

Consultation on draft guidance on the protection from unfair trading provisions in the Digital Markets, Competition and Consumers Act 2024

About us

Travel Chapter works at the heart of the UK's domestic tourism industry and is proud to have done so for over 35 years. Like many operators in our sector, and Tourism as a whole, we act as agent for accommodation providers to help guests, including many families, explore and enjoy Britain by providing affordable, high-quality holiday let accommodation which in turn, secures vital employment and economic stimulus to the rural communities they visit.

Responsible organisations, such as our own, play a vital role in the social fabric and economy of the country, contributing greatly to the wellbeing of our guests, and the strength and sustainability of the communities we serve.

We believe that protecting the UK and supporting the communities we represent is very important, so we're always looking for ways to make positive contributions to the places in which we live, work and stay. We partner with organisations like the RSPB and the Marine Conservation Society, alongside smaller local initiatives, to help make a difference, no matter how small.

Our own business's journey in many ways reflects the development of the sector, having operated as a trusted agent for decades. Our head office is based in Devon, and we have 40 regional offices predominantly in rural areas with popular and long-standing tourism industries. The majority of our roughly 850 employees are all based in such rural areas. We are proud to be a British founded and managed company.

Overall Summary

We support the introduction of principles that improve commercial practices, provided they are fair, proportionate and take account of security, confidentiality and commercial considerations that enable businesses to continue to have confidence to invest and drive growth.

Whilst, on the whole, we support the measures set out in the draft guidance on unfair commercial practices under the DMCC Act 2024, the potential requirement to list all property owner's details on our website (and that of other websites we market their properties on) presents significant risks to the short-term holiday let sector. In particular, it undermines the role of an agent and the safeguards we provide to both consumers and owners whilst creating unnecessary security and fraud risks for owners and consumers.

Interpreting the legislation in this way will cause great economic harm to a sector already impacted by compounding government legislative changes and will have unintended consequences that impact our sector's security, viability and the role of a legitimate agent and thus requires review.

Travel Chapter Responses to Consultation Questions

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

While the draft guidance is structured logically and provides a detailed overview of the provisions, there are areas where additional clarity is needed. In particular, there is very little guidance on the requirement under s 230(1) to consider the context and limitations of the method of communication referred to in s230(8).

This creates potential confusion in compliance expectations, particularly where it is common for agencies to handle marketing, bookings, and guest communications on behalf of property owners. The consumer expects the agent to handle that whole process, and practices have been put in place, such as dedicated customer service teams, detailed property information, multiple photos, reviews etc to negate the need for guests to contact owners directly prior to making a booking.

The guidance should explicitly address the different roles and established practices within the tourism sector to ensure that compliance obligations are clear and proportionate, particularly when considering the security risks created by exposing all owner contact information on an open website.

Q2. Do you have any comments on the illustrative examples of commercial practices applying the prohibitions?

While the illustrative examples are helpful in explaining the application of the prohibitions, they lack sufficient examples relevant to the holiday let sector.

Q3. Do you have any comments on the Draft Guidance on the 'drip pricing' provisions in the DMCC Act?

We support transparency in pricing and agree that consumers should have a clear understanding of all costs associated with their booking.

Q4. Do you have any comments on the Draft Guidance on the banned practice relating to fake consumer reviews?

We support the prohibition of fake reviews, as consumer trust is essential to the integrity of the holiday rental market.

Q5. Do you have any other comments on topics not covered by the specific questions above?

The potential requirement to disclose owner's details at the invitation to purchase will:

- Expose owners to direct contact, undermining their reliance on agencies to handle enquiries, bookings and guest management. Many owners choose agencies precisely to avoid direct consumer interactions.
- Increase fraud risks, making property owners vulnerable to phishing scams and unauthorised booking requests. The widespread publication of owner contact details would create opportunities for fraudulent activity, potentially leading to fake listings and scams that harm both consumers and businesses.
- Compromise the agency business model, which provides essential services such as marketing, customer service and dispute resolution. If guests bypass agencies by contacting owners directly, it weakens the security mechanisms agencies provide and erodes the trust-based booking system that consumers rely on.

If the proposed changes force owners to engage directly with guests, many owners may withdraw from the short-term rental market altogether. This would significantly reduce the consumers' choice of, and availability of, high-quality, well-managed holiday accommodation, particularly in rural and coastal areas where holiday lets are a vital part of the local economy.

Agencies provide essential safeguards, ensuring that properties meet safety and service standards while reducing the administrative burden on owners. The unnecessary commercial harm and subsequent damage to the tourism sector of having to disclose all owners' details at an invitation to purchase, in circumstances that are not necessary due to existing safeguards and established consumer practice, will contract the sector and stifle growth.

We urge the CMA to update its guidance to cater for the fact that:

1. It is clear from the context of a tourism agency website that a guest is booking a property via an agent and there are clear established principles which are in place to protect the consumer and the owner.
2. There are significant limitations to providing owners' details on an open website.
3. Agents have, for decades, put in place steps and practices to mitigate the need to provide owners' details to guests at the invitation to purchase, such as dedicated customer service teams and detailed property information.

Therefore, we would encourage the CMA to make it clear in the updated guidance that, in these circumstances, s230(8) of the DMCC Act 2024 would apply so that the owner's contact information would not need to be disclosed at the invitation to purchase.