

Report title	Renters' Rights Act 2025 – adoption of relevant policies
Meeting	Growth and Regeneration Scrutiny Panel
Date	20th July 2026
Cabinet Member (if applicable)	To be confirmed
Key Decision Eligible for Call In	Yes Yes
Purpose of Report This report provides an update on the implementation of the Renters' Rights Act 2025. The report also seeks views and comments on two new policies which are required following the implementation of the Act, which are progressing through to Cabinet for approval (via pre-decision Scrutiny). • Private Sector Housing Enforcement Policy (June 2026 v1.0) • Civil Financial Penalty Policy - Private Sector Housing (June 2026 v1.0)	
Recommendations • That the Scrutiny Panel notes the update on progress with implementation of the Renters' Rights Act 2025 • That the Scrutiny Panel considers the two relevant policies which are progressing to Cabinet for approval - ○ Private Sector Housing Enforcement Policy ○ Civil Financial Penalty Policy	
Reasons for Recommendations • The creation/ adoption of new policies is necessary to align with legislative changes under the introduction of the Renters' Rights Act 2025. • The policies are both legally compliant and based on statutory guidance provided by the Ministry of Housing, Communities and Local Government (MHCLG). • The policies will support officers to carry out the necessary work to investigate and enforce the Act which covers the private rented sector (residential). • The policies are transparent for tenants, landlords, and other relevant parties on the Council's approach to meeting legislative duties. • The existing Council Enforcement Policy (Kirklees Guide to Enforcement, July 2024) covers a wide range of enforcement duties/functions undertaken across the Council and is already in use for private rented sector enforcement. The corporate enforcement approach is based on the Regulator's Code (Legislative and Regulatory Reform Act 2006) which is a framework providing clear principles for regulatory activities. The Renters' Rights Act 2025 sits purposely outside the Code, because the new Act is predicated on an 'enforcement first approach'. It therefore feels more appropriate to have a separate service-specific policy covering the Renters' Rights Act elements of private sector housing enforcement.	

- With regards the intended 'Civil Financial Penalty Policy – Private Sector Housing', having this stand-alone document will allow for transparency when penalties are calculated and imposed; based on financial starting points outlined by MHCLG and gives general rationale as to how adjustment factors may be applied. The policy covers all penalties applicable to the private rented housing sector not just those in place under the Renters' Rights Act. In addition, changes are being introduced from 23rd June 2026 to the Housing Health and Safety Rating System (HHSRS). This will include a new power for local authorities to impose an additional financial penalty for landlords whose properties have a Category 1 hazard. Both new policies also incorporate this amendment.

Resource Implications:

There are no direct resource implications for adopting and publishing the two policies.

Indirectly, there are resource implications for investigating potential breaches under the legislation and enforcing those. New burdens funding has been utilised to create a new Tenancy Relations function to complement the work of the Compliance Team. Two Housing Solutions Officers and one Senior Housing Solutions Officer will focus on prevention of homelessness by early intervention on eviction notices and tenancy issues but also give us an enlarged enforcement presence which will enable us to advance case work on more serious breaches towards legal action.

The work of the Tenancy Relations Function and wider impacts on Housing Compliance will continue to be monitored as the new legislation is embedded.

Date signed off by Executive Director & name

David Shepherd, Executive Director (Place) sign off on 6 July 2026

Is it also signed off by the Service Director for Finance?

Financial implications reviewed and signed off by Finance Manager 24 June 2026

Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?

Legal sign-off on 25 March 2026

Electoral wards affected:

All

Ward councillors consulted:

N/a

Public or private:

Public

Has GDPR been considered?

N/a – no personal data is included in the report

1. Executive Summary

The Renters' Rights Act received Royal Assent in October 2025, with the initial phase of the main tenancy-related provisions coming into force on 1st May 2026. The legislation represents the most significant reform of the private rented sector in a generation and is intended to create a fairer, more stable and more accountable rental market for both tenants and landlords.

The private rented sector plays a vital role in Kirklees' housing market, providing homes for around 34,000 residents and making an important contribution to homelessness prevention and housing choice. The Council is committed to supporting a private rented sector that is safe, viable and sustainable, where responsible landlords are able to operate successfully and tenants can access good-quality, secure housing.

The Council recognises that the vast majority of landlords seek to comply with their legal responsibilities and provide good-quality accommodation. The introduction of the Renters' Rights Act provides an opportunity to build upon existing good practice, increase confidence in the sector and create a more consistent standard of management and property condition across all privately rented homes.

The Council's current responsibilities towards the private rented sector are delivered primarily within the Housing Solutions Service, in the Place Directorate. Our main responsibilities are split between homeless prevention and relief duties owed to private rented tenants facing eviction, and housing compliance duties relating to private rented tenants who are experiencing disrepair or poor conditions in their rented home.

The introduction of the new Act has strengthened enforcement powers for local authorities. Due to this, new policies are required in order to implement the new provisions contained within the Act, namely:

- the Private Sector Housing Enforcement Policy (June 2026 v1.0) and
- the Civil Financial Penalty Policy - Private Sector Housing (June 2026 v1.0)

Together, these policies provide a clear, transparent and proportionate framework for the Council's regulatory role in the private rented sector. The policies set out how the Council will promote compliance, support positive behaviour change, encourage good standards of tenancy management and take action where serious or persistent non-compliance occurs. The policies aim to create greater clarity for tenants, landlords and managing agents, supporting a more professional and consistently managed private rented sector across Kirklees.

2. Information required to take a decision

- 2.1 The Renters' Rights Act received Royal Assent on 27th Oct 2025. A small number of investigative powers for local authorities were introduced in December 2025, and the initial phase of the main tenancy-related provisions came into force on 1st May 2026.
- 2.2 The Act encompasses the biggest changes for at least a generation, to the private rented housing sector. Key provisions in the Act which are now in place are:
 - Ending the assured shorthold tenancy (AST) regime and introducing assured periodic tenancies for all.
 - Ending the practice of section 21 or 'no-fault' evictions.
 - Limits on bonds and rent in advance.
 - Formal rent increase procedures.

- Right to request pets.
 - Discrimination of tenants on grounds such as having children in the household or benefits entitlement to be outlawed.
- 2.3 Further key provisions which will be introduced in future phases (dates to be finalised) include:
- Introduction of Awaab's Law to the private rented sector.
 - Introduction of a Private Rented Sector Ombudsman.
 - Private Rented Sector database to record all landlords and properties.
 - Further strengthening of housing standards (Decent Homes Standard)
- 2.4 The introduction of the new Act also strengthened enforcement powers for local authorities. Due to this, new policies are required in order to implement the new provisions contained within the Act, namely:
- the Private Sector Housing Enforcement Policy (June 2026 v1.0) and
 - the Civil Financial Penalty Policy - Private Sector Housing (June 2026 v1.0)
- 2.5 These policies set out how the Council will take proportionate, consistent and legally compliant enforcement action in the private rented sector.

Background and context to enforcement in the private rented sector

- 2.6 The private rented sector is an increasingly important part of the housing market in Kirklees. As at the 2021 Census, just over 19% of households lived in privately rented accommodation, equating to approximately 34,000 tenants. The Council recognises the significant contribution that private landlords make to meeting housing need across the district. The sector provides housing choice, supports labour mobility, accommodates a wide range of household types and plays a critical role in preventing and relieving homelessness. The Council's objective is to support a private rented sector that is safe, sustainable and financially viable, where tenants have access to good-quality homes and responsible landlords are recognised, supported and able to operate with confidence.
- 2.7 In 2025 Housing Solutions conducted 2822 homeless assessments, with the end of an assured shorthold tenancy accounting for over 20% of these cases. The vast majority of these cases would have been tenants who were served with a section 21 (no fault) eviction notice.
- 2.8 The Council has well-established statutory duties regarding the enforcement of standards within the private rented sector contained within the Housing Act 2004, Protection from Eviction Act 1977 and the Housing Act 1988. The Renters' Rights Act 2025, introduces strengthened rights for tenants in the sector with additional duties and enforcement routes for local authorities, alongside existing powers, including:
- Enhanced investigatory powers to obtain information/documents and support evidence-gathering for offences as provisions commence.
 - Expanded use of civil financial penalties for prescribed offences, supported by the accompanying 'Civil Financial Penalty Policy - Private Sector Housing' and decision-making framework.
 - New tenancy-system compliance and enforcement pathways (including addressing unlawful eviction/harassment and other prescribed tenancy-related offences).

- Database and redress compliance activity (including enforcing registration requirements and supporting ombudsman participation), once national schemes are commenced.
- Strengthened routes for tenant redress (including rent repayment mechanisms where applicable) and increased expectations around recording and reporting enforcement activity.

- 2.9 A full list of the changes can be found on the government's website ([Guide to the Renters' Rights Act - GOV.UK](#)).
- 2.10 While many landlords already meet or exceed the standards expected of them, the Renters' Rights Act provides an opportunity to strengthen consistency across the sector, improve tenant confidence and address the minority of cases where poor management practices or unacceptable housing conditions undermine the reputation of the wider market.
- 2.11 The tenancy-related changes and expanded powers and duties regarding civil financial penalties came into effect from 1st May 2026. The database and redress schemes will be implemented as part of a later phase.

Corporate enforcement approach and framework

- 2.12 The existing Council Enforcement Policy (Kirklees Guide to Enforcement) was last reviewed in July 2024.
- 2.13 This Policy covers the wide range of enforcement duties/functions undertaken across the Council. It is used as the basis for enforcing breaches and offences in the private rented housing sector, for example, in relation to property standards.
- 2.14 The corporate enforcement approach is based on the Regulator's Code (*Legislative and Regulatory Reform Act 2006*) which is a framework providing clear principles for all regulatory activities. One of the core principles is to operate in way that allows those being regulated to 'comply and grow', for example via an education-first approach.
- 2.15 The Renters' Rights Act 2025 sits outside the Regulator's Code. This was a purposeful action by government as the new Act is in place to support tenants and good landlords and improve the sector by 'weeding out rogue landlords', therefore the Act is founded on an 'enforcement first approach'.
- 2.16 The wording of the Kirklees Guide to Enforcement does state that the Regulator's Code may not be deemed relevant or 'outweighed by another provision', however, to ensure clarity for officers, tenants and landlords it feels more appropriate to have a separate service-specific policy covering the Renters' Rights Act elements of private sector housing enforcement.
- 2.17 The new Policy will be the primary document that officers will follow for Renters' Rights Act related investigation and enforcement. There will, however, be specific areas not explicitly outlined in the new policy and for those, officers will still use the overarching Kirklees Guide to Enforcement. These are outlined below.
- 2.18 Enforcement across the private rented sector covers a wide range of legislation. Where the Renters' Rights Act focuses on tenancy-related enforcement, several other key pieces of legislation cover housing standards. The Kirklees Guide to Enforcement would therefore continue to be used for these areas.
- 2.19 Additionally, there are other sections of the Kirklees Guide to Enforcement which aren't duplicated in the Private Sector Housing Enforcement Policy these include:

- section 4 – Standards – this outlines the standards that the Council expects officers to adhere to when carrying out their investigation and enforcement functions
- section 5 – Conduct of investigations – this details that the burden of proof for enforcement will sit with the Council and therefore investigations must be carried out in a consistent and thorough way, in line with relevant named legislation
- section 7 – Decisions on enforcement action – elements of this section will also be followed, such as Statutory (Legal) Notices (serving of these and what is to be included); Refusal/Suspension/Revocation of Licences (this would apply, for example, where breaches or offences have a direct impact on a licenced property and whether that property should have its licence revoked) and Works in Default (the Council carrying out the works where landlords have refused or not undertaken them).

