

Record of Decisions

Housing Standards Enforcement Policy Review

Decision Taker

Cabinet on 17 February 2026

Decision

1. that the amendments to the current Housing Standards Enforcement Policy set out at appendix 2 to the submitted report be approved; and
2. that delegated authority be provided to the Director of Adult and Community Services, in consultation with the Cabinet Member for Adult and Community Services, Public Health and Inequalities, to authorise forthcoming updates to the Housing Standards Enforcement Policy to include elements that relate to Renters Rights Act 2025 (RRA25).

Reason for the Decision

To ensure the Council could effectively enforce Housing Standards Legislation, a suitable enforcement policy needed to be in place which would describe what the Council would and would not do and how to fulfil the Council's duties.

Implementation

The decision will come into force and may be implemented on 2 March 2026 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

In order for the Council to be able to effectively enforce Housing Standards legislation, a suitable enforcement policy needed to be in place. Such a policy would describe what the Council will (and will not) do and how the Council will act to fulfil its duties.

The current policy had been in place since 2019 following important legislative changes at the time. The Government introduced the Renters Rights Act 2025 (RRA25) which introduced new provisions in addition to the pre-existing responsibilities. As such a review of the policy was necessary in any case. However, a Local Government Ombudsman (LGO) review of the current policy, concluding in November 2025, directed the Council to remove a paragraph relating to situations where the Council would work with landlords 'informally' that is to say without service of a notice. It was due to this direction that the policy must be amended now, 4 months earlier than most of the RRA25 changes were needed.

At the Cabinet meeting, Councillor Tranter proposed and Councillor Tyerman seconded a motion that was agreed unanimously, as set out above.

Alternative Options considered and rejected at the time of the decision

The alternative option was to refuse to adopt the amendments to the existing policy. The way the current policy was drafted was not in line with the LGO direction. The Council would face sanctions for failing to comply. The other amendments bring the Council in line with the first wave of RRA25 provisions, if not adopted the Council would not be in a position to effectively

enforce which would be expressed via our new duties to report.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None

Published

20 February 2026

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet