



Report to: Cabinet Meeting - 21 April 2026
 Portfolio Holder: Councillor Lee Brazier, Housing
 Director Lead: Matthew Finch. Communities & Environment
 Lead Officer: Jenny Walker, Business Manager – Public Protection

Report Summary	
Type of Report	Open Report / Key Decision
Report Title	Adoption of the Renters Rights Act 2025
Purpose of Report	To seek Cabinet approval for the adoption of the updated Private Sector Housing Enforcement Policy and associated Civil Penalty Matrix, reflecting the requirements of the Renters’ Rights Act 2025 ahead of its implementation in May 2026.
Recommendations	<p>It is recommended that Cabinet:</p> <ul style="list-style-type: none"> a) approve the adoption of the updated Private Sector Housing Enforcement Policy, incorporating duties placed on the Council under the Renters’ Rights Act 2025 for inclusion in the Councils existing Enforcement Policy; b) approve the adoption of the Civil Financial Penalties Policy and associated penalty matrix to enable the Council to impose civil penalties for breaches under the new legislative framework; and c) delegate authority to the Director - Communities & Environment in consultation with the Portfolio Holder for Housing to make minor operational amendments to the policies to reflect future updates to statutory guidance.
Alternative Options Considered	<ul style="list-style-type: none"> • Do nothing – Failure to adopt a legally compliant enforcement and penalty framework would prevent the Council from meeting statutory duties under the Renters’ Rights Act 2025. • Delay adoption pending further national guidance –The legislation comes into force in May 2026 and the Council must have a robust enforcement framework in place for day one of implementation.

Reason for Recommendations	To ensure the Council can undertake the new legal duties from May 2026 this directly links to the Community Plan Objective - Increase the supply of housing, in particular decent homes that residents can afford to buy and rent, as well as improving housing standards
-----------------------------------	---

1.0 Background

- 1.1 The Renters’ Rights Act 2025 (“the Act”) introduces major reforms to tenancy law, enforcement powers and landlord obligations. It significantly expands the statutory duties of local housing authorities, including duties under Section 107 (Landlord Legislation enforcement) and Section 110 (reporting obligations to the Secretary of State). The Act introduces numerous new offences, expanded investigatory powers, and civil penalties with statutory maximums ranging from £7,000 to £40,000.
- 1.2 In preparation for these reforms, the councils across the county have been working together through the Nottinghamshire Housing Enforcement Group to agree a consistent enforcement policy and civil penalty matrix. These documents have been provided and drafted by Justice For Tenants and have then been reviewed and finalised by the Association of Chief Environmental Health Officers (ACEHO). They have been considered by all county district and boroughs as well as City Council. The majority have the councils are all adopting these two documents with little, if any changes.
- 1.3 The updated Private Sector Housing Enforcement Policy (**Appendix 1**) details both the existing duties under the Housing Act 2004 and the new responsibilities arising from the Act. In addition, the comprehensive Civil Financial Penalties Policy and penalty matrix (**Appendix 2**) ensures all civil penalties are issued transparently, consistently and proportionately. This would then form part of the Councils existing Enforcement Policy updating the existing private sector housing enforcement and charging matrix.
- 1.4 A public-facing consultation was undertaken to support sector engagement following internal legal advice. The consultation set out to acknowledge the significance of the legislative changes and the need for transparency so landlords, tenants, agents and voluntary sector partners understand how the Council will apply the new enforcement powers. We also advised of our intention to align approaches with other Nottinghamshire authorities as part of preparations for Local Government Reorganisation but to also recognise that landlords operate across council boundaries.

2.0 Proposal/Options Considered

- 2.1 This report proposes that Cabinet formally adopt both the Private Sector Housing Enforcement Policy and the Civil Financial Penalty Policy and matrix, ensuring that Newark & Sherwood District Council has a legally compliant framework ahead of the Act coming into force in May 2026.

- 2.2 The updated policies ensures the Council can:
- Investigate potential breaches using new information-gathering and powers of entry.
 - Apply civil penalties based on seriousness, culpability, harm, landlord type and aggravating/mitigating factors.
 - Issue Rent Repayment Orders where appropriate.
 - Meet expectations for consistency, deterrence and proportionality in enforcement.
- 2.3 The adoption of the policy and matrix will provide clarity to landlords, tenants and agents on how the Council will exercise its powers and what the council can impose as civil penalties for the new offences. Working with the other councils across the county we have endeavoured to have documents that are as consistent as possible in terms of their scope and outcomes. Whilst they may not be exactly the same to allow for differences such as selective licensing teams and the delivery of the services within the given authority, the hope is for them to be as consistent as possible at this stage.