Operational implementation of the Renters' Rights Act 2025 (initial phase)

- 2.20 Housing Solutions Service has worked diligently behind the scenes to prepare for, implement and start to embed the initial phase of the Act. Engagement with regional colleagues and the Jigsaw project (commissioned via MHCLG) has seen us develop a much greater understanding of the potential impact of the Act and grow stronger links with other regional authorities, working towards a common consensus on its application.
- 2.21 Awareness sessions and training provided by Shelter and the Jigsaw project have been delivered to the service as a whole to support a growing understanding of the new provisions of the Act and the operational changes required to effectively implement it. Frontline officers are well prepared to engage with customers and landlords on the changes arising from the new Act.
- 2.22 Prior to the Act, the Housing Compliance Team comprised 8.5 FTE employees, with an active caseload of 908 cases. The team's cases relate primarily to several property-related issues including, damp/mould, disrepair, lack of heating or hot water, electrical issues, overcrowding, structural issues, landlord and tenant problems and issues around Houses of Multiple Occupations (HMOs) (including the licensing of them). All of the above required addressing with the vast majority of cases needing a physical inspection and subsequent enforcement activity. The Act's implementation does not change any of the property standards work, although it does support this work with additional investigative powers and a more rigorous Duty to Report data requirement.
- 2.23 As part of the Act's implementation, new burdens funding has been provided which alongside training and data-related spend, has been utilised to create a new Tenancy Relations function to complement the work of the Compliance Team. Two Housing Solutions Officers and one Senior Housing Solutions Officer will focus on prevention of homelessness by early intervention on eviction notices and tenancy issues but also contribute to an enlarged enforcement presence which will enable us to advance case work on more serious breaches towards legal action.
- 2.24 Immediate work under the new remit of the Renters' Rights Act has been apparent, particularly regarding potential breaches on the issuing of tenancies; tenant-landlord mediation; illegal eviction and rental discrimination. All of the relevant cases are being investigated, with legal input as needed and will progress to formal enforcement where necessary.
- 2.25 As part of the project group, colleagues from Communications have given invaluable input to the communications plan and continue to support promotion of advice made available to tenants and landlords. Landlord and tenant communications have been published, via website and social media, and stakeholder comms developed and shared as needed.

2.26 The relevant scheme of delegation has also been updated based on legislative changes.

Private Sector Housing Enforcement Policy

- 2.27 The adoption of a specific Private Rented Sector Enforcement Policy is designed to complement the existing Kirklees Guide to Enforcement and allow the Council to fully implement the new provisions of the Renters' Rights Act and continue to drive the improvement of standards within the private rented sector.
- 2.28 The template used for this Private Rented Sector Enforcement Policy was made available for use by English local authorities by the Association of Chief Environmental Health Officers in England. The template has been shared via the MHCLG commissioned network, Jigsaw, which promotes collaboration across all local authority private rented sector teams in England and supports readiness for Renters' Rights Act reforms. It is deemed legally compliant and a significant number of local authorities are likely to adopt it, including Calderdale Council which has already taken their policy through approval.
- 2.29 The policy sets out the Council's principles for enforcing and executing its duties as a Housing Authority under the relevant statute and to ensure enforcement action is taken in line with the provisions of the Renters' Rights Act 2025 and mandatory guidance to local authorities. The policy sets out what property owners, landlords, their agents or any other person involved in the letting or management of privately rented accommodation, and tenants of private rented sector properties, can expect from Council officers when dealing with non-compliance.
- 2.30 The Renters' Rights Act 2025 sits purposely outside the Regulator's Code. This is because the new Act is predicated on an 'enforcement first approach' and therefore the policy clearly sets out that the Council can commence enforcement with formal action instead of informal action in the first instance where needed. The Council's overarching aim is to improve outcomes across the sector, with the new powers providing an important mechanism for addressing serious breaches and protecting tenants, whilst also creating a level playing field for responsible landlords who already meet their legal obligations.
- 2.31 In addition to the Renters' Rights Act, changes are being introduced from 23rd June 2026 to the Housing Health and Safety Rating System (HHSRS). This will include a new power for local authorities to impose an additional financial penalty for landlords whose properties have a Category 1 hazard. The draft policy also incorporates reference to this amendment.

