



Professional Association of Self-Caterers UK

PASC UK NEWSLETTER

11 July 2023 Issue 169

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COMMENTARY

Our focus has been fire guidance again this week and have been approaching keynote speakers and approaching companies for the webinars that may be able to offer solutions to the challenges presented by open plan, three storey and larger properties. As we book them The Webinar section will be updated accordingly.

There is also more from the Home Office on Fire Guidance, see below, which covers new Guidance on Responsible Persons. We have summarized that announcement for you. Below that is a Survey that the Home Office have asked us to share on how we are all responding to being 'Responsible Persons'.

Please do take the time to fill it in, we are trying really hard to get across how hard and fast these changes on fire have come to the vast majority of self-catering businesses, and taking part will help with that.

The key Fire Webinar to watch from Phase 1 can be seen here: <https://www.pascuk.co.uk/webinars/>

The Key Fire Webinar from Phase 2 of the Fire Support is only taking place this afternoon as you are receiving this email, with almost 400 business registered. That webinar covered misting and linked alarms and how the National Trust is approaching the challenge for their large portfolio of properties. That will be placed on the website asap at <https://www.pascuk.co.uk/webinars/>

Your Chair will be on leave this Thursday/Friday 13/14 July and through the weekend. All emails and messages received during this time will have an out of office message. For Members only and in Emergency only, please send an email to louise@pascuk.co.uk who will be able to contact him, and he will respond if at all possible. We will attend to questions arising just as soon as we can.

This really is the last call in the Newsletter on the Renters (Reform) Bill that will start being laid before Parliament this month, and it would have the effect of making it impossible to do 'Winter Lets' or 'fixed term lets' as many have previously done. This might cover someone wanting to stay for three months, whilst moving house, or they might be a contractor working locally. The note is repeated below, and we are collating a list of those concerned so that we can contact them directly. Contact chair@pascuk.co.uk

For those of you affected by or following the saga of form VO6048 we can announce that there appear to have been no further changes to the online forms this week. An update of the forthcoming meeting with the VOA is below in the VO6048 update.

There is possibly some good news on the horizon regarding the Package Travel Directive. Finally, after all the pressure a Consultation is being launched on this, and we will be providing guidance on responding to it. Reform of this directive could be an enormous help to our sector, making it possible to make offers like, "stay at Wiggly Wood Cottage on any weekend in November, and dine at the Nag's Head on us"... T's and C's apply. It is sooo complicated to do this currently, for example, you need insolvency insurance. The Tourism Alliance has convened a working group to ensure that we have a cohesive policy ready for the consultation, and your chair is part of that.

Any questions please let us know. Best regards

Alistair

NEW PASC UK WEBINAR PROGRAMME FOR JULY/AUGUST 2023

Please find below the July/August webinar programme.

Previous webinars and meetings can be viewed on the PASC UK Website at: <https://www.pascuk.co.uk/webinars/> Members only recordings are in the Members area.

Three Fire Webinars are planned for the next month, so that you can hear from Keynote Speakers, from fire experts, and from leading products that may offer mitigation of fire risk in your property. All will be available to all and will be recorded and placed on the website.

1/ FIRE WEBINAR TWO OPEN TO ALL

Date: 1100 on Tuesday 18 July

This webinar will be recorded and placed in the public area on the website. The keynote Speaker will be Matthew Armer, who heads up Fire Policy at the Home Office. He will update us all on what the changes are and the impact that they are having on doing Fire Risk Assessments, which will become law for all on 1 October 2023. There will also be two companies presenting fire mitigation products, followed by a Q&A. We anticipate that we will be covering significant mitigations such as Fire Doors and thumb locks.

Initial presenters

- Alistair Handyside, Chair PASC UK.
- Paul Bray, PASC UK Retained Fire safety expert
- Mathew Armer, Head of Fire Risk Assessment Policy and Practice Team
- 2 X Additional Key product presentations to mitigate fire risk
- Q&A

Register here: https://us06web.zoom.us/webinar/register/WN_1L6VytMWTGGDV0Pyf8Rgag

We'll need your business name too please; you'll receive a link to the webinar after registration

2/ FIRE WEBINAR THREE OPEN TO ALL

Date: 1100 on Tuesday 1 August

This webinar will be recorded and placed in the public area on the website. We will shortly be updating the detail of this webinar to provide details of the Keynote speaker and the fire mitigation products companies that will be presenting. There will also be a Q&A.

