

Comparison – SBC HHSRS Enforcement Policy (Current) vs SBC PRS Enforcement Policy (New)

Area	Current HHSRS Enforcement Policy	New PRS Enforcement Policy	Key Change / Impact
Policy scope	Focuses primarily on enforcement of housing hazards under the Housing Health and Safety Rating System (HHSRS).	Covers the full range of private rented sector enforcement powers and responsibilities.	Major expansion in scope.
Legislative framework	Mainly based on Housing Act 2004 Part 1 hazard enforcement.	Includes Housing Act 2004, Renters' Rights Act 2025, Housing Act 1988, Housing and Planning Act 2016 and other legislation.	Aligns enforcement with modern PRS legislation.
Purpose of the policy	Sets out how the Council will respond to Category 1 and Category 2 hazards in residential properties.	Provides a strategic enforcement framework for improving standards and ensuring landlord compliance across the PRS.	Moves from operational guidance to strategic enforcement policy.
Approach to Category 1 hazards	Duty to take action where Category 1 hazards exist.	Maintains statutory duty to take enforcement action where Category 1 hazards exist.	No substantive change.
Approach to Category 2 hazards	Council normally considers enforcement where hazards are Band D or lower.	Retains discretion to act on Category 2 hazards but embeds this within wider enforcement considerations.	Hazard enforcement integrated into wider policy.
Standard of remedial works	Requires improvements that reduce hazards and prevent short-term "patch and mend" repairs.	Focuses on enforcement options rather than specifying technical hazard improvement standards.	Technical detail reduced in favour of enforcement framework.
Enforcement approach	Informal action generally preferred unless serious hazards exist.	Informal action still considered but formal enforcement may be used immediately in serious or deliberate breaches.	Stronger regulatory stance.
Investigatory powers	Limited discussion of investigatory powers.	Detailed powers for information notices, entry to premises and document seizure.	Clearer investigative framework.

Enforcement tools available	Mainly Housing Act 2004 tools (improvement notices, prohibition orders, hazard awareness notices).	Full enforcement toolkit including notices, emergency powers, civil penalties, prosecutions, banning orders and rent repayment orders.	Significantly expanded enforcement options.
Civil penalties	Not extensively covered in the policy.	Explicitly includes civil financial penalties as an alternative to prosecution.	Reflects modern enforcement practice.
Rent Repayment Orders	Not addressed.	Council will consider applying for Rent Repayment Orders following qualifying offences.	Strengthens tenant protection.
Banning orders	Not included.	Allows Council to pursue banning orders against rogue landlords.	Targets serious repeat offenders.
Use of other legislation	Limited reference to other enforcement powers.	Integrates enforcement under environmental health, building safety and public health legislation.	Encourages cross-legislative enforcement.
Governance and transparency	Enforcement guided by Enforcement Concordat and regulatory principles.	Structured enforcement framework aligned with statutory guidance and reporting obligations.	Stronger governance and accountability.