Civil Financial Penalty Policy – Private Sector Housing

- 2.32 This policy applies once the Council has made a decision to commence civil penalty proceedings and outlines the Council's methodology and mechanism for assessing and setting the level of a civil penalty at all stages where a civil penalty is under consideration, including the preparation of a notice of intent, and where a final decision has been made to impose a civil penalty.
- 2.33 Adoption of the accompanying Civil Financial Penalty Policy - Private Sector Housing (June 2026 v1.0) ensures the Council has a clear and defensible basis for issuing financial penalties for relevant offences (including those introduced by the Renters' Rights Act 2025 as they commence), allows for a consistent and transparent approach to setting penalties and for consistent escalation to prosecution where appropriate.
- 2.34 As with the PRS Enforcement Policy above, the template for this Civil Financial Penalty Policy was also made available for use by the Association of Chief Environmental Health Officers in England. The figures used in the policy, such as starting points for calculating

penalties, are directly taken from MHCLG guidance for local authorities. It is deemed legally compliant and a significant number of local authorities are likely to adopt it.

- 2.35 Having a consistent approach to how penalties are calculated reduces the chance of a 'postcode lottery' for landlords and helps to ensure nationally consistent enforcement. We are, however, proposing a larger percentage reduction for prompt payment. The original template shared suggested 15%, which we are proposing to increase to the maximum discretionary amount allowable of 33%. The legal guidance received confirms that this aligns with the maximum credit that is given in criminal prosecutions and is a serious incentive for landlords to make a prompt payment. This should help to increase the number of penalties paid without the need to pursue additional debt recovery.
- 2.36 In addition to the Renters' Rights Act, changes are being introduced from 23rd June 2026 to the Housing Health and Safety Rating System (HHSRS). This will include a new power for local authorities to impose an additional financial penalty for landlords whose properties have a Category 1 hazard. The draft policy also incorporates this new penalty information.

3. Implications for the Council

3.1 Council Plan

The policies link directly to the Council Plan and delivery of priorities, most notably within the protecting the vulnerable and economic growth categories. Our goal that people have access to housing at a time of need is supported by these new policies which enable us to tackle poor conditions in the private rented sector, promote tenancy sustainment, develop stronger relationships with landlords and potentially bring more properties back into use.

More directly, the goal for people to have access to more and higher quality housing is intrinsic in the applications of the policies and implementation of the policies allows us to successfully meet our action that the requirements of the Renter's Rights Act are implemented in Kirklees.

3.2 Financial Implications

- 3.2.1 The introduction of the Renters' Rights Act has also come with additional new burdens funding, provided to local authorities specifically to manage the introduction and impact of the new legislation. This funding has been allocated to provide a new Tenancy Relations function within the service which will provide support to private rented tenants and landlords whilst enforcing where necessary.
- 3.2.2 The Civil Financial Penalty Policy - Private Sector Housing (June 2026 v1.0) and Private Sector Housing Enforcement Policy (June 2026 v1.0) will allow this new function (and existing service) to fully extend its remit into the private rented sector and enhance the standard of tenancy management and property conditions within Kirklees.
- 3.2.3 Adoption of the policy itself does not have any direct financial consequence.
- 3.2.4 Being able to effectively enforce against the provisions of the new act may generate income through civil financial penalties. In line with the Government's statutory guidance, income generated via civil penalties under the Renters' Rights Act 2025 and other housing legislation (published 13 November 2025) is retained by the Council and utilised to support further enforcement activity. The accompanying Civil Financial Penalty Policy - Private Sector Housing sets out the Council's approach to penalty levels, within the statutory maxima (including up to £7,000 for specified breaches and up to £40,000 for specified breaches/offences, as applicable). In determining the appropriate level in individual cases,

