



Holiday Home Association News

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Consumer Cancellation Conundrum Calls

Threat of changes to consumer rights could cause havoc for self-catering operators

These words in a “call for evidence” by the Department for Business, Energy, and Industrial Strategy, have generated alarm and concern in the industry.

Initial feedback from some stakeholders suggests that in some circumstances, certain exemptions could be causing consumer detriment, for example hotel bookings (an area of interest for the CMA) and urgent repairs. We are keen to gather further views and evidence.

The context is a review of the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 that the Government is committed by law to publish later in 2019.

Consumers who make “distance contracts”, usually online, are entitled to cancel them if they so wish. In the case of services, customers may cancel within 14 days of making a booking.

Accommodation is an exemption under the regulations and the possibility arises

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that this exemption might not survive the review.

Of course, this is a long way from a definite proposal for change. A right to cancel within 14 days would not be disastrous if the booking was many months in advance but if the booking was for two weeks’ time this would amount to a right to cancel up until the night before.

The HHA will be submitting evidence to show that it would be difficult to re-book a holiday home if consumers were permitted to cancel at the last minute. We would welcome any evidence that members can contribute – in the form of statistical data or other hard facts rather than views or opinions.

The Consultation is available on the BEIS website and we have until May 1st to send evidence to head off this idea before it becomes a definite proposal.

New Members and New Chair of HHA

New members were elected to the HHA Council including a new Chair, at the Annual General Meeting on 27th March.

The new Chair is Zacary Stuart-Brown, who has had a career in agency management and now runs a residential estate agency and has a portfolio of self-catering holiday homes of his own on the south coast.



Zacary Stuart-Brown

Also joining the HHA Council was Joy Sangster of Dream Cottages. Welcome!



Joy Sangster

The full membership of the HHA Council is now therefore:

Alex Roads
David Hanmer
Graham Wason
Harvey Bailey
James Ellis (Vice-Chair)
Jennifer Owens
Jeremy Smith
Joy Sangster
Mark Curtis
Zacary Stuart-Brown (Chair)

This is a much healthier position than a few years ago, when it was becoming difficult to recruit for the Council. Meetings of the Council are held three times a year, and members of the Association are welcome to attend as guests, although notice is always appreciated.

Insurance Tips

How do you choose an Insurance Broker? Probably in much the same way as you choose your other advisers, such as accountants and solicitors. Of course, you can transact your insurance, accountancy or legal matters without using professional advisers . . .

1. Is the Insurance Broker experienced in the type of insurance you are seeking? You can ask me about your self catering insurance, but not your North Sea oil rig!
2. Are you speaking to somebody who is insurance professionally qualified? It continues to amaze me as the level of advice that we have come across from 'competitors' who seem clueless as to the correct type of policy.
3. Will there be a separate charge – possibly called an administration fee or policy fee - made by the Insurance Broker? If so, what for, how much, and why?
4. Who handles your claim? If you are to report claims directly to the insurer you are missing out on free of charge experience, skill and advice. Many a time we have saved a client from being given incorrect information about the policy cover by the insurer.
5. The regulator allows 'advised' or 'non-advised' handling of insurance. What's the point of non-advised?

David J Morris ACII
Chartered Insurance Broker
J L Morris (Insurance Brokers) Limited

www.selfcateringinsurance.co.uk
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Tourism Superstar

VisitEngland have again launched a competition to identify a Tourism Superstar, someone who has gone an extra 10 furlongs to provide tourists with good service

The competition is held in partnership with the Mirror newspaper.

Ten finalists from around the country have been already been shortlisted. The opaque process by which this short-listing is done is behind closed doors at the British Tourist Authority. Their nomination video is now live and open for public vote on the Mirror website.

The winner will be announced on 6 April during English Tourism Week (30 March -7 April 2019).

Fallen Superstar?

The Guardian reports that Sir Gary Verity has resigned as the head of Welcome to Yorkshire amid accusations of excessive expenses and deployment of staff from the successful tourism body for a personal family event. It is reported that Sir Gary has repaid a significant sum.

