

Strategies to improve the quality and competitiveness of coastal tourism areas

Applying tourism standards

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Abstract

Purpose – The quality of tourist accommodation establishments is a recurring theme in public strategies for planning and managing tourist destinations. The applying standards as a way to achieve quality. This strategy consists of legally regulating a series of minimum physical standards by using measurable parameters, as well as the desired characteristics or levels of amenities, which vary according to the type of provision required. The purpose of this study is to analyze the strengths and weaknesses of applying strategies that regulate standards for accommodations in coastal tourism areas in the Canary Islands (Spain).

Design/methodology/approach – The authors used an explanatory case study methodology. An “inter-case” comparison has been chosen, because the object of analysis (public policy applying tourism standards) has changed over time; furthermore, a content analysis approach was selected so that the subject of this research is the process of implementing this kind tourism policy. The result is a systematization of the process in stages.



Findings – Quantifiable criteria that exclusively consider the physical or operational parameters of a tourist establishment are no longer sufficient to provide quality service that meets the needs and expectations of customers. It is not enough to set standards for surface area parameters or essential amenities when organizing new tourist developments, but rather it is the qualitative aspect that must be addressed. At the same time, quality tourist accommodation establishment is not obtained merely by reducing density, which constitutes the significant standard.

Research limitations/implications – This paper evidence is presented that may influence the quality of accommodation perceived by the client, which increases their level of satisfaction and, in turn, the degree of trust and, therefore, fidelity, understood as the future decision to repeat or not the tourist experience. There are also issues related to the approach that the quality of accommodation establishments has a direct effect on the visitor's perception of the destination, which cannot be merely physical, measurable in square metres.

Practical implications – The relationship between urban standards and quality is no longer linear. This determines that the regulated tourist accommodations (defined by sectoral regulations) it is common to set a required plot size in m² based on the number of bed places offered by the establishment is no longer valid. Today, tourists rate accommodation establishments by the prestige of their brand or the diversity of services and experiences (entertainment, sensations, emotions, etc.) they provide. These experiences play such an important role in producing customer satisfaction and loyalty to a hotel that guests are willing to pay more for their stay, with the understanding that they will be able to experience certain emotions. It has been evidenced that the main reason for setting physical quality parameters that can be measured by a rating system for accommodation establishments, to provide a basic reference for customers, is no longer necessary, given the amount of easily accessible real-time information freely available through multiple independent channels based on the 2.0 paradigm, information technologies and communication, as well as applications and virtual platforms.

Social implications – Applying this public strategy of classifying or rating tourist accommodations on a territorial scale has some strengths and weaknesses. However, it is not easy to find a comprehensive evaluation of the impact of such strategies because, among other issues, the public administration seems disinterested in measuring the consequences of their decisions, instead focussing on whether the formal legal requirements are being complied with. Moreover, whenever such assessments have been carried out, the discussion has been limited to the effectiveness of the implementation. This is why, beyond such purely mechanical responses, there are currently no studies or technical reports that specifically examine the positive or negative effects of such approaches. Evidently, these circumstances make any work analyzing this material relevant and timely. Likewise, the main reason for setting physical quality parameters that can be measured by a rating system for accommodation establishments, to provide a basic reference for customers, is no longer necessary, given the amount of easily accessible, real-time information freely available through multiple independent channels based on the 2.0 paradigm, information technologies and communication, as well as applications and virtual platforms.

Originality/value – The paper determines that the impact of the strategies of set a required plot size in square metres based on the number of bed places offered by the establishment is limited. Applying this public strategy of classifying or rating tourist accommodations on a territorial scale has some strengths and weaknesses. However, it is not easy to find a comprehensive evaluation of the impact of such strategies because, among other issues, the public administration seems disinterested in measuring the consequences of their decisions, instead focussing on whether the formal legal requirements are being complied with. Moreover, whenever such assessments have been carried out, the discussion has been limited to the effectiveness of the implementation. This is why, beyond such purely mechanical responses, there are currently no studies or technical reports that specifically examine the positive or negative effects of such approaches. Evidently, these circumstances make any work analyzing this material relevant and timely.

Keywords Quality, Territorial impact, Tourist accommodation, Tourist ratio, Urban development standard

Paper type Research paper

1. Introduction

The quality of tourist accommodation establishments is a recurring theme in public strategies for planning and managing tourist destinations. Rather than pursuing a goal of

zero defects, the search for quality must start with the needs of customers (what they expect) and end with their satisfaction (perceived value) (Kotler *et al.*, 2005). In other words, quality consists in the guest's level of satisfaction with the features and characteristics of an establishment in relation to their expectations; their satisfaction is derived from the comparison between what they perceive and what they expected, that is, by having their expectations about the establishment fulfilled. Therefore, quality and customer satisfaction constructs are usually considered to be synonymous (Liljander, 1994). This is because of the fact that the perceived quality of the accommodation increases the level of satisfaction of customers, which, in turn, affects their level of trust and, hence, loyalty, understood as a future decision on whether to repeat the tourism experience. In the same way, accommodation quality has a direct effect on how a visitor perceives a destination, which in turn will influence other aspects, such as the number of overnights, the possibility of a repeat visit or recommendation or the positive image of the establishment – or even of the destination (Bigné *et al.*, 2000; Scheyvens and Russell, 2012). Therefore, quality has become a key variable of competitiveness, with the following impact on the main indicators of tourism and business profitability (number of overnight stays, average length of stay, occupancy rates, average daily room rates, average daily income per available and occupied room, etc.).

Various authors, such as Blanquer Criado (2000), Socías Camacho (2001, 2009), Blasco Esteve (2002, 2004), Rullan (2005), Sola Teyssiere (2007) and Salom Parets (2012), have suggested applying standards as a way to achieve quality. This strategy consists of legally regulating a series of minimum physical standards by using measureable parameters, as well as the desired characteristics or levels of amenities, which vary according to the type of provision required. Therefore, for regulated tourist accommodations (defined by sectoral regulations), it is common to set a required plot size in square metres based on the number of bed places offered by the establishment. In addition, other standards that affect urban development are also included, such as increasing the amount of free space and giving rise to urban areas determined by a particular approach to designing a city. Applying these standards converts bed place into the true measure of tourism (Navalón García and Martínez Pérez, 1999), as it is set as the basic reference for the surface area of green spaces, pools and sports facilities, etc. of a tourist accommodation, while also applying a specific urban planning format.

Applying this public strategy of classifying or rating tourist accommodations on a territorial scale has some strengths and weaknesses. However, it is not easy to find a comprehensive evaluation of the impact of such strategies because, among other issues, the public administration seems disinterested in measuring the consequences of their decisions, instead focussing on whether the formal legal requirements are being complied with. Moreover, whenever such assessments have been carried out, the discussion has been limited to the effectiveness of the implementation. This is why, beyond such purely mechanical responses, there are currently no studies or technical reports that specifically examine the positive or negative effects of such approaches. Evidently, these circumstances make any work analyzing this material relevant and timely.

With this in mind, the objective of our work is to analyze the strengths and weaknesses of applying strategies that regulate standards for accommodations in coastal tourism areas in the Canary Islands (Spain). Our working hypothesis is that the degree of success of a public programme or policy must be assessed by examining the results of its implementation, keeping in mind that the relationship between quality and standards is no longer linear because of the development of internet applications and virtual platforms. For this reason, we used an explanatory case study methodology. An “inter-case” comparison

has been chosen, because the object of analysis (public policy applying tourism standards) has changed over time; furthermore, a content analysis approach was selected so that the subject of this research is the process of implementing this kind tourism policy. The result is a systematization of the process in stages.

2. The process of applying accommodation standards in coastal tourism areas in the Canary Islands

2.1 First stage (1986-1994). Regulating minimum sizes of the structural elements of tourism accommodations

The regulation of tourist accommodations has traditionally been subject to the establishment of standards that have conditioned their physical characteristics to a lesser or greater degree. Briefly, the first norms regulating hotel development in Spain date back to 8 April 1939, with the approval of an order to make provisions in force at the time regulating the hotel industry more effective and to define the National Tourism Service's competence over this material. Through this order, the administration specified that the service had competence over authorization and inspection, as well as the creation of categories, which would depend on the provision of certain services that necessarily conditioned the physical structure of the establishment. This public intervention on the physical characteristics of the establishments consisted in setting requirements for the percentage of the surface area that each of the regulated elements should occupy, in accordance with Order 14 of June 1957, *regulating the hotel industry*.

These standards were translated into square metres by the Order of 17 January 1986, *regulating apartments, bungalows and similar accommodations*. The same occurred later for hotels with the Order of 19 July 1968, *classifying hotel establishments*. In this way, the physical characteristics of the establishments were gradually regulated, with different parameters applied to hotels and other kinds of accommodations. These standards were completed by Decree 3,787/1970, of 19 December, *regulating the minimum infrastructure required to avoid the irreparable deterioration and discredit of the Spanish tourism offer*, and by specific regulations such as the Order of 25 September 1979, *on fire prevention in tourist establishments*, which was passed in response to the devastation caused by the fire in the Corona de Aragón Hotel (Velasco González, 2004).

In this context, in 1977 work was carried out in response to:

[...] the need expressed by the General Sub-directorate of Tourism Businesses and Activities to create an internal document that explained the criteria and objectives of the requisites for planning tourism developments in general (Lamela, Molini and Salgado, 2011).

Although Royal Decree 1346/1976, of 9 April, which approved the consolidated text of the Law on Land-Use and Urban Planning, established that all types of real estate development were required to comply with its regulations, in reality, it was considered to refer only to compact urban environments, not tourist areas (Frechilla *et al.*, 1977, p. 7). That is why it recommended density, buildability and amenity standards. It established gross maximum densities for land dedicated to tourism in diverse territorial settings:

- 75 inhabitants per hectare in insular environments;
- 50 inhabitants per hectare in coastal and inland areas; and
- 25 inhabitants per hectare in mountain areas.

Greater density was allowed on the islands because they have less land and set a lower density in mountains because of the elevated reservation of public free space required there.

The gross buildability in tourist areas, according to geographic location, would be $0.8 \text{ m}^3/\text{m}^2$ in island regions; $0.6 \text{ m}^3/\text{m}^2$ in coastal and inland areas; and $0.3 \text{ m}^3/\text{m}^2$ in mountain areas. Regarding accommodations, they set maximum net densities on plots of land depending on the classification: 20 homes per hectare or 100 inhabitants per hectare for detached single-family homes; and 66 homes per hectare or 330 inhabitants per hectare for apartments. Finally, they specified different development potential on plots of land according to classifications: $1 \text{ m}^3/\text{m}^2$ for detached single-family homes; $3 \text{ m}^3/\text{m}^2$ for single-family row houses; and $3 \text{ m}^3/\text{m}^2$ for flats.

The state administration updated the regulations for non-hotel accommodations in 1982 and for hotels in 1985. However, neither of these two regulations was in force for long. After the Spanish Constitution was approved in 1978, the competences over planning and promotion of tourism were transferred to the autonomous communities, relegating state regulations on this material to supplemental law. In this context, the first formal normalization of the physical standards of accommodations located in tourism areas in the Canaries was seen in Decree 149/1986, 9 October, *on the organization of hotel establishments*, and Decree 23/1989, 15 February, *on the organization of tourism apartments*, both dealing with the establishment of tourism standards. Both decrees were focussed on improving the “quality” of tourist accommodations, mainly by regulating the physical elements related to their construction (Simancas and García, 2010), as can be seen in the preamble to Decree 149/1986:

[...] increasing the quality of the establishments, is manifested in the requirement for better minimum conditions in accordance with their category, both in terms of minimum surface area of the accommodation units and in the services they must provide.

Although the criteria were conceived as requisites for the classification of hotel establishments (hotels and apartment hotels) and non-hotel establishments (apartments, bungalows and villas), in practice, they implied common and minimum determinations for the physical dimensions of different structural elements of tourist accommodations (room size, percentage of green areas or sports facilities, etc.), the classification and technical requisites of room amenities and the supplies and some of the services they provide. In reality, they became direct requirements for the construction of tourist accommodation establishments, and the public administration monitored that they were complied with. In this sense, these physical quality parameters were measured by categories whose fundamental purpose was to provide customers a basic reference, a rating, which they could use to choose accommodations without knowing their specific characteristics.

The physical parameters focussed on defining the sizes of rooms and common areas (Tables I and II). Greater attention was paid to elements related to tourist accommodations, relegating other amenities, such as solariums, terraces, pools, sports facilities, open areas or green spaces, to the background; standards for pools, solariums and sports facilities were only set for non-hotel establishments (Table II). Also not set were a minimum size for plots of land, a limit to the ratio between open areas and built areas or the number of floors, relegating their regulation to the urban planning legislation that was in force, namely, Law 19/1975, 2 May, *on the reform of the Land and Urban Planning Law*, Royal Decree 1346/1976, 9 April, *approving the Consolidated Text of the Land and Urban Planning law*, Royal Decree 2159/1978, 23 de June, *establishing the Urban Planning Regulation*, Royal Decree Real Decree 2187/1978, 23 June, *approving the Urban Discipline Regulation*, and Royal Decree 3288/1978, 25 August, *approving the Urban Management Regulation*. All these norms were inserted into a context in which building “vertical” tourist accommodations had been viewed

	Five-star		Four-star		Three-star		Two-star		One-star	
	Hotels	Apartment-hotels	Hotels	Apartment-hotels	Hotels	Apartment-hotels	Hotels	Apartment-hotels	Hotels	Apartment-hotels
<i>Rooms (m²)</i>										
Singles*	26.2	28.2	21.5	23.5	17.3	17.3	14.8	15.8	12.8	15.8
Doubles*	36.2	29.2	27.5	26.5	23.3	22.3	20.8	20.8	18.8	17.8
Suites**	41.2	38.2	36.5	34.5	32.3	30.3	29.8	27.8	25.8	23.8
<i>Common areas</i>										
Lounge-dining area	2 m ² /bed place	18 m ²	1.75 m ² /bed place	16 m ²	1.50 m ² /bed place	14 m ²	No	12 m ²	No	10 m ²
Only lounge										
Parking facilities	7	7	5	No	3	3		1 m ² /bed place	No	
(% in relation to bed places)										

Note: *†Includes bedroom, bathroom and balcony ** Includes bedroom, sitting area, bathroom and balcony

Source: Decree 149/1986

Table I.
Minimum surface
area (m²)
requirements of hotel
establishments set
by Decree 149/1986

Table II.
Minimum surface
area requirements of
non-hotel
establishments set by
Decree 23/1989

	Five stars	Four stars	Three stars	Two stars	One star
<i>Rooms (m²)</i>					
Single rooms*	62	55.5	48.5	43	38
Double rooms*	54	48.5	42.5	37	33
Studios (bedroom + Sitting-dining room + kitchen)	50	46.5	40.5	37	33
<i>Common areas</i>					
Gardens Bungalow (%)	60	55	50	—	—
Villa (%)	80	70	—	—	—
Concierge – reception	50 m ²	40 m ²	35 m ²	20 m ²	20 m ²
Pools**	1.50 m ² /bed place	1 m ² /bed place	0.75 m ² /bed place	0.50 m ² /bed place	0.50 m ² /bed place
Solarium***	3 m ²	2.50 m ²	2 m ²	1.50 m ²	1.50 m ²
Sports facilities	Minimum surface area 100 m ²				
Notes: *Bedroom + sitting-dining room + kitchen + bathroom + balconies; **Minimum surface area: 50-400 m ² , with larger areas optional. Optional in establishments with less than ten accommodation units; ***Minimum surface area: 75-500 m ² /bed place, with larger areas optional					
Source: Decree 23/1989					

positively. In this sense, the physical dimensions were generally in accordance with the parameters of tourist accommodations built in the 1970s and 1980s.

Later, using Decree 3,787/1970 as a reference, the Council for Tourism and Transportation of the Government of the Canary Islands adopted minimum requirements for potable water and electricity, residual water treatment and drainage, entrances, parking facilities, waste treatment and removal and telephone systems in Decree 165/1989, 17 July, *on the minimum infrastructure requirements in tourist accommodations*.

2.2 Second stage (1995-2012). The establishment of density standards for plots of land used for tourism and accommodation establishment amenities

2.2.1 The process of establishing tourism standards. Based on the tourism ratios contemplated in the pioneering legislation of the Balearic Islands, specifically the Cladera Decrees (1984 and 1987) and Law 7/1988, 1 June, *on transitory measures of organizing hotels and tourist establishments*, Gran Canaria's Territorial Planning Law (*Plan Insular de Ordenación*), approved by Decree 7/1995, 27 January, incorporated the concept of "net density". This was understood as the "basic factor in the quality of tourism products" (Article 30) applied to all construction or urban planning projects. It set the square metres of the surface area of buildable land per bed place or per accommodation unit with kitchen, which, according to the type of accommodation (hotel or apartment) or territorial context (northern coast or southern area of Gran Canaria, that is, consolidated coastal tourism area or not), oscillated between 100 and 70 m². Although the Chamber for Contentious Administrative Proceedings of the High Court of Justice of the Canary Islands (Sentences 8 and 9 of January 1995) declared Decree 7/1995 invalid, arguing, among other things, that it was infringing on the competence of municipalities, its later sentence, 1064/1999, 1 July, stated the contrary.

Law 7/1995, 5 April, *on tourism planning in the Canary Islands*, modified by Law 7/1997, abrogated by Law 5/1999, 15 March, which is still in force, once again alluded to the need to preserve the quality of accommodation establishments (Article 44). To do so, it called for

regulations on several aspects that could be separated into two general groups: the first group was related to different standards applicable to tourism development and, in general, to land used for tourism; the second was related to defining the objectives, criteria and requisites that had to be covered by urban and territorial planning laws to guarantee the effective and correct implementation of the different provisions required. In addition, it set a minimum accommodation ratio standard in relation to the net plot at 60 m²/bed place for newly built accommodations; in this way, the elevated occupation densities (30/50 m² of plot per bed space, which implied 100 bed places/hectare) that had predominated to that point (Cáceres Morales and Pescador Monagas, 2001) were modified so that now, the minimum size of a plot for a new hotel with 1,000 beds is 60,000 m², of which at least 7,000 and 2,000 m² must be destined to green spaces and sports facilities, respectively, and could not be built taller than five stories. This substantially modified the earlier situation, which had maximized land usage by producing accommodation infrastructures that occupied smaller plots of lands (less than 0.5 hectares) and designed as vertical towers of more than five stories, in some cases, reaching up to 10; this explains how the occupation density was at 30-40 m²/bed, which averaged out to more than 100 bed places/hectare (García Cruz, 2014).

Later, Decree 10/2001, 22 January, *regulating tourism standards*, was inserted into the process of regulating tourist accommodations and land used for tourism that had been initiated by the Government of the Canary Islands with the enactment of Decree 4/2001, 12 January, which stipulated the creation of General Planning Standards and Tourism Standards, informally known as the “Canary Islands Tourism Moratorium”. Although it was initially proposed because of the need to modulate the extraordinary expectations of growth in tourist accommodations, in practice, it was revealed as a strategy to convert the tourism model in the Canaries (Simancas Cruz, 2015) articulated in three interdependent pillars (García Márquez, 2007): the sustainable transformation of the tourism model, the limitation of growth in accommodations and the efficient use of public and private space.

The Decree 10/2001 has become a considerable force in the process of regulating the accommodation and infrastructures ratio applicable to tourism land and, by extension, tourism planning, in the measure that, as stated in its preamble:

[...] it sets reasonable limits to growth and land occupation, in this way guaranteeing the development of a sustainable tourism structure with the goal of finding the necessary balance between the need to adapt infrastructure to the constantly growing population and the scarcity of resources and provisions.

To this end, the decree establishes four kinds of standards:

- (1) *Tourism density*: This defines the minimum net surface area of a plot needed to build each place for tourist accommodations. Thus, it established minimum standards for square metres of land needed to build each bed space: while it maintained the 60 m² of minimum land set by Law 7/1995 for newly built establishments, it added 50 m² for building renovation. It attempted to establish low densities in land that had not yet been built up by limiting the number of new bed places allowed per buildable plot, insofar as it directly set a net density (understood as a tourist *ratio*) for new authorizations for hotel construction. In this way, it introduced various proportions of accommodation/provisions and amenities for newly occupied areas, thereby becoming the variable that controlled authorized gross density and its consequent relationship with net density, established globally.
- (2) *Complementary equipment*: This determines the minimum reserves that tourist accommodation establishments must maintain.

- (3) *Infrastructure and services*: This establishes the minimum levels that new tourist developments must have.
- (4) *Standards*: These are standards relative to general urban planning rules on designing and creating a tourist development related to open spaces, the road network and facilities and its maintenance.

To some degree, Decree 10/2001 resolved the gaps in regulations left by Law 7/1995 regarding tourism standards. It also satisfied the need to set general deliberation criteria to determine the minimum density standard and its application to delimited groups of plots that had been widely demanded by all sectors involved, as well as setting minimum parameters for the necessary infrastructure and services, applicable to all land used for tourism. In this way, consistent with the experience in the Balearic Islands, the tourist ratio is a measure that has its equivalent in terms of urban planning (surface area per plot) and, hence, in terms of density; however, as [Socias Camacho \(2001, p. 85\)](#) astutely pointed out:

[...] the tourist ratio –understood as the minimum surface area of buildable land per bed place – and density –understood as inhabitants per hectare –are equivalent parameters, but they are not exactly the same.

Regarding material planning requirements, these standards must be respected by urban planning –at the municipal scale – insofar as they involve an obligatory, but not directly applicable structural requirements. Although not an instrument to intervene in the real estate market, setting these tourism standards has conditioned the how plots can be used, in the sense that the competent administration acquires the power to intervene in this area. Implementing these standards has differentiated urban tourism areas from non-tourism areas. At the same time, they will provide orientation for urban planning, conditioning the urban model of tourist areas, as well as reduce the freedom with which planners work and, for that matter, their authority to plan ([García De Enterría and Parejo Alfonso, 1981](#)).