the policy has regard to statutory guidance factors including the severity of the breach/offence, culpability and compliance history, the harm caused (actual or potential), punishment and deterrence, and the need to remove any financial benefit obtained through non-compliance.

- 3.2.5 The risk of delaying approval of the new policies could bring additional financial burdens operationally, given the likelihood of the increased administrative burden to officers when enforcing/ issuing civil financial penalties. Additional legal support would also be likely.

3.3 Legal Implications

- 3.3.1 The current Kirklees Enforcement Policy supports compliance with the Housing Act 2004, Housing and Planning Act 2016, Protection from Eviction Act 1977, Homelessness Reduction Act 2017 and associated regulations.
- 3.3.2 It is clear however that the Renters' Rights Act 2025 confers a number of new duties and extended powers and this needs to be reflected accurately within policy to enable the Council to fulfil its obligations. Without specific amendment (as per this adoption) there is a risk that we will not be able to enforce those new duties in the most efficient and effective way and where appropriate levy a civil penalty.
- 3.3.3 The Renters' Rights Act 2025 sits distinctly outside the Regulator's Code and therefore a different enforcement approach is required compared to other enforcement-based legislation.
- 3.3.4 Adoption of a clear and specific enforcement policy for the private rented sector reduces the risk of legal challenges by ensuring decisions are transparent, consistent and proportionate.
- 3.3.5 Additionally, by adopting this policy made available by the Association of Chief Environmental Health Officers and being brought into use by a significant number of local authorities across England we buy into a collective approach to enforcement which strengthens our position.
- 3.3.6 The Council's Legal Service has agreed both draft policies are legally compliant and any additional recommendations have been implemented as appropriate. There is a potential risk of legal challenge should the approval of the new policies be delayed although some mitigations can be implemented based on the use of statutory guidance, clear rationalisation of decisions and additional legal input where required.

3.4 Climate Change and Air Quality

- 3.4.1 A Council Integrated Impact Assessment (IIA) has been completed for the adoption of the enforcement policy and civil penalty policy (IIA-814599720). No adverse climate change or air quality issues have been identified arising from the policy approach itself (which is to apply statutory powers proportionately and consistently).

3.5 Risk, Integrated Impact Assessment (IIA) or Human Resources

Risk

- 3.5.1 The enforcement policy mitigates risks relating to inconsistent enforcement, legal challenge, failure to address unsafe housing conditions and reputational harm. It provides a structured approach while retaining professional judgement.
- 3.5.2 Legal guidance confirms that enforcement can commence without the new policies in place. The risk sits not with the enforcement per se, but with how penalty levels are determined and justified without an adopted policy in place. However, statutory powers under the

Housing Act/Renters' Rights Act are not conditional on having a local enforcement policy in place. The council must therefore ensure we meet the points below. Incorporating these into day to day operations without relevant policies in place will place additional administrative duties and pressure on officers to ensure we are lawfully compliant in any interim period:

- have regard to and apply statutory powers and relevant guidance
- have regard to and apply existing policy parts that are consistent with statutory powers/guidance
- explain and refer to the above in all officer decisions and notices and officers should acknowledge/communicate where existing policy does not reflect new statutory powers and guidance. All decisions must be reasoned with clearly recorded rationale.

