



Borough of Telford and Wrekin

Cabinet

Thursday 14 May 2026

10.00 am

Council Chamber, Third Floor, Southwater One, Telford, TF3 4JG

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Councillor L D Carter Leader of the Council

Councillor R A Overton Deputy Leader and Cabinet Member: Highways, Housing & Enforcement

Councillor P Davis Cabinet Member: Communities & Civic Pride

Councillor Z Hannington Cabinet Member: Finance, Governance & Customer Services

Councillor C Healy Cabinet Member: Neighbourhoods, Planning & Sustainability

Councillor A D McClements Cabinet Member: Leisure, Tourism, Culture & The Arts

Councillor K Middleton Cabinet Member: Public Health & Healthier Communities

Councillor O Vickers Cabinet Member: The Economy & Transport

Councillor S A W Reynolds Cabinet Member: Children & Young People, Learning, Employment & Skills

Councillor P Watling Cabinet Member: Adult Social Care & Health

Invitees

Councillor A J Eade Conservative

Councillor W L Tomlinson Liberal Democrat

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CABINET

Minutes of a meeting of the Cabinet held on Thursday 26 March 2026 at 10.00 am in the Council Chamber, Third Floor, Southwater One, Telford, TF3 4JG

PUBLISHED ON THURSDAY 2 APRIL 2026

(DEADLINE FOR CALL-IN: WEDNESDAY 8 APRIL 2026)

Present: Councillors L D Carter (Chair), R A Overton (Vice-Chair), P Davis, C Healy, A D McClements, K Middleton, S A W Reynolds, P Watling and O Vickers.

Also Present: Cllr A J Eade (Conservative Group Leader)

Apologies for Absence: Councillor Z Hannington

CAB-54 Declarations of Interest

None.

CAB-55 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting held on 12 February 2026 be confirmed as a correct record and signed by the Chair.

CAB-56 Leader's Announcements

The Leader announced that an expression of interest had been put forward that Telford become the first UK Town of Culture in 2028 which would coincide with the 60th birthday of Telford as a new town. A cultural strategy was already underway and would form part of the bid. The Council would be working with Town and Parish Councils, together with community and cultural organisations across the borough to help form the bid. A further six other towns within Shropshire would be submitting a bid and it was felt that given the borough's rich history, heritage and culture there was a fantastic chance of being shortlisted.

The Leader announced that the council had secured one of the West Midlands first Valour Hubs, which would provide one-stop support for local veterans. Locally there were 16,000 armed forces personnel and families, with at least 8,000 veterans. A grant of £670,000 pounds, received from the government, would build on the fantastic work that had already been started by the Council and its partners such as the Christopher Turley Armed Forces Community Hub in Dawley. He thanked Councillor Davies, MP for Telford, as well as the Officers for all of their work to secure the funding. This built on the budget in relation to discounting 100% of the veterans' compensation enabling

them to attract benefits. During the coming year the first 10 homes would be purchased to provide housing for local veterans.

The Leader confirmed that the Council had been announced in the next phase of the youth hubs which was a partnership between the government, DWP and local authorities. The location of the hub was yet to be confirmed but it was great to see a government, the MP, and the Council working together for the betterment of residents and delivering projects which would make a real difference across our borough.

CAB-57 Economic Development Strategy Update

The Cabinet Member: The Economy & Transport presented the Economic Development Strategy Update which highlighted the activity and progress of inward investment and business support in the delivery of the council's economic development strategy following its launch in 2024. Significant progress had been made during the last two years attracting inward investment and promoting the borough as a great place to live, work and study. Work had continued to support businesses through the delivery of the UK Shared Prosperity Fund (UKSPF) Thrive Telford programme and the launch of the Invest Telford Partnership. Greater emphasis had been placed on strategic collaboration and deepening activity with local skills providers to increase the talent pipeline and give opportunities for local people to go far but stay near and to support residents into good quality employment as well as investing in our high streets.

The report highlighted the council's strong track record of investment and it being a regional leader in productivity growth and this had been reflected by the real-life examples of businesses who recognised the value of the Invest Telford teams. Engagement had taken place with over 300 local businesses during the last year including start-ups, SMEs, scale ups and strategic employers across key sectors such as manufacturing, professional services, digital and low carbon providers. A further key sector of the council's economy was defence with its historic specialisms as well as its national priority. The borough had a longstanding defence manufacturing and engineering heritage which was underpinned by major operation and industrial assets such as MOD Donnington. In May 2025, Rheinmetall had announced that Telford was the new location for its calibre barrel production facility and was a landmark in inward investment for the borough creating more than 400 jobs for local people and injecting £400m into the UK economy over the next decade.

The West Midlands Combined Authority was working to develop a West Midlands Defence and Security Cluster with the Invest Telford team being actively involved. Through this work almost 2,500 jobs had been created together with within £4.5 million pounds in business rates which had been reinvested into frontline services with a commitment to keep council tax the lowest in the Midlands.

In conclusion, Councillor Vickers expressed that the UKSPF programme had played a big part in driving economic growth across the borough and rather than operating as a standalone funding pot, UKSPF has been fully integrated into the wider economic development approach supporting business growth, innovation, skills development and productivity with 77 projects having been contracted through the SME grant and innovation programme representing a total value of £575,000. Of this, £375,000 have been provided through UKSPF grant funding with the remaining £200,000 secured through private sector investment. This level of match funding demonstrated business confidence together with programs ability to stimulate additional economic activity. He thanked the local business community for their continued innovation, drive and commitment, as well as the officers at the council who were essential to delivering sustainable economic growth across Telford and Wrekin.

Cabinet Members spoke about the work of the Invest Telford Team which stood out not just in attracting new investment but in supporting and retaining existing business, engaging local firms and being a front door for growth which, together with the Land Deal, had been a key delivery tool for unlocking sites, attracting investment, creating jobs and regenerating brownfield land. The strategy also supported the growth sectors, skills pipeline and the clean, green approach that strengthened community and the economy together with quality of life, regeneration and innovation, such as Station Quarter. There were significant challenges affecting business environments following Brexit, emerging technologies, increased usage of AI and climate change. The borough had the fourth lowest rate of business closures within the UK and a lower unemployment rate than the national average and the key to this was the partnership between the public and private sectors and strengthening the links between schools, college and employees. The New Town legacy had been continued by having strong policies, a plan-led approach towards development ensuring good neighbourhoods and fantastic green spaces which made locating a business to Telford very attractive. Financial pressures for businesses were highlighted and the Business Energy Advice Programme and the Telford Sustainability and Energy Cluster were able to help in relation to reliance on fossil fuel and energy consumption. Some big successes had been Rheinmetall's decision to expand into Telford showing confidence in the skilled workforce and strong local economy. Work with schools, colleges and local employers as part of the Go Far, Stay Near project and the Skills Show helped young people learn about career opportunities locally. The Skills Show had been a huge success and it was amazing to see the opportunities available for the residents. Alongside this the Job Box were available for residents in Southwater One giving advice and support through Learn Telford. This alongside programmes such as Together Telford, and the work to promote the Quad at Station Quarter brought schools, higher education and employers into one environment to build exciting opportunities for the future.

The Leader of the Conservative Group commented that the one stop hub and providing 10 homes for veterans was commendable and that he and his Group would be happy to support in any way they could. In relation to the Economic Development Strategy, he was unsure as to exactly what fair and

inclusive growth was. He considered that businesses were being squeezed with employment taxes, welfare spending, and public pay sector awards, without any productivity deals and the business rates revolution none of which actually helped the local economy. He raised concerns regarding the growth rates in the borough which were only marginally better than the West Midlands growth rate and felt there was a shortage in growth. Following the LGA Peer Review, he was of the opinion that the council should undertake a consultant's review of the economic development within the borough and he considered there was a shortcoming in that area. He raised concerns regarding NEETs and the 18 or so impoverished neighbourhoods which lay at the bottom 20% nationally. He was encouraged by what was said in relation to the defence industry and welcomed the work done to attract business, investment, money and jobs and whilst he welcomed the creation of jobs he felt there was a myriad of smaller suppliers and sub-contractors in the supply chain who also needed support. Concerns were raised regarding the delay in the defence investment plan and he felt it was paralysing the defence industry and investment was needed from the government for jobs and security and he asked what conversations had been undertaken with government ministers and MPs on this issue.

The Leader welcomed the support of Councillor Eade for the 10 Homes for Veterans. He considered that the comments in relation to the Peer Review and the commission around economic growth were untrue and that economic growth was benefitting everyone in the borough, including those in the most deprived area. He considered that the council had gone above and beyond to retain the skills of officers, planners, architects, legal officers and the investment team to ensure that there were business opportunities and these did not happen by accident and that the council would continue to deliver what was set out in the strategy.

RESOLVED that:

- a) progress in the delivery of the Councils Economic Development Strategy 'Our Fair & Inclusive Strategy for Economic Growth 2024-2032' (the EDS) be noted:**
- b) the successes and opportunities in the borough and activity in the supporting skills for business through the Telford Together programme be noted; and**
- c) support for the delivery of the EDS and the Councils approach to securing investment and support for existing local business through the activities of Invest Telford be continued.**

CAB-58 Contaminated Land Strategy

The Cabinet Member: Highways, Housing & Enforcement presented the Contaminated Land Strategy which provided an update on the process for considering and regulating contaminated land across the borough. The report set out how the council would continue to protect local communities and the

environment so that it was safe for current and future use. Although the borough had a long and proud industrial history, it was vital that the council remained vigilant with regards to land contamination. The Strategy provided a clear, modern framework which was aligned with the Environmental Protection Act and would replace the previous 2013 Strategy. Inspection duties and assessing and prioritising sites played an important role in managing and remediating land where development took place. The Strategy reinforced the commitment to transparency through the publicly accessible contaminated land register. Emphasis was given that through the work of the Environment Agency and the Landowner that the only site ever classed as contaminated had now been fully reclassified and removed from the public register. As a result of this there was currently no land within Telford and Wrekin that was classed as contaminated. This demonstrated that the processes were working with strong partnerships and the effective management of the industrial past. The Policy ensured the proactive monitoring and assessment of sites and intervention to protect public health would be undertaken if required.

In summary, Councillor Overton reported that this updated strategy strengthened the protection of the local environment, and supported safe development giving continued confidence to residents, businesses and developers.

Cabinet Members reiterated that it was important for the council to understand the potential risks of contaminated land and that there were controls in place to limit pollution of land and water and that by having the strategy in place it would allow the identification of any potential risks. If land was to come forward through the planning process, it would enable the risk to be understood and any remedial action on historic contamination to be taken.

RESOLVED that:

- a) the Contaminated Land Strategy be approved;**
- b) delegated authority be granted to the Director Neighbourhood & Enforcement Services, in consultation with the Cabinet Member for Housing and Enforcement, to make ongoing changes to the strategy as required; and**
- c) the development of an Action Plan to provide the framework for ongoing monitoring and management of contaminated land within the borough be endorsed.**

CAB-59 Adoption of Shropshire and Telford & Wrekin Local Nature Recovery Strategy

Councillor C Healy, Cabinet Member: Neighbourhoods, Planning & Sustainability presented the Adoption of Shropshire and Telford & Wrekin Local Nature Recovery Strategy (LNRS) which sought approval for the adoption of Local Nature Reserves and the grant of delegated power to the

Director of Prosperity and Investment in consultation with the relevant Cabinet Member. She welcomed the Lead Officer from Shropshire to the meeting and thanked her for the hard work, along with officers at Telford, to ensure that the strategy had been developed in collaboration with landowners, stakeholders and residents.

The main function of the LNRS was to address the decline in biodiversity in the UK as part of the Environment Act 2021. The council had a moral duty to preserve species and habitats as well as addressing the declining biodiversity which could pose a risk to food, water quality and the wider public health.

The Strategy identified valuable habitats and those areas that potentially required improvement to help nature recovery and support more wild flora and fauna. The goal was to create habitats that were larger, more numerous and better connected. If habitats could be connected via green spaces, then species could expand their populations and move. A key part of the Strategy highlighted areas that were already protected such as Local Nature Reserves and sites of special scientific interest (SSSIs) and the buffer zones which added to the protection of the sites. It was about making sensitive changes to the management of the sites working alongside landowners and land managers.

Engagement events had taken place throughout the course of the development of the Strategy as well as direct engagement with Town and Parish Council and SALK events. Friends of Parks groups and the Telford Green Space Partnership had also engaged.

The Strategy would give a strong evidence base for directing agricultural grants and subsidies as well as other funding initiatives and it was felt that evidence base was key. In Telford and Wrekin, the LNRS had been developed alongside the Local Plan so the two plans could be aligned in terms of spatial planning and policies that would inform future decision making and the approach to biodiversity net gain of up to 20%.

The Strategy was linked to other strategic policies including the Health and Wellbeing Strategy in that access to nature has a significant positive effect on our physical and mental health. It was also important to work alongside the Climate Change Action Plan and the Climate Adaption Strategy in relation to carbon reduction and resilience to climate change.

Natural England was the government body who would oversee the process and they considered that the Strategy was sound, comprehensive and well-written.

Cabinet Members supported the adoption of the LNRS which reflected the responsibility to protect the environment and the commitment to the long-term wellbeing of the residents. It set out practical locally led action which would restore habitats and strengthen biodiversity, as well as improving connectivity across the borough. Working constructively with landowners, communities and partners was key and that could be achieved with the strategic non-

regulatory approach supporting nature recovery alongside farming, development and economic growth. The Strategy also supported climate resilience, flood management, public health and the quality of life. It was an example of how the council protected, cared and invested in the borough by protecting the natural assets and investing in a healthier more resilient borough. By recognising that there were limited time and resources it ensured that the efforts were focussed on where they would have the biggest impact whilst promoting, protecting and increasing access to green spaces for local residents.

The Leader of the Conservative Group felt that there was a contradiction within the strategy by creating or returning nature and biodiversity whilst at the same time concreting over green fields. He raised concerns that there was no dedicated budget which could be used to implement initiatives and schemes. The report was comprehensive and he was happy to help in any small way and would be delighted to use his ward fund to help out with projects.

RESOLVED – that:

- a) **the work of the Local Nature Recovery Strategy (LNRS) Steering Group and stakeholders in supporting co-ordinated biodiversity action in the borough and wider Shropshire area be noted; and**
- b) **delegated authority be granted to the Director: Prosperity & Investment in consultation with the Cabinet Member: Neighbourhoods, Planning and Sustainability the authority to agree to appropriate amendments as required to meet parallel approvals from other stakeholders and the adoption of the LNRS as set out in Appendix C & D of the report be approved.**

The meeting ended at 10.51 am

Signed for the purposes of the Decision Notices

Anthea Lowe
Director: Policy & Governance
Date: **Thursday 2 APRIL 2026**

Signed

Date: Thursday 14 May 2026

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Borough of Telford and Wrekin Cabinet 14 May 2026 Building Safer & Stronger Communities

Cabinet Member:	Cllr Richard Overton, Deputy Leader, and Cabinet Member: Highways, Housing & Enforcement	
Lead Director:	Dean Sargeant – Director: Neighbourhood & Enforcement Services	
Service Area:	Neighbourhood & Enforcement	
Report Author: Officer Contact Details:	Jas Bedesha, Head of Building Safer & Stronger Communities	
	Tel: 01952 382101	Email: jas.bedesha@telford.gov.uk
Wards Affected:	All Wards	
Key Decision:	Yes	
Forward Plan:	Yes – 16 April 2026	
Report considered by:	SMT – 28 April 2026 Business Briefing – 30 April 2026	

1.0 Recommendations for decision/noting:

It is recommended that Cabinet:

- 1.1 Note the achievements to date in Building Safer & Stronger Communities across the borough.
- 1.2 Note withdrawal of funding previously provided by the West Mercia Police & Crime Commissioner to Building Safer & Stronger Communities from April 2026.
- 1.3 Note council's allocation of funding to maintain the Building Safer & Stronger Communities programme, as set out in this report, to deliver initiatives and develop partnerships that promote neighbourhood safety and youth activity across the borough.
- 1.4 Endorse the prevention interventions and initiatives as outlined in this report which reinforces the council's commitment in addressing violence against women and girls (VAWG) as part of the domestic abuse strategy.

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- 1.5 Endorse the co-ordinated and rapid deployment of resources for youth engagement and community concerns by integrating current response times for environmental, highway, and anti-social behaviour matters as outlined in this report.
- 1.6 Delegates authority to the Director for Neighbourhood & Enforcement in consultation with the Deputy Leader, and Cabinet Member for Highways, Housing & Enforcement, to submit bids for external funding that enhances neighbourhood safety.

2.0 Purpose of Report

- 2.1 The purpose of this report is to provide an update on the Building Safer & Stronger Communities investment since 2021.
- 2.2 If approved, this report seeks approval to utilise council funding as set out in the Medium-Term Financial Strategy (MTFS) to deliver initiatives and develop partnerships that promote neighbourhood safety. This includes measures to strengthen the council's commitment to tackle domestic abuse and violence against women and girls (VAWG) while further enhancing the Youth Offer.
- 2.3 Underpinned by community engagement, data and intelligence, the development of neighbourhood safety plans will focus the deployment of resources from the council and partners in areas of the borough that need it most.

3.0 Background

- 3.1 Telford & Wrekin Council is committed to building safer, stronger & healthier communities while protecting and enhancing our environment.
- 3.2 In April 2021 the Council launched the £2.5m Building Safer & Stronger Communities programme in partnership with the West Mercia Police and Crime Commissioner and West Mercia Police. The aim of this initial investment was to work with partners to tackle crime and anti-social behaviour in areas most in need.
- 3.3 To date, £6.5m has been invested in Building Safer & Stronger Communities programme which has underpinned a 12% reduction in crime and 45% reduction in anti-social behaviour reports across key areas of the borough. In parallel, areas of the borough have seen a 43% reduction in fly tipping.
- 3.4 As the programme enters its fifth year, withdrawal of funding from the West Merica Police and Crime Commissioner from April 2026 has resulted in the council prioritising a further £1.5m investment into Building Safer & Stronger Communities over the next four years.
- 3.5 The next phase of the investment, funded by the council, will prioritise neighbourhood safety by targeting reductions in crime, anti-social behaviour, and fly tipping as well as interventions and initiatives that reinforce the council's commitment in addressing violence against women and girls (VAWG). In parallel interventions will be bought forward to prevent individuals from engaging in crime and violence, alongside activities for adults and young people.

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- 3.6 Building Safer & Stronger Communities will continue to be underpinned by locality working through a Neighbourhood Coordinator. The Neighbourhood Coordinator will act as a conduit for elected representatives, partners and the community to address concerns raised in co-developed neighbourhood safety action plans that have an emphasis on the following themes:
- Education & Skills
 - Housing Standards
 - Crime & Anti-Social Behaviour
 - Environmental Crime
 - Community Resilience
 - Health Inequalities
- 3.7 A decent place to live is the foundation on which residents across the borough build their lives. The council will continue to tackle housing concerns where they exist and build on the work undertaken to date which has seen over 700 proactive housing inspections completed. These inspections have ensured rented accommodation is to the correct standard while providing opportunity to support both tenants and landlords.
- 3.8 Recent work has comprised ongoing engagement with landlords and tenants in Hollinswood to tackle issues that residents have raised on the standard of communal areas, rough sleeping, grounds maintenance and fly tipping on private land. This has been supported through regular engagement with residents by teams from across the council as well as West Mercia Police Safer Neighbourhood Team (SNT) with positive progress being made.
- 3.9 Building on activity to date in Sutton Hill, Brookside and Woodside, landlord/resident engagement will continue as part of the £30m investment into these areas through governments recently launched Pride in Place programme. All of this work underpins the council's commitment to tackle housing inequalities which includes consideration of further regulation on Houses in Multiple Occupation (HMO).
- 3.10 Evidence suggests that well-designed youth activities, including after-school programs, mentoring, and sports programs, can reduce crime and reoffending, particularly when they focus on building skills, promoting positive behaviours, and providing structured supervision.
- 3.11 In March 2026, the Council launched the Telford and Wrekin Youth Strategy ([Telford and Wrekin Youth Strategy](#)), setting out a clear, long-term commitment to improving outcomes for children and young people across the borough.
- 3.12 The strategy has been developed in partnership with young people and key stakeholders and focuses on ensuring access to positive activities, trusted relationships, early support, and opportunities to develop skills and aspirations. The delivery of the Youth Strategy aligns with the Building Safer & Stronger Communities investment, through emphasis on prevention, diversion from crime/anti-social behaviour, and investment in safe, inclusive spaces and activities during evenings, weekends and school holidays. Future youth activity

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commissioned through Building Safer & Stronger Communities will facilitate expansion of the Youth Offer while contributing to the priorities set out within the Youth Strategy. New provision will be co-produced with involvement from young people that will provide opportunity to expand the Youth Offer through term time, late evening and weekend activity.

- 3.13 Launched in 2022, Urban Games provides those aged 8-16 the ability to participate in a range of sports and physical activity during the school holidays. To date, over 14,000 sessions have been delivered which complements the 16,000 sessions offered through Happy Healthy Active Holiday programme.
- 3.14 Urban Games is complemented by Telford Kicks which is a Friday night free football offer across the borough that regularly has over 130 children and young people attend each week. Some attendees of Telford Kicks have secured their own coaching qualifications and are now supporting Telford Kicks in a coaching and mentoring capacity. Continuation of Building Safer & Stronger Communities programme will provide opportunity to support more young people with coaching and mentoring qualifications into other areas of interest beyond football/sport.
- 3.15 In total there are 32 youth clubs operating across the borough through partner organisations; this includes nine youth clubs at Park Lane Centre, Woodside, Arleston Community Centre, Wellington, Great Dawley Town Hall, Dawley, Ketley Bank and Wrockwardine Wood which have been established through collaboration with Parish and Town Councils. Details are available on the Youth Offer web pages ([Telford & Wrekin Youth Offer](#)).
- 3.16 As part of the delivery of the Local Youth Strategy, the council will be collating attendance and outcome data for all youth clubs across the borough. This will support monitoring for impact of provision against a number of delivery performance indicators in line with National Youth Agency (NYA) framework. In addition, it will provide opportunity to plan for future need(s) across the borough.
- 3.17 Engagement with education settings has enabled the 'Making A Change' competition. This provides children and young people the opportunity to secure funding for their ideas to become reality. In its third year, the competition has funded 18 initiatives, such as mental health programs, cooking projects, youth festivals, multi-generational activities and improving local assets. The council's commitment to continue to invest in Building Safer & Stronger Communities, provides opportunity to continue to support young people bring forward their ideas that provide activities that complement the existing Youth Offer for example.
- 3.18 The council has well established timescales in responding to concerns that communities report including environmental, highway and anti-social behaviour. As part of this next phase of Building Safer & Stronger Communities, neighbourhood safety will build on successes to date by having a co-ordinated and rapid deployment of resources to tackle local concerns which will be supported by use of the 'Here to Help' community engagement vehicle where required.
- 3.19 This co-ordinated approach will build on the success to date of local area action plans that have been co-developed with partners to tackle anti-social behaviour in local centres including Oakengates, Wellington Centre, and Dawley High Street as

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well as areas including Hadley and Brookside where resources have been deployed to provide reassurance and focus.

- 3.20 This new funding will be used to support the installation of new street lighting and CCTV as local need requires. Use of such equipment will help the council and West Merica Police tackle persistent anti-social behaviour and fly tipping while building on the reports presented to Cabinet on 15 May 2025 and 18 February 2021 which contained information regarding activities around the night-time economy and taxi licensing that aimed to enhance community safety.
- 3.21 Continued investment into Building Safer & Stronger Communities programme aligns to the well-established Domestic Abuse Local Partnership (DALP) programme, specifically in relation to Violence Against Women and Girls (VAWG). For example, through continuation of targeted education for young people on sexual exploitation, violence and unhealthy relationships, the White Ribbon campaign, and the successful target hardening programme, which improves home security for those at risk.
- 3.22 As part of the council's commitment to reduce council's domestic abuse and women and girls from violence, Cabinet will receive a further update on the impact of the domestic abuse programme and refreshed strategy at its June meeting.
- 3.23 The refreshed strategy incorporates new partnership commitments for VAWG, aligned to the new national strategy, which strengthen prevention activities, including; education and early intervention for young people, expanding the reach of the White Ribbon campaign and improving the safety of women and girls in the night-time economy.
- 3.24 The Council continues to engage with residents on tackling fly tipping to reduce the impact this crime has on the community and environment. Over the past 12 months, the number of fly tips reported to the council has decreased by up to 43% in some parts of the borough. In the last 12 months, the Council has investigated over 3,000 fly tips and taken action in over 610 incidents where evidence has been found. This action has included issuing of fixed penalty notices where fines of £650 have been issued and paid.
- 3.25 Community engagement and awareness in relation to fly tipping will continue through Telford & Wrekin Watch that launched in 2022. These web pages ([Telford and Wrekin Watch](#)) allow residents to support the council with the identification of offenders.
- 3.26 The Health & Wellbeing Strategy clearly references the importance that inclusive resilient communities have on resident's wellbeing. The council's ongoing investment in the Building Safer & Stronger Communities programme will keep supporting and developing low impact activities for adults and community clubs. With 30 groups already established throughout the borough, initiatives like walking football and hockey will continue, helping improve health, wellbeing, tackle isolation and loneliness, and encourage physical activity.

4.0 Summary of main proposals

- 4.1 The Building Safer & Stronger Communities programme seeks to deliver initiatives and develop partnerships that promote neighbourhood safety through deployment of resources while focusing on prevention and diversion. This includes measures to strengthen the council's commitment to tackle domestic abuse and violence against women and girls (VAWG) while further enhancing the Youth Offer.
- 4.2 This approach is underpinned through data and intelligence to ensure investment decisions are based on evidence and the impact can be demonstrated. The interventions delivered to date continue to evolve to the needs of residents and local communities.

5.0 Alternative Options

- 5.1 There is a variety of legal powers and techniques available that tackle crime and anti-social behaviour.
- 5.2 Partnership working and maximising effective use of available resources ensures a continued focus on reducing crime, anti-social behaviour and fly tipping. This breadth of partnership working has already delivered a variety of interventions and is contributing towards enhancing neighbourhood safety.
- 5.3 The Council could choose not to invest in the Building Safer & Stronger Communities programme. However, given the progress to date, such a decision may be counterproductive.

6.0 Key Risks

- 6.1 Data and intelligence demonstrates that this programme to date is making a difference to residents and communities across the borough.
- 6.2 There is a risk that the focus and interventions bought forward do not improve the sense of safety for communities. This will be captured through feedback on interventions and activities to ensure they remain fit for the intended purpose.
- 6.3 There is a risk that interventions bought forward may not have the impact or outcome as initially envisaged. To mitigate this risk, interventions are based on data and intelligence and regularly reviewed to ensure the impact made and the value added.

7.0 Council Priorities

- 7.1 The Building Safer & Stronger Communities programme supports the following priorities:
- Every child, young person, and adult lives well in their community.
 - All neighbourhoods are a great place to live; and
 - Our natural environment is protected – we take a leading role in addressing the climate emergency.

8.0 Financial Implications

- 8.1 The Building Safer & Stronger Communities programme has invested £4.5m since April 2021. In addition to this, a further £1.5m was secured from the Home Office

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through the Safer Streets Programme along with £500,000 from the UK Shared Prosperity (UKSP) fund.

- 8.2 In continuing this programme, existing budgets will be used to bring forward initiatives that enhance neighbourhood safety, strengthen the council's commitment to tackle domestic abuse and violence against women and girls while further enhancing the Youth Offer. Opportunity will be sought to maximise external funding opportunities where available.
- 8.3 Costs associated with fly tipping are met from existing budgets with the income received from issuing fixed penalty notices used to offset associated costs.

9.0 Legal and HR Implications

- 9.1 Enforcement Officers have delegated powers under a wide range of legislation relating to environmental offences. This enables them to carry out investigations, issue fixed penalty or other statutory notices, or to refer offences for prosecution where appropriate. Legal advice is sought on an on-going basis in relation to individual cases.
- 9.2 There are no known HR matters arising from the content of this report.

10.0 Ward Implications

- 10.1 While focused on priority areas, the Building Safer & Stronger Communities programme has borough wide benefit with all wards being affected.

11.0 Health, Social and Economic Implications

- 11.1 Through tackling crime, Building Safer & Stronger Communities seeks to address the long-term issues of social deprivation that creates opportunities to improve the quality of life and wellbeing for all communities in the Borough.
- 11.2 The programme promotes and utilises green spaces across the Borough and has seen the use of Apley Woods and the Wrekin to encourage use and awareness of local nature reserves as part of nature walks. This not only promotes physical activity but improves mental health.
- 11.3 Adult and youth activities that continue to be supported by this programme provide a range of active sessions that improve both physical and mental health while reducing isolation and loneliness.
- 11.4 Reducing the fear of crime and creating safe vibrant spaces actively contributes to economic and social activity.

12.0 Equality and Diversity Implications

- 12.1 The Building Safer & Stronger Communities programme seeks to work with all residents, to build vibrant, inclusive and cohesive communities.

13.0 Climate Change and Environmental Implications

- 13.1 The Council is committed to tackling fly tipping while working hard to inform residents on the correct ways in which to dispose waste appropriately. The council

Building Safer & Stronger Communities

has two household recycling centres and a bulk waste collection service which complements weekly kerb side collections.

- 13.2 The Building Safer & Stronger Communities programme works in partnership with the community to bring forward volunteering opportunities. This includes supporting those interested in enhancing environmental standards through the 1,935 Street Champions who volunteer to complete additional litter picks in their community.

14.0 Background Papers

[Cabinet – 15 May 2025](#)

[Cabinet - 18 February 2021](#)

15.0 Appendices

None

16.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Legal	22/04/2026	23/04/2026	RP
Finance	22/04/2026	23/04/2026	PT
Director	23/04/2026	23/04/2026	DRS



Telford & Wrekin
Co-operative Council

Protect, care and invest
to create a better borough

Borough of Telford and Wrekin

Cabinet

Thursday 14 May 2026

Better Homes for All Update

Cabinet Member:	Cllr Richard Overton - Deputy Leader and Cabinet Member: Highways, Housing & Enforcement
Lead Director:	Katherine Kynaston - Director: Housing, Commercial & Customer Services
Service Area:	Housing, Commercial & Customer Services
Report Author:	Ravi Phull - Head of Strategic Housing & Regeneration
Officer Contact Details:	Tel: 01952 381731 Email: ravi.phull@telford.gov.uk
Wards Affected:	All Wards
Key Decision:	Key Decision
Forward Plan:	26 February 2026
Report considered by:	SMT – 21 April 2026 Business Briefing – 23 April 2026 Cabinet – 14 May 2026

1.0 Recommendations for decision/noting:

It is recommended that Cabinet:

- 1.1 Approves the updated Private Sector Housing Enforcement Policy which incorporates new provisions under the Renters Rights' Act 2025 (attached at **Appendix G**); and
- 1.2 Approves the designation of a borough-wide Additional Licensing Scheme for Houses in Multiple Occupation ("HMOs")¹, as set out in this report, for a period of five years, with effect from 20 August 2026;

¹ Housing Act 2004 definition of an HMO: a residential property which is rented to three or more persons who form two or more households, and where those households share one or more amenities such as a bathroom, toilet or cooking facilities.

- 1.3 Agrees an enhanced support package for landlords to assist compliance with the new requirements under the Additional Licensing Scheme and The Renters' Rights Act 2025;
- 1.4 Approves the revised HMO licensing fees (attached at **Appendix F** to this report);
- 1.5 Approves a 10% discount for all full and valid additional licence applications received within the 3-month period immediately prior to the commencement date of the additional licensing scheme; namely from 20 May 2026 – 19 August 2026; and
- 1.6 Delegates authority to the Director: Housing, Commercial & Customer Services in consultation with the Cabinet Member: Highways, Housing & Enforcement to take such steps as are necessary to finalise and implement the Additional Licensing designation.

2.0 Purpose of Report

- 2.1 Following the introduction of the Renters' Rights Act 2025 ("the Act"), this report seeks approval for the revised Private Sector Housing Enforcement Policy (attached at **Appendix G** to this report) which has been updated to reflect the changes introduced by the Act. It also seeks approval of an updated fee scale to reflect those changes.
- 2.2 In addition, approval is sought to designate a borough-wide Additional Licensing scheme of all small HMOs comprising 3-4 occupants (which are not currently covered by the existing mandatory licensing regime) under the Housing Act 2004, including those buildings which fall within the definition of s.257 of the Housing Act 2004² and approval of the fees set out in **Appendix F** associated with the proposed scheme as well as updated fees in respect of the mandatory licensing regime.

3.0 Background

- 3.1 The Council's Housing Strategy sets out our commitment to ensure every resident has a safe and affordable home. As part of this and our pledge to be on the side of our residents and communities, the Council is committed to delivering 'Better Homes for All', which includes tackling rogue landlords and improving the quality of private rented housing within the Borough. The proposals in this report will ensure all tenants residing in HMOs are protected and can expect a safe and consistent standard of housing. Additional Licensing will also ensure

² A Section 257 HMO (House in Multiple Occupation) under the Housing Act 2004 is a building converted into self-contained flats that does not meet 1991 Building Regulations standards, where less than two-thirds of the flats are owner-occupied.

neighbourhoods and communities will be supported and protected from the negative impacts stemming from poorly managed HMOs.

- 3.2 HMOs are a vital source of housing in the Borough with home ownership out of reach for many and particularly our most vulnerable residents. However, the nature of shared living means they require careful management in terms of both properties and tenants. HMOs present an increased fire risk compared with single-household dwellings because there are more occupants, more ignition sources (for example, shared cooking and electrical loads,) and a greater likelihood that residents are unfamiliar with the building layout and escape routes. For this reason, HMOs are typically required to have enhanced fire precautions and management arrangements (for example, appropriate fire detection and warning, protected escape routes and fire-resisting doors), alongside minimum amenity standards, secured through licensing conditions and fire safety duties.
- 3.3 Poorly managed HMOs are also associated with increased incidences of anti-social behaviour and crime. Studies show that people living in HMOs are at an increased risk of suffering mental health issues due to feelings of isolation and fear stemming from sharing a house with strangers. In order to ensure that those living within HMOs have a good standard of living, it is incumbent on landlords to take steps to maintain good housing standards and to address poor behaviour amongst tenants.
- 3.4 The Housing Act 2004 introduced mandatory licensing of larger HMOs (5 or more occupants forming 2 or more households) for all local authorities. It also introduced provisions for additional licensing of smaller HMOs at the discretion of local authorities. This was further supported in 2015 and then in 2024 by the Secretary of State giving general approval for local authorities to make designations in their areas.
- 3.5 Through the Better Homes for All programme of work, initially introduced in 2018, the Council has a strong track record of tackling rogue landlords, addressing the anti-social behaviours often associated with HMOs, and adopting a range of measures for dealing with HMOs.
- 3.6 These measures have had some positive impact, through targeted multi agency operations uncovering poorly managed and unsafe HMOs, leading to an increased number of prosecutions and improvements to properties. Over 750 inspections of private rented properties in the estates covered by the Safer Streets & Stronger Communities Programmes have led to the identification and enforcement of actions to address category 1 hazards in private-rented properties. For context, category 1 hazards are deemed as higher risk and category 2 are lower risk.

- 3.7 In recent years, due to a number of factors, including affordability, welfare reforms impacting upon single people under 35, and the increasing cost of living, the private rented sector has continued to grow at pace, and the Borough has seen a rapid increase of the subdivision of properties into HMOs. As well as seeing a concentrated increase in the older estates within both North and South Telford, this growth in HMOs has been seen across the whole Borough.
- 3.8 An increase in density of HMOs across the Borough is shown in the evidence base in **Appendix A** alongside a correlation with higher levels of crime and anti-social behaviour reported by the Police, overcrowding and poor property conditions. Despite the proactive approach adopted by the Council, existing programmes and mandatory licensing are not fully addressing the challenges associated with the rise in HMO numbers.
- 3.9 Despite the ongoing success of current interventions, the borough still has significant problems with reported practices of Landlords and the neighbourhood impact of HMOs including smaller HMOs not part of the current licensing regime. Available measures include using civil penalties and prosecution for breaches of regulations. These are entirely appropriate in the right circumstances, but these procedures take some time to implement through the Courts and ones that are essentially reactive rather than proactive. A typical example of issues relating to HMOs found by the private sector housing service are shown below:



Better Homes for All Update

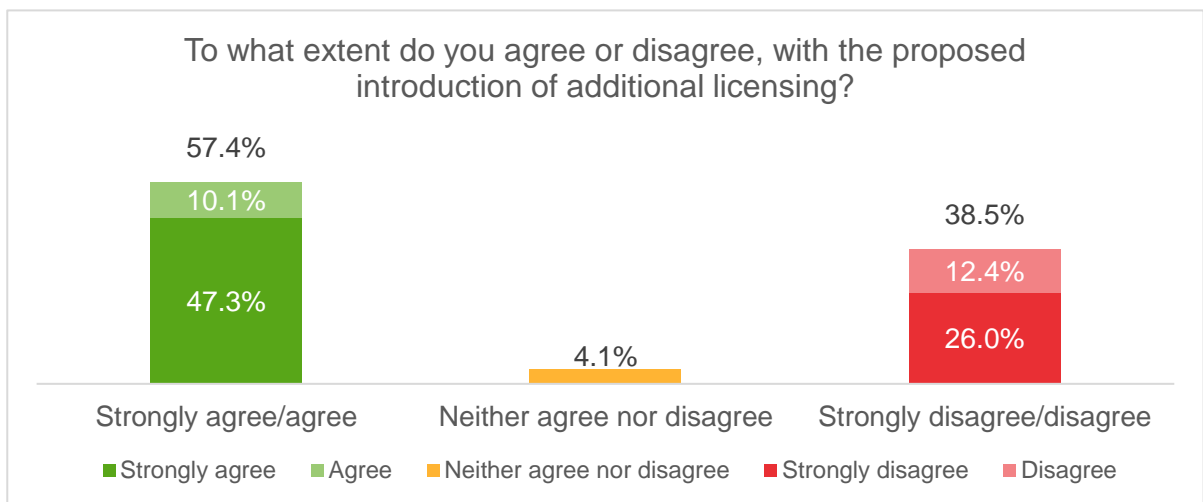
- 3.10 In response to the increasing numbers of HMOs within the Borough, and the associated challenges, the Telford and Wrekin Housing Strategy 2025-2030 proposed that consideration be given to the implementation of Additional Licensing for HMOs. This would enable proactive, ongoing inspections of every HMO to ensure minimum standards are met, without relying on tenants to make complaints, while also allowing complaints to be made anonymously without the fear of retaliation.
- 3.11 Feedback from the public consultation on the strategy supported these proposals, with residents across the borough welcoming this approach as a way to deal with the negative impacts of increasing HMOs in their communities.
- 3.12 On the 4th of December 2025, Cabinet considered proposals to introduce a borough-wide Additional Licensing scheme and agreed to undertake public consultation on the proposal.
- 3.13 The public consultation ran from 16 December 2025 to 11 March 2026. This was conducted primarily via an online survey. In addition, to ensure as many residents and landlords as possible could access the consultation, including those who may be digitally excluded, six in person drop-in sessions were held across the Borough, at accessible community venues. Extensive partnership engagement was also carried out including:-
- Town and Parish Councils;
 - Ward Members;
 - Neighbourhood Coordinators promoting the consultation locally through social media channels as well as putting up posters in community centres;
 - Private sector housing officers informed landlords and tenants as part of their casework; and
 - Key stakeholders including Citizens Advice Telford and Wrekin promoted the consultation with their clients.
- 3.14 A number of face-to-face meetings have been held with the Wrekin Landlord Association (WLA), who have assisted by promoting the consultation to their members. A WLA members' meeting took place immediately after one of the face-to-face consultation events at The Anstice in Madeley, enabling officers to engage with a large number of landlords. WLA was also instrumental in helping to clarify operational details of the scheme to their members directing questions to officers, which helped to inform the Council's FAQ's on its website.

4.0 Summary of main proposals

Additional Licensing

Better Homes for All Update

- 4.1 Following the consultation period, a total of 338 responses were received. Throughout the consultation, comments were received on the documents including the evidence base, scheme proposals, standards and fees that were considered by Cabinet in December 2025. The overall outcome was in support of the introduction of borough-wide additional licensing with 57.4% of respondents agreeing or strongly agreeing with the proposals. A detailed consultation report setting out more detail around the consultation is provided at **Appendix B** attached.

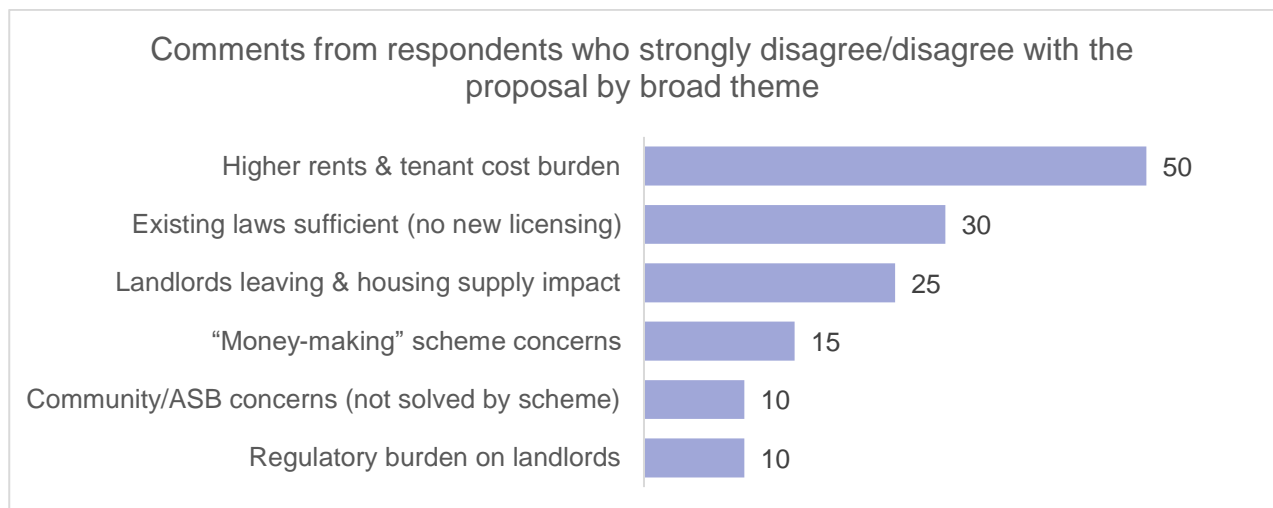
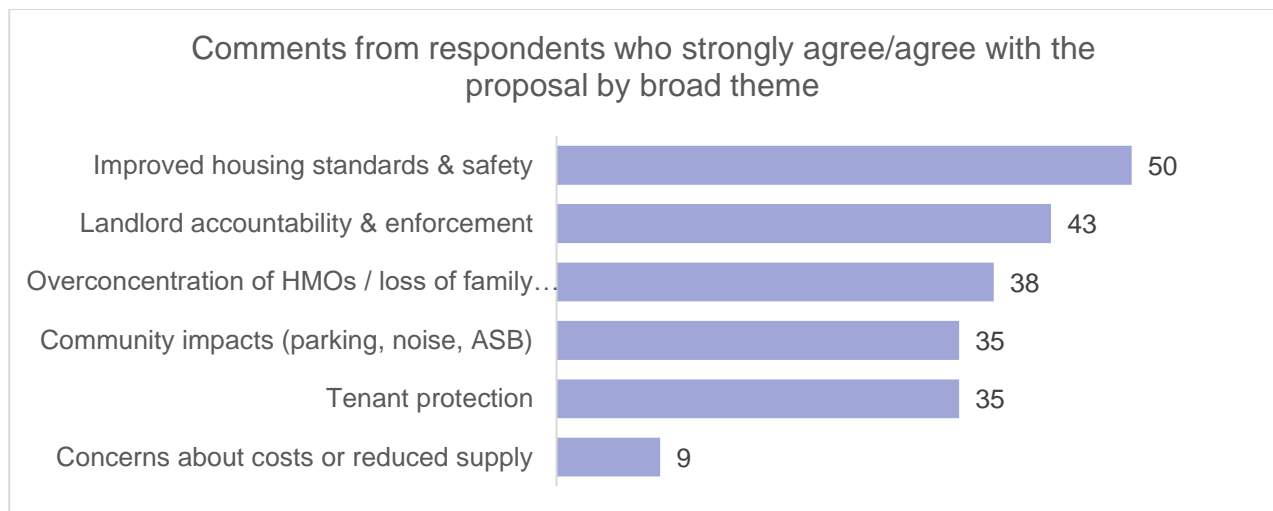


- 4.2 It is important to note that a number of respondents to the concurrent Article 4 consultation in respect of planning measures aimed at the control of HMOs also emphasised the need for additional licensing of small HMOs. For clarity, these are not included within the responses above to avoid the risk of double counting as it is recognised that some people may have responded to both consultations.
- 4.3 In addition to the survey results, 10 written responses were received from a number of organisations. 6 were in favour of the scheme and 4 were not.

4.4 Consultation Themes

The following graphics show key themes emerging from the consultation:

Better Homes for All Update



4.5 Careful consideration has been given to the areas of concern in the attached consultation report at **Appendix B** and the Council's commentary can be found at **Appendix C**. The table below provides some commentary and actions proposed as a result.

Table 1. Summary Response to Areas of Concern

Area of Concern	Comments	Actions
<p>Higher rents and tenant cost burden</p>	<p>Citizens Advice Telford and Wrekin and Trident group acknowledge supply sensitivity but report real, ongoing harm to tenants from poor conditions.</p> <p>The Renters’ Rights Act 2025 protects tenants from rental increases above market rent, allowing tenants to appeal rental increases via ombudsman.</p> <p>The Council has conducted research into this area and made a comparison of rents from 2022-2025 between upper tier local authorities in the West Midlands region with additional licensing schemes and those without, in order to establish if there was any evidence to show that additional licensing increases rent. The research showed that rental values had increased in Telford and Wrekin by an average of 19% between 2022 and 2025 compared to 22% in the West Midlands and 23% in England over the same period.</p> <p>Between 2022 and 2025 private rents increased in all upper tier local authorities in the West Midlands. Four Local Authorities had increases above the regional and national average. Two of these (Coventry and Birmingham) have implemented additional licensing, whilst two (Wolverhampton and Solihull) have not.</p>	<p>We will monitor if there is any increase in people presenting to the housing options team due to rent increases/loss of HMO accommodation.</p> <p>Through the additional support of the Landlord & Tenant Coordinator we will ensure tenants are aware of their rights under the Renters Rights Act which will limit when/how landlords can increase rents. The Tenancy Intervention Officer will work with tenants and landlords to seek to sustain accommodation.</p>
<p>Existing laws sufficient - additional</p>	<p>None of the existing or new laws require proactive inspection of property.</p>	<p>TWC to report back through the annual Better Homes for All Cabinet</p>

<p>licensing is not needed</p>	<p>West Mercia Police and Shropshire Fire & Rescue describe a lack of visibility and inability to intervene proactively where HMOs are unknown.</p> <p>Citizens Advice Telford and Wrekin report tenants who approach them for help are too afraid to complain to the Council. As a result, and to remove the reporting burden from tenants who are facing housing / landlord problems, there is a need for proactive measures allowing intervention as needed</p>	<p>Report; how many HMOs have been brought up to standard via additional licensing.</p> <p>The Council's Communities Scrutiny Committee will be asked to consider the outcome of the implementation of additional licensing after the first 12 months.</p>
<p>Landlords will exit the market which will reduce supply</p>	<p>Citizens Advice Telford and Wrekin, Trident and A Better Tomorrow support additional licensing whilst emphasising the importance of protecting supply.</p> <p>The Council has carefully considered the potential for additional licensing to impact the supply of HMOs which are an important element of housing stock.</p> <p>Whilst landlord responses include statements of intent by some landlords to withdraw from the market, the evidence submitted does not demonstrate that this would occur at scale or in a manner that would outweigh the anticipated benefits of improved safety, management standards and accountability.</p> <p>Anecdotal evidence from neighbouring authorities that have introduced additional licensing indicates that HMO numbers have not reduced.</p> <p>The consultation also indicates that a proportion of landlords are already compliant with existing standards and do not anticipate material impact as a result of licensing.</p>	<p>To mitigate this risk, the Council has incorporated a range of measures, including a time-limited early-application fee reduction of 10%,</p> <p>A phased implementation providing landlords with a 3-month period to mobilise before the scheme is implemented in August is proposed;</p> <p>Landlords will also be able to access a new, enhanced Landlord Support Programme (detailed below) providing advice/support to assist compliance and tenancy sustainment through a new Tenancy Intervention Officer.</p> <p>The Council will also monitor market behaviour, including potential impacts on homelessness presentations and housing supply, throughout the life</p>

		of the designation. This will be considered by Scrutiny and inform any future review of the scheme.
This is just a money making scheme	<p>The Provision of Services Regulations 2009 requires licensing schemes to be cost neutral and, importantly, to not generate a surplus. The fees have been proposed following an exercise supported by finance officers to reflect the anticipated costs associated with additional licensing.</p> <p>West Mercia Police, Shropshire Fire & Rescue Service and supported housing providers stress that effective protection requires adequate inspection and enforcement capacity.</p>	TWC will inspect every HMO prior to issuing a licence. Fees will reflect the cost of providing the service.
Community ASB is not solved by this type of scheme	<p>Police, Trident and support agencies report repeat ASB and safeguarding demand linked to unmanaged, unregistered HMOs with limited landlord engagement.</p> <p>Licensing proactively targets management failure.</p> <p>Local authorities that have implemented additional licensing have reported reductions in ASB when it is used as part of a multi-agency approach to community safety and cohesion.</p>	<p>Licensing ensures clear management standards, clearer landlord accountability and early intervention powers, it tackles key housing-related drivers of ASB (such as poor tenancy management, waste, noise and overcrowding) and complements wider community safety and policing tools.</p> <p>We will work to share intelligence with the police on joint operations where HMOs pose continued ASB issues.</p>
Regulatory Burden on Landlords	West Mercia Police and Shropshire Fire & Rescue Service evidence shows that effective targeting to address challenges associated with HMOs and	Landlord support package including Tenant Intervention Officer and Landlord, Tenant

	<p>improve conditions depends upon baseline visibility and minimum enforceable standards.</p> <p>Licensing formalises minimum standards that all HMOs should already meet and allows LAs to proactively monitor these without the need for occupants to complain.</p>	<p>Coordinator will provide advice and assistance to landlords.</p> <p>TWC to report back through annual Better Homes for All Cabinet Report and proposed involvement of Scrutiny, on property improvements made via licensing route.</p>
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5.0 Landlord Support Programme

5.1 To assist landlords in the immediate term the Council is proposing a 10% early bird discount on the 5 year fee for full and valid applications for additional licensing of HMO received between 20th May 2026 and 19th August 2026.

