



CONSULTATION ON POLICY

THE STATUTORY REGULATION OF TOURIST ACCOMMODATION IN NORTHERN IRELAND

Consultation on:

- 1. Changes proposed to the Categories of Tourist Establishment (Statutory Criteria) Regulations (Northern Ireland) 1992**
- 2. Changes proposed to the Statutory Inspection of Tourist Establishments (Fees) Regulations (Northern Ireland) 1992**

Closing Date for Responses: Friday 2 October 2009

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PURPOSE OF THE CONSULTATION

1. The Department of Enterprise, Trade and Investment (DETI) proposes amending subordinate legislation in respect of the statutory regulation of tourist accommodation in Northern Ireland.
2. The arrangements for the statutory regulation of tourist accommodation in Northern Ireland are set out in the Tourism (Northern Ireland) Order 1992 (the “Tourism Order”) and its associated subordinate legislation.
3. DETI, in consultation with the Northern Ireland Tourist Board (NITB), has identified two areas of subordinate legislation which should be amended. These are:
 - (i) the minimum criteria to be met by tourist accommodation establishments in Northern Ireland; and
 - (ii) the fees charged in respect of statutory certification inspections of tourist accommodation establishments.
4. The changes will require amendments to be made to the following Regulations (any changes to these Regulations will be subject to approval by the Northern Ireland Assembly):
 - (i) the Categories of Tourist Establishment (Statutory Criteria) Regulations (Northern Ireland) 1992; and
 - (ii) the Statutory Inspection of Tourist Establishments (Fees) Regulations (Northern Ireland) 1992
5. DETI has also identified proposed changes to the Tourism Order in respect of changes to the frequency of statutory certification inspections. This will involve introducing a new Tourism (Northern Ireland) Order (Amendment) Bill. These changes have been included in a separate consultation document entitled Consultation on Policy – Tourism (Northern Ireland) Order (Amendment) Bill 2010 which may be accessed at www.detini.gov.uk.

Review of Statutory Regulation Arrangements

6. Northern Ireland is unique within the United Kingdom in providing by statute that all overnight tourist accommodation, offered by way of trade or business, is subject to statutory certification and annual inspection. Certification is administered by NITB and the certification scheme is underpinned by NITB’s voluntary classification and grading scheme whereby participating premises are awarded stars.

7. There are currently five statutory categories of tourist accommodation establishment in Northern Ireland – Hotels, Guest Houses, Bed and Breakfast establishments, Self Catering establishments and Hostels. Each category of accommodation has specified criteria denoting the minimum standard that an establishment must achieve in order to be awarded a certificate by the NITB.
8. The purpose of the statutory regulation arrangements is to ensure that all tourist accommodation in Northern Ireland complies with certain basic requirements in terms of the nature, character, extent and standard of accommodation and facilities. In effect, the criteria for each accommodation category represents the minimum standard to be met by all tourist accommodation providers in that category.
9. Feedback from the tourism industry has demonstrated that statutory regulation has played an important part in improving the standard of tourist accommodation in Northern Ireland. Given the changing nature of tourism it is important that the statutory regulation arrangements are updated to address the current and future needs of the tourism industry and its customers.
10. DETI, in consultation with NITB, has therefore undertaken a review of the regulation of tourist accommodation. This review has built upon previous work (which included tourism industry consultation) undertaken in 2003 and 2004 which identified that:
 - (i) statutory regulation should be retained as it has played an important part in improving the standard of tourist accommodation in Northern Ireland; and
 - (ii) statutory regulation should be updated to address more appropriately the current and future needs of the industry (including reducing, where possible, the regulatory burden on tourist accommodation businesses) and its customers.
11. In taking forward the review DETI has sought to identify changes which will ease, where possible, the regulatory burden on tourist accommodation businesses, while ensuring that tourist accommodation in Northern Ireland continues to comply with basic requirements in terms of nature, character, extent and standard.

List of Questions for Consultees

12. The questions consultees are asked to consider are:

Statutory Categories of Tourist Establishment

Do you agree the inclusion of (a) Bunk Houses, (b) Campus Accommodation and (c) Guest Accommodation as statutory categories of tourist accommodation?

Have you any views on the indicative minimum criteria for Bunk Houses at Annex A, Campus Accommodation at Annex B and Guest Accommodation at Annex C?

Do you have any views regarding the naming of the Bunk House category, ie should the category be named Bunk House or would, for example, Camping Barn be a more appropriate description?

Modernising Statutory Minimum Criteria

Do you agree with the proposed changes to the statutory minimum criteria for categories set out in Annex D?

Are there any other aspects of the current statutory minimum criteria which you consider should also be changed or modernised?

Fees for Inspections

It is a statutory requirement that the fees for statutory certification inspections are sufficient to cover the cost of the certification scheme. Do you have any comments on the proposed fees?

