



EASCO News

Monthly news from YOUR trade association

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High Court Victory for Holiday Girl Parent

A surprise high court victory for a parent living on the Isle of Wight has thrown a new spotlight on the issue of term-time holidays for school-age children and may result in a legal backlash from the government in response to the ruling.

Contrary to popular belief there is no law that expressly forbids holidays in term-time. The much-vaunted “Gove effect” is a result of a government circular giving guidance, not a new Act of Parliament. The circular guided local authorities and schools to refuse permission for term-time absence in all but the most pressing circumstances and this has resulted in schools refusing permission for holidays and even in some cases to attend family funerals.

What the law actually says, however, is this:

If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, his parent is guilty of an offence.

(Section 444 of the 1996 Education Act)

That’s quite a lot different from “thou shalt not go on holiday in term-time” and the difference is what prompted the court

In News 113

- EASCO has new Chair
- Focus on legionella disease
- Coastal Communities Fund
- BTA’s VisitEngland Plan
- Rural Broadband
- Discover England Fund

case. The child’s parents pointed out that the girl had an excellent attendance record of more than 90% despite the holiday absence. They said therefore that they had complied with the Education Act. The magistrates agreed, but the Council didn’t, and appealed. The judges in the High Court agreed with the magistrates, however. They said the full picture had to be taken into account and it was not reasonable to focus on a single week and claim that an offence had been committed.

Many in the holiday industry will welcome this decision because those who work in tourism are particularly unable to have their own holidays during the peak period for holidays in the UK. The concentration of family holidays during the school holiday period also leads to excess demand and high prices in a few summer weeks and less demand at other times, which is no good for consumers or the industry.

Around the country cases are being put on hold as a result of the ruling. It seems clear that a parent can only be convicted

under the Act if attendance falls below a certain level over the course of a year – probably 90% although this exact figure has not been tested in court.

The Department for Education reacted unfavourably to the ruling. A spokesperson is reported as *saying "We will look at the judgement in detail but are clear children's attendance is non-negotiable so we will now look to change the law,"*

This means that there will most probably be a consultation on the way forward with strong opinions on both sides of the argument. Educationalists point out that missing school for a holiday sends the wrong message about the value of education and can only be a disadvantage to the child. Others point out that some holidays are themselves an education, although it is hard to see who might make a judgement between the merits of a week exploring Greek antiquities as compared to a week on a Greek beach.

The outcome could be a more robust law that specifically prohibits absence for reason of a holiday. Some commentators advocate regionally-staggered holiday periods as practiced in many countries so as to even out demand. The origins of our present summer school holiday go back to the days when the children had to help with the harvest, which is rather less of a consideration in 21st Century Manchester.

EASCO wants to see a wide-ranging consultation on the options for resolving this issue in a way that's fair to the tourism industry, the people who work in it, and to holidaymakers with children.

Broadband in Rural Areas

There is mixed news about the progress of the Government's efforts to provide broadband Internet access to all parts of the UK including the harder-to-reach rural areas that currently have very poor services.

Back in March the DCMS published a consultation on rural broadband access and the proposed Universal Service Obligation. This recognised that there would be a right to access broadband Internet in the same way as electricity and other utilities. However the consultation raised protests because it suggested that provision should be demand-led, or in other words, if communities don't ask for it, they won't get it.

We believe that, for those premises that will not have been reached by commercial investment or by the Government's interventions by the end of the current planned programmes, the time has come for a demand-led approach. Given the high costs of providing broadband access to premises in remote areas it is right that this is done on request, rather than rolling it out and waiting to see if people in those areas want to be connected. We know from the various interventions that the Government has made to date that it is unlikely that everyone will want to be connected, even if that option is made available to them, and so we do not believe that an additional broadband roll-out programme at this time is proportionate or would represent value for money. The Government's ambition is for the minimum speed for a USO to be 10Mbps.

Now 10MBS is not very fast by today's standards and there is little indication of how a request scheme might work.