5.2 The Council already provides support to landlords and tenants through a Landlord & Tenant Coordinator who provides advice and signposting and, where appropriate, liaises with landlord and/or tenant and seeks to facilitate positive outcomes. Their role will continue and will be expanded to include support in relation to this proposed scheme if adopted and the Renters’ Rights Act changes. It is recognised, however, that the full implementation of the Act – and additional licensing - will bring significant changes for landlords. In response the Council is launching a new, enhanced Landlord Support Programme linked with the Renters Rights Act and is proposing to incorporate measures to support landlords if additional licensing is implemented. The scheme will include:

- A new Tenancy Intervention Officer to provide landlords with support on a ‘call before you serve’ basis. This function will support landlords who are experiencing difficulties with tenants and who may previously have sought possession under Section 21. The role will seek to broker early intervention and resolution, including facilitating communication, signposting to appropriate advice and support, and helping both landlords and tenants to agree practical steps to sustain the tenancy where possible.
- Every HMO licence applicant will be allocated a dedicated technical officer to provide support with legal requirements.
- Inclusion on the Council website of template legal documents for landlords and tenants to download and links to other guidance and legislation

5.3 We will continue to work closely with the Wrekin Landlord Association and seek to develop the support programme where appropriate. We will also work with other

Council Services including Neighbourhood Coordinators and Town and Parish Councils, Ward Members and partners to ensure tenants are aware of the new Act, the additional protections this affords to tenants and communities and the range of support available from both the Council and other partners.

6.0 Implementation of Additional Licensing

6.1 Careful consideration has been given to all the comments received. In relation to the concerns of landlords who made up the predominant cohort not in support of the scheme, a number of enhancements to the Landlord Support Programme and discounted fee proposals have been introduced to mitigate some of these concerns. The comments made by tenants, and partner agencies such as the police, fire service and Citizens Advice Telford and Wrekin are compelling for the need for this scheme and for this to be borough wide. It is therefore recommended that additional licensing of small HMOs should be implemented on this basis. In the event that this proposal is adopted, the Council will monitor the implementation and impact of the scheme alongside other changes coming in through the Renters Rights' Act 2025, including ongoing engagement with WLA.

7.0 Licence Fees

7.1 The table below sets out the proposed new HMO licensing fees which are set out in more detail at **Appendix F**. Fees have been set in line with the Provision of Services Regulations 2009 which requires licensing schemes to be cost neutral. This includes **all** properties being inspected prior to the issue of a licence.

No of Occupants	Fee	Licensing Scheme
3 – 5	£1,522.42	Both 3 – 4 Additional 5 – Mandatory
6 – 12	£1,639.53	Mandatory
13 – 20	£1,756.65	Mandatory
21+	£1,873.77	Mandatory

7.2 A 10% early-bird discount will be applied to all full and valid additional licence applications received between 20th May 2026 and 19th August 2026. This is intended to support landlords to benefit from a transition period to comply with the licensing requirements.

7.3 From 20th August 2026, owners/managers (as defined in the Housing Act 2004) of HMOs that are operating without the appropriate licence may be subject to the full range of the Council's enforcement powers.

Renters Rights' Act 2025

8.0 Update to the Enforcement Policy

- 8.1 The Renters Rights' Act 2025 introduces reforms to the private rented sector in England and aims to provide greater security, fairness and transparency for tenants, while setting clearer rules for landlords.
- 8.2 Provisions include the abolition of Section 21 (no fault) evictions, the end of fixed-term assured shorthold tenancies and the introduction of rent controls.
- 8.3 Local authorities have a duty to enforce these provisions. From 1 May 2026, the principal tenancy and eviction reforms apply to both new and existing private tenancies in England. Further measures will be introduced on a phased basis from late 2026 onwards.
- 8.4 The new provisions introduced by the Renters Rights Act 2025 require an updated enforcement policy to include a new civil penalty matrix. The proposed updated Enforcement Policy is appended to this report (**Appendix G**)

9.0 Alternative Options

- 9.1 The Evidence Base Report attached to this report at **Appendix A** considered a suite of alternative options. This included the option of 'do nothing' which would result in the Council taking reactive enforcement action only which relies upon complaints being made. Whilst the Council already takes a robust approach, the absence of visibility of all HMOs means that it is not possible to take a reactive approach to all properties in which multiple households reside. It has already been seen that the current approach being taken by the council is not sufficiently tackling some of the challenges associated with HMOs. The option of area-based schemes was also considered, however it has been shown that there are HMOs and related concerns to their management, across the Borough. Evidence also indicates that focussing only on specific areas is likely to lead to displacement of HMO/poor practices to other parts of the Borough, does not provide consistent support or protection to all tenants of HMO and risks management standards and impacts on tenants and communities varying across the Borough.

10.0 Key Risks

- 10.1 There is a risk of landlords recharging the cost of the scheme in higher rents. However, research has shown that nationally, areas where additional licensing has been introduced have not seen an increase in rent levels disproportionate to areas that have not. The Renters Rights' Act 2025 introduced rent controls to safeguard tenants from this.

10.2 There is a risk of non-compliant landlords going further underground making experiences even more negative for tenants. To mitigate this, we will engage in a period of intensive tenant, landlord and managing agent awareness communications about the importance of ensuring landlords are licensed and the penalties for not doing do.

11.0 Council Priorities

11.1 The course of action being proposed in this report fulfils all Council priorities:

- Every child, young person and adult lives well in their community;
- Everyone benefits from a thriving economy;
- All neighbourhoods are a great place to live;
- Our natural environment is protected, and the Council is taking a leading role in tackling the climate emergency; and
- A community-focussed, innovative council providing efficient, effective and quality services

12.0 Financial Implications

12.1 The Ministry of Housing, Communities and Local Government (MHCLG) has confirmed New Burdens funding of £61k for Renters' Rights Act for 2025/2026 to help local housing authorities cover familiarisation costs and prepare for their new enforcement responsibilities, make necessary changes to IT systems for new data collection requirements, and recruit and deploy additional staff resource for private rented sector enforcement. There is further funding anticipated in 2026/27 of £108k which will be utilised to support the resources required to implement the Act.

12.2 The proposed fee levels set out in **Appendix F** have been calculated based on financial modelling to establish the operating cost of the proposed additional licensing scheme over a 5-year period and benchmarked against neighbouring authorities.

13.0 Legal and HR Implications

13.1 Section 56 (1) of the Housing Act 2004 enables a local authority to designate either the entirety of its district or an area within its district as subject to additional licensing in relation to Houses in Multiple Occupation (HMOs) specified in the designation and section 56(2) outlines what the authority must consider. Before making a designation, the authority must take reasonable steps to consult persons who are likely to be affected by the designation; and consider any representations

made in accordance with the consultation and not withdrawn. The evidence from the Council's Consultation is set out at **Appendix B**.

- 13.2 Section 57 of the Housing Act 2004, provides that the authority must ensure that any exercise of the power is consistent with the authority's overall housing strategy. Further, the Local Authority should not make a designation unless consideration has been given to whether or not there are any other courses of action available that might provide an effective method of dealing with the problem(s) and consider that making the designation will significantly assist in dealing with the problem or problems associated with HMOs. The report and evidence base set out the reasons why other options are not considered suitable for ameliorating the conditions within the private rented sector, specifically smaller HMOs.

The Council's approach is set out in various documents and strategies, some of which include:

- The Telford & Wrekin Housing Strategy 2025-2030 outlines the Council's commitment to expand, and improve, existing housing across the Borough including consideration being given to the introduction of additional licensing;
- The Long Term Empty Property Strategy, adopted in 2021, provides the framework for dealing with the various issues associated with long-term empty homes in the Borough, including ASB, crime and blight affecting neighbourhoods and community cohesion;
- The Homelessness Strategy, adopted in 2024, sets out how Telford and Wrekin Council and its partners across the statutory, community and voluntary sectors work together to prevent and tackle homelessness and rough sleeping in the borough. It is clear that the use of shared housing is essential in delivering these objectives;
- The Safer Stronger Communities project was established in 2021 to help residents feel safer in their homes and communities and;
- The Safer Telford and Wrekin Strategy 2024-2027 sets out the Community Safety Partnership's plan for tackling crime and anti-social behaviour. Setting additional safety standards in HMOs directly delivers these objectives.
- The Evidence base report attached as **Appendix A** discusses all other courses of action.
- Based upon the information available, the Council and partner agencies, supported by the outcome of public consultation, consider that additional licensing of smaller HMOs will significantly assist to improve property conditions, anti-social behaviour and criminality associated with HMOs.

- 13.3 Section 58 provides that the Council may confirm or refuse to confirm a designation as it considers appropriate, a designation of an area subject to additional licensing cannot come into force unless confirmed by the Council and comes into force on the date specified for this purpose by the authority and the

date must be no earlier than three months after the date on which the designation is confirmed (s58(4))

- 13.4 The revised enforcement policy sets out how the Council will use its powers from the Renters Rights Act 2025. They permit the Council to utilise enforcement powers to ensure compliance with the Act. Delegations to appropriate Officers has taken place in anticipation of the approval of the revised Enforcement Policy at a Directorate level.

14.0 Ward Implications

- 14.1 Additional Licensing of Houses in Multiple Occupation will impact on all areas of the Borough, by improving housing conditions in multi occupied properties and neighbourhoods.

15.0 Health, Social and Economic Implications

- 15.1 The links between housing and health are well known. While HMOs are a vital source of housing for many residents including some of our most vulnerable, poorly managed HMOs are linked with negative outcomes for residents, neighbourhoods and communities. Due to housing benefit reforms, low earning, young and single people are more likely to reside in HMOs. A lack of property management can have undesired impacts on such occupants.
- 15.2 Licensing of all HMOs in the Borough will set a consistent standard for all tenants living in such accommodation.

16.0 Equality and Diversity Implications

- 16.1 An equality impact assessment **Appendix H** has been undertaken demonstrating due regard to the Public Sector Equality Duty as required under s,149 Equality Act 2010.
- 16.2 The equality impact assessment also meets the duty set out in the Armed Forces Act 2021 as well as the Council's commitment to pay due regard to the needs of care-experienced individuals.

17.0 Climate Change, Biodiversity and Environmental Implications

- 17.1 Licence conditions will require all properties to have the correct minimum energy performance rating.

18.0 Background Papers

- 1 Additional Licensing Cabinet Report - 4 December 2025

19.0 Appendices

- A Additional Licensing and Article 4 Business Case December 2025
- B Additional Licensing Consultation Report May 2026
- C Telford and Wrekin Council Additional Licensing Consultation Commentary May 2026
- D HMO Licence Conditions May 2026
- E HMO Space and Amenity Standards May 2026
- F HMO Licence Fee schedule May 2026
- G Private Sector Housing Enforcement Policy May 2026
- H Equality Impact Assessment

20.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Director	09/04/2026	09/04/2026	KK
Legal	07/04/2026	08/04/2026	SH
Finance	09/04/2026	09/04/2026	AM

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Evidence Base for Introduction of Article 4 & Additional Licensing of Houses in Multiple Occupation (HMO)

Telford and Wrekin

December 2025

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1. Introduction

Telford and Wrekin is a successful and growing borough with a diverse housing market and population and continuing housing needs. The borough is a distinctive blend of urban and rural areas, with green open spaces alongside contemporary housing developments and traditional market towns.

In line with national trends, we are seeing a growth in population with an increase in housing needs, however, issues such as a cost-of-living crisis, increasing mortgage rates and housing costs are affecting home ownership. This means for many, living in the rented sector is their only housing option. High demand for rental properties and a shortage of supply in part due to a reducing supply of social housing, is driving up rents in the private rented sector. This is leading to an economic opportunity from the subdivision of rented properties into houses in multiple occupation (HMO). HMOs have long been a tenure of choice for students and transitional workers and are an essential part of the housing market particularly now for those under 35 dependent on housing benefit which is capped at a shared room rate.

Well managed HMOs provide an excellent and affordable start for many into their housing journey. However, poorly managed, overcrowded or high densities of HMOs can be associated with undesirable issues such as anti-social behaviour, crime and overcrowding. National studies have shown that occupants of poorly managed HMOs are at higher risk of poor mental health and increased substance misuse. Furthermore, the disconnected living arrangements in HMOs make occupants eight times more likely to die or suffer serious injury in a fire compared to people in single family properties.

It is important to note that HMOs are an important source of low cost, private sector housing for those on low incomes, young people, students, and people seeking temporary accommodation and have an important role to play as part of a balanced mix of housing. However over recent years there has been a consistent increase in the number of HMOs within the borough. There is a concern that high concentrations of HMOs impact on the choice of housing, local services, social cohesion, crime and environmental amenity and contribute towards the decline of those areas impacting on levels of deprivation.

Our new Telford and Wrekin Housing Strategy 2025-2030 sets our strategic objectives for the next 5 years:



Challenge

An increase in the number of HMOs in the borough, correlated with complaints regarding poorly managed HMOs along with associated levels of crime and anti-social behaviour is causing community concerns for residents living in and around HMOs.

Proposal

This report provides an evidence base and policy context for the implementation of an additional licensing scheme of all HMOs in the borough under the Housing Act 2004. The primary objective of this scheme would be to ensure a consistent minimum standard of management in all HMOs in the borough.

We also propose to make a Non-Immediate direction under Article 4 of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) in order to remove Permitted Development Rights across all parts of the borough, which currently allow the conversion of dwelling houses (Use Class C3) into Houses of Multiple Occupations (HMOs) for up to six residents (Use Class C4).

The making of an Article 4 Direction will give the Council greater control over the conversion of C3 dwellings to HMOs within the borough, requiring all new such conversions of residential properties to apply for a Change-of-Use and accordingly be assessed against both Local and National Planning Policy.

2. Context and Background

Mandatory Licensing

In October 2018 there was a change in central government policy, which introduced mandatory HMO licensing for 5 or more people who are not living together as a single household. This brought more HMOs into scope for licensing by removing the requirement for licensable HMOs to be three storeys and over.

Better Homes for All

The Better Homes for All programme launched in 2018 by the Council in has seen the development of a data led, proactive intelligence-based programme of enforcement bringing together a number of agencies such as the police, fire service and public protection. This has led to a number of prosecutions for poorly managed and maintained properties. The success of the Better Homes for All programme has been reported to Cabinet annually.

Safer Streets / Safer Stronger Programme

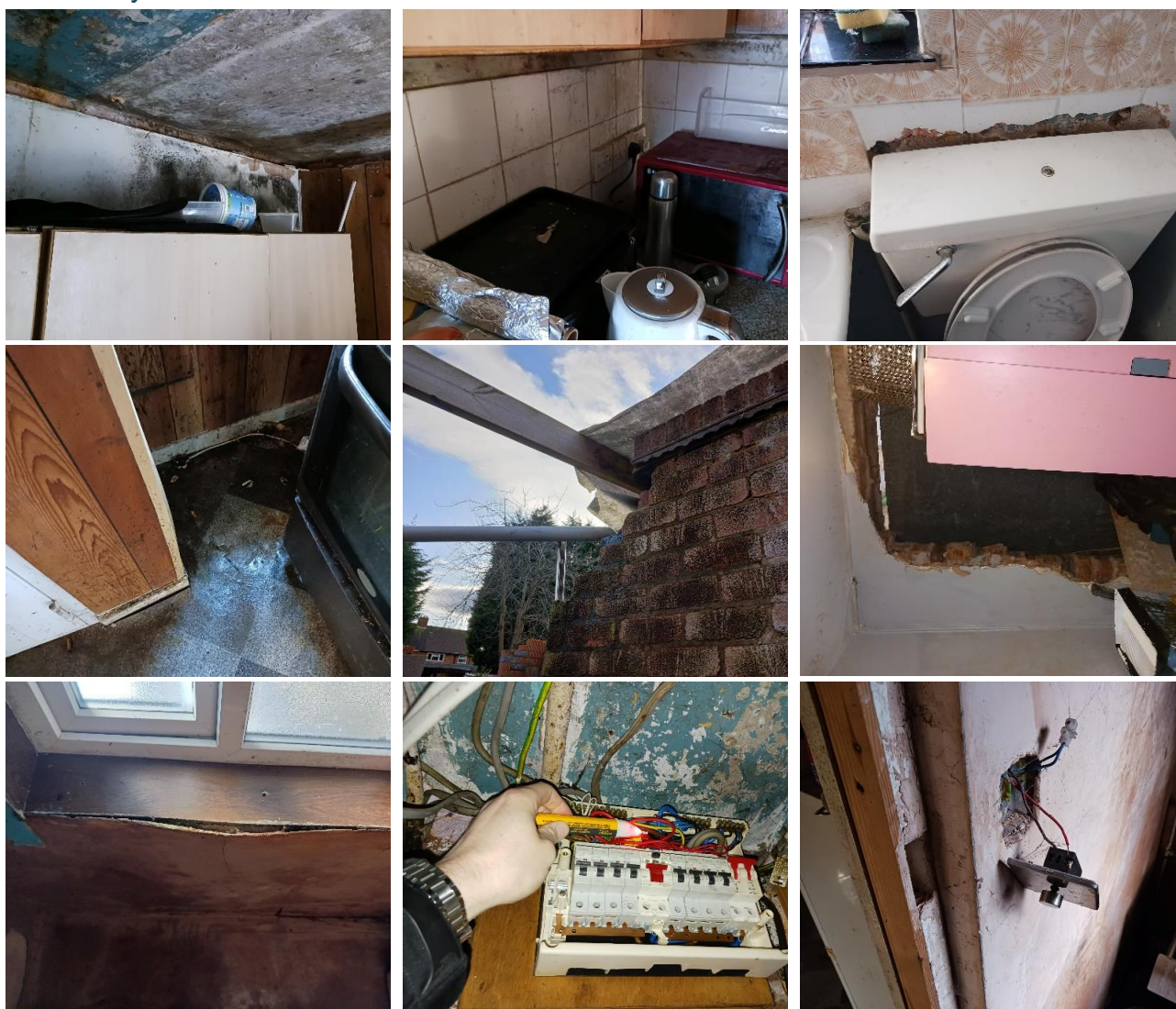
Telford & Wrekin Council launched the Safer & Stronger Communities project in 2021 with support from the Police & Crime Commissioner to help residents feel safer in their homes and communities. Funding was used to tackle poor housing conditions in areas of high anti-social behaviour and crime. This resulted in over 700 proactive housing inspections being

carried out leading to the remedy of hundreds of hazards. The biggest challenge experienced was gaining access into HMOs. This was of concern as the conditions in the HMOs that were accessed were of concern and lead to a number of prosecutions and civil penalties. The ongoing success of TWC Safer & Stronger Communities Programme has been reported to Cabinet.

Despite the ongoing success of current interventions, the borough still has significant problems with reported practices and the neighbourhood impact of, HMOs including smaller HMOs not part of the current licencing regime. Available measures include using civil penalties and prosecution for breaches of Regulations. These are entirely appropriate in the right circumstances but these are cumbersome procedures and ones that are essentially negative and only come after an issue has arisen.

A typical example of issues relating to HMOs found by the private sector housing service are shown below:

Case Study 1



These relate to a 2 storey 3 bedroom HMO which is not subject to mandatory licencing.

Licensing

Under the Housing Act 2004, there are three forms of licensing relating to private sector housing available to local authorities – mandatory, selective and additional.

All licensing schemes are intended to address the impact of poor-quality housing, rogue landlords and anti-social tenants. Failure to obtain a licence or to abide by licence conditions can result in enforcement action. Non mandatory licensing schemes run for a maximum period of five years, after which Cabinet approval must be sought to extend. A fee is payable for each licence. The licence fee will usually cover a five year period unless the local authority decide to issue a licence for a shorter period.

Mandatory HMO Licensing

All local authorities are obliged to run a licensing scheme covering Houses in Multiple Occupation (HMOs) that have five or more people who are not living together as a single household.

At the time of publishing this report we have 317 licensed large HMOs under the mandatory licensing regime in the borough.

The mandatory licensing of HMOs has been effective in regulating and improving the standard of accommodation offered to let in Telford and Wrekin. Licensing encourages a positive interaction with landlords and allows for the problems presented by each house to be managed on an individual basis through a bespoke set of licence conditions. It also allows for advice to be given to landlords who are perhaps new to the rental market or growing their portfolios to support them comply with regulation and provide well management properties from the outset.

A good example of a licensed HMO is given in case study 2.

Case Study 2





3. Evidence to Support Additional Licensing and Article 4 Schemes

The National Picture

The latest Office for National Statistics (ONS) Projections estimate that the UK population will grow to 72.5 million people by 2032, an increase of 4.9 million (7.3%) from an estimated 67.6 million people in 2022.¹

As people grow older and live longer the number of people at state pension age is projected to increase by 1.7 million from an estimated 12.0 million to 13.7 million people (13.8% increase). Where there is a lack of suitable housing for older people this can lead to older people staying in unsuitable housing for longer. This situation can then negatively impact housing supply and affordability for younger people and increase competition in the private rented sector.

ONS estimated that 3.6 million young adults (aged 20-34) were living with their parents in 2024.² This represents 28.0% of all 20-34 year olds, an increase from 25.6% in 2014. The greatest change from 2014 was for those people aged 24 where 49.2% were estimated to be living with parents compared with 35.9% in 2014.

Data indicates that achieving the goal of home ownership is taking longer for younger adults. In 2022, more than half of people owned their own home by the age of 36. This was an increase from 32 years in 2004.³

¹<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationprojections/bulletins/nationalpopulationprojections/2022based>

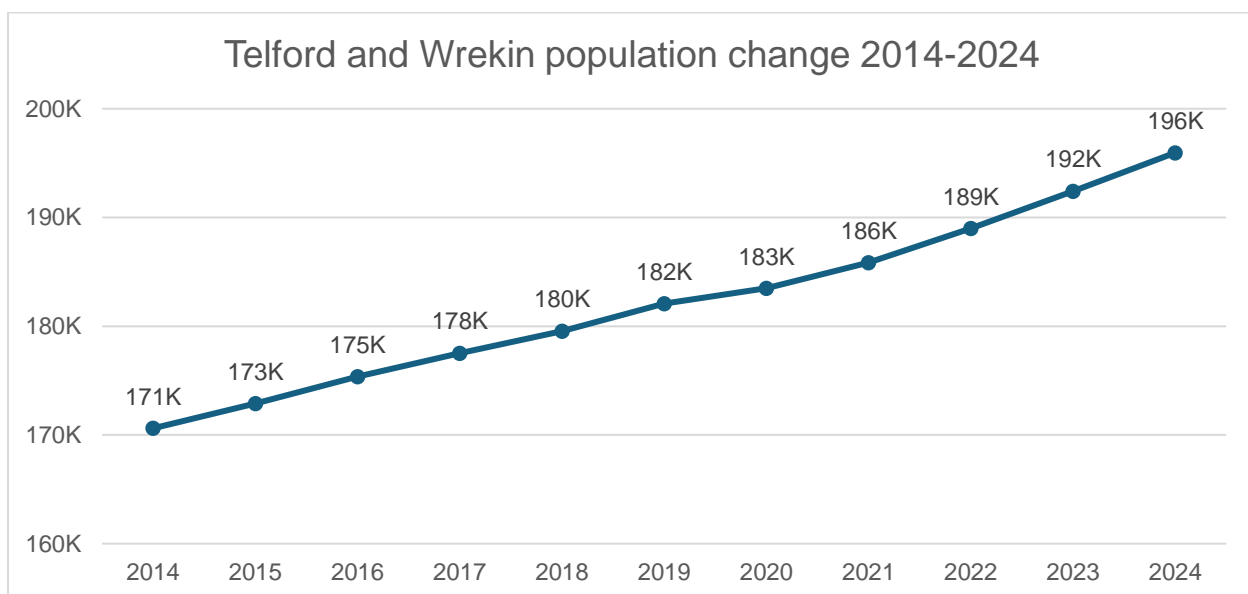
²<https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/families/bulletins/familiesandhouseholds/2024>

³<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/articles/milestonesjourneyingthroughmodernlife/2024-04-08>

Consequently, there is continued reliance on the Private Rented Sector (PRS) as a housing option for younger adults. In 2023-24, the English Housing Survey (EHS) found that 40% of households with a household reference aged 25-34 were renting privately as were 27% of households with a household reference person aged 35- 44.⁴

Local Context

Telford and Wrekin is one of the fastest growing local authority areas in England. Between 2014 and 2024 the population was estimated to have grown by 14.9% (25,300 people) compared with 8.2% for the West Midlands region and 7.8% for England⁵. The rate of population growth in the borough over this period was the ninth highest of all upper tier local authorities in England. In June 2024, the population of the borough was estimated to be 196,000 people.



With a strong local economy, a growing further education sector alongside excellent connectivity to the wider West Midlands region, Telford and Wrekin is an attractive destination for people looking to work or study.

Looking forward, the population of Telford and Wrekin is projected to continue to grow at a faster rate than the national average. Latest population projections estimate that by 2032 the population of the borough will be 208,000, an increase of 10.0% from 2022 compared with 6.4% for England.

⁴ <https://www.gov.uk/government/collections/english-housing-survey#2023-to-2024>

⁵ <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/bulletins/populationestimatesforenglandandwales/mid2024>

The greatest growth is forecast for people aged 65 and over (26.1%) however above borough average growth is also projected for younger adults, with the number of people aged 20-24 estimated to increase by 17.3% between 2022 and 2032

Housing and the Private Rented Sector in Telford and Wrekin

Over the last decade, the number of homes built in Telford and Wrekin has seen the total dwelling stock grow at a faster rate than the national average, growing by 17.5% between 2014 and 2024 compared to 8.7% for the West Midlands region and 9.5% for England⁶.

The growing and increasingly age diverse population is changing the requirements for housing in the borough. As with the national picture there is increasing reliance on the PRS as a housing option, particular for adults under the age of 50. In 2011, a greater proportion of people aged 25 -34 were owner occupiers (40.9%) than were privately renting (37.6%). By 2021, this situation had switched with more people renting privately (42.6%) than owning their home (39.8%)⁷.

In the 35-49 age group, the proportion of owner occupiers reduced to 53.4% in 2021 from 65.4% in 2011. By contrast, the proportion privately renting increased to 28.7% in 2021 from 16.7% in 2011.

PRS now accounts for around 1 in 5 homes within Telford and Wrekin and is a key component of the borough's housing market borough wide.

The greatest concentrations of homes in the PRS are located in the south of the borough. In 2021, 40% of homes in Woodside MSOA were privately rented compared to 12% in Muxton & Lilleshall.

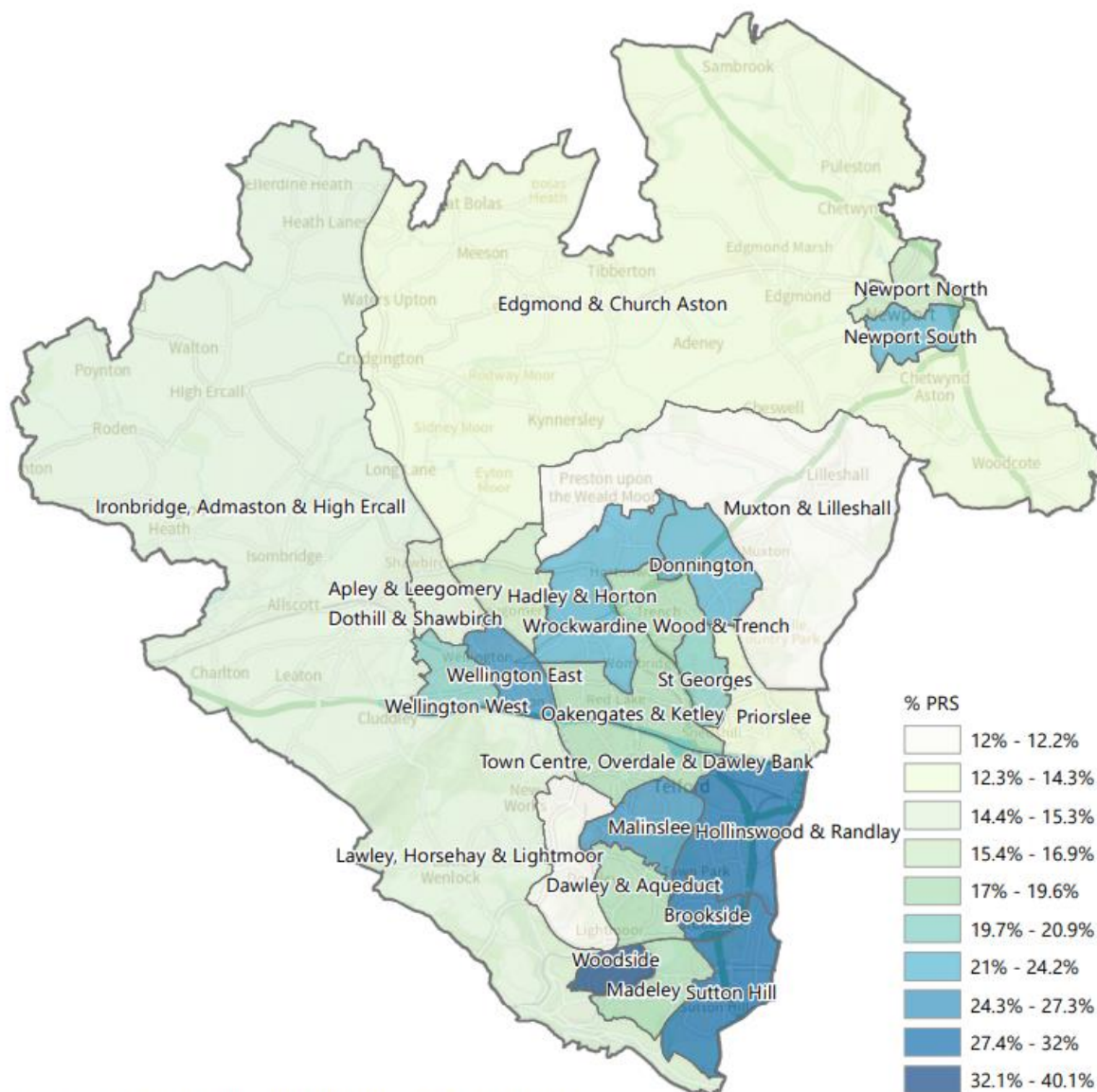
In total, around 30% of the borough's privately rented homes are located in Woodside, Brookside, Sutton Hill, Hollinswood & Randlay and Malinslee.

In the north of the borough, Wellington East, Donnington, Newport South and Hadley & Horton MSOAs all had a proportion of privately rented homes that was greater than the borough average (21%).

Map 1: Percentage of Privately Rented Homes by MSOA Census 2021

⁶ <https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants>

⁷ <https://www.nomisweb.co.uk/sources/census>



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The average monthly rent in Telford and Wrekin is consistently lower than the regional and national averages. In March 2025, the average monthly rent in the borough was £808 compared to £935 for the West Midlands region and £1,403 for England⁸.

Private rented homes in the borough are more affordable than in other parts of the West Midlands and England. Latest data shows that in 2023/24, private renters in Telford and Wrekin could expect to spend 25.2% of their income on an average-priced rented home compared to 29.2% for the West Midlands and 36.3% for England.⁹

Whilst it is difficult to quantify the extent of shared accommodation in the borough, the Council has seen an increase in licensed HMOs. As set out above HMOs provide a vital

⁸<https://www.ons.gov.uk/economy/inflationandpriceindices/datasets/priceindexofprivaterentsukmonthlypricestatistics>

⁹<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/bulletins/privaterentallaffordabilityengland/2024>

housing solution for those seeking to establish their first home, starting employment or study and for those who only qualify for the shared room rate housing benefit.

Houses in Multiple Occupation

The Office for National Statistics define an HMO as a dwelling where three or more unrelated tenants rent their home from a private landlord forming more than one household where toilet, bathroom or kitchen facilities are shared with other tenants.¹⁰

An HMO is classified as small if shared by 3 or 4 unrelated tenants and large if shared by 5 or more unrelated tenants.

ONS estimated that on the 2021 census day 0.8% of England's total housing stock were HMOs.

HMOs in Telford and Wrekin

The Office for National Statistics data estimated that in 2021 there were 383 HMOs in Telford and Wrekin out of a total housing stock of 76,508 (0.5%) - of these, 282 classified as small HMOs and 101 were classified as large HMOs.

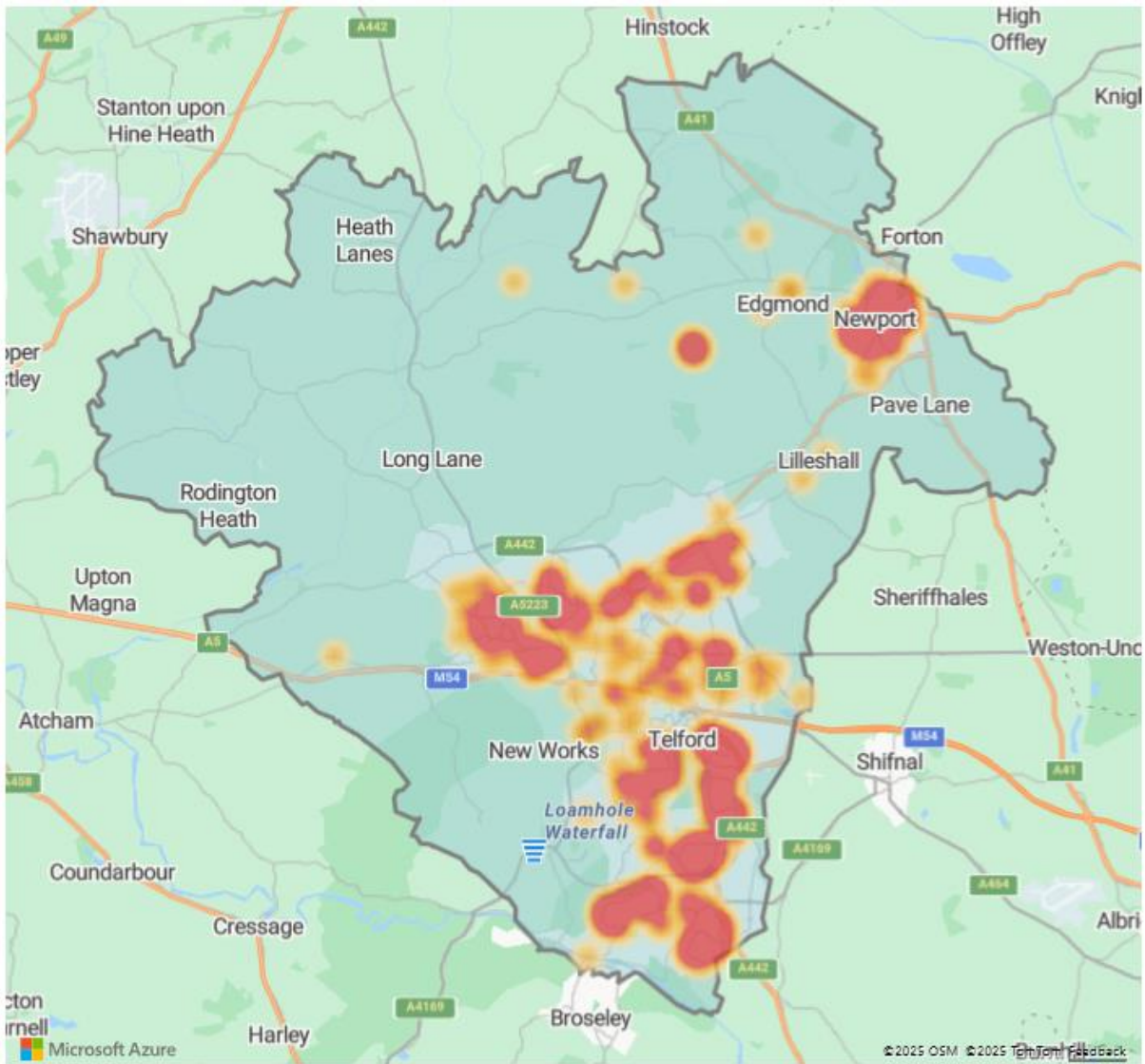
Analysis by Telford & Wrekin Council estimates that the number of HMOs in the borough to be significantly higher - as of September 2025, there are 317 licensed HMOs within the borough alone. Investigation of LLPG, Housing Complaints and Council Tax data indicates that there are a further 400+ HMOs within the borough that do not meet the current requirements for mandatory licensing - this would give a total figure in the region of 750 HMOs. Out of a total dwelling stock of 83,500 as at March 2024, representing 0.9% of the borough's dwelling stock, almost twice that of the ONS estimate.

Source	Number of HMOs
Licensed HMOs	317
LLPG	280
Council Tax	418
Housing Complaints	146
Total Unique Addresses*	747

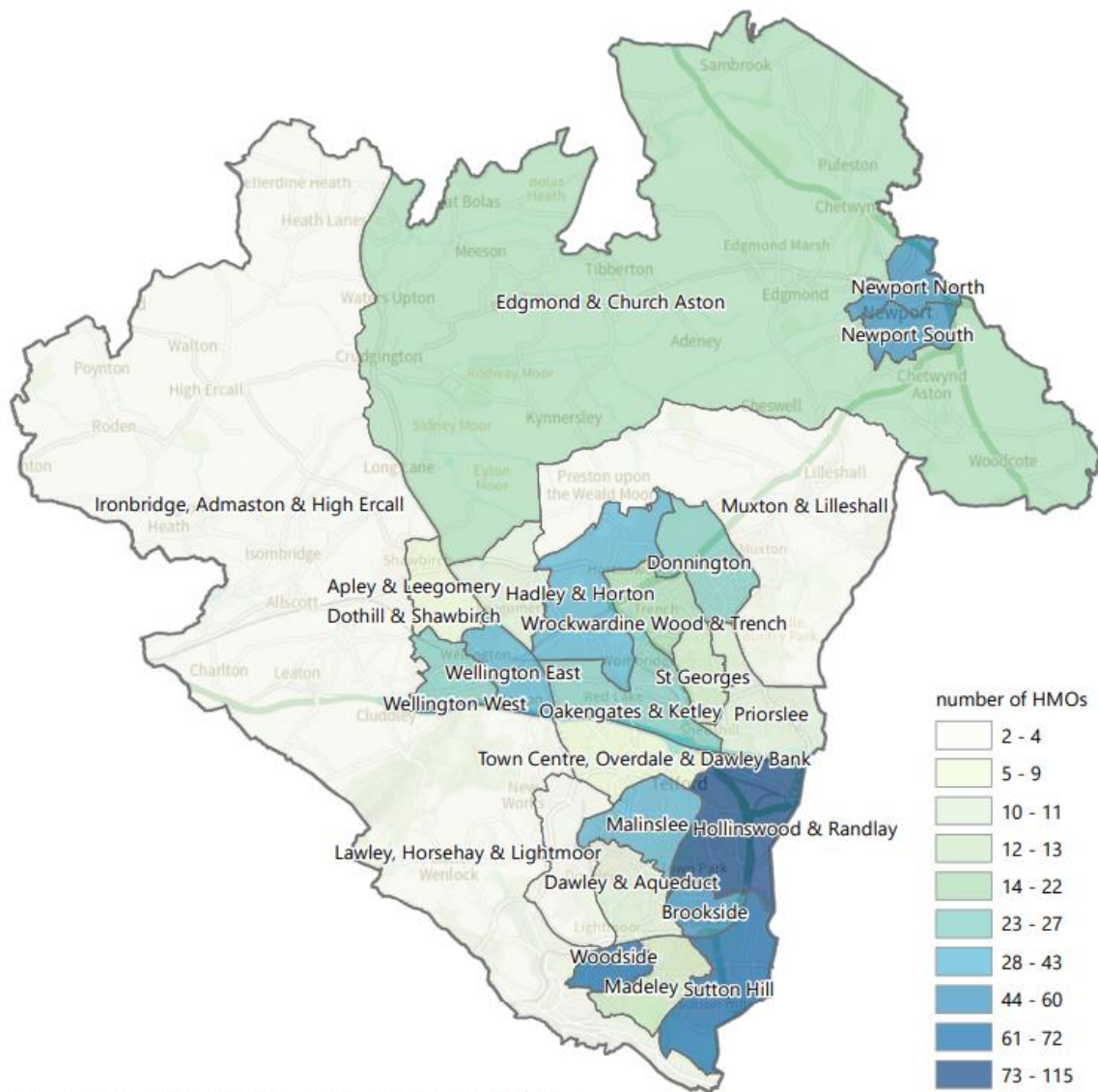
*Some addresses may appear in more than one category (e.g. a licensed HMO may also be listed in the LLPG dataset). This is a count of the total unique addresses from the analysis.

¹⁰<https://www.ons.gov.uk/census/census2021dictionary/variablesbytopic/housingvariables/census2021/householdsofmultipleoccupancyhmo>

Map 2: Heat Map of estimated HMOs in Telford and Wrekin



Map 3: Estimated number of HMOs by MSOA



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Condition of HMOs

A Stock Condition Report (SCR) carried out in 2022 estimated the presence of HHSRS category 1 hazards in 11% of dwelling stock in the borough. Category 1 hazards are those that present the most serious risks to the health and safety of occupants. Examples of category 1 hazards include damp and mould, excess heat or cold, electrical hazards and risk of falls.

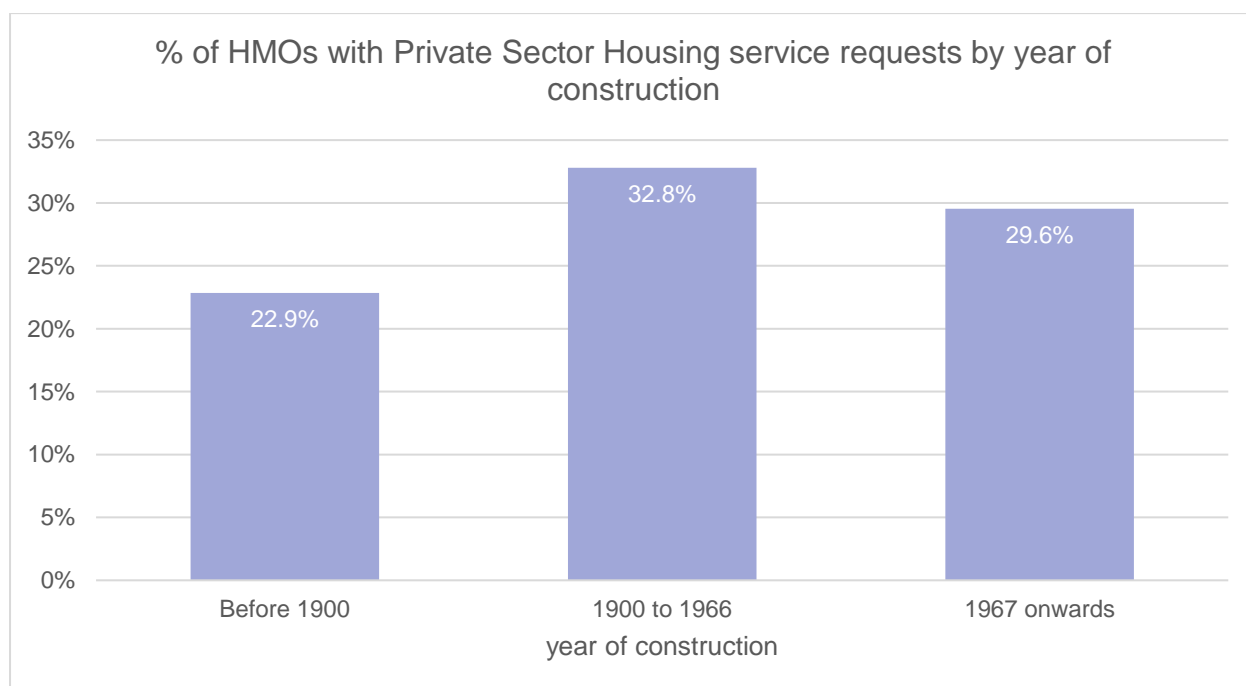
In those properties currently known or believed to be HMOs the proportion estimated to have category 1 hazards was 12%.

The proportion of HMOs estimated to have category 1 hazards varies according to the age of the property. 17% of HMOs constructed prior to 1900 are estimated to have category 1 hazards, compared to 16% constructed between 1900 and 1966 and 15% of those built from 1967 onwards.

Between 2021 and 2025 the Council's Private Sector Housing Team have received at least one service request for 30% of those properties currently known or believed to be HMOs.

Proactive initiatives such as Safer Stronger and Better Homes for All programmes have had limited success at proactive improvement of this cohort of our housing stock.

Although older those HMOs constructed prior to 1900 are more likely to have category 1 hazards, but data from the housing team shows that they are less likely to have had service requests recorded against them than those built between 1900 and 1967 and for those constructed from 1967 onwards.



