

Written statement of a key decision
Cabinet member roads and regulatory services

Title	Justice for Tenants (JFT) – Renters’ Rights Act 2025: Housing Enforcement, Civil Penalties and HMO Licensing
Decision maker	Cabinet member roads and regulatory services Information about cabinet, including the names and contact details of the cabinet members, can be found here: http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251
Date of decision	15 May 2026
Report exemption class	Open
Reason for being a key decision	This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.
A notice was served in accordance with Part 3 (Key decisions) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.	
General exception or special urgency (as defined in the constitution)	No
Purpose	This report seeks approval from the Cabinet Member for Roads and Regulatory Services to adopt a revised private rented sector enforcement framework in preparation for the commencement of the Renters’ Rights Act 2025. The report proposes the adoption of a Justice for Tenants (JFT) Housing Enforcement Policy, a standalone JFT Civil Penalty Policy and matrix, and updated standard HMO licence conditions, together with approval to enter into a JFT support contract (subject to legal review and agreement) to support implementation. The purpose of the report is to ensure the Council is legally compliant, operationally ready and able to deliver consistent, transparent and defensible enforcement of housing standards and landlord legislation from 1 May 2026.
Decision	That:

	<p>a) The Justice for Tenants (JFT) Housing Enforcement Policy be adopted; b) The JFT Civil Penalty Policy and matrix be adopted; c) The JFT standard HMO licence conditions be adopted as the Council’s standard conditions for HMO licensing; and d) Authority be given to enter into the JFT Group Services Contract, subject to legal review and agreement prior to execution.</p> <p>The JFT policies have been selected because they are specifically designed to align with the new statutory enforcement duties and accompanying guidance under the Renters’ Rights Act 2025. Adoption of the policies does not require entry into a support contract. Any engagement with JFT support services contract would be subject to legal review and compliance with the Council’s Contract Procedure Rules.</p>
Reason for the decision	<p>As set out in the report. Documents relating to this decision are available at http://councillors.herefordshire.gov.uk/mglIssueHistoryHome.aspx?IId=50054364</p>
Options considered	<p>1. Adopt the JFT policies and licence conditions without entering into the JFT support contract. This option would achieve formal legislative compliance but would require all implementation, training, quality assurance and appeals preparation to be managed internally. This option is legally permissible; however, officers consider it would increase early stage delivery and legal risk. This would increase operational risk during the early stages of the new regime and place additional pressure on officer capacity. This option is not recommended.</p> <p>2. Undertake limited engagement with JFT (e.g. training or tools only) without adopting the full policy framework. This option would result in misalignment between adopted policy, statutory duties and operational tools, increasing the risk of inconsistent enforcement outcomes and successful challenge. This option is not recommended.</p> <p>3. Retain the existing enforcement framework and make incremental changes once the Act is live. This option would leave the Council operating under policies that do not adequately reflect the statutory duty to enforce and would expose the authority to increased legal, operational and reputational risk. This option is not recommended.</p>
Declarations of interest (see below)	None

Call-in expiry date (decisions are not subject to call-in where special urgency provisions apply)	21 May 2026
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Councillor: Cabinet member roads and regulatory services (Councillor Barry Durkin)	Date 15 May 2026
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- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;
- and
- in respect of any declared conflict of interest, a note of dispensation granted.