However on the other side of the coin the Queen's Speech this month included a pledge to implement the Universal Service Obligation, giving every household and business a right to have a 10Mbps service and compensation for those who don't get it, by right.

The Queen's speech promised that "measures will be brought forward" to "create the right" for every household in the UK to have access to high-speed broadband. This will be in the proposed Digital Economy Bill.

In addition to confirming this Universal Service Obligation right, the gracious speech also mentioned powers for OfCom to review the minimum speed in the future so that it would be kept up to date.

Mentions by the Prime Minister in the past of rights to access superfast broadband are not being pursued, it appears. The position is going to be that everyone has a right to a relatively pedestrian 10Mbps service, but communities wanting something better may have to ask for it through an as-yet undetermined process.

support a new generation of digital services."

Coastal Communities Fund New Round Opens Shortly

Of all government schemes for investment in the economy, the Coastal Communities

Fund is possibly the clearest, and easiest to interpret and apply for. Its object is to help regenerate the economies of coastal areas, many of which are less prosperous than inland regions. Tourism, of course, is a key industry in many coastal locations.

There is no hard-and-fast definition of what a coastal community is and all applications are taken on their merit. A project a few miles inland might be accepted if there was an economic benefit to the coastal area. Projects to date have almost all been close to the sea, however! There have been projects all around the coast of England and 75% of the fund is spent in England.

Unlike other sources of funding this funding is going up – it is funded by the marine revenues of the Crown Estate rather than directly by taxation and income is buoyant. Thus, a new round of grant-making has been announced and there is no requirement for match funding for projects. However, the minimum grant is £50,000 so this is no scheme for small-scale works. Local authorities, Local Enterprise Partnerships, charities, social enterprises, and private companies are all eligible to apply but sole traders are not. Around have the bids to date have been local authority led.

The grants can be for anything that stimulates economic growth on the coast, but current priorities are economic diversification, addressing seasonality, and improving public spaces. Tourism will of course feature in many grant applications but schemes for anything from flood relief to gardens might be eligible so long as the intention is not to replace existing sources of funding.

The closing date for initial applications is 30th June and the scheme is administered

by the Big Lottery Fund for the government.

We know that many self-catering businesses are involved in their local communities and in tourism more widely and whilst this is clearly not a scheme for doing up your seaside cottage, the fund provides the opportunity to make improvements to the essential tourism infrastructure of seaside towns, beaches etc. and therefore to boost the tourism offer of those locations so as to draw more visitors in the future.

www.biglotteryfund.org.uk/ccf

Discover England Fund Open for Bids

If you can cut through the jargon

In contrast to the Coastal Communities Fund, the Discover England Fund, which will spend £40m over several years, is cloaked in jargon-rich obscurity and appears to be focussed primarily on

non-physical product development such as putting together package deals aimed at inbound tourists from overseas. The criteria have been published and there are four of them. EASCO News has attempted to interpret what these really mean in plain English.

Project categories are

- Product testing
- Problem solving
- Amplification (scaling up an existing product for an international market)
- New Product

What is clear is that the Discover England Fund is not about improving the actual tourism product. Although described as product development, it seems clear that projects to physically improve attractions, cultural amenities, beaches, heritage locations and the other core things that entice visitors to this country as tourists are not eligible.

Instead, the focus is on booking, packaging, pricing, ticketing, and

| Criterion | Possible meaning |
|--|---|
| 1. A clear challenge is identified and a high quality, customer-centric solution in one of the four Project Categories is proposed. | They are looking for innovation, and probably something high-tech. It's got to be bookable and marketable direct to customers. It looks as if they have Internet-based ideas in mind. |
| 2. Outcomes and impacts are planned which produce lessons that can be shared across the tourism industry to stimulate and inform future product development. | Key point in the detail here is "not business as usual" but at least this criterion is straightforward – there must be wider lessons learned for the industry. |
| 3. A clear case is made for public funding and the project partners can demonstrate their contribution. | We like you and you can contribute 20% of up to £250,000 |
| 4. The project can move quickly from development to delivery. Support from key stakeholders should be identified and demonstrated | For this first round, you can finish by 31 st March 2017 and you have the project management capability to do it. |

“developing thematic clusters of bookable product”. Transport does get a mention in the list of possible project types, so there is hope that projects to improve physical connections such as cycle routes might be included.