Naturally, the tourism standards in Decree 10/2001 define the minimum parameters of island accommodation models set in territorial planning regulations in every insular area (at the supra-municipal scale). For example, Fuerteventura's Territorial Planning Law (*Plan Insular de Ordenación*), which was enacted by Decree 100/2001, 2 April, and Decree 55/2003, 30 April, which definitively approved the requirements regarding tourism, establishes that new hotels must have at least a four-star rating, with a minimum built area of 70 and 35 m² for net accommodation uses per unit and bed place, respectively, and a minimum of 60 m²/bed place, no matter what the category. It also applies the condition that the maximum global density must be less than 60 inhabitants per hectare or a maximum buildability of 0.20 m²/m². It establishes that the type of construction will be detached single-family residence, allowing a maximum of 15 per cent of semi-detached houses and another 15 per cent row houses, while homes of less than 90 m² built are not allowed.

All of the physical parameters in Decree 10/2001 must be complied with to obtain the required prior administrative authorization contemplated by Article 24 of Decree 7/1995; this authorization verifies and determines a tourist accommodation establishment's compatibility with the applicable territorial tourism planning and sectoral norms and determines the validity of the building licence. In this way, compliance with the tourism standards became mandatory to obtain a municipal building licence to build new tourist accommodations and also to renovate existing ones. As [Sola Teyssiere \(2007\)](#) points out regarding the Balearic Island's tourism ratio, the application of such standards has allowed the public administration to control how plots are used for tourism through the granting of the authorization, instead of what had happened prior to that moment regarding the

planning parameters set for larger spaces and which are now overwhelmed in practice by pressure from tourism.

Decree 187/2001, 3 October, modified the standards defined by Decree 10/2001, which must be complied with by five-stars hotels in accordance with the provision of Article 2.4.e) 0.2) of Law 6/2001, 23 July, *on urgent measures in territorial and tourism planning in the Canaries*. The latter was the third law of the first stage of the tourism moratorium in the Canaries, which allowed unlimited construction of five-star hotels and which, in contrast to Decree 4/2001, no longer viewed them as a complement to leisure, sports or health activities or facilities, with the only condition that they are adapted to the requirements established in Decree 187/2001, enacted in compliance with the mandate established in the Second Final Provision of Law 6/2001; this was due to the fact that this types of tourist establishments are considered an essential part of the strategy to rate accommodations inherent to the tourism moratorium. Among the most significant changes are setting 15 and 3 m²/bed surface for gardens and sports areas, respectively, an increase of 25 m² in the minimum area of the bedroom, implying a minimum size of 35.5 m² for the accommodation unit, and making it mandatory for at least 15 per cent of the accommodation units to be suites, with a minimum surface of 38 m² (including bedroom, bathroom and balcony).

Finally, Decree 142/2010, 4 October, *approving the Tourist Accommodation Activity Regulation*, modified Decree 10/2001 (Tables I and IV). Its enactment was inserted into the deregulation process advocated by the European Union's competition policy, specifically, the partial transposition of our national planning by Directive 2006/123/EC of the European Parliament and of the Council, 12 December 2006, *on services in the internal market* (EU OJ L 376, of 27.12.06), incorporated into the internal Spanish legal system by Law 17/2009, 23 November, *on the free access and exercise of service activities* (Tables III and IV).

2.2.2. *The effects of setting a density standard on the construction of new tourist accommodations: the appearance of "horizontal hotels"*. Among the effects of applying the standards of Decree 10/2001, we can highlight two effects: the appearance of "horizontal hotels", with the consequent increase in the size of plots required to build them, which, in turn, has favoured a certain "privileged group" who own such plots.

Regarding the first effect, the territorial implementation of the minimum standard of square metres of plot/bed place and of parameters related to the infrastructures, amenities, buildability and heights have generated a link between the capacity and physical dimensions of new tourist accommodation establishments. In so doing, small- and medium-sized developments (between 100 and 500 bed places), which required less capital to build (Cáceres Morales and Pescador Monagas, 2001), gave way to establishments with larger accommodation capacities.

This has led to a change in the morphology of the ground plans for tourist accommodations, as well as in the distribution of uses by which plots are organized, causing the vertical tower building model that had been predominant to be abandoned (Figure 1). In its place, a new building model has emerged, which, in their attempt to imitate "Caribbean resorts", we have denominated "horizontal hotels". These usually take up an entire block, while having an irregular layout, a vertical limit of five stories, a larger built up area (due to the increase in the size of the accommodation units and common areas) and an elevated use (around 33 per cent) of the unbuilt land for green areas, pools, solarium and sports and recreation facilities. The fundamental reason for the spatial distribution of the physical elements is to make it possible to concentrate on the different productive processes of the tourism aggregate (Russo and Segre, 2009), in that these tourist accommodations must contain a broad, diverse, innovative, specialized and differentiated set of integrated products and services. Furthermore, consistent with what Blasco Esteve (2002) pointed out about the

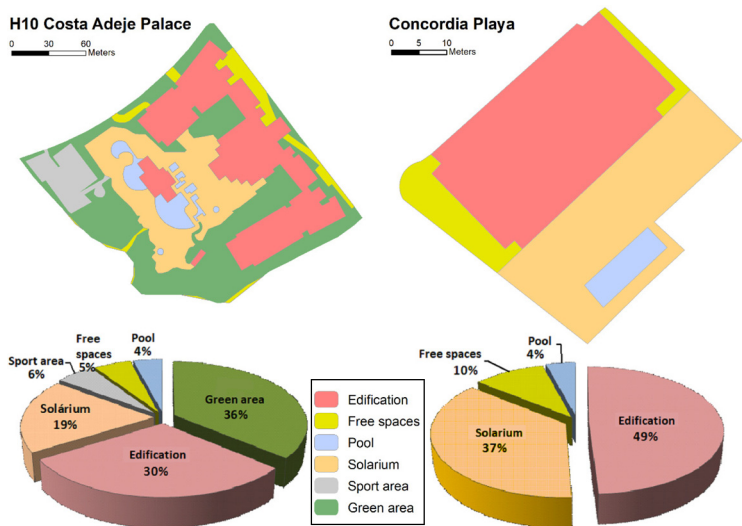
Table III.
Comparison between
the minimum sizes
required for hotel
rooms by Decree 149/
1986 and decree 142/
2010 (in m²)

	One star		Two stars		Three stars		Four stars		Five stars	
	Decree 149/1986	Decree 142/2010	Decree 149/1986	Decree 142/2010	Decree 149/1986	Decree 142/2010	Decree 149/1986	Decree 142/2010	Decree 149/1986	Decree 142/2010
Singles	6	16	8	18	10	21	12	25	15	28
Doubles	12	16	14	18	16	21	18	25	25	28
Suites	19	16	23	18	25	21	27	25	30	28
Sources: Decrees 149/1986 and 10/2001										