The Tourism chief has been credited with some big success stories including attracting the Tour de France to the county and generating big returns on investment made by local authorities in the private sector organisation. It was also said that his salary was higher than any local authority Chief Executive in Yorkshire.

The Board of the organisation have launched an investigation but have

rebutted demands from some in the area that they should resign themselves.

Access Survey 2018 published by Euan's Guide

The prominent guide to disabled persons' access facilities Euan's Guide has published the results of what is said to be the biggest and longest-running survey of its kind in the UK.

The results provide an insight into the views of disabled people themselves about the provision made for them by venues of all sorts including accommodation.

The key findings of the research were:

- 86% have found disabled access information on a venue's website to be misleading.
- 88% are more likely to visit somewhere new if they can find access information about it beforehand.
- 94% try to find disabled access information about somewhere before visiting for the first time.

87% had been disappointed or had had to make changes to their plans because of poor accessibility.

The majority relied on the venue or accommodation's own website for information before a visit. Common complaints included being asked to make a phone call for information rather than it being available on the website, misleading and out-of-date information. Some venues showed lack of understanding by claiming that, for example, they were fully accessible when gravel pathways were to be negotiated or failing to state the

widths of points of access such as doorways – in other words not supplying enough detail.

The lessons for self-catering in this are pretty clear – disabled people will book and return to venues that provide comprehensive detailed information about access, and not just for wheelchair users. They will also have a high regard, according to the research, for reviews by people with similar needs. Agents and owners can register properties with Euan's Guide, making reviews more likely, and they can certainly provide detailed online information including measurements, floor surfaces, and accessible features of holiday cottages that claim to be accessible.

HHA to back up the B and B Association on name hijacking

HHA is to write to the Competition and Markets Authority in support of a campaign by the Bed and Breakfast Association to have hijacking of names banned as an unfair practice.

Hijacking occurs when one business pays a search provider like Google for advertising that directs the user to their own website when someone searches for a particular word or phrase. For example, if your business is called Buggleskelly Beds, you might be upset if you found that people searching for you by that name were presented with a link to an online travel agent offering alternative accommodation in the same area. This is felt to be an unfair practice that should not be permitted.

In some cases, terms and conditions of a listing with an OTA permit the OTA to do this so that bookings are directed through the OTA website rather than the business's own website.

There is no argument to prevent bidding on generic terms even if a business exists with that or a similar name – we know there are many agencies that have names including “Cottages” and “Cornwall” but these are generic terms and cannot reasonably be banned.

The imbalance of power between these giant corporations and small accommodation providers requires some intervention by the Competition and Markets Authority. There is a petition available to sign on this and HHA will complain more formally to the CMA by letter. To sign the petition, go to this address:

<https://petition.parliament.uk/petitions/243020/>

The Spring Statement

The Chancellor did not make a budget statement this month but issued a “Spring Statement.

- GDP growth has been cut significantly, to just 1.2% for 2019 before rising to 1.4% and then 1.6% for the next three years
- Aim is to create another 600,000 new jobs by 2023
- Debt to fall to 82.2% of GDP next year, then 79%, 74.9%, 74%, and finally 73% in 2023-24
- Wage are forecast to continue growing faster than inflation

The forecasts assume that a “deal” is reached with the EU over Brexit, which is, of course, uncertain at the time of writing.

On tourism-related issues there was little of note.

The Comprehensive Spending Review, that happens every few years, will start in early summer – affecting departmental budgets.

£260m of funding was announced for the borderlands between England and Scotland, where tourism is of course a major part of the economy.

The Government asked the Competition and Markets Authority (CMA) to undertake a study of the digital advertising market – which relates to our previous article, of course.

The Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2018

Coming in to force on Monday 1st April, these new regulations require property agents to be members of an approved insurance scheme if they handle clients' money, and to comply with a range of requirements including display of a certificate on their websites and in their premises. Several insurance schemes have been approved by the Secretary of State.