Initial presenters

- Alistair Handyside, Chair PASC UK.
- Paul Bray, PASC UK Retained Fire safety expert
- Another different Guest Speaker, TBA
- 3 X Additional Key product presentations to mitigate fire risk
- Q&A

Register here: https://us06web.zoom.us/webinar/register/WN_0Gi9ixxmQKmbFt5FiLmWPA

We'll need your business name too please; you'll receive a link to the webinar after registration

NEW GUIDANCE ON RESPONSIBLE PERSONS PUBLISHED BY THE HOME OFFICE

This new guidance from the Home Office, published on 3 July, explains what Responsible Persons (RPs) need to do following changes in the Fire Safety Order 2005 (FSO), which has been amended by the Building Safety Act 2022 (BSA).

<https://www.gov.uk/government/publications/check-your-fire-safety-responsibilities-under-section-156-of-the-building-safety-act-2022/fire-safety-responsibilities-under-section-156-of-the-building-safety-act-2022>

PASC UK has produced a short summary of what is included.

You are a Responsible Person (RP) if you own or control a building. It's possible that for larger or more complex properties, there will be more than one RP.

More information: <https://www.gov.uk/guidance/check-your-fire-safety-responsibilities-under-the-fire-safety-order>

RPs have new duties concerning non-domestic premises, such as where people visit or stay, and in the common (non-residential) parts of residential buildings too.

- RPs must now record in writing a full fire risk assessment (FRA), not just significant findings, and the fire safety arrangements, for all premises in all circumstances
- If the accommodation is in a block of flats, the FRA must include an assessment of risk of external fire spread
- If a RP hires someone to conduct the FRA, this person's name and (if applicable) organisation needs to be recorded too. The RP should ensure that anyone appointed is 'competent', but this is not yet a legislative requirement. Even where the RP appoints someone, it is still the RP (you) that has the legal duty that a suitable FRA is completed, not the person appointed
- The RP must record their own contact information
- If the RP operates as a business that provides holiday or short-term let accommodation, then a fire risk assessment must be written and available to residents and guests.
- There are also requirements about sharing and handovers between different RPs e.g. if you the RP sell the property, or if you co-host. And if you the RP are a leaseholder, you will need to coordinate with other leaseholders and the freeholder, to share information, including FRAs

Link to Fire Safety Responsibilities under Section 156 of the Building Safety Act 2022:

<https://www.gov.uk/government/publications/check-your-fire-safety-responsibilities-under-section-156-of-the-building-safety-act-2022/fire-safety-responsibilities-under-section-156-of-the-building-safety-act-2022>

HOME OFFICE RESPONSIBLE PERSONS SURVEY ENGLAND ONLY

We would like to introduce an important piece of work being conducted by the Home Office to improve its understanding of how recent fire safety legislation changes have impacted Responsible Persons in England.

These changes will have a significant impact on Responsible Persons, and with that in mind we are keen to gain a better understanding how you have responded to the changes. Your answers to these questions will very much help to support that work.

We therefore invite **anyone who is a Responsible Person (who can be an individual or an organisation)** to complete the survey. For organisations, if you are not the Responsible Person within your organisation, then we kindly ask you pass this survey onto such persons. The survey will ask

questions about you, the buildings you are responsible for, and about your experiences of current and awareness of future fire safety legislation changes. We will use the findings of the survey to inform policy development work in the UK.

Please feel free to share this invitation with any other Responsible Persons you know as the more responses we get, the better the picture will be that we can build up of the responses to fire safety legislation.

You can complete the survey by clicking on this link.

<https://www.homeofficesurveys.homeoffice.gov.uk/s/RP-firesafety/>

The survey should take approximately 15 minutes to complete, depending on how much you want to tell us, and will remain open until **23:59 Monday 31st July 2023**. If you need to exit the survey and return at a later date, please select the 'save and continue later' button at the bottom of any page so that you can request an email with a personalised secure link that will enable you to return to complete the rest of the survey later.

The survey is being conducted by the Home Office in accordance with the Data Protection Act 2018 and the UK GDPR. Participation in this survey is completely voluntary, your answers will be kept confidential, and no individual or organisation will be identified in any reporting. You will not be asked to provide your name or that of your employer. We may also share anonymised aggregate results with devolved administrations and professional bodies who are supporting us in conducting this survey and the industry professionalisation work mentioned above.

FIRE GUIDANCE UPDATE 11 JULY

Previous updates can be found in the recent newsletters, so just the new developments here today, plus where key papers are and how to find a Fire Risk Assessor.

We are in the final stages of releasing the following documents. We are targeting releasing these next Tuesday 18th July.