Integrated Impact Assessment (IIA)

- 3.5.3 The Government's Impact Assessment for the Renters' Rights Bill (published 22 November 2024) includes an equalities assessment. This notes that a number of protected groups are over-represented in the private rented sector and/or may be more exposed to poor housing conditions and insecure tenure. Overall, the measures are intended to deliver positive equalities outcomes by improving security, standards and access to the sector, including through stronger protections against unlawful eviction/harassment and measures to address discriminatory letting practices.
- 3.5.4 The Impact Assessment also recognises potential risks of differential impacts arising from market responses (for example, changes in landlord behaviour, supply and affordability), and states that these will be monitored as implementation progresses.
- 3.5.5 A Council Integrated Impact Assessment (IIA) has been completed for the adoption of this enforcement policy and civil penalty policy (IIA-814599720). No adverse equality impacts have been identified arising from the policy approach itself (which is to apply statutory powers proportionately and consistently).
- 3.5.6 Equalities considerations will be kept under review throughout implementation and embedding, including monitoring service demand, outcomes of enforcement activity and any emerging impacts on groups with protected characteristics.

Human Resources

- 3.5.7 There are no direct human resources implications.

Armed Forces Covenant

- 3.5.8 There are no direct implications on the Armed Forces Covenant.

Positive or negative impacts

- 3.5.9 The Council considers a thriving private rented sector to be essential to meeting housing need in Kirklees. The sector provides homes for thousands of residents and is a key component of the Council's approach to homelessness prevention and relief.
- 3.5.10 The Renters' Rights Act 2025, together with the supporting policies proposed within this report, presents an opportunity to improve confidence in the sector for both tenants and landlords. By promoting consistent standards, transparency and better tenancy management, the Council aims to support a private rented sector that is fair, sustainable and

attractive to responsible landlords while ensuring residents have access to safe and secure homes.

- 3.5.11 The Council's intention is not solely to address poor practice, but to encourage a culture of continuous improvement across the sector, recognising good landlords and supporting positive behaviour change while taking appropriate action against the small minority whose practices fall below acceptable standards. The Council welcomes the Renters' Rights Act 2025 as an essential way to strengthen the private rented sector as a safe, fair and viable housing option for all.

4 Consultation

- 4.1 The templates for these policies have been made available to local authorities in England by the Association of Chief Environmental Health Officers in England with input from several local authorities and support from Justice for Tenants (including legal oversight). The intention is to provide consistency across all those authorities using the same policy templates. As stated, these policies do not replace or supersede the overarching Kirklees Enforcement Policy. They are supplemental and supportive of the approach within that document whilst ensuring that the Council can enforce the new provisions of the Renters' Rights Act effectively.
- 4.2 As the policies relate to the enforcement of new legislation and largely retain many aspects of the previous approach in existing policies, they do not in effect bring about a major service change.

5 Engagement

- 5.1 Both of the new policies are formulated based on legislative requirements and government guidance for local authorities. Given its remit, the legislation inevitably creates a dichotomy of opinion between tenants and landlords, with tenants wanting a more rigorous approach and landlords the opposite. This has been demonstrated in comments from the general private rented sector as well as the juxtapositions from tenant advocacy groups and landlord networks.
- 5.2 The government's approach to the legislation included a full consultation process nationally, feedback from which was considered as part of the final Act.
- 5.3 As part of the Act's implementation, communications have been shared with Kirklees residents, with tailored landlord and tenant specific messages. Feedback and comments via social media have been monitored for adverse issues.
- 5.4 A dedicated landlord bulletin has now been created. This will include updates on legal requirements, links to broader guidance and support, training opportunities and broader private rented sector issues. This is still in its infancy, but the number of subscribers is gaining traction.
- 5.5 Future landlord forums on legislation and responsibilities are also being considered which will incorporate the Council's own landlord accreditation scheme offer.
- 5.6 A dedicated comms piece was also included in the elected member briefing on the changes under the Renters' Rights Act (first edition for new councillors).

