p>Differential impacts are possible based on composition of the tourism workforce. The Bill aims to support tourism, so this is expected to be a net positive impact, although some individuals may be negatively affected.</p>		<p>We will monitor the delivery of the proposals and remain alert to new evidence suggesting any negative impacts, discrimination or other prohibited conduct is, or could be, occurring and take appropriate action to prevent this happening.</p> <p>Aim to make the licensing scheme straightforward and manage costs, to mitigate the impact on accommodation providers, and manage it effectively to promote tourism in Wales.</p>
Religion, belief and non-belief	Potential that where religious buildings are used as visitor accommodation, they disproportionately rely on volunteers, who may need support to engage with licensing.		Operational support will be considered to provide assistance where needed.

Sex / Gender	<p>There is a potential risk that in cases of coercive control, offences or licence breaches may be a result of coercion.</p> <p>Differential impacts are possible based on composition of the tourism workforce. The Bill aims to support tourism, so this is expected to be a net positive impact, although some individuals may be negatively affected.</p>		<p>Operational processes for licensing would need to ensure supportive engagement when there are potential non-compliance issues and reasonable excuse will be allowed as a defence.</p> <p>Aim to make the licensing scheme straightforward and manage costs, to mitigate the impact on accommodation providers, and manage it effectively to promote tourism in Wales.</p>
Sexual orientation (Lesbian, Gay and Bisexual)	No specific positive or negative impacts have been identified.		We will monitor the delivery of the proposals and remain alert to new evidence suggesting any negative impacts, discrimination or other prohibited conduct is, or could be, occurring and take appropriate action to prevent this happening.
Marriage and civil partnership	No specific positive or negative impacts have been identified.		We will monitor the delivery of the proposals and remain alert to new evidence suggesting any negative impacts, discrimination or other prohibited conduct is, or could be, occurring and take appropriate action to prevent this happening.

Children and young people up to the age of 18	No specific positive or negative impacts have been identified.		We will monitor the delivery of the proposals and remain alert to new evidence suggesting any negative impacts, discrimination or other prohibited conduct is, or could be, occurring and take appropriate action to prevent this happening.
Low-income households	For further details, please see the socio-economic duty assessment for the Bill.		We will monitor the delivery of the proposals and remain alert to new evidence suggesting any negative impacts, discrimination or other prohibited conduct is, or could be, occurring and take appropriate action to prevent this happening.

### Human Rights and UN Conventions

Do you think that this policy will have a positive or negative impact on people's human rights? *(Please refer to point 1.4 of the EIA Guidance for further information about Human Rights and the UN Conventions).*

Human Rights	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate negative Impacts?
A1P1 (Protection of property)	There are provisions in the Bill which engage A1P1 on the basis that they control the use of property (preventing it from being offered or provided as regulated visitor accommodation without a licence). A failure to comply with licence conditions can	Such provision is required for the licensing scheme to have the intended effect.	The interference of property rights is justified by being in the public interest. The provisions in the Bill have a reasonable foundation and strike a fair balance between the demands of the general interest of the community and the

	result in revocation of the licence.		protection of an individual's fundamental rights. The notice and representation procedures to be set out in regulations to be made under the Bill will provide a mechanism for VAPs to challenge assertions by the Welsh Ministers and / or correct behaviour before a licence is revoked.
A8 (Respect for family and private life)	There are provisions in the Bill which engage A8 on the basis that that they empower the Welsh Ministers or their authorised officers to undertake inspections of premises to determine if they can be licensed and in circumstances where they suspect an offence is being committed or a licensing condition breached. Due to the safeguards and procedures established by the Bill A8 is not breached.	Such provision is necessary to ensure licences are issued appropriately and licence breaches and licensing offences can be identified and acted upon effectively.	Other routes have been included, such as engagement with VAPs and requiring the provision of information so that powers of inspection will only be used where necessary. Inspections can only take place where reasonable. Powers of entry are limited not to include entry by force. A warrant process has been included where necessary so that where premises are unlicensed, or entry has been refused, there is appropriate judicial consideration of any interference with the rights of the VAP. This aims to strike a fair balance between the rights of the VAP, and the public interest in ensuring visitor accommodation is

			neither unfit for visitors nor undermining the visitor accommodation sector in Wales.
Article 6 (right to a fair hearing in determination of civil rights)	<p>Under the Bill, the Welsh Ministers will make decisions about the award, amendment and revocation of licences and decide when to pursue prosecutions in respect of offences created by the Bill.</p> <p>The Welsh Ministers consider that A6 is engaged but there is no negative impact on A6 rights.</p>	Such provision is required for the licensing scheme to operate effectively.	<p>The Bill creates procedures to allow VAPs to make representations where appropriate before the licensing authority makes certain decisions, and creates rights of appeal to the First tier Tribunal to ensure procedural fairness and compliance with A6.</p> <p>Criminal offences will be pursued through the Magistrates Court in accordance with its procedures ensuring compliance with A6.</p>

#### **EU/EEA and Swiss Citizens' Rights**

There are no identified impacts as the proposed legislation will not treat EU/EEA/Swiss Citizens differently from UK residents.