- Blank Fire Risk Assessment for your small paying guest accommodation
- Fire Notice for properties
- Guidance on Fire Checks at Changeover plus Checklist
- FAQ's, the most commonly asked questions and answers, (This will be a work in progress and will be frequently updated)

Main Home Office Papers

Home Office Guidance on Making your small paying guest accommodation safe from fire 2023

This paper covers small units, without open plan downstairs, not more than four bedrooms, sleeping no more than twelve in two storey buildings.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1147723/A_guide_to_making_your_small_paying-guest-accommodation_safe_from_fire.pdf

Fire Safety Risk Assessment Sleeping Accommodation

This paper goes some way to helping with larger properties, but is an old paper, published in 2006 and is currently being updated by the Home Office. Earliest date expected is around the end of the year.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/422192/9281_Sleeping_Accommodation_v2.pdf

Current PASC UK Supporting Papers

To help owners navigate through this, and to supplement the Government Papers mentioned above, we have commissioned three initial papers from our Fire expert, Paul Bray, GFireE, Fire Safety Consultant.

The papers are number 1,2 and 3. They can be found here: <https://www.pascuk.co.uk/reports/> and also here: https://www.pascuk.co.uk/fire_checks_and_safety/

- Paper One: **The Regulatory Reform Fire Safety Order 2005**

This is a background paper explaining the legal background of the Fire Regs and the Fire Regs.

- Paper 2: **Additional Notes to the Home Office Guidance on Making your small paying guest accommodation safe from fire 2023**

This paper provides additional notes to use in conjunction with the Home Office Guidance on Making your small paying guest accommodation safe from fire paper.

- Paper 3: **Applying the Sleeping Risk Guide to existing holiday accommodation**

This paper provides the first paper on providing additional information for larger properties.

How to find a Competent Fire Risk Assessor?

You may need to hire a competent fire risk assessor when approaching your next fire risk assessment, especially if you do not consider yourself to be competent, if you have a complex or larger property, and also if you have not conducted a fire risk assessment before.

A Google search for 'fire safety risk assessor' - avoiding 'sponsored' paid-for entries at the top, which you are advised to ignore - will produce a long list of potential providers. These may not be registered or accredited. Be aware that only the minority of those selling fire risk assessor services are currently accredited to recognised schemes - according to the Home Office, only around 20% are currently accredited.

A competent fire risk assessor should be registered/accredited by a professional body. There is a wide range of accreditation bodies and schemes.

Here are links to **professional bodies** that provide a **register of accredited assessors**:

1/ Fire Sector Federation (FSF) <https://www.firesectorfederation.co.uk/>

The site has a section on fire risk assessment:

<https://www.firesectorfederation.co.uk/fire-risk-assessment/>

And a National Listing of Fire Risk Assessors:

https://www.firesectorfederation.co.uk/fire-risk-assessment/fire-risk-assessment-directory/page/4/?wpbdp_view=all_listings

There is an alphabetical listing. Unfortunately, even the 'Advanced Search' does not allow you to search geographically.

2/ Institution of Fire Engineers (IFE) <https://www.ife.org.uk/Fire-Risk-Assessors-Register>

The site provides a directory of registered fire risk assessors:

Click on the right-link 'Fire Risk Assessor Search', click on the disclaimer button, and you will be taken to a map. Coverage is patchy nationally.

IFE also links to the London Fire Brigade document explaining how to choose a competent fire risk assessor:

https://www.ife.org.uk/write/MediaUploads/Membership/FRR/8_Tips_for_choosing_a_competent_Fire_Risk_Assessor.pdf

3. Institute of Fire Safety Managers (IFSM) <https://ifsm.org.uk/fire-risk-assessors/>

This identifies Tier 1, 2, and 3 assessors, based on the Tiered Fire Risk Assessors Register (TFRAR).

Click on 'Find an Assessor', then click on Tier. For the majority of PASC members, the Tier 2 assessor is the level required. There is a list as well as an interactive map to find a nearby assessor. Again, coverage is patchy nationally.

<https://ifsm.org.uk/tier-level/tier-2-competent-fire-risk-assessors-register-cfrar/>

4. Institute of Fire Prevention Officers (IFPO) <https://ifpo.org.uk/fra-register/>

This site has regional maps of IFPO-registered fire risk assessors:

You then need to drill down into individual assessors in your region to find someone near you. There should be several assessors in your region.

Remember always to check on the assessor's qualifications and experience and ask for examples of previous work. Let us know how you get on, so we can share and learn from your experiences.

Next Steps

In addition, PASC UK will be providing the following over the coming weeks.

- Fire Mitigation Technology. Papers and Webinars (See Webinar Programme)
- Regular updates on mitigation measures for buildings outside the **Home Office Guidance on Making your small paying guest accommodation safe from fire 2023**
- Work with Home Office and Fire Experts to come up with reasonable and proportionate mitigations for those with properties outside the **Home Office Guidance on Making your small paying guest accommodation safe from fire 2023**. (Underway)
- Prepare a case study of a Fire Risk Assessment (FRA) of our own property for Members, this will include a FRA covering our large, ten-bedroom, three storey property with open plan kitchens. (Underway)
- More will be added over the coming weeks

Members questions are welcome on any issues that they have with their Fire Risk Assessments, and we will answer as best we can. We are not ourselves fire safety experts and will do our best to try and offer solutions or signposts to solutions. We are afraid that we cannot answer non-Members questions on fire issues.