Deprivation

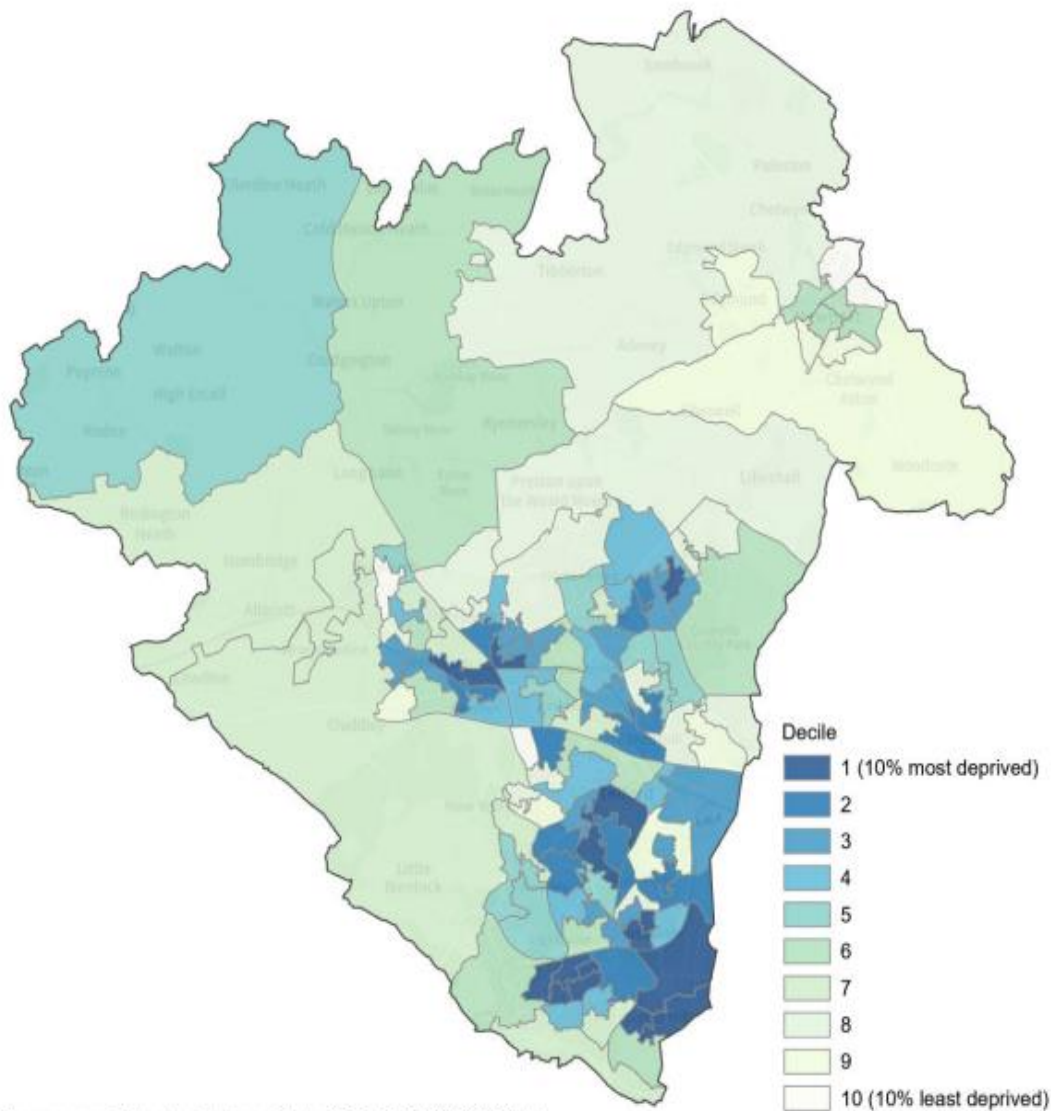
Telford and Wrekin has contrasting levels of deprivation with some of the most and least deprived areas in England located in the borough.

In the 2025 Indices of Multiple Deprivation the borough ranked 62 out of 153 upper tier local authorities in England (where 1 is the most deprived)¹¹. Of Telford and Wrekin's 115 lower layer super output areas (LSOAs), 15 LSOAs (13%) were ranked amongst the 10% most

¹¹ <https://www.gov.uk/government/statistics/english-indices-of-deprivation-2025>

deprived in England, whereas 4 LSOAs (3.5%) were ranked amongst the 10% least deprived.

Map 4: Indices of Multiple Deprivation 2025 – IMD Deciles Telford and Wrekin



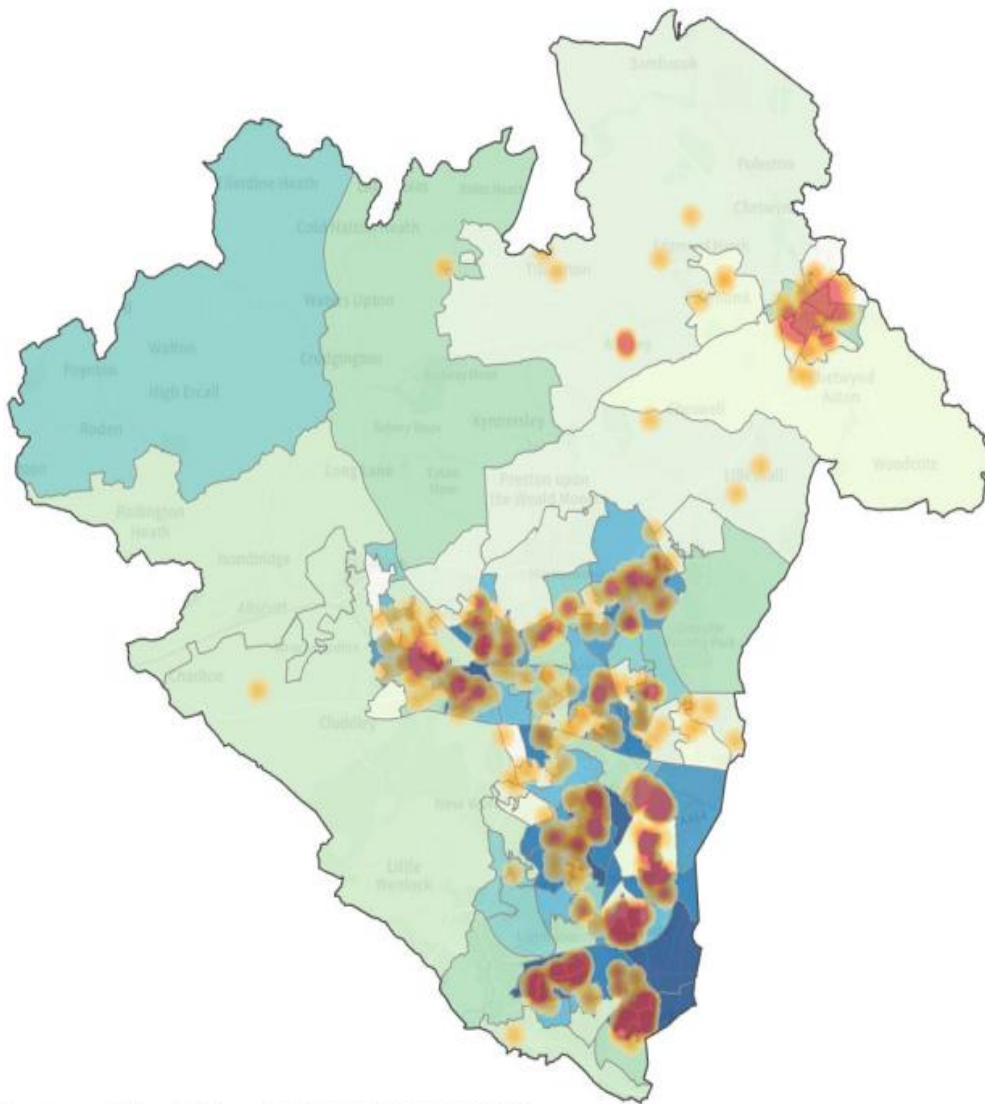
Overlaying the HMO heat map shows that HMOs in Telford and Wrekin are mainly

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concentrated in the most deprived parts of the borough, with almost 1 in 3 (30%) located in the 13% of areas ranked in the 10% most deprived nationally.

However, the presence of HMOs providing accommodation for students attending Harper Adams University means that a significant proportion are located in and around Newport in some of the least deprived parts of Telford and Wrekin.

Map 5: IMD Deciles and HMO heat map



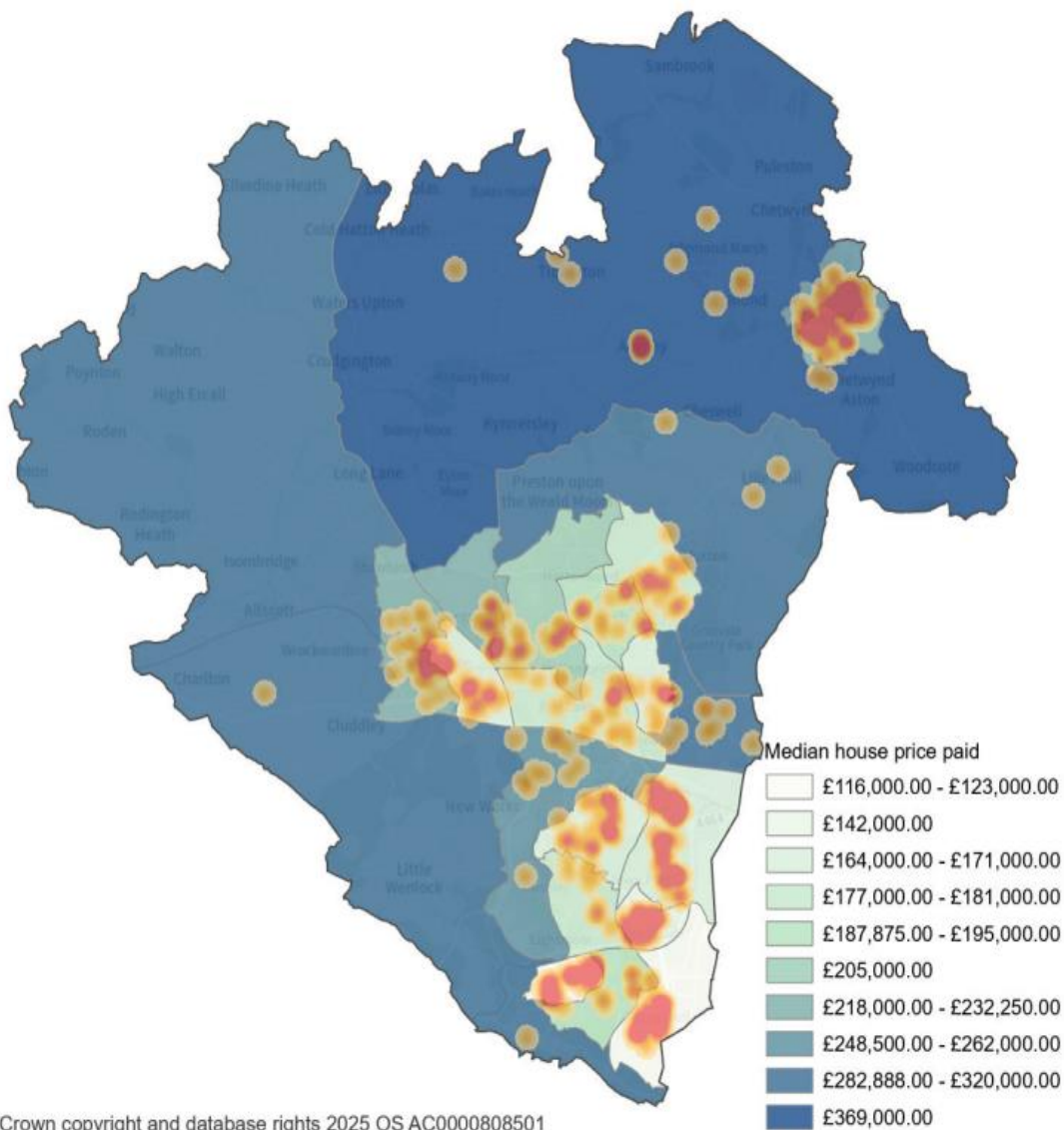
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House prices

Average house prices in Telford and Wrekin are amongst the lowest in the West Midlands region with the latest median house price £230,000 in the borough compared to a regional average of £250,000¹².

In the year ending September 2024, the median house price in 22 out of 24 MSOAs in the borough was below £300,000 and with average private rents increasing by 6.7% between August 2024 and August 2025 Telford and Wrekin is an attractive location for investors.

Map 6: Median House Prices paid year ending September 2024 and HMO heat map



¹²<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/medianhousepricesforadministrativegeographies>

Crime & Anti-social Behaviour

Analysis has been undertaken to determine the level of crime and anti-social behaviour that occurs in the vicinity of HMOs in Telford and Wrekin. This has shown that 28% of households in the borough are within 100m of a property known or believed to be an HMO. Analysis found that 35% of recorded crime¹³, 35% of anti-social behaviour reported to the police and 31% of anti-social behaviour incidents reported to the Council took place within 100m of HMOs between July 2024 and June 2025. This is disproportionate compared to the number of households.

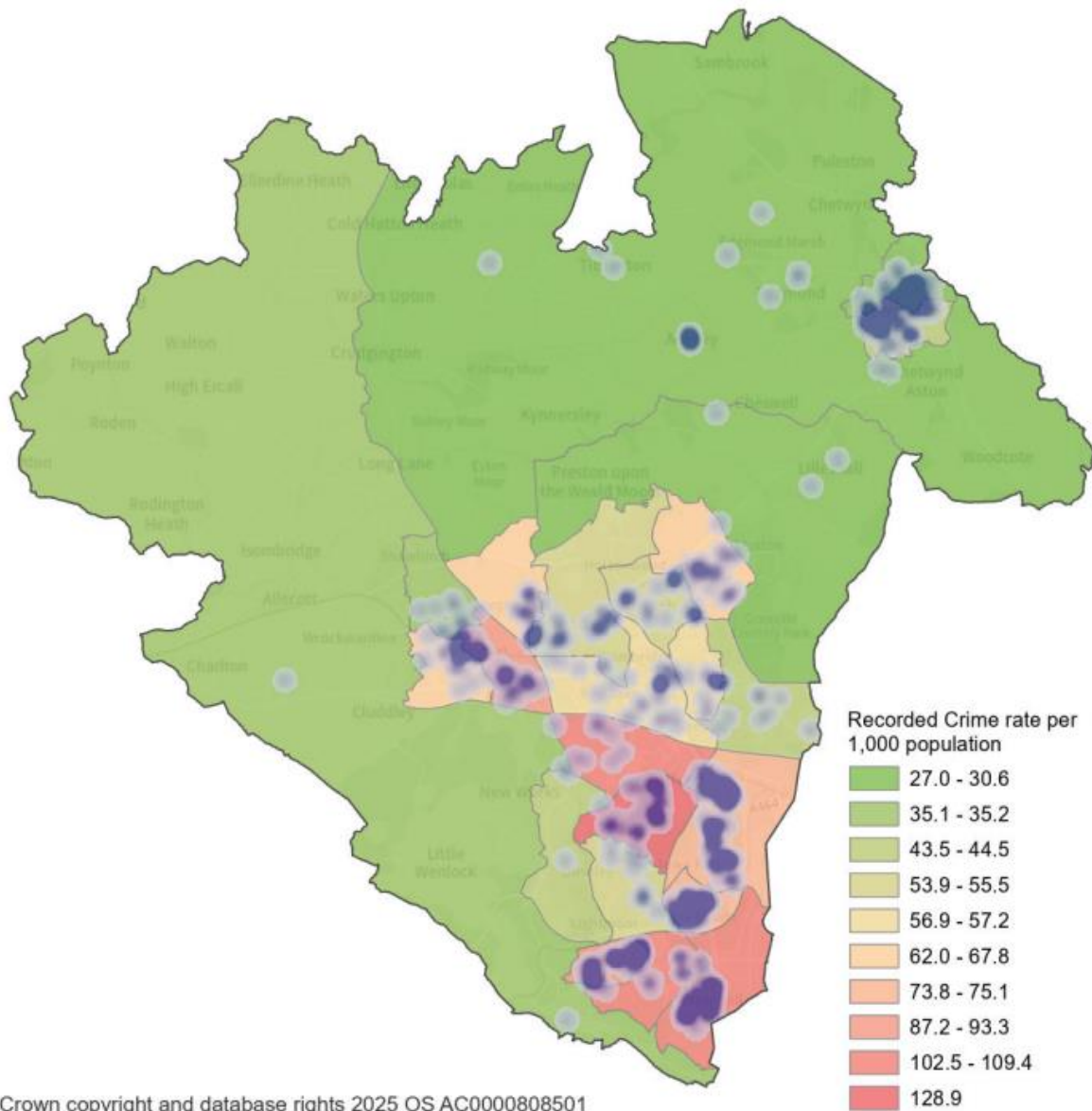
The rate of recorded crime per 100 households within 100m of an HMO was 17.2 per 100 compared with 12.2 per 100 households more than 100m from an HMO. For anti-

social behaviour reported to the police the rate was 3.8 per 100 households within 100m of an HMO compared with 2.7 per 100 households more than 100m from an HMO. For anti-social behaviour reported to the Council there was less variation with a rate of 1.4 per 100 within 100m of an HMO compared with 1.2 per 100 households more than 100m from an HMO.

The following maps show that broadly speaking those areas with the highest rates of recorded crime and police recorded anti-social behaviour are also those areas with the highest concentrations of HMOs.

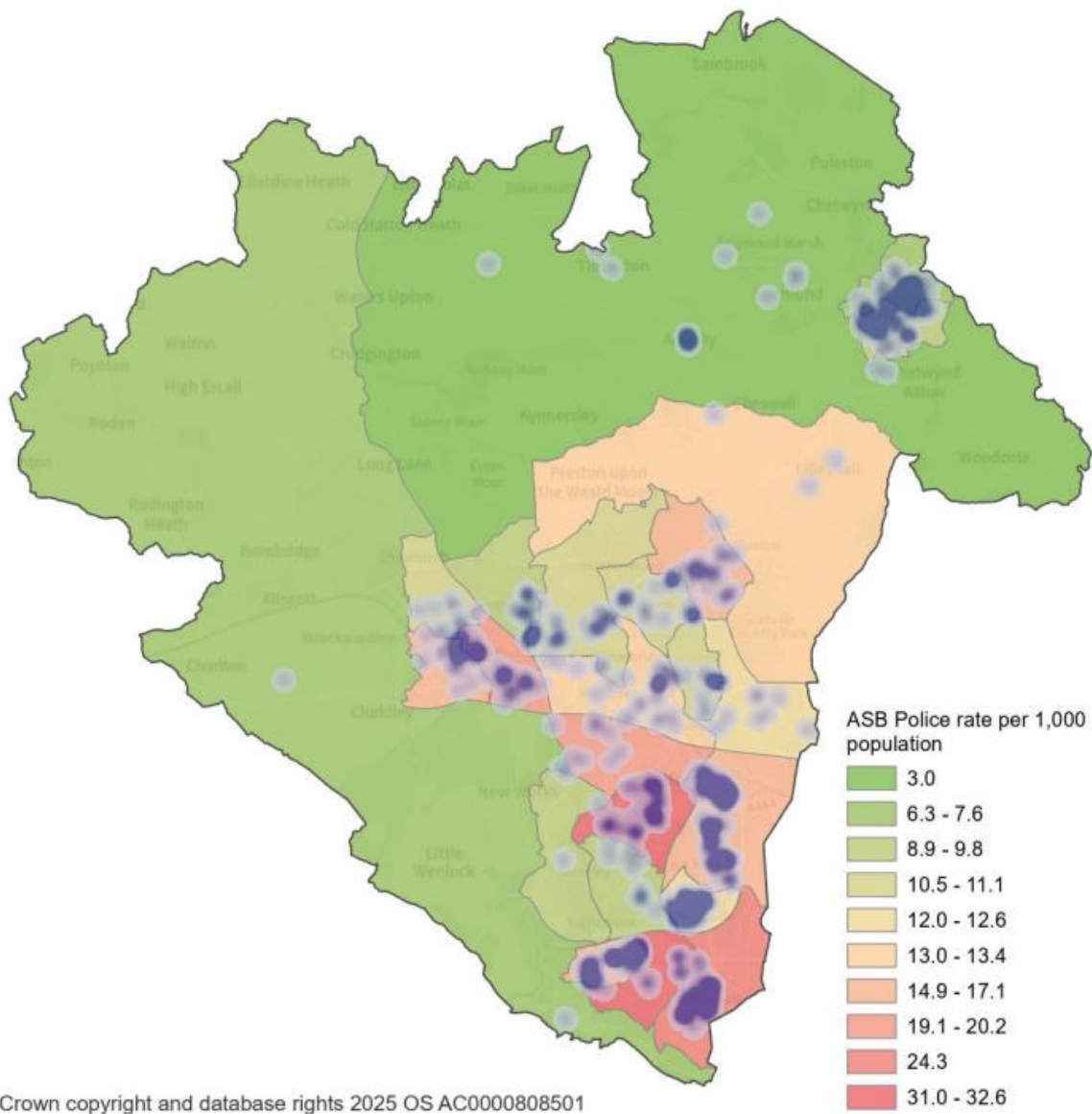
¹³ Not including shoplifting or business related crime.

Map 7: Recorded crime rate per 1,000 MSOA population July 2024-June 2025 and HMO heat map

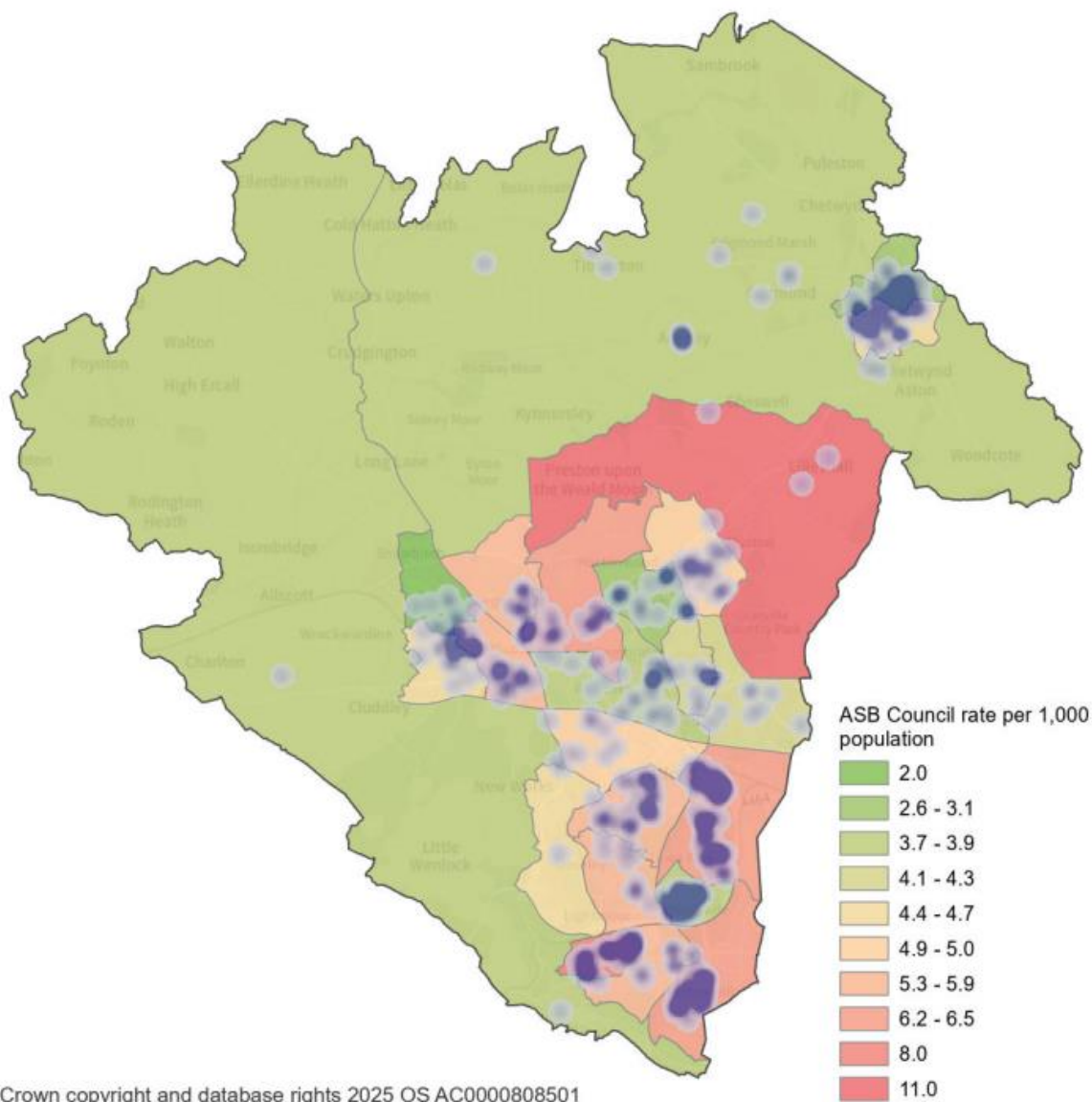


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Map 7: ASB reported to Police rate per 1,000 MSOA population July 2024-June 2025 and HMO heat map



Map 8: ASB reported to Council rate per 1,000 MSOA population July 2024-June 2025 and HMO heat map



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4. The Case for Additional Licensing in Telford and Wrekin

Additional Licensing

Local authorities can introduce a discretionary additional scheme for other types of HMOs not subject to mandatory licensing in part of its area or the whole of its area. This will include the category of HMO which is often referred to as a section 257 HMO. Section 257 HMOs are where the building was converted into self-contained flats before the 1991 Building Regulations came into force on 1st June 1992 and have not been subsequently improved to at least the 1991 standards.

In April 2015 the Secretary of State for Communities and Local Government gave Local Authorities general approval to make additional and selective licensing designations in England. When considering the introduction of an Additional Licensing Scheme the Council must proceed through the statutory process as laid out in Section 56 and 57 of the Housing Act 2004 and associated guidance. Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015.

HMOs make a considerable contribution to the vibrancy of the borough's economy, and the Council recognises that the majority of landlords provide decent living accommodation. However we know this is not universally the case and it is therefore important that measures are put in place to encourage all landlords to operate to at least a minimum standard and to provide the means for the Council to take action where this is not the case and to raise overall standards across the HMO sector.

The significance of HMOs in the borough is only likely to increase. The pressures on the borough's housing market are such that house prices are likely to continue to rise restricting further those households who cannot access the property ladder. In turn, this will mean that for a greater number of people who live in the PRS, the best or only chance of a decent home is in a properly managed and well regulated, licensed house in multiple occupation.

Implementation

Section 56 of the Housing Act 2004 places requirements upon the Council when considering a designation for additional licensing of HMOs, in that the Council must:

- Consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise to, or be likely to give rise to, one or more particular problems either for those occupying the HMOs or for members of the public;
- Take reasonable steps to consult with persons who are likely to be affected and consider any representations made in accordance with the consultation and not withdrawn;
- Have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the area (these codes relate to universally managed accommodation).

Consultation

- The General Approval requires that any consultation period for the proposed designation should not be less than 10 weeks.
 - This condition will be met by the Council running a 12-week consultation, which will be primarily online with opportunities for face-to-face engagement throughout the consultation period. We aim to conduct 4 face-to-face events for stakeholders in accessible locations covering the geography of the borough.
 - Stakeholders include; Elected members, Landlords – both HMO and non-HMO, private tenants, lettings agents, owner-occupiers, landlord organisations, local housing organisations and partners, community groups, town and parish councils, general public, media, Council staff, including housing and planning, Harper Adams University and student unions.

Strategies

Section 57 provides further considerations for the Local Authority in that they should ensure that:

- Exercising the designation is consistent with the authority's overall housing strategy;
 - [The Housing Strategy](#) 2025-2030 outlines the Council's commitment to expand and improve housing across the borough by:
 - Making the best use of our existing homes
 - Supporting safe, clean, green, healthy and connected communities
 - Providing homes to support and empower our most vulnerable people

Borough wide additional licensing will support all three of these objectives.

- Seek to adopt a coordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector as regards combining licensing with other action taken by them or others;
 - [The Borough Long Term Empty Property Strategy](#) adopted in 2021 provides the framework for dealing with the various issues associated with long-term empty homes in the borough, including ASB, crime and blight affecting neighbourhoods and community cohesion.
 - [The Homelessness Strategy](#) adopted in 2024 sets out how Telford and Wrekin Council and its partners across the statutory, community and voluntary sectors work together to prevent and tackle homelessness and rough sleeping in the borough. The use of shared housing is essential in delivering these objectives.
 - [The Safer Stronger Communities project](#) was established in 2021 to help residents feel safer in their homes and communities and;

- [The Safer Telford and Wrekin Strategy 2024-2027](#) sets out the Community Safety Partnership's plan for tackling crime and anti-social behaviour. Setting additional safety standards in HMOs directly delivers these objectives.
- Consider whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question; and
- That making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well).

Options Appraisal

Option	Limitation
<p>Do nothing This option would involve the Council doing nothing to intervene in the small HMO sector leaving the local housing market to be the driver for landlords carrying out improvements to their properties.</p>	<p>This approach would fail to address the concerns regarding the management of some of these properties, borough-wide, highlighted in the evidence base, ignoring the impact on tenants and local neighbourhoods.</p>
<p>Informal area action (proactive inspection programme) This is dependent upon voluntary compliance from tenants and landlords.</p>	<p>This is already in process via the safer stronger programme, and whilst successful, interventions are limited by lack of regulatory tools and inspection powers and has not affected the changes the evidence base indicates is needed in the HMO market, to deliver more consistent and sustainable improvements.</p>
<p>Voluntary Accreditation Accreditation schemes have a set of standards (or code) relating to the management or physical condition of different HMOs and recognise properties/landlords who achieve/exceed the requirements.</p>	<p>We have previously operated a landlord accreditation scheme and, whilst it served well to identify and help us work with the already compliant landlords in the borough, it did not help us identify poorer performing landlords nor did it encourage landlords to improve their practises.</p>
<p>Do the minimum (reactive inspection programme only) This option would mean that the Council's intervention in the small HMO sector would be limited to a basic, reactive complaint response service with action by other</p>	<p>The option is reactive and relies largely on the housing market as a driver for landlord-initiated housing improvement across the board. All council services would continue to use their existing enforcement powers.</p>

departments and agencies on a largely ad hoc basis.	
<p>Targeted use of Interim Management Orders (IMOs) and Final Management Orders (FMOs).</p> <p>The Housing Act 2004 gives local authorities powers to use Management Orders for addressing comprehensive and serious management failures.</p>	<p>The use of IMOs on individual properties does not appear to give value for money, as the amount of resource being put into one property will mean that other properties cannot be tackled. If this were to be the only sanction available then operating more than a few IMOs at a time would not be feasible given the lack of funding. This approach is reactive, seen to be heavy handed, and can cause problems for the Council when attempting to work with and engage with landlords. Additional licensing is about engaging with landlords to improve consistent standards.</p>
<p>Area-based Additional licensing scheme</p> <p>Licensing could be introduced in selected wards in the borough where, for example, there are the highest concentration of HMOs.</p>	<p>However it has been shown that there are HMOs borough-wide and focussing only on specific areas could lead to displacement of HMO/poor practices to other parts of the borough and risks management standards and impacts on tenants and communities varying across the borough.</p>

Other Limitations of Alternative Options

- The cost of other approaches would fall to all tax payers. This is considered unfair given many of the problems are due to poor management practices by landlords or agents operating in a buoyant marketplace. The proposals being put forward for additional licensing will be self-financing with the fee paid by the applicant covering the cost of licensing.
- Other schemes will not give the Council detailed and accurate information concerning the HMO stock. This is essential in order to undertake meaningful prioritisation and work planning. Such information is not only used in the area of Regulatory Services but is also used and required by colleagues in other services.

5. Introduction of Additional Licensing Scheme

Based on the evidence contained within this report, the Council believes that the introduction of an additional licensing scheme of all smaller HMOs on a borough-wide basis is the best course of action to improve the quality of housing standards and communities in the borough.

Application Process

The application process will be the same as the mandatory licensing scheme with all details available on the Council website. The process involves an online application form, certain certification such as electrical and gas safety etc and an application fee.

Licence Fee

The fee for a five year (in certain circumstances the Council may issue a licence for a shorter duration) additional licence in 2026/2027 will be £1,522.42 per property. *Please see fees and charges schedule appended to this report. This fee level has been calculated based on financial modelling to establish the operating cost of the scheme over a 5-year period and benchmarked against neighbouring authorities.

Subject to Cabinet approval, it is proposed that all full and valid applications received within the 3 month lead in period will benefit from a 10% early bird discount.

Support

Each application will have a nominated technical officer who will process the application. This will include an inspection of the property to ensure minimum standards are met. Landlords will be supported to reach minimum standards within reasonable timescales.

In light of the impending changes being introduced through the Renters' Rights Act, landlords will also have support throughout the duration of the licence from the Council's Landlord, Tenant Coordinator. *This is subject to the landlord requesting support proactively.

Licence Conditions

The Housing Act 2004 requires that every licence must include certain mandatory management conditions. Proposed licence conditions are contained in the consultation pack.

Penalties for non-compliance

It is a criminal offence to let out a property in a designated licensing area without a licence and/or for failure to comply with any condition of the licence. In line with the Council's enforcement policy adopted in July 2024, failure to apply for or obtain a licence could lead to prosecution and an unlimited fine or, as an alternative to prosecution, the issue of a civil penalty with a financial penalty of up to £30,000.

The level of any financial penalty issued will be based on factors including:

- Severity of the offence
- Culpability and track record of the offender
- Harm caused, or the potential for harm to be caused, to the tenant(s)
- An appropriate and proportionate punishment of the offender
- A suitable deterrent to committing the offence
- Removal of any financial benefit the offender may have obtained as a result of committing the offence.

In addition, the council or the tenants of the property could apply to the First Tier Tribunal (Property Chamber) for a Rent Repayment Order, requiring the landlord to repay an amount equivalent to up to twelve months of any rent received in respect of a property.

Fit and Proper Person Test

If a licence applicant or property manager has been convicted of a specified criminal offence or issued with a financial penalty, they may be considered as not *'fit and proper'* to hold a licence and may be refused a licence. Similarly, in such cases, an existing licensee may have their licence revoked. In cases where the person applying for the licence is not considered fit and proper and the property is to continue to be rented, an alternative, unrelated person will have to apply to be the licence holder. If a suitable licence holder cannot be found then the council may have to take over management of the property itself by, for example, making an interim management order under Part 4 of the Housing Act 2004.

Duration of licence

In line with our enforcement policy, we also reserve the right on a case-by-case basis to issue a shorter duration licence where we do not have sufficient confidence in management.

Standards and Amenities Guide for Houses in Multiple Occupation (HMO)

This guide was adopted by Cabinet in July 2024, to assist owners, agents and occupiers in relation to the standards / amenities expected in houses in multiple occupation (HMOs) in the borough.

Benefits of Additional Licensing – Landlords

- Responsible landlords will be rewarded for positive letting practices by being issued with a full five year licence with no additional charges. This equates to 83 pence a day.
- Creation of a level trading environment for private sector HMO landlords.
- Landlord's reputation will be enhanced by holding a licence, while those landlords whose poor practices have given private renting a negative status, will either be made to bring their properties up to the standard of the others or risk losing the right to let their properties.

- HMO landlords can promote their licensed status and find it easier to attract tenants who know that a licensed property is well managed and safe; a better environment will make properties easier to let and sustain tenancies.
- Better management and tenancy agreements will enable the HMO landlord to have greater control over the property and landlords will be supported in dealing with tenants who commit anti-social behaviour.

The Benefits for Private Tenants

- Enhanced protection for all tenants living in HMO accommodation, including the vulnerable, by ensuring, for example, that the accommodation has adequate amenities, space standards and fire safety.
- Protection from possible retaliatory eviction as licensing enables the proactive checking of properties and management practices, rather than relying on the tenant to report poor conditions.
- The standards imposed will ensure that the landlord is not permitted to have more tenants than recommended for the size of the property and the facilities provided so tenants can be assured that they are not living in cramped, overcrowded accommodation.
- Advice and guidance will be available to tenants so that they can understand their rights to a decent home.
- Added protection for tenants as a result of better landlord management practices and greater protection from unlawful eviction.

The Benefits for the Community

- All HMOs will have a consistent minimum standard, amenities and repairs.
- Reduce the number of overcrowded properties that can lead to anti-social behaviour especially relating to noise and rubbish.
- The Council will be aware of all HMOs, making hidden HMOs easier to find and for neighbours to report.
- The Council will have extended powers to gain access into properties suspected of being unlicensed HMOs.

Appreciation of Property Values

- Telford's strong housing market promises long-term financial gains for landlords as HMO standards improve, reflected in rising property values. While HMOs can accelerate property wear and reduce area amenities if concentrated, licensing agreements between landlords and local authorities help maintain quality and support neighbourhood stability, preserving property values.

Benefit: Pro-active involvement eliminates reactive work

- Licensing also provides a consequential benefit in that it eliminates or mitigates many of the issues that generate tensions between landlords and tenants. Licensing is a means of pre-empting problems (for example, damp or ventilation issues leading

to poor living conditions) before they become matters of contention and stress that the landlord would otherwise have to manage. It will provide a recognised route for resolving any disputes without the cumbersome mechanisms of prosecution.

- The Council already deals with much of this work but in different capacities. The work is normally in response to a service request. Reacting to something after damage has been done is usually a negative and inefficient way of resolving an issue. Additional licensing will allow for positive, pro-active and efficient involvement, and should eliminate many problems before they occur.

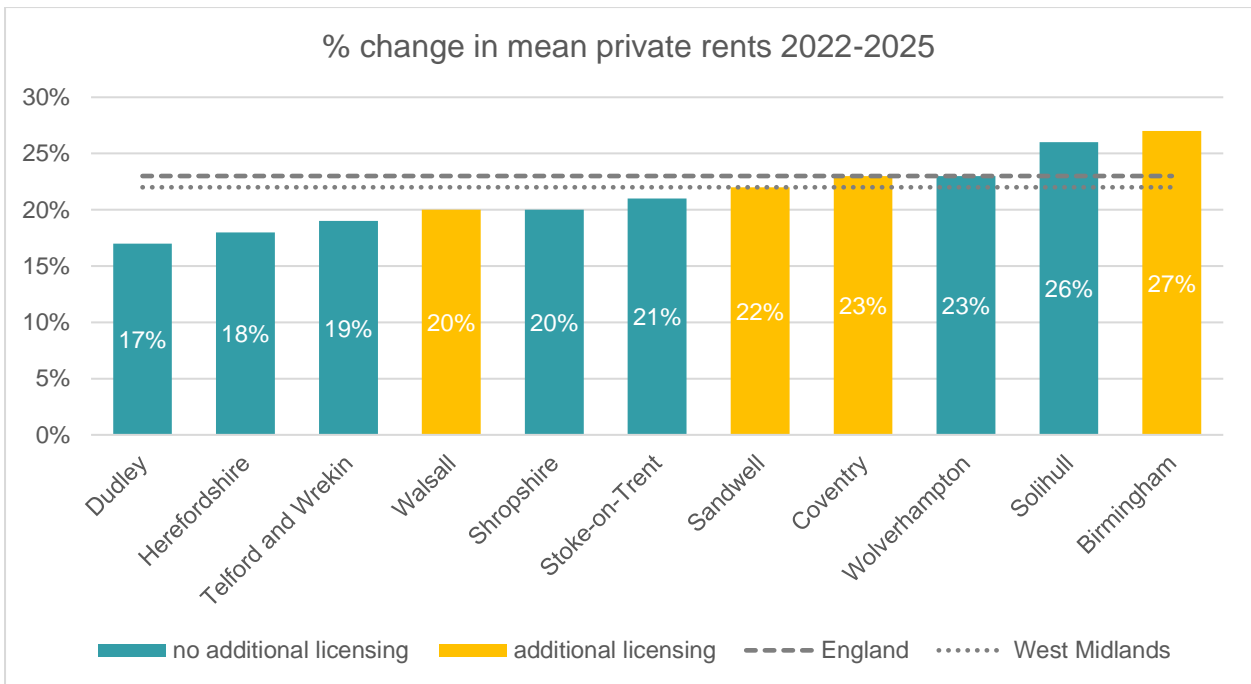
Impact of licensing

One of the biggest criticisms of any licensing scheme is that the cost associated with the licensing fee will be passed onto tenants by an increase in rent. The Council has conducted some research into this area and made a comparison of rents from 2022-2025 between upper tier local authorities in the West Midlands region with additional licensing schemes and those without, in order to establish if there was any evidence to show that additional licensing increases rent. licensing increases rent.

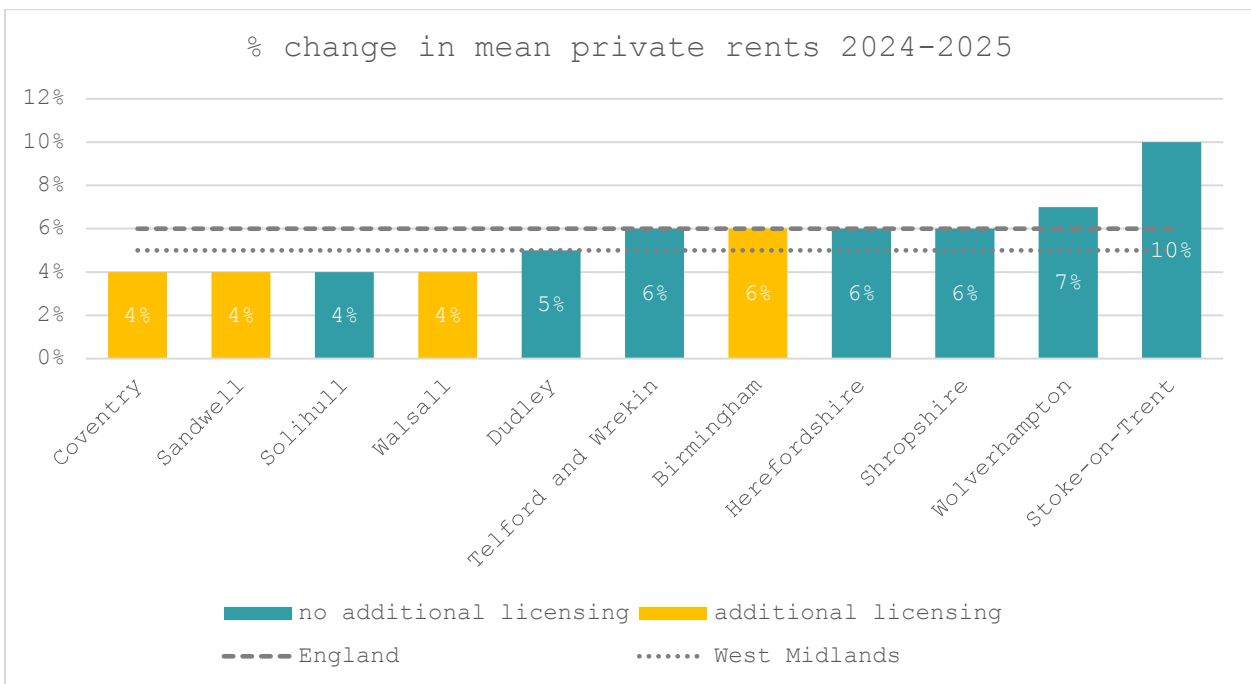
The research showed that rental values had increased in Telford and Wrekin by an average of 19% between 2022 and 2025 compared to 22% in the West Midlands and 23% in England over the same period.¹⁴

Between 2022 and 2025 private rents increased in all upper tier local authorities in the West Midlands. Four Local Authorities had increases above the regional and national average. Two of these (Coventry and Birmingham) have implemented additional licensing, whilst two (Wolverhampton and Solihull) have not.

¹⁴<https://www.ons.gov.uk/economy/inflationandpriceindices/bulletins/privaterentandhousepricesuk/october2025/private-rents-across-the-uk>



Six upper tier local authorities in the West Midlands region (including Telford and Wrekin) had increases in private rents between 2024 and 2025 that were greater than the regional average. Of these six local authorities, only Birmingham currently has an additional licensing scheme in place.



Despite the perception that licensing increases rents, this data analysis shows little evidence to suggest that discretionary licensing schemes are directly responsible for rental increases. Where there has been an increase in rent it is more likely associated with supply and demand and not the introduction of discretionary licensing schemes.

6. The Case for Article 4 in Telford and Wrekin

Article 4 - The Town & Country Planning (General Permitted Development) Order 2015 (as amended)

In April 2010, amendments were made to the Use Classes Order and the General Permitted Development Order to introduce a new Use Class C4 (Houses in Multiple Occupation) - typically referred to as 'Small HMOs'. HMOs where there are 6 or more unrelated people are still considered as HMOs, however these are now commonly referred to as 'Large HMOs' which in broad terms, consist of more than six occupants. Current legislation therefore allows a family dwelling (Use Class C3) to Change-the-Use of a small HMO (Use Class C4) without the need to apply for formal planning permission, by utilising Permitted Development Rights.

An Article 4 Direction is a direction made under Article 4 of the General Permitted Development Order (GPDO) which enables the Secretary of State or the Local Planning Authority to withdraw specified Permitted Development rights across a defined area. An Article 4 Direction cannot be used to restrict changes between uses in the same Use Class of the Use Classes Order.

Para. 54 of the National Planning Policy Framework (NPPF), 2024, makes it clear that in all cases, an Article 4 Direction should be based on robust evidence, and apply to the smallest geographical area possible, where a Direction is necessary to protect local amenity or the wellbeing of the area. National Planning Practice Guidance also notes that blanket Article 4 Directions covering large areas (for example, the whole of a town) are not encouraged unless there is convincing evidence to justify such a direction.

A review of surrounding Local Authorities indicates that an increasing number of neighbouring Local Authorities, namely Shropshire, Wolverhampton, Dudley, Sandwell and Birmingham, have implemented Article 4 Directions.

Local Planning Authority	Additional Licensing	HMO Article 4	Measures Implemented
Shropshire Council	No	No	-
Wolverhampton Council	No	Yes	borough Wide (2017) & SPD (2019)
Walsall Council	Yes	Yes	
Dudley Council		Yes	borough Wide (2023)
Sandwell Council	Yes	No	-
Birmingham Council	Yes	Yes	City Wide (2020) & SPD (2022)

It has been noted that the three Local Authorities with Article 4 Directions in place have experienced a notable surge of small HMOs since the introduction of the 2010 GPDO, and the associated social and economic issues.

Proposals for Article 4

In order to protect amenity and ensure the communities within the borough of Telford and Wrekin Council remain sustainable, with a mix of dwellings, including those for families and single occupiers, the Council proposes to introduce an Article 4 Direction to remove the Permitted Development Rights currently allowing the conversion of a dwellinghouse (Use Class C3) into a Small HMO (Use Class C4) for up to six residents.

As a result of the 12-month lead in time for an Article 4 Direction, this would allow opportunity for the Local Planning Authority to explore introducing an HMO Supplementary Planning Guidance / Supplementary Planning Document (SPD) that would provide guidance that could be used to:

- assess planning applications for HMOs, supporting the implementation of Policy H07 (Houses in Multiple Occupation) of the emerging Local Plan;
- provide an overview of HMOs licencing requirements; and
- provide a checklist of information the Council requires to be submitted with a planning application.

Legislative Controls

National Planning Policy, 2024

The National Planning Policy Framework (NPPF) sets out the Government's Planning Policies for England and how these policies should be applied. To achieve sustainable development, the NPPF expects the planning system to support strong, vibrant and healthy communities as a key social objective. There is no specific reference to shared housing within the NPPF but local planning authorities are required to make provision for the size, type and tenure of housing needed for different groups in the community, including for those who require affordable housing, students, families, and people who rent their homes.

Chapter 5 of the NPPF supports local planning authorities to ensure that the delivery of new housing seeks to meet locally identified need and that the needs of groups with specific housing requirements are addressed. Chapter 11 of the NPPF promotes making 'effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.'

Chapter 12 of the NPPF emphasises the importance of creating high quality, beautiful and sustainable buildings and places which promote health and well-being, with a high standard of amenity for existing and future users.

In light of the principles established by the NPPF, it is considered that provision of planning policy guidance on HMO development will help to ensure mixed and balanced communities

and a high standard of accommodation and amenity supporting the adopted local planning policies.

Para. 54 of the 2024 National Planning Policy Framework (NPPF) makes it clear that in all cases, an Article 4 Direction should be based on robust evidence, and apply to the smallest geographical area possible, where a Direction is necessary to protect local amenity or the wellbeing of the area.

Local Planning Policy

Telford and Wrekin Local Plan para. 5.1.1.1 establishes the borough's overall housing requirement to meet the development needs of Telford & Wrekin until 2031, committing the Council to boost the supply of new homes significantly to meet the national shortage of housing and to ensure that the borough's future housing needs for both Market and Affordable Housing, in full over the plan period and to ensure that every household has access to a good quality home at a price they can afford in an appropriate location.

Para. 5.2.1.1 acknowledges that National Planning Policy supports the delivery of a wide choice of high quality homes, including opportunities for home ownership and the creation of socially mixed communities with Policy HO4 of the Local Plan establishing the Council's overall approach to promoting housing schemes that meet a range of housing needs.

Policy BE1 'Design Criteria' seeks to ensure, inter alia, that there are no significant adverse impacts on nearby properties by noise ... and that new development does not prejudice or undermine existing surrounding uses;

Whilst there are no specific policies within the Council's current Development Plan documents that relate to the development of HMOs within the borough, there is a concern that the number of HMO's in the borough is not only impacting on the quality and choice of housing available but is contributing towards the continued decline of the borough in the relative rankings of local authority deprivation, contrary to the vision and objectives of the Telford and Wrekin Local Plan.

A Supplementary Planning Document (SPD) relating to HMO would add weight and additional advice/support to landlords. However the absence of a specific Policy on HMOs within the existing Development Plan means that it is currently not possible to develop a Supplementary Planning Document (SPD). The Telford and Wrekin Local Plan Review, 2020-2041 was formally submitted to the Planning Inspectorate on 12 September 2025 and as at December 2025 is now at the Regulation 22 Stage and therefore limited weight will be given to the relevant policies within the document.

Within the Emerging Local Plan, Policy H07 (Houses in Multiple Occupation (HMO)) is a specific Policy relating to the development of new Houses in Multiple Occupation within Telford and Wrekin. This Policy states that:

1. In circumstances where planning permission is required for the subdivision of dwellings into Houses in Multiple Occupation (HMOs), the council will support the proposal where:
 - a. There is no significant adverse impact on the amenity of existing and future residents, including the homes and gardens of neighbours and they do not change the character of the area;
 - b. There is not an over proliferation of HMOs in the surrounding area;
 - c. The HMO would offer a good standard of living accommodation including access to communal and outdoor amenity space;
 - d. Safe, well designed vehicle access and parking is provided to meet the needs of the development and prevent any foreseeable parking issues in the surrounding area;
 - e. There is provision for waste/recycling storage to meet the needs of the development;
 - f. There is provision for cycle storage to meet the needs of the development;
 - g. The proposal complies with other relevant policies in the Local Plan including on design, landscape and historic environment; and
 - h. For larger HMOs, there should be a consideration for on-site management staff ensuring that the building is managed.

The explanatory text in para's. 9.71 and 9.72 also notes that 'the Council has adopted local amenity standards for HMOs' noting that any development for HMOs in the borough should comply with these standards, or any subsequently published. It further notes that generally HMOs that require planning permission are of a scale where there would be an increased demand for vehicle parking spaces, cycle storage and waste storage. To ensure high quality homes are provided, such developments should provide sufficient facilities and storage. The Council has published its vehicle parking and cycle storage requirements in the Highways Design Guide.

The policy approach to determining planning applications for the formation of the HMOs will be guided by the emerging Local Plan with the intention to secure strong and balanced communities. It is particularly noted that Policy H07 takes a relatively permissive approach towards HMOs borough Wide. That said, Policy H07 should be read in conjunction with Policy DD1 (Design Criteria), which requires that new development (pertinent criterion listed only):

1. To ensure good place-making the Council will support development which:
 - a. Make a positive contribution to an area's character and enhances the quality of the local built and natural environment;

- d. Preserves and reinforces historic street patterns, groups of buildings, layouts, traditional frontages and boundary treatments to satisfactorily integrate the development into the surrounding area;
- h. Creates a secure environment which, having regard to Secured by Design principles, is legible and safe for all including people with physical accessibility difficulties, attractive and convenient through the design and orientation of buildings, the integrated provision of external spaces, drainage, landscaping, open space and parking;
- i. Creates and adapts places and spaces to create active environments that enable healthy living, with convenient opportunities for exercise on or around the development and through development 'greening';
- m. Provide homes with good quality internal environments with adequate spaces for users and good access to private, shared or public spaces;
- n. Demonstrates that there is no significant adverse impact on nearby properties by noise, dust, odour or light pollution or that new development does not prejudice or undermine existing surrounding uses.

In the absence of an Article 4 Direction relating to HMO, the formation of small HMOs (Use Class C4) through the Change-of-Use of existing dwellings will not be subject to planning control. Therefore, only proposals in relation to the large HMOs (sui generis) will require Planning Permission and be assessed in accordance with the relevant Development Plan Policies and the NPPF.

An application for planning permission can be either Approved, Approved subject to Condition(s) or Refused. Clear reasoning for the decision has to be provided by the Local Planning Authority. An application shall not be Refused when the reasons for doing so can be addressed by the use of Condition(s).

Condition(s) attached to the approval of permission can vary depending on the application and site-specific matters and will usually include a timeframe for the commencement of works and a list of approved plans, and may also include issues such as the laying out of car parking, provision of bins or suitable bin storage areas and a limitation of the number of occupants.

It must be noted that an Article 4 Direction cannot be used as a tool to prevent further new HMOs within the borough. Rather, the purpose is to limit the impacts on the character of an area and amenity of new HMOs, where such impacts are identified through the planning application process.

7. Conclusion

This report has set out the background and evidence base for the introduction of a borough wide Additional Licensing scheme requiring all new and existing HMOs that fall out of the scope of mandatory licensing to obtain an additional HMO licence. It also provides the

evidence base to support an Article 4 Direction to remove Permitted Development rights for the Change-of-Use from dwelling houses (Use Class C3) to HMOs for up to six residents (Use Class C4).

This report has demonstrated the need for intervention in the current HMO market to regulate their over-concentration and contribution to increased deprivation, poor quality housing and living environment, crime and anti-social behaviour.

It is acknowledged that the removal of Permitted Development rights through the introduction of an Article 4 Direction will likely result in an increase in the number of planning applications for HMOs especially during the lead in time, however, the benefit of having an additional licensing scheme working hand in hand means all HMOs will have minimum standards to adhere to. On-going annual monitoring of the numbers of HMOs requiring licensing would also provide up-to-date evidence base for the assessment of new planning applications.

As set out in the section above, there are approximately 747 HMOs identified within the borough of Telford and Wrekin as at September 2025. This represents 0.90% of the borough's total housing stock and is comparable to the national average of 0.8% (2021 Census), albeit the actual number of HMOs operating may well be significantly greater as the number of small HMOs cannot be accurately monitored because they do not currently require planning permission or licensing.

Analysis of the spatial distribution of HMOs identifies that HMOs are spread across many areas of the borough. The borough of Telford and Wrekin has several demographic and housing issues - parts of Telford, particularly Hollinswood, Brookside and Woodside, have high levels of deprivation and lower levels of income. There are also issues of overcrowding within some areas of the borough and pressures arising from concentrations of student accommodation. There are also issues of disrepair and poor conditions within the borough's housing stock.

Local communities have actively raised concerns regarding the proliferation, location, quality and management of HMOs in the borough, and the impact they may be having on local character, communities and amenity.

To further note, the requirement for the submission of a planning application will not necessarily reduce the number of small HMOs, however this will allow for the full and proper consideration of the effects of a proposed HMO on the character of the local area and residential amenity prior to issuing planning permission, and in doing so, influence the quality of the HMO through the planning process and then licensing requirements. This will reduce some of the current housing issues experienced within the borough whilst ensuring that high quality HMOs are available to those who need them recognising that this tenure is an important one in meeting local housing needs.

8. Timeline and Delivery of Additional Licensing

Indicative Timescales (subject to change)

4 th December 2025	Seek Cabinet Approval to commence consultation on borough wide implementation of Additional Licensing of HMOs
*The following steps are subject to cabinet approval	
16 th December 2025	10 weeks (+ additional 2 weeks to allow for Christmas period) public consultation goes live online and in person (details to follow on in person events)
10 th March 2026	Public consultation ends. Consider findings
12 th May 2026	Report to Cabinet with findings from consultation and recommendations.
*The following steps are subject to cabinet approval	
17 th May 2026	Designation of additional licensing is confirmed (subject to 3 month lead in period)
17 th August 2026	Designation of additional licensing comes into force

9. Timeline and Delivery of Article 4

The procedural requirements (including publicity and consultation) for Article 4 Directions are set out in Schedule 3 of the GPDO 2015. Article 4 Directions are made through a two-stage process.

Stage 1: Telford and Wrekin Council as Local Planning Authority makes the Article 4 Direction following the Decision made by Cabinet and notifies the Secretary of State (SoS) that the Article 4 Directions is made and carries out Consultation borough wide.

In accordance with Schedule 3 of the GPDO 2015 the Council is required to undertake the following actions:

- Local Press/Media Advertisement;
- Displaying an Article 4 Direction Site Notices at relevant locations within each Ward in the borough for a period of 6-weeks;
- Publish the Article 4 Direction, Site Notice and Supporting Evidence on the Council's website and at all Libraries within the affected Wards;
- Invite written representations for a period of 6-weeks

Stage 2: The Article 4 Direction is Confirmed by Telford and Wrekin Council and the Secretary of State is further notified. When confirming the direction, the Council must take into account responses received at the Consultation Stage and consider whether any changes are necessary to the Article 4 Direction. If any material changes are necessary, the Council must re consult.

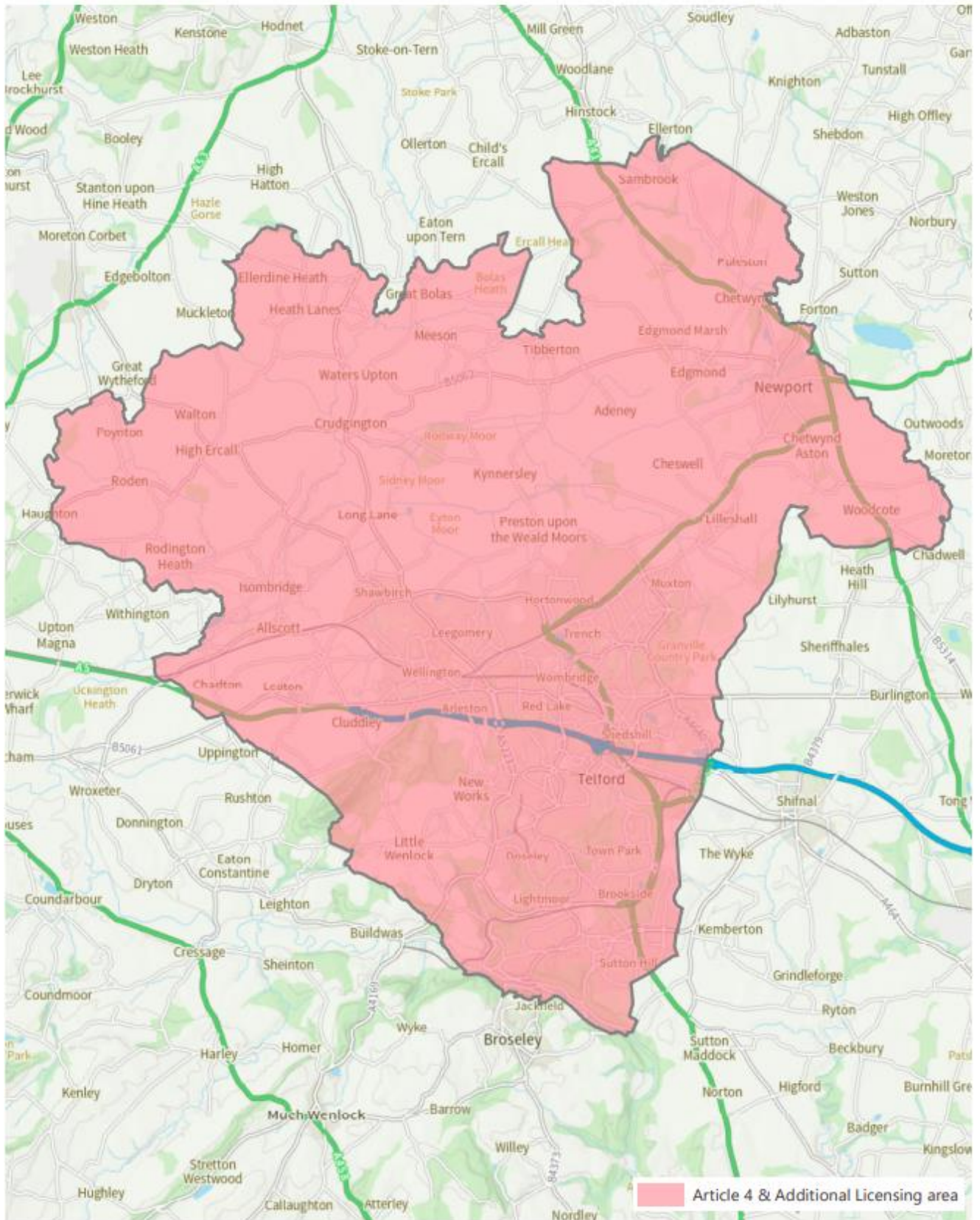
Although Article 4 Directions introduced by Local Planning Authorities do not require approval from the Secretary of State, the Secretary of State can intervene to stop an Article 4 Directions taking effect, should they deem it appropriate to do so.

Stage 3: The Article 4 Direction, if confirmed, comes into effect 12-months after the date it was made.

Indicative Timescales (subject to change)

04 December 2025	Cabinet Decision to delegate power to Director: Prosperity & Investment to make an Article 4 Direction as proposed
16 December 2025	Article 4 Direction is made and Secretary of State (SoS) notified
16 December 2025 - 10 February 2026	Eight-week consultation runs inviting comments on the Article 4 Direction (two-week extension as a result of Christmas)
11 February 2026 - 25 February 2026	Analysis of Consultation Responses
26 February 2026	Article 4 Direction is Confirmed (taking into account consultation responses as necessary) and the Secretary of State (SoS) notified
27 February 2027	Article 4 Direction comes into effect

Extent of area for Article 4 Direction and Additional Licensing proposals



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to create a better borough**

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Consultation Report for the Borough Wide Introduction of Additional Licensing of Houses in Multiple Occupation (HMO)

Telford & Wrekin Council

May 2026

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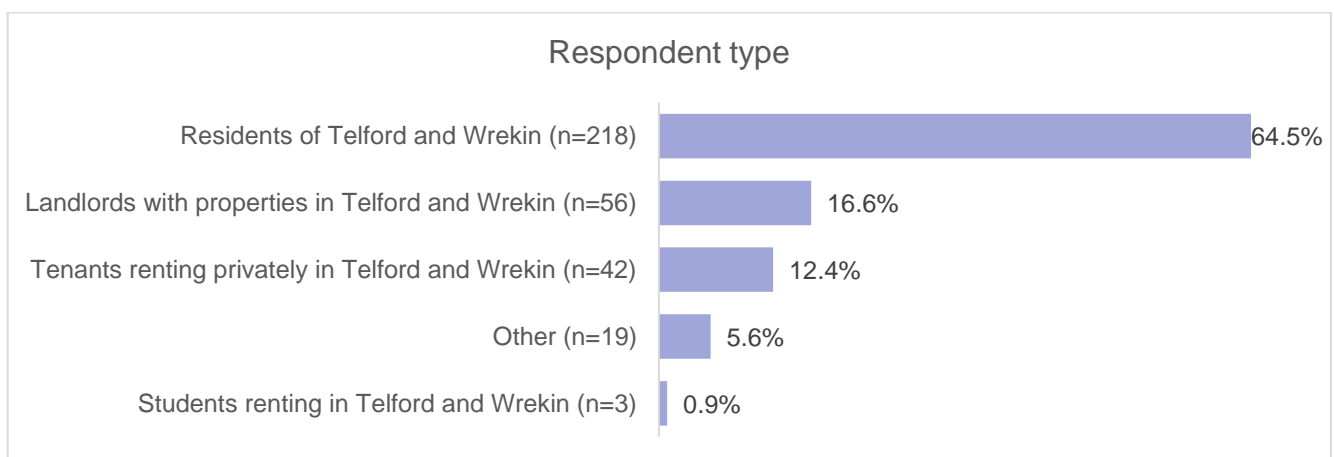
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1. Introduction

On the 4 December 2025, the Cabinet of Telford and Wrekin Council approved a public consultation on the proposed implementation of a borough-wide Additional Licensing Scheme of all Houses in Multiple Occupation, not currently subject to mandatory licensing.

2. Online Consultation

A 12-week online consultation commenced on 17 December 2025 and concluded on 11 March 2026. During this period a total of 338 responses were received. The profile of survey respondents by respondent type is shown below.



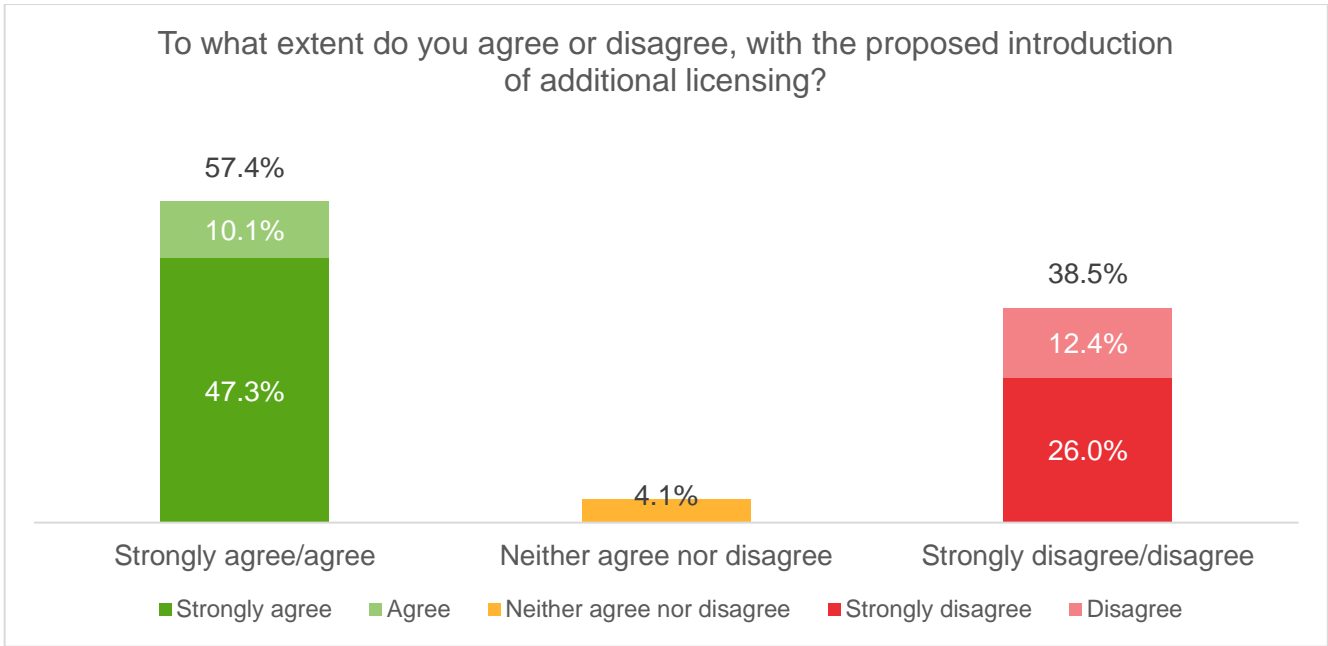
Around two thirds of survey respondents (64.5%) identified themselves as residents of Telford and Wrekin. Landlords with properties in the borough made up the second largest group (16.6%), followed by tenants renting privately in Telford and Wrekin (12.4%). There were 3 responses (0.9%) from students renting privately in the borough.

There were 19 respondents (5.6%) who identified as Other. This group included Town and Parish Councils, letting agents, public sector organisations, voluntary organisations and people resident outside of the borough who have family living in Telford and Wrekin.

Extent of agreement with the proposal

Respondents were asked the extent to which they agreed or disagreed with the proposal to introduce additional licensing in Telford and Wrekin.

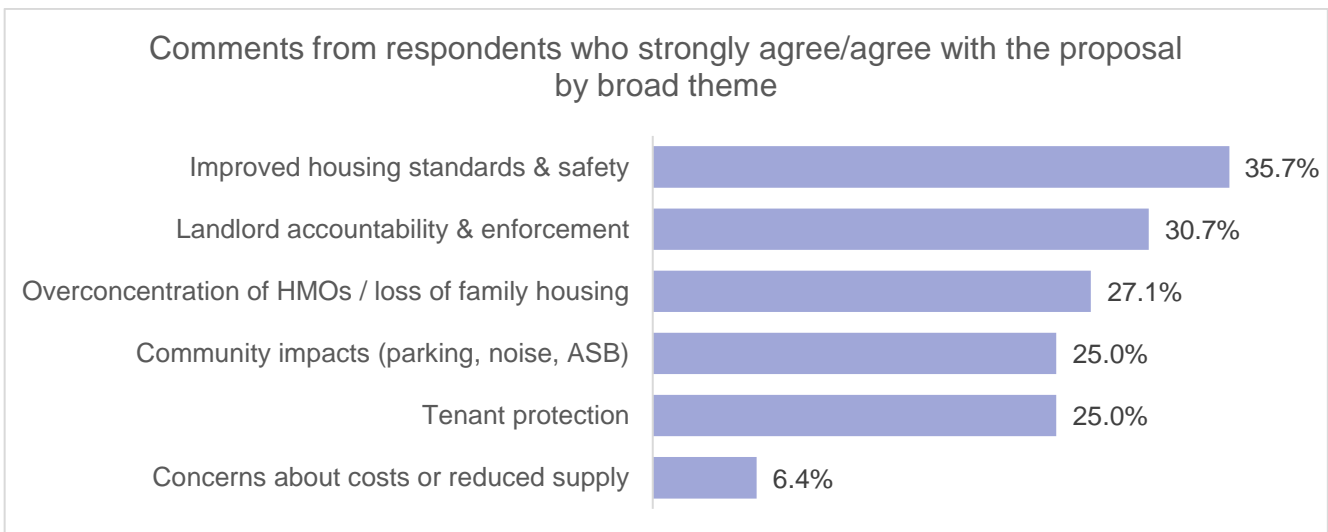
Overall, 57.3% of respondents strongly agreed or agreed with the proposals. This compared with 38.5% of respondents who strongly disagreed or disagreed. 4.1% of respondents neither agreed nor disagreed.



It is important to note that a number of respondents to the concurrent Article 4 consultation in respect of planning measures aimed at the control of HMOs also emphasised the need for additional licensing of small HMOs. For clarity, these are not included within the responses above to avoid the risk of double counting as it is recognised that some people may have responded to both consultations.

All respondents were invited to explain their reasons for supporting or opposing the proposal to implement a borough-wide additional licensing scheme. Their free-text comments have been analysed and categorised into broad thematic areas. Please note that with free text comments a response may fall into several thematic areas.

Themes from those Agreeing or Strongly Agreeing



Improved housing standards & safety: The largest number of respondents in this group, focussed on the value of additional licensing in bringing all HMOs up to acceptable standards. Many comments described poor conditions in some HMOs; for example, overcrowding, inadequate facilities, fire-safety risks and lack of maintenance and argued that additional licensing would ensure safer, better housing for tenants. By mandating minimum standards and regular inspections, the scheme is seen as a way to make landlords keep properties habitable and safe.

Landlord accountability & enforcement: Respondents considered that the scheme would hold landlords accountable and strengthen enforcement. It was pointed out that while most landlords are responsible, a minority of “rogue” landlords operate substandard HMOs unchecked. Licensing was widely supported as a tool to identify all HMO properties (so none can slip under the radar) and give the Council stronger powers to enforce rules. Respondents felt this would force irresponsible landlords to improve standards or face penalties, thereby protecting tenants and creating a fairer playing field for good landlords. Effective enforcement and oversight were seen as important to making the scheme work.

Tenant protection & support for vulnerable tenants: Responses noted that HMOs often house vulnerable and low-income individuals who have few other housing options. There was strong support for licensing as a means to better protect these tenants from exploitation and unsafe living conditions with some respondents referencing vulnerable residents living in poor conditions due to unscrupulous landlords. By enforcing proper standards and inspections, the scheme would help ensure safer, decent accommodation for those at risk. There was acknowledgment that HMOs play an essential role for people facing homelessness or other hardships, making it important to raise standards without unintentionally reducing the availability or affordability of these important housing units.

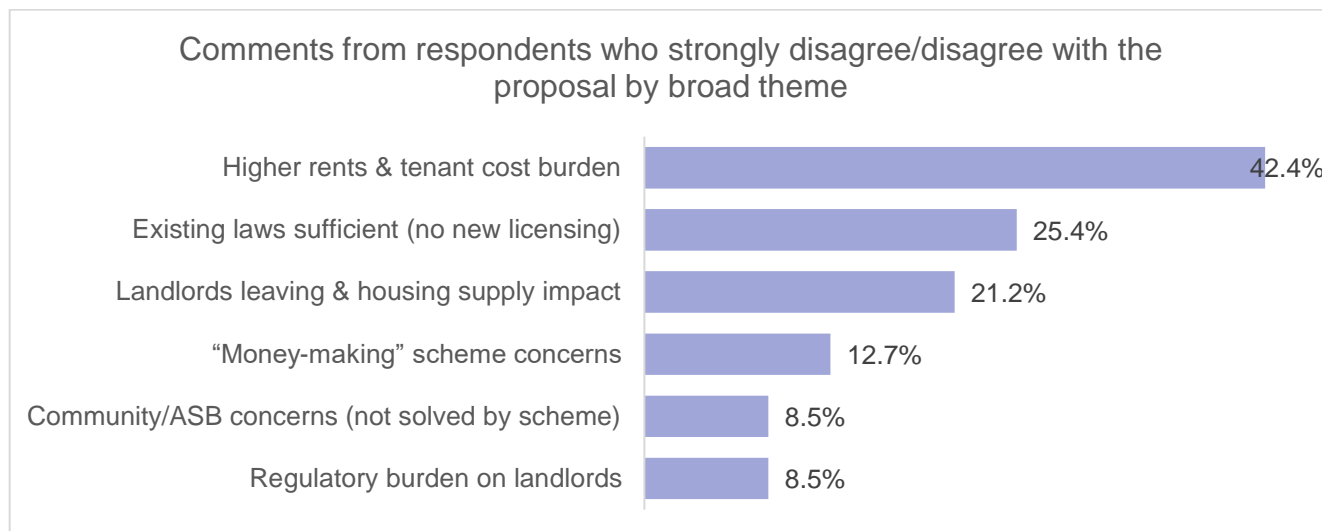
Community impacts (parking, noise, anti-social behaviour): Residents frequently brought up quality-of-life issues in neighbourhoods connecting this with HMOs felt to be poorly run. Examples of the negative impacts on neighbourhoods included parking issues from too many tenants’ cars, late-night noise and parties, poor property upkeep, litter, and other anti-social behaviour affecting neighbours. Respondents felt that stronger licensing would make landlords more responsible for tenant behaviour and property upkeep, thereby reducing these nuisances.

Overconcentration of HMOs & loss of family housing: Another common concern in this group was the overconcentration of HMOs in certain areas, leading to a loss of family homes and a change in community character. People described instances of multiple HMOs clustered on a single residential street, which can displace families and undermine the neighbourhood’s balance. Having too many HMOs in one place was linked to fewer long-term residents and a less family-friendly environment. Many supported using licensing (alongside planning controls) to avoid excessive clustering of HMOs. It was considered that keeping track of where HMOs are, and limiting their density, would support stronger community cohesion.

Alongside the themes identified above, and to address potential impact of some landlords leaving the market, respondents commented on the need for implementation to be fair and

the importance of working cooperatively with landlords with consideration given to offering more support and, potentially, incentives for compliance.

Themes from those Disagreeing/Strongly Disagreeing



Higher rents & tenant cost burden: Respondents who disagreed with the proposal stated that the added licensing fees would be passed on to tenants, causing rent increases.

Existing laws sufficient – no need for new licensing: Some respondents stated that additional licensing is unnecessary because adequate regulations and powers already exist to deal with problem properties. Respondents thought that enforcing existing laws and targeting the few rogue landlords removed the need for a blanket scheme for all HMO landlords. Some noted that upcoming national measures (e.g. the Renters' Rights Act) alongside current enforcement tools could address issues without new local additional licensing.

Landlords leaving the market & consequent housing supply impact: A number of responses suggested that the licensing scheme would drive some landlords to sell or leave the rental market reducing the supply of rental homes.

Licensing seen as a "money-making" scheme: some felt that the fees were designed to raise money rather than improve housing and noted that irresponsible or rogue landlords would likely evade the scheme.

Community and anti-social behaviour (ASB) concerns: A number of respondents raised concerns related to HMOs in their neighbourhoods citing issues like anti-social behaviour, noise, rubbish, parking shortages, and strain on local services associated with HMOs. However, they generally felt that the licensing scheme alone would not effectively solve these problems, pointing out that licensing won't create more parking spaces or stop bad behaviour.

Regulatory burden on landlords: A number of landlords cited already being overburdened with regulations and paperwork, and this scheme would add more red tape.

3. In Person Drop-in Events

A number of in person drop-in sessions were held across the Borough:

- Meeting Point House, Southwater (twice)
- The Anstice, Madeley
- Cosy Hall, Newport
- Ketley Community Centre
- Brookside Big Local

4. Wrekin Landlord Association

A number of face-to-face meetings have been held with the Wrekin Landlord Association (WLA), who have assisted by promoting the consultation to their members. A WLA members' meeting took place immediately after one of the face-to-face consultation events at the Anstice in Madeley, enabling officers to engage with a large number of landlords. WLA was also instrumental in helping to clarify operational details of the scheme to their members directing questions to officers, which helped to inform the Council's FAQ's on its website.

5. Written Responses

In addition to the survey responses above, 10 written responses were received from a number of partner organisations:

- A Better Tomorrow (Supported Accommodation Provider)
- Citizens Advice Telford and The Wrekin (CATW)
- National Residential Landlords Association (NRLA)
- Property Mark
- Safe Agent
- Shropshire Supports Refugees
- Shropshire Fire and Rescue
- Trident Group (Floating Support Provider)
- West Mercia Police
- Wrekin Landlord Association

6(60%) were in favour of the scheme and 4(40)% were not in favour

Key themes are summarised below (which were similar to those highlighted by survey respondents) drawing together partner perspectives on regulatory visibility, safeguarding, fire risk, community impacts and market considerations:

Existing laws are sufficient

Landlord organisations stated that the council has adequate powers (including the new provisions under the Renters Rights' Act 2025) without the need for additional licensing and that the council should at least delay implementation until the new act beds in.

Supporters consistently commented that unregistered HMOs operate below the threshold of visibility required for effective regulation, undermining safeguarding, enforcement and partnership action. Police, Fire & Rescue and specialist teams describe recurring engagement with small HMOs where ownership is unclear, landlords are absent or unresponsive, and agencies are unable to proactively intervene because properties are simply unknown to the system.

CATW report tenants who approach them for help are too afraid to complain to the Council. As a result, and to remove the reporting burden from tenants who are facing housing / landlord problems, there is a need for proactive measures allowing intervention as needed

Some respondents indicated that licensing is not duplication, but a mechanism that closes the regulatory gap by creating live, local intelligence on occupancy, management arrangements and safety accountability data that national registers cannot replicate. In this context it was felt that licensing enhances the effectiveness of current powers rather than replacing them.

Safeguarding Vulnerable Residents and Risk Concentration

Evidence from police and support agencies highlighted that HMOs disproportionately house individuals with complex needs, including poor mental health, substance misuse, language barriers and heightened vulnerability to exploitation. Supporters emphasise that unmanaged environments amplify these risks, with reports of tenants preferring rough sleeping to shared accommodation risking serious safeguarding failure. While acknowledging that landlords cannot manage complex personal needs, respondents argue that licensing enforces minimum management standards, safe environments and accountability at the point where risk is structurally concentrated. It was proposed that licensing would act as a safeguarding intervention.

Fire Safety and High-Risk Buildings

Fire & Rescue evidence identified HMOs as inherently higher-risk buildings due to density, turnover and complex internal layouts. Recurrent deficiencies such as poor fire detection, compromised escape routes and weak compartmentation are repeatedly linked to unregulated accommodation and absentee management.

Respondents felt that the Housing Health and Safety Rating System alone is not sufficient, arguing that licensing enables systematic identification of high-risk premises before incidents occur, aligning enforcement with the Fire Safety Order and Community Risk Management Plans. Comments indicated that regulation is not excessive but proportionate

to building typology and risk to occupants, offering a legally robust justification from a safety perspective.

Anti-Social Behaviour, Community Harm and Public Confidence

Landlord organisations stated that licensing would not tackle community ASB.

Police and frontline teams report repeated Anti-Social Behaviour (“ASB”) demand associated specifically with poorly managed, unregistered HMOs, alongside wider neighbourhood impacts such as waste, noise, neglect and community tension. Supporters do not argue that HMOs inherently cause harm; rather, stigma and community distrust are driven by unmanaged examples that erode public confidence.

The comments emphasised that there is a link between ASB and poorly managed HMO shown by consistent, case-based operational experience. Licensing was seen to be a selective, management-focused intervention that targets harm at source rather than tenure, with evidence showing that well-run HMOs can actively support cohesion and stability.

Market Exit and Supply Risk

Landlord organisations emphasised regulatory burden including additional licensing as well as requirements under the Renters Rights’ Act 2025, will result in landlords leaving the market and reducing housing supply.

Other respondents recognised that HMOs are an important element of housing supply for single people and that poorly designed schemes could risk landlord exit. Police and support providers explicitly acknowledge this tension, whilst compliant operators argue that unmanaged HMOs create disproportionate harm and distort the market.

Professionalisation, Equity and a Level Playing Field

Respondents in support argued that licensing protects responsible landlords and professional providers by addressing ‘free-riders’ who undercut standards and shift risk onto tenants and communities. Evidence from supported housing providers and sector-aligned voices highlights that vulnerable tenants rarely self-advocate, meaning reliance on complaints-based enforcement entrenches inequity. Licensing redistributes responsibility away from tenants and towards accountable management, enabling safer partnership working, structured engagement and consistent expectations.

It was felt that regulation establishes the baseline conditions that make education and improvement meaningful with licensing seen as fairness infrastructure rather than enforcement excess.

Revenue Generation

Landlord organisations stated that this is an income generation tool.

West Mercia Police, Shropshire Fire & Rescue Service and supported housing providers stress that effective protection requires adequate inspection and enforcement capacity.

Please see Appendix C for Council commentary.

6. Communications Summary

A communications plan was delivered alongside the online survey, drop-in events and one to-one meetings with officers, to maximise reach and response. This included targeting key audiences across the Borough.

Communications activity included:

- Dedicated website including a series of FAQs for tailored audiences
- A number of news stories issued to the local media
- Multiple emails to key stakeholders including Wrekin Housing Association, Telford & Wrekin Community Safety Partnership and town and parish councils
- A series of social media posts (including being the focus of the Leader's weekly video). During the course of the consultation, 16 posts were shared, which received a total reach of 71,900
- Information shared via the Council's digital newsletters
- Small print run of posters and flyers – distributed via leisure centres, libraries and community centres
- Internal communications via internal channels
- Messages sent to GPs for inclusion on surgery screens

Appendix C - Telford and Wrekin Council Additional Licensing Consultation Commentary

Key themes and concerns from the additional licensing consultation have been carefully analysed including evidence from partners and comprehensive commentary and mitigation is detailed below:

Consideration

- New and Existing Powers are adequate to deal with issues without the need for Additional Licensing.

Mitigation

- The Renters' Rights Act 2025 does not provide a local, place based regulatory framework: The consultation evidence shows that additional licensing is intended to address specific local issues in Telford & Wrekin, including HMO management quality, concentration, community impact and fire risk, which national legislation does not target at a borough level.
- National registration is not a substitute for local oversight: While the Private Rented Sector Database may improve national visibility, consultation responses from Police and Fire services emphasise that borough-wide licensing enables proactive, local intelligence-led enforcement, partnership working and targeted prevention activity that cannot be replicated through a national register alone.
- Licensing enables preventative intervention, not just reactive enforcement: Evidence in the consultation shows that existing powers are often exercised after problems arise; additional licensing provides a mechanism for routine inspection, early identification of risk and consistent management standards, rather than reliance on complaints or post-incident action.
- Waiting for national reform delays action on evidenced local risk: The consultation identifies current and ongoing safety, safeguarding and ASB issues in unregulated HMOs. No evidence is presented that the Renters' Rights Act will address these risks in the short term or remove the need for immediate local action.

Consideration

- The Council should consider delaying the implementation of the scheme in light of new powers coming into force at the same time.

Mitigation

- Clear public mandate to proceed: A majority of respondents (57.4%) supported additional licensing, with strongest support from residents (69.3%); opposition was concentrated among landlords, indicating that calls for delay do not reflect wider community views.
- Delay would undermine consultation credibility: Following a full 12-week consultation with strong partner support, deferring implementation risks

damaging confidence in the process and postponing locally tailored solutions despite clear evidence of need.

- Current and evidenced safety risks: The consultation identifies ongoing poor conditions, overcrowding and fire safety failures in some HMOs, with improvements often only occurring after Council intervention, demonstrating existing risks are real and immediate.
- Disproportionate impact on vulnerable residents: HMOs house people with complex needs, and support agencies and police report persistent safeguarding, exploitation and ASB issues in unregulated properties that would continue if implementation were delayed.
- Existing powers lack visibility and preventative impact: Evidence from respondents and statutory partners shows that without licensing, HMOs remain under identified, limiting proactive enforcement, intelligence sharing and effective partnership working.

Consideration

- The proposed £1,522 fee is described as amongst the highest nationally and above neighbouring councils' fees.

Mitigation

- The Provision of Services Regulations 2009 requires licensing schemes to be cost neutral and, importantly, to not generate a surplus. The fees have been proposed following an exercise supported by finance officers to reflect the anticipated costs associated with additional licensing.
- A 10% early bird discount will be given to all applicants who apply within the lead in period from 20th May 2026 to 19th August 2026. The discounted licence fee will therefore be £1,369.80. The current mandatory licence fee (which has not been increased since 2023) is £1,312.53. This is an increase of £57.27.
- The discounted licence fee, over a period of 5 years, equates to 75p per day.
- Effective delivery depends on adequate resourcing: The licence fee funds inspection, enforcement, safeguarding and partnership working; reducing it would directly undermine the scheme's ability to achieve the outcomes identified through consultation.
- The fees are slightly higher than neighbouring authorities as it is proposed that every property will be inspected prior to issuing a licence. Not all authorities take this robust proactive approach.
- Public safety and risk management require robust regulation: Police and Fire partners emphasised that unregistered and poorly managed HMOs present recurring safety, safeguarding and fire risks that require consistent oversight, not a reduced capacity scheme.
- Maintaining a level playing field: The fee supports fair regulation by targeting non-compliant operators; many landlords already report no impact due to existing compliance, meaning a reduction would disproportionately weaken enforcement rather than assist responsible landlords.

- Community benefits outweigh cost objections: Residents and support organisations identified clear benefits to neighbourhoods and vulnerable tenants from well resourced licensing; the consultation provides no evidence that a lower fee would deliver better or safer outcomes.

*Comments were received regarding the licence plus additional inspection fees. For clarification and as detailed in the business case, the licence fee includes two inspections, one following receipt of the licence application and one additional compliance visit. Any additional visits will carry a fee. It is expected that landlords will have complied with any requirements identified on the first visit.

Consideration

- Costs will be passed on to tenants through increased rents.

Mitigation

- While some landlords state they may pass on costs, the consultation provides no evidence that licence fees directly lead to rent increases.
- Rents are driven by wider market factors: The report shows that affordability pressures already exist across the private rented sector, independent of licensing, and are influenced by supply, demand and national policy rather than local regulatory fees alone.
- The Council has conducted research into this area and made a comparison of rents from 2022-2025 between upper tier local authorities in the West Midlands region with additional licensing schemes and those without, in order to establish if there was any evidence to show that additional licensing increases rent. The research showed that rental values had increased in Telford and Wrekin by an average of 19% between 2022 and 2025 compared to 22% in the West Midlands and 23% in England over the same period. Between 2022 and 2025 private rents increased in all upper tier local authorities in the West Midlands. Four Local Authorities had increases above the regional and national average. Two of these (Coventry and Birmingham) have implemented additional licensing, whilst two (Wolverhampton and Solihull) have not.
- The Renters' Rights Act 2025 protects tenants from rental increases above market rent.
- Many landlords report no financial impact: A significant proportion of landlords stated the scheme would have no impact on them because they are already compliant or do not operate licensable HMOs, undermining claims that fee costs must be passed on to tenants.
- Tenant and community benefits justify proportionate costs: The consultation evidence highlights improved safety, management and protection for vulnerable tenants as core outcomes; these benefits depend on a properly resourced scheme and outweigh speculative claims about rent impacts.
- A 2019 report commissioned by the Government "An Independent Review of the Use and Effectiveness of Selective Licensing" found no evidence to support the claim that licensing has had a demonstrable effect on rent levels. The Council acknowledges that this report looked at the impact of selective

licensing but considers that the conclusions in principle can be applied to additional licensing.

Consideration

- Landlords will leave the market

Mitigation

- While some landlords state they may exit the HMO market, the consultation provides no evidence that this would occur at scale or that it would outweigh the benefits of improved standards, safety and management.
- The market exit comments point more towards the Renters' Rights Act 2025 than licensing.
- Many landlords report no change to their position: A substantial number of landlords stated that additional licensing would have no impact on them because they are already compliant or do not operate small HMOs, indicating that widespread withdrawal is not an inevitable outcome.
- HMOs remain a viable and necessary part of the housing market: Evidence from support organisations, police and housing partners confirms ongoing demand for HMOs, particularly for single people and vulnerable groups, making wholesale market exit commercially unlikely.
- Improved regulation supports long term sector stability: The consultation shows that poor conditions, unmanaged risk and lack of oversight undermine confidence in the sector; licensing addresses these issues and helps sustain a responsible, professionalised HMO market rather than destabilising it.

HMO Licence Conditions Schedule 1

Re: Property Address
Ref No: Tascomi Reference

Any failure to comply with these conditions may render the Licence Holder liable to prosecution and an unlimited fine upon conviction or a financial penalty of up to £30,000 as alternative to prosecution. Under the Housing Act 2004, Section 70(2)(a), the licence may also be revoked.

Note: The terms ‘licence holder’ ‘manager’ and ‘managing agent’ are used throughout this schedule for whom legal liability for compliance applies equally/to all parties.

1. Occupation – Number of Occupiers

The maximum number of households allowed to occupy the property is **x**, and the maximum number of persons allowed to occupy the property is **x**. The room numbers are based on the plan submitted with the licence application

Floor	Location	Room No	Sleeping for (Max no. of persons)
Ground Floor	Front	X	X
First Floor	Front Right	X	X
First Floor	Front Left	X	X
First Floor	Rear Right	X	X
Total			X

Note: the terms “left” and “right” are assigned facing the house from the front elevation

Where any room is indicated with a permitted occupancy of 0, due to either inadequate size of the room or insufficiency of amenities, arrangements must be made by the licence holder to ensure that those rooms are not used for sleeping either with or without the licence holder’s knowledge or agreement. The nature of those arrangements must be notified in writing to the Council within twenty-eight days of the date of issue of the licence.

Common areas are not to be used for sleeping purposes either by the tenants or their guests.

COMPLETION: This must be complied with from the date of the licence.

1.1 Minimum Room Sizes

The licence holder of the licensed HMO is required: -

- a) to ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres;
 - b) to ensure that the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square metres;
 - c) to ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square metres;
 - d) to ensure that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.
 - e) to ensure where any room in the HMO is used as sleeping accommodation by persons aged over 10 years only, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence;
 - f) to ensure where any room in the HMO is used as sleeping accommodation by persons aged under 10 years only, it is not used as such by more than the maximum number of persons aged under 10 years specified in the licence;
 - g) to ensure any room in the HMO is used as sleeping accommodation by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence and the maximum number of persons aged under 10 years so specified.
- 1.2 On being notified by the Council of any breach under 1.1 (a-g) of which they are unaware, the licence holder must take steps to rectify that breach within 18 months of the notification.
- 1.3 The licence holder must notify the local housing authority of any room in the HMO with a floor area of less than 4.64 square metres.

If the Council consider that, at the time this licence is granted, the licence holder is not complying with one or more of the conditions imposed under 1.1 (a-g), the Council will when granting the licence provide the licence holder with a notification specifying the condition or conditions and the period within which the licence holder is required to comply with the condition or conditions which will not exceed 18 months from the date of the notification.

Minimum Room Sizes General

A reference to a number of persons using a room in the HMO as sleeping accommodation does not include a person doing so as a visitor of an occupier of the HMO.

For the purposes of this licence a room is used as sleeping accommodation if it is normally used as a bedroom, whether or not it is also used for other purposes.

Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be taken into account in determining the floor area of that room for the purposes of this licence.

2. Landlord's Gas Safety Certificate

If gas is supplied to the dwelling, on the expiry of the landlord's gas safety certificate, obtain and submit annually to the Council a new certificate issued by a recognised engineer approved under Regulation 3 of the Gas Safety (Installation and Use) Regulations 1998.

Failure to comply with these licence conditions may result in the revocation of the HMO Licence and/or prosecution or imposition of financial penalties

COMPLETION: This must be complied with from the date of the Licence.

3. Safety of Electrical Appliances

Keep all electrical appliances made available to the occupants in a safe condition. If an appliance is more than twelve (12) months old obtain for that appliance a Portable Appliance Test (PAT) certificate issued by a competent person and annually thereafter. On demand, the Licence Holder must submit a copy of the certificate to the Council.

COMPLETION: This must be complied with from the date of the Licence.

4. Furniture and Furnishings

The Licence Holder must ensure that all furniture and furnishings supplied by them for use by any occupier of the premise complies with the Furniture and Furnishings (Fire) (Safety) Regulations 1998 (as amended 1989 and 1993) and must provide to the Council on demand a declaration as to their safety.

COMPLETION: This must be complied with from the date of the Licence.

5. Safety of Electrical Installations

On 1 June 2020, the following duties in respect of electrical installations became part of the HMO licence conditions:

- to ensure that every electrical installation in the house is in proper working order and safe for continued use;
- to supply the local authority with a declaration confirming the safety of the electrical installation if the authority requests one

'Electrical installation' means fixed electrical cables or fixed electrical equipment located on the consumer's side of the electricity supply meter.

"Electrical installation" has the meaning given in regulation 2(1) of the Building Regulations 2010.

COMPLETION: This must be complied with from the date of the Licence or, if the tenancy began before 1st July 2020, from the end of that tenancy or 1st April 2021 (whichever is soonest).

6. Smoke Alarms

Ensure that smoke alarms are installed in the house and are kept in proper working order. The Licence Holder must supply, on demand, a declaration as to the condition and positioning of the smoke alarms.

COMPLETION: This must be complied with from the date of the licence.

7. Carbon Monoxide Detection

The licence holder is to ensure that a carbon monoxide alarm is installed in any room

Failure to comply with these licence conditions may result in the revocation of the HMO Licence and/or prosecution or imposition of financial penalties

in the house which is used wholly or partly as living accommodation and contains a fixed combustion appliance other than a gas cooker; and to keep any such alarm in proper working order; and to supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm. A 'room' includes a hall or landing and 'living accommodation' includes a bathroom or lavatory.

COMPLETION: This must be complied with from the date of the licence.

8. Written Terms of Occupancy

Supply the occupiers of the house, on commencement of their occupancy, with a written statement of the terms in which they occupy the house. The Licence Holder must, on demand, provide the Council with a copy of the written statement.

COMPLETION: This must be complied with from the date of the Licence and whenever there is a change of occupants.

9. Waste & Disposal of Refuse

The licence holder shall continuously display in a conspicuous position within the property the infographic relating to waste and recycling services contained within these licence conditions. The Licence holder is responsible for complying with any scheme provided by Telford & Wrekin Council.

COMPLETION: This must be complied with from the date of the licence.

Imposed Licence Conditions Schedule 2A

1. Restrictions and Prohibitions

- 1.1 The Licence Holder **must not** permit the house to be occupied in any other way or by more than the number of households or persons specified in the licence. The Licence Holder must comply with any direction issued by the Council restricting or prohibiting the use or occupation of any particular part or parts of the house by persons occupying it as specified in pages 1-2 or schedules 2A&B of the licence
- 1.2 There shall be no obligatory sharing.
- 1.3 A list of all occupants is to be provided to an authorised officer of the Council, on demand.

COMPLETION: This must be complied with from the date of the licence.

2. Manager's Details

- 2.1 The licence Holder must display, in a prominent position within the house, a notice containing the name, address and telephone contact number of the person who manages the house.

Failure to comply with these licence conditions may result in the revocation of the HMO Licence and/or prosecution or imposition of financial penalties

COMPLETION: This must be complied with from the date of the licence.