The regulations – on which HHA was not consulted – are somewhat ambiguous as regards their applicability to holiday home letting agents.

Some parts of the regulations and definitions make reference to tenants and tenancies. Holiday homes are normally let under a license, not a tenancy and owners have customers, not tenants.

However the regulations apply to a person who engages in English letting agency work, and the latter is defined as

“things done by a person in the course of a business in response to instructions received from a person (“a prospective landlord”) seeking to find another person to whom to let housing”.

There is a clear exemption in the case of property management work, but not letting agency work – a fine difference!

HHA is taking steps to obtain clarification on this, firstly by seeking the view of the Government department concerned (Business, Enterprise, and Industrial Strategy). We will if necessary obtain legal advice.

For now, we don't advise agents to take any action (unless also engaged in residential letting work) but to let HHA know if they are approached by any enforcement authority regarding this issue.

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Modernised VisitEngland Awards for Excellence launched

Large parts of England to be excluded.

A refreshed VisitEngland Awards for Excellence programme was launched last week on its 30th anniversary, but according to the published details, large parts of England are excluded from taking part because they are not in areas where a regional competition is being run.

The redesigned format will recognise excellence across the industry including new businesses, experiential tourism and services for international visitors.

The annual VisitEngland Awards for Excellence celebrate quality, innovation and best practice across the country's tourism industry. The refreshed format introduced embraces the impact of digital technology, the growing demand for experienced-based travel and tailoring tourism products and services that cater for international visitors.

British Tourist Authority Chief Executive Sally Balcombe said:

“The tourism landscape in England is continuously evolving with visitors using technology to personalise the products they choose and our Awards must keep up with the aspirations of tourists.

The BTA have added “experience of the year”, “International Tourism Award” and “New Tourism business Award” to the list of categories and have brought in a new online system for applications.

The judging panels will be tailored to suit each category type whether assessing sustainability, accessibility or food, leading industry figures will take part in the judging to ensure rigorous assessments.

The revamped Awards align with the 18 regional competitions that take place across the country, ensuring local winners are automatically put forward for the national Awards. However it would appear that the BTA have dropped the facility for businesses that are not in a region covered by a local scheme to apply direct to them. This means that a large number of businesses will be excluded from the competition. They say that "VisitEngland will also support destinations that do not currently hold local competitions to launch Awards of their own, giving greater coverage across England." But this is far from comprehensive. In the past for example there has been no local competition in the biggest tourist destination of all – London!

At the time of writing only three regional awards are available, one of which has already passed its deadline. More may be added.

<https://www.visitbritain.org/business-advice/enter-awards-excellence>

If you're lucky enough to be in a location where there is a regional competition, these are the categories relevant to self-catering:

- Self-Catering Accommodation of the Year
- New Tourism Business Award
- Accessible and Inclusive Tourism Award
- Ethical, Responsible and Sustainable Tourism Award
- International Tourism Award

Visiting the UK after Brexit

This is an abridged version of the official government advice, relevant if you have guests from EU countries and the UK leaves in April without a deal.

Advice for Visitors

- Travel for EU visitors will not change: Both the EU and the UK have proposed reciprocal visa-free travel for their nationals. The UK will accept national ID cards from EU and EEA nationals until December 2020.
- EU nationals can continue to use e-passport gates.
- Aviation - Measures put forward by the UK and the EU will ensure that flights can continue in any EU Exit scenario.
- Border preparations – Border force is increasing staff and confident it can cope with any new requirements.
- Driving in the UK: For those without a non-UK licence, how you can drive in the UK will not change after Brexit.

<https://www.gov.uk/guidance/visiting-the-uk-after-brexit>

HHA Constitution

The AGM adopted the updated Constitution. The only change made was to increase the maximum number of Council members from 10 to 12. The changes were mainly updates and modernisation to provide for electronic communications. The document is available on the member section of the website or by email.