



# EASCO News

Monthly news from YOUR trade association

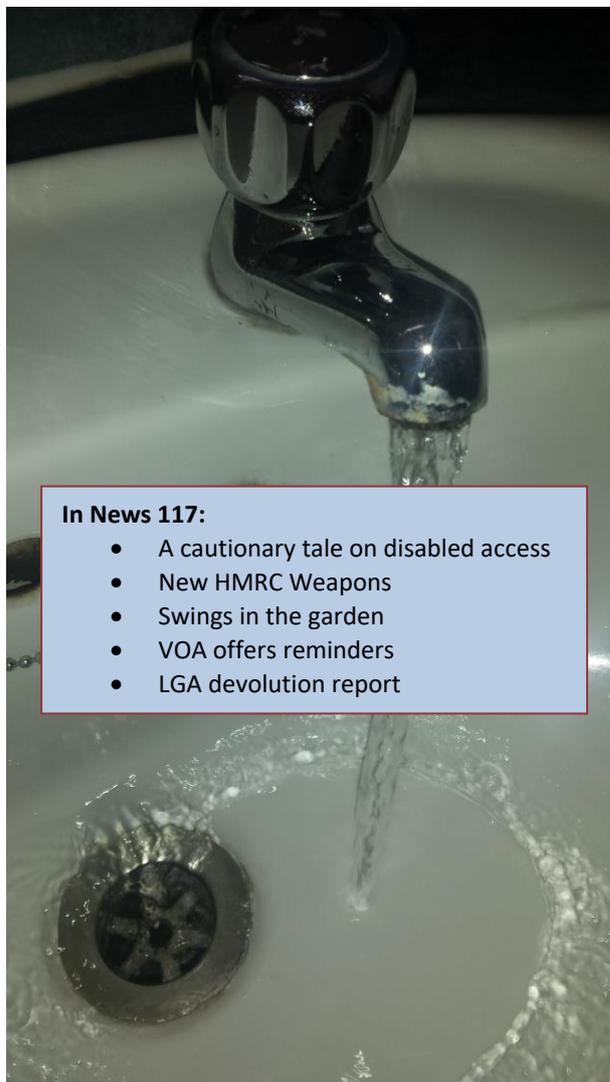
Edition 117 September 2016

## Water Deregulation: Quotations start in October.

**From April 2017 deregulation of the water supply and waste water services industry will take effect. Like electricity and gas, businesses will be able to choose competing suppliers.**

Currently you are obliged to buy water, whether metered or not, from the supplier for your area. Similarly, waste water services are organised geographically. Under the new scheme of things, you will be able to obtain quotations from competing companies for these things. Brokers have already stated offering their services to obtain competing quotations for you. Brokers may be the best way of navigating this new market, especially at the beginning.

Eligibility for this new freedom is limited to businesses. OfWat, the water industry regulator, has come up with yet another definition of types of housing “household” and “non-household”. The definition is fairly clear, a household is a place where a person has his or her home. On this basis, most self-catering holiday homes will be non-household because nobody has their



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home there. If you pay business rates, then eligibility to shop around for water is not going to be questioned in most cases.

If the property is only used for self-catering then it is very clear that it is eligible, even if Council Tax is being paid.

Complications arise when the property is a mixed-use property, perhaps a group of holiday homes and the owner's own home on the same site, or a farm with holiday cottages, farmhouse, and agricultural buildings.

The Ofwat guidance says *"The fact that a person has his home in, or in part of, any premises does not mean that the premises are household premises unless the principal use of the premises is as a home"*. So it is the principal use that counts and this over-rides the issue of whether business rates are paid or not. So if you can show that the premises are mainly used for self-catering (or other non-residential uses such as farming) you should be classified as non-household and eligible to shop around.

A second factor that helps to determine eligibility is "dependency". If the residential part of the property is dependent on the business part, then it is likely to be considered eligible.

Ofwat has a role as arbitrator in the case of disagreement as to whether premises are household or non-household and also in the case of disputes about the boundaries of the premises, i.e. "this cottage is or is not part of the farm". The parties are expected to make a reasonable effort to resolve disputes before they are referred to Ofwat. Ofwat will accept input into such processes from third parties and it may be that EASCO will have a role to play in helping to argue cases.

