

Appendix 3

DISCRETIONARY LICENSING – Consultation Plan

This report sets out how the Council will undertake a robust and fit for purpose consultation programme for the proposal of a Selective Licensing scheme for the defined area and Additional Licensing across BCP. The consultation will consider both discretionary licensing schemes within the same consultation document and plan. For the purpose of this report this Selective Licensing area will be referred to as the designated area. For Additional Licensing the area will be referred to as borough wide.

It is essential that the consultation programme is meaningful and comprehensive, providing interested parties with detailed, accessible information on the proposal and providing a choice of methods for providing their views. It must also fully meet the legislative criteria and DCLG Guidance.

Concerns raised by all stakeholders through this consultation process will be accurately reported to Members in order that due regard can be given and informed decisions can be taken.

CONSULTATION

BCP Council is committed to asking everyone with an interest in the services that the Council provides, including residents, community groups, partners and staff, to consider proposals and share views so that they can be taken into account by Councillors when they make decisions on the future service delivery.

With particular reference to Selective Licensing, Part 3, Section 80 (9) of the Housing Act 2004 states that before considering making a designation for Selective Licensing the local housing authority must:

- a) Take reasonable steps to consult persons who are likely to be affected by the designation; and
- b) Consider any representations made in accordance with the consultation and not withdrawn.

The Department for Communities and Local Government procedural document on the subject of discretionary licensing: Approval steps for additional and selective licensing designations in England makes it clear that local authorities are required to conduct a full consultation in considering the designation of a discretionary licensing schemes. *Further useful links to DCLG Guidance can be found at the end of this report.*

A key challenge for councils is how to engage and consult with private landlords who operate in the designated area but live elsewhere in the local area, the UK or abroad. It is for this reason that we have included a wide range of communication processes and channels within our consultation programme.

Consultation must include local residents, including tenants, landlords and where appropriate their managing agents and other members of the community who live or operate businesses or provide services within the proposed designations. It should also include local residents and those who operate businesses or provide services in the surrounding area outside the proposed designation and that will be affected by the scheme.

The consultation period required by DCLG is 10 weeks. We are adopting a 12 week period for the consultation on the proposed Selective and Additional Licensing Schemes. The consultation period will commence on in January 2020 subject to approval by Cabinet.

The consultation will provide a detailed explanation of the proposed designation, explaining the rationale for the designation, how it will tackle specific problems, the potential benefits, fee structure etc. For example, we must be able to demonstrate what the local factors are, how they are currently being tackled, and how the discretionary licensing designation will improve matters.

Affected persons will be given adequate time to give their views and these will all be considered and responded to. Once the consultation has been completed the results will then be published and made available to the local community.

COMMUNICATION CHANNELS

Consultation should always be appropriate to the scale, scope and nature of the project being completed. Effective consultation that is meaningful and genuine depends on all stakeholders being sufficiently well-informed about the project, having clear, concise information, the opportunity to convey their perspectives and their concerns, and developing confidence that their perspectives are being reflected in the final design of the scheme.

It is common for consultation processes to result in changes to the project and to its design. In order to make the maximum contribution to risk management in return for the smallest cost, consultation therefore needs to commence early and continue throughout the project life-cycle.

This needs to be at the heart of BCP's consultation plan which has been set out for the proposed Licensing Schemes and we will achieve this via: -

- publishing a detailed business case/options appraisal outlining the reasons for the proposal, the evidence and method used to identify the proposed licensing areas, the components of the fee structure and any potential impacts both positive and negative.
- priming of discussions by providing some initial information about the project;
- making sure there is ongoing dialogue with consultees throughout the consultation process;
- participation of those tenants and residents affected or likely to be affected by the proposed implementation in the designated areas;

- facilitated interactions among participants;
- making sure that there is sufficient diversity among those groups or individuals being consulted, to ensure that all relevant perspectives are represented, and all relevant information is gathered
- making sure that each group has the opportunity to provide information;
- making sure that the method of consultation suits the consultation group, for example using workshops or focus groups as an alternative to, or even as well as, formal written consultation;
- making sure that the information provided and the perspectives, concerns and issues raised during the consultation process are analysed and duly considered in the final design and implementation of any scheme taken forward.

Discretionary Licensing Consultation will be taking place using the following methods:

- BCP Council website and intranet with a specific page for the proposed scheme
- Social media
- Direct mail-out to landlords and managing/letting agents.
- Engagement sessions with managing