

GUIDELINES FOR TOURIST RELATED ACCOMMODATION

1.0 BACKGROUND

Over the years, tourism in the Region has experienced a significant growth and this may be attributed to both international travel and intra-regional travel and also coupled with increasing affluence, mobility and available leisure time among the middle to high income classes. Due to the increase, many people have realized the need for tourist accommodation and there has since been an increased demand for the development of tourist related accommodation in the country. As a result of this, there has been a need to revise the guidelines for tourist related accommodation.

Shortage of land zoned for tourism purposes impedes on tourism infrastructural development and as such many Batswana are applying for change of land use (see Section 4.0 of these guidelines) of their residential properties for purposes of operating tourism accommodation facilities. Some applicants whose applications for change in land use are rejected tend to start operating tourist accommodation facilities illegally. This has caused great concern within neighbourhoods which are supposed to enjoy comfort, tranquillity, safety and a pleasant environment as the illegal operations may also have negative social impacts in terms of crime, illegal sale of alcohol and noise pollution etc. The mushrooming of illegal developments also impede on government's efforts to regulate the industry

When operated within laid down policy guide lines, the activities of the tourist related activities should not have any adverse effect or impact within the residential neighbourhoods in which they are located.

In the traditional land use zoning pattern, some tourist related activities were considered as activities within the residential zoning district. Basically, residential districts are designed and intended to secure for the persons who reside there a comfortable, healthy, safe and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong to non-residential districts.

Infrastructural development e.g. roads, depending on the size of the development within a given locality has a bearing on the flow of traffic.

In view of the above stated problems, it has been found appropriate to review the guidelines for tourist related accommodation. The reviewed guidelines will provide a common understanding on the various types of tourist related accommodation amongst the principal stakeholders in the hospitality industry.

The guidelines will direct planning and regulation for such facilities, the result of which will contribute to coordinated development.

2.0 CLASSIFICATION AND DEFINITIONS OF TOURIST ACCOMMODATION

There are different types of accommodation establishments that accommodate tourists for a financial reward and these are:

- Hotels
- Lodges/Camps
- Guest houses
- Camping and Caravan sites
- Self-catering apartments
- Cultural Villages
- Backpackers tourist accommodation facilities

Proprietors of tourist enterprises have a tendency of using the names synonymously and this may be confusing to the tourists. Below are the definitions of the different tourist accommodation facilities:

Guesthouse: An accommodation establishment, operating from a private or purpose-built property, that provides breakfast, that has an option with regard to the provision of lunch and dinner and beverages for guests only. The public areas of a guesthouse should normally be reserved for the use of resident guests. (The number of guest bedrooms in a guesthouse shall not exceed 10 rooms.). There are two types of guesthouses, namely commercial Guesthouse and domestic guesthouse. Domestic guesthouses are facilities in which the public areas are shared with the owner whereas in a Commercial Guesthouse, the owner does not reside within the enterprise and the public areas are for the exclusive use of guests. The “owner” refers to a person who, in his own right or as agent for any other person receives the rent of the land, or where the land is not let would be so entitled if it were let as stipulated in the Town and Country Planning Act.

Hotel: a commercial undertaking that provides accommodation, meals and multi-purpose public facilities and personal services for business or leisure travellers and is open to the general public. (The minimum number of rooms is 11). There are two types of hotels namely the selected service hotel and the fully serviced hotel. Selected service hotels provide breakfast, multi-purpose public facilities and selected personal services, whereas fully serviced hotels provides all meals and personal service for the convenience of the guest as stipulated in the Hotel and related establishments – Grading requirements.

Camp: an accommodation establishment which utilises outdoor activities and sells inclusive packages for guests to visit natural or historical locations. The accommodation facilities are usually for the exclusive use of resident guests. The

outdoor activities may include but not limited to game drives, fishing, boat drives, photographic and hunting safaris, wildlife safaris, rock/hill climbing, horse riding, etc. camps are located in Protected Areas, Wildlife Management Areas, and Private Reserves close to national monuments. Most lodge sites have management plans and carrying capacities hence the number of their rooms is dependent on the carrying capacity of each site.

Lodge: an accommodation establishment which sells exclusive packages to visit natural or historical locations. The outdoor activities as stipulated above may include but not limited to game drives, fishing, boat drives, photographic and hunting safaris, wildlife safaris, rock/hill climbing, horse riding, etc. Lodges are located within Wildlife Management Areas and protected areas.

Camping and caravan sites: open areas where guests come with their own tents or caravans, however proprietors may provide the tents/caravans. There must be provision for an ablution block and a fireplace. Electricity may be available depending on the size/location of the site.

Self-catering apartments: An accommodation establishment that provides the facilities and equipment necessary for guests to prepare their own meals.

Cultural villages: An area which is set aside to depict the lifestyles, activities and artefacts of a particular culture, usually in the format of a living museum. It reflects a historical and traditional theme of a particular tribe. It is set up to preserve and showcase certain tribe's cultural heritage. Traditional accommodation and meals may be provided. Visitors are usually taken on a guide by trained guides to explain different ways of the lives of that particular tribe, including the history and customs. Other activities which can be carried out in a cultural village include amongst others local traditional games, traditional music, initiation ceremonies, pounding, wood carving, weaving baskets, cooking and serving traditional food in a traditional manner.

Backpackers' accommodation: generally budget dormitory type of accommodation and may provide cooked food or cooking facilities only.

Table 1

SUMMARY OF TOURIST RELATED ACCOMMODATION AND RANGE OF FACILITIES

TYPE	NUMBER OF ROOMS	BATHROOMS	PARKING REQUIREMENTS AND LOCATION	OTHER FACILITIES
Hotel	11 rooms and above	Bathrooms in every room.	Parking provided at the rate of 1.5 bay per room and 0.02 of total floor area for the rest of the ancillary developments. Accessed through a secondary road (30m).	Bar, lounge, restaurant, curio shop, general shop, beauty salon, boutique, business services, parking, recreational facilities, conference facilities, banking facilities etc. depending on the star classification as stipulated in the standards for tourist related accommodation.
Camp	No. of rooms is not a determining factor. The number of rooms would be determined by the Management Plan however in the absence of such the number of rooms would be dependent on the permissible scale of operation. Lodges/Camps have outdoor activities.	Bathrooms in every room	Parking provided at the rate of 1.5 bay per room and 0.02 of the total area of the building as per the Development Control code depending on the location and nature of operation Accessed through a primary or secondary road or tertiary road depending on the location and nature of operation	Lounge \ dining room, bar, kitchen, curio shop, general shop, beauty salon, boutique and business services. Provides meals and beverages. Operate out door activities etc. depending on the star classification as stipulated in the standards for tourist related accommodation

Lodge	Determined by the carrying capacity/Management Plan of the area, Plan however in the absence of such the number of rooms would be dependent on the permissible scale of operation. Lodges/Camps have outdoor activities.	Bathrooms in every room	<p>Parking provided at the rate of 1.5 bay per room and 0.02 of the total floor area for the rest of the ancillary developments.</p> <p>Accessed through a tertiary road (18m) depending on the location and nature of operation</p>	Lounge \ dining room, bar, kitchen, curio shop, general shop, beauty salon, boutique and business services. Provides meals and beverages. Operate out door activities etc. depending on the star classification as stipulated in the standards for tourist related accommodation
Commercial Guest House	Not exceeding 10	All bedrooms shall have ensuite or private bath/shower room.	<p>Parking shall be provided at the rate of 1.5 parking bays per room.It should be clearly marked on site.</p> <p>Accessed through a tertiary road (18m).</p>	Kitchen, lounge/dining room. Provides breakfast and may provide meals for residents only. No bar developments are allowed and conference rooms, however consumption of alcohol as part of a meal offered in the establishment will be allowed. Public areas are solely for use by residents only. No commercial facilities are allowed in Guesthouses.
Domestic Guesthouse	Not exceeding 5	May have ensuite or shared facilities	<p>Accessed through an access road (15m road), however this will be dependent on availability of adequate parking space in the premises. No public spaces or road reserve will be used to meet parking deficit.</p>	
Camping/ caravan sites	Open area – minimum plot size 1000 square metres	Ablution block with separated bathrooms for men and women.	The parking of the administration office shall be 0.02 of the total floor area, and it should be clearly marked on site.	Fire place should be provided.
Back Packers Accommodation	Will be determined by the size of plot.	Separated bathrooms for men and women shall be provided.	Parking provided at the rate of 1.5 bay per room and 0.02 of the total area of the building as per the Development Control code.	Entertainment room (for Television, games etc) may be provided.

			<p>In addition, there should be at least 1 bus/truck parking bay.</p> <p>Accessed through a secondary or tertiary road (18m). However this shall be dependant on the proposed scale of operation.</p>	
Self-Catering Apartments	Will be determined by the size of plot.	Each unit will have own bathroom/toilet i.e. no shared ablution facilities. A kitchenette shall be provided for each unit.	<p>Parking shall be provided at the rate of 1.5 bay per apartment .It should be clearly marked on site.</p> <p>Accessed through a tertiary road (18m) or above.</p>	<p>Parking, Lounge, Kitchen equipped with cooking and eating utensils – Other facilities provided will depend on the star classification as stipulated in the standards for tourist related accommodation. Open space should be provided at the rate of 25 % of the total floor area of the development.</p>
Cultural Village	Will be determined by the size of plot.	Separated ablution blocks for male and female will be provided and should blend with the theme.	Parking provided at the rate of 1.5 bay per room and 0.02 as per the Development Control code.	Kgotla, eating area, etc.

3.0 REGULATORY PROVISIONS FOR TOURIST ACCOMMODATION FACILITIES

There are different Statutes used for the regulation of the operations of tourist accommodation and these are:-

A. Town and Country Planning Act 1977

The General Development Order 1980 has put establishments such as boarding house, guest house, residential club and hotels providing sleeping accommodation into one class of development and operation except for issues related to change of use from one class to another. **Planning permission must always be sought.** This Act is currently under review.

B. Public Health Act, 1981

The Public Health Act provides for the conduct and inspection of accommodation establishments.