PROPOSED CHANGES TO THE STATUTORY REGULATION ARRANGEMENTS

Statutory Categories of Tourist Establishment

13. Under existing legislation all establishments proposing to offer overnight accommodation to tourists must apply to the NITB to be categorised within one of the following categories:
 - Hotel
 - Guest House
 - Bed and Breakfast
 - Self-catering
 - Hostel
14. It is proposed that the categories of tourist accommodation should be extended to include:
 - Bunk Houses
 - Campus Accommodation
 - Guest Accommodation
15. In drafting the proposed new criteria for each category, cognisance has been taken of the statutory criteria of our nearest competitor, Republic of Ireland, and the grading criteria used in Great Britain.
16. A **Bunk House** offers simple overnight shelter which retains its character and original internal and external features wherever possible. Bunk Houses are usually located in remote or rural locations where facilities and services may be limited. Indicative minimum criteria for the Bunk House category are attached at **Annex A**.
17. **Campus Accommodation** is provided by educational establishments for their students and is made available to individuals, families or groups at certain times of the year. Indicative minimum criteria for the Campus Accommodation category are attached at **Annex B**.

18. **Guest Accommodation** is a category whose primary focus is the provision of bedrooms. Inclusion in this category would, for example, facilitate restaurants which wish to provide rooms for tourists. Indicative minimum criteria for the Guest Accommodation category are attached at **Annex C**.
19. Establishments certified under the Bunk House, Campus Accommodation and Guest Accommodation categories will not be able to use their NITB certificate to apply for a liquor licence.
20. The introduction of these categories will facilitate tourist accommodation providers and will help to make the inspection and application processes more transparent.

Questions:

Do you agree the inclusion of (a) Bunk House, (b) Campus Accommodation and (c) Guest Accommodation as statutory categories of tourist accommodation?

Have you any views on the indicative minimum criteria for Bunk House at Annex A, Campus Accommodation at Annex B and Guest Accommodation at Annex C?

Do you have any views regarding the naming of the Bunk House category, ie should the category be named Bunk House or would, for example, Camping Barn be a more appropriate description?

Modernising Statutory Minimum Criteria

21. The current statutory minimum criteria prescribed for tourist accommodation establishments have not been updated since 1992. DETI has consulted with NITB and has identified proposed changes to each of the five current categories of tourist accommodation.
22. The proposed changes proposed to the minimum statutory criteria for each category of accommodation are provided in tables at **Annex D**.

Questions:

Do you agree with the proposed changes to the statutory minimum criteria for categories set out in Annex D?

Are there any other aspects of the current statutory minimum criteria which you consider should also be changed or modernised?

Fees for Statutory Certification Inspections

23. The Tourism Order requires that fees are paid by tourist accommodation establishments in respect of statutory certification inspections. These fees must be sufficient to cover the cost of the certification scheme (fees are calculated in accordance with HM Treasury Guidance on Fees and Charges).
24. It has been some time since certification fees have been reviewed and DETI, in consultation with NITB, has undertaken a comprehensive review to identify the full cost of certification. This review has identified a requirement to increase fees.
25. However, this increase should be mitigated by the Department's intention to change the frequency of certification inspections from an annual basis to once every four years. Subject to the approval of the Northern Ireland Assembly, DETI proposes introducing a regime whereby a fee is charged once every four years in respect of the statutory certification inspection. Establishments will pay a much smaller fee in the years between inspections in respect of the award of an annual certificate (consultees may find more details in the Consultation on Policy – Tourism (Northern Ireland) Order (Amendment) Bill 2010 referred to at paragraph 5 above).

26. Details of the proposed changes to statutory certification fees may be found at **Annex E**.

Question:

It is a statutory requirement that the fees for statutory certification inspections are sufficient to cover the cost of the certification scheme. Do you have any comments on the proposed fees?

EQUALITY, REGULATORY AND RURAL IMPACT ASPECTS

27. This consultation is being carried out in accordance with the Guiding Principles contained in the Equality Commissions “Guide to the Statutory Duties”.
28. Equality aspects of the changes to the existing arrangements have been considered by DETI. It is concluded that the proposed policy changes do not have any adverse impact on groups stipulated in Section 75 of the Northern Ireland Act 1998.
29. DETI has considered the regulatory impact of the changes proposed within this document. The changes relate to existing legislation and no new regulatory burden is being proposed.
30. DETI has also considered the rural impact of the proposed changes. The proposed changes will not have an adverse effect on rural communities.

HOW TO RESPOND

31. We would welcome your views. Comments on this consultation should reach DETI on or before **Friday 2 October 2009** and may be sent by email to tourismpolicy@detini.gov.uk or by post to:

John Simms
Tourism Policy Branch
Department of Enterprise, Trade and Investment
Netherleigh
Belfast
BT4 2JP

32. All responses should include the name and postal address of the responder. Please state whether you are responding as an individual or representing the view of an organisation. If responding on behalf of an organisation please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

Help With Queries

33. If you have any questions on the consultation document you can contact John Simms:

Tel: (028) 90529418
Email: tourismpolicy@detini.gov.uk

34. If you require access to this document in a different format – eg Braille, disk, audio cassette – or in a minority language, please contact John Simms and appropriate arrangements will be made as soon as possible. Hard copies of the equality, regulatory impact and rural proofing screening forms can also be provided on request.