3. Display a Copy of the Licence & Gas Safety Certification

- 3.1 The Licence Holder must display a copy of the HMO Licence in the house. It shall be located adjacent to the Notice containing the name, address and telephone contact number of the person who manages the house.
- 3.2 A copy of the current, valid certificate must be clearly displayed adjacent to the Notice containing the name, address and telephone contact number of the person who manages the house.

COMPLETION: This must be complied with from the date of the licence.

4. Smoke Alarms / Fire Detection Systems

- 4.1 The licence holder must ensure that the fire alarm system is tested at least annually and submit to the Council upon demand a certificate/declaration to confirm the fire alarm system in the property has been tested and maintained in accordance with the provisions of British Standard BS5839-6:2019. The certificate/declaration must be not more than one year old.
- 4.2 If the property has a 'Grade A' fire alarm system (typically larger alarm systems with a control panel) the licence holder must ensure that the system is, tested weekly and inspected and serviced at periods not exceeding six months by a suitably qualified and competent person. An inspection and servicing certificate in accordance with BS5839-6:2019 must be obtained biannually and sent to the Council upon demand.
- 4.3 If the property has a 'Grade D1/D2' fire alarm system, the licence holder must ensure that all alarms are tested monthly and maintained in accordance with the manufacturer's instructions. A self-declaration or an inspection/servicing certificate is acceptable for Grade D systems and be sent to the Council upon demand.
- 4.4 A competent person is a person who is familiar with all British Standards relating to automatic detection systems and is registered with one of the bodies approved by the Government's Competent Persons Scheme.

COMPLETION: This must be complied with from the date of the licence.

5. Emergency Escape Lighting

- 5.1 The licence holder shall ensure that where emergency lighting is installed it is inspected, tested and serviced in accordance with BS 5266.
- 5.2 Throughout the period of the licence, the emergency lighting installation must be inspected and serviced by a competent person at least annually and a certificate provided in the format recommended by BS 5266. The certificate must be sent to the Council upon demand.
- 5.3 The above-mentioned checks shall be carried out by a competent person who is familiar with all British Standards relating to emergency escape lighting systems, who regularly inspects emergency escape lighting systems, who is qualified to inspect

Failure to comply with these licence conditions may result in the revocation of the HMO Licence and/or prosecution or imposition of financial penalties

emergency escape lighting systems and is registered with one of the bodies approved by the Government's Competent Persons Scheme.

COMPLETION: This must be complied with from the date of the licence.

6. Safety of Electrical Installations

6.1 The licence holder shall supply to an authorised officer of the Council, on demand, the latest electrical installation condition report (EICR) in the format recommended in BS 7671. This report must be a periodic condition report – a visual condition report is not sufficient.

COMPLETION: This must be complied with from the date of the licence.

7. Fire Risk assessment

7.1 The licence holder must ensure that a suitable and sufficient fire risk assessments which meets all the requirements of the Regulatory Reform (Fire Safety) Order 2005 has been undertaken before the property is let. This must be reviewed regularly.

7.2 A copy of the fire risk assessment must be provided to the Council on demand.

COMPLETION: This must be complied with from the date of the licence.

8.0 Tenancy management

8.1 The licence holder shall supply to the Council upon demand, a copy of the written statement.

8.2 The licence holder and /or their nominated representative must be a permanent UK resident.

8.3 From the outset of the licence term, the licence holder is required to provide an alternative suitable emergency contact and other management arrangements in the event of their temporary/short term absence. Details of the temporary contact arrangements must be provided in writing to all tenants and to the Council.

8.4 The temporary cover arrangements must comply with the fit and proper person requirements as stated in the licence conditions and Section 66 of the 89 of the Housing Act 2004.

8.5 The licence holder must ensure that all tenants ensure that all tenants have the right to reside in the UK and undertake all necessary 'Right to Rent' checks in accordance with the Immigration Act 2014 and National Guidance.

8.6 Each tenant must be provided with a copy of the "How to Rent Guide" and associated documentation referred to therein which is applicable to each specific rental agreement. Evidence must be supplied to the local housing authority on demand to confirm that the "How to Rent Guide" has been provided to each tenant at the start of their tenancy.

Failure to comply with these licence conditions may result in the revocation of the HMO Licence and/or prosecution or imposition of financial penalties

- 8.7 Unless a tenant pays rent via direct debit or similar bank transfer, the tenant must be supplied with a receipt upon payment of rent which details the amount paid, the date of payment and the recipient of the payment, whether this is the manager, licence holder, agent or other relevant party. The receipt must be provided at the time the payment is made.

COMPLETION: This must be complied with from the date of the licence.

9. Changes to the Licensed Property and/or Licence Holder

- 9.1 The Licence Holder will be required to notify the Council of any intended alterations or changes in the use and occupancy levels of each room, which may affect the licence contents or conditions attached to the licence. The Licence Holder will be required to inform the Council immediately of any material change of circumstance affecting the Licence Holder or the operation of the property.
- 9.2 The Licence Holder must inform the Council if they no longer reside at the address given in their licence application and provide the Council with their new address within 21 days of a change of address.
- 9.3 The Licence Holder must inform the Council if there is a change in managing agent, within 21 days of such a change.
- 9.4 If the Licence Holder is a managing agent they must inform the Council if the person who is specified as the main contact ceases to be employed by them and inform the Council of a new contact, within 21 days of such a change.
- 9.5 If the License Holder is a managing agent they must inform the Council if they cease to have an interest in the property, within 21 days of such a change.
- 9.6 Where the property is sold and the owner is the licence holder, the licence holder must request that the HMO licence is revoked. Licences cannot be transferred.

COMPLETION: This must be done within twenty-one (21) days of a permanent change occurring.

10. Fit and Proper Person

- 10.1 The Licence Holder must inform the Authority if since becoming the Licence Holder he contravenes any of the sections 10.2 (a)-(d). This must be done within 21 days of such a contravention.
- 10.2 The Licence Holder must inform the Authority if the person managing the property contravenes any of the sections 10.2 (a to d) below within 21 days of such contravention taking place.
- a. Committed an offence involving:
- Fraud
 - Dishonesty
 - Violence
 - Drugs

Failure to comply with these licence conditions may result in the revocation of the HMO Licence and/or prosecution or imposition of financial penalties

- Sexual Offences Act Schedule 3
- b. Practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in connection with a business.
- c. Contravened any provision of Housing or Landlord and Tenant Law. particular:
 - Subject to proceedings by a Local Authority
 - Where the Local Authority has had to carry out works in default
 - Subject to a Management Order under the Housing Act 2004
 - Or been refused a licence or breached conditions of a licence
- d. Acted in contravention of any Approved Code of Practice (AcoP).

COMPLETION: This must be done within twenty-one (21) days of such a contravention.

11. Waste Disposal & Pest Control (additional conditions)

- 11.1 Suitable and adequate provision must be made for the storage and collection of refuse and waste generated from the property. Only designated receptacles for waste and recycling which are provided by the approved waste carrier can be used. Where waste levels indicate that the existing provision of receptacles is inadequate for the current number of occupiers at the property, the licence holder, and / or their representative, must obtain additional waste receptacles at their own expense and ensure that collections of the waste are undertaken from the property.
- 11.2 At the beginning of each new tenancy the licence holder will inform tenants in writing of proper refuse management. This must include information covering the usual days of refuse and recycling collection, contact details for refuse / bulky item collections undertaken by Borough of Telford and Wrekin or other waste collection services. The licence holder must retain a copy of the information provided to each tenant, signed by the tenant acknowledging receipt and produce this upon request to the local housing authority.
- 11.3 The licence holder must ensure that the waste receptacles are ready for collection at the stated time and place and brought back into the refuse storage area following collection.
- 11.4 The licence holder must ensure that at the end of each tenancy, any rubbish or unwanted household goods left behind are removed and disposed of appropriately before the start of the next tenancy. In particular any rubbish or goods left at the front or back garden or the pavement of the in front of the property should be removed.
- 11.5 The licence holder is responsible for ensuring that the property including all gardens, yards, external areas including storage areas are kept clean, free from accumulations of waste, rubbish & fly-tipping and pest infestations. The licence holder, must arrange, undertake and pay for any clearance, treatment, baiting or other necessary works to comply with this.

Failure to comply with these licence conditions may result in the revocation of the HMO Licence and/or prosecution or imposition of financial penalties

- 11.6 Where waste items are removed from the property, other than through kerb side collections by the local waste authority, the licence holder must ensure that the waste is disposed of in accordance with current legal requirements.
- 11.7 All tenants must be able to access, at all times, all external areas of the property including the front and rear garden, yard areas, external refuse storage areas and any other area within the curtilage of the property boundary. There must be ground floor access to all aforementioned areas from the inside of the property. It will not be permitted for such access to be granted through a room occupied exclusively by another tenant.
- 11.8 The licence holder is responsible for dealing with all Pest Control issues in the property. Which means that if there is a rodent infestation in the licensed HMO then the licence holder must promptly take all necessary steps to deal with the infestation.

COMPLETION: This must be complied with from the date of the licence.

12. Harassment and Illegal Eviction

- 12.1 The Licence Holder must ensure that any evictions are carried out under the provisions of the current legislation.
- 12.2 The Licence Holder must follow the correct legal process to gain possession of a dwelling, serve the correct eviction notice and must not commit or cause or permit a third party to commit acts likely to interfere with the peace or comfort of a tenant or anyone living with him or her; or persistently withdraw or withhold services for which the tenant has reasonable need to live in the premises as a home.
- 12.3 If in doubt, the Licence Holder must seek independent legal advice.

COMPLETION: This must be complied with from the date of the licence.

13. Managing Anti-Social Behaviour

- 13.1 The licence holder must take reasonable and practicable steps to prevent or reduce anti-social behaviour and prevent the use of the premises for illegal purposes by any persons occupying or visiting the premises. The following steps must be implemented as a minimum control measure in this regard:-
- a. Co-operate with Telford and Wrekin Council, West Mercia Police and other agencies and organisations in resolving complaints of anti-social behaviour and / or illegal activity. The licence holder, will be required to undertake an investigation of any complaints regarding their tenants and any problems occurring within the curtilage or within close proximity to the curtilage of the licensed property. Written records of these investigations must be undertaken and provided to Telford and Wrekin Council upon request.
 - b. The licence holder, must undertake checks of the communal areas, communal rooms and external areas within the boundary of the property, at least weekly, to ensure that the property is in a decent state of repair and that the occupiers are not in breach of

Failure to comply with these licence conditions may result in the revocation of the HMO Licence and/or prosecution or imposition of financial penalties

tenancy terms and conditions. Written records must be maintained of these checks with details of any action taken recorded and remedial works completed satisfactorily.

- c. Ensure that each tenant is made aware that they are responsible for their own behaviour and the behaviour of their visitors. Tenants must be made aware that if they, other occupiers, or their visitors:-
- i. Cause nuisance or annoyance to neighbours; or
 - ii. Use abusive or threatening language or behaviour to neighbours; or
 - iii. Fail to store or dispose of refuse properly; or
 - iv. Cause damage to fixtures, fittings, fire prevention or alarm equipment or installations, or
 - v. Cause damage to the fabric of the premises; or
 - vi. Fail to give access to the landlord or his agent for the purpose of maintaining communal areas or, upon reasonable notice, to inspect or undertake works within their accommodation,

they will be liable to enforcement action which may include possession proceedings either under the terms of the tenancy, pursuant to s.21 of the Housing Act 1988 or pursuant to Grounds 13 or 14 of Schedule 2 to the Housing Act 1988.

COMPLETION: This must be complied with from the date of the licence.

14. General Public Health and Environmental Housing Standards

- 14.1 The licence holder must ensure the means of escape / protected route is kept clear of obstructions and all fire doors are kept in good working order.
- 14.2 The licence holder must inform tenants at the start of each tenancy that smoking is not permitted to take place in the communal and circulation areas of the premises by any person. They must install appropriate signage. If evidence of smoking in the communal and circulation areas is found during inspections of the property, action must be taken by the licence holder.
- 14.3 This licence has been granted based on the property layout and use of rooms as detailed on the plan attached to the licence. The layout, structure, provision of amenities, use and size of rooms must not be altered without prior consultation and written approval of the local housing authority. Room numbers / letters for identification purposes as contained on the floor plan must also remain in place for the duration of the licence period.
- 14.4 The Licence Holder must not allow the property to become overcrowded. This means that the maximum permitted occupancy of each bedroom, stipulated on the licence, must be complied with at all times. Where a room is deemed suitable for 2 people, this is based upon the room being occupied by a co-habiting couple only. Rooms other than bedrooms are not used for sleeping purposes.
- 14.5 The licence holder must make suitable arrangements for the cleaning of all common parts, communal areas and shared facilities on a regular basis. This must be organised, managed and paid for by the licence holder.

Failure to comply with these licence conditions may result in the revocation of the HMO Licence and/or prosecution or imposition of financial penalties

- 14.6 Prior to re-letting individual bedrooms / bedsits / the whole property, the licence holder, must make suitable arrangements for the property to be cleansed and returned to an acceptable standard of decorative repair to be undertaken to the room / bedsit / whole property and ensure that all facilities and furniture are in clean, working order. This must be organised, managed and paid for by the licence holder.
- 14.7 Where previous tenants have not surrendered keys, the licence holder, will arrange for a barrel change to be undertaken to the locking mechanism prior to new tenants moving in, ensuring that all current tenants are provided with a new key for all changed barrels. The barrel changes must also include any communal entrance doors to the property.
- 14.8 The licence holder, must notify the local housing authority, of any fires or incidents at the property which involve the Police or Fire and Rescue within 24 hours of becoming aware of the incident occurring, or the next working day, i.e. Monday morning if the event occurred on a Friday / Saturday / Sunday.
- 14.9 The licence holder, must ensure that a Legionella Risk Assessment is undertaken for the premises and reviewed annually. A copy of the risk assessment must be provided to the local housing authority upon demand.
- 14.10 The Licence holder must ensure that appropriate information is given to each tenant at the beginning of their occupancy, regarding all fire precautions and equipment provided in the premises.
- 14.11 This must include, but not limited to, a simple understanding of how the alarm system operates, the importance of the fire doors in containing fire, protecting the escape route and the importance of keeping the escape route free of obstructions and the use of any fire-fighting equipment that has been provided.
- 14.12 A written record must be kept of such training including the date of the information was provided, what was discussed and with whom these discussions were had.
- 14.13 The operation of the emergency lighting, automatic fire detection system and any other communal facility, communal appliance & communal lighting must be powered from the landlord's supply of electricity which is not permitted to be on a pre-payment top up meter.
- 14.14 The operation of the gas supply to the property must not be unreasonably interrupted, as such the communal boiler must be on the landlord's supply of gas which is not permitted to be on a pre-payment top up meter.
- 14.15 The licence holder must ensure that there is a fire blanket which conforms to the current British Standard located in all rooms where there are cooking appliances. The fire blanket must be fixed to the wall at an exit door away from the cooking facility at approximately 1.5m high.
- 14.16 The provision of whole house space heating in the property shall be capable of achieving a constant temperature of at least 18°C when the external temperature is -1°C. Electric convector heaters will not be acceptable as the main form of whole house heating system in any circumstances.

Failure to comply with these licence conditions may result in the revocation of the HMO Licence and/or prosecution or imposition of financial penalties

- 14.17 Radiators in habitable rooms (bedrooms and communal rooms) must be fitted with thermostatic radiator valves.
- 14.18 Hot water must be available upon demand in sufficient volume for the number of occupiers and potential users, for bathing, domestic purposes and personal hygiene use.
- 14.19 There must be enough electric sockets for the number of portable appliances likely to be used within the property, in order to minimise the use of multi-socket adapters. This must be no fewer than **3 double gang electric sockets** (preferably double power sockets are not all adjacent to each other) in all bedrooms and no fewer than 4 double gang electric sockets in the communal kitchen which are in addition to the following household appliances which must have their own dedicated electric socket:- washing machine, dish washer, microwave(s), tumble drier, fridge(s), freezer(s). All sockets must be appropriately sited to ensure ease of use.
- 14.20 All habitable rooms, including those in basements, be fitted with an openable window which provides adequate and suitable ventilation in accordance with current Building Regulations. It is not permitted for habitable rooms to only be equipped with a door as the sole means of natural ventilation.
- 14.21 All ground floor, basement windows, low level windows & readily accessible roof lights must have suitable windows locks and are fully secured to prevent unauthorised access from the outside. Keys for all windows must be available to tenants to permit intended use.
- 14.22 Where a ground floor bedroom is located off a high risk room, such as a kitchen, lounge, dining room or other communal room which is not directly accessible to the communal escape route, the room must be fitted with an escape window or a door to allow access direct to the outside. There must be a clear and unobstructed escape route from the external area to a point of safety away from the property.
- 14.23 The exterior of the property must be maintained in reasonable decorative condition and state of repair.

COMPLETION: This must be complied with from the date of the licence.

Further Conditions

Schedule 2B

Conditions specific to: Property Address
Ref No: Tascomi Reference

For the avoidance of doubt the terms "Left", "Right", "Front", "Rear" shall be constructed as those relative positions in the Property when viewing the house as if standing in the road serving the property

Do You Need Building Regulations Approval & Planning Permission?

If building works are required you are strongly advised not to commence any alterations until after you have spoken to Building Control Services. Planning permission may also be required. You can contact the Building Control on 01952 384555 or by email building.control@telford.gov.uk and Planning Departments on 01952 380380 or by email planning.control@telford.gov.uk

Condition No	Licence Condition	Timescales
1.	Display a copy of the HMO licence in the property.	Within 28 days of the licence being granted.
1.1	.	
1.2		
1.3		

Failure to comply with these licence conditions may result in the revocation of the HMO Licence and/or prosecution or imposition of financial penalties

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Houses in Multiple Occupation

Amenities, Space & Management Standards

May 2026

Introduction

This guidance has been produced by Telford & Wrekin Council for Houses in Multiple Occupation (HMOs). The guide has been written to assist owners, agents and occupiers in relation to the standards they should expect in such accommodation.

Definition of a House in Multiple Occupation (HMO)

An HMO is defined in law as a house or flat in which three or more unrelated persons forming two or more households share an amenity such as a bathroom, toilet or cooking facilities.

A 'household' is either a single person or members of the same family who are living together.

An HMO is also a building which has been converted into one, or more, non-self-contained units. A non-self-contained unit is where one, or more, of the facilities is not within the occupant's room. This applies even if the facility is for the exclusive use of the occupant.

An HMO is also a building which has been converted into self-contained flats where less than two-thirds are owner-occupied and the conversion does not meet the appropriate Building Regulations.

The appropriate Building Regulations are:

- If the property was converted prior to June 1992, the 1991 Building Regulations. Unless it meets the requirements of section 20 of the Building Regulations 1991.
- If the conversion took place after June 1992, the Building Regulations that were in force at the time of conversion.

Additional Licensing

All HMOs having up to 4 occupants in two or more households are required to apply to the Council for an additional licence.

Mandatory Licensing

All HMOs having 5 or more occupants in two or more households are required to apply to the Council for a licence.

Legal Standards in HMOs

The Housing Act 2004 and associated regulations set out the minimum standards required in HMOs. This guide will explain the legal requirements and provide the Council's approach on how those standards should be achieved.

Management Regulations

All HMOs are subject to the Management of Houses in Multiple Occupation (England) Regulations 2006 irrespective of whether they are required to be licensed or not. The

Regulations impose duties on both managers and occupiers of HMOs. It is a criminal offence not to comply with the Regulations.

What HMOs does this guide cover?

This guide sets out the standards to be applied to all HMOs which require a licence.

Space Standards

Legal requirements

A room with a usable floor area between **6.51 m²** and **10.21 m²** may only be occupied as sleeping accommodation by one person.

Only a room with a usable floor area of **10.22 m²** or over may be occupied as sleeping accommodation by two persons.

A room with a useable floor area between **4.64 m²** and **6.5 m²** may be occupied as sleeping accommodation by a child under the age of 10, provided the room is let or occupied in connection with the letting or occupation of an adjacent room with a useable floor area of or in excess of **6.51m²** to a parent or guardian of the child.

No room of less than 4.64 m² in floor area may be occupied as sleeping accommodation

PLEASE NOTE: These are absolute minimum sizes and some are only applied where there is adequate shared living accommodation elsewhere in the HMO (see space guidance below).

Telford & Wrekin Council Requirements

Telford & Wrekin Council has adopted the following space standards as the minimum requirements. Telford & Wrekin Council stipulates different room size requirements depending on whether the property has additional communal space. Where there is no additional communal space, Telford & Wrekin Council requires a larger bedroom size.

The information on the next pages set out the required room sizes for:

- HMOs where occupants share a kitchen;
- HMOs where occupants have exclusive kitchen facilities and share a bathroom (bedsits).

HMOs where occupiers share kitchen facilities

Please follow the table from left to right to identify the space requirements in your HMO.

Minimum Bedroom Sizes	Total Number Of People in HMO	Minimum Kitchen Size	1 - 2 Storey HMO Minimum Living space	3+ Storey HMO Minimum Living/Dining Space
1 occupant 6.51 m ² Or 2 occupants 10.22 m ²	3-5 people	7m ²	11m ² separate living room Or: 18 m ² combined kitchen/living/dining room (of which 7m ² must be dedicated kitchen area)	Either: 11m ² separate living room within 1 floor distance of kitchen; Or: 18m ² combined kitchen/living/dining room (of which 7m ² must be dedicated to kitchen area).
	6-10 people	10 m ²	14 m ² separate living room Or: 24 m ² combined kitchen/living/dining room (of which 10m ² must be dedicated kitchen area)	Either: 14m ² separate living room within 1 floor distance of kitchen; Or: 24m ² combined kitchen/living/dining room (of which 10m ² must be dedicated to kitchen area).
1 occupant 10 m ² Or 2 occupants 15 m ²	3-5 people	7 m ²	No additional communal living space required	Either: 13m ² kitchen/diner; Or: 11m ² separate dining room within 1 floor's distance of kitchen; unless: all bedrooms within 1 floor's distance of kitchen
	6-10 people	10 m ²	No additional communal living space required	Either: 16m ² kitchen/diner; Or: 14m ² separate dining room within 1 floor's distance of kitchen; unless: all bedrooms within 1 floor's distance of kitchen

- The minimum kitchen area must be provided in all cases.
- A living room will be accepted as a dining room and vice versa, provided the minimum space requirements (given above) are fulfilled

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 require kitchens, bathrooms and WCs to be of adequate size, as set by this guide.

HMOs with kitchen facilities for the exclusive use of occupants (Bedsits)

1. A bedsit is where sleeping, living and cooking amenities are provided for exclusive use by occupants within a single unit of accommodation (i.e. one room).
2. A bedsit can be occupied by a maximum of two cohabiting persons.
3. Room sizes:
 - 1-person bedroom/sitting room/kitchen must be a minimum of 14 m²
 - 2-person bedroom/sitting room/kitchen must be a minimum of 18 m²

1 or 2-person self-contained flats contained within a HMO

1. Where the building is an HMO consisting of or including self-contained flats, the bedrooms must meet the minimum sizes of 6.51m² for one occupant and 10.22 m² for two occupants if used solely for sleeping.
2. Where no separate living space is provided, 10 m² for one occupant or 15 m² for two occupants.
3. Where the kitchen is included in the room, 14 m² for one occupant, 18m² for two occupants
4. The kitchen must be fit for purpose (*see pages 13, 14, and 16*)

Notes

The measured space in any room must be 'usable space'. The room should be able to accommodate the required amount of appropriate furniture easily and still allow space for free movement about the room.

Ceiling Height

For the avoidance of risk from Collision and Entrapment Hazards, any floor space that has a floor-to-ceiling height of less than 1.5m is disregarded for the purpose of measuring the total space in the room. Where the room has a sloping ceiling, at least 50% of the floor area should achieve a floor-to-ceiling height of at least 2.1m.

Personal Washing Facilities

Legal requirements

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 set standards for washing facilities as below:

1. Bath/showers shall be provided in the ratio of at least one to every five persons sharing.
2. The bathrooms or shower rooms shall be readily accessible and normally not more than one floor away from the user. Shared facilities shall be accessible from a common area. Facilities must be inside the building.
3. Bathrooms and shower rooms must be of adequate size and be laid out in such a way as to enable persons to undress, dry and dress themselves in a safe manner.
4. Each bath, shower and wash hand basin shall be provided a continuous and adequate supply of hot and cold running water, designed to ensure reasonable temperature control.
5. Bathrooms and shower rooms must have adequate lighting, heating and ventilation.
6. Bathrooms must be fit for the purpose.

Telford & Wrekin Council Requirements

To meet the above requirements of adequate size, layout, and fit for purpose, Telford & Wrekin Council has adopted the following standards:

1. Where a child under 10 lives in the property, a bath must be provided.
2. An efficient and safe fixed space-heating appliance that is capable of maintaining each room, including kitchens and bathrooms at a minimum temperature of 21°C when the outside temperature is -1°C must be provided. The fixed space-heating appliance may be an adequate central heating system with thermostatic radiator valves (TRVs) or a fixed electrical appliance. The heating must be under the control of the occupiers for timings and temperature settings at all times. A pre-programmed thermostatic control incorporating an occupier over-ride facility is permissible.

A way of complying would be to provide a suitable set of operating instructions aimed at achieving economy in the use of fuel and power in terms that occupants can understand in a durable format that can be kept and referred to over the term of the tenancy. The instructions should be directly related to the particular system installed.

3. Bathrooms must, in addition to any windows, have mechanical ventilation to the outside air at a minimum extraction rate of 15 litres/second in addition to any window(s). The system is to be either coupled to the light switch and incorporate a suitable over-run period, or an appropriately set humidistat.

4. A tiled splash-back at least 300mm high or full height adjacent to an over-bath shower must be provided to all baths and wash hand basins.

Shower cubicles must have fully tiled walls and be provided with a suitable water-resistant curtain or door to the cubicle. Bathrooms and shower rooms must have smooth, impervious wall and ceiling surfaces, which can be easily cleaned. The flooring should be capable of being easily cleaned and slip resistant.

The following minimum dimensions apply:

Item	Dimension
Wash hand basin	500mm x 400mm
Splash- back	300mm high
Bath	1700mm x 700mm
Shower	800mm x 800mm

Shared bathrooms and shower rooms must be constructed to ensure privacy, be provided with an internal locking device to the door, have facilities to hang clothes during bathing and have an unrestricted space of at least 1.44m² (1.2m x 1.2m) to permit users to dry and dress themselves.

Sanitary Conveniences: Toilet Facilities

Legal requirements

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 set standards for sanitary conveniences.

1. Where there are four or fewer occupiers sharing facilities there must be one toilet which may be situated in the bathroom.
2. Where there are five or more occupiers there must be one separate toilet with wash hand basin in the same room for every five sharing occupiers.
3. Toilets are to be provided in bathrooms or separate compartments of an adequate size and layout. The rooms shall have smooth, impervious wall and ceiling surfaces, which can be easily cleaned. The flooring is to be capable of being easily cleaned and slip resistant.
4. Toilets must be readily accessible and normally not more than one floor away from the user. Shared facilities must be accessible from a common area.
5. A toilet provided in a separate compartment must have a wash hand basin (cloakroom basin acceptable where a full-sized washbasin is provided elsewhere) with an appropriate splash-back.

Telford & Wrekin Council Requirements

To meet the above requirements of adequate size, layout, and fit for purpose, Telford & Wrekin Council has adopted the following standards:

1. Separate toilet compartments should have minimum dimensions of 1300mm x 900mm with 750mm in front of the toilet.
2. Each toilet in a separate compartment is required to have a window equivalent to 1/20th of the floor area or mechanical ventilation to the outside air at a minimum extraction rate of six litres/second.
3. An efficient and safe fixed space-heating appliance that is capable of maintaining each room at a minimum temperature of 21°C when the outside temperature is -1°C must be provided. The fixed space-heating appliance may be an adequate central heating system with thermostatic radiator valves (TRVs), or a fixed, hardwired electrical appliance. The heating must be under the control of the occupiers for timings and temperature settings.
4. "Jack and Jill" shared facilities, accessible from within two or more rooms are not permitted as this would compromise fire separation between the rooms. There would also be concerns regarding privacy.

"A Jack and Jill bathroom is a full-sized bathroom that is sandwiched between two bedrooms and is accessible by both bedrooms. This type of bathroom has at least two doors, like an ensuite bathroom but for two bedrooms rather than just one".

5. A wash hand basin/cloak room basin must be provided in the same compartment as the toilet

6. Compartments must be constructed to ensure privacy including provision of an internal locking device to the door.
7. Facilities must be accessible from within the building without passing through any poorly insulated porch or outbuilding or the open air.

Sharing Ratios for Bathrooms and Sanitary Conveniences

Legal requirements

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 set standards for the number of bathrooms/showers and toilet facilities in HMOs.

1. Where there are four or fewer occupiers sharing facilities there must be one bathroom with fixed bath or shower and a toilet (which may be situated in the bathroom).
2. Where there are five or more occupiers sharing facilities, there must be:
 - One separate toilet with washbasin for every five sharing occupiers
 - One bathroom (which may contain a toilet) with a fixed bath or shower for every five sharing occupants.

The information below explains this in more detail: -

Number of people irrespective of age	Facilities required If a child under 10 lives in the property a bath must be provided
1-4 people	<p>The minimum provision is: -</p> <ul style="list-style-type: none"> ➤ 1 bathroom containing toilet, bath or shower and wash hand basin
5 people	<p>The minimum provision is: -</p> <ul style="list-style-type: none"> ➤ 1 bathroom with a bath or shower and 1 separate toilet with wash hand basin. The toilet may be located in a separate bathroom
6-10 people	<p>The minimum provision is: -</p> <ul style="list-style-type: none"> ➤ 2 bathrooms each containing a bath or shower plus ➤ 2 toilets with wash hand basins one of which must be in a separate room.
11-15 people	<p>The minimum provision is: -</p> <ul style="list-style-type: none"> ➤ 3 bathrooms each containing a bath or shower plus ➤ 3 toilets with wash hand basins one of which must be in a separate room
Bedrooms with en-suites	<p>Where a letting room is provided with a complete en-suite facility (bath/shower, toilet and wash hand basin) for the exclusive use of the occupant of that room, that occupant will be disregarded when considering the required provision of shared sanitary conveniences.</p>

Facilities for Storage, Preparation and Cooking of Food

Shared kitchens

Legal requirement

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 require:

1. A kitchen suitably located in relation to the living accommodation, and of such layout and size and equipped with such facilities so as to adequately enable those sharing the facilities to store, prepare and cook food.

2. The kitchen must be equipped with the following equipment, which must be fit for the purpose and supplied in a sufficient quantity for the number of those sharing the facilities:

(i) Sinks with draining boards

(ii) An adequate supply of cold and constant hot water to each sink supplied

(iii) Installations or equipment for the cooking of food

(iv) Electrical sockets

(v) Worktops for the preparation of food

(vi) Cupboards for the storage of food or kitchen and cooking utensils

(vii) Refrigerators with an adequate freezer compartment (or, where the freezer compartment is not adequate, adequate separate freezers)

(viii) Appropriate refuse disposal facilities; and

(ix) Appropriate extractor fans, fire blankets and fire doors.

Telford & Wrekin Council Requirements

To achieve compliance with the above requirements for adequate size, layout and equipment, Telford & Wrekin Council has adopted the following standards.

1. Location

The kitchen must be contained in the main building and located not more than one floor distant from the bedrooms. If this is not practicable in HMOs of not more than three storeys and not more than 10 persons, communal kitchens may be provided up to two floors distant from some bedrooms. All kitchen facilities must be available for use 24 hours a day.

2. Layout

The kitchen layout must be safe, convenient and allow good hygienic practices.

Cookers should be located away from doorways and have enough floor space for items to be safely retrieved from the oven. It must be possible to stand directly in front of the cooker and sink and to place utensils down on both sides of each.

Examples of good and poor kitchen layouts

This layout is not suitable as neither the cooker nor the sink can be practically or safely used.



This layout meets the minimum requirements as there is adequate worktop to both sides of the cooker and suitably located extraction.



The cooker is in an unsafe location due to its proximity to the door.



This cooker location meets the minimum requirements for a suitably sited cooker with sufficient worktop to both sides of it.

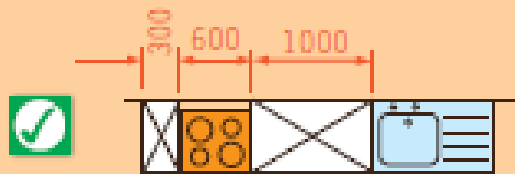


Examples of good and poor kitchen layouts



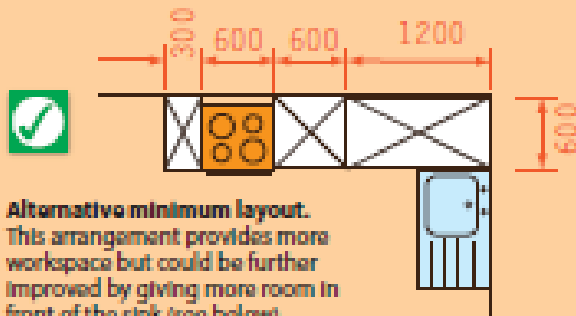
Good practice

A satisfactory kitchen must be safe, convenient and must allow good hygiene practices. It must be possible to stand directly in front of the cooker and sink and to place utensils down on both sides of each. Worktops must be secure, level and impervious and must be of adequate size. Adjacent walls require splash-backs and power points must be suitably located.

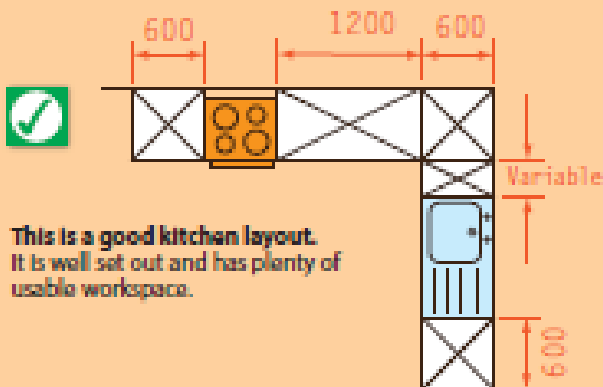


This is the minimum provision for a kitchen. It incorporates worktop on both sides of the cooker and working space both sides of the sink bowl.

Note 300mm is a minimum width and should be made wider where possible.



Alternative minimum layout. This arrangement provides more workspace but could be further improved by giving more room in front of the sink (see below).

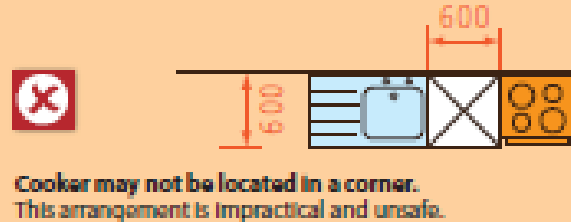


This is a good kitchen layout. It is well set out and has plenty of usable workspace.



Unacceptable

Cookers cannot be safely used if they are located in corners, do not have adequate worktop on both sides or are too close to sinks. Sinks require space to put dirty utensils on one side and clean on the other.



Cooker may not be located in a corner. This arrangement is impractical and unsafe.



The sink bowl must not be located in a corner. This is an impractical arrangement and because there is no worktop next to the bowl and it is impossible to separate clean and dirty utensils, it also creates a hygiene hazard.



Neither the cooker nor sink can be practically or safely used with this arrangement.



The cooker is free-standing and improperly located in relation to the sink. Both the cooker and sink also lack worktops.

This arrangement is impractical and unsafe. Adding worktops will still not give a practical and safe kitchen.

3. Size

- For three to five residents, kitchens must have a usable floor area of at least 7m²
- For six to ten residents, kitchens must have a usable floor area of at least 10m²
- The width of the kitchen must be at least 1.8m to allow safe movement of occupants

Number of Persons irrespective of age	Minimum provision of kitchen facilities
3–5 people	<p>A complete set of kitchen facilities consisting of the following items must be provided for every five persons:</p> <ul style="list-style-type: none"> ➤ Sink: A durable and easily cleansable sink, integral drainer and a tiled splash-back, on a base unit. The sink must have constant supplies of hot and cold running water and be properly connected to the drains. The cold water must come directly from the rising water main. It must be possible to stand directly in front of the cooker and sink and to place utensils down on both sides of each' ➤ Cooker: A gas or electric cooker with four ring burners, oven and grill, that are capable of simultaneous use. The cooker is to be located away from doorways with a minimum of 300mm worktop to both sides. The hob may be separate from the cooker. ➤ Electrical sockets: At least three double 13amp electrical power points (in addition to those used for fixed appliances, such as washing machines. ➤ Worktop: A kitchen worktop that is level, secure and impervious. The minimum dimensions are 1000mm length and 600mm width. ➤ Storage: A lockable food storage cupboard for each occupant comprising of a 500mm wide base unit or a 1000mm wide wall unit. This may alternatively be provided within each occupant's room (The space in the unit beneath the sink and drainer or beneath a separate hob is not allowable for food storage. ➤ Fridge/Freezer: A refrigerator with a minimum capacity of 130 litres plus a freezer with a minimum capacity of 60 litres. If not in the kitchen the fridge/freezer must be located in a communal space such as a utility room or shared dining room adjacent to the kitchen. ➤ Refuse disposal: A durable and easily cleansable waste bin of at least 50 L capacity must be provided.

	<ul style="list-style-type: none"> ➤ Ventilation: Mechanical ventilation to the outside air at a minimum extraction rate of 60 litres/second or 30 litres/second if the fan is sited within 300mm of the centre of the hob. This is in addition to any windows ➤ Fire precautions: see fire safety section
6–7 people	<p>Two complete sets of kitchen facilities as above with a 1500mm x 600mm work surface. However,</p> <ul style="list-style-type: none"> ➤ a combination microwave (min 32 litre capacity) is acceptable in place of a second cooker ➤ a dishwasher is acceptable in place of a second sink (e.g. slimline will suffice)
8 –10 people	<ul style="list-style-type: none"> ➤ Two complete sets of kitchen facilities as above with a 2000mm x 600mm work surface.
11 or more people	<ul style="list-style-type: none"> ➤ Two or more separate kitchens containing the aggregated equivalent provision calculated from the above standards, each kitchen having at least the minimum provision for up to 5 people.
<p>Where two sets of kitchen equipment are provided in one kitchen, each set must be sited so that each set of facilities, particularly the sink and hob, can be used independently by two people simultaneously and have at least 600mm of fixed work surface either side of each hob or sink. Double sinks and eight ring hobs are not acceptable alternatives for separate facilities.</p>	

Kitchens for exclusive use within letting rooms

Where each or some of the letting rooms are provided with their own kitchen facilities instead of having the use of a communal kitchen the following applies.

Legal requirements

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 requires rooms without shared amenities to be provided with adequate equipment.

Telford & Wrekin Council Requirements

To achieve compliance with the above requirements for adequate size, layout and equipment, Telford & Wrekin Council has adopted the following standards.

- 1. Cooking:** A gas or electric cooker with a minimum two-ring hob, oven and grill. This must be a conventional oven such as a “Baby Belling” and must be built-in or free standing, **not counter-top**. A microwave oven alone is **not** sufficient.
- 2. Storage:** A 130 litre refrigerator with freezer compartment plus at least one food storage cupboard for each occupant in the bedsit (base units shall be 500mm wide and wall units shall be 1000mm wide). The sink base unit cannot be used for food storage.
- 3. Preparation:** Worktop of at least 500mm deep and 1000mm long, comprising a minimum of 300mm both sides of the cooking appliance to enable utensils and pans to be placed down. All worktops must be securely supported, impervious and easy to clean.
- 4. Electricity:** Two double 13-amp power sockets suitably positioned at worktop height for use by portable appliances, in addition to sockets used by fixed kitchen appliances, plus two double sockets located elsewhere within the bedsit.
- 5. Washing:** A stainless steel sink and integral drainer set on a base unit with constant supplies of hot and cold running water. The sink shall be properly connected to the drainage system. The cold water shall be direct from the mains supply. A tiled splash-back shall be provided behind the sink and drainer.

6. Ventilation: Mechanical ventilation to the outside air at a minimum extraction rate of 60 litres/second or 30 litres/second if the fan is sited within 300mm of the centre of the hob. This is in addition to any windows.

7. Layout: The same principles of safe layout and design apply in bedsits as for shared kitchens. Cookers must not be located near doorways to avoid collisions and to reduce the possibility of a fire on the hob trapping an occupant in the room.

Where a gas appliance or a solid fuel burning appliance is provided within a unit of accommodation, a carbon monoxide detector must also be provided. Kitchenettes with limited facilities may be provided as an additional facility in rooms but do not remove the necessity to provide the appropriate level of shared kitchen facilities and the space taken up including 750mm deep working space adjacent to the kitchenette is not counted towards the floor area of the room for space standards.

Fire Safety

Fire Protection Requirements

Telford & Wrekin Council will assess the suitability of means of escape and other fire precautions by means of the Housing Health & Safety Rating System (HHSRS); but will, in particular, take into account national guidance on fire safety standards issued by DLUHC, CIEH and such other guidance as it judges appropriate.

For guidance purpose only refer to the LACORS fire safety on the link below:

[guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf \(cieh.org\)](#)

Requirements will vary according to assessed risk. Matters taken into account will include: the size of the property; number of storeys; layout; number of occupants; type of accommodation, and any particular characteristics applying to the intended tenant group. Assessed risk may vary if occupation changes.

Generic Fire Precautions/Requirements

An inadequate number of power points or their unsuitable location can result in increased fire risk as a result of overloading or the use of inappropriate or unsuitable extension leads. As a minimum the Council would specify **three** double sockets suitably located in each letting unit. The Council will assess the adequacy of power-points on the basis of the guidance provided by the most recent edition of the IEE Wiring Regulations.

For further information on fire safety requirements in HMOs then please contact the Private Sector Housing Team. Their email address is: PrivateSectorHousing@telford.gov.uk.

Fire Risk Assessment

The licence holder must prepare or commission a Fire Risk Assessment (FRA) in respect of every HMO. The FRA is an organised and methodical look at the premises, the activities carried on there and the likelihood that a fire could start and cause harm to those in and around the premises. The aims of the FRA are:

- to identify fire hazards;
- to reduce the risk of those hazards causing harm to as low as reasonably practicable; and
- to decide what physical fire precautions and management arrangements are necessary to ensure the safety of people in the premises if a fire does start.

Licence holders who feel competent to do so may prepare their own FRA. The use of a suitable template such as that available online at:

<https://www.dashservices.org.uk/Media/Default/Docs/FireRisk%20AssessmentForm.pdf> may assist in ensuring that attention is given to the appropriate issues.

Fire precaution requirements

Although an exhaustive list of likely requirements cannot be given in this document, necessary measures may include fire doors on high risk rooms, fire separation and automatic fire detection systems. Landlords are required to test and maintain fire alarm and emergency lighting systems in accordance with the British Standards.

- ✚ Grade D fire alarm systems should be tested weekly. All detectors must be cleaned at least annually. Testing and maintenance must be in accordance with the manufacturer's instructions. Landlords can self-certify this has been completed.
- ✚ Grade A fire alarm systems should be tested weekly. The system must be inspected and serviced at periods not exceeding six months in accordance with the recommendations of Clause 45 of BS:5839-1:2013. An inspection and servicing certificate of the type contained in H.6 of BS 5839-2013 should be issued by a suitably qualified and competent person.
- ✚ Emergency lighting systems should be tested regularly and a full system test and service must be completed annually by a competent person in line with BS5266.

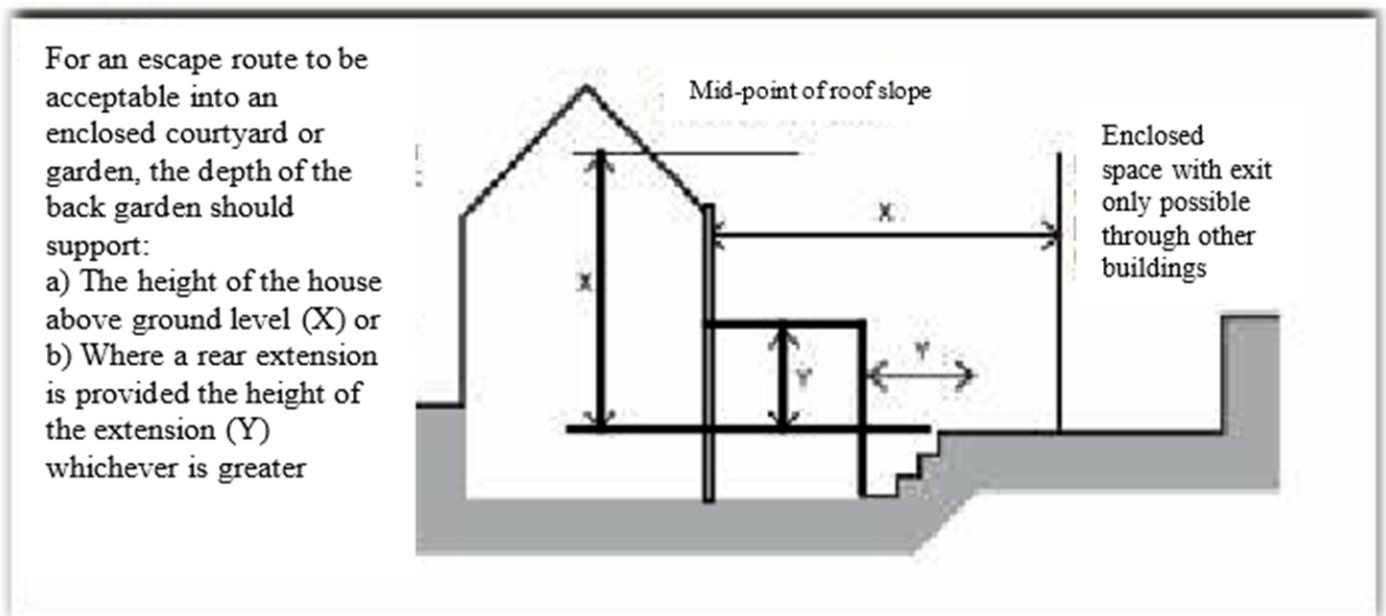
Fire blankets

Fire blankets should be provided in kitchens to enable fires on hobs to be tackled before they get out of hand. Where provided they should be prominently mounted on the wall away from the hob and advice on their use should be prominently displayed nearby.

Inner Rooms

Wherever it is possible, all letting rooms are required to have direct access to a protected route leading to a Place of Safety, i.e. the street or public space or a space complying with

The following diagram.



Where it is not practical to provide such access, for instance where the exit from the basement passes through a kitchen or shared living room a secondary means of escape must be provided.

Secondary Means of Escape

The secondary means of escape must fully comply with the requirements of Building Regulations Approved Document B (Fire Safety).

Emergency egress windows and external doors

2.8 Any window provided for emergency egress purposes and any external door provided for escape should comply with the following conditions:

a): The window should have an unobstructed openable area that is at least 0.33 m² and at least 450mm high and 450mm wide (the route through the window may be at an angle rather than straight through). The bottom of the openable area should be not more than 1100mm above the floor; and

b): The window or door should enable the person escaping to reach a place free from danger from fire. This is a matter for judgment in each case, but, in general, a courtyard or back garden from which there is no exit other than through other buildings would have to be at least as deep as the dwelling is high to be acceptable. See diagram above.

Note 1: Approved Document K, Protection from falling, collision and impact, specifies a minimum guarding height of 800mm, except in the case of a window in a roof where the bottom of the opening may be 600mm above the floor.

Note 2: Locks (with or without removable keys) and stays may be fitted to egress windows, subject to the stay being fitted with a release catch, which may be child resistant.

Note 3: Windows should be designed such that they remain in the open position without needing to be held by a person making their escape

Basement Rooms

Basement rooms used for letting or communal living spaces within HMOs present particular difficulties in respect of: -

- Fire safety
- Room heights
- Natural lighting
- Ventilation
- Freedom from damp

Fire Safety

Wherever practical, the exit route from a basement letting room should be direct to a protected route communicating directly to the final exit (usually the front door) to a place of safety, i.e. the street or public space or a confined space complying with the diagram above.

Where it is not practical to provide such access, for instance where the exit from the basement passes through a kitchen or shared living room a secondary means of escape must be provided, as detailed above.

Of particular importance in the case of basements is the height of the cill (not more than 1100mm above floor level.) This does not permit the use of permanent or semi-permanent ladder type arrangements and access to the window must be unobstructed internally and externally.