C. Public Health Regulations 1983

The Regulations have specific regulations and guidelines for the development and operations of rented rooms in matters related to provision of facilities such as ablution facilities and room sizes. **Development of accommodation facilities must always comply with the Public Health Regulations. [Section 56]**

D. Tourism Act 2009

The Tourism Act of 2009 calls for the licensing and regulation of all tourist enterprises including tourist accommodation facilities and the minimum licensing requirements of all tourist accommodation are stipulated in the Tourism Regulations of 2010.

E. Botswana Tourism Organisation Act 2009

The Botswana Tourism Board Act provides that all tourist enterprises licensed under the Tourism Act of 1992, be graded in accordance with the terms and conditions set-out under the Botswana Tourism Board Regulations and Botswana Bureau of Standards, BOS 50 Series – Hotel and Related establishments – Grading requirements of 2001.

F. Environmental Impact Assessment Act, 2005

The EIA Act 2005 has a provision stipulating that all tourist facilities should comply with the Environmental Impact legislation. It is therefore necessary to get an EIA approval or exemption even when doing developments in areas already zoned for business purposes and are serviced.

G. Food Control Act, 1993

The Food Control Act provides for the promotion and protection of personal and public health. The Act also stipulates that premises used for food preparation should be constructed in an approved manner.

H. Waste Management Act

This Act provides for the institution of appropriate sanitary measures for the promotion of public health. All matters pertaining to sanitation and waste management are regulated through this Act.

F. Development Control Code 1995

This is an instrument which guides all developments in planning areas and it is currently under review.

G. Township Act, 1955 and Local Government (District Councils) Act 1965

All tourist accommodation facilities should observe and comply with the Bye-Laws of the above mentioned Acts, particularly with Sections dealing with but not limited to:

- i) Health & Sanitation
- ii) Food Premises
- iii) Noise & Nuisance
- iv) Offences & Penalties

H. Building Control Code Act

Reference shall be made to this Act in relation to Tourism Related Accommodation subject and not limited to the following specific regulations;

- i) Part II; 7: designation of purpose groups – as specified in the First schedule of the BCA 1962 CAP. 65:02

Group	Description	Purpose for which building or compartment is intended to be used
III	Other Residential	Residential sections of clubs, hotels, motels, lodging & boarding houses, holiday & chalets

Source; *Building Control Act 1962 CAP. 65:02*

ii) Part VII: Standards of Accommodation

The following shall be applicable;

Sections

- 57 on access
- 58 on stairs
- 59 on guarding of stairways
- 60 on guarding of landings, balconies & flat roofs
- 61 on accommodation (minimum)
- 62 on size of habitable rooms
- 63 on height of room
- 64 on place for cooking
- 65 on food store
- 66 on lights & Ventilation
- 67 on bathroom & Sanitary facilities
- 68 on sanitary Facilities for building other than dwelling

I. Control of Smoking Act, 2004

In accordance with this Act, the total number of rooms allocated for smoking shall not exceed 20% and those rooms shall be detached and have separate entrances and shall be separately ventilated from the rooms where smoking is not allowed. No smoking areas/rooms shall have permanent signs depicting them as no smoking areas.

J. Penal Code

The Penal Code stipulates that no person shall cause disturbance and it has penalty for such an offence.

4.0 PROCEDURE FOR APPLICATION FOR CHANGE IN LAND USE

Tourist accommodation facilities can be located within residential areas or neighbourhoods provided such operations are regulated and properly controlled as determined by the following policy guidelines which should be read together with Table 1.

- a) All applications must be made to the local authority for a change of land use. Consultations with neighbours should be done by the local authority in writing without giving specific number of guest, that will be decided by the authority looking at the application(s) own merits. The neighbours consent or otherwise for proposed developments should be made in writing;

- b) When applying for planning permission, floor plans or layouts of the proposed or existing buildings showing alterations, if any, shall be provided as well as a site plan indicating the parking layout and circulation of vehicular traffic on the plot.
- e) The applicant shall ensure that the premises are given planning permission as per the requirements of the Town and Country Planning Act of 1977 and are licensed in accordance with the provisions of the Tourism Act of 1992.
- f) In case of areas outside planning areas, the Land Board should be approached for permission for any change of use or development of such facilities.
- g) All applications for change of use to tourism related business should be accompanied by a letter of recommendation from the Department of Tourism or Botswana Tourism Board.
- h) The Department of Tourism provides all potential proprietors tourist enterprises with guidelines for applying for a licence. However to apply for a licence a change in land use is essential in instances where the plot was not allocated for purposes of tourist accommodation. To apply for a tourism enterprise you will be required:
- To fill in the licence application form
 - To prepare a detailed business plan (the DOT provides guidelines for preparing a business plan)
 - To submit copies of the certificate of incorporation/registration of trading/notarial deed of trust
 - To submit copies of share certificates
 - To submit copy of the Companies Proclamation Form
 - To submit copies of Omang or Passports of the shareholders
 - To submit copy of the lease agreement/rental agreement or title deed
 - To submit a letter of approval from the Department of Environmental Affairs of the Environmental Impact Assessment or Environmental Management Plan of the project
 - To submit approved building plans