THE LAW ON FIRE RISK ASSESSMENTS IN ENGLAND, FROM 1 OCTOBER 2023

A common question is, '**where does it say it's law?**'

The Government has confirmed that the requirement for a **written** fire risk assessment will come into force on 1 October 2023.

Here is the confirmation:

<https://www.gov.uk/government/news/new-fire-safety-guidance-comes-into-force-on-1-october-2023>

And yesterday the Government made this announcement:

<https://www.gov.uk/government/publications/check-your-fire-safety-responsibilities-under-section-156-of-the-building-safety-act-2022/fire-safety-responsibilities-under-section-156-of-the-building-safety-act-2022>

We will publish a short summary of the document next week, as it lays out your responsibilities under Section 156.

The legislative mechanism for this is a little complex. A Statutory Instrument was put before Parliament this spring, which is known as a Commencement Regulation. This will bring into force on 1 October 2023 Section 156 of the Building Safety Act 2022, i.e., it brings into force an existing change in the law.

Section 156 amends the existing Fire Safety Order (FSO). The current articles of the FSO include a provision to have a mandatory written FRA if you have five or more employees. The new text of the FSO abolishes the exemption for a written FRA for anyone with fewer than five employees. Everyone

must from 1 October 2023 "make a record of the assessment or review", regardless of employees or premises. A record will be a written record.

Another important change introduced is that FRA findings no longer have to be just 'significant'. The FRA must cover all findings, not just significant ones, and not just a list of changes made, and changes planned.

An important point made in the Government press release linked to above is "ensuring residents have access to comprehensive information about fire safety in their building". That means that anyone staying in either a residential let or in a holiday let must have access to the FRA for the building they are staying in. Hence the requirement for a written FRA.

UPDATE ON FILLING IN FORM VO6048 4 JULY

There have been no further changes this week to Form VO6048 online. The up-to-date guidance on the PASC UK is here: <https://www.pascuk.co.uk/reports/>

We recommend that you download a new, updated, clean copy from: <https://www.gov.uk/government/publications/request-for-rental-information-self-catering-holiday-homes>

We have a meeting with the VOA on the 17th of July to cover all the issues below. VO6048's are now annual, so we want to get this right, too late for this year, but time to sort for 2024.

Notes: Q2, we are checking legality of this, and in Q7 we are checking the position of an owner who does not receive a form through the post.

1. Review changes made to VO6048 to date, no time to review changes and update guidance. The coding system (month/year) no longer seems to be adequate, as there can be multiple changes in one month, so a new form version could appear with the same month/year code as a previous form version.
2. The inserted sentence re Council Tax, in all versions of the Short Form (Wales English, Wales Welsh, England). This was unannounced. **"If you don't reply to this request for information within 56 days your property will be moved to the Council Tax list."** What is the legal basis for this?
3. The way the forms are linked to on the website needs a review please, especially as our Members tell us (despite giving them the link) that on googling 'VO6048 England', they are then linked to the set of Wales forms! The current landing page URLs need to be revised. The Wales forms internet page does not have Wales in the URL. The URL is: <https://www.gov.uk/government/publications/request-for-rental-information-self-catering-holiday-homes>
The England forms internet page does not have England in the URL. The URL is: <https://www.gov.uk/government/publications/self-catering-holiday-homes-questionnaire>
4. Are the VOA planning any Guidance notes in filling in the forms? PASC is having to provide

that guidance. Previously we worked together to provide 'approved guidance' which was incredibly effective.

5. How are owners to know whether they are due to receive a VO6048 to complete this year? Before, they would receive one every few years. Are all owners on the self-catering rating list receiving a form through the post?

6. At present, forms are being posted to let properties, not to owner addresses, and forms sent to let properties may well go astray e.g., no post-box at property. Or letter removed by guests or cleaners or.... If it is essential in law that owners return forms within 56 days, then posting to owner, directly, is vital.

7. What are owners supposed to do if they do not receive a form this spring/summer? Assume it has gone astray? Contact VOA, demanding a form? Download a form and fill in to return? What is the VOA recommended course of action. What is the law on this?

8. Pull together a collaborative plan for 2024 distribution of VO6048's as we have done previously. Including improvements to forms design. And one set of guidance documents.

Any other questions Members think that should be raised, please email chair@pascuk.co.uk

RENT (REFORM) BILL, IMPACT ON WINTER LETS IN ENGLAND

We are not getting as much feedback on this as expected, with less than ten Members so far affected. Please contact us if you will be affected by no longer being able to do longer term fixed lets as a result of this new legislation.

