



COTSWOLD

District Council

Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	CABINET DATE 10th September 2026
Subject	Civil Penalty and Enforcement Policy
Wards affected	All
Accountable member	Cllr Andrea Pellegram Environment and Regulatory Services Email: andrea.pellegram@cotswold.gov.uk
Accountable officer	Mandy Fathers, Head of Environment and Revenues and Benefits Email: mandy.fathers@publicagroup.uk
Report author	Philip Measures Email: philip.measures@Cotswold.gov.uk
Summary/Purpose	To renew the Housing Civil Penalties Policy for Private Sector Housing Enforcement in line with current legislation.
Annexes	Annex A – Housing Civil Penalties Policy Annex B - Offences now covered by Civil Penalties, Annex C - Equality Impact Assessment.
Recommendation(s)	That Cabinet resolves to: 1. Approve the Housing Civil Penalties Policy
Corporate priorities	• Delivering Good Services • Delivering Housing • Supporting Communities
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Business Manager Housing Portfolio Holder



1. EXECUTIVE SUMMARY

- 1.1** This report renews the Civil Penalties and Enforcement Policy (CPP) for Private Sector Housing. This Policy was first introduced in July 2025 prior to the enactment of the Renters' Rights Act 2025. With the new Act in place, it is necessary to renew the Policy to bring the changes powers and duties within the scope of the policy.

2. BACKGROUND

- 2.1 The Policy for Civil Penalties.** This is a specific policy for private sector housing under the Council's Enforcement Policy. It sets out the methodology for issuing civil penalty fines for Housing offences, as an alternative to prosecution. The above-mentioned Renters' Rights Act 2025 places a greater demand and expectation to improve standards in the private rented sector through advice and regulation. The expectation of the Ministry of Housing Communities and Local Government is for enforcement through the application of Civil Penalties where necessary, and the fines received can be used to support the cost of this work. It is therefore important to have a robust Civil Penalties Policy that is up to date with current legislation and tribunal decisions on the application of penalties.
- 2.2** This policy is set out in accordance with statutory guidance and the model policy developed by the Association of Chief Environmental Health Officers. If approved, it will come into effect immediately.
- 2.3** The Policy is set out in Annex A. With respect to the Renters' Rights Act 2025, the scope of Civil Penalties is changed. The Renters' Rights Act 2025 significantly expands the enforcement powers of local housing authorities against landlords and letting agents:
- **Hazard and Poor Condition Fines:** Councils can impose fines of up to £7,000 for a first breach where serious (Category 1) hazards exist in a property and could reasonably have been fixed.
 - **Increased General Maximum Fines:** The general maximum civil penalty for housing offences and continuing or repeated breaches under the Housing Act 2004 has increased from £30,000 to £40,000.



- **Specific Letting Process Breaches:** New civil penalties have been introduced for discriminatory practices against tenants with children (under Section 33) and for failing to specify the proposed rent in a written advertisement or offer (under Section 56).
- **Rent Repayment Orders:** Tenants can now also apply to a tribunal for Rent Repayment Orders (RROs) of up to two years' rent.

2.4 The list of offences now covered by Civil Penalties are outlined in Appendix B.

3. ALTERNATIVE OPTIONS

3.1 The Council may approve, amend, or reject the proposed policies as they see fit.

4. FINANCIAL IMPLICATIONS

4.1 Separate reports have been submitted with respect to the financial implications from the Renters' Rights Act 2025. The wider scope for Civil Penalties will introduce additional fines that, when recovered, can be used for the specific purpose of private sector housing enforcement.

5. LEGAL IMPLICATIONS

5.1 The legal framework for the imposition of penalties and enforcement generally is set out in the Civil Penalties Policy.

6. RISK ASSESSMENT

6.1 The risk of not having a current policy is the possible challenge to the amount of civil penalty fine levied. Decisions could be modified or overturned at Tribunal if Council actions are not underpinned by current, clear and reasonable policies.

7. EQUALITIES IMPACT

7.1 Please refer to Appendix C.

8. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

8.1 None.

9. BACKGROUND PAPERS

- None