

Summary of Changes

Enforcement Policy:

Area	Current Policy	Proposed Policy	Change Detail
Legislative Framework and Offence Coverage	Based on Housing Act 2004, Housing & Planning Act 2016 and general civil penalty powers	Aligned with Renters' Rights Act 2025 as implemented up to 1 st May 2026	Amendments to reflect incoming powers and duties
Regulators' Code	Council commits to operating in accordance with the Regulators Code unless high risk or history of non-compliance	Removed in regard to Section 107 of the Renters' Rights Act imposing a statutory duty to take enforcement action on 'landlord legislation'. Still in place for legislation that falls outside of 'landlord legislation'	Enforcement change – no longer appropriate to consider informal approach in the first instance where breach/offence of 'landlord legislation'. Code is still applicable where outside of 'landlord legislation'
Enforcement Approach	Graduated approach promoting support and voluntary compliance in most cases unless high risk or history of non-compliance	Allows formal action as the first step where 'landlord legislation' breach/offence committed.	Stronger early intervention powers in adherence with section 107
Investigatory Powers	General overview of current provisions	Adds extensive Renters' Rights investigatory powers	Expansion of powers
Rent Repayment Orders & Banning Orders	Included but less detailed	Expansion to align with RRA	Expansion to align with RRA
Scope of Enforcement / Offence Coverage (Environmental Health functions)	General reference to Environmental Health enforcement powers, with limited explicit reference to animal licensing penalty notices.	Scope of Enforcement / Offence Coverage (Environmental Health functions)	General reference to Environmental Health enforcement powers, with limited explicit reference to animal licensing penalty notices.

Civil Penalty Information amendments within EH Policy:

Area	Current Policy (General EH Enforcement Policy)	Proposed Policy	Change Detail
Legislative Framework and Offence Coverage	Based on Housing Act 2004, Housing & Planning Act 2016 and general civil penalty powers	Aligned with Renters' Rights Act 2025 as implemented up to 1 st May 2026	Amendments to reflect incoming powers and duties
Regulators' Code	Council commits to operating in accordance with the Regulators Code unless high risk or history of non-compliance	Removed entirely due to Section 107 of the Renters' Rights Act imposing a statutory duty to take enforcement action on 'landlord legislation'	Enforcement change – no longer appropriate to consider informal approach in the first instance where breach/offence of 'landlord legislation'
Penalty Calculation	Locally determined matrix considering number of factors	Replaced with statutory matrix including set starting points and other structured factors including landlord type	Introduction of statutory starting points and a nationally consistent calculation method
Aggravating/Mitigating Factors	List of general considerations	Significantly expanded list including vulnerability factors, duration, severity, obstruction and harm level	More structured and transparent penalty adjustments
Financial Assessment/Representation Consideration	Minimal reference, not prescriptive	Detailed evidence requirements	Stronger evidential basis required
Public Interest Test (Section 6.6)	The policy includes a detailed and prescriptive explanation of the public interest	The section has been shortened to a concise, principle-based statement aligned with the CPS Code (2018).	Simplified wording to align with current CPS guidance and remove outdated, prescriptive language.

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	<p>Public Interest Factors (Section 6.7)</p> <p>Current Policy: The policy sets out a list of public interest factors in favour of prosecution.</p>	<p>Proposed Policy: The list has been retained with minor drafting changes to improve clarity and consistency.</p>	<p>Minor drafting changes only; no substantive amendments to the factors.</p>