The Discover England Fund is a flagship of the Government’s updated tourism policy and it will be fascinating to discover what sort of projects are actually approved under these very difficult-to-meet criteria and whether they achieve any lasting benefit for England’s tourism.

Uncovered – The VisitEngland Action Plan

You can find it at <http://tiny.cc/veap>

Buried in the VisitBritain website is the new VisitEngland Action Plan. It is a plan for the organisation’s work, and it is a far cry from the past in which VisitEngland sought to lead the whole industry into a much more detailed industry action plan.

It is apparent from the plan that the smaller VE team within the British Tourist Authority will concentrate on fewer things and that a number of areas of work are potentially under threat, or at least under review.

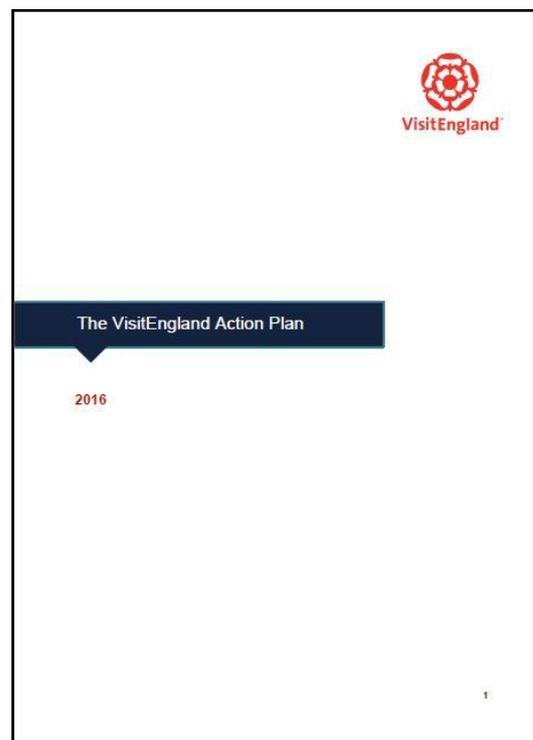
There are three priorities:

1. Developing the English tourism product through the delivery of the £40m Discover England Fund
2. Supporting Business Visits and Events in England
3. Providing additional business facing and supporting activities, including statutory research

The Discover England Fund is covered in another article and the impact that this will have on English domestic tourism is pretty hard to forecast, but may be limited.

Whilst we are all in favour of business visits and events this is mainly geared to the conference and exhibition market and not to tourism as we know it.

So that leaves the third priority, which includes the things that most of us in self catering associate with VisitEngland.



The cover of the plan is conspicuously plain in contrast to previous, more lauded publications from the BTA.

“Brand Marketing and Promotion of England” is a sub-heading and contains the following:

There will be as strong emphasis on content creation and digital development that responds to the needs of international and UK markets. UK and international marketing

strategies will be developed that focus on the new VisitEngland remit of creating world class bookable tourism product. Marketing activities will not only provide channels for partners for content creation and curation but also platforms for new viable product.

So, it looks as if the idea of promoting the concept of having a holiday in England is to be ditched – the focus on bookability and digital development is pretty clear. Digital marketing has long been a visitBritain strength so perhaps we shall see some good work in this area in time. There is to be a “review of platforms”, which is not about welcoming tourists on railway stations but means they will consider what to continue doing in the online world.

Product development is limited to supporting the Discover England Fund.

Lastly support for small and medium enterprises is listed within this “other” priority and includes a number of things that VisitEngland has done for the industry but that are all under review this year. The VE Awards for Excellence look like being scaled back and will happen in 2017 but there is no commitment to continue after that. On business advice the business advice hub is mentioned with the note that “Research is currently in the field to evaluate its effectiveness” which means it may get the chop, possibly.