We commissioned Stephens Scown, our Solicitors, to review the threat level from the Renters (Reform) Bill on 'winter lets'.

The threat is very clear, it will, if it goes through unchanged mean that self-caterers will no longer be able to carry on with longer fixed term lets.

The detail of the advice is below, we will also post it on the website. We are currently coordinating with other Associations to see what we can collectively do and will report on this next week. Any questions or points you would like to raise, please let us know by emailing chair@pascuk.co.uk

1. SUMMARY OF ADVICE

On consideration of the research, the Renters (Reform) Bill will have a catastrophic impact on the 'winter let' industry. Although landlords will be able to issue rolling tenancies, they are going to struggle to regain possession without the trust that the tenant themselves will give two months' notice to allow the property to be available in time for the holiday season. I would suggest making this clear to local MPs so this can be raised at the second reading of the Bill.

2. LEGAL ANALYSIS

2.1 The legal background of the Renters (Reform) Bill and when will it take effect.

2.1.1 The Department for Levelling Up, Housing and Communities introduced the Renters (Reform) Bill “the Bill” to Parliament for its first reading in May 2023. It was first mentioned in the 2019 Queen’s Speech and then the White Paper ‘A Fairer Private Rented Sector’ was published in 2022.

2.1.2 The full title of the Bill is to make provision changing the law about rented homes, including provision abolishing fixed term assured tenancies and assured shorthold tenancies; imposing obligations on landlords and others in relation to rented homes and temporary and supported accommodation; and for connected purposes.

2.1.3 In order to become legislation, the Bill must go through a lengthy parliamentary process in both the House of Commons and the House of Lords before it achieves Royal Assent and becomes legislation. The average time to take a Bill from proposal to law is around a year. The Bill is currently in the House of Commons and has had its First Reading. The date for its second reading has not yet been announced; this is when MP’s will debate the contents of the Bill.

2.1.4 Once approved as legislation, there is likely to be a staged introduction. There will be at least six months’ notice before all new tenancies move into the periodic system known as the first implementation date. The second implementation date will take place at least 12 months after the first implementation date where all existing tenancies are likely to move to the new system. This is of course based on the Bill in its current form.

2.2 The current position of ‘Winter Lets’

2.2.1 It is a common practise to let holiday accommodation over the winter months to provide income during the off season. The assumption being that the occupant will move out at the expiry of the fixed term/in time for the property to be readied for the holiday letting season again.

2.2.2 It is important to outline the difference between a holiday letting and a winter let. A winter let is in reality, an assured shorthold tenancy. A holiday let must be for the purpose of occupying for a holiday. Any attempt to offer a tenancy under the guise of a holiday let can be described as a ‘sham tenancy’. See 2.3.1 below for the importance of the distinction.

2.3 How will ‘Winter Let’s be affected?

2.3.1 Abolition of fixed term tenancies

Under current legislation, a landlord can offer a fixed term tenancy for the winter months. Essentially, the landlord creates an assured shorthold tenancy. As it is provided for a fixed period, when this fixed period comes to an end, the tenant vacates in order for the landlord to provide holiday letting accommodation again.

Part 1, Chapter 1 of the Bill proposes that all assured shorthold tenancies are to be abolished.

Instead of fixed-term tenancies, all rented properties will move to rolling contracts with rent periods not exceeding a month.

This will affect 'winter lets' as no fixed term period can be offered. Any attempt by landlords to create a fixed term tenancy or serve a notice to quit, can result in a fine from the local authority.

The end of fixed term tenancies means tenants would need to give two months' notice to their landlord to leave or landlords would need to evidence one of the amended grounds in Schedule 2 of the Housing Act 1988 (see 2.3.2 below).

2.3.2 Abolition of serving 'no fault' notice

Under current legislation, if a winter let tenant did not vacate, they could be issued with a s.21 notice or possession could be obtained by reliance on Ground 3 of Schedule 2 of the Housing Act 1988. The Bill abolishes 'no fault' section 21 notices and aims to 'strengthen the grounds for eviction' and Schedule 1 outlines proposed amendments to Schedule 2 of the Housing Act 1988. Part 1, Chapter 1 of the Bill outlines the changes to the grounds of possession; some of the grounds will be amended and some new grounds will be created.

At present, Ground 3 of Schedule 2 of the Housing Act 1988 provides a mandatory ground for possession. This applies where the tenancy is for a fixed term of not more than eight months and at some time during the 12 months prior to the start of the tenancy, it was occupied for the purpose of a holiday. Under the Bill, there is a proposed change that this Ground will be repealed. This means a landlord won't be able to use the ground to evict a tenant in order to let it out as holiday accommodation; it does not mean that a landlord is prohibited from letting a property on a rolling contract (see 2.3.1 above) but it makes gaining possession if the tenant does not leave, much more difficult.

