

A GUIDE FOR SELF-CATERING PROVIDERS IN ARGYLL AND BUTE:

MANAGING BOOKINGS



Self-catering accommodation within Argyll and Bute is varied in form and ranges from small town-centre flats to large properties in isolated farmland to beachside caravans.

This guidance sits alongside

- A guide for self-catering providers in Argyll and Bute: Private Water Supplies
- A guide for self-catering providers in Argyll and Bute: Safety in Self-Catering Properties

Together they aim to provide a general introduction to providing self-catering premises and as such there may be some guidance which is not applicable to your property.

The information focuses on the issues dealt with by Regulatory Services (which includes Trading Standards, Environmental Health and Animal Health) but is not exhaustive. If you require assistance in relation to any Regulatory Services matter you can contact us using the details provided at the end of this document.

For matters outside of the scope of Regulatory Services further contact details are provided so that you can contact the relevant organisations directly.

The information aims to provide:

- What you **must** do – legal requirements;
- Best practice – what would be best practice over and above the minimum legal standard.

You should however note that whilst every effort has been made to ensure that the guidance is as comprehensive as possible, other regulations or legislation may apply and you should not rely solely on the information contained within these leaflets.

ADVERTISING THE PROPERTY

Advertising can include, but is not restricted to, adverts, leaflets, brochures and websites.

MUST Any advertisement must not give a misleading impression.

An advert can be deemed misleading either by a statement or the omission of a quantifying statement.

MUST You must accurately describe membership of any approval scheme e.g. accreditation by the Scottish Tourist Board.

MUST If you decide to withdraw from any approval scheme you must remove all references from your premises, paperwork and advertising material.

BEST PRACTICE You should check your advertising material on a regular basis, make any changes required and if necessary notify affected customers who have already booked.

If a customer has relied on misleading information or a misrepresentation given in the advertising material, then that customer may be able to claim damages against you and/or cancel the contract. You may also be committing a criminal offence under the Consumer Protection from Unfair Trading Regulations 2008.

MUST The prices given to consumers must include any compulsory service charges and include VAT. If there is any surcharge for using a credit card as payment then this must be clearly stated.

TAKING A BOOKING

If you take bookings without a face-to-face meeting you will need to comply with the Distance Selling Regulations. This would include selling via the internet, email, text messaging, video and picture messaging, telephone, fax, interactive TV and mail order. If you advertise to consumers electronically, such as via the internet, the E-Commerce Regulations will also apply.

You can get further information on the Distance Selling Regulations from the Trading Standards Institute Distance Selling Hub - <http://dshub.tradingstandards.gov.uk>



To comply with these regulations you must provide customers with the following:

MUST Give the full name of your business.

MUST Provide the geographic address of your business (your home address if you are trading from home).

MUST

List your contact details, including an email address if available, to enable rapid, direct and effective communication with you.

MUST

State your legal status and form (for example, whether you are a sole trader or limited company).

MUST

Provide your VAT registration number if you are subject to VAT.

MUST

Where you refer to prices, give a clear and unambiguous indication of those prices including taxes.

MUST

Provide general terms and conditions which can be stored by your customer and which are fair as required by the Unfair Terms in Consumer Contracts Regulations 1999.

MUST

Provide the above information in writing once the sale has been agreed if it was not provided beforehand.

BEST PRACTICE

Acknowledge a booking without delay.

BEST PRACTICE

Provide clear terms and conditions which set out early in the process:

- any hidden or unexpected charges e.g. extra charges for electricity
- when payment is required
- how to cancel a booking and when refunds will be made

If you provide a package of goods or services including two or more of the following:-

- accommodation,
- travel
- other tourist services such as activities, excursions, car hire or entertainment

Then you will also be covered by the Package Travel, Package Holidays and Package Tours Regulations 1992, if you think this may be the case contact Trading Standards to discuss further.

GUESTS' USE OF THE PROPERTY

You are responsible for the safety of the property and the goods you supply within it. For further information about safety issues refer to the Safety in Self-Catering Property leaflet.

Noise

BEST PRACTICE

Encourage guests to use the property in a way which is respectful to neighbours and minimises noise disturbance particularly late at night or early in the morning.



If guests are found to be continually causing a nuisance to neighbours then an anti-social behaviour notice can be served on the property owners.

Refuse

BEST PRACTICE

You should ensure that there is adequate provision for the collection of refuse and that guests are advised of the arrangements to ensure that waste is collected regularly.

If you require further information on waste collection contact Amenity Services on 01546 605514.

Smoking

The smoking ban does not cover self-catering lets although you may wish to prohibit smoking in your premises.

Contact with Animals

If your self-catering property is on a farm or other rural area, we would recommend providing guidance for visitors by including the leaflet Simple Precautions for Reducing the Risk of *E.coli* O157 Infection in Rural Families and Visitors in your visitor information pack. Copies of the guidance can be obtained from www.documents.hps.scot.nhs.uk/giz/ecoli/simple-precautions-O157.pdf.



OTHER THINGS TO THINK ABOUT

- Longer-Term Lets - If the property is used for longer-term lets (i.e. let to the same occupier for more than 31 days in any 7 month period) then you will be required to register as a landlord. You can register online at www.landlordregistrationscotland.gov.uk or obtain further information by telephoning the private landlord registration team on 01546 604408 or emailing landlord.registration@argyll-bute.gov.uk.

OTHER COUNCIL SERVICES

- Council Tax - If the property is made available on a commercial basis as a self-catering unit for 140 days or more then it may be excluded from the Council Tax Valuation List and entered in the non-domestic rates Valuation Roll. For further information contact Council Tax on 01546 605511.
- Business Gateway – Advice for businesses can be provided by Business Gateway on 01546 605459 or visit www.argyll-bute.gov.uk/business-and-trade/business-gateway-service

REGULATORY SERVICES

Telephone 01546 605519

Email envhealth@argyll-bute.gov.uk
tradingstandards@argyll-bute.gov.uk

Bute and Cowal

22 Hill Street, Dunoon, PA23 7AP

Eaglesham House, Mount Pleasant Road, Rothesay, Isle of Bute, PA20 9HQ

Helensburgh and Lomond

Blairvadach, Shandon, Helensburgh, G84 8ND

Mid Argyll, Kintyre and Islands

Area Office, Manse Brae, Lochgilphead, PA31 8QU

Oban, Lorn and the Isles

Municipal Buildings, Albany Street, Oban, PA34 4AW

Headquarters

Kilmory, Lochgilphead, PA31 8RT