

Beside The Sea Holidays (1)

Q1. Do you have any comments on the structure or clarity of the Draft Guidance?

We welcome the overarching intent of the Draft Guidance under the DMCC Act 2024 to promote fairness and transparency in commercial practices. However, certain provisions raise significant concerns for the short-term holiday letting sector, particularly regarding their practicality and alignment with established industry norms.

- **Agency Role and Privacy:** The requirement for agencies to disclose full contact details of property owners at the invitation to purchase stage poses a substantial risk to owner privacy, security, and the integrity of the agency model. Agencies serve as intermediaries to protect both owners and consumers, manage the booking process, and provide value-added services. Disclosure of owner contact details risks undermining these protections and could expose owners to unsolicited contact, spam, and potential scams.
- **Unintended Consequences:** Some provisions appear ill-suited to the operational realities of the self-catering tourism industry. For example, mandating owner contact details could disrupt the agent-owner relationship, discourage the use of professional agency services, and ultimately harm both consumers and owners.

We urge the CMA to engage further with stakeholders in the short-term letting industry to refine the guidance and ensure it is both practical and effective.

Q2. Do you have any comments on the illustrative examples of commercial practices applying the prohibitions? Are there any areas where you think additional examples could usefully be reflected in the Draft Guidance?

The illustrative examples provided are helpful but could be expanded to address specific scenarios unique to the tourism and holiday letting sector:

- **Tourist Levies:** Clarification is needed on how visitor levies, such as the Welsh tourism levy, should be reflected in the total price. We recommend an example confirming that where such levies depend on variable factors (e.g., number of guests or nights), the trader must provide clear information on how these are calculated rather than including the maximum potential charge in the headline price. This approach ensures transparency without disproportionately inflating advertised prices for larger properties.
- **Optional Charges:** Additional examples are needed to clarify the treatment of optional charges, such as fees for pets or linen. While these charges may be

common in the industry, they remain optional and depend on the consumer's preferences or needs. Guidance should confirm that these charges are not to be treated as mandatory simply because they are frequently selected.

- **Damage Deposits:** The Draft Guidance should address refundable damage deposits, which are widespread in the industry. An example confirming that fully refundable deposits are not part of the headline price but must be transparently communicated during the booking process would provide necessary clarity.
- **Booking Websites:** Examples illustrating the invitation-to-purchase stage in the context of online booking platforms would be valuable, particularly when the headline price cannot be calculated without consumer input (e.g., guest numbers, optional extras).

Q3. Do you have any comments on the Draft Guidance on the 'drip pricing' provisions in the DMCC Act (found in the 'Material pricing information' section of Chapter 9 of the Draft Guidance), including the illustrative examples?

We strongly support efforts to combat 'drip pricing,' but further clarity is required regarding its application to refundable damage deposits:

- **Refundable Damage Deposits:** These deposits are not part of the cost of a holiday but serve as a safeguard against potential damage. Including them in the headline price would mislead consumers into thinking the booking is more expensive than it is. For example, if a property costs £1,000 but requires a £200 refundable deposit, advertising the price as £1,200 would be inaccurate and against the spirit of transparency.
- **Held Funds:** When funds are held against a guest's card but not charged unless damage occurs, this should clearly fall outside the scope of mandatory fees.

We recommend the inclusion of examples to explicitly confirm that refundable damage deposits, whether paid upfront or held against a card, are not subject to drip pricing requirements but must still be clearly communicated.

Q4. Do you have any comments on the Draft Guidance on the banned practice relating to fake consumer reviews (found in Annex B to the Draft Guidance)?

We fully support measures to prevent and penalize fake consumer reviews. Ensuring the authenticity of reviews is crucial to maintaining consumer trust in the holiday letting market.

- **Incentivized Reviews:** Clear guidance on identifying and disclosing incentives linked to reviews is welcome, and we support the prohibition of review suppression or manipulation.
 - **Reasonable Steps:** The requirement for businesses to take reasonable steps to verify reviews and remove fraudulent content is a positive development. However, guidance should include practical advice for smaller operators who may lack the resources of larger platforms to implement robust review management systems.
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Q5. Do you have any other comments on topics not covered by the specific questions above?

- **Disclosure of Owner Contact Details:** The requirement for agencies to disclose the contact details of property owners at the invitation to purchase stage is deeply concerning. This provision jeopardizes owner privacy and security, risks fraud, and undermines the role of agencies as intermediaries.
 - **Practical Risks:** Disclosing owner email addresses and physical addresses could lead to an increase in spam, phishing attacks, and direct bookings that bypass agency protections.
 - **Consumer Harm:** The agency model ensures professionalism, security, and consistency in service delivery. Requiring owner contact details undermines this structure and could erode consumer confidence.
 - **Alternative Solutions:** Agencies already provide robust customer service channels and detailed property information to meet consumer needs. The guidance should explicitly allow these practices to fulfill disclosure requirements.

We urge the CMA to recognize the value of the agency model in the short-term holiday letting market and amend the guidance to safeguard both owners and consumers while preserving industry integrity.

These responses reflect our company's commitment to fairness, clarity, and professionalism in line with the DMCC Act's objectives while addressing the unique operational realities of the short-term holiday letting industry.