In order to re-gain possession, the landlord would need to rely on a different ground of possession; there is no holiday accommodation ground within the proposed Bill. The landlord would need to show for example, that there are rent arrears or anti-social behaviour or would need to show one of the 'landlord need' grounds such as if the landlord needs to occupy the property themselves/ for the need of their family or if they need to sell the property. The Grounds as drafted in the proposed Bill do not provide a ground for winter let landlords to recover the property back for holiday lettings. There are also sanctions proposed in Chapter Page 3. 4, Part 2 of the Bill if a landlord has used the ground in such a way to mislead the tenant i.e., he says he's selling the Property but isn't.

2.3.3 Financial requirement to join database.

Currently, there is no requirement for a landlord to join a 'register'. Part 1, Chapter 3 of the Bill introduces a Private Rented Sector Database which will make it a legal requirement for landlords to join the register and insert details about themselves and their properties. There will be a cost for this, which is unknown at this stage. The effect of this on winter lets, is that all landlords will need to register on the Portal. Under Part 1, Chapter 3, Section 39 of the Bill, there is a proposal for restrictions on marketing, advertising, and letting a dwelling unless there is an active landlord and active dwelling entry in the database. There will also be the added administration tasks of ensuring the database is kept up to date. Landlords will also be

asked to sign up to a government approved redress scheme in an attempt to keep matters out of Court.

2.3.4 Requirement to allow pets.

Under the Bill, all private renters will have the right to request a pet and the landlord cannot unreasonably refuse this request. This is set out in Chapter 1, Part 1 of the Bill. The Bill suggests an amendment to section 16 of the Housing Act 1988 inserting a section 16A 'Requesting consent to keep a pet'. It suggests it be an implied term of every assured tenancy that a tenant may keep a pet if the tenant asks to do so and the landlord consents, such consent not to be unreasonably refused by the landlord and the landlord to give or refuse consent in writing on or before the 42nd day after the request. It would be reasonable for a landlord to refuse if keeping a pet would put the landlord in breach of an agreement with a superior landlord, but it is difficult to say what other circumstances would constitute 'a reasonable refusal.' The Bill suggests the inclusion of 16C 'Indemnity and insurance for pets' where it proposed it be an implied term that at the time the landlord informs the tenant in writing of his consent for a pet, they may attach a condition that the tenant maintain insurance that covers the risk of pet damage and the tenant pay the landlords reasonable costs of maintaining the insurance (a premium), but this requirement is likely to have an effect on landlords with winter let tenants wishing to bring their pets with them. An insurance policy isn't going to stop, for example, noise nuisance to neighbouring properties.

Any questions, please contact chair@pascuk.co.uk

YES CONSULTING PMS RESULTS PUBLISHED

Yes Consulting recently undertook a short-term rental PMS (Property Management System) survey, focusing on the ideal price for a PMS and the software challenges managers face using them.

If you are looking at installing a PMS at your business, or just want to see the feedback on the industry leaders have a look at the survey results here: https://www.smarthosts.org/post/pms-survey-results-are-you-paying-too-much?utm_source=substack&utm_medium=email

DEFRA SURVEY INTO BURNING LOGS IN HOSPITALITY

Long term readers will be aware of the rules on the kind of logs that we can burn in hospitality businesses. Now DEFRA have come up with a survey on how widespread the burning of logs in hospitality is, and how much we burn.

We know that you are getting a bit of survey burn, but if you burn logs in your business, in wood burners, open fires, fire pits etc, please fill in this survey. The worst possible outcome is a ban, and DEFRA being able to say that only a few of us responded 😞 We have done it here, and it takes a few minutes, but is not onerous. Thanks.

You can take part here: <https://online.ipsosinteractive.com/mriweb/mriweb.dll?i.project=S23008302>

RESETTING YOUR PASSWORD FOR THE PASC UK MEMBERS AREA

You are able to check your account details and download any of the 25 Members only PASC UK papers. The full list of the PASC UK Members Papers is detailed below.

Anticipated questions:

1/ How do I log in?

On the main PASC website you will see a link in the top right-hand corner called "Member Login". Click this link and enter your email address and password. Once logged in you will be in the members area.

2/ I can't find my password.

Click on the "Member login" link on the far right of the menu on our website and click the "forgot password" link which is in blue text just below the "log in" button. Enter your email address in the field and click "request password reset" button.

3/ Who do I contact if I cannot get in?

If you are having difficulty, please email admin@pascuk.co.uk and Justin will investigate for you.