Staff resourcing for these new powers has been considered both for Newark and Sherwood District Council and for the other councils in the county. The delivery of illegal eviction and advice across the county varies depending on the authority. Where tenants have concerns currently, they seek advice from our Homelessness Team. To date the numbers seeking advice and support has been quite low and we do not, at this time have any indication that there will be a significant increase in demand. As a result, we are intending to keep the situation under review for the first few months with support from specific tenant support groups. Any decision for increasing staff resourcing will be considered in the late summer and in line with any determined LGR footprint.

2.4 **Consultation Responses**

A four-week public consultation took place and ended on 6 April 2026. The two documents were shared on our website and a press release inviting comments and consideration was sent out across our channels.

We have received one comment which was a question regarding park homes which was responded to. No other comments regarding the contents of the documents were received.

3.0 **Implications**

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection; Digital & Cyber Security; Equality & Diversity; Financial; Human Resources; Human Rights; Legal; Safeguarding & Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate. Do not delete this paragraph. Add in your implication paragraphs below.

Implications Considered			
Yes – relevant and included / NA – not applicable			
Financial	Yes	Equality & Diversity	Yes
Human Resources	N/A	Human Rights	N/A
Legal	Yes	Data Protection	N/A
Digital & Cyber Security	N/A	Safeguarding	N/A
Sustainability	N/A	Crime & Disorder	N/A
LGR	Yes	Tenant Consultation	N/A

Financial Implications FIN25-26/1910

- 3.1 The ability to impose civil penalties of up to £40,000 provides an opportunity to recover costs associated with enforcement, investigation and administration. Penalty income must be reinvested in private sector housing enforcement activity. Resource implications arising from increased enforcement responsibilities will be managed within existing structures, with additional capacity considered as needed. New burdens funding has been made available to support the new legislation and we are utilising this for the first year to understand the impacts.

Equality & Diversity Implications

- 3.2 The revised policy and matrix support fairer treatment of tenants, including those with protected characteristics disproportionately affected by poor housing standards or unlawful eviction practices. The penalty policy includes specific safeguards relating to vulnerable tenants and considers harm and risk in determining penalty levels.

Legal Implications - LEG2526/4478

- 3.3 Whilst there is no statutory requirement to adopt either the Private Sector Housing Authority Enforcement Policy or the Civil Financial Penalties Policy, the current Newark & Sherwood District Council Corporate Enforcement Policy (“the Policy”) does not make provision for the introduction of the Renter’s Rights Act 2025 and the increase in the use of civil penalties to deal with new offences being created by that Act as against landlords in the private rented sector in England and Wales.

It is recommended nonetheless that both the Private Sector Housing Authority Enforcement Policy and the Civil Financial Penalties Policy are incorporated into the existing Policy. The existing Policy was drafted with regard to the Legislative and Regulators Reform (Regulatory Functions) Order 2007 and the principles set out therein under the Legislative and Regulatory Reform Act 2006. Namely transparency, accountability, proportionality and consistency. Whilst not strictly necessary, inclusion of the recommended Policies into the existing Policy will underpin their credentials and make them less likely to challenge on public law grounds.

The adoption of a uniform enforcement policy and civil penalty policy is also to be recommended and supports the principles encapsulated in the Regulators Reform (Regulatory Functions) Order 2007 as the Council moves toward local government reorganisation. It will reflect the policies of likely partner authorities given the proposed county wide approach.

Adoption of the third recommendation is within the power of the Cabinet to delegate.

LGR Implications LGR/003

- 3.4 Nottingham and Nottinghamshire Councils are seeking to align enforcement approaches as much as possible ahead of reorganisation. Adoption strengthens collective consistency and enables future unified delivery models. Once the legislation is in force, and the Government's decision is known, and we have had an opportunity to understand what, if any, resource implications there are from the new duties, any additional resources required will look to be developed with the relevant councils that will make up the new unitary council, of which Newark and Sherwood Council will be part.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Private Sector Housing Enforcement Policy (2026)
Civil Financial Penalty Policy and Matrix (2026)
Renters' Rights Act 2025 (statutory guidance)