Confidentiality and Data Protection

35. Your response may be made public by DETI. If you do not want all or part of your response or name made public, please state this clearly in the response by marking your response as 'CONFIDENTIAL'.
36. Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), and the Data Protection Act 1998).

37. If you want other information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.
38. In view of this, it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, in itself, be regarded as binding on the Department.

ANNEX A

INDICATIVE MINIMUM CRITERIA FOR BUNK HOUSES

General

1. The establishment shall provide simple overnight shelter, which retains its character and original internal and external features wherever possible.
2. The establishment shall comply with all statutory requirements relating thereto for the time being in force.

Construction

3. The establishment shall:-
 - (a) be structurally safe, wind and watertight, in good repair throughout and of suitable design for the purpose;
 - (b) be kept clean and well maintained throughout; and
 - (c) have all public areas adequately lit for safe movement.
4. A sleeping area shall be provided for users of the establishment.
5. A cooking and dining area shall be provided for users of the establishment and if situated inside the building shall be separated from the sleeping area by either a partition wall or by space.
6. The cooking and dining area may be provided under cover on the outside of the building.
7. A separate communal area shall be provided for the users of the establishment and shall contain sufficient furniture, fittings and equipment of good quality and condition to cater for the number of visitors for whom sleeping accommodation is provided. Such furniture, fittings and equipment shall be capable of being moved around without undue difficulty.
8. Provision for securing the establishment internally and externally shall be available.

Facilities for users

9. The establishment shall contain sufficient tables and chairs or benches to cater adequately for the number of visitors for whom sleeping accommodation is provided.
10. Furniture shall be robust and durable.
11. The establishment shall have a cold drinking water supply inside the building or adjacent to it.
12. Covered waste disposal bins and bin liners shall be provided and garbage shall be removed from the premises twice weekly.
13. The cooking and dining area shall:
 - (a) have within it a hygienic counter for the preparation of food. If this area is situated inside the building it shall provide sufficient space for food preparation and eating;
 - (b) contain adequate refrigeration facilities for the storage of perishable food items; and
 - (c) be provided with adequate heating as required.
14. A sink for the washing of cooking utensils, plates, cutlery, etc. shall be provided with hot and cold running water and suitable cleaning materials.
15. Toilets and shower or bathroom facilities shall be provided for men and women in separate rooms, with separate entrances clearly designated and provided with doors and curtains affording privacy in such rooms.
16. The toilets may be located either inside or outside the establishment. If located inside the establishment, then the toilets must be separate from the cooking and eating area. The toilets shall be flush.
17. Showers shall supply a readily available source of hot and cold water when required.

18. Sleeping accommodation shall:
- (a) consist of beds, bunks or wooden platforms;
 - (b) have at least one external window supplying ventilation and natural light;
 - (c) have window curtains or blinds for the exclusion of light; and
 - (d) have sufficient space between bed spaces to ensure ease of movement for the number of visitors accommodated and for storage of belongings.

Management and staff

19. The establishment shall be under the management of a responsible person.

Other criteria

20. In the absence of a responsible person from the establishment details of means to summons assistance day and night in the event of an emergency shall be provided and clearly displayed to guests (this shall include contact details for the person responsible for the management of the establishment).
21. The establishment shall contain effective means of natural light and ventilation.
22. An electricity supply shall be provided to the establishment.

Equipment

23. There shall be sufficient coat hooks, a mop and bucket and cleaning materials.

INDICATIVE MINIMUM CRITERIA FOR CAMPUS ACCOMMODATION

General

1. The establishment shall provide:
 - (a) overnight sleeping accommodation in separate bedrooms; and
 - (b) a service for the regular cleaning of visitors' bedrooms, bathrooms and public areas.
2. The establishment shall comply with all statutory requirements relating thereto for the time being in force.

Construction

3. The establishment shall: -
 - (a) be of substantial and durable construction, structurally safe and in good repair throughout and of suitable design for the purpose; and
 - (b) be in good decorative order and kept clean and well maintained throughout, including outdoor areas, grounds and car parking areas.

Visitor access

4. The establishment shall have adequate arrangements for the reception of arriving and departing visitors.
5. Visitors shall have access to the establishment at all times by such means as may be stipulated by the establishment.

Dining areas

6. The establishment may provide a dining area(s) for use by visitors. Where such a dining area(s) is provided, it shall contain furniture, fittings and equipment of good quality and condition for those purposes, and provide adequate space for the number of diners which may reasonably be expected to use it at any time.