There are bound to be special situations and unusual circumstances and EASCO would like to hear from any members who run up against difficulties in taking advantage of this deregulation to obtain cheaper water.

EASCO does not endorse this company but one broker offering to obtain quotations is [www.commercialwaterrates.co.uk](http://www.commercialwaterrates.co.uk)

More details are available at the industry site: [www.open-water.org.uk](http://www.open-water.org.uk)

## Disability: A Cautionary Tale

*Names and locations in this story have been changed to protect the innocent – and the guilty. The story is, however, based on a real case.*

Once upon a time there was a holiday cottage called Vessel View in a beautiful part of Cumbria looking out over a picturesque harbour full of pretty boats. The agency that handled this cottage, Picture Postcard Cottages Ltd. Had a nice website that told people all about Vessel View and the other properties in their portfolio.

Miss Higginbottom, from Leicester, wanted to take her elderly father for a holiday, but there was a snag. Mr Higginbottom was disabled and a wheelchair user. Miss Higginbottom rang Picture Postcard Holidays several times before booking to discuss her need for a place that was suited to her father. Nobody wrote any letters or any emails.

Mrs Gibbons, the general manager at Picture Postcard Cottages, spoke to her herself. She told her that the place was up a hill and not ideal for a wheelchair user. She could not give exact measurements of the doors, gates etc. as there was a nice couple from London in the place right

then and they could not barge in with tape-measure in hand.

Miss Higginbottom said she would take the place anyway because her father really loved watching the boats coming and going in and out of the harbour.

When the Higginbottoms arrived, after a long drive through England, they realised things would be difficult. Mr. Higginbottom could not get into the bathroom. He struggled to move around inside the property. The garden gate was too narrow, too. He felt like a prisoner, rather than a holidaymaker.

Mrs Gibbons tried to help. She drove quite a long way to borrow a chamber pot and deliver it to Vessel View. Miss Higginbottom didn't show much gratitude.

After the holiday, Miss Higginbottom complained. Her complaint started with the words that make the heart sink of everyone who ever has dealt with public complaints: "I was told that..." This popular complaining phrase actually means "I think I remember what I was told, I haven't a shred of proof, but I'm sticking to my story because it suits my case". Miss Higginbottom said she was told that although it was on a hill at least two wheelchair users had stayed at Vessel View before so it must be perfectly suitable for a wheelchair user.

Mrs Gibbons told a different story. She said that both her and other agency staff had told Mrs Higginbottom that the place was not really suitable for a disabled person and that the gate was too narrow. She was clear that she'd warned the Higginbottoms of the situation but they'd decided to book anyway. Mrs Gibbons had considered refusing the booking but

had been advised that this would breach the Equality Act and she'd then be up before the local magistrates. (she was right).

Correspondence flew in both directions but Mrs Gibbons and Miss Higginbottom could not agree about what was said or whose fault it all was and everyone was offended. Miss Higginbottom wrote a one-star online review that Mrs Gibbons said was full of downright lies.

And they all lived unhappily ever after.....

*The End*

This story is slightly embellished but basically a true story, and there are some important lessons for all self-caterers in this.

Firstly, no access statement had been prepared for Vessel View and published on the agency website. If this had been the case, the agency would have been able to point it out and would have been on firm ground in the event of a problem. An access statement is good practice for every self-catering property. It's a simple document that sets out clear information for anyone with a disability. It describes the entrance, tells you the width of gates and doors, describes the spaces around the toilet and shower etc., and mentions all steps and stairs. It says how far the bus stop is and whether the buses on that route can take a wheelchair. It says how far the nearest parking is, and whether the path is level or bumpy. And a whole lot more. It does not just deal with wheelchairs; it explains issues that will affect visually or hearing-impaired people too. Low lighting, audible signals, and any issues such as large glass windows that might be walked into ought to be

mentioned. VisitEngland have a couple of examples on their website.