Type of standard	Element built	Decree 10/2001	Decree 142/2010
Density	Minimum net surface area of the plot per bed space	Conventional In renovation areas	60 m ² 50 m ²
Facilities	Parking facilities	One space for every three bed places, preferably located underground and within the plot occupied by the establishment	Minimum capacity for one bus and one car simultaneously
	Driveways to allow the easy arrival of vehicles	Minimum capacity for two buses and two cars simultaneously	Pre-existing establishments are exempt, if they can demonstrate that it is technically impossible, as well as those with less than 100 bed places
	Pool	Establishment of less than 100 bed places	Minimum 1 m ² /bed place
	Terraces dedicated to solarium	Minimum surface area of 50 m ²	Capacity in accordance with the bed places
	Specific place for waste containers	3 m ² /bed place	Minimum surface of 9 m ² of the plot per bed place used for garden areas. In this way 2 m ² can be used for sports or recreational areas
	Surface area of garden green spaces	7 m ² /bed place	
	Surface area of sports areas	2 m ² /bed place	
Infrastructure and services	Supply of potable water	Guarantee of a minimum volume of 200 L of potable water/per bed place/day	Storage tank of 300 L/bed place (500 if the supply comes from a source other than the general network)
Design and development of the tourist establishment	Tourist accommodation establishment	The minimum area released as buildable land will not be less than 10 hectares (unless the Island Planning Law allows it)	Planning should define the limits, in the absence of this, it will be five and four stories for hotels and other establishments, respectively
	Maximum number of stories		

Sources: Decrees 10/2001 and 142/2010. Created by authors

Table IV.
Summary of the
main standards set
by Decree 10/2001
and Decree 142/2010



Source: Created by authors

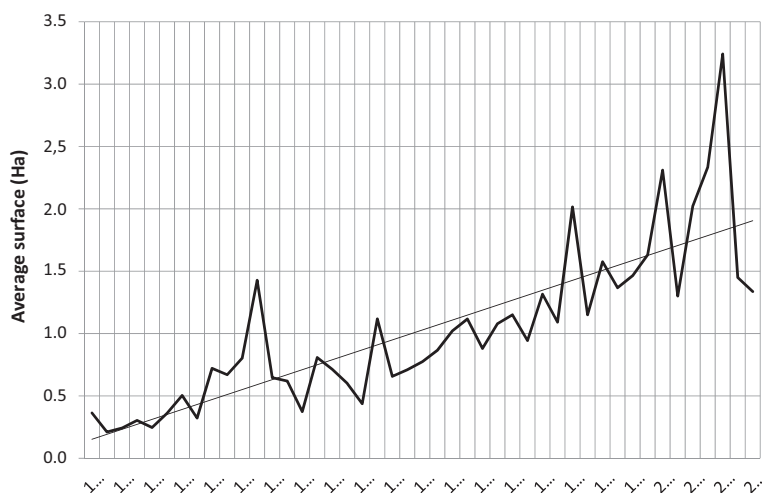
Figure 1.
Comparison of the
vertical and
horizontal
accommodation
establishment
building models

tourism ratio in the Balearic Islands, the standards in Decree 10/2001 introduce a quality requisite directed at providing more space and, therefore, greater comfort for the customers. On top of everything else, the type of architecture used has attempted to avoid the standard, undifferentiated product that had been built until then, as well as international stereotypes lacking personality or identity (Cáceres Morales and Pescador Monagas, 2001).

This new kind of hotel has led to a significant increase in the average size of the plots occupied by new establishments. The average size has been increasing since the middle of the 1990s, after the enactment of Decree 10/2001, translating to significant growth in the area occupied by accommodation establishments (Figure 2); therefore, an establishment that occupied on average 0.5 hectares in the 1970s and over a hectare in the 1980s now occupies plots as large as 3 and 4 hectares; in this way, a single horizontal hotel occupies the same space as seven or eight establishments from the 1970s (García Cruz, 2014). This explains a change in tendency: although the number of tourist accommodation establishments that were built during the first and third tourism boom was greater than the occupied area, the accommodation model at the end of the 1990s and therefore what was developed during the third tourism boom, is characterized by the incorporation of fewer accommodations, but of greater size (Figure 3).

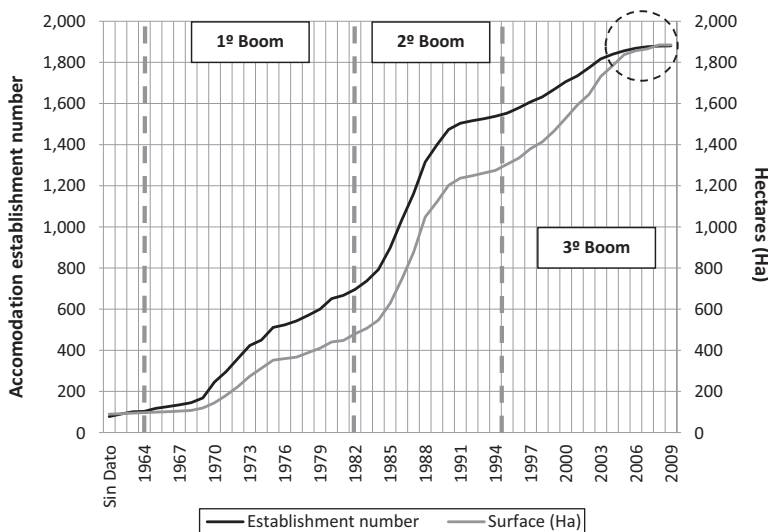
However, the smaller surface areas of unoccupied land, the empty spaces where new infrastructures could be developed and plot structures whose average size was too small made it difficult to apply tourism standards to new tourism projects that wanted to fit into the existing urban layout. We must keep in mind that the average size of a vacant lot in the 36 tourism areas in the Canaries is 0.53 hectares, well below the needs for the new model of tourism accommodations (García Cruz, 2014). Only four tourist areas have vacant plots that average more than 1 hectare in size (Figure 4). Decree 10/2010 tried to resolve this problem by making it possible to obtain special dispensation from the density standard (Article 4).

The need for more space made it necessary to build new horizontal hotels in areas adjacent to or near consolidated tourist areas or in other, less congested municipalities. The



Source: Reinven TUR Project/García Cruz (2014), created by authors

Figure 2.
Evolution over time
of the average size of
the plot of tourist
accommodation
establishments (in
hectares)

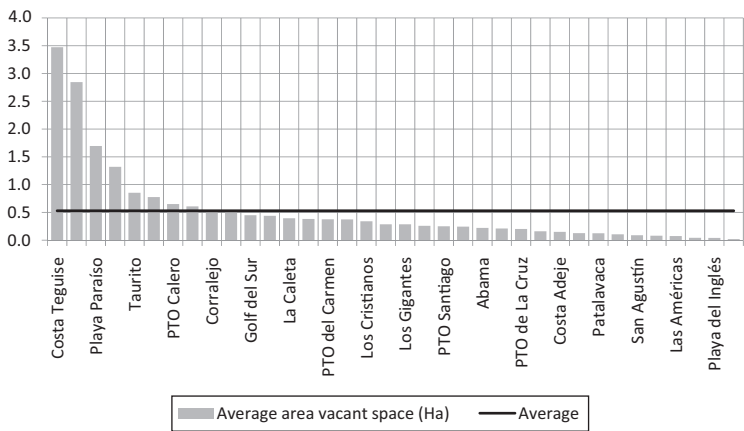


Source: Reinven TUR Project/García Cruz (2014), created by authors

Figure 3.
Relation between the
number of tourist
accommodations and
their occupied surface
area in Tenerife, Gran
Canaria,
Fuerteventura and
Lanzarote

increased plot sizes derived from the requirements of density standards were a significant driver behind the fact that the surface area occupied by tourist accommodations was the third largest form of production in tourist areas during the second stage of the tourism boom (23 per cent), behind the complementary offer of golf courses (13 per cent) and residential