4/ My username doesn't match my email address, does it matter?

No, it doesn't, usually your username would be your email address, but through address changes and mistyping, some don't match up. However, the only place those are used is in the login field, all correspondence will go to your usual email address. Unfortunately, it isn't possible to change the username once it has been set.

NEWSLETTER INDEX (WHERE TO FIND PREVIOUS INFORMATION)

All previous content is indexed and can be found on the 2022 Index on the Newsletter page. Look for PASC UK Index 2022. This will be updated weekly.

<https://www.pascuk.co.uk/newsletters/>

WALES INFORMATION AND WHERE TO FIND IT

If you are affected by what is happening in Wales and do not get the direct Wales only communications, please email me at chair@pascuk.co.uk put **Wales Newsletter** in the subject line and we will add you to the Wales Only circulation list.

Previous Wales Newsletters can all be found here: <https://www.pascuk.co.uk/wales-182-days-reports/>

GENERAL INFORMATION SECTION

PASC UK SOCIAL MEDIA

Please consider following PASC UK on Social Media, it gives us a way to contact you quickly in the event of any changes or announcements that are made. We promise not to bombard you and to try to keep it relevant and topical.

PASC UK on Twitter @PascUK

PASC UK on Facebook @pascukltd

This is where the latest news between newsletters gets posted.

MEMBERS AREA IS NOW LIVE

The Members area of the PASC UK website opened last week. Initially you will be able to check your account details and download any of the 25 Members only PASC UK papers. No longer will you need to ask Justin or myself 😊. The full list of the PASC UK Members Papers is detailed below. No longer will you need to ask Justin or myself 😊 We will add additional features over the next couple of weeks.

Anticipated questions:

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On the main PASC website you will see a link in the top right-hand corner called "Member Login". Click this link and enter your email address and password. Once logged in you will be in the members area.

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PASC UK MEMBERS ONLY PAPERS

This is the current list of Members Only papers available in the Members area of the website.

- [PASC UK Business Rates Claim Note England](#)

A guide to 'Claiming' your property in England. You cannot 'check' You cannot 'Check' your properties Business Rates until you have done this.

- [PASC UK Business Rates Check Note England](#)

The guide will take you through 'checking' your Business Rates in England. It is vital that you book a call with the Chair before completing and submitting this 'Check'.

- [PASC UK Template Privacy Policy June 2022](#)

All businesses in the UK are required to have an up-to-date Privacy and Cookie. Not having one can lead to fines. This document provides you with a template policy.

- [PASC UK Template, Privacy Policies explained June 22](#)

This document explains Privacy Policies

- [PASC UK Template Cookie Policy and Guidance June 22](#)

This document gives further guidance on Cookie and Privacy Policies

- [PASC UK Guidance on using CCTV 2021](#)

Having CCTV at business premises can bring benefits, however there are several stages of legal compliance that you need to go through to operate such a system.

- [PASC UK Template CCTV Policy June 2022](#)

This document provides you with a basic CCTV Template Policy.

- [PASC UK Guidance on completing a short form LIA](#)

A 'Legitimate Interests Assessment' is a requirement if you have CCTV. This will guide you through creating one.

- [PASC UK Template LIA](#)

This document is a template Legitimate Interests Assessment for CCTV

- [PASC UK Template Breach Risk Assessment \(Req if you have a GDPR breach\)](#)

This template will guide you through the steps to take if you have a breach of GDPR.

- [PASC UK Record of Processing \(This is what data that you store and for how long?\)](#)

This template gives you the headings for the types of data that you store and for how long.

- [PASC UK Template Internet Fair Usage Policy](#)

This template document can be inserted into your Terms and Conditions to cover fair internet usage at your business.

- [PASC UK EV Charging Guidance \(This is about to be updated for 2023, launch expected end of May 2023\)](#)

This guidance takes you through putting together an EV Charging Policy at your business, necessary even if you do not have EV charge points, to help protect against charging out of the window.

- [PASC UK EV Charging Policy for Member's T's & C's](#)

This template document can be inserted into your Terms and Conditions to cover EV charging at your business, whether you provide the facility or not so as to help maintain insurance cover.

- [PASC UK Ghosting Report](#)

Ghosting is the practice that is employed by some self-catering agents whereby they leave your property on their website after you have left, with 'this property no longer available' Book one of these. This report tells you the steps you can take to have the property removed.

- [PASC UK Risk summary of 3rd Party suppliers at Holiday lets](#)

Having third party suppliers giving services to our guests at our businesses requires careful planning, in order not to void insurance. This paper explains the steps to take to maintain insurance cover. Covers chefs, mobile cooking companies, hot tub rental, bouncy castles. Entertainers etc.

