

Meeting- Housing & Health Committee	
Meeting Date	25 th March 2026
Report Title	Adoption of Revised PSH Enforcement Policies
Lead Committee Chair	Cllr Hannah Perkin, Chair of Housing and Health Committee
Head of Service	Charlotte Hudson – Head of Housing and Communities
Lead Officer	San Nyunt – Housing Standards & Assistance Manager
Classification	Open
Recommendations	1. Approve the adoption of the revised Private Sector Housing Enforcement Policy. 2. Approve the adoption of the revised Civil Penalties Policy. 3. Note that both revised policies bring the Council into full alignment with the Renters' Rights Act 2025 and the ACEHO national enforcement model.

1 Purpose of Report and Executive Summary

- 1.1 This report seeks Housing Committee approval to adopt revised versions of the Council's Private Sector Housing Enforcement Policy and Civil Penalties Policy. The revisions ensure full compliance with the Renters' Rights Act 2025, strengthen the Council's regulatory approach, and embed the ACEHO national enforcement model being adopted across England.
- 1.2 The updated policies improve regulatory clarity, modernise enforcement powers, and provide a consistent, proportionate, and intelligence-led approach to enforcement within the private rented sector.

2 Background, Context and Proposals

2.1 Legislative context

The **Renters' Rights Act 2025** places expanded legal duties on local authorities, including a statutory duty to enforce a wide range of "Landlord Legislation" linked to tenancy management, eviction practices, safety standards, and information requirements. The Act also introduces a requirement for Councils to report enforcement activity to the Secretary of State.

In response, the Council has reviewed its enforcement framework to ensure consistency with the Act and its associated statutory guidance.

2.2 Adoption of the ACEHO national model

The revised policies adopt the Association of Chief Environmental Health Officers (ACEHO) national model, which promotes:

- a consistent and standardised approach across all English authorities
- proportionate, risk-based decision making
- clearer thresholds for informal and formal enforcement
- transparent civil penalty criteria
- transparent charges for production of legal notices
- improved consistency for landlords, agents and tenants

This alignment strengthens the Council's position as a modern and nationally-consistent regulator.

2.3 Key changes to the Enforcement Policy

The Enforcement Policy now incorporates:

- enhanced investigatory powers under the Renters' Rights Act 2025
- powers to obtain information, enter premises and gather evidence
- updated procedures for Improvement Notices, Prohibition Orders, Emergency Remedial Action, Rent Repayment Orders and licensing enforcement
- expanded offence categories including unlawful rent bidding, discriminatory letting practices, misuse of possession grounds, and failures to issue mandatory tenancy information

The policy also clarifies when the Council will move directly to formal enforcement, especially in cases of serious hazards, HMO breaches or clear contraventions of the Act.

2.4 Key changes to the Civil Penalties Policy

The Civil Penalties Policy now reflects:

- the new civil penalty regime under the Renters' Rights Act 2025
- penalties up to £7,000 for most offences and up to £40,000 for more serious breaches
- a revised assessment matrix considering harm, culpability, landlord experience and portfolio size
- strengthened financial evidence requirements where hardship is claimed
- continued provision of a 15% prompt payment discount

The policy provides clearer guidance on notices of intent, final notices and appeals.

3 Recommendations

It is proposed that the Housing Committee formally adopts:

1. the Revised Private Sector Housing Enforcement Policy
2. the Revised Civil Penalties Policy

4 Alternative Options Considered and Rejected

4.1 Do nothing

This option was rejected. Retaining outdated policies would leave the Council non-compliant with the Renters' Rights Act 2025, expose the Council to legal and regulatory risk, and weaken its ability to enforce effectively.

4.2 Maintain current enforcement approach without ACEHO alignment

Rejected. Not adopting the ACEHO model would result in inconsistency with national practice and lead to variation across authorities. The existing policies are not fit for purpose under Renters' Rights Act.

4.3 Develop an entirely bespoke local model

Rejected due to inefficiency, duplication of national work, and the risk of divergence from statutory guidance.

5 Consultation Undertaken or Proposed

5.1 This Internal consultation included:

- Housing Standards & Assistance Team
- Housing Management & Housing Options
- Legal Services
- Finance
- Planning
- Environmental Response Team

External consultation was not required, as these are regulatory enforcement policies reflecting statutory duties.

6 Implications

Issue	Implications
Corporate Plan	The revised policies support objectives around improving housing standards, safeguarding vulnerable residents, and ensuring fair and transparent enforcement.
Financial, Resource and Property	The revised policies may increase income from civil penalties, but they are not intended to generate profit. Their purpose is to serve as a deterrent, strengthen cost recovery for enforcement activity and ensure that resources are in place to meet our statutory duties. This also includes increased responsibilities around investigation, compliance, enforcement, and tenant protection. To deliver this effectively, a new permanent full-time Tenancy Relations and Enforcement Officer is required to work across both the Housing Enforcement Team and the Housing Options Team. The government has provided limited burden funding for three years (£41,937 in 2025/26; £76,951 in 2026/27; and £36,185 in 2027/28). While helpful, this funding is limited and will only cover

	the post for approximately two years. Additional financial support will be needed to sustain the role in the longer term. We currently have two apprentices on fixed-term contracts to support the transition and provide longer-term resilience. During implementation, we will assess the financial position and review our existing staffing resources to determine whether further capacity is needed.
Legal, Statutory and Procurement	The revisions ensure compliance with the Renters' Rights Act 2025, Housing Act 2004, and associated statutory guidance. Legal Services have reviewed the changes.
Crime and Disorder	Clearer enforcement powers support tackling unlawful eviction, harassment and unsafe housing conditions.
Environment and Climate/Ecological Emergency	No direct environmental impacts, though improved property standards contribute indirectly to reduced energy inefficiency.
Health and Wellbeing	Improving housing conditions and enforcement of safety reduces risks of harm, injury, damp and mould-related illness, and contributes positively to residents' wellbeing.
Safeguarding of Children, Young People and Vulnerable Adults	Stronger enforcement protects vulnerable tenants, including children, older people and those with disabilities or health needs.
Risk Management and Health and Safety	The strengthened framework mitigates risk of legal challenge and improves regulatory transparency.
Equality and Diversity	No negative impact identified. The policy explicitly prohibits discriminatory letting practices covered by the Act.
Privacy and Data Protection	Personal data will continue to be managed in line with UK GDPR. Investigatory powers are used proportionately.
Local Government Reorganisation	No direct implications at this stage.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix 1: Draft Housing Enforcement Policy
- Appendix 2: Draft Civil Penalties Policy
- Appendix 3: Key Changes With Adopted Housing Enforcement Policy
- Appendix 4: Key Changes With Adopted Civil Penalties Policy

8 Background Papers

Association of Chief Environmental Health Officers (ACEHO) national model policies for Housing Enforcement and Civil Penalties.