The second moral of the tale is the importance of the written word. Some organisations do record calls “for training purposes”. They probably do some training but the real value lies in defending themselves from a complaint beginning “I was told that...”. This only helps after the event, though; much better to prevent the incident by confirming key points in writing and then everyone has a written record of what was said, or maybe what was meant to be said. If Mrs Gibbons had sent Miss Higginbottom an email or a letter stating that, in her opinion, Vessel View was unsuitable for wheelchair users, and drawing attention to the access statement, things would have been very different. This applies to all sorts of other issues that might be a bone of contention later, as well, including anything to do with payment, terms, the safety of children, facilities etc. You cannot turn a disabled person away, and of course you should welcome them as customers, but you can, and should, give them full factual information.

## Swingers take note

Earlier this year an unhappy accident took place at a Hertfordshire school, where playground equipment was provided. A child was swinging on a timber-framed swing when it collapsed and part of the timberwork struck him on the head. He suffered life-changing injuries. The timber frame was found to have been rotten. The school was fined £50K and paid another £90K in costs.

The case illustrates a point that if you provide any play equipment in a cottage

garden, then, like everything else, it has to have inspections and maintenance. The possibility of collapse or damage should be considered in your risk assessment, including any reasonably foreseeable situation in which misuse by guests created a dangerous situation.

## HMRC's New Weapon

Following an announcement in March by the then Chancellor, HM Revenue and Customs is consulting on proposals to try and catch those businesses who evade taxation in the so-called “hidden economy”.

There are proposed to be new powers to collect data from financial service companies who provide, for example, credit cards or card processing.

It is proposed to introduce stronger penalties for small business owners who do not declare their full income.

Lastly there is an interesting proposal to make public sector licences, and some private sector business services, conditional on being registered for tax. Registration could be for self-assessment (individuals), corporation tax (limited companies), VAT (any slightly bigger business), or PAYE (businesses employing staff).

Under the proposals registration status would be checked when applying for any sort of public sector licence. Many businesses operate without the need for a licence, and it is also proposed that private sector business services might be conditional upon being registered, such as insurance, card processing, or business banking.

If you have any views on how this will affect self-catering, please let us know by the middle of October.

## Get a reminder from the VOA of pain to come

Owners and managers of self-catering holiday lets can register online for free with the Valuation Office Agency (VOA) to get a reminder email when their new draft rateable value is online.

The VOA is currently updating the rateable values of all non-domestic properties in England and Wales. These new rateable values are then used by local authorities to calculate business rates bills from next April.

Anyone who signs up will receive a reminder in the autumn, letting them know they can check their draft rateable value online. The email reminder will also have a link for ratepayers to amend their property details online, if necessary. Paul Phillips, Head of Revaluation at the VOA, said: "Once your new rateable value is live online, you can look it up and also get an estimate of what your bill may be in 2017-18. "

Ratepayers can go to [www.gov.uk/voa/revaluation](http://www.gov.uk/voa/revaluation) and sign up to the free reminder service.

## July a Bumper Month for Inbound

The UK experienced 3.80 million inbound visits in July, a 2% increase on July 2015. That is a new record for any month, helped by the reduced value of the pound

against other currencies. The number of visits for year to date is running at 2% higher compared to the same period last year and a record for the first seven months of the year; whilst the first quarter and July saw positive growth, the months of April to June were weaker than the same period last year. In the 12-month period to July the UK received 4% more inbound visits than the previous 12 months at 36.6 million visits.

## Local Government Association Reports on Visitor Economy

The Local Government Association, representing local authorities, has produced a report on the visitor economy that argues the case for more devolution of powers from central to local government, which, they argue, is well placed to help grow tourism in the English regions.

They argue that devolution will help local authorities to develop the tourism offer across key areas that have been identified as drivers of business:

- **Welcome.** It is unclear what councils might do on this.
- **Infrastructure, transport, and ease of access.** Clearly an area where councils have a role.
- **Skills.** Potentially an area in which local government might help.
- **Business support.** Again local councils can help businesses in many ways.
- **Brand differentiation, destination awareness and attractiveness**

Contact EASCO  
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