- [PASC UK ICO Registration Paper](#)

This paper explains whether or not your business needs to register with the ICO. In 99% of cases PASC UK Members will need to do so. It costs £40 to register.

- [PASC UK ICO Registration FAQ's](#)

This document answers the most common questions about registering with the ICO and why you need to.

- [PASC UK Guidance on damage caused by guest and your T's & C's](#)

This document provides Members with another clause for their T's and C's. This one to protect you if guests cause damage to the property such that you have to cancel subsequent bookings and who pays.

- [PASC UK Template for clause in T's C's ref guest damage](#)

This is the template clause to add to your Terms and Conditions to protect you if guest damage causes future cancellations.

- [PASC UK Guest Comms Paper](#)

Improving the flow of Guest Communications from initial contact prebooking to post departure is one of the key elements to improving guest satisfaction and driving up repeat bookings. This paper should be taken in conjunction with the webinar on this subject in the Webinars section.

- [PASC UK Influencer Paper](#)

Many Members have reported being contacted by influencer or media offering coverage of your property in exchange for a free stay. There are several legal aspects to Members being offered this that they need to be aware of. These are covered in this Paper.

PASC UK MEMBERS LOGO UPDATED

We have updated the logos for Members to display on their websites. We now have a full set of Welsh versions too. A full variety of shapes and formats are available to suit all layouts.



MEMBER BENEFITS SUMMARISED

To carry out the lobbying work that we do on behalf of the Sector we need funding. 90% plus of this funding comes from Membership Subscriptions.

Members will get.

- Access to Telephone Support
- Prompt email support

- Access to Members Benefits and Discounts. (Buying Group Membership details below)
- Members only Webinars, (Including ask the Chair sessions)
- Book Appointments with the Chair
- Specific Discounts on key products
- PASC UK Guides to reducing Business Rates
- Hard Copy of the Visit England Pink Book
- 25 and growing Special Interest Papers including legal docs such Privacy and Cookie Policies

What will be available to non-members?

- The PASC UK newsletters
- Email support when available. (Members support comes first).
- Free Webinars
- Cleaning protocols
- Some General interest Papers

We are currently making major investments in supporting you better and all this costs money, these include.

- Sponsorship of the Visit England Pink book, to help promote the safe and legal aspects of our sector
- Membership fees to the Tourism Alliance, UK Hospitality and Wales Tourism Alliance
- Surveys and reports to use data-based arguments to win support for the sector
- Legal papers to help inform and protect Members.

If you have not yet joined PASC UK, please consider joining NOW. Details below the Buying Club information. <https://bit.ly/3ptd4RU> Thanks.

BUYING CLUB MEMBER BENEFIT FOR PAID PASC UK MEMBERS

We are really pleased to announce a partnership with Purchasing for Business.

More details on the new PASC UK website here: <https://bit.ly/3ptd4RU>

This is a Buying Club, it's free to join if you are a paid up PASC UK Member. There will be no additional fee for Members to join the Club.

SUPPORT LOBBYING BY JOINING PASC UK

There is a huge amount of work and lobbying to do to help support you all in the self-catering sector. We don't ask very often, however, if we are to fight on so many fronts, we simply need more funds. There are thousands of you that have had the benefit of this newsletter and the lobbying done on behalf of the sector.

We are now asking that as many of you as possible join PASC UK. The fight is on so many fronts, and we get much better results when we engage proper legal advice and proper PR firms to assist with campaigns. Memberships to other organisations that provide common lobbying, information feeds and support also cost many thousands of pounds a year.

Membership fees are as follows: All per annum.

- Single cottage £70
- 2 – 4 Units £125
- 5 – 10 Units £200
- 11 + Units £300

For companies like cleaning firms, or industry support companies, Trade Membership is £200, and you will get a listing in the Trade Directory on the new website.

Members get telephone support and priority email support.

You can join here, simple form, takes 2 mins, and you'll get an invoice, payable by BACS or Credit Card. Just click on this link to go to the joining page: <https://www.pascuk.co.uk/join-pasc-uk/>

Wishing each and every one of you all the best during these trying times.

Best regards

Alistair Handyside MBE
Executive Chair
The Professional Association of Self-Caterers UK
www.pascuk.co.uk
chair@pascuk.co.uk
07771 678028



DISCLAIMER

We are in completely uncharted territory here, and any suggestions that we make are merely that and you should carefully consider your own business policies, and if necessary, consult with your Professional Advisors. PASC is your lobbying Association, not a legal service. In addition, please be very wary of some of the advice given on internet communities, blogs and social media. There appear to be thousands of experts out there where my understanding is that there are very few.

To that end, any information you get from any source you must double check. I will always try and put the actual link to the information in the newsletters so that you can read and assess yourselves. These are unprecedented times, please take exceptional care.