Figure 4.
Average size (ha) of
empty plots in tourist
areas in the Canaries
(2009)

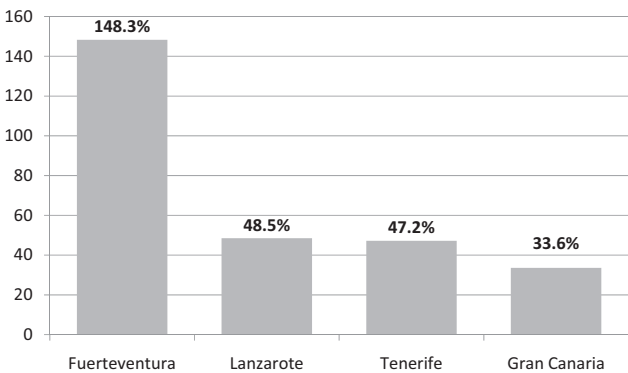


Source: García Cruz (2014)

areas (18 per cent) (Simancas Cruz *et al.*, 2011; García Cruz, 2014). Therefore, it contributed to an intense increase (56.6 per cent) in surface area occupied by tourist areas on islands of the Canary Archipelago that have a consolidated tourism industry, between 1998 and 2009 (García Cruz, 2014), producing unequal situations, depending on the island (Figure 5)

This territorial expansion is due to the fact that municipal public administrations have been “obsessed” with creating new tourist areas as a strategy to rejuvenate consolidated tourist areas (González Hernández, 2008) and so habitually prioritize investment in new infrastructures for those areas. It has also been favoured by the enormous, in relative terms, amount of land available on the periphery of consolidated tourist areas or in municipalities that until that moment had not been exploited for tourism, which is better suited for building the new type of tourist establishments in demand. This has led to the creation of new tourist developments and a consequent increase in the offer of tourist accommodations, with better operating conditions consistent with the physical parameters outlined in Decree 10/2001. The result was a widespread “scorched earth” strategy, which led to a highly paradoxical

Figure 5.
Growth rate of land
occupied by tourism
activity between 1998
and 2009 on islands
with a consolidated
tourism industry



Source: Reinven TUR Project(2012)/García Cruz (2014)

situation: while the newer tourist developments “colonized” new areas, the older ones, with worse operating conditions and less competitive, were located in the most desirable areas of the coast for tourism.

In any case, this growth in tourist areas contradicted a strategy of both the Territorial and Tourism Planning Directives approved by Law 19/2003, which was to reduce new land consumption and reuse land in areas where tourism was already consolidated. In this sense, the physical standards established in Decree 10/2001 contradict the approach of Territorial Planning Directive 77 regarding “territorial efficiency”, in that land usage policies should avoid promoting high consumption models and endeavour for compact and dense actions and implantation in underused urban settings. It also repudiates Territorial Planning Directives 66 and 69, which seek to avoid new land consumption through planning that “minimizes land consumption and prioritizes the efficient use of land that is already occupied through renovation and reuse”. It also enters into conflict with territorial sustainability, because the resulting accommodation model consumes more key environmental resources (energy, water, etc.) and generates a greater volume of waste.

In the same way, the physical standards set forth in Decree 10/2001 favour the colonization of new land in detriment to the renovation of existing accommodation establishments and, therefore, strategies to create new tourist areas to rejuvenate consolidated tourist areas. As mentioned, this was favoured by the relatively huge amount of land available in the “peripheries” of consolidated tourist areas or in municipalities that had not yet been used for tourism and that were suitable for new tourist developments (Figure 6).

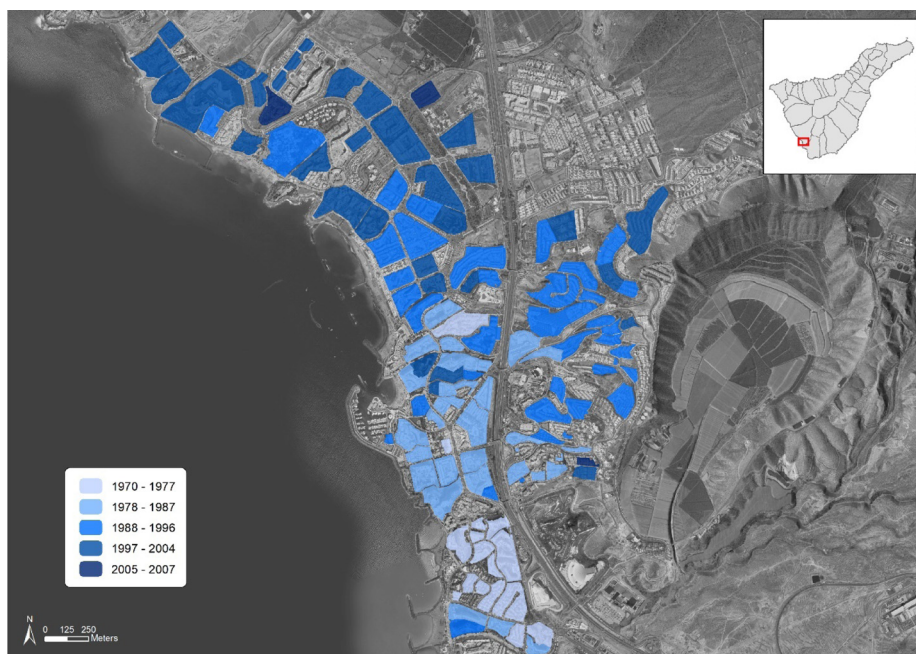


Figure 6.
Evolution of the age
of tourist
accommodation
establishments in
Costa Adeje
(Tenerife)

Source: Urban cadastre, created by authors

The second effect of the standards set by Decree 10/2001 is related to their consideration as urban parameters rather than tourism parameters (Blasco Esteve, 2002; Sola Teyssiere, 2007), which was a technique to effectively implement limits consistent with the tourism moratorium strategy in the Canaries (Simancas Cruz, 2015). More specifically, because these urban standards essentially delineate the legal framework that defines private ownership of land, they forced private developers to abide by a particular building model. In other words, the application of these standards did the opposite of “liberating” the building model; by affecting, among other aspects, the size of the plot or the time and money needed to develop land and build a tourist accommodation, the strategy has limited the elasticity of the accommodations on offer. This was an example of the technical and political sector coercively implementing criteria; a decision made by public authorities to intervene in land usage in a way that directly impacted free enterprise, curtailing its creativity, innovation and entrepreneurship, as well as restricting the constitutional right to property (land usages) (Villar Rojas, 2004), thereby affecting business equality and freedom (tourism activity) on the whole and, in particular, the ability to freely access and remain in the market. This explains the decision to replace small- and medium-sized promotions (between 100 and 500 bed places), which required risking smaller amounts of capital for high occupancy hotels derived from the application of Decree 10/2001. Of course, this change required greater amounts of capital that only a certain kind of operator was capable of investing. The urban standards can be considered a discretionary filter set by established businesses to make it more difficult for competitors to enter the market, affecting, above all, smaller developers who could not undertake building large hotels, mainly because of the size of the investment required and the scarcity of plots of land large enough to meet the legal standards. All of this favoured large hotel companies, in so far as they could assume the large investment and also had access to plots large enough to comply with the standards.

From this perspective, this can be viewed as an example of a group of businessmen – and therefore, of *entrepreneurship* – having influence over the executive or legislative branch of the government, giving rise to a case of “regulatory capture”. In this case, real estate developers, the majority with large stakes in the tourism market and access to information that their competitors did not have, had already acquired plots of sufficient size before the size requirements had even materialized. In this regard, just as occurred with the legislation on this material in the Balearic Islands (Socias Camacho, 2009), the application of the density ratio defined in Decree 10/2001 generated the need for larger amounts of land and, despite the large offer of plots zoned for tourism, which had at the time generated the need to implement tourism moratorium (Simancas Cruz, 2016), the price of land rose, because there was a scarcity of plots with the right dimensions.

All of this meant that Decree 10/2001 exclusively favoured the interests of a certain sector of the tourism industry, big developers who had taken part in a private consultation. These actors became a “privileged group”, each with individual interests and areas of power, who would behave as “definitive stakeholders” (Mitchell *et al.*, 1997) with decisive influence on local authorities, even defining the political agenda on this material. In other words, they acted as *lobbies* whose conduct approximated that of an oligopoly. Because of the servitude of political actors who had the capacity to intervene, this situation resulted in the subordination of collective interests to private ones, guided by the logic of market opportunities, to the point that they even interfered with the principle of non-discrimination of economic operators. The regulatory process has favoured the most influential offerors, specifically, large, specialized companies with the capacity to manage highly skilled sectors. Those who have not been able to adapt to the new conditions defined by Decree 10/2001

have been forced out of the market, while those who already had powerful positions have been protected and further enriched.

2.3 Third stage (2013-today). The reduction of plot density standards for tourist accommodations undergoing building renovation

Requiring prior authorization from the competent administration (Cabildo) to renovate the buildings of tourist accommodations (article 21 of Decree 10/2001) became a constraint to their viability, despite the fact that, as mentioned earlier, it had been intended to be one of the main pillars of the tourism moratorium. This was due to the fact that the majority of the establishments built before 1995 did not meet the density standard; according to the Evaluation Report of Law 2/2013, October 2014, *on tourism renovation and modernization* (Government of the Canary Islands), the standards common at that time ranged between 20 and 30 m² of plot per bed place. This discrepancy with the provisions of the new urban planning directives caused a large number of establishments to be classified as “unregulated”. So, in general, they could only carry out work to preserve habitability or work related to the original usage of the accommodation establishment.

A paradigmatic example of this situation can be seen in the municipality of Puerto de la Cruz (Tenerife): if we consider the plots of land covered by the 2000 Urban Cadastre, 59.4 per cent (4,503 plots) are no larger than 1 hectare, with recreational space limited to small sports areas, green spaces, small pools and other features (Figures 3 and 4). In these cases, the application of the tourism standards makes it impossible to build new tourist accommodation establishments or to renovate existing ones (Figures 7 and 8).

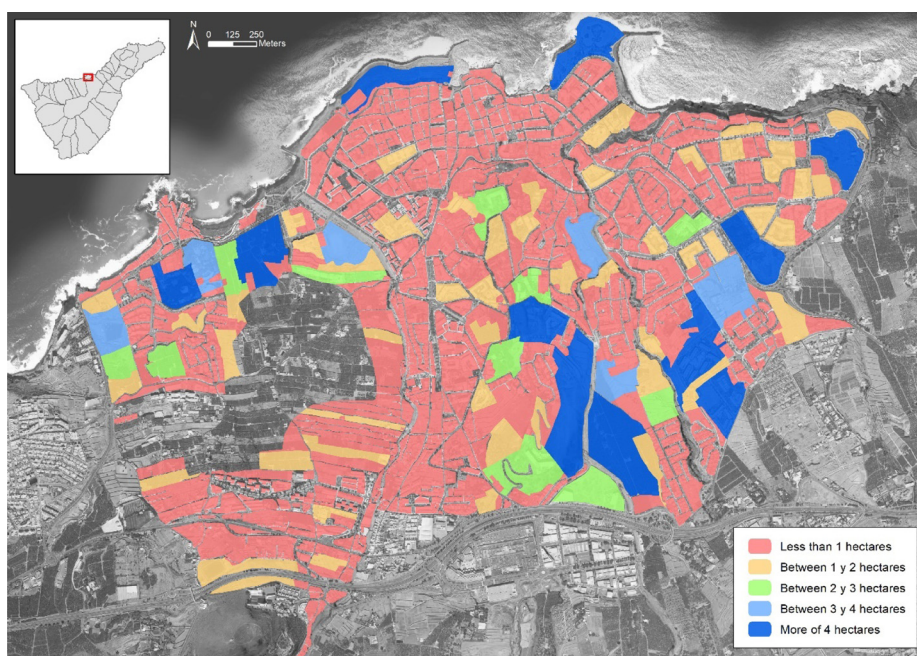
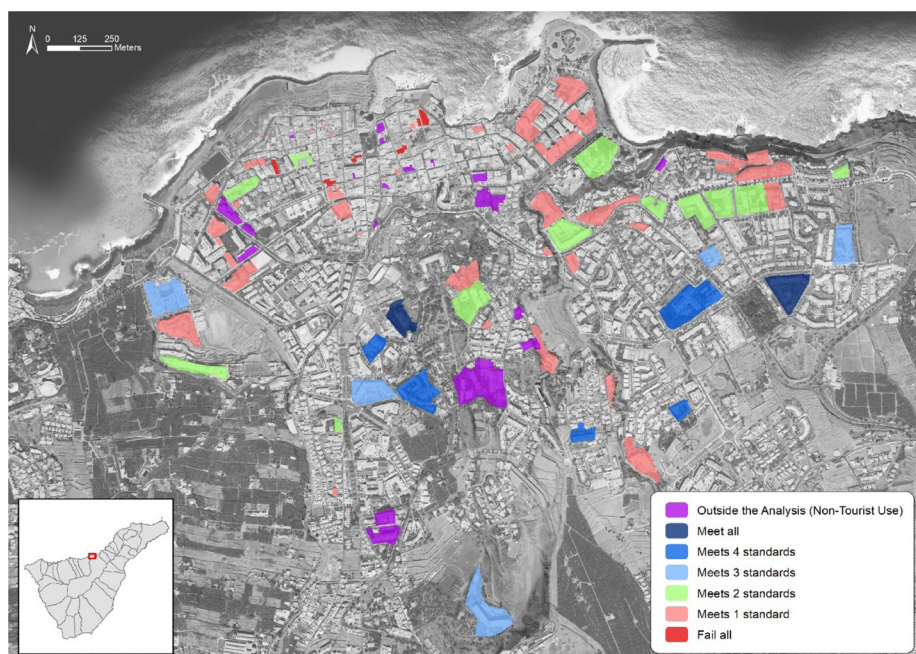


Figure 7.
Land plot sizes in
Puerto de la Cruz
(2000)

Source: Dorta Rodríguez and García Cruz (2010)

Figure 8.
Compliance with the
tourism standards of
Decree 10/2001
among tourist
establishments in
Puerto de La Cruz
(Tenerife)



Source: Created by authors

As a consequence, applying these urban standards came into conflict with the tourism moratorium in the Canaries: while the moratorium policy sought to limit the expansion of land used for tourism and the massive growth of new bed places, the norms that were enacted to classify accommodations created an enormous obstacle to renovating accommodations that were built in tourist areas prior to 2001. There was an attempt to correct this conflict in Tourism Planning Directive 19, which stated that if the urban planning rules in force in a tourist area allowed total buildability to be increased, it could be applied to a plot that was to be substituted without having to meet the standards of Decree 10/2001, as the number of bed places was not increased.