Where the window gives access to a light well, there must be an easily negotiated staircase access to ground level, including all necessary handrails and guarding, leading to a place of safety as above.

The door at the head of the basement staircase giving access to the kitchen or living room should be provided with a fire-resistant glazed vision panel to permit the occupant to establish whether the primary escape route is safe to use.

Where none of these options are available, consideration will be given to the provision of fire suppression systems covering the whole of the escape route from the basement room.

As elsewhere in the premises the ceiling and any walls separating the rooms from other parts of the HMO must have half-hour fire protection. Especial attention needs to be given to the ceiling and walls of the staircase. The entrance to the room must, in all cases, be provided with a half-hour fire door with intumescent strips, cold smoke seals and automatic closer.

Room Height

The finished room height must be not less than 2.1 m over at least 50% of the required floor space of the room. No floor area with a height of under 1.5 m will be counted towards the usable floor space of the room.

Natural Lighting

As with any habitable room, the area of natural lighting provided must be equal to at least 1/10th of the floor area of the room and must be of appropriate shape and position to allow for reasonable daylight penetration throughout the room. There should be sufficient natural light during daylight hours to enable normal domestic tasks to be carried out without eyestrain.

It is particularly difficult to meet this requirement where the property abuts directly onto the footpath and the window depends on the provision of a bulkhead in the ceiling encroaching on the room above. It is necessary for the bulkhead to have sufficient depth to not interfere with the light distribution, but consideration must be given to the effect on the floor area and space in the room above.

Artificial lighting must be sufficient for the normal use of the room outside daylight hours and on dull days but will not be considered a viable alternative to adequate natural lighting.

Ventilation

Sufficient ventilation, preferably by natural means must be provided to ensure that the room is not unduly affected by excess heat during summer months and also to assist in ensuring that basement rooms are not affected adversely from dampness connected with condensation. Generally, an opening window of at least 1/20th of the floor area of the room is considered sufficient. Trickle ventilation should also be provided to permit background ventilation without compromising security when the room is unoccupied or at night time, especially considering that such rooms often abut the public footpath. Artificial ventilation or air conditioning may be considered appropriate to provide in addition to natural means.

Freedom from damp

Particular attention needs to be given to the prevention of penetrating and rising dampness in basement rooms.

Attic Rooms

Attic rooms require additional attention to ensure that they meet HMO standards. In particular in respect of access, room heights, fire safety and space.

Access and Fire Safety

Steep, narrow and winding staircases, which may be acceptable in a family home giving access to a single bedroom, are seldom suitable for a letting room in an HMO where the occupant has only the one space to store all their possessions and is more likely than in a single-family home to require to evacuate their room in an emergency. Staircases giving access to attic letting rooms should be of equal dimensions to those provided for access to the main floors and where not suitable may lead to the relevant rooms being excluded from an HMO licence. Doors should not open over a staircase or be located directly adjacent to the top step without an intervening landing.

Room Height and Floor Space

For the avoidance of risk from Collision and Entrapment Hazard, any floor space that has a ceiling height of less than 1.5m is disregarded for the purpose of measuring the total space in the room. Where the room has a sloping ceiling, at least 50% of the floor area should achieve a floor-to-ceiling height of at least 2.1m”

Windows

As with other rooms, the window(s) must be not less than 1/10th of the floor area of the room and an opening portion of at least 1/20th of the floor area to allow both adequate lighting and adequate natural ventilation.

Windows in attic or second floor rooms should meet the requirements of Building Regulations Approved Document B (see above) regardless of whether they are inner rooms or have direct access to the primary means of escape.

Catered Hostel Accommodation

In the case of hostels providing supported or emergency accommodation the level of kitchen facilities required may be relaxed at the discretion of the Council to take account of the level of catering provided and to permit the accommodation of family groups in suitable rooms.

In all cases where three main meals are provided daily, one set of kitchen facilities will be required for every 5 households or 10 occupants, accessible at all times to all occupants (or a kitchenette consisting of sink and drainer, 1000mm work surface, 500mm food storage cupboard refrigerator and microwave oven in each room).

Family rooms will be permitted as follows: -

Room Size	Adults	Children under 10
Minimum 15 sq. m	2	0
	1	2
17.5 – 20 sq. m	2	1
	1	3
20-22.5 sq. m	2	2
	1	4
22.5-25 sq. m	2	3
	1	5

Plus an additional 2 sq. m where a kitchenette is provided in the room.

At least one bath (rather than shower), in a reasonably accessible location, must be provided for every 5 children likely to be accommodated.

Gas and Electricity Supplies

Location of gas and electricity meters and control equipment

Other than “smart meters”, gas and electricity meters and associated isolating switches, valves and consumer units must always be located within communal parts of the HMO so as to be accessible to all occupiers at all times. Under no circumstances will they be permitted to be located within a letting room.

Pre-payment Meters

Where lettings are on an inclusive basis, where gas and electricity are supplied by the landlord, the use of pre-payment meters is discouraged, but where they are used, there must be a robust arrangement in place to ensure that the supplies of gas and electricity are maintained at all times without requiring tenants to contact the landlord to arrange for the “topping up” of meters. The gas and electricity should be in the control of the occupant.

Re-sale of gas and electricity to tenants

The practice of charging tenants separately for their use of gas and electricity, usually through the use of individual meters is not encouraged, but where it does occur is restricted to the maximum resale price.

What is maximum Resale Price	
<p>The maximum resale price is the most that anyone can charge for resupplying gas or electricity which has already been bought from an authorised supplier. It is set by Ofgem.</p> <p>Anyone who charges more than the maximum resale price may face civil proceedings for the recovery of the amount overcharged and may be required to pay interest on amounts overcharged</p>	<p>From 1st January 2013 the maximum price at which gas or electricity may be resold is the same price as that paid by the person who is reselling it (“the reseller”), including any standing charges</p>

Further advice regarding resale of gas and electricity is available on Ofgem website at

<https://www.ofgem.gov.uk/ofgem-publications/74486/11782-resaleupdateoct05.pdf>

Management

Legal requirement

There are management regulations that apply to all HMOs.

The Management of Houses in Multiple Occupation (England) Regulations 2006 apply to all HMOs except those consisting entirely of self-contained flats. For HMOs consisting of self-contained flats, then The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 apply.

The Regulations can be accessed in full at www.legislation.gov.uk. Under both sets of Regulations the person in control of or managing the HMO has a number of duties:

- ✚ Provision and display of the manager's contact information to the occupiers
- ✚ Maintenance of common parts, fixtures, fittings and appliances
- ✚ Maintenance of living accommodation
- ✚ Safety measures, including fire safety
- ✚ Supply and maintenance of gas and electricity
- ✚ Maintenance of water supply and drainage
- ✚ Provision of waste disposal facilities.

Occupiers of HMOs have a duty to ensure that they take reasonable care to avoid damage and disrepair to the property, and do not act in such a way as to obstruct the manager in complying with any Management Regulation.

It is an offence to fail to comply with Management Regulations. Telford & Wrekin Council can prosecute or issue a civil penalty of up to £30,000 per offence when landlords or

agents do not comply with the Regulations. If found guilty, on summary conviction the Court can impose an unlimited fine per breach.

Housing Health and Safety Rating System (HHSRS)

Legal requirements

The HHSRS is the legislation giving minimum standards for all homes, regardless of tenure. It is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings.

The HHSRS system applies to all HMOs in addition to the regulations regarding licensing, standards and management.

The HHSRS identifies 29 hazards, however, the most common are as follows:

Damp and Mould Growth

Houses should be warm, dry and well-ventilated, maintained free from rising, penetrating and persistent condensation and there should be adequate provision for the safe removal of moisture-laden air to prevent damp and mould growth.

Preventive measures and the ideal

There should be within the HMO space for a washing machine with an appropriate power socket adjacent. There should also be clothes drying facilities, preferably both outside and internally. Internal provision can consist of a cabinet with a means of heating at low level. Alternatively, there should be space for the installation of a clothes drier with a connection for the vent outlet and an appropriate power socket adjacent.

Excess cold

Houses should be adequately insulated to prevent excessive heat loss; in particular, roof spaces should be properly insulated and windows and doors draught proofed. The property should have an efficient heating system capable of maintaining temperature.

Entry by intruders

Houses should be capable of being secured to deter against unauthorised entry. Windows and doors should be robust and fitted with adequate security. Externally, the curtilage of the property should be restricted and be properly gated. Sheds or outbuildings should be maintained in good order and made secure.

Lighting

All habitable rooms should have an adequate level of natural lighting. Where practicable, all staircases, landings, passages, kitchens, bathrooms and toilets should be provided, with a window.

All rooms and circulations areas within the property should have provision for electric lighting.

Electrical hazards

The electrical installation should be maintained in a safe condition. There is a legal requirement for the electrical installations in Houses in Multiple Occupation (HMOs) to be inspected every five years. Electrical installations must be inspected by a competent person.

Flames, hot surfaces etc.

Heating and cooking appliances should all be maintained in a safe condition and be suitably located so as not to become unreasonably hazardous. Cooking appliances should be set on an even surface and heating appliances securely fixed with a suitable position within the room.

Falls

Externally, paths and walkways should be even, be properly drained and steps should be maintained in good condition and be free from disrepair. Internally, floors should be even and comprise a non-slip finish and be maintained in a good condition. Stairs should be maintained in good condition and be free from disrepair. Stair coverings should be properly and securely fitted and should not be worn or loose. A securely fixed handrail should be provided the full length of the stairway. Balconies and basement light wells should have securely fixed guarding.

Personal hygiene, sanitation and drainage

Bathroom and kitchen, surface finishes should be capable of being readily cleaned. The external of the property should be free from disrepair and free from access by pests, such as rats and mice.

There should also be suitable provision for the storage of domestic waste inside and adequate receptacles outside the property.

Water supply

An adequate supply of cold potable drinking water should be available from the kitchen sink. All pipework should be adequately protected from frost damage.

Planning

Legal requirement

Under Article 4 of the Town and Country Planning Act HMOs with 3 or more occupiers require planning permission and owners and managers are recommended to contact the Planning Service to clarify the planning status of the property.

Planning permission controls the number of HMOs in a defined area. Further information may be obtained from planning department.

Planning permission may need to be obtained before the property is occupied as an HMO. Planning permission stays with the property. Once obtained, there is no requirement to reapply for planning permission unless the house falls back into C3 (family) use or the permission was not enacted within the timeframe given.

HMO Licensing is to ensure the property meets minimum standards and is not over-crowded and the property is well managed. A licence is granted to a named person for a specific period of time and must be renewed on expiry.

Grant of one does not give tacit consent for the other.

For further information contact Planning Enquiries at

By telephone at **01952 380380**

By e mail at **planning.control@telford.gov.uk**

Online at **<https://www.telford.gov.uk/info/20170/planning>**

Building Control

The Building Act 1984 and associated regulations, require 'building work' to be in accordance with the Building Regulations.

You must check if you need approval before you construct or change buildings in certain ways. The owner of the building will be at fault if approval has not been given and may be served with an enforcement notice for non-compliance.

Generally if you are planning to carry out 'building work' as defined in regulation 3 of the building regulations, then it must comply with the building regulations.

For further information contact Telford & Wrekin Council Building Control:

By email **building.control@telford.gov.uk**

By telephone: **01952 384555**

Online at **https://www.telford.gov.uk/info/20171/building_control**

Recycling and Waste Management

Legal requirement

The Management of Houses in Multiple Occupation (England) Regulations 2006 require landlords to provide adequate bins for the storage of refuse, having regard to the disposal services provided by the Local Authority. These Regulations also require landlords to make arrangements for the disposal and storage of waste, as necessary, to comply with the service provided by the local authority.

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 SI 373 require 'appropriate refuse disposal facilities' for HMOs.

The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 require licences under Part 2 must include conditions requiring the licence holder to comply with any scheme which is provided by the local housing authority to the licence holder and which relates to the storage and disposal of household waste at the HMO pending collection.

For further information contact waste and recycling at:-

Online at: **https://www.telford.gov.uk/info/1003/bins_and_recycling**

Email: **recyclefortelford@telford.gov.uk**

Telephone: **01952 384384**

Applying for a HMO Licence

To make a valid HMO licence application you must:

1. Fully complete the application form
2. Sign and return the declaration
3. Pay the licence fee
4. Submit the application form and all required documentation

Documents should be submitted in PDF format and photographs placed in a word document and then sent as PDF document.

Once an application is valid, we will process the application, which may, at the Council's discretion require an inspection of the HMO and then forward a copy of a notice of intention to issue an HMO licence to the proposed licence holder and all interested parties including any other owners of the property, proposed manager and any mortgagee or leaseholder as relevant

There is a two-week consultation period before the final licence or 'Decision Notice' is issued. If you disagree with any conditions on the licence you can make representation against the condition.

Any representations received will be reviewed and we may amend the licence as requested or reject the representation.

The actual licence is then issued. You have the right of appeal to the First Tier Tribunal (formerly

Residential Property Tribunal) against conditions on the licence. This must be done within 28 days of the date of issues of the Licence.

An initial HMO licence is normally valid for a period of five years from when it is considered duly made or when it becomes operative if the application is made in advance of the property being first used as a HMO. It should be noted, once issued the licence is not transferable.

You must renew your licence before the current licence expires. A valid renewal requires timely submission of the renewal application form, usually at least 28 days prior to the expiry date of the previous licence, signed declaration and fee payment. A renewal licence is usually valid for five years from the expiry date of the old licence.

Renewals received after licence expiry will be rejected and you will be required to submit a full new application and pay a higher fee.

Other information on the HMO Licensing process, standards and which houses require a licence can be found on the Telford & Wrekin Council website: <https://www.telford.gov.uk/site/>



Houses in Multiple Occupation (HMO) Licensing Fee Schedule

Telford and Wrekin

May 2026

HMO Licensing Fee Schedule

1. The HMO licensing fee schedule is set out in Table 1.
2. Fee levels have been calculated based on financial modelling to establish the operating cost of the scheme over a 5-year period and bench marked against neighbouring authorities.

Table 1

No of Occupants	Fee Stage 1	Fee Stage 2	Fee Total	Licensing Scheme
3 – 5	£1,123.14	£399.27	£1,522.42	Both 3 – 4 (Occ) Additional 5 (Occ) Mandatory
6 – 12	£1,240.26	£399.27	£1,639.53	Mandatory
13 – 20	£1,357.38	£399.27	£1,756.65	Mandatory
21+	£1,474.50	£399.27	£1,873.77	Mandatory

3. In 2018 a landmark case (Peter Gaskin vs London Borough of Richmond), resulted in a decision that all Local Authorities are required to introduce a two-stage payment process.
4. The stage 1 fee must be paid when you make the application for the application process costs.
5. The stage 2 fee must be paid within 14 days of the council issuing their 'Decision to issue the licence'.
6. All full and valid additional licensing applications for properties up to 4 occupants will receive a 10% early bird discount between the dates of 20th of May 2026 and 20th August 2026.
7. Table 2 details additional fees associated with HMO Licensing.

Table 2 – Additional Fees

Pre-Application advisory visit	£150 per inspection
Additional pre-licence compliance visits*	£150 per inspection
Missed appointments	£150 per inspection

* The licensing fee will cover the cost of 2 pre-licence compliance visits. Any additional inspections will be charged.

Variation Fees Schedule

Licence Variation	Fee
Change of address details of the licence holder, manager or owner	£100
Change of mortgagor, owner, freeholder or leaseholder, unless they are the existing licence holder	£100
Change in the number of maximum occupiers and/or households	£150
Variation of licence instigated by the Council	No fee
Change of licence holder	New application fee
Change of manager, provided they are not also the licence holder	£150



Telford & Wrekin
Co-operative Council

Protect, care and invest
to create a better borough

Private Sector Housing Enforcement Policy

May 2026

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Appendix 1 – Civil Penalties under The Renters' Rights Act 2025 and other housing legislation.

Appendix 2 - Statement of principles to determine the amount of a penalty charge under Part 4 of The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 as amended by The Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022

Appendix 3 - Statement of principles to determine the amount of a penalty charge for a breach of minimum energy efficiency standards (MEES) with respect to domestic privately rented property

1. Purpose

This Policy details how Telford & Wrekin Council (the Council) will regulate standards in Private Sector Housing in Telford and Wrekin. It provides an overview of the legislation and guidance under which the Council operates and the enforcement powers available to the Council to ensure that private sector housing is well maintained.

This policy document sets out what 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 officers when dealing with non-compliance.

All enforcement action taken will be in accordance with relevant statutory Codes of Practice, Council procedures and protocols, and official guidance from central and local government bodies.

As a public body under the Human Rights Act 1998, the Council will apply the principles of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Whilst not a legal requirement, it is important for local authorities to have an enforcement policy to ensure consistency of approach among council officers and for members of the public to know what to expect from the service. An enforcement policy also provides clarity if the Council takes legal proceedings or if an appeal is made against enforcement action.

Our aim is to raise standards in private sector housing throughout Telford and Wrekin, working with owners, landlords, letting agents and tenants to achieve this. However, it is recognised that if the law is broken, then enforcement action may be necessary to protect the public and the environment.

In this policy, the term 'landlord' should be read as including letting agents, managing agents, licensors, property owners, directors of corporate landlords and any other person involved in the letting or management of privately rented accommodation.

In this policy, the terms 'House of Multiple Occupation' or 'HMO' are defined by the Housing Act 2004 (as amended).

2. Role of the Private Rented Sector

The supply of good quality, affordable, privately rented accommodation is essential to meeting local housing need. To this end the Council will work with landlords to improve and sustain good quality accommodation and will only intervene when there is a risk to the health and safety of occupants, neighbours or visitors to a property.

3. Aims of the policy

The purpose of this enforcement policy is to provide guidance for Private Sector Housing (“PSH”) officers to ensure enforcement action is taken in line with the Regulators Code and the principles of good regulation where required by The Legislative and Regulatory Reform (Regulatory Functions) Order 2007. Of particular note, the following pieces of legislation:

- Parts 8, 9 and 10 of the Housing Act 1985
- Part 8 of the Housing Act 1996
- Parts 2 to 5 of the Housing Act 2004

are subject to The Legislative and Regulatory Reform (Regulatory Functions) Order 2007.

This policy follows the “Principles of Good Regulation” set out in the Legislative and Regulatory Reform Act 2006 (2006 Act):

- Regulatory activities should be carried out in a way which are transparent, accountable, proportionate and consistent.
- Regulatory activities should be targeted only at cases in which action is needed.

4. Regulators’ Codes

The 2006 Act requires that we have regard to the current Regulators’ code when developing policies and procedures that guide our regulatory activity. This policy has regard to the Regulators’ Code.

The Private Sector Housing Enforcement Policy (the Policy) confirms that:

- The Council will provide information, advice and assistance whenever possible to the public, businesses and organisations to help them meet their legal obligations in relation to the relevant housing legislation.

- The Council is committed to carrying out its duties in a fair and consistent manner, ensuring that any enforcement action is proportionate to the severity of the noncompliance and the risk posed to the public.

When discharging its duties in relation to private sector housing, the Council will follow the principles of good enforcement, including but not limited to the following:

- Regulators Compliance Code
- Criminal Procedure and Investigations Act 1996 (CPIA) and associated Code
- Police & Criminal Evidence Act 1984 (PACE) and associated Codes
- The Enforcement Concordat
- Housing Act 2004
- Renters' Rights Act 2025
- Regulation of Investigatory Powers Act 2000
- Housing and Planning Act 2016

This Enforcement Policy helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens. This is in accordance with the Regulators' Code.

The Private Sector Housing Team's enforcement activity will be:

- **Proportionate** – Enforcement action will be proportionate and reflect the nature, scale and seriousness of any breach or non-compliance.
- **Fair and objective** – Enforcement action will be based on the individual circumstances of the case, taking all available facts into account. Officers will carry out investigations with a balanced and open mind.
- **Transparent** – Enforcement action will be undertaken in accordance with clearly defined policies and procedures that are readily available. All communications will be easy to understand, with clear reasons being given for any enforcement action taken.
- **Consistent** – Enforcement action will be undertaken and monitored within the Private Sector Housing Team to ensure consistency in the interpretation and enforcement of legislation, work with other regulatory agencies and to share and develop good practice.

- **Accountable** – Enforcement action will be undertaken in a responsible manner that has a clear purpose. Where appropriate, the Private Sector Housing Team will work closely with landlords, tenants and other stakeholders that have an interest in private sector housing.

5. Educate, Encourage, Enforce

In line with the Council's Better Homes for All programme, the service will always attempt to educate and encourage with landlords and responsible parties where it is reasonable (in our opinion) for us to do so. By facilitating compliance through a positive and proactive approach, the service aims to achieve higher compliance rates and reduce the need for reactive enforcement actions. Only where attempts to educate and encourage, to secure compliance have failed and/or the seriousness or risk to health and safety means informal action is not appropriate, the Council will take enforcement action.

6. Powers available to the Council to deal with poor standards

The Housing Act 2004 and associated secondary legislation sets out the duties and powers that Telford and Wrekin Council has in relation to regulating housing standards, in its capacity as the Local Housing Authority.

Additional powers are also contained within:

- The Housing Act 1985
- Renters' Rights Act 2025
- The Environmental Protection Act 1990
- The Town and Country Planning Act 1990
- The Public Health Acts 1936 and 1961
- The Housing and Planning Act 2016
- The Smoke and Carbon Monoxide Alarm (England) Regulations 2015
- The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015
- The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020.

This is not an exhaustive list, and, the Council will consider the use of all powers available to it, to meet the aims of this policy. A complete list of powers and authorisations can be provided upon request.

7. Investigations

The Council will carry out proactive and reactive investigations for the following reasons:

- in response to a reasonable complaint, or a request for service
- where poor conditions have been brought to our attention
- on receipt of relevant intelligence
- monitoring progress and compliance

The service will focus its resources on the highest risk properties, those in worst condition and properties owned by landlords who regularly fail to comply with regulations or frequently have properties with poor conditions.

Power to Investigate

S114 Renters' Rights Act 2025 gives the Council power to issue a notice to a relevant person to require the person to provide specified information to the Council.

This notice may be given to any person with an estate or interest in the land; the licensor; their agents; or a marketer of a property. It may be given in regard to any offence under the following legislation:

- Sections 1 and 1A of the Protection from Eviction Act 1977;
- Chapter 1 of Part 1 of the Housing Act 1988;
- Section 83(1) or 84(1) of the Enterprise and Regulatory Reform Act 2013;
- Sections 21 to 23 of the Housing and Planning Act 2016;
- Chapter 3 of Part 1 and Part 2 of the Renters' Rights Act 2025.

Failure to comply with a s114 notice is an offence under s131 Renters' Rights Act 2025, as is being obstructive and intentionally or recklessly making false or misleading statements in response to a s.114 notice.

S.115 Renters' Rights Act 2025 permits the Council when it reasonably suspects a breach of the Rented Accommodation Legislation to issue a notice to any person requiring them to

provide the information specified. This may only be done to investigate whether a breach has occurred under the Rented Accommodation Legislation, or to determine the amount of a penalty.

For the purposes of this section, the Rented Accommodation Legislation means:

- Sections 1 and 1A of the Protection from Eviction Act 1977;
- Chapter 1 of Part 1 of the Housing Act 1988;
- Parts 1 to 4 and 7 of the Housing Act 2004 ;
- Section 83(1) or 84(1) of the Enterprise and Regulatory Reform Act 2013;
- Sections 21 to 23 of the Housing and Planning Act 2016;
- Chapter 3 of Part 1 and Part 2 of the Renters' Rights Act 2025.

Where an individual has not complied with a s115 notice, s116 Renters' Rights Act 2025 enables the Council to make an application to the Court to enforce the provisions of the notice and seek reimbursement for the costs of the application.

S131 Renters' Rights Act 2025 provides that, in addition to the offence of non-compliance with a s114 notice, it is an offence for an individual to obstruct a Council officer seeking to exercise their powers without reasonable excuse. It is also an offence to fail to give an officer any additional assistance or information which they reasonably require without reasonable excuse.

S235 Housing Act 2004 allows the Council to issue a notice to relevant individuals, including occupiers, directing them to provide specified documents under their control for the purpose of investigating whether an offence has been committed under Parts 1 to 4 of the Housing Act 2004 or exercising the Council's functions under Parts 1 to 4 of the Housing Act 2004.

The Council also has powers under Section 237 of the Housing Act 2004 to use the information obtained above, and also Housing Benefit and Council Tax information obtained by the authority, to carry out its functions in relation to these parts of the Act.

S16 Local Government (Miscellaneous Provisions) Act 1976 also permits the Council to issue a notice to an occupier, manager, or individual with an interest in the land to compel them to provide the Council with information on the nature of their interest and the names and addresses of current occupiers.

Entry to Premises

S118 Renters' Rights Act 2025 permits Council officers to enter business premises of relevant people (including landlords, letting agents, and marketers) if it is necessary for the production or seizure of documents under s122-s123 Renters' Rights Act 2025. This power will be exercised without a warrant.

S121 Renters' Rights Act 2025 allows a Council officer named in a warrant to enter premises used for a rental sector business which is not mainly accommodation if there are documents on the premises which the officer could require under s122 or seize under s123. In addition, for this power to be exercised, one of the following conditions must be met:

- That access to the premises has been or is likely to be refused, and the Council has provided notice of their intention to apply for a warrant to the occupier;
- Those documents on the premises would likely be concealed or interfered with if notice of entry were to be given;
- That no occupier is present, and waiting for their return might defeat the purpose of the entry. 1.29. Following a s118 or s121 Renters' Rights Act 2025 entry, s122 allows an officer at any reasonable time to require a relevant person on the premises to produce any documents relating to the business and to take copies of them. This may only be exercised to ascertain whether there has been a breach of the Rented Accommodation Legislation where an officer reasonably suspects there has been a breach or an offence; or to ascertain whether the documents may be required in evidence for proceedings regarding a breach or offence.

Following a s118 or s121 Renters' Rights Act 2025 entry, s123 authorises Council officers to seize and detain documents that the officer reasonably suspects may be required as evidence in proceedings relating to a breach of, or an offence under, the Rented Accommodation

Legislation. When doing so, the officer will provide evidence of the officer's identity and authority if reasonably practicable. The officer will take reasonable steps to inform the person from whom documents have been seized that they have been seized, and will provide that person with a written record of what has been taken.

S126 Renters' Rights Act 2025 permits the Council to enter residential premises used for a tenancy at a reasonable time if the officer considers it necessary as part of an investigation into potential offences specified in subsection 1(b). Where required, the Council will give at least 24 hours' notice of this to the occupier and individuals with an interest in the property as per subsection 1(c), detailing in writing why the entry is necessary and the suspected offences. Where there are occupiers found on the premises, the officer will provide evidence of the officer's identity and authority to at least one of the occupiers if reasonably practicable.

In addition, s239 Housing Act 2004 permits Council officers to enter, if necessary and at a reasonable time, a property in order to carry out a survey or examination. This may be done if any one of the following is met:

- to determine if any Part 1-4 enforcement functions should be exercised;
- the premises are part of an Improvement Notice or Prohibition Order;
- a management order is in force under Chapter 1 or 2 of Part 4 on the premises.

In certain circumstance the Council may obtain a warrant to enter, by force if necessary, under s240 Housing Act 2004.

8. Tenure Groups

The Private Sector Housing Service has investigative and enforcement powers relating to all private housing regardless of tenure. However the approach may vary depending on the tenure of the household.

a. Private Landlords and Tenants

Tenants within rented accommodation do not have the same level of control of their homes, in the same way that owner occupiers benefit from. They are reliant on landlords or their agent to adequately maintain their homes in accordance with legal requirements. The Council will take enforcement action where required, against landlords or agents who are putting the health and

safety of their tenants at risk, or in circumstances where conditions are causing serious issues to neighbouring property.

b. Owner Occupiers

Owner occupiers are usually in a position to make informed decisions about maintenance or safety issues in their homes. Formal enforcement action therefore against this tenure group would be limited. Officers would always aim to provide owner occupiers with appropriate advice and recommendations as to how they can mitigate any hazards identified. In cases, however, where there is a severe risk to the health and safety of occupiers, or where there are conditions that have the potential to cause serious issues to neighbouring property, the Council may take formal action against owner occupiers. The vulnerability of the owner occupier will also be considered, and it is expected that colleagues from other parts of the council will discharge their duties to ensure safeguarding of vulnerable adults and children.

c. Registered Social Landlords (“RSL”)

These are usually housing associations, being a private, non-profit making organisation that provides low cost “social housing”. Their performance is scrutinised by Homes England, the Social Housing Regulator and the Housing Ombudsman. RSL’s have written arrangements for reporting problems and clear response times for addressing these issues, in addition to having systems for registering any complaints about service failure. This service will not normally take action against an RSL, unless the problem in question has been properly reported to the RSL, who has then failed to take the appropriate action. However, the Council will always have regard to the nature of any reported hazard and will take formal action against any provider where there is a risk to the health and safety of tenants, visitors, neighbours and / or the wider public.

9. Inspections of Single Family Dwellings

Authorised officers will conduct an inspection of the whole dwelling, both internal and external and make a hazard assessment under the Housing, Health and Safety Rating System (HHSRS) and any other appropriate legislation.

10. Inspections of Houses in Multiple Occupation (HMOs)

A House in Multiple Occupation (HMO) is defined in the Housing Act 2004. It is a residential

property which is rented to three or more persons who form two or more households, and where those households share one or more amenities such as a bathroom, toilet or cooking facilities. A household is defined as a single person, a family, or a cohabiting couple. HMOs are further regulated by management regulations under the Housing Act 2004.

Authorised officers will conduct an inspection of the whole dwelling, both internal and external and make a hazard assessment under the Housing, Health and Safety Rating System (HHSRS), identify any breaches under management regulations under the Housing Act 2004 and any other appropriate legislation.

11.HMO Licensing

Licensable HMOs are further regulated by licensing regulations under the Housing Act 2004. Where the Council determines that a landlord has not complied with the management regulations, it may seek to resolve the matter informally, by requesting the necessary improvements and providing advice to the landlord. However, where there are serious management breaches, the operation of a licensable HMO without a licence or repeated failure by the landlord to comply with the regulations, or refusal to improve the management of the HMO, the Council will consider immediate formal enforcement by way of prosecution or imposing a civil penalty. Offences under these regulations, attract a separate civil penalty for each separate management offence.

We reserve the right to issue a shorter-term licence where appropriate.

The Council also has powers to take control over poorly managed and/or dangerous licensable HMOs with no valid licence and no prospect of a licence application being forthcoming.

12.Enforcement Action

Where a responsible party commits an offence, the Council will consider the reasons for non-compliance and consider a number of options (or a combination of).

13. Most appropriate course of action

When considering any form of action, the service will always consider the most appropriate course of action for each case. This will include:

- Whether the Council has a duty to take a specific course of action(s)
- The risk that the conditions pose to the health and safety to individuals and the public at large,
- Confidence in the management of the property,
- The culpability of the responsible party,
- Evidence that suggests that there was premeditation in the commission of an offence,
- Whether there is a history of previous warnings or the commission of similar offences,
- Aggravated circumstances such as aggressive or violent behaviour towards the officer or occupants,
- Tenure of property

The Council will determine which of the specific enforcement options it will use, taking into account the facts and circumstances in each individual case. The Council will remain impartial and take action that is proportionate to the situation. The Service will adopt a coordinated approach with other Council services and relevant agencies in taking any action.

14. Informal action

Informal action taken by the Council may be written or verbal advice. Additionally, a visit may be made at the outset by Council Officers in cases where the initial complaint indicates that an immediate investigation by a Council officer is warranted.

In cases where officers visit an address, whether this is a result of a landlord's failure to adequately resolve a highlighted issue or as part of an audit or other investigation, written or verbal advice may be deemed sufficient should the inspection highlight only very minor deficiencies.

Where written advice is deemed appropriate by the Council and is provided, timescales will normally be included to undertake any specified work or actions.

While the Council will use its discretion on whether to carry out informal action for a Category 2 hazard, it does not need to provide written or verbal advice before commencing formal action.

15. Formal Action

Formal action will be in the form of legal notices, either to inform responsible and interested parties of the presence of a hazard and/or requiring compliance within a stipulated period of time or requiring the prohibition of all or parts of a dwelling within a stipulated time. Failure to comply may result in works being carried in default and/or prosecution or the issuing of a civil penalty.

a. Emergency Action

The council also has powers to carry out emergency remedial action where there is an imminent risk of serious harm and/or emergency prohibition powers to prohibit the use of all or parts of a dwelling for habitable use.

b. Works in Default

Works in Default will be considered if all other methods to try to remedy the necessary works have been unsuccessful. In determining if work in default is appropriate, Officers will report to the Head of Strategic Housing and Regeneration who will consider approval based on the following information:

- The effects of not carrying out the work on the health and safety of the occupants of the property concerned
- The wishes of the tenant where the notice has been served in respect of a rented property
- The reason for the work not being carried out in the first place
- Cost
- Any other factors that are specific to individual properties

The Council will normally seek to recover all of the costs associated with undertaking work in default (including time spent by its Officers, administrative costs, contractors costs, the cost of any specialist reports, supervisory costs etc.)

In addition, as a means of recovering the costs, the Council may also serve Recovery Notices to recover, receive and give a discharge for any rent or sums in the nature of rent.

c. Issue a Simple Caution

Officers may use Simple Cautions where someone has committed a less serious offence.

Simple Cautions warn people that their behaviour has been unacceptable and makes them aware of the legal consequences should they commit further offences.

Simple cautions are not appropriate where there is a history of offending within the last 2 years or where the same type of offence has been committed before. In these circumstances, prosecution or civil penalty is more appropriate.

d. Prosecution

When deciding whether to prosecute the Council has regard to the provisions of The Code for Crown Prosecutors as issued by the Director of Public Prosecutions.

Prosecution will only be considered where the Council is satisfied that it has sufficient evidence to provide a realistic prospect of conviction against the defendant(s).

Before deciding that prosecution is appropriate, the Council will have particular regard to the following public interest criteria:

- How serious is the offence committed?
- What is the level of culpability of the suspect?
- What are the circumstances of and the harm caused to the victim?
- Was the suspect under the age of 18 at the time of the offence?
- What is the impact on the community?
- Is prosecution a proportionate response?
- Do sources of information require protecting?

The Council expects that, in the public interest, enforcing authorities should normally prosecute, or recommend prosecution, where, following an investigation or other regulatory contact, one or more of the following circumstances apply. Where:

- a breach of the legislation resulted in a death
- the gravity of an alleged offence, taken together with the seriousness of any actual or potential harm, or the general record and approach of the offender warrants it;

- there has been reckless disregard of legislative requirements;
- there have been repeated breaches that give rise to significant risk, or persistent and significant poor compliance;
- the breach has been carried out without or in serious non-compliance with an appropriate licence or permission;
- a duty holder's standard of compliance is found to be far below what is required by law and to be giving rise to significant risk;
- there has been a failure to comply with a statutory notice; or there has been a repetition of a breach that was subject to a simple caution;
- false information has been supplied wilfully, or there has been an intent to deceive, in relation to a matter which gives rise to significant risk;
- officers have been intentionally obstructed in the lawful course of their duties.

In many circumstances, where an offence is committed by a body corporate, legislation enables local authorities to pursue persons involved with the body corporate in addition to, or instead of, the body corporate. These include company officers and, where applicable, company members.

In deciding on the public interest the Council will make an overall assessment based on the circumstances of each case and will consider all relevant circumstances carefully, including local and corporate priorities. The above is not an exhaustive list and the Council will take all relevant issues into account when reaching its determination.

e. Civil Penalties for offences for specified offences

The Council has the power to impose a Civil Financial Penalty for the following:

- Unlawful eviction and harassment of occupier as defined under the Protection from Eviction Act 1977
- Failure to comply with an Improvement Notice [s30 Housing Act 2004]
- Offences in relation to licensing of Houses in Multiple Occupation (HMOs) [s72 Housing Act 2004]
- Failure to comply with an Overcrowding Notice [s139 Housing Act 2004]
- Failure to comply with a management regulation in respect of an HMO [s234 Housing Act 2004]

- Offences in relation to Regulation 3 of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020
- Failure to comply with a banning order [s21 Housing and Planning Act 2016]
- Failure to give a written statement of terms under section 16D of the Housing Act 1988
- Failure to give an existing tenant information about changes made by the Renters' Rights Act under paragraph 7(2) of schedule 6 to the Renters' Rights Act 2025
- Attempting to let a property for a fixed term under section 16E of the Housing Act 1988
- Attempting to end a tenancy orally or by service of a notice to quit under section 16E of the Housing Act 1988
- Serving an eviction notice that attempts to end a tenancy outside the prescribed section 8 process under section 16E of the Housing Act 1988
- Relying on a ground where the person does not reasonably believe that the landlord is/will be able to obtain possession under section 16E of the Housing Act 1988
- Relying on a ground knowing the landlord would not be able to obtain possession or being reckless as to whether they would under section 16J of the Housing Act 1988
- Failing to provide a tenant with prior notice that a ground which requires it may be used under section 16E of the Housing Act 1988
- Reletting or remarketing a property before expiry of the 12 month no-let period after using the moving and selling grounds under sections 16E and 16J of the Housing Act 1988
- Discriminating against prospective tenants during the letting process on the grounds that those tenants are in receipt of benefits or have children under sections 33 and 34 of the Renters' Rights Act 2025
- Marketing a letting without stating the proposed rent under section 56 of the Renters' Rights Act 2025
- Inviting or encouraging any person to offer to pay an amount of rent under the proposed letting that exceeds the stated rent under section 56 of the Renters' Rights Act 2025
- Accepting an offer from any person to pay an amount of rent under the proposed letting that exceeds the stated rent under section 56 of the Renters' Rights Act 2025

The amount of penalty is to be determined by the Council in each case.

A civil penalty may be imposed as an alternative to prosecution. However, unlike prosecution action, where there are offences under Houses in Multiple Occupation management regulations, the Council may issue a civil penalty for each separate offence.

The same standard of proof is required for a civil penalty as for criminal prosecution. This means that before taking formal action, the Council must satisfy itself that if the case were to be prosecuted in a magistrates' court, there would be a realistic prospect of conviction. The private sector housing team will consult with the Council's legal team in this respect.

The civil penalty policies are appended to this policy.

f. Proceeds of Crime

Where appropriate the Council will consider the use of the Proceeds of Crime Act 2002. The Proceeds of Crime Act allows Local Authorities to recover assets that have been accrued through criminal activity.

g. Rent Repayment Orders

Part 2 of the Housing and Planning Act 2016 permits the Council to seek a Rent Repayment Order at the First Tier Tribunal Property Chamber to require the landlord of the property where the offence(s) has been committed to refund rent to the tenants or the Council. S48 of the Housing and Planning Act 2016 places a duty on the Council to consider applying for Rent Repayment Orders.

Where a landlord has been convicted or received a Civil Financial Penalty in respect of the offence, the Tribunal must award the maximum applicable amount, except in exceptional circumstances.

This power will be considered in response to all qualifying offences and where there is sufficient evidence for a successful application to the First Tier Tribunal.

The qualifying offences are:

- Unlawful eviction and harassment of occupier as defined under the Protection from Eviction Act 1977

- Failure to comply with an Improvement Notice [s30 Housing Act 2004]
- Offences in relation to unlicensed HMOs [s72(1) Housing Act 2004]
- Offences in relation to unlicensed houses [s95(1) Housing Act 2004]
- Failure to comply with an Improvement Notice [s30(1) Housing Act 2004]
- Failure to comply with a Prohibition Order [s32(1) Housing Act 2004]
- Breach of a Banning Order [s21 Housing and Planning Act 2016]
- Using Violence to secure entry [s6(1) Criminal Law Act 1977]
- Knowingly or recklessly misusing a possession ground [s16J(1) Housing Act 1988]
- Letting or marketing of a property within twelve months of using the 'moving in' or 'selling' ground of eviction [s16J(2) Housing Act 1988]
- Continuous breach of certain tenancy reform requirements [s16J(3) Housing Act 1988]

An application for an RRO may be in addition to other formal action, such as prosecution proceedings or the imposition of a Civil Penalty.

The Council will consider making an application for a Rent Repayment Order where it has issued a Civil Financial Penalty or pursued prosecution and will usually apply for a Rent Repayment Order where public funds have been paid to a landlord who has committed a qualifying offence.

S49 of the Housing and Planning Act 2016 enables the Council to assist tenants in applying for Rent Repayment Orders. The Council will usually assist tenants by referring or signposting them.

h. Banning Orders

From 6 April 2018 a Local Authority has the power to apply to the First Tier Tribunal for a banning order. A Banning Order is an order that bans a landlord or property agent from:

- Letting housing in England;
- Engaging in English letting agency work;
- Engaging in English property management work; and

- Doing two or more of those things. Breach of a banning order is a criminal offence.

A Banning Order must be for a minimum period of 12 months. There is no statutory maximum period for a Banning Order.

The Council will use banning orders for the most serious offenders who breach their legal obligations and rent out accommodation which is substandard and where previous sanctions, such as a prosecution has not resulted in positive improvements and it is necessary for the Council to proceed with further prosecutions/ formal action.

16. Review of Enforcement Action

If there is a change in the nature of the occupation of a premises (leading to either an increase or decrease in the apparent risk to occupiers) the current state of any outstanding enforcement action will be reviewed by the Council. Where appropriate this may result in the variation or revocation of notices. This ensures that the type of enforcement action is still appropriate and proportionate to the risk posed from the identified hazard(s).

17. Power to charge for enforcement action

The Council has the power, under the Housing Act 2004, to make a reasonable charge as a means of recovering certain administrative and other expenses incurred in serving certain Housing Act notices. The Council may recover a reasonable amount for expenses incurred in connection with time spent gaining entry to a property, visiting and inspecting the property to determine appropriate action and the administration costs for the production of a Notice, Order or Remedial Action. Costs incurred carrying out Works in Default or Remedial Action will be charged separately. If legal fees are incurred at any stage of a particular matter, the Council reserves the right to seek payment of both its administration and legal fees from the relevant Court or Tribunal.

18. Recovery of Debts

Where charges for enforcement action are levied, they will be registered as a local land charge against the owner's property where available. If the charge has not been paid when the property is sold, the debt has to be repaid, including any interest accrued on the initial charge. The Council will vigorously pursue all debts owed to it as a result of enforcement charges or charges for carrying out works in default (as well as any other charges).

19. Monitoring and Review

The Service will keep its regulatory activities and interventions under review, with a view to considering the extent to which it would be appropriate to remove or reduce the regulatory burdens they impose, where the Council has direct control of these matters.

Changes will be introduced into this document where necessary to accommodate new legislation, guidance and local needs.

20. Application of the Policy

All authorised officers must have regard to this Policy when making enforcement decisions in relation to Private Sector Housing.

21. Complaints and Appeals

The Council will ensure that clear reasons for any enforcement action are given and information about complaints and appeal procedures are provided.

If the recipient disagrees with a statutory notice, they should take action as specified in the notice or order to make an appeal, if any exists. Reference should be made to any notes that may accompany the notice or order for more detail.

Information about independent appeal mechanisms, such as to the First-Tier Property Tribunal can be found here: <https://www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber>

Where statutory notices have been served, making a complaint does not replace the statutory rights of appeal or the right to make representations.

Complaints about our service will be handled in line with the Council's Corporate Complaints procedure which is outlined here: <https://www.Telford and Wrekin.gov.uk/Report/Compliments-complaints-and-feedback>

Appendix 1

Civil penalties under the Renters' Rights Act 2025 and other housing legislation

This policy applies once the Council has made a decision to commence civil penalty proceedings.

The following breaches are subject to a civil penalty with a statutory maximum of £7,000:

- Failure to give a written statement of terms and any other prescribed information under section 16D of the Housing Act 1988.
- Attempting to let a property for a fixed term under section 16E of the Housing Act 1988.
- Attempting to end a tenancy by service of a notice to quit under section 16E of the Housing Act 1988.
- Attempting to end a tenancy orally or requiring that it is ended orally under section 16E of the Housing Act 1988.
- Serving an eviction notice that attempts to end a tenancy outside the prescribed section 8 process under section 16E of the Housing Act 1988.
- Relying on a ground where the landlord does not reasonably believe that the landlord is/will be able to obtain possession under section 16E of the Housing Act 1988.
- Failing to provide a tenant with prior notice that a ground which requires it may be used under section 16E of the Housing Act 1988.
- Failure to give an existing tenant prescribed information about changes made by the Renters' Rights Act 2025 in the prescribed form and timeframe under paragraph 7(2) of schedule 6 to the Renters' Rights Act 2025.
- Discrimination relating to children in the lettings process under section 33 of the Renters' Rights Act 2025.
- Discrimination relating to benefits in the letting process under section 34 of the Renters' Rights Act 2025.
- Failure to specify proposed rent within a written advisement or offer under section 56 of the Renters' Rights Act 2025.
- Inviting, encouraging or accepting any offer of rent greater than the stated rate under section 56 of the Renters' Rights Act 2025.

The following breaches are subject to a civil penalty with a statutory maximum of £40,000:

- Breach of duty under Regulation 3, 3B, 3C, and 3D of The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020.

The following offences are subject to a civil penalty with a statutory maximum of £40,000:

- Unlawful eviction and harassment of occupier under section 1 of the Protection from Eviction Act 1977.
- Continuation of conduct subject to a relevant penalty (under s.16I or s.16K Housing Act 1988) after the 28-day period (or, if appealed, after conclusion of the appeal) where the final notice has not been withdrawn under section 16J of the Housing Act 1988
- Conduct giving rise to liability under s.16I, where within the preceding five years the landlord has either (i) had a relevant penalty (under s.16I or s.16K Housing Act 1988) imposed for different conduct and the final notice has not been withdrawn, or (ii) been convicted under s.16J for different conduct under section 16(J) of the Housing Act 1988.
- Relying on a ground knowing the landlord would not be able to obtain possession or being reckless as to whether they would under section 16J of the Housing Act 1988.
- Breach of restrictions relating to reletting (s16(E)(2) Housing Act 1988) or remarketing (s16(E)(3) Housing Act 1988) a property within restricted period after using Grounds 1 or 1A of Schedule 2 Housing Act 1988 under section 16J of the Housing Act 1988.
- Breach of a banning order under section 21 of the Housing and Planning Act 2016.
- Failure to comply with an Improvement Notice under section 30 of the Housing Act 2004.
- Contravention of an overcrowding notice under section 139 of the Housing Act 2004.
- Failure to obtain an HMO licence under section 72 of the Housing Act 2004.
- Knowingly permitting over-occupation of an HMO under section 72 of the Housing Act 2004.
- Failure to comply with management regulations in respect of HMOs under section 234 of the Housing Act 2004.
- Failure to comply with HMO licence conditions under section 72 of the Housing Act 2004.

If a landlord has committed multiple breaches or offences, a separate civil penalty can, and usually will, be imposed for each breach and offence. In each case, the level of any civil penalty imposed will be determined in accordance with this policy.

If multiple landlords have committed the same breach or offence at the same property, a separate civil penalty can, and usually will, be imposed on each offender. In each case, the level of civil penalty imposed on each offender will be in accordance with this policy.

This policy 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.

When applying the civil penalties matrix, interim calculations at individual stages may result in figures that exceed the statutory maximum. Where the final amount reached following application of all relevant steps exceeds the statutory maximum, the civil penalty will be reduced to the applicable statutory maximum.

The Council considers the need for transparency and consistency to be of primary importance to ensure fairness in the discharge of its functions. The general objective of this policy is, therefore, to promote both transparency and consistency in the imposition of financial penalties so that those involved in the letting or management of accommodation (a) know how the Council will generally penalise relevant breaches and offences and (b) are assured that, generally, like cases will be penalised similarly, and different cases penalised differently.

The Council recognises that, despite its best efforts, landlords may operate unlawfully for a significant period without detection, and that only a proportion of those committing relevant breaches and offences will be identified. Accordingly, the Council seeks to ensure that civil penalties are set at a level that makes it clear to the landlord concerned and to others that operating unlawfully as a landlord is financially disadvantageous when compared to operating lawfully.

The Council has a duty to act fairly, transparently and consistently when assessing civil penalties. To maintain fairness between all landlords, the Council will not give weight to claims advanced as factors that might reduce the amount of a civil penalty unless those

claims are supported by evidence that the Council reasonably considers to be relevant, reliable, credible, and sufficient in scope and detail to enable proper assessment of the claim, having regard to the nature of the claim, the information ordinarily available to the landlord, and the need for consistent and fair decision-making. Allowing inadequately evidenced assertions to influence outcomes would risk rewarding those who provide incomplete or misleading information and would create an unfair advantage over landlords who provide a full and properly evidenced account. Accordingly, the Council expects landlords against whom a civil penalty is being considered to provide all documents and records that would ordinarily exist if their account were accurate. Where such evidence is not provided, and no explanation that the Council considers adequate is given, the Council may draw an adverse inference.

Where claims are advanced without sufficient supporting evidence, the Council may request specified supporting material before determining whether to issue a final notice or whether any mitigation has been sufficiently evidenced so as to justify a lower civil penalty.

The further objectives of using financial penalties in particular as a means of enforcing the above breaches and offences are explained below.

Statutory Guidance

The Government has issued statutory guidance entitled “Civil penalties under the Renters' Rights Act 2025 and other housing legislation”. The Council has regard to this guidance in the exercise of their functions in respect of civil penalties.

The Council has considered the following factors in developing this civil penalty policy to help ensure that the civil penalty is set at an appropriate level.

Severity of the breach or offence. The more serious the breach or offence, the higher the penalty should be.

Culpability and track record of the offender. A higher penalty will be appropriate where the offender has a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities.

The harm caused to the tenant. This is a very important factor when determining the level of penalty. The greater the actual harm or the potential for harm,

principally to the tenant but also potentially the local community, the higher the penalty should be.

Punishment of the offender. The penalty should, in a way that is fair, both punish the offender and demonstrate the consequences of not complying with their responsibilities.

Deter the offender from repeating breaches or offences. The ultimate goal is to prevent any further offending and help ensure that the offender fully complies with all of their legal responsibilities in future. The level of the penalty should therefore be set at a level that is likely to have a very significant deterrent effect.

Deter others from committing similar breaches or offences. While the fact that someone has received a civil penalty may not be in the public domain, the civil penalty policy itself will be and local authorities should consider how their formal enforcement activity can be effectively publicised.

An important part of deterrence is the realisation on the part of landlords that the local housing authority is proactive in levying civil penalties where the need to do so exists and the civil penalty will be set at a high enough level such that operating lawfully will be the sensible financial choice.

Remove any financial benefit the offender may have obtained as a result of committing the breach or offence. The principle here is that it should not be in the offender's financial interest to commit a breach or offence rather than comply, for example that the penalty for breaching licensing conditions in respect of occupancy of a property is less than the additional rent received as a result of the over-crowding. The absence of any financial benefit to the landlord does not mean though that the penalty should be reduced.

Civil Penalties Matrix

In determining the level of a civil penalty, officers will have regard to the matrix set out below. The matrix consists of the following sequential steps:

1. Determining the starting point based on the seriousness of the breach or offence.
2. Adjustment for factors relating to the type of landlord; size and type of portfolio controlled, owned or managed; experience of the landlord ("Landlord Type")

3. Mitigating and aggravating factors the Council deems significant including, but not limited to, factors relating to the track record and culpability of the landlord and the actual or potential harm to the occupants.
4. Financial considerations.
5. Applying the totality principle.

Starting point based of seriousness of the breach or offence

The Ministry of Housing, Communities & Local Government has provided statutory guidance that prescribes starting points for all breaches and offences based on the seriousness of the breach or offence. The exception to this prescription is for breaches of licensing conditions under sections 72(3) and 95(2) of the Housing Act 2004, where the Council has determined its own starting levels based on the seriousness of the specific licence condition or type of licence condition that has not been complied with.

Adjustment for factors relating to the type of landlord; size and type of portfolio controlled, owned or managed; experience of the landlord (“Landlord Type”)

While all landlords are expected to comply fully with their legal obligations, the Council considers that a higher standard of professionalism and regulatory awareness is reasonably expected of landlords who operate at greater scale, who have greater experience, or who are involved in more complex forms of letting. Where such landlords fail to comply with their obligations, this will ordinarily justify a higher civil penalty.

In particular, a higher degree of professionalism is expected of landlords who:

- Control, own, or manage a significant portfolio of properties;
- Have significant experience in the letting or management of property;
- Are or have been involved in the letting or management of Houses in Multiple Occupation (HMOs);
- Are corporate landlords; or
- Are or have been directors of corporate landlords.

An upward adjustment of 20% of the applicable starting point will be applied where the landlord meets any one or more of the following criteria:

- The landlord has, at any point in time, controlled, owned, or managed six or more properties. These properties need not have been held concurrently or at the time civil penalty proceedings are brought.

- The landlord has, at any point in time, controlled, owned, or managed three or more properties that operated as HMOs, whether or not concurrently.
- The landlord is, or has previously been, a director of a corporate landlord.
- The landlord is a corporate landlord.
- The landlord has, in the Council's assessment and by reference to the available evidence, significant experience in the letting or management of property.

A downward adjustment of 20% of the applicable starting point will be applied only where all of the following criteria are met:

- The landlord has, at any point in time, controlled, owned, or managed no more than two properties.
- The landlord has controlled, owned, or managed no more than one property that has operated as an HMO, at any point in time.
- The landlord has, in the Council's assessment and by reference to the available evidence, very limited experience in the letting or management of property.

Mitigating and aggravating factors the Council deems significant including, but not limited to, factors relating to the track record and culpability of the landlord and the actual or potential harm to the occupants

To promote fairness and consistency in the administration of civil penalties, the Council will apply a structured and consistent framework when determining the extent to which mitigating and aggravating factors affect the quantum of any civil penalty.

General approach

Each breach or offence may have offence-specific mitigating and/or aggravating factors, which will be considered alongside the generic factors set out below.

Where multiple civil penalties are issued under this policy against the same landlord at the same time, and except where expressly stated otherwise, mitigating and aggravating factors will be considered and applied separately to each civil penalty when determining the quantum of each penalty.

Mitigating factors

The Council may reduce the level of a civil penalty by up to 20% of the applicable starting point to reflect the presence of mitigating factors.

Only in exceptional circumstances may the Council depart from the application of this policy in respect of mitigating factors and apply a reduction in excess of 20%. Exceptional circumstances are rare and unusual and are not established merely by the presence of multiple mitigating factors.

Within the framework of this policy, the Council has not sought to provide an exhaustive list of mitigating factors, recognising that a wide range of circumstances may potentially give rise to mitigation. However, the following generic mitigating factors will be considered in respect of each breach or offence:

Steps taken to remedy the basis of the breach or offence

Non-exhaustive examples include:

- Promptly remedying all elements of the breach or offence after receiving communication from the Council.
- Promptly remedying all the significant elements of the breach or offence leaving only less significant elements of the breach or offence.

A high level of cooperation

Non-exhaustive examples include:

- Proactive provision of significant information the Council reasonably considers relevant beyond that required by statutory notice.

Acceptance of liability

Non-exhaustive examples include:

- Accepting liability before or within the period for representations.

Where a landlord relies on a reasonable excuse defence or otherwise contests liability, this mitigating factor will not usually apply.

Health circumstances

Non-exhaustive examples include:

- A serious health condition or medical incident experienced by the landlord during, or in the period immediately preceding, the breach or offence, where there is clear and reliable evidence that the condition had a direct and material impact on the

landlord's ability to comply with the relevant legal obligation. Examples may include, but are not limited to, a

heart attack, stroke, cancer diagnosis, or other acute or serious medical event causing significant incapacity or impairment.

Diminished culpability (limited responsibility)

Non-exhaustive examples include:

- A joint landlord who has evidenced that compliance arrangements for the subject property were directed and controlled by another joint landlord, and not by them.
- A landlord who became involved only after an unforeseen change in circumstances (such as the death of the previous landlord) and who committed the breach or offence only for a limited period while putting their affairs in order.

The instruction of a managing or letting agent, or reliance on an agent's actions or omissions, will not of itself constitute diminished culpability.

Aggravating factors

The Council may increase the level of a civil penalty by up to 20% of the applicable starting point to reflect the presence of aggravating factors.

Only in exceptional circumstances may the Council depart from the application of this policy in respect of aggravating factors and apply an increase in excess of 20%.

Exceptional circumstances are rare and unusual and are not established merely by the presence of multiple aggravating factors.

The following generic aggravating factors will be considered in respect of each breach or offence:

Previous history of non-compliance.

Non-exhaustive examples include:

- Previous successful prosecutions (including relevant spent convictions), previous civil penalties, previous rent repayment orders, previous works in default, previous simple cautions.

Concurrent investigations or proceedings relating to other civil penalties, prosecutions, or rent repayment orders will not be treated as previous non-compliance.

Non-cooperation with the Council.

Non-exhaustive examples include:

- Failure to comply with notices issued under section 16 of the Local Government (Miscellaneous Provisions) Act 1976, section 235 of the Housing Act 2004, or section 114 of the Renters' Rights Act 2025.
- Failing to provide a substantive response to a letter of alleged offence.
- Failing to attend previously agreed meetings.

Where the Council has prosecuted, or is pursuing a prosecution, in respect of the same act or omission involving failure to provide legally required information (including failure to comply with a statutory notice), that conduct will not also be treated as an aggravating factor for the purposes of setting the civil penalty, in order to avoid double counting.

Where multiple civil penalties are imposed against the same landlord at the same time, this aggravating factor will be applied only to the civil penalty with the highest starting point, unless there is a clear and reasoned basis for applying it differently.

Deliberate intent or negligence when committing the offence.

Non-exhaustive examples include:

- Knowledge that the breach or offence was occurring.
- Continuation of offending after communication from the Council.
- Premeditation or planning, including steps taken to prevent detection or effective investigation.
- Providing false or misleading information to the Council.
- Applying pressure to occupants to deter cooperation with the Council.

The number of occupants affected.

Non-exhaustive examples include:

- 3-5 occupants affected.

Duration of non-compliance.

Non-exhaustive examples include:

- The offence or breach occurred over a 3–6 month period.

Vulnerability of occupants

Non-exhaustive examples include children and young adults, persons vulnerable by reason of age, disability or sensory impairment, persons with drug or alcohol dependency, victims of domestic abuse, children in care, persons with complex health needs, persons who do not speak English as a first language, victims of trafficking or sexual exploitation, refugees, asylum seekers, and pregnant women.

Financial considerations

The Council will review the quantum of the civil penalty and consider whether it is sufficient to act as an effective deterrent to future non-compliance. Where the Council has evidence that it considers to be sufficiently reliable regarding rental income and/or asset value from the landlord's, it may determine that an increase in the level of the penalty is appropriate in order to achieve effective deterrence.

It is essential that, as an absolute minimum, landlords do not financially benefit from their offending behaviour.

Financial circumstances will ordinarily be considered after any written representations have been received and as part of the determination of any final notice.

Where a landlord seeks to rely on a strained or limited financial position as a basis for reducing the level of a civil penalty, that position must be supported by appropriate and verifiable evidence sufficient to enable the Council to assess the landlord's financial position consistently, objectively, and transparently. Unsupported assertions, partial disclosure, or selective provision of information will not be given weight.

At a minimum, and where such information exists, the following should be provided as part of any written representations:

- The last three full tax years full self-assessment tax returns filed with HMRC, including all additional and supplemental pages;
- The last three full tax years' SA302 documents & tax year overviews;
- The last three months' payslips;

- The last three years P60 certificates;
- The last twelve months' Universal Credit payment statements;
- A list of all property assets owned or jointly owned (not limited to rental properties), together with corresponding Land Registry title documents;
- A list of all property assets owned, or held on a long lease, by any corporate entity in which the landlord has a beneficial interest, together with corresponding Land Registry documentation;
- The most recent annual mortgage statement for each property, or the last twelve months' mortgage statements where the mortgage has been in place for less than twelve months;
- Valuation statements for all ISAs held;
- Statements from any cryptoasset exchange accounts showing balances and valuations;
- A list of all shareholdings;
- Recent bank statements for any account holding a balance in excess of £5,000;
- Recent statements for all secured and unsecured loans;
- Bankruptcy orders and official notifications of bankruptcy.

Where the Council is not satisfied that it has been provided with sufficiently reliable, complete, and accurate information to assess the landlord's financial position, the Council may draw the inference that the landlord is able to pay the civil penalty as imposed.

A claimed inability to pay will not, of itself, outweigh the need to ensure effective deterrence or to remove any financial benefit obtained as a result of the breach or offence.

The Totality Principle

The Council will have regard to the totality principle to ensure that the overall outcome of its enforcement action is just and proportionate. In exceptional cases and having regard to the particular circumstances of the case, the Council may take account of totality at an earlier stage by deciding not to pursue a civil penalty in respect of a specific breach or offence where doing so would render the overall outcome disproportionate.

In general, however, the application of the totality principle will form the final step in the Council's decision-making process, undertaken after any written representations have been considered and before final notices are issued, once the level of each individual civil penalty has been assessed in accordance with this policy.

As a final step before issuing final notices, the Council will consider whether multiple civil penalties being imposed under this policy against the same landlord at the same time result in an aggregate amount that is just and proportionate. Where the Council concludes that the aggregate amount would not be just and proportionate, it will consider whether a proportionate reduction of the penalties is appropriate.

The totality principle does not operate across different legal persons who are separately liable in law, nor does it operate across civil penalties imposed at different times. In general, it applies only to

multiple civil penalties imposed under this policy on the same person at the same time. Where, however, legislation provides that an officer of a body corporate, or a person concerned in its management, may be separately liable in relation to the same conduct as the body corporate, and that officer also holds a shareholding interest in the body corporate, the Council will, where civil penalties are imposed at the same time on both the body corporate and the officer arising from that same conduct, consider whether the combined outcome results in punitive duplication and is therefore not just and proportionate.

Where a reduction is applied under the totality principle, the Council will ordinarily do so by applying a uniform percentage reduction across all relevant civil penalties being issued at the same time, being those civil penalties that form part of the same totality assessment. Where, however, the application of the totality principle is required to address punitive duplication arising from a shared economic interest between a body corporate and an officer, the Council may apply a differential adjustment to ensure that the overall outcome is just and proportionate.

This approach reflects the statutory guidance on the application of the totality principle and is intended to promote consistency, transparency, and proportionality, while avoiding arbitrary or selective adjustment of individual penalties.

In accordance with the statutory guidance, any rent repayment orders made in respect of the same breach or offence will be disregarded for the purposes of assessing the totality of civil penalties under this policy.

Offences and breaches where a civil penalty may be levied and relevant considerations as to the level of that penalty

Protection from Eviction Act 1977 offences

Unlawful eviction and harassment of occupier - section 1 of the Protection from Eviction Act 1977

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£35,000	£40,000	£28,000	£35,000	£42,000

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- Violence or threats of violence.
- Disposal of possessions or threats to dispose of possessions.
- Breach or evasion of an injunction or undertaking.
- Loss of home.

Housing Act 1988 breaches and offences

Failure to give a written statement of terms and any other prescribed information - section 16D of the Housing Act 1988

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£4,000	£7,000	£3,200	£4,000	£4,800

Offence-specific mitigating factors:

- Provision of some of the required terms and prescribed information within the required period.

Offence-specific aggravating factors:

- None.

Attempting to let a property for a fixed term - section 16E(1)(a) of the Housing Act 1988

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£4,000	£7,000	£3,200	£4,000	£4,800

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- None.

Attempting to end a tenancy by service of a notice to quit - section 16E(1)(b) of the Housing Act 1988

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£6,000	£7,000	£4,800	£6,000	£7,200

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- Tenant vacates property within four months of the date of vacation or equivalent specified in the notice to quit.

Attempting to end a tenancy orally or requiring that it is ended orally - section 16E(1)(c) of the Housing Act 1988

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£6,000	£7,000	£4,800	£6,000	£7,200

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- Tenant vacates property within four months of the date of vacation or equivalent specified in the notice to quit.

Serving a possession notice that attempts to end a tenancy outside the prescribed section 8 process - section 16E(1)(d) of the Housing Act 1988

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£6,000	£7,000	£4,800	£6,000	£7,200

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- Tenant vacates property within four months of the date of vacation or equivalent specified in the notice to quit.

Relying on a ground where the person does not reasonably believe that the landlord is, will, or may be able to obtain possession on that ground and the tenant(s) surrendered the tenancy within the period of four months beginning with the date of the contravention, without an order for possession of the dwelling-house being made - section 16E(1)(e) of the Housing Act 1988

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£6,000	£7,000	£4,800	£6,000	£7,200

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- None.

Failing to provide a tenant with prior notice that a ground which requires it may be used - section 16E(1)(f) of the Housing Act 1988

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£3,000	£7,000	£2,400	£3,000	£3,600

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- None.

Failure to give an existing tenant prescribed information about changes made by the Renters' Rights Act 2025 in the prescribed form and timeframe - paragraph 7(2) of schedule 6 to the Renters' Rights Act 2025

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£4,000	£7,000	£3,200	£4,000	£4,800

Offence-specific mitigating factors:

- Provision of some of the required prescribed information within the required period.
- Provision of prescribed information but not in the prescribed form.

Offence-specific aggravating factors:

- None.

Continuation of conduct subject to a relevant penalty (under s.16I or s.16K Housing Act 1988) after the 28-day period (or, if appealed, after conclusion of the appeal) where the final notice has not been withdrawn — section 16J(3) of the Housing Act 1988

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
Double the starting level for the two constituent breaches added together	£40,000	Dependent on the constituent breaches	Dependent on the constituent breaches	Dependent on the constituent breaches

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- None.

Conduct giving rise to liability under s.16I, where within the preceding five years the person has either (i) had a relevant penalty (under s.16I or s.16K Housing Act 1988) imposed for different conduct and the final notice has not been withdrawn, or (ii) been convicted under s.16J for different conduct – section 16(J)(4) of the Housing Act 1988

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
Double the starting level for the two constituent breaches added together	£40,000	Dependent on the constituent breaches	Dependent on the constituent breaches	Dependent on the constituent breaches

Offence-specific mitigating factors:

- Dependent on the most recent conduct giving rise to liability to a civil penalty under section 16I of the Housing Act 1988.

Offence-specific aggravating factors:

- Dependent on the most recent conduct giving rise to liability to a civil penalty under section 16I of the Housing Act 1988.

Relying on a ground where the person knows that the landlord would not be able to obtain an order for possession on that ground, or being reckless as to whether the landlord would be able to do so and the tenant(s) surrendered the tenancy within the period of four months beginning with the date the ground was relied on, without an order for possession of the dwelling-house being made – section 16J(1) of the Housing Act 1988

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£30,000	£40,000	£24,000	£30,000	£36,000

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- None.

Breach of restrictions relating to reletting (s16(E)(2) Housing Act 1988) or remarketing (s16(E)(3) Housing Act 1988) a property within restricted period after using Grounds 1 or 1A of Schedule 2 Housing Act 1988 - section 16J(2) of the Housing Act 1988

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£25,000	£40,000	£20,000	£25,000	£30,000

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- None.

Housing and Planning Act 2016 offences

Breach of a banning order - section 21(1) of the Housing and Planning Act 2016

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£35,000	£40,000	£28,000	£35,000	£42,000

Offence-specific mitigating factors:

- A single, isolated incident.

Offence-specific aggravating factors:

- Concealment or evasion.

Renters Rights Act 2025 breaches

Discrimination relating to children in the lettings process – section 33(1) of the Renters’ Rights Act 2025

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£6,000	£7,000	£4,800	£6,000	£7,200

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- None.

Discrimination relating to benefits in the lettings process – section 34(1) of the Renters’ Rights Act 2025

Starting point	Statutory maximum civil	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment

	penalty amount			
£6,000	£7,000	£4,800	£6,000	£7,200

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- None.

Failure to specify proposed rent within a written advertisement or offer – section 56(2) of the Renters’ Rights Act 2025

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£3,000	£7,000	£2,400	£3,000	£3,600

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- None.

Invoicing, encouraging or accepting any offer of rent greater than the stated rate – section 56(3) of the Renters’ Rights Act 2025

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£4,000	£7,000	£3,200	£4,000	£4,800

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- None.

The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020 breach of duties

Failure to comply with The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020 Regulation 3: (3)(b), (3)(d), (3)(e). Regulation 3D: (a), (b), (c), (f)

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£5,000	£40,000	£4,000	£5,000	£6,000

Offence-specific mitigating factors:

- The report or record evidences that the electrical installations were compliant at all points.

Offence-specific aggravating factors:

- The number or nature or severity of the issues observed on the report or record.

Failure to comply with The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020 Regulation 3: (1)(a), (1)(b), (1)(c), (3)(a), (3)(c), (3)(ca),

(5)(b), (5)(c). Regulation 3B: (1)(a), (1)(b), (1)(c). Regulation 3C: (1), (2)(a). Regulation 3D: (d), (e)

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£12,500	£40,000	£10,000	£12,500	£15,000

Offence-specific mitigating factors:

- The report or record evidences that the electrical installations were compliant at all points.

Offence-specific aggravating factors:

- The number or nature or severity of the issues observed on the report or record.

Failure to comply with The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020 Regulation 3: (4), (5a), (6).

Regulation 3C: (2)(b), (4)

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£20,000	£40,000	£16,000	£20,000	£24,000

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- The number or nature or severity of the issues observed on the report or record.

Housing Act 2004 offences

Failure to comply with an improvement notice - section 30(1) of the Housing Act 2004

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£25,000	£40,000	£20,000	£25,000	£30,000

Offence-specific mitigating factors:

- The nature and extent of hazard(s) that are present once the deadline for compliance has passed.
- Whether the property is unoccupied once the deadline for compliance has passed.
- Access to the property was prevented by the actions or refusal of the occupant(s) and a landlord can evidence that they took steps to obtain access to the property for the purpose of carrying out the required works, but those steps fell short of establishing a reasonable excuse for non-compliance.

Offence-specific aggravating factors:

- The nature and extent of hazard(s) that are present once the deadline for compliance has passed.

Failure to comply with an overcrowding notice - section 139(7) of the Housing Act 2004

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£20,000	£40,000	£16,000	£20,000	£24,000

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- The level of overcrowding present.

Failure to obtain an HMO licence - section 72(1) of the Housing Act 2004

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£17,000	£40,000	£13,600	£17,000	£20,400

Offence-specific mitigating factors:

- None.

Offence-specific aggravating factors:

- The landlord has knowledge or experience of licensing requirements.
- The condition of the unlicensed property.

Knowingly permitting over-occupation of an HMO - section 72(2) of the Housing Act 2004

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment

£20,000	£40,000	£16,000	£20,000	£24,000
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Offence-specific mitigating factors:

- There are suitable amenity and space provisions in the HMO.

Offence-specific aggravating factors:

- The level of over-occupation present.

Failure to Comply with The Management of Houses in Multiple Occupation [England] Regulations 2006 and The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 – section 234(3) of the Housing Act 2004

The Management of Houses in Multiple Occupation (England) Regulations 2006 impose duties on the persons managing HMOs in respect of:

- Providing information to occupiers [Regulation 3]
- Taking safety measures, including fire safety measures [Regulation 4]
- Maintaining the water supply and drainage [Regulation 5]
- Supplying and maintaining gas and electricity, including having these services/appliances regularly inspected [Regulation 6]
- Maintaining common parts [Regulation 7]
- Maintaining living accommodation [Regulation 8]
- Providing sufficient waste disposal facilities [Regulation 9]

The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 impose duties on the persons managing HMOs as defined by Section 257 Housing Act 2004 in respect of:

- Providing information to occupiers [regulation 4]
- Taking safety measures, including fire safety measures [regulation 5]
- Maintaining the water supply and drainage [regulation 6]
- Supplying and maintaining gas and electricity, including having these services/appliances regularly inspected [regulation 7]
- Maintaining common parts [regulation 8]
- Maintaining living accommodation [regulation 9]
- Providing sufficient waste disposal facilities [regulation 10]

Where there are multiple breaches of a single Management Regulation at a single HMO, a single civil penalty will be imposed which will cover all the breaches of that Management Regulation.

Where multiple management regulations have been breached at a single HMO, a separate civil penalty will be imposed for each Management Regulation that has been breached.

Name of management regulation	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
Duty of manager to provide information to occupier	£3,000	£40,000	£2,400	£3,000	£3,600

Offence-specific mitigating factors:

- The nature and extent of offences within the specific regulation

Offence-specific aggravating factors:

- The nature and extent of offences within the specific regulation
- The landlord has refused to provide any outstanding contact information more than 48 hours after it has been requested by an occupant or on behalf of an occupant.

Name of Management Regulation	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
Duty of manager to take	£20,000	£40,000	£16,000	£20,000	£24,000

safety measures					
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Offence-specific mitigating factors:

- The number, nature and extent of offences within the specific regulation

Offence-specific aggravating factors:

- The number, nature and extent of offences within the specific regulation

Name of Management Regulation	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
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Duty of manager to maintain water supply and drainage	£10,000	£40,000	£8,000	£10,000	£12,000
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Offence-specific mitigating factors:

- The number, nature and extent of offences within the specific regulation

Offence-specific aggravating factors:

- The number, nature and extent of offences within the specific regulation

Name of Management Regulation	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
Duty of manager to supply and maintain gas and electricity	£12,000	£40,000	£9,600	£12,000	£14,400

Offence-specific mitigating factors:

- The number, nature and extent of offences within the specific regulation

Offence-specific aggravating factors:

- The number, nature and extent of offences within the specific regulation

Name of Management Regulation	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
Duty of manager to maintain common parts, fixtures, fittings and appliances	£7,000	£40,000	£5,600	£7,000	£8,400

Offence-specific mitigating factors:

- The number, nature and extent of offences within the specific regulation

Offence-specific aggravating factors:

- The number, nature and extent of offences within the specific regulation

Name of Management Regulation	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
Duty of manager to maintain living accommodation	£7,000	£40,000	£5,600	£7,000	£8,400

Offence-specific mitigating factors:

- The number, nature and extent of offences within the specific regulation

Offence-specific aggravating factors:

- The number, nature and extent of offences within the specific regulation

Name of Management Regulation	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
Duty to provide waste disposal facilities	£7,000	£40,000	£5,600	£7,000	£8,400

Offence-specific mitigating factors:

- The nature and extent of offences within the specific regulation

Offence-specific aggravating factors:

- The nature and extent of offences within the specific regulation
- The lack of sufficient refuse and/or litter containers either inside and/or outside the property has been previously reported
- The refuse and/or litter that requires disposal includes hazardous materials

Breach of licence conditions – Section 72(3) Housing Act 2004

All granted HMO licences impose a set of conditions on the licence holder. It is important that the licence holder of a licensed property complies with all imposed conditions, but the Council recognises that a failure to comply with certain licence conditions is likely to have a much bigger impact on the safety and comfort of residents than others.

The starting levels for each different type of licence condition breach is set out below based on the seriousness of the offence. Where a licence condition could be interpreted to fall within two different potential starting levels, the higher starting level will be chosen.

Where multiple licence conditions have been breached at a single property, a separate civil penalty will be imposed for each licence condition that has been breached.

Failure to comply with licence conditions related to:

- **Signage or the provision of information for tenants**
- **Provision of written terms of occupancy for tenants**
- **Procedures regarding complaints**
- **Procedures regarding vetting of incoming tenants**
- **Compliance with deposit protection legislation**
- **The recording and provision of information regarding rent payments**
- **Procedures relating to rent collection**
- **The provision of information regarding occupancy of the property**
- **The provision of information regarding change of managers or licence holder details**
- **The provision of information related to changes in the property**
- **Requirements relating to the sale of the property**
- **Attending training courses**
- **Requirements to hold insurance**
- **The provision of insurance documentation**
- **The provision of or obtaining of suitable references**
- **The provision of keys and alarm codes**
- **Security provisions for access to the property**
- **The provision of suitable means for occupiers to regulate temperature**
- **Carrying out items on a schedule notice works not otherwise mentioned in the HMO licence conditions section of this policy, relating to non-compliance with items on a schedule of works**

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£4,000	£40,000	£3,200	£4,000	£4,800

Offence-specific mitigating factors:

- The nature and extent of the licence condition breach

Offence-specific aggravating factors:

- The nature and extent of the licence condition breach

Failure to comply with licence conditions related to:

- ***Procedures and actions regarding Inspections***
- ***Procedures regarding Repair issues***
- ***Maintenance and use of common parts (including gardens, outbuildings and property exterior) and living areas***
- ***Safeguarding occupiers and minimising disruption during works***
- ***The provision of information regarding alterations and construction works***
- ***Procedures regarding emergency issues***
- ***Waste and waste receptacles, pests, minor repairs, alterations or decoration.***
- ***Giving written notice prior to entry***
- ***Allowing access for inspections***
- ***Minimising risk of water contamination***
- ***The compliance of furnishings or furniture with fire safety regulations***
- ***Carrying out items on a schedule of works in relation to provision of mechanical extraction or electrical sockets***

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£7,000	£40,000	£5,600	£7,000	£8,400

Offence-specific mitigating factors

- The nature and extent of the licence condition breach

Offence-specific aggravating factors:

- The nature and extent of the licence condition breach

Failure to comply with licence conditions related to:

- ***The provision of documentation regarding energy performance certificates, fire detection and prevention, emergency lighting, carbon monoxide***

detection, fire risk assessments, gas installations, electric installations and appliances

- ***Notification of legal proceedings, contraventions and other relevant information that may affect a fit and proper person status***
- ***Procedures and actions regarding ASB***
- ***Carrying out items on a schedule of works in relation to the provision of personal hygiene facilities, kitchen facilities or heating***

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£12,500	£40,000	£10,000	£12,500	£15,000

Offence-specific mitigating factors:

- The nature and extent of the licence condition breach

Offence-specific aggravating factors:

- The nature and extent of the licence condition breach

Failure to comply with licence conditions related to:

- ***Minimum floor areas***
- ***Occupancy rates***
- ***Occupancy of rooms or areas that are not to be used as sleeping accommodation***
- ***Limits on number of households allowed to occupy the property or part of the property***

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£20,000	£40,000	£16,000	£20,000	£24,000

Offence-specific mitigating factors:

- The nature and extent of the licence condition breach

Offence-specific aggravating factors:

- The nature and extent of the licence condition breach

Failure to comply with licence conditions related to:

- ***The condition or existence of smoke alarms, carbon monoxide alarms, emergency lighting, gas installations, electric installations and appliances, fire detection or other fire safety features or requirements***
- ***The provision and maintenance of safe means of escape, including requirements to keep escape routes and exits free from obstruction***
- ***Carrying out items on a schedule of works in relation to fire safety or the provision of a Carbon Monoxide detector***

Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
£25,000	£40,000	£20,000	£25,000	£30,000

Offence-specific mitigating factors:

- The nature and extent of the licence condition breach

Offence-specific aggravating factors:

- The nature and extent of the licence condition breach

Process for imposing a civil penalty and the right to make written representations

Notice of intent

Before imposing a civil penalty on a landlord, the Council will give the landlord a notice of intent. The notice of intent will set out:

- The amount of the proposed civil penalty
- The reasons for proposing to impose the civil penalty
- Information about their right to make written representations

Right to make written representations

A landlord who is given a notice of intent may make written representations to the Council about the proposal to impose a civil penalty. Any representations must be made within a period of 28 days beginning with the day after the date on which the notice of intent was given.

Decision after the representations period

After the end of the period for representations the Council will:

- Decide whether to impose a civil penalty on the landlord; and
- If it decides to impose a civil penalty, decide the amount of the penalty. This amount can be higher or lower than the amount stated in the notice of intent.

A landlord's rectification of the identified breach or offence during the representations period will rarely, of itself, lead the Council to conclude that the imposition of a civil penalty is inappropriate. However, compliance at that stage will usually be relevant to the assessment of mitigating factors that may reduce the level of any civil penalty imposed.

Similarly, an admission of liability will rarely, of itself, lead the Council to conclude that the imposition of a civil penalty is inappropriate. An admission of liability will, however, usually be relevant to the assessment of mitigating factors that may reduce the level of any civil penalty imposed.

Final notice

If, following the receipt of written representations and/or the expiry of the time period to make written representations, the Council decides to impose a civil penalty on the landlord, it will give the landlord a final notice imposing that penalty.

The final notice will set out:

- The amount of the civil penalty
- The reasons for imposing the penalty
- Information about how to pay the penalty
- The period for payment of the penalty
- Information about rights of appeal
- The consequences of failure to comply with the notice

Discount for prompt payment

Where a civil penalty imposed by a final notice is paid in full within the period specified in that notice (normally 28 days beginning with the day after the final notice is given), the Council will apply a discount of 15% to the amount of the civil penalty.

The availability of the discount is conditional upon full payment being received within the specified period. The discount period will not be extended or suspended by the bringing of an appeal. A landlord who chooses to appeal may still benefit from the discount by paying the civil penalty in full within the specified period; however, where payment is not made within that period, the discount will not apply.

Illustrative example of the application of the discount

The landlord of an HMO property fails to obtain a licence. They only operate two HMO properties and there are no other relevant factors or aggravating features. The starting point for the offence under the Council's civil penalties matrix is £17,000.

Following the issue of a notice of intent proposing a civil penalty of £17,000, the landlord makes written representations. Having considered those representations, the Council determines to impose a civil penalty of £16,000, as set out in the final notice.

If the landlord pays the civil penalty in full within the payment period specified in the final notice, a 15% prompt payment discount is applied, resulting in a discounted payment of £13,600.

Appeals

A landlord who is given a final notice may appeal to the First-tier Tribunal (Property Chamber) against the decision to impose a civil penalty and/or the amount of the civil penalty. Any appeal must be made within 28 days beginning with the day after the date on which the final notice was given.

Where an appeal is brought, the final notice is suspended until the appeal is finally determined or withdrawn.

An appeal to the First-tier Tribunal is by way of a re-hearing of the Council's decision. In determining an appeal, the Tribunal may have regard to matters of which the Council was unaware at the time the decision to impose the civil penalty was made.

The Tribunal may dismiss an appeal if it is satisfied that the appeal is frivolous, vexatious, an abuse of process, or has no reasonable prospect of success.

The First-tier Tribunal may invite the parties to consider mediation or another form of alternative dispute resolution. The Council will not generally agree to mediation in relation to the level of a civil penalty, as civil penalties are determined by reference to this Policy to promote fair, consistent, and proportionate outcomes. Agreeing reductions outside the Policy framework would risk undermining consistency and the Council's enforcement objectives.

On determination of an appeal, the Tribunal may:

- Confirm the civil penalty
- Vary the amount of the civil penalty (whether by increase or reduction)
- Cancel the civil penalty

Where the Tribunal varies a civil penalty by increasing its amount, it may do so only up to the applicable statutory maximum for the relevant breach or offence (£7,000 or £40,000, as applicable).

A party to the appeal may apply for permission to appeal the decision of the First-tier Tribunal to the Upper Tribunal (Lands Chamber).

Appendix 2

Statement of principles to determine the amount of a penalty charge under Part 4 of The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 as amended by The Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022 (“the Regulations”)

Section 13 of the Regulations requires local housing authorities to prepare and publish a statement of principles which they propose to follow in determining the amount of a penalty charge.

The Regulations introduced legal requirements on most private sector landlords to:

1. Equip a smoke alarm on each storey of the premises on which there is a room used wholly or partly as living accommodation.
2. During any period when the premises were occupied under the tenancy, to ensure that a carbon monoxide alarm is equipped in any room of the premises which is used wholly or partly as living accommodation, and which contains fixed combustion appliance other than a gas cooker.
3. Carry out checks by or on behalf of the landlord to ensure that each prescribed alarm is in proper working order on the day the tenancy begins if it is a new tenancy.
4. Where, following a report made on or after 1st October 2022 by a tenant or by their nominated representative to the landlord, a prescribed alarm is found not to be in proper working order, the alarm is repaired or replaced.

For the purposes of the legislation, living accommodation includes a bathroom or lavatory.

Where the Council believe that a landlord is in breach of one or more of the above duties, the Council must serve a remedial notice on the landlord. The remedial notice is a notice served under Regulation 5 of the Regulations.

If the landlord then fails to take the remedial action specified in the notice within the specified timescale, the Council can require a landlord to pay a penalty charge. The power to charge a

penalty arises from Regulation 8 of the Regulations. Failure to comply with each remedial notice can lead to a fine of up to £5,000. Fines will be applied per breach, rather than per landlord or property.

The Council will impose a penalty charge where it is satisfied, on the balance of probabilities, that the landlord has not complied with the action specified in the remedial notice within the required timescale.

A landlord will not be considered to be in breach of their duty to comply with the remedial notice if they can demonstrate they have taken all reasonable steps to comply. Where there is evidence, including written correspondence, of repeated and consistent efforts to obtain access to the property, with access repeatedly being prevented by the occupant(s) of the property, a landlord will not be considered to be in breach of their duty to comply with the remedial notice.

A landlord will be expected to have:

- Communicated the risk of harm that the lack of functioning alarms posed to all occupants in writing on multiple occasions
- Requested access to comply with the remedial notice on a regular basis of no longer than every seven days in writing

In considering the imposition of a penalty, the Council may look at the evidence concerning the breach of the requirement of the notice. A non-exhaustive list of methods that may be used to obtain relevant evidence includes, but is not limited to:

- Evidence obtained from a property inspection
- Evidence provided by the tenant or agent
- Evidence provided by the landlord demonstrating compliance with the Regulations by supplying dated photographs of alarms, together with installation records

Landlords need to take steps to demonstrate that they have met the testing requirements at the start of the tenancy requirements. A non-exhaustive list of methods that may be used to evidence compliance with these testing requirements includes, but is not limited to:

- Tenants signing an inventory form which states that they observed the alarms being tested and confirming that the alarms were in working order at the start of the tenancy

Where a landlord is in breach, the local housing authority may serve a remedial notice. Failure to comply with each remedial notice can lead to a fine of up to £5,000. Fines will be applied per breach, rather than per landlord or property

When determining the amount of the penalty charge, regard will be had to whether this is a first breach under the Regulations.

Determining the amount of the penalty charge for a first breach

The minimum amount of a penalty charge for a first breach of the Regulations will be £2500. The starting level of a penalty charge for a first breach of the Regulations will be £3000. The penalty charge amount will then be varied depending on aggravating and mitigating factors.

Aggravating factors include, but are not limited to:

- The number of alarms not working or missing (the Regulations state there should be one per storey)
- Other fire safety concerns/defects in the property which increase the risk posed to the occupants
- The length of time the offence is believed to have been on-going
- The frequency of complaints by the occupiers to the landlord about the non-working or missing alarms
- The costs of any remedial work the Council have carried out in response to the breach
- Whether the property is let as a HMO (which increases the overall risk)
- The number of occupants living in the property
- Presence of vulnerable occupiers such as elderly, children or disabled people
- Any history of previous enforcement or non-compliance of the landlord
- Attempts to obstruct the investigation

Mitigating factors include, but are not limited to:

- The property being small and low-risk (for example a one-bedroom ground floor flat with a large number of fire escapes including large windows)
- A single occupant living in the property

- Evidence that all required alarms were checked and in working order at the start of the tenancy
- Written evidence that some efforts to gain access and comply with the remedial notice were made and access was prevented by the occupant

Determining the amount of the penalty charge for a subsequent breach

The penalty for subsequent breaches by the same landlord will be £5000.

Appendix 3

Statement of principles to determine the amount of a penalty charge for a breach of minimum energy efficiency standards (MEES) with respect to domestic privately rented property

The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (“the Regulations”) make it unlawful to rent out a domestic property if it has an EPC (Energy Performance Certificate) rating of F or G (unless a valid exemption has been registered on the PRS Exemptions register).

The Regulations make it unlawful to fail to comply with a compliance notice served by the Council.

The Regulations cover all relevant properties, even where there has been no change of tenancy.

The Regulations were introduced to improve the energy efficiency of housing in the private rented sector and to reduce greenhouse gas emissions and tackle climate change. They should help make tenants’ homes more thermally efficient.

An energy performance certificate (EPC) gives the property an energy efficiency rating – A rated properties are the most energy efficient and G rated are the least efficient. It’s valid for 10 years and must be provided by the owner of a property, when it is rented or sold.

If you are a landlord and you fail to provide an EPC at the start of a tenancy, you will be in breach of the Regulations.

An EPC contains information about the type of heating system and typical energy costs. It also gives recommendations about how the energy use could be reduced, lowering running costs. You can find the recommended energy efficiency improvements on the current EPC.

If you’re a private landlord, you must either:

- ensure your rented properties have an EPC with a minimum ‘E’ rating

- register a valid PRS exemption on the PRS exemptions register

Failure to do either of these is a breach of the Regulations.

The Council investigates any potential breaches of the regulations. If the Council is satisfied that you are, or have at any time in the 18 months preceding the date of service of the penalty notice, breached the Regulations, you may be subject to a penalty notice imposing a financial penalty. The Council may also impose a publication penalty.

The “publication penalty” means publication, for a minimum period of 12 months, or such longer period as the Council may decide, on the PRS Exemptions Register of such of the following information in relation to a penalty notice as the Council decides:

- Where the landlord is not an individual, the landlord’s name
- Details of the breach of these Regulations in respect of which the penalty notice has been issued
- The address of the property in relation to which the breach has occurred, and
- The amount of any financial penalty imposed.

The Council will impose the following financial penalties:

- (a) letting a property with an F or G rating for less than 3 months: £2,000
- (b) letting a property with an F or G rating for more than 3 months: £4,000
- (c) registering false or misleading information on the PRS exemptions register: £1,000
- (d) failing to provide information to the Council demanded by a compliance notice: £2,000

The Council may not impose a financial penalty under both subsections (a) and (b) above in relation to the same breach of the Regulations. But they may impose a financial penalty under either paragraph (a) or paragraph (b), together with financial penalties under paragraphs (c) and (d), in relation to the same breach. Where penalties are imposed under more than one of these paragraphs, the total amount of the financial penalty may not be more than £5,000.

Additional Licensing Equality Impact Assessment

Overview

This Equality Impact Assessment (EIA) considers the likely effects of the proposed borough-wide Additional Licensing Scheme for Houses in Multiple Occupation (HMOs) on people who share protected characteristics, in accordance with the Public Sector Equality Duty under section 149 of the Equality Act 2010.

The proposed scheme applies to small HMOs (3–4 occupants) that are not currently subject to mandatory licensing under the Housing Act 2004 and is intended to operate for a period of five years from 20 August 2026.

The assessment has been informed by:

- A comprehensive evidence base on HMO conditions, health and safety risk, safeguarding concerns and neighbourhood impacts
- A 12-week public consultation (December 2025 – March 2026) involving 338 respondents, including residents, landlords, tenants and partner organisations
- Targeted engagement with statutory partners, including West Mercia Police and Shropshire Fire & Rescue Service
- The Council's Better Homes for All programme and wider housing, homelessness, community safety and equality strategies

The purpose of the additional licensing scheme is to address identified local risks associated with poorly managed and unregulated HMOs, including:

- Poor housing conditions and fire safety risks
- Safeguarding and exploitation of vulnerable residents
- Anti-social behaviour and community harm
- Lack of regulatory visibility of small HMOs

This EIA recognises that HMOs disproportionately house groups who share protected characteristics and/or experience structural disadvantage.

The assessment therefore focuses on whether the proposed scheme advances equality of opportunity, eliminates discrimination, and fosters good relations, while also considering and mitigating any potential adverse impacts.

Impact Assessment – Additional Licensing

Consider how people who share protected characteristics are affected by these proposed changes in relation to the General Equality Duty;

- eliminate unlawful discrimination, harassment and victimisation
- advance equality of opportunity
- foster good relations between different groups

Protected Characteristic	Impact (X limited, XX High impact)				Who is affected?	How are they affected?	Comment
	Positive	Negative	Neutral	No data			
Age	XX	X	-	-	Young people under the age of 35 have proportionately higher representation in HMOs	<p>High Positive - improvement of HMO quality, safety and management. Less likely to experience exploitation by unscrupulous landlords/managing agents.</p> <p>Negative - potential temporary reduction of available properties during implementation whilst the regime comes into operation.</p>	The retrospective application of the licensing scheme will improve the rental landscape of Telford and Wrekin benefiting younger people (especially under the age of 35) by ensuring the properties are legally compliant.
Disability	XX	X	-	-	People with poor mental health have proportionately higher representation in HMOs.	<p>High Positive - improvement of HMO quality, safety and management will improve the living environment for those people experiencing poor mental health, which will improve health outcomes.</p>	The retrospective application of the licensing scheme will improve the rental landscape of Telford and Wrekin benefiting people with poor mental health by ensuring

						Negative - potential temporary reduction of available properties during implementation whilst the regime comes into operation.	the properties are legally compliant.
Gender	XX	X	-	-	Men have a proportionately higher representation in HMOs	High Positive - improvement of HMO quality, safety and management. Less likely to experience exploitation by unscrupulous landlords/managing agents. Negative - potential temporary reduction of available properties during implementation whilst the regime comes into operation.	The retrospective application of the licensing scheme will improve the rental landscape of Telford and Wrekin benefiting men by ensuring the properties are legally compliant.
Marriage or civil partnership	-	-	-	-	-	-	Not applicable.
Pregnancy or maternity	XX	X	-	-	Pregnant women	High Positive - improvement of HMO quality, safety and management will increase the health and wellbeing of pregnant women leading to better outcomes. Less likely to experience exploitation by unscrupulous	The retrospective application of the licensing scheme will improve the rental landscape of Telford and Wrekin benefiting pregnant women by ensuring the properties are legally compliant.

						landlords/managing agents. Negative - potential temporary reduction of available properties during implementation whilst the regime comes into operation.	
Race, nationality and ethnic origin	XX	X	-	-	Transitional temporary workers who are more likely to have a range of different nationalities and ethnicities have a proportionately higher representation in HMOs	High Positive - improvement of HMO quality, safety and management. Less likely to experience exploitation by unscrupulous landlords/managing agents. Negative - potential temporary reduction of available properties during implementation whilst the regime comes into operation.	The retrospective application of the licensing scheme will improve the rental landscape of Telford and Wrekin benefiting people from different nationalities and ethnicities by ensuring the properties are legally compliant.
Religion or belief	-	-	X	-		-	In some cases, HMOs occupied by members of religious communities are exempted from licencing.
Sexual orientation	-	-	-	X		-	No data available
Transgender status	-	-	-	X		-	No data available

Care experience	XX	X	-	-	Those leaving care may not have the supporting framework to stay in a household after the age of 18 so may transition into single room accommodation including HMOs.	High Positive - improvement of HMO quality, safety and management. Less likely to experience exploitation by unscrupulous landlords/managing agents. Negative - potential temporary reduction of available properties during implementation whilst the regime comes into operation.	The retrospective application of the licensing scheme will improve the rental landscape of Telford and Wrekin benefiting care experienced individuals, by ensuring the properties are legally compliant.
Armed Forces	XX	X	-	-	Ex-armed forces personnel have higher representation in HMOs, particularly when transitioning from service life to civilian life.	High Positive - improvement of HMO quality, safety and management. Less likely to experience exploitation by unscrupulous landlords/managing agents. Negative - potential temporary reduction of available properties during implementation whilst the regime comes into operation.	The retrospective application of the licensing scheme will improve the rental landscape of Telford and Wrekin benefiting ex armed forces personnel by ensuring the properties are legally compliant.
Deprivation	XX	X	-	-	People on low income particularly individuals in receipt of means tested benefits have higher representation in HMOs.	High Positive - improvement of HMO quality, safety and management. Less likely to experience exploitation by unscrupulous	The retrospective application of the licensing scheme will improve the rental landscape of Telford and Wrekin

						landlords/managing agents. Negative - potential temporary reduction of available properties during implementation whilst the regime comes into operation.	benefiting those experiencing higher levels of deprivation, by ensuring the properties are legally compliant.
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Evidence and data

This assessment draws on a range evidence sources including:

- **Public consultation evidence** (338 responses), including free-text analysis and written organisational submissions
- **Partner intelligence and operational evidence** from the Police, Fire & Rescue Service, supported housing providers and advice agencies
- **Census 2021 data**, supplemented by local service data and enforcement intelligence
- Casework and inspection findings from the Council's **Private Sector Housing Team**
- Evidence presented in the **Additional Licensing Evidence Base** and **Consultation Commentary**

The evidence base demonstrates consistent patterns regarding who lives in HMOs, the risks they experience, and where existing regulatory approaches fail to provide effective protection.