Kitchen area

7. The establishment may provide a kitchen(s) for use by the establishment to provide meals for visitors, and/or a kitchen(s) for use by visitors for the preparation of meals.
8. Where a kitchen(s) is provided, the kitchen, together with any associated service area, shall:
 - (a) contain facilities, equipment and fittings which are:-
 - (i) of good quality and condition;
 - (ii) constructed of materials which are easily cleaned;
 - (iii) adequate for the storage, refrigeration, preparation, cooking and service of food for the maximum number of diners capable of being seated in the dining area and the storage and cleaning of all utensils used in connection therein; and
 - (b) be adequately ventilated and adjacent to, or easily accessible from, the dining area.
9. Garbage shall not be stored in the kitchen, and shall be removed from the premises at least twice weekly.

Visitors' bedrooms

10. Bedrooms provided for visitors shall be numbered, lettered or otherwise designated so as to identify them, shall be of adequate size for the number of visitors the room is intended to hold. Each such bedroom shall:
 - (a) have separate access from a corridor;
 - (b) have a suitable locking device on any door opening onto a corridor; and
 - (c) contain furniture, fittings and equipment, and be of good quality and condition, for sleeping and toilet purposes and for the storage of visitors' clothing. In general such furniture, fittings and equipment shall include; -
 - (i) a bed or beds for each visitor the room is intended to hold complete with interior sprung mattress or suitable equivalent;

- (ii) a supply of clean linen, blankets or duvet and pillows;
- (iii) loose or built-in units comprising wardrobe or cupboards, dressing table, mirror and drawer space for clothes;
- (iv) a bedside chair and table;
- (v) a waste bin;
- (vi) a carpet or floor surface of suitable design or treatment; and
- (vii) window curtains or blinds for privacy and the exclusion of light.

Bathrooms and toilets

11. Where the establishment contains bedrooms which do not have an en suite bathroom, it shall provide, for the use of visitors, at least:-
- (a) one bathroom for every 15 visitors or proportion thereof for whom such bedrooms are provided; and
 - (b) one WC with wash hand basin, suitably located for visitor use, for every 15 such visitors or proportion thereof.
 - (c) In each bathroom provided in accordance with this paragraph, there shall be a bath or a shower, of good quality and in good condition, which shall be fixed complete with all plumbing for the continuous supply of hot and cold running water and the disposal of waste water.
 - (d) The en suite bathroom (if any) of a bedroom shall contain a bath or shower, a WC and (unless one is already provided in the bedroom) a wash hand basin, of good quality and in good condition, complete with all plumbing for the continuous supply of hot and cold running water and the disposal of waste water.
 - (e) Bathrooms and toilets provided in accordance with this paragraph shall have an effective means of natural or mechanical ventilation and shall be equipped with a suitable locking device, mirror, towel rails, clothes hooks, bath mat and a clean and ample supply of toilet requisites, including towels, soap and toilet paper.

General

13. The establishment shall:
- (a) contain effective means of natural lighting and ventilation;
 - (b) have a means of heating capable of maintaining, when required, a room temperature of 18.5 degrees Celsius;
 - (c) provide a means for guests to summon the attention of staff as required; and
 - (d) be under the supervision of a responsible person and shall be staffed by persons adequate in number and training to maintain appropriate standards of service for visitors at all reasonable times.

ANNEX C

INDICATIVE MINIMUM CRITERIA FOR GUEST ACCOMMODATION

General

1. The establishment shall provide:-
 - (a) overnight sleeping accommodation for visitors in en suite bedrooms;
and
 - (b) a service for the regular cleaning of rooms.
2. The establishment shall be capable of making breakfast available to visitors.
3. The establishment shall comply with all statutory requirements relating thereto for the time being in force.

Construction

4. The establishment shall:-
 - (a) be of substantial and durable construction, structurally safe, in good repair throughout and of suitable design for the purposes of paragraph 1(a);
 - (b) be exclusively or primarily used for the provision of sleeping accommodation for visitors, in separate rooms; and
 - (c) be in good decorative order and kept clean and well maintained throughout, including outdoor areas, grounds and car parking areas.

Entrance

5. The establishment shall have an entrance hall which shall include a suitable facility for receiving visitors.

Visitor's bedrooms

6. Bedrooms may be accessed from within or without the establishment and appropriate measures to ensure the security of visitors shall be provided by the establishment. Bedrooms for visitors shall be numbered, lettered or otherwise designated so as to identify them, shall be of adequate size for the number of visitors the room is intended to hold. Each bedroom shall:-
 - (a) have two locking devices from within and a single locking device from without on any door opening onto a corridor or the outside of the establishment;
 - (b) contain at least two electrical outlets for the attachment of electrical equipment including heaters and cleaning equipment; and
 - (c) contain furniture, fittings and equipment of good quality and condition for sleeping and toilet purposes and for the storage of visitors clothing. Generally such furniture, fittings and equipment shall include:-
 - (i) a bed or beds for each visitor the room is intended to hold complete with interior sprung mattress or suitable equivalent;
 - (ii) a supply of clean linen, blankets or duvets and pillows;
 - (iii) loose or built-in units comprising wardrobe or cupboard, dressing table, mirror and drawer space for clothes;
 - (iv) a bedside chair and table;
 - (v) a waste bin;
 - (vi) a carpet or floor of suitable design or treatment; and
 - (vii) window curtains or blinds for privacy and the exclusion of light.