The situation changed during the third stage of the tourism moratorium in the Canaries (2009-present day). This began with the enactment of Law 6/2009, 6 May, *on urgent measures in territorial planning for the revitalization and planning of tourism*, which partially modified Law 19/2003, and was later substituted by Law 2/2013, 29 May, *on the renovation and modernization of tourism in the Canaries*, which, in turn, was modified by Law 9/2015, 27 April. This set of laws had a common goal: to incentivize renovation of tourist accommodations by removing obstacles to this process (Simancas Cruz, 2016). To this end, Law 2/2013 made it possible to reduce the density standard of tourism land for establishments that renovate their structures in two circumstances contemplated in the corresponding Modernization, Improvement and Increased Competitiveness Plans that had originally been stipulated by Law 6/2009:

- The density may be reduced to the standard at the time the accommodation establishment was authorized or, if more favourable in the interested party's judgement, to that which was in force at the time the renovation was authorized for

establishments that will improve their rating without increasing the number of bed places and buildability.

- To a minimum of 50 m²/bed place for establishments with a current standard between 50 and 60 m²/bed place and whose renovation project involves increasing the number of bed places and built-up area.

These measures were added to the dispensations contemplated by Article 35 of Decree 142/2010, which allows non-compliance with certain standards, when justified by a report by the competent authority of the regional government.

Evidently, this decision was made to favour the renovation of tourist accommodation establishments opened before Law 7/1995 came into force. In addition, it was an attempt to allow a significant number of establishments to shed the “unregulated” status initially generated by Decree 10/2001, insofar as they had the right to the density standard in force when they were originally built or, if more favourable, the density standard in force at the moment the renovation was authorized. This exoneration from certain tourism parameters facilitated access to the urban incentives contemplated in Law 6/2009.

3. Discussion and conclusions

Our analysis verified that the final objective of setting standards for tourist establishments was to improve their quality by defining the minimum physical dimensions of the establishment’s structural elements (room size, percentage of green spaces and sports facilities, etc.). Because of that, they passed from regulating the minimum dimensions of structural elements of tourist accommodations to the regulation of density standards. This made it possible to improve the rating of tourism establishments.

However, the “quality tourism” euphemism, which has been frequently used to justify the application of these standards in the past, is based on a conceptual error that judges the quality of a tourist accommodation establishment according to its rating and its minimum physical characteristics. There are several reasons why we believe that physical parameters should be replaced as a rating criterion for accommodation establishments.

First of all, quantifiable criteria that exclusively consider the physical or operational parameters of a tourist establishment are no longer sufficient to provide quality service that meets the needs and expectations of customers. In this sense, it is not enough to set standards for surface area parameters or essential amenities when organizing new tourist developments, but rather it is the qualitative aspect that must be addressed. At the same time, a quality tourist accommodation establishment is not obtained merely by reducing density, which constitutes the significant standard. Moreover, the problems of low quality in tourist areas are not only caused by excessive density. According to the 2014 report published by the Spanish Confederation of Hotels and Tourist Accommodations on the performance of hotels from 2008 to 2013, those that have specialized and offered a differentiated service have positioned themselves among a specific objective public, thereby allowing them to increase rates and profits. However, the way tourism standards have been set in the Canaries has committed the common error of overlooking the customer’s (subjective) perception and, above all, the importance of meeting their expectations, which can be measured through qualitative and intangible criteria (service, personalized treatment, etc.); in this sense, quality of service is a key factor in differentiating what an establishment offers the client and, hence, in creating competitive advantages in tourism (Hudson *et al.*, 2004). In this regard, price no longer depends on the star rating of a tourist establishment, but rather on the services provided, and the quality of service is measured simply by

comparing what customers expect with what they receive; in other words, to achieve quality, the expectations of the customers must be satisfied and exceeded.

Second, the relationship between urban standards and quality is no longer linear. That is why we believe that Decree 142/2010 perpetuates an out-of-date legal framework that is disconnected from a dynamic tourism market. Today, tourists rate accommodation establishments by the prestige of their brand or the diversity of services and experiences (entertainment, sensations, emotions, etc.) they provide. These experiences play an important role in producing customer satisfaction and loyalty to a hotel (Fuentes Medina *et al.*, 2016) that guests are willing to pay more for their stay, with the understanding that they will be able to experience certain emotions. For example, some tour operators have substituted star ratings for “concepts” by developing unique, specialized and thematic tourism products. For example, based on a GfK study, in 2010 TUI group began concentrating other tour operator brands under its own segmented brands; it consolidated hotel brands such as *Sensimar* (adults only), *Magic Life* (all-inclusive with sports activities) or *Best Family* (for families with children); and it has begun to develop others, such as *Lifestyle* (modern hotels near nightlife areas offering quality entertainment and restaurants), *Nature* (for families who want nature vacations) and *Scene* (downtown hotels for 30-45-year-old customers who want more affordable accommodations with breakfast available until midday). Another example is Thomas Cook, which has created four brands of thematic hotels: Sentido, Smartline, Sunwing and SunConnect.

Third, the main reason for setting physical quality parameters that can be measured by a rating system for accommodation establishments, to provide a basic reference for customers, is no longer necessary, given the amount of easily accessible real-time information freely available through multiple independent channels based on the 2.0 paradigm, information technologies and communication (Buhalis, 1998), as well as applications and virtual platforms (Sigala, 2017). Online reputation and positive reviews posted by customers on social networks have a direct impact on sales; in this respect, Anderson (2012) pointed out that the experiences of other guests is the primary factor behind choosing a hotel, above even location and price. Reviews affect the decision-making process before, during and after taking a trip, and this includes choosing accommodations. At the same time, accommodation establishments are starting to have access to more information about their customers and are adapting their messages to new consumer demands (Ayeh *et al.*, 2013).

Finally, because these standards involve non-derogable minimum criteria that are usually more stringent than those that they replace, their application in the Canaries has resulted in the creation of unsurmountable obstacles or handicaps that condition the processes set in motion when tourist accommodation establishments do not comply with them: they are classified as “unregulated”, contingent on individual negotiations over exceptions and waivers or they require legal reforms that acknowledge the particularity of certain cases (for example, the establishments that were built following the parameters of earlier regulations) or areas (such as accommodations associated with projects to renovate a certain tourist area). This situation affects a large number of tourist accommodations that are trying to renovate but are unable to do so because of their physical structure, regardless of the quality and success of their business models. The same occurs with new accommodations that are being built, in that they require plots of land of minimum dimensions. Therefore, to the degree to which the tourism standards seem to have been designed more for the construction of new accommodations, they have been revealed to be handicaps to the renovation of existing accommodations. Indeed, until the enactment of Law 2/2013, this put at risk the viability of this key strategy of any policy that sought to improve the competitiveness of consolidated tourist areas.

Ultimately, we suggest that it is necessary to rethink the strategies to rate tourist accommodations by legally regulated physical standards. Today, the quality of an accommodation establishment is measured by intangible parameters, such as the services provided and the experiences they generate.

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