Consultation and engagement has taken place with stakeholders from across the borough including but not limited to;

- Landlords – both HMO and non-HMO
- Private tenants
- Social housing tenants
- Lettings agents
- Owner-occupiers
- Local housing organisations and partners
- Community groups
- Employers that may have temporary/transitional employees and employees recruited from overseas
- Town and parish councils
- Staff, including housing and planning
- Harper Adams University including Student Unions.
- General public

Evidence shows that certain groups are **over-represented in HMOs**, including:

- **Younger people**, particularly those under 35
- **People on low incomes**, including those in receipt of means-tested benefits
- **People experiencing poor mental health** (disabled people)
- **Care-experienced individuals** transitioning to independent living
- **Ex-armed forces personnel** transitioning to civilian life
- **Migrant workers and people from ethnic minority backgrounds**, including those with language barriers

These groups are more likely to rely on shared accommodation due to affordability constraints, housing transitions, or reduced access to alternative housing options.

Evidence also shows that pregnant women, whilst not over-represented in HMOs, would benefit from improved housing quality delivered by Additional Licensing.

The Council will take steps to develop further operational data to understand in more detail the impact of the scheme

Mitigation

Potential adverse impacts have been identified primarily in relation to indirect effects during implementation, rather than from the scheme itself. The Council has developed proportionate and targeted mitigation actions, informed directly by consultation feedback and partner evidence.

Mitigation of Supply and Transition Risks

- A 3-month lead-in period before enforcement begins during which landlords may apply early prior to commencement of the scheme
- A 10% early-bird licence fee discount for applications submitted in this 3 month period prior to scheme commencement
- Licences issued for a five-year period, providing certainty and stability for landlords and tenants
- Ongoing monitoring of housing supply, homelessness presentations and market behaviour, with oversight through Cabinet reporting and Scrutiny

Mitigation of Financial Impact Risks

- Licence fees set on a cost-neutral basis in accordance with the Provision of Services Regulations 2009
- Evidence reviewed shows no demonstrable link between additional licensing and disproportionate rent increases
- The Renters' Rights Act 2025 provides further protections against unfair rent increases
- Enhanced tenant advice and support to ensure residents understand their rights
- Enhanced Landlord Support Programme to provide advice, guidance and signposting to Landlords in relation to additional licensing and wider Renters Rights Act 2025 reforms

Safeguarding and Tenant Protection Mitigations

- Proactive inspection of all licensed HMOs, reducing dependence on tenant complaints
- Improved regulatory visibility enabling earlier intervention where safeguarding risks are identified
- Joint working with Police, Fire & Rescue, support agencies and community safety partners

Landlord Support and Engagement

- An enhanced Landlord Support Programme, including:
 - A dedicated Tenancy Intervention Officer
 - Access to named technical officers for licence applicants
 - Clear guidance, templates and signposting via the Council website
- Continued engagement with the Wrekin Landlord Association
- These measures aim to support compliance, sustain tenancies and reduce unintended negative impacts while maintaining robust safeguards for tenants.

Review

The Council will:

- Monitor equality impacts throughout the lifetime of the scheme
- Report outcomes through the **annual Better Homes for All Cabinet Report**
- Enable Scrutiny consideration following the first year of operation
- Review enforcement data, partner feedback and tenant outcomes to inform future decision-making

The assessment concludes that the proposed Additional Licensing Scheme is likely to advance equality of opportunity, reduce disproportionate harm, and provide enhanced protection for groups who experience elevated risk in the private rented sector, while any adverse impacts are limited, proportionate and mitigated.

This Impact assessment was completed by

Name and post	Ravi Phull – Head of Strategic Housing and Regeneration Richard Taylor-Murison – Consultation and Equality Officer
E-mail	Ravi.phull@telford.gov.uk Richard.taylor-Murison@telford.gov.uk

The impact assessment was agreed by

Name and post	Katherine Kynaston Director – Housing, Commercial & Customer Services
E-mail	Katherine.kynaston@telford.gov.uk
Date of agreement	5 th May 2026

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Telford & Wrekin
Co-operative Council

Protect, care and invest
to create a better borough

Borough of Telford and Wrekin

Cabinet

14 May 2026

Annual Governance Statement 2025/26

Cabinet Member:	Cllr Zona Hannington – Cabinet Member: Finance, Governance & Customer Services	
Lead Director:	Anthea Lowe – Director: Policy & Governance	
Service Area:	Policy & Governance	
Report Author:	Anthea Lowe – Director: Policy & Governance	
Officer Contact Details:	Tel: 01952 383219	Email: anthea.lowe@telford.gov.uk
Wards Affected:	All Wards	
Key Decision:	Not Key Decision	
Forward Plan:	Not applicable	

1 Recommendations for decision/noting:

- 1.1 It is recommended that Cabinet approves the Annual Governance Statement 2025/26, attached as **Appendix A** to this report.

2 Purpose of Report

- 2.1 The purpose of this report is to present, for approval, the Annual Governance Statement (“AGS”) for the year 2025/26, in accordance with the requirements of the Accounts and Audit Regulations 2015.

3 Background

- 3.1 The Council is required, under the Accounts and Audit Regulations 2015, to conduct an annual review of the effectiveness of its system of internal control and to prepare

an AGS to accompany the statement of Accounts. It is best practice that the AGS is signed by the Leader of the Council and the Chief Executive.

3.2 The AGS for 2025/26 has been developed in line with guidance produced by the Chartered Institute for Public Finance and Accountancy (“CIPFA”) and the society of Local Authority Chief Executives (“SOLACE”) and reflects the arrangements that operated during the period from 1 April 2025 to 21 March 2026. The AGS includes an action plan to ensure continuous development, learning and improvement in respect of the Council’s governance arrangements.

3.3 The action plan from the previous AGS has been reviewed. Actions that have been completed, or mainstreamed, during 2025/26 have been removed with any ongoing actions included within the 2025/26 action plan.

3.4 The AGS and the Local Code of Good Governance confirm that the Council has a robust governance framework in place, supported by effective risk management and appropriate and sound systems of internal control. During 2025/26, governance arrangements have continued to operate effectively. Where any changes have been required to maintain robust governance, these have been agreed by the Senior Management Team and, where required, approved through democratic processes.

3.5 Assurance for the AGS is provided by:-

- The Leader and Chief Executive;
- Senior Management Team;
- Chief Finance Officer (Section 151 Officer);
- Monitoring Officer;
- Members through scrutiny, Governance Committee and Audit Committee;
- Internal Audit activity;
- External Audit activity;
- Partners; and
- External inspection bodies.

3.6 In respect of external audit activity, it should be noted that the auditors gave an unqualified opinion and that the statement of accounts was published ahead of the national backstop date and within the statutory timescale.

3.7 Furthermore, due to robust financial management, the Council ended the year within budget, as it has done for more than 15 years.

4 Summary of main proposals

4.1 Members are asked to approve the AGS for 2025/26.

5 Alternative Options

- 5.1 Whilst it is open to Cabinet not to approve the attached document, this is not recommended as it would not represent good governance, nor would it be in compliance with the Accounts and Audit Regulations 2015 or good practice set out by CIPFA and SOLACE.

6 Key Risks

- 6.1 If approved, there are no risks directly associated with this report.

7.0 Council Priorities

- 7.1 This report supports the Council's priority of delivering a community-focused, innovative Council providing efficient, effective and quality services.

8.0 Financial Implications

- 8.1 Robust governance arrangements underpin sound financial management, support the delivery of value for money and effective decision-making. Compliance with financial regulations, the Medium-Term Financial Strategy and Treasury Management Strategy supports the Council's financial sustainability.

9.0 Legal and HR Implications

- 9.1 The Council is required to comply with the Accounts and Audit Regulations 2015, which mandate the production and approval of an Annual Governance Statement. This report and its Appendices satisfy that legal requirement. The actions contained within the action plan will be delivered from within existing resources.

10.0 Ward Implications

- 10.1 The Annual Governance Statement applies to all wards within the Borough.

11.0 Health, Social and Economic Implications

- 11.1 Whilst there are no direct health, social or economic implications associated with this report, the measures of internal control provide assurance that the Council complies with its statutory duties.

12.0 Equality and Diversity Implications

- 12.1 Whilst there are no direct equality and diversity implications associated with this report, the contents of the AGS demonstrate that the Council complies with its statutory duties.

13.0 Climate Change and Environmental Implications

13.1 There are no direct climate change or environmental implications associated with this report.

14.0 Appendices

A Annual Governance Statement 2025/26

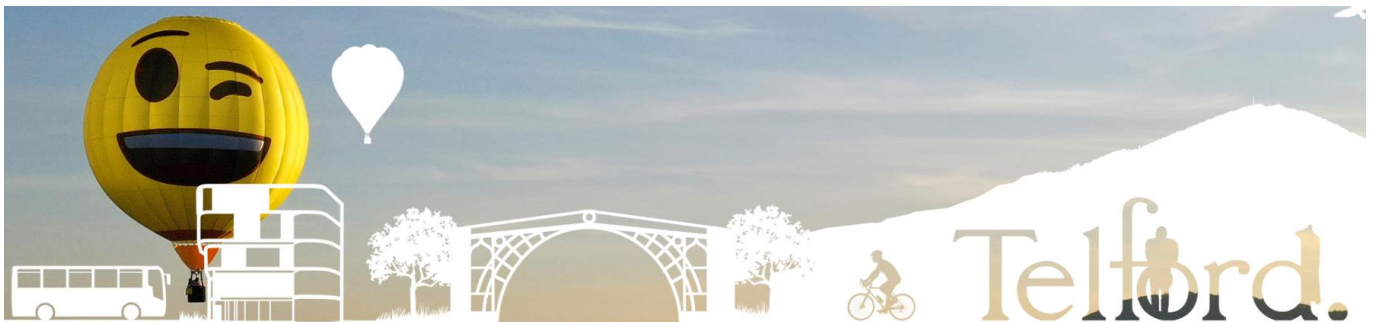
15.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Finance	20/04/2026	20/04/2026	MLB
Legal	20/04/2026	20/04/2026	RP



Annual Governance Statement

1 April 2025 – 31 March 2026

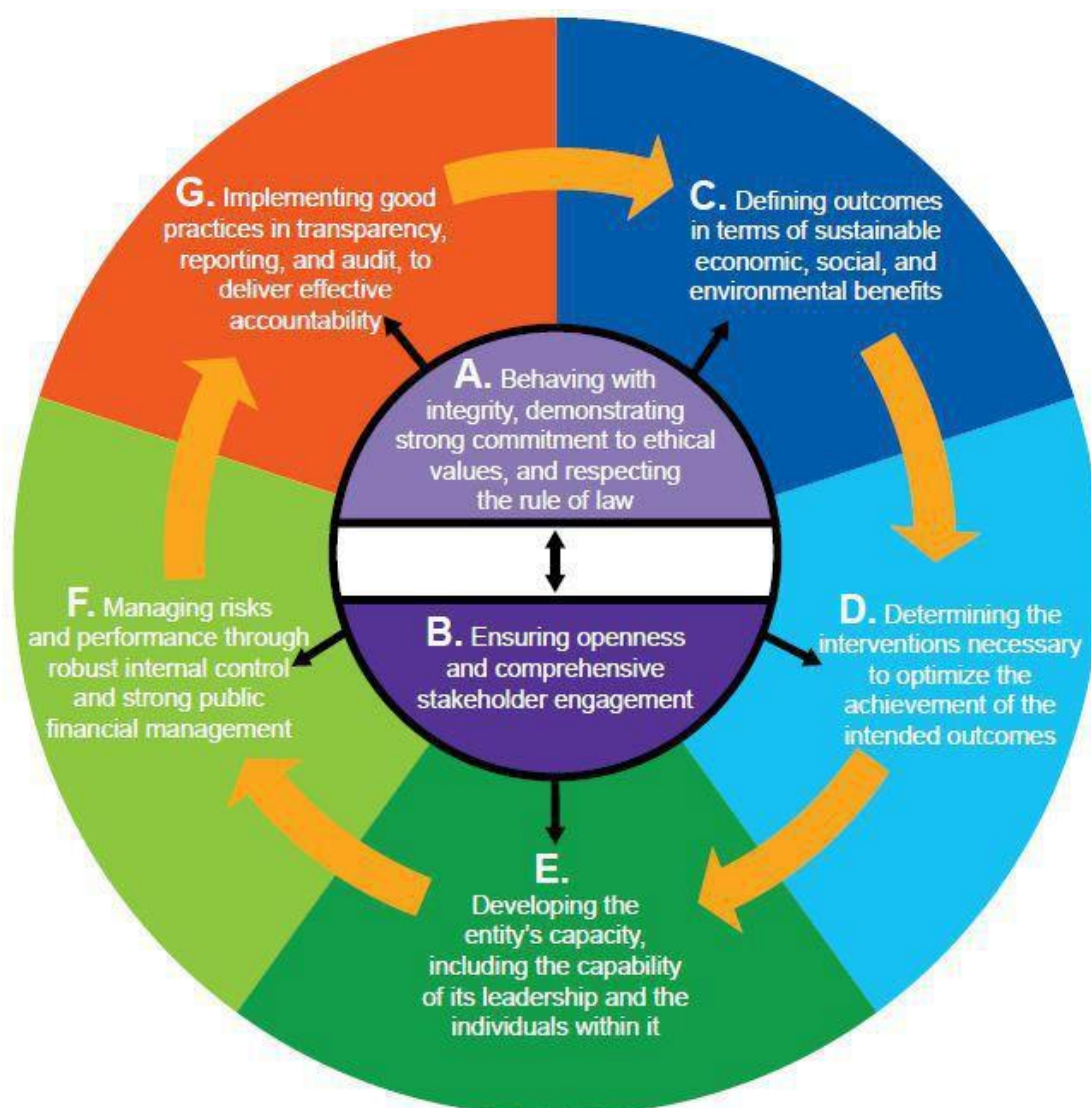


1. Introduction

1.1 Under the Accounts and Audit Regulations 2015 the Council is required to produce an Annual Governance Statement to accompany the Statement of Accounts which is approved by the Audit Committee.

The Annual Governance Statement outlines that the Council has been adhering to the Local Code of Corporate Governance, continually reviewing policies and procedures to maintain and demonstrate good corporate governance and that it has in place robust systems of internal control.

The Council has adopted the Code of Corporate Governance which is consistent with the principles of the CIPFA/SOLACE Framework – Delivering Good Governance in Local Government, shown below.



2. Executive Summary

- 2.1 Telford & Wrekin Council's vision is to protect, care and invest to create a better borough. The Council wants the borough to be a positive place in which to grow up, work, prosper and grow older. The [Council Plan](#) provides a medium-term view of what it plans to do to achieve this ambition and sets out 5 priorities to underpin this work. In the longer term the Council also has set out its 10 year vision, Vision 2030, which articulates borough aspirations for the Council and its partners.
- 2.2 To achieve this vision, the Leader of the Council and the Chief Executive recognise the importance of having a solid foundation of good governance and sound financial management.
- 2.3 2025/26 has seen continued challenges around financial management which have been appropriately addressed by the Council. It has, and continues to, put in place robust savings and financial management plans which seek to minimise any impact on frontline services.
- 2.4 The past 12 months has seen some notable successes for the Council and its community. The Council continues to be a high performing local authority that places the community in the centre of everything it does. Particular highlights in 2025/26 included:
 - The Local Government Chronicle awarded the accolade of Council of the Year 2025 to Telford & Wrekin Council;
 - The Council was awarded funding to create the first Valour-recognised armed forces centre in the West Midlands, one of only 14 in the country;
 - The Council's My Options Supported Housing Team received an 'Outcome 1' Ofsted report. This is the highest rating the service could be given.

See paragraphs 6.10 and 7.3.11 for more detail on the Council's key achievements.

- 2.5 Overall this annual governance statement provides a **reasonable level of assurance** that the Council's governance arrangements, including internal systems of control, are fit for purpose.

3. Standards of Governance

- 3.1 The Council expects all of its members, officers, partners and contractors to adhere to the highest standards of public service with particular reference to the employee and Members' Code of Conduct, Council vision and priorities as well as applicable statutory requirements.

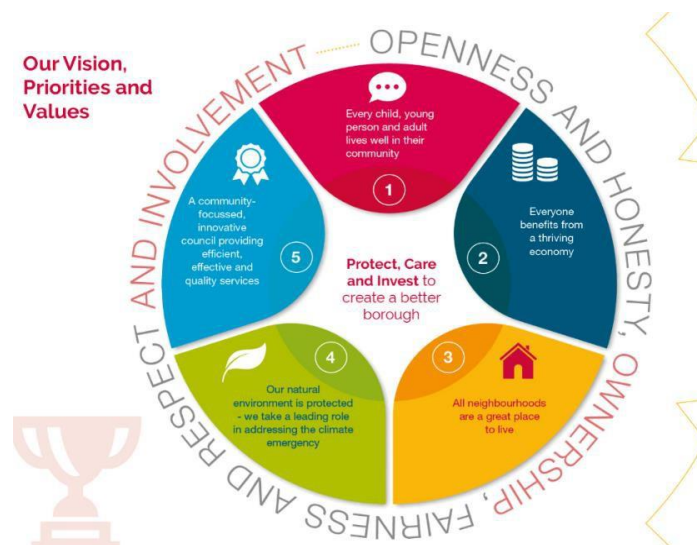
4. Scope of Responsibility

- 4.1 Telford and Wrekin Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards. The Council has a responsibility to ensure that public money is safeguarded, properly accounted for and used economically, efficiently and effectively to secure continuous improvement.
- 4.2 To meet this responsibility, the Council puts in place proper arrangements for overseeing what it does including arrangements for the governance of its affairs including risk management, compliance with regulations and ensuring the effective exercise of its functions.

- 4.3 The Council must do the right things, in the right way, for the right people, in a timely, transparent and accountable manner. The Council takes into consideration all systems, processes, policies, culture and values that direct and control the way in which it works and through which it engages and leads its community.
- 4.4 The Council is aware that it does not get everything right 100% of the time. But through consultation, lessons learnt and a robust complaint handling process, it is always looking to develop and be better in what it does and how it does things.

5. The Governance Framework

- 5.1 The governance framework allows the Council to monitor how it is achieving its strategic aims and ambitions and how this contributes to the delivery of its vision, priorities and values, see below.



- 5.2 The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It is not possible to eliminate all elements of risk that might result in a failure to achieve priorities and objectives and, therefore, these systems of internal control, and this annual governance statement can only provide reasonable, and not absolute, assurance of effectiveness.
- 5.3 The system of internal control is based on an ongoing process designed to appropriately identify, quantify and manage the risks to the achievement of the Council's priorities, objectives and policies.

6. Review of Effectiveness

- 6.1 The Council has responsibility for conducting, at least annually, a review of the effectiveness of the governance arrangements including the system of internal control. The review of effectiveness is informed by:



6.2 The Council has continued to face a challenging financial environment during 2025/26 due to the funding constraints it is working within, coupled with ongoing rising costs and demand that has been experienced nationally. The Council has met these challenges and continues to deliver quality services against this backdrop and in the context of having delivered £195.3m savings annually since 2009.

6.3 The Council recognises the ongoing importance of information governance and has an established Information Governance Framework in place. The main focus of the Information Governance Team in 2025/26 has been to:

- Ensure the Council's continued compliance with the requirements of the UK Data Protection Act/General Data Protection Regulations (GDPR) 2018;
- Updating relevant training, policies and procedures;
- Managing risks associated with the implementation of new systems including AI based products;
- Facilitating appropriate and secure information sharing where there is a legal basis to do so; and
- Supporting the prevention/investigation of data breaches ensuring lessons are learnt

The Information Governance Team has continued to report to the Audit Committee and Senior Management Team on information rights requests and data incidents . During 2025/26 no enforcement action has been taken by the Information Commissioner's Office (ICO) against the Council.

6.4 The Chief Executive, Executive Directors, Directors and Heads of Service have signed annual assurance certificates confirming that the governance framework has been operating effectively within their area of responsibility, subject to the actions outlined in Appendix 1. The Internal Audit team undertakes sample testing of completed certificates to provide additional assurance that adequate controls/risk management measures have been operating effectively within the organisation.

6.5 The Accounts and Audit Regulations 2015 require a review of the effectiveness of the system of internal control. This review is informed by the work of Internal Audit, management, other internal assurance activities and the External Auditors' review. The Internal Audit Annual Report 2025/26 will set out the Chief Internal Auditor's opinion.

6.6 The Council has been advised on the implications of the review of the effectiveness of the governance framework by Cabinet, Standards Committee, Audit Committee, Scrutiny, Senior Managers, Internal Audit and external review. The Chief Internal Auditor concludes that the Council is committed to maintaining the highest ethical standards and levels of governance and that the review of governance arrangements provides a **reasonable level of assurance** that these arrangements are effective and continue to be regarded as fit for purpose in accordance with the governance framework.

Internal Audit Work

6.7 One of Internal Audit's key objectives, as detailed in the Internal Audit Charter is *'To review the effectiveness of governance, risk management and control processes of the Council to aid improvement, provide a level of assurance and an opinion on them to the Council.'* The work of the Internal Audit team is based upon risk. The scope of each audit assignment, as a minimum, includes assessment of the governance, risk management and control arrangements put in place by management. Work undertaken by Internal Audit complies with the Global Internal Audit Standards – UK Public Sector.

6.8 The Internal Audit team has completed 93% (23/24 – 90%) of the revised risk-based Annual Internal Audit Plan together with some additional ad-hoc work as required. Internal Audit has ensured that the Chair/Audit Committee and Senior Management Team have been kept informed of audit resource/work throughout the year.

Other Sources of Assurance

6.9 As stated above, reliance has been placed on other sources of assurance in 2025/26 with respect to the Chief Internal Auditor's opinion. Other sources of assurance have been obtained from in-year activity but also by reflecting on past opinions and the basis of these.

6.10 Throughout 2025/26, the Council has consistently been recognised as a well performing Council by a number of external bodies. Below is a summary of the recognition received.

- The Council was crowned 'Council of the Year 2025' by the Local Government Chronicle. This is one of the most prestigious awards in UK local government and recognised the Council's organisational excellence, leadership, performance, culture and outcomes.
- The LGC also asked the Council to present as part of a national webinar hosted by the LGC on excellence in local government.
- The Council was awarded funding to create the first Valour-recognised centre in the West Midlands
- The Council's My Options Supported Housing Team received an 'Outcome 1' Ofsted report. This is the highest rating the service could be given.
- The UK Ministry of Defence re-accredited the Council with the Employer Recognition Scheme (ERS) Gold Award.
- 8 of Telford's parks and local nature reserves earned the prestigious Green Flag Award.

- The Council's Communication's Team were named 'Comms Team of the Year' at the Comms2.0 Awards.
- 2 Council teams were shortlisted for APSE awards – these were awards for:
 - Best Community and Neighbourhood Initiative – for the Street Champions scheme
 - Best Building and Housing Initiative – for bringing Octavia Court and the former Red Lion public house site into better use for specialist and supported housing
- The Council received the Institute of Customer Service's (ICS) Service Mark accreditation in July 2025. The Council is the first local authority in the UK to achieve this.
- 2 Council teams were shortlisted for Local Government Chronicle awards – these awards were for:
 - Small Team of the Year – for the Customer Relationship Team's work on gaining ICS accreditation
 - Housing awards – for work by the Strategic Housing and Regeneration Team in transforming empty properties
- The Telford & Wrekin Bike Hub was crowned Community Engagement Project of the Year' at the National Travel Awards
- The Local Government Association undertook a corporate peer challenge in September 2025 and found that the Council is a high-performing Council with its leadership being identified as confident and credible.

6.11 Other examples of assurance obtained in year include:

- 1:1 supervision and team meetings
- Case file audits
- Monitoring of service plans
- Regular contract review meetings
- Regular financial monitoring
- Completion of statutory returns
- Quality checks undertaken
- Completion and approval of regular reconciliations
- Lexcel re-accreditation in Legal
- Annual Scrutiny Work Programme
- Quality Assurance Improvement Plan
- Quarterly statutory officer's meetings
- External audit of Housing Benefit Subsidy Claim
- CQC/Ofsted inspection
- Accounts completed within statutory timescale with an unqualified opinion

6.12 KPMG has been the Council's External Auditor for 2025/26. They have presented to the Audit Committee throughout 2025/26. The following is a summary of KPMG's findings contained in their Annual Auditor's Report 2024/25 for that reporting period:-

- No material inconsistencies had been identified.
- In respect of governance, no significant risks have been identified.
- In respect of value for money, no significant weakness had been identified in the Council's arrangements during the work that had been completed thus far.
- The executive summary also set out actions available as part of their wider powers and it was confirmed that no actions had been taken during the current year.
- A risk assessment had also been completed in order to look at the Council's financial position which considered three key areas – financial sustainability, governance and economy, efficiency and effectiveness and that no weaknesses in these areas had been identified.

6.13 In the Chief Internal Auditor's opinion, the above assurance activity reflects that sound governance arrangements are in place as a number of the points above would not have been possible without adequate governance foundations being in place and embedded. There has been no significant instances of fraud, poor risk management and/or poor financial management identified that would lead the Chief Internal Auditor to believe poor governance practices have been in place.

6.14 As part of the AGS certification process and ethics-related audit checks throughout the year, a small number of areas have been identified that require some further development. Attached as Appendix 1 is an agreed action plan to address these areas for development and ensure continuous learning and improvement. Matters identified in the previous AGS action plan (2024/25) that have been addressed or mainstreamed have been deleted and those that continue to be addressed are included in the 2025/26 action plan.

6.15 The Senior Management Team has monitored implementation of the 2024/25 actions and progress reported to the Audit Committee at its January 2026 meeting.

6.16 Detailed below is a statement explaining how the Council has complied with the Code of Corporate Governance and meets the requirements of the Accounts and Audit Regulations 2015 and CIPFA Code on the Principles of Good Governance.

7. Statement of Compliance

7.1 Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of the law.

7.1.1 Members and officers recognise the importance of compliance with the Council's Constitution, specifically the Financial and Contract Rules; Procurement Regulations, Scheme of Delegation, Codes of Conduct and Gifts & Hospitality Policy. Some improvements are needed in this area and recommendations have been included in the 2025/26 AGS action plan.

7.1.2 There is ongoing training for Code of Conduct, Equality Awareness, Leadership and Governance and Contract Procedure Rules/Procurement.

7.1.3 The Council has an Anti-Fraud & Corruption Policy, supported by the Whistleblowing (Speak Up) Policy, encouraging internal referrals. It is important to note that the Council has a zero-tolerance policy in relation to fraud and corruption and it is the responsibility of Heads of Service to ensure there are adequate controls in their areas to ensure the opportunities for fraud are minimised. It is everyone's responsibility to report suspicions and the Whistleblowing (Speak Up) Policy supports this internally.

- 7.1.4 The Internal Audit team, along with the Investigations Team, undertakes proactive fraud prevention, detection and investigation work based on a fraud risk register and/or other intelligence. Other specific anti-fraud and corruption activities are undertaken by Trading Standards. An annual report on anti-fraud and corruption activities and an update to the Anti-Fraud & Corruption Policy and Whistleblowing (Speak Up) Policy is presented to the Audit Committee.
- 7.1.5 As well as complying with the Council's Employee Code of Conduct, Council officers also comply with their own professional bodies' code of conduct when delivering services.
- 7.1.6 All Internal Audit reviews consist of an ethics questionnaire that is sent to a sample of staff in specific teams to demonstrate their understanding of key corporate policies. Ethic questionnaire findings have been shared when discussing individual audits with relevant Heads of Service and Directors and taken to SMT as part of reporting corporate recommendations. Identified improvements required highlighted from findings from the ethics work have been included in the 2025/26 AGS action plan.
- 7.1.7 There are both internal and external reviews in social care to monitor compliance with the law, e.g. the Care Act, Deprivation of Liberties, Safeguarding and Mental Health Act.
- 7.1.8 The Human Resources team and the Council's recruitment policies and processes ensure the Council is fully compliant with employment law. Annual audits are undertaken in these areas and ongoing checks take place to ensure compliance with IR35 legislation.
- 7.1.9 Senior officers meet regularly and work closely with members to ensure that they understand and can undertake their roles effectively and legally.
- 7.1.10 Cabinet monitors the effectiveness of the governance framework through the consideration of regular service and financial management information reports from senior management. Individual Cabinet Members receive regular feedback from senior officers in respect to their areas of responsibility on the progress of priorities and objectives. Issues of strategic and corporate importance are referred to Cabinet.
- 7.1.11 Statutory responsibilities across the Council are discharged openly and proactively, examples include having key statutory officers in place, i.e. Head of Paid Service, Data Protection Officer, Section 151 Officer, Monitoring Officer, Director of Children Services, Director of Adult Services, Director of Public Health and Scrutiny Officer. The Corporate Peer Challenge reported a strong "golden triangle" of Head of Paid Service, section 151 Officer and Monitoring Officer which is considered the backbone of robust governance.

7.2 Ensuring openness and comprehensive stakeholder engagement.

- 7.2.1 To plan for the next ten years, Vision 2032 was developed to describe what the borough would be like to live-in by 2032 presenting a clear ambition and direction of travel for the borough. It was developed through:
- wide ranging engagement with residents;
 - analysis of data about our communities and economy; and,
 - collaboration with key strategic partners.
- 7.2.2 In recognising some of the key challenges facing the borough, the fundamental goal of the vision is "to build a more inclusive borough" through four ambitions.

- All neighbourhoods are connected, safe and clean;
- Everyone is able to live a healthy, independent life;
- Everyone benefits from good education and can fulfil their potential in a thriving economy; and,
- The environment is protected for the benefit of everyone.

7.2.3 Against each ambition the Vision describes the ambitions and aspirations for what will be achieved by 2032. Delivery of the Vision is driven through a partnership of key strategic organisations which meet three times each year to evaluate progress in delivering the Vision and to identify new or emerging challenges and opportunities. A Vision 2032 Partnership Annual Review took place and the outcome of this was reported to Cabinet in April 2025. Since then, a pilot partnership project has commenced to help address inequalities in those areas of the Borough which face greatest challenge with impact being monitored and reported upon the conclusion of the pilot.

7.2.4 The Council actively contributes to, and collaborates with, partners to promote good governance and achieve the delivery of outcomes through increased joint working. The Council is a member of a number of sub-regional partnerships and groups. Many of our services are delivered in partnership with other organisations such as West Mercia Energy, Town and Parish Councils, voluntary groups, etc.

7.2.5 Regular meetings take place between Children's Safeguarding and key partner agencies such as the Police, Education and Health.

7.2.6 All Council services feed into transparent reporting processes through Council committee meetings and this is further supported by the transparency agenda.

7.2.7 Annually the public is consulted on the budget proposals for the forthcoming year.

7.2.8 The Council works in partnership with a range of local health partners. This includes TWC being represented on the Integrated Care Board, T&W Health and Wellbeing Board and TWC's Chief Executive chairing the Telford & Wrekin Integrated Place Partnership (TWIPP), which is now a formal sub-committee of the ICB.

7.2.9 The Scrutiny provision has looked at the development of policy, the decision-making process and areas of concern. The subject areas for review are informed by community engagement, direct feedback to members from within the community, the results of review and inspection (both internally and externally) and areas of policy being developed by the Council.

7.3 Defining outcomes in terms of sustainable economic, social and environmental benefits.

7.3.1 The Council Plan identifies 5 priorities to deliver the Council's vision to 'Protect, Care and Invest to Create a Better Borough'. The Council continues to develop commercial projects to drive economic investment into, and grow employment opportunities within, the borough which, in turn, generates income to invest in frontline services mitigating financial uncertainty caused by global volatility, cost of living and Government funding reform. The Council has a commercial/investment strategy that demonstrates clear visions, objectives and outcomes. This includes financial, economic, social and environmental issues whilst its economic growth strategy supports and drives increased economic productivity.

7.3.2 Digital transformation, the ethical and appropriate use of artificial intelligence and changes in the way we work are intrinsic to the Council's service delivery model.

7.3.3 The Telford and Wrekin Local Plan sets out the Council's vision and strategy for the physical planning of the borough up to 2031. The Council is currently undertaking a review of the Local Plan and has carried out extensive consultation exercises on this. The Local Plan has been formally submitted to the Planning Inspectorate and is currently being examined by independent Planning Inspectors.

7.3.4 All service areas have their own service plans (refreshed in 2025/26) which details how they intend to deliver their service for the coming year and the risks/challenges they face in meeting their service objectives.

7.3.5 The financial strategy sets out the short and long term implications for service delivery across the Council. The Service & Financial Planning reports include various papers to Cabinet regarding the budget and sets out short/medium and long-term implications, including capital strategy and savings strategy.

7.3.6 Adult Social Services, in respect of financial management and the implementation of the cost improvement plan, have continued to provide updates during the year to SMT and members.

7.3.7 Children's Services have partnered with IMPOWER to embed Valuing Care across multiple services. Valuing Care looks to support a needs focused, outcomes driven approach across all of Children's Services. This work also looks at cost savings / avoidance including saving of £9.6m related to changes in placement costs. Other savings streams are also being explored. Additionally, the Children's Services service area also have a cost improvement plan which is overseen by SMT and members on a regular basis throughout the year.

7.3.8 All reports to members (Committee reports, Cabinet reports and Council reports) show relevant legal and financial implications and risk.

7.3.9 Implementation of the IDT Strategy has continued, including infrastructure upgrades and further security improvements particularly in response to spam, phishing and ransomware attacks. The strategy also encompasses the expanded use of AI and governance is in place to ensure AI is implemented safely, ethically and transparently.

7.3.10 An Artificial Intelligence Board has been established to ensure that any AI projects are appropriately governed. In addition, AI specific assessment templates are used to assess risks and ensure ethical implementation of any approved AI technology, being mindful of information governance principles.

7.3.11 The Council has implemented a number of climate actions which contribute to its aims of becoming carbon neutral by 2030. Tackling climate change is one of the priorities set out in the Council Plan. Throughout its partnerships, the Council is also playing its part in helping the wider borough to achieve the same targets the Councils has set for itself. Key actions have included:

- Securing £6.7m in Warm Homes Local Grant Funding to retrofit low-income homes, improving energy efficiency and tackling fuel poverty.

- Continued to deliver affordable warmth through Nuplace, completing energy-efficient homes with solar panels and EV charging.
- The Council has reported a 63% carbon reduction achievement and set a target for 70% for 2026/27.
- Continued transition of Council fleet vehicles to fully electric vans.
- Promoted active travel programmes including investment in cycling and walking infrastructure and school travel behaviour projects to reduce car use.
- The Corporate Carbon Neutral Action Plan was updated in October 2025 including risk register updates and annual reporting arrangements.
- Wellington Pool work completed with the pool reopening in August 2025. The work included a £1.1m package of energy efficiency improvements.
- Through the LED Bulb Distribution Scheme, the Council has provided 16,184 energy saving LED bulbs to the borough.
- Awarded £683,370 from the On-street Residential Charge Point Scheme for the installation of 70 dual fast EV charge points in Council car parks

7.3.12 Many more activities have taken place in 2025/26 to support climate adaption and biodiversity.

7.4 Determine the interventions necessary to optimise the achievement of the intended outcome.

7.4.1 The 2025/26 Service & Financial Strategy including the Treasury Management Plan are aligned to the refreshed Council Plan. The strategy sets out how our financial resources will be used to deliver the Council vision and priorities.

7.4.2 Budget plans are produced for all service areas for planning purposes. Budget consultation is undertaken annually with Council Members and members of the public.

7.5 Developing the Council's capacity, including the capability of its leadership and the individuals within it.

7.5.1 The Council's Workforce Strategy is available to all employees on the intranet. The strategy consists of 6 priorities which reflect the Council's aims to be an employer of choice. The Council is refreshing this strategy in 2026, encompassing outcomes from Strategic Workforce Planning which the Council has recently been undertaking.

7.5.2 Officers understand their respective roles and these are set out in job descriptions. The Constitution, Scheme of Delegation and Contract Procedure Rules clearly details roles and responsibilities, specifically with regard to delegation and authorisation.

7.5.3 There are various training methods available to staff such as mentoring, OLLIE (On-line learning platform), virtual and face to face. The Leadership & Management Programme continued in 2025/26 with approximately 250 Team Leaders/Managers taking part.

7.5.4 Managers continue to be encouraged to look for apprenticeship opportunities for their team. In addition, the Council organised a Skills Show (annual event) with over 55 exhibitors and almost 3,000 visitors attending. Apprenticeship opportunities were promoted at this show.

7.5.5 An induction programme is in place for members and officers.

- 7.5.6 The action plan at Appendix A of this statement details areas of improvement in this area identified from the results of the annual governance certification process and the ethics questionnaire used in audits.
- 7.6 The Council continues to manage risks and performance through robust internal control and strong public financial management.**
- 7.6.1 Risk management is an integral part of good management and corporate governance and is at the heart of what the Council does. A number of governance documents detail the Council's approach to risk including the Risk Management Framework, Risk Management Strategy and Risk Management Policy.
- 7.6.2 The Council has a Corporate Strategic Risk Register which details key risks that have potential to prevent the Council achieving its objectives. This risk register is presented to the Audit Committee for consideration and discussion 4 times a year.
- 7.6.3 The Internal Audit plan is informed by the Council's service and financial planning processes, Corporate Strategic Risk Register, external inspection reports, external networking intelligence and comments/opinions from senior management on the current state of governance, risk and control environment. Each area on the plan is risk-rated.
- 7.6.4 During 2025/26 the Internal Audit team achieved 93% of its revised planned work and this has been used, in part, with the relevant output from unplanned work to help form the opinion on the adequacy and effectiveness of the Council's governance, risk management and internal control framework. All Internal Audit reports produced are given an assurance rating (from poor to good) and each recommendation in the audit reports are risk assessed and given a risk-rating.
- 7.6.5 The Chief Internal Auditor has undertaken checks on the work of the Internal Audit team as part of the Quality Assurance Improvement Program. No significant issues have been found during these checks but a small number of minor improvements have been fed back to the Internal Audit Team to assist in their continuous development and learning.
- 7.6.6 The Internal Audit team reports to the Audit Committee 4 times a year. The reports include all internal audit activity throughout the year including reports produced and follow up reviews undertaken. The Audit Committee also approved the Internal Audit Charter for 2025/26.
- 7.6.7 Large projects require the maintenance of a project risk register, this is a working document that is reviewed and amended throughout the lifecycle of the project. Where projects involve the processing of personally identifiable information, a Data Protection Impact Assessment is also completed which requires risks and risk treatment to be documented.
- 7.6.8 The Council has adopted the CIPFA Code of Practice for managing the risk of fraud and corruption and this has been reflected in the Council's Anti-Fraud & Corruption Policy and Whistleblowing (Speak Up) Policy.
- 7.6.9 Services report regularly to Council committees such as the Audit Committee, Planning, Licensing, Cabinet, etc. These reports detail any impact assessment, including risk and opportunity. Financial decisions are reported to Cabinet, Full Council and Audit Committee, who often challenge to ensure appropriate financial management and to demonstrate transparency.

- 7.6.10 Financial Regulations set out our financial management framework for ensuring the Council makes best use of the money available. Financial roles and responsibilities are clearly shown in the Regulations and this provides a framework for financial decision-making.
- 7.6.11 The Treasury Management Strategy and regular updates on treasury matters are provided to Audit Committee. This information clearly details investments, loans and the financial position of the Council. The Council uses external treasury advisors, MUFG, to support its activities.
- 7.6.12 The Council's financial strategy identifies the short term budget plan and long term aspirational plan linked to the Council plan to be a self-sustaining Council.
- 7.6.13 The Council complies with the Principles and Standards set out in the CIPFA Financial Management Code appropriately and proportionately demonstrating sound financial management and providing the expected assurance.
- 7.6.14 The Council has continued to make savings in light of ongoing financial pressures mainly as a result of increased demand for services, in particular for Adult Social Care. £195.3m of ongoing savings/additional income will have been delivered by the end of 2025/26 with a further £16.7m ongoing savings/additional income to be delivered by the end of 2026/27. The Local Government Finance Settlement announced in December 2025 was the first multi-year settlement in nearly a decade with funding allocations provided for 2026/27 through to 2028/29. The settlement reflected the outcome of the Governments Fair Funding 2.0 Review and simplified the number of funding streams by consolidating several grants into the Revenue Support Grant and four main separate grants. It also simplified the formulas used in the needs assessment and updated the data used which hadn't been updated for decades.
- 7.6.15 Whilst the provisional settlement figures for future years provide more certainty over funding for the Council, it should be noted that the settlement will remain an annual event with figures for future years being subject to change until "locked down" by their own settlement. Due to the significant financial pressures facing the Council because of increased demand for services, it is anticipated that the need for future Council Tax increases and savings will continue. Savings targets will be allocated as part of the budget planning cycle for 2027/28 in June.

7.7 Implement good practices in transparency, reporting and audit to deliver effective accountability.

- 7.7.1 The Council endeavours to be open and transparent in its activities and reporting. Specific examples of this include:
- All Council/Committee agendas, papers and minutes are published on its website
 - Public consultation is undertaken on the budget
 - All expenditure over £100 is published on the Council website
 - Publication of the Complaints and Compliments annual report
- 7.7.2 The Audit Committee has responsibility for internal and external audit matters, the Council's arrangements for corporate governance and risk management.
- 7.7.3 In 2025/26, the Council continued to be the lead authority for the West Midlands Audit Committee Chairs Forum (WMAACCF). The Council's Chairperson of the Audit Committee is also the Chairperson of the WMAACCF. The WMAACCF is sponsored by the Local

Government Association and is a forum where Audit Committee Chairs from across the West Midlands meet to share good practice.

- 7.7.4 The Audit Committee terms of reference also incorporate the review and monitoring of the Council's Treasury Management arrangements. Members of the committee are kept up to date through awareness training on factors that influence/affect delivery of the strategy and, during the year, the Committee was provided with an update on these matters by MUFG Treasury Services, the Council's Treasury Management advisors.
- 7.7.5 There are various committees, each with their own terms of reference and areas of responsibility, i.e. Licensing Committee, Planning Committee, etc, and there are elected members who are responsible for service areas within the Council.
- 7.7.6 Arrangements are in place to ensure the Internal Audit team fully complies with the Global Internal Audit Standards – UK Public Sector (GIAS-UK PS). The Internal Audit team completes self-assessments against the standards with the outcome of this reported to the Audit Committee. The next internal self-assessment will be completed in 2026/27 against the GIAS-UK PS. The next external assessment will take place in 2027/28.
- 7.7.7 The Internal Audit plan is developed using a risk-based approach taking into consideration the Corporate Strategic Risk Register, Service Plans and other relevant information. Audit recommendations made are communicated to the relevant Heads of Service and relevant Senior Management representatives for consideration and implementation of recommendations. Internal Audit shares best practice in the duty of their work. The Audit Plan is reviewed regularly to ensure it is still relevant and any changes to the plan are reported to the Audit Committee.
- 7.7.8 The Council's Communication Team works with officers and members to ensure key messages are easy to understand and in accessible formats to meet the diverse needs of our borough.
- 7.7.9 The Council's performance management framework is monitored by the Senior Management Team and procedures are in place that drive continuous improvement in performance whilst also identifying challenges and opportunities.
- 7.7.10 The Council has identified lessons learnt from corporate complaints and complaints made to the Local Government Ombudsman and implemented measures accordingly.
- 7.7.11 The Council continues to meet its statutory duties under the Equality Act 2010. The Council has an Equality, Diversity and Inclusion (EDI) Strategy and publishes an annual EDI report. Key EDI activity undertaken in 2025/2026 included:
- Continued delivery of the Council's EDI strategy.
 - In May 2025, a dedicated Cabinet portfolio was created for Inclusion, Engagement, Equalities and Civic Pride.
 - Ongoing formal recognition of care experience and armed forces service as a protected characteristic.
 - Compliance with the Public Sector Equality Duty.
 - Participation in the 'Everyone Belongs Here' campaign across Shropshire and Telford & Wrekin.
 - Chief Executive led cross-council internal EDI Steering Group in place

8 Looking Forward

8.1 Although the annual governance process reflects on the past year, it is also important that this statement looks forward to identify future factors that may impact the Council's governance arrangements.

8.3 Local Government Reorganisation

8.3.1 The English Devolution White Paper published in December 2024 sets out the government's vision for simpler local government structures. Although, currently, this will not directly affect Telford and Wrekin Council, changes across the wider West Midlands region in particular will be monitored.

8.4 On-going financial challenges

8.4.1 The local government sector within England and Wales faces continued financial challenges. The Council has a good record in meeting these challenges and continues to explore income generation as part of its financial management strategy.

8.5 Global volatility

8.5.1 Current global volatility in areas such as Ukraine and the Middle East has been seen to impact upon global markets and the cost of things such as fuel, services and interest rates. Developments will be monitored by the Council, alongside its professional advisors to enable it to respond appropriately to any sustained impacts.

8.6 Continued Customer Centric Services

8.6.1 The Council continues to place the customer at the centre of everything it does. To supplement this approach, in September 2025, the Council published its Customer Strategy 2025-2030 – Delivering our Customer Experience.

Sign-off of the 2024/25 Annual Governance Statement

Name/Role	Signed	Dated
David Sidaway Chief Executive		
Cllr Lee Carter Leader of the Council		
Cllr Helena Morgan Chair of Audit Committee		

AGS ACTION PLAN FOR 2025/26 FOR IMPLEMENTATION DURING 2026/27

Ref	Area identified for development and/or ongoing monitoring	Actions	Lead Officers
1	<p>Ongoing savings proposals, budget constraints and continued strategic management of organisational changes.</p> <p>Ongoing from previous AGS given the challenging local government landscape.</p>	<p>Continued management of budgets, savings, revised structures and commercial/business approach which links to the continued development and implementation of revised governance arrangements.</p> <p>Delivery of in year savings is monitored on a regular basis at SMT.</p> <p>Further consultations on future savings will be undertaken where necessary.</p>	<ul style="list-style-type: none"> • Chief Executive • Senior Management Team
	<p>All internal audits include sending ethics questionnaires to a sample of staff in the team/area being audited. This is to demonstrate their understanding of corporate policies and whether staff feel supported.</p> <p>In a small number of questionnaire responses completed it was noted that a small number of staff:</p> <ul style="list-style-type: none"> • Had not received an Annual Performance & Development Discussion • Were unfamiliar with particular Council policies 	<p>Report to SMT on the completion rate for Annual Performance & Development Discussion.</p> <p>Reports on the completion of essential learning will be presented to SMT periodically.</p> <p>A reminder will be sent to all staff on key corporate policies.</p>	<ul style="list-style-type: none"> • Senior Management Team

	<ul style="list-style-type: none"> • Had not completed all essential learning requirements <p>These findings have been shared with Heads of Service / Directors when identified when discussing the audit report for their service with recommendations for rectification.</p>		
3	<p>The annual certification process highlighted that there had been some reduction in the number of appropriately skilled staff in some service areas although actions had been identified to address this.</p> <p>Recruitment of staff in local government, particularly in some professions, continues to be challenging. This results in some single points of failure or the use of temporary staff, although the work undertaken on the Workforce Strategy presents opportunity to address this challenge.</p>	<p>The Council continues to explore and implement a number of initiatives in respect to staffing including service and workforce planning, apprenticeship schemes, etc to support managers in addressing these areas.</p> <p>A revised workforce strategy will cover succession planning, single points of failure and 'growing our own' and there will be a need for ongoing work to ensure this is an embedded approach across the organisation.</p> <p>The Leadership & Management training and learning programme continues for Team Leaders / Service Delivery Managers. The programme looks to support management development and to enable some resilience planning within the Council.</p> <p>The Council continues to monitor the effectiveness of different channels of recruitment it uses and is developing an employer value proposition, i.e. 'Why work for T&WC'.</p> <p>In 2025/25 the Council has continued to organise, and expand, the Skills and Apprenticeship Show to support recruitment.</p>	Director: Finance, People & IDT

4	<p>Low/medium risk data breaches are being experienced in some Council Teams.</p> <p>Data breaches are reported to the Information Governance (IG) Team who investigate the circumstances of the breach, assess the associated risk and ensure lessons learnt are identified.</p> <p>The Information Commissioner's Office has not taken any action against the Council in 2024/25.</p>	<p>Data breach analysis has been incorporated into the performance management reporting presented to the Senior Management Team.</p> <p>Increase sharing of information internally of any trends around data breaches and 'near misses'.</p> <p>IG Team support for services who process high volumes of personal data.</p> <p>The Council has continued to run mock cyber security exercises to ensure awareness is maintained of the risks posed by matters such as phishing.</p>	Director: Policy & Governance
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