- 5.7 The recommended option includes discussion at pre-cabinet scrutiny panel (Growth and Regeneration) which will allow for further engagement on the contents of the policies as needed.

6 Options

6.1 Options Considered

- 6.1.1 **Option 1 – to deem that the policies are not necessary or require re-drafting (progress to Cabinet not agreed).** Legal Services have confirmed that a policy is not actually required for us to enforce legislation. The policies are based on relevant legislation plus statutory government guidance for local authorities. Regardless of having the policies in place, the Council's actions for enforcing the Renters' Rights Act and determining civil financial penalty amounts therefore would still follow the same principles. However, having policies in place gives an additional level of transparency to landlords and tenants as well as allowing officers to work in the most efficient and effective way.
- 6.1.2 **Option 2 – to agree the content of the policies (progress to Cabinet agreed).** This would allow for transparent approval of the policies. It would also include further engagement / discussion via pre-cabinet scrutiny. This is the recommended process from Legal Services.
- 6.1.3 **Option 3 – to determine the policies can be approved by another body/named individual other than Cabinet.** Approval outside the Cabinet process would allow for a quicker adoption of the policies and reduce possible challenge to any enforcement cases worked on whilst policies are not in place. Legal Services' recommendation was for a fuller approval process including scrutiny discussion.

6.2 Reasons for recommended Option

- 6.2.1 The recommended option is Option 2 as stated in 6.1 - to agree the content of the policies (progress to Cabinet agreed).
- 6.2.2 This option would allow for transparent approval of the policies. It would also include further engagement / discussion via pre-cabinet scrutiny.
- 6.2.3 This is the recommended position from Legal Services. The [Council's constitution](#) includes delegated decision-making to the Executive Director of Place for all matters relating to enforcement (part 3.7, section L, paragraph 2), however, due the nature of the new legislation and required policies a fuller approval process has been deemed more appropriate.

7 Next steps and timelines

- 7.1 To progress with the approval flightpath (Executive Board, Growth and Regeneration Scrutiny Panel and Cabinet). Provisional dates have already been sought for these.
- 7.2 Once approved, the policies will take effect immediately (subject to the key decision notice period).
- 7.3 Both new policies will be published alongside other key housing and homelessness strategies and policies on the Council website. *To note: there are no other previously published versions of these policies which need to be removed from circulation.*

- 7.4 Officer guidance has been drafted to reflect the provisions of the new policies and further training will be undertaken; however, this is likely to be minimal given the policies are based on legislation and statutory guidance already in use.
- 7.5 Delivery of the wider provisions of the Act (and other private rented sector activity) will be monitored through existing management arrangements.
- 7.6 Broader governance/oversight of the policies and the application of enforcement activities will be undertaken via the Corporate Enforcement Board.

8 Contact officer

Sarah Holmes, Head of Housing Services, 01484 221000 (ext 76014),
sarah.holmes@kirklees.gov.uk

9 Background Papers and History of Decisions

- 9.1 Earlier versions of both policies were discussed at the Place Senior Leadership Team (22nd April 2026). *The policies have since had slight amendments based on the changes to the Housing Health and Safety Rating System (HHSRS).* No direct comments on the content of the policies but SLT welcomed the principles of the new legislation and the Council's new powers and duties to enforce within the private rented sector. Decision was to progress the approval flightpath.
- 9.2 Executive Leadership Team received the draft policies and covering report on 30th June 2026, and agreed for the policies to go forward for approval at Cabinet.
- 9.3 Prior to the election period, oversight of the progression of the Renters' Rights Bill/Act was shared with the Portfolio Holder for Housing and Transport including operational planning for implementation. The policy templates, however, were not available at that time.

10 Appendices

- Private Sector Housing Enforcement Policy (June 2026 v1.0)
- Civil Financial Penalty Policy - Private Sector Housing (June 2026 v1.0)

11 Service Director responsible

John Stebbings, Interim Service Director – Property (Place).