En Suite Bathrooms

7. The en suite bathroom of a bedroom shall contain a bath or shower, a WC and a wash hand basin, of good quality and in good condition, complete with plumbing for the continuous supply of hot and cold running water and the disposal of waste water. The en suite bathroom shall have an effective system of direct or mechanical ventilation and shall be equipped with mirror, towel rails, clothes hooks, bath mat and a clean and ample supply of toilet requisites, including towels, soap and toilet paper.

Heating, lighting and ventilation

8. The establishment shall:-
 - (a) contain effective means of natural lighting and ventilation; and
 - (b) have a means of heating capable of maintaining, when required, a room temperature of 18.5 celsius.

Management and staff

7. The establishment shall:-
 - (a) be under the supervision of a person trained or experienced in guest accommodation management; and
 - (b) be staffed by persons appropriate in number and training to maintain appropriate standards of service at all reasonable times.

PROPOSED CHANGES TO THE STATUTORY CATEGORIES OF TOURIST ACCOMMODATION

TABLE 1 - HOTELS		
Area	Proposed change to minimum criteria	Applicable to all establishments or newly certified establishments?
General	Establishments in this category must have not less than 15 double bedrooms, all of which (rather than 75% at present) must have an en suite bathroom.	New
	Hotels are to be permitted to provide serviced bedrooms outside (but adjacent to) the main hotel building. Such bedrooms are to be en suite.	All
	The requirement that hotels provide a midday meal is to be replaced with a requirement to provide midday refreshments.	All
	The requirement for a maid service for the regular cleaning of rooms is to be replaced with a requirement that rooms are cleaned daily when visitors are resident.	All
Kitchen Area	The requirement that staff facilities in hotels include separate lounge and dining areas is to be amended to permit hotels to provide combined lounge/dining areas for staff.	All
	The requirement that staff facilities must be located in the kitchen area to be removed. Staff facilities will still be required but may be located separately from the kitchen area and if appropriate outside, but adjacent to the main hotel building.	All

TABLE 1 – HOTELS (continued)																																																			
Area	Proposed change to minimum criteria		Applicable to all establishments or newly certified establishments?																																																
Dining Area	<p>The minimum size of the dining area currently required in hotels is to be reduced (the aim is to ensure that dining areas continue to be of a size sufficient to cater for visitors resident in a hotel while facilitating private sector initiative). In considering a revised formula for dining area size DETI is proposing two revisions:</p> <ul style="list-style-type: none"> • a dining area should be based on the number of bedrooms in a hotel rather than the number of visitors. This takes into consideration that fact that hotels operate at less than maximum occupancy (eg single visitors in double bedrooms); and • hotels with 151 bedrooms and above should be required to provide a dining area of at least 150 square metres. However, this is considered sufficient to cater for visitors and it would be for the proprietor of the hotel to decide whether he wished to provide a larger dining area. <p>The new proposed dining area ratio, in comparison with the current ratio, is as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: left;">Current Statutory Ratio</th> <th colspan="2" style="text-align: left;">Proposed Revised Statutory Ratio</th> </tr> <tr> <th style="text-align: left;">No of Visitors</th> <th style="text-align: left;">Dining Area Square Metres</th> <th style="text-align: left;">No of Bedrooms</th> <th style="text-align: left;">Dining Area Square Metres</th> </tr> </thead> <tbody> <tr> <td>Up to 50</td> <td>50</td> <td>Up to 50</td> <td>50</td> </tr> <tr> <td>51 – 60</td> <td>60</td> <td>51 – 60</td> <td>60</td> </tr> <tr> <td>61 – 70</td> <td>70</td> <td>61 – 70</td> <td>70</td> </tr> <tr> <td>71 – 80</td> <td>80</td> <td>71 – 80</td> <td>80</td> </tr> <tr> <td>81 – 90</td> <td>90</td> <td>81 – 90</td> <td>90</td> </tr> <tr> <td>91 – 100</td> <td>100</td> <td>91 – 100</td> <td>100</td> </tr> <tr> <td>101 – 150</td> <td>140</td> <td>101 – 125</td> <td>125</td> </tr> <tr> <td>151 – 200</td> <td>170</td> <td>126 – 150</td> <td>150</td> </tr> <tr> <td>201 – 250</td> <td>200</td> <td>151 +</td> <td>Minimum of 150</td> </tr> <tr> <td>251 or more</td> <td>230</td> <td></td> <td></td> </tr> </tbody> </table>		Current Statutory Ratio		Proposed Revised Statutory Ratio		No of Visitors	Dining Area Square Metres	No of Bedrooms	Dining Area Square Metres	Up to 50	50	Up to 50	50	51 – 60	60	51 – 60	60	61 – 70	70	61 – 70	70	71 – 80	80	71 – 80	80	81 – 90	90	81 – 90	90	91 – 100	100	91 – 100	100	101 – 150	140	101 – 125	125	151 – 200	170	126 – 150	150	201 – 250	200	151 +	Minimum of 150	251 or more	230			All
Current Statutory Ratio		Proposed Revised Statutory Ratio																																																	
No of Visitors	Dining Area Square Metres	No of Bedrooms	Dining Area Square Metres																																																
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151 – 200	170	126 – 150	150																																																
201 – 250	200	151 +	Minimum of 150																																																
251 or more	230																																																		