The various quality schemes sponsored by VE are all up for review and we are promised a consultation in the autumn. Other activity that engages with small businesses such as the “pink book”, “quality edge” magazine, and all forms of business support are all up for review this year.

The only activity on which there is any kind of clear commitment to continue is the valuable research function.

Clearly reviews don’t necessarily lead to the end of an activity but, reading this very short plan, the message seems to be quietly there that the business support and leadership that VisitEngland once gave to the industry may not exist in 2017.

Reader Offer from The Tourism Society

The Tourism Symposium – 6/7 June, Birmingham

Reduced ticket prices for EASCO members

The Tourism Symposium (organised by the Tourism Society) is your chance to mix with 150 key tourism professionals from across many sectors including destinations, culture, attractions, consultancy, business tourism and hospitality. This excellent event boasts a wide variety of interests among the audience and the 20 speakers, and is a great opportunity for learning new approaches and to make important and useful new contacts. This year’s topic is **‘The Business of Tourism: What are the new drivers for tourism today?’** with a full programme of discussions, panels, interviews and presentations on June 7th considering how and why customers choose the attractions, destinations, venues and events that they do. Preceding this on Monday 6th will be a choice of walking study tours exploring Birmingham’s heritage and culture. EASCO members can book Symposium tickets at the Tourism Society member rate of just

£149. For full information and to book, go to

<http://www.tourismsociety.org/event-details/534/tourism-symposium-2016.htm>

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Legionella Disease An EASCO News focus feature.

In response to reader feedback we return to the subject of legionella and what a holiday home owner needs to do and know about this illness and how it can be prevented.

What is this disease?

Firstly, the bacterium

Legionella pneumophila

Is a nasty creature but actually a very common one. It is present in rivers, ponds, and lakes but normally in very low concentrations that seldom result in the infection of a human. So you won't be catching it by going for a dip in the river. It becomes more of a concern when it multiplies and there are large numbers of the bacteria in the water.

The bacteria multiply at water temperatures between 20° and 45° centigrade and if water is stored at that sort of temperature then there is potentially some risk.

People catch this, not by drinking the water, but by inhalation of droplets. The opportunity to do this arises where water is splashed around, in showers, spa pools, and fountains.

Other factors increasing the risk are recirculation of the same water, and conditions in storage tanks that encourage bacteria growth such as rust or sludge.

Owners of holiday homes have a duty to comply with general health and safety law including:

- The Health and Safety at Work Act
- The Control of Substances Hazardous to Health Regulations
- The Management of Health and Safety at Work Regulations

But there is no specific set of regulations about legionella bacteria. It is essential to do a risk assessment, and extremely wise to write this down, but in most cases there will not be a need to bring in a specialist advisor to do this for you. Provided that an owner is willing to devote a little time and some careful thought to the process, it is perfectly acceptable for the owner to carry out and document the risk assessment – most probably along with other risks being considered.

Domestic Hot Water Systems

If you are replacing the hot water system at any time in a self-catering property it makes a lot of sense to install a gas or electric instant water-heating system that does not store hot water in a tank. This will have other advantages – it is likely to be more economical to run, less space is required, and above all there is no water storage so you can more-or-less forget about the risk of legionella. These systems

are good for guests, too – hot water is always available when it is wanted.

If you have a hot water storage tank, or a cold water storage tank located in a position where the water can get quite warm due to sunshine (20° or more) then you need to consider the issue more thoroughly. Your principle concern is going to be to ensure that the thermostat is in working order and keeps the hot water stored at 50° or higher – a temperature that kills the bacteria. You can check this pretty easily and cheaply by putting a water thermometer in a jug of hot water run from the system. If the temperature is adjustable, guests should be discouraged from turning it down below the safe level, perhaps with a warning notice.

If your cold water tank is not cold, you'll need to consider your options for the specific building. In the past it was standard for cold water to bathrooms to be supplied from a tank in the loft or other location but plumbing practices have changed over time and it is now considered normal for all the cold water taps to be mains-fed so abolishing the cold water tank altogether might well be a worthwhile investment, especially as it will reduce your future maintenance responsibilities.

Showers provide spray, of course, and shower heads should be kept clean and free of limescale to ensure they work correctly.

Redundant pipework should be removed by your plumber, or isolated, so that water does not linger in it for long periods.

One other issue that may arise more often in a holiday home than in a residential

property is that water may be stored for longer. If someone is living in a house the water circulates through the system and is in effect changed often. If there are periods during which the holiday home is unoccupied, perhaps unsold weeks, but the hot water system is maybe left on, then this increases the risk – so doubly important to make sure the water is either below 20° or above 50°. Flushing through a system may be a sensible measure if preparing it for use after a period of emptiness – although this won't be necessary in cold weather with all systems turned off!

In the majority of holiday homes with nothing more than an ordinary domestic-style installation the risk assessment, though necessary, will probably conclude that no action is required. It should however, document that all the factors mentioned here have been considered and any necessary action has been taken.

A typical note of a suitable risk assessment will include:

- What water systems there are
- What risk factors there are for Legionella
- How temperature is controlled in any tanks
- What testing/monitoring is carried out

When to use a consultant

A consultant may sometimes be needed. If you have a complex or unusual water system, or for some reason you cannot avoid storing water at the high-risk temperature, then a consultant might be able to help. Beware of consultants telling you their services are necessary – they have a vested interest in charging you a fee. If you do decide to ask a consultant to do a risk assessment for you

don't be too alarmed if very small traces of legionella are found, remember it is a concentration of the little blighters that rings the alarm bells. Do take notice if a consultant identifies conditions for the strong growth of the bacteria, however.

Evaporative Coolers

It is unlikely that a self-catering property would have an evaporative cooling system. These and cooling towers are mostly used in large buildings. A modern air-conditioning unit does not use the evaporative cooling technique. If you have one, seek specialist maintenance advice. Domestic-type air conditioners do not store or spray water.

Hot Tubs and Pools

Hot tubs are becoming more and more popular but they involve substantial workloads for owners, although this may be justified by the extra bookings that they will attract.

The responsibility of managing a spa pool is a considerable one and owners must appoint someone, which could be themselves, to take on the daily maintenance. A spa pool is unsuitable for an unattended location unless a fully competent person is able to visit daily or more often.

This article cannot tell you all you need to know and you will either need training or some significant private study if you intend to undertake this task. Spa pools are small, have warm water, and plenty of sources of human and animal contamination. Users may not follow the rules, may not be as hygienic as one might wish, and legionella may flourish!

The key processes are cleaning, water treatment by filtering and chemical dosing, and monitoring. The manufacturer will provide instructions on these things. The pool must be regarded as a commercial installation, rather than a domestic one.

The two-part publication "management of Spa Pools" produced jointly by the HSE and the Health Protection Agency, is essential reading in full for any owner intending to provide a spa pool.

EASCO New Chair, New Council Members

At the EASCO AGM a new Chair, Alex Roads, was elected to replace long-serving Chair Alistair Handyside, who will remain a Council member.

The full EASCO Council is now:

- Bill Ascroft-Leigh (retired status)
- Harvey Bailey (Independent)
- Moray Bowater (Helpful Holidays)
- James Ellis (Original Cottage Co.)
- Harriet Filewood (Sotts Castles Holidays)
- Alistair Handyside (Independent)
- David Hanmer Toad Hall Cottages
- Alex Roads (John Bray Holidays)
- Graham Wason (Independent)

The Chief Executive also attends the meetings, which are held four times per year.

Mandy Howard of Helpful Holidays was appointed as the Association's treasurer, a role that she has fulfilled on an informal basis for some time.

The members of the Council give their time freely to attend meetings and for other EASCO activity.