TABLE 1 – HOTELS (continued)		
Area	Proposed change to minimum criteria	Applicable to all establishments or newly certified establishments?
Dining Area	The minimum floor to ceiling requirement of 2.44 metres in dining areas is to be removed. With respect to rooms with sloping ceilings, only the floor area with a ceiling height of at least 1.5 metres will be applicable when measuring the size of the room.	All
	The requirement that dining areas contain furniture and equipment adequate for the number of visitors for whom sleeping accommodation is provided is to be removed. This will be replaced with a requirement that adequate furniture and equipment be provided for the number of visitors who may reasonably be expected to use the dining area at any one time.	All
	Dining areas will no longer be required to provide table cloths, table mats and crockery of a uniform design. References to ashtrays in dining areas to be removed.	All
Lounge Area	The requirement that hotels provide lounge areas of adequate size to cater for the number of visitors for whom sleeping accommodation is provided is to be removed to permit proprietor's discretion as to whether a lounge is appropriate or necessary.	All
Bedrooms and Bathrooms	The floor to ceiling requirement of 2.44 metres in visitor bedrooms to be removed. With respect to rooms with sloping ceilings, only the floor area with a ceiling height of at least 1.5 metres will be applicable when measuring the size of the room.	All
	Shaver points will no longer be required in the en suite bathrooms of hotels.	All
	The number of electrical outlets provided in visitors' bedrooms will be increased from one to two.	All
	The requirement for a counterpane in visitor bedrooms to be removed. References to ashtrays in bedrooms to be removed.	All
	Window curtains and blinds shall be sufficient to ensure privacy and exclusion of light.	All

TABLE 1 – HOTELS (continued)							
Area	Proposed change to minimum criteria					Applicable to all establishments or newly certified establishments?	
General Toilets	In line with the proposed amendment with dining area size, the ratio of toilets in the main hotel building will be aligned to the number of bedrooms in the hotel rather than the hotel's visitor capacity.					All	
	The new proposed general toilet ratio, in comparison with the current ratio, is as follows:						
	Current Statutory Ratio			Proposed Revised Statutory Ratio			
	No of Visitors	Toilets for Men	Toilets for Women	No of Bedrooms	Toilets for Men		Toilets for Women
	Up to 20	1 WC, 1 urinal, 1 wash hand basin	1 WC, 1 wash hand basin	Up to 20	1 WC, 1 urinal, 1 wash hand basin		1 WC, 1 wash hand basin
	21 to 50	1 WC, 2 urinals, 1 wash hand basin	2 WCs, 2 wash hand basins	21 to 50	1 WC, 2 urinals, 1 wash hand basin		2 WCs, 2 wash hand basins
	51 to 100	2 WCs, 2 urinals, 2 wash hand basins	3 WCs, 3 wash hand basins	51 to 100	2 WCs, 2 urinals, 2 wash hand basins		3 WCs, 3 wash hand basins
	101 to 200	3 WCs, 3 urinals, 3 wash hand basins	4 WCs, 4 wash hand basins	101 to 200	3 WCs, 3 urinals, 3 wash hand basins		4 WCs, 4 wash hand basins
201 or more	4 WCs, 4 urinals, 4 wash hand basins	5 WCs, 4 wash hand basins	201 or more	4 WCs, 4 urinals, 4 wash hand basins	5 WCs, 4 wash hand basins		

TABLE 1 – HOTELS (continued)		
Area	Proposed change to minimum criteria	Applicable to all establishments or newly certified establishments?
Staffing	The requirement that staff resident in a hotel be provided with sleeping accommodation separate from those provided for visitors to be removed.	All
Other Criteria	The requirement that suitable tourism literature must be provided to be removed.	All

TABLE 2 - GUEST HOUSES		
Area	Proposed change to minimum criteria	Applicable to all establishments or newly certified establishments?
General	Establishments in this category must have not less than 3 double bedrooms, all of which must have an en suite bathroom (at present the minimum criteria is 3 double bedrooms with no requirement for en suite bathrooms).	New
	The requirement for a maid service for the regular cleaning of rooms to be replaced with a requirement that rooms are cleaned daily when visitors are resident.	All
Entrance	The requirement that guest houses provide an entrance hall of sufficient size to cater for the number of visitors for whom sleeping accommodation is provided to be amended to permit the entrance hall to be of a size sufficient for the number of visitors who may be expected to use them at any one time.	All
Dining Area	The floor to ceiling requirement of 2.44 metres in dining areas to be removed. With respect to rooms with sloping ceilings, only the floor area with a ceiling height of at least 1.5 metres will be applicable when measuring the size of the room.	All
	Cutlery, condiments, napkins and crockery to be sufficient to cater for the number of guests who may be expected to use the dining area at any one time.	All
Lounge Area	The requirement that guest houses provide lounge areas of adequate size to cater for the number of visitors for whom sleeping accommodation is provided to be amended to permit the lounge areas to be of a size sufficient for the number of visitors who may be expected to use them at any one time.	All

TABLE 2 - GUEST HOUSES (continued)		
Area	Proposed change to minimum criteria	Applicable to all establishments or newly certified establishments?
Bedrooms and Bathrooms	The current requirement that establishments must provide at least one bath will be removed and establishments to be permitted to provide baths or showers, or any combination thereof.	All
	The number of electrical outlets provided in visitors' bedrooms will be increased from one to two.	All
	Shaver points will no longer be required.	All
	The requirement for a counterpane in visitor bedrooms to be removed. References to ashtrays in bedrooms to be removed.	All
	Window curtains and blinds shall be sufficient to ensure privacy and exclusion of light.	All

TABLE 3 - BED AND BREAKFAST ESTABLISHMENTS		
Area	Proposed change to minimum criteria	Applicable to all establishments or newly certified establishments?
General	Bed and Breakfasts to provide cooked breakfasts for staying visitors, as opposed to the current requirement of 'being capable' of providing a cooked breakfast. This is to ensure that establishments fulfill this requirement.	All
	Bed and Breakfasts to be in good decorative order and kept clean and well maintained throughout (while these are currently statutory requirements for all other categories of tourist accommodation, they are not currently required of Bed and Breakfasts).	All
	Outdoor areas, grounds and car parking areas to be well maintained (while these are currently statutory requirements for all other categories of tourist accommodation, they are not currently required of Bed and Breakfasts).	All
Dining Area	The floor to ceiling requirement of 2.44 metres in dining areas to be removed. With respect to rooms with sloping ceilings, only the floor area with a ceiling height of at least 1.5 metres will be applicable when measuring the size of the room.	All
	Cutlery, condiments, napkins and crockery to be sufficient to cater for the number of guests who may be expected to use the dining area at any one time.	All

TABLE 3 - BED AND BREAKFAST ESTABLISHMENTS (continued)		
Area	Proposed change to minimum criteria	Applicable to all establishments or newly certified establishments?
Bedrooms and Bathrooms	References to ashtrays in bedrooms to be removed.	All
	Window curtains and blinds shall be sufficient to ensure privacy and exclusion of light.	All
	Where an establishment contains bedrooms for visitors which do not have en suite bathrooms, the establishment must provide one bathroom for every 6 visitors (rather than the current requirement of one bathroom for every 10 visitors) for whom bedrooms are provided.	New
	Where an establishment contains bedrooms for visitors which do not have en suite bathrooms, the establishment must provide one WC with wash hand basin for every 6 visitors (rather than the current requirement for one WC with wash hand basin for every 10 visitors) for whom bedrooms are provided.	New
	The current requirement that establishments must provide at least one bath will be removed and establishments to be permitted to provide baths or showers, or any combination thereof.	All

TABLE 4 - SELF CATERING ESTABLISHMENTS		
Area	Proposed change to minimum criteria	Applicable to all establishments or newly certified establishments?
General	Self catering units to provide access to laundry facilities, either within a self catering unit or access to such, for example as part of shared facilities.	New
Lounge and Dining Areas	A lounge and dining area shall have sufficient furniture, fittings and equipment for the number of persons for whom sleeping accommodation is provided.	All
Bedrooms and Bathrooms	Shaver points will no longer be required.	All
	Window curtains and blinds shall be sufficient to ensure privacy and exclusion of light.	All
	Sufficient bedding to be provided for each bed in a self catering unit.	All

TABLE 5 - HOSTELS		
Area	Proposed change to minimum criteria	Applicable to all establishments or newly certified establishments?
Dining Area	The floor to ceiling requirement of 2.44 metres in dining areas to be removed. With respect to rooms with sloping ceilings, only the floor area with a ceiling height of at least 1.5 metres will be applicable when measuring the size of the room.	All
Common Room	The floor to ceiling requirement of 2.44 metres in common rooms to be removed. With respect to rooms with sloping ceilings, only the floor area with a ceiling height of at least 1.5 metres will be applicable when measuring the size of the room.	All
Bathrooms and Toilets	One shower or bath to be provided for every 10 visitors (rather than the current ratio of one shower or bath for every 20 visitors).	New
	One WC to be provided for every 10 visitors (rather than the current ratio of one WC for every 15 visitors).	New
Bedrooms	The floor to ceiling requirement of 2.44 metres in bedrooms to be removed. With respect to rooms with sloping ceilings, only the floor area with a ceiling height of at least 1.5 metres will be applicable when measuring the size of the room.	All
	Window curtains and blinds shall be sufficient to ensure privacy and exclusion of light.	All

PROPOSED FEES FOR STATUTORY CERTIFICATION INSPECTIONS

Table 1 – Current Fee Structure

Table 1 below sets out the current fees as set by Statutory Rules of Northern Ireland 1992, No 136: Statutory Inspection of Tourist Establishments (Fees) Regulations (Northern Ireland) 1992.

	Per bedroom	Min fee	Max fee
<i>Category</i>	£	£	£
Hotels	£16	£200	£1,500
Bed and breakfast	£10	£50	£150
Guest House	£10	£50	£150
Self-catering (per unit, not bedroom)	£25	£25	£250
Hostel (per bed, not bedroom)	£1.50	£25	£100

Table 2 – Proposed Fee Structure

Table 2 below sets out the proposed fee structure in accordance with DETI's proposal to move from an annual statutory certification inspection regime to one of inspections once every four years.

This new regime will be underpinned by establishments providing annual compliance statements in the years between inspections.

Establishments will be required to pay the appropriate fee **once every four years**, rather than an annual fee as at present. In addition, in each of the three years between statutory certification inspections establishments will pay a set fee of £10 to cover the cost of registration and the issue of a certificate.

Proposed fee structure	Per Establishment	Inspection takes place		
		Per bedroom	Min fee	Max fee
<i>Category</i>	£	£	£	£
Hotels	-	£20	£300	£2,000
Bed and breakfast	-	£20	£80	£200
Guest House	-	£20	£80	£200
Guest Accommodation (new category)	-	£20	£80	£200
Campus Accommodation (new category)	-	£20	£80	£200
Self-catering (per unit, not bedroom)	-	£40	£40	£350
Hostel and Bunk House (new category) (per bed, not bedroom)	-	£2.00	£70	£175
Certificate only (per establishment)	£10	n/a	n/a	n/a

Table 3 - Fee Structure Based Continuation of Current Regime

Table 3 below is included to illustrate the fee structure should the current system of annual inspections continue.

Proposed fee structure Current scheme retained	Per bedroom	Min fee	Max fee
<i>Category</i>	£	£	£
Hotels	£17	£235	£1,650
Bed and breakfast	£13	£65	£175
Guest House	£13	£65	£175
Guest Accommodation (new category)	£13	£65	£175
Campus Accommodation (new category)	£13	£65	£175
Self-catering (per unit, not bedroom)	£30	£30	£300
Hostel and Bunk House (new category) (per bed, not bedroom)	£1.75	£30	£135

GLOSSARY OF TERMS, BIBLIOGRAPHY AND USEFUL REFERENCE MATERIALS

Glossary of Terms

“**DETI**” means the Department of Enterprise, Trade and Investment

“**NITB**” means the Northern Ireland Tourist Board

“**Tourist**” means a visitor to Northern Ireland, a person spending his holiday in Northern Ireland or a person travelling for pleasure within Northern Ireland, and “tourism” should be construed accordingly.

“**Tourist accommodation**” means overnight sleeping accommodation for tourists provided by way of trade or business.

“**Statutory inspection**” means the inspection of each tourist establishment by an officer of the NITB on at least one occasion each year, “**annual inspection**” may be understood using this definition.

“**Statutory regulation scheme**” means the scheme whereby an officer of the NITB inspects each establishment providing overnight tourist accommodation. This can also be termed **Certification**.

Bibliography and Useful Reference Materials

- * The Tourism (Northern Ireland) Order 1992, No 235 – www.opsi.gov.uk
- * Statutory Rules of Northern Ireland 1992, No 136: Statutory Inspection of Tourist Establishments (Fees) Regulations (Northern Ireland) 1992
- * Statutory Rules of Northern Ireland 1992, No 149: Categories of Tourist Establishment (Statutory Criteria) Regulations (Northern Ireland) 1992

The Northern Ireland Tourist Board industry website – www.nitb.com

- * Available from The Stationery Office

ANNEX G

LIST OF CONSULTEES

Northern Ireland Tourist Accommodation Businesses

Northern Ireland Tourist Accommodation Representative Bodies

Other Tourism Interests

Government Interests

Northern Ireland Local Government

Northern Ireland Political Parties

Legal Interests

Commercial Business and Trade Representatives

Community Interests

All Bodies listed in Annex D of the DETI Equality Scheme

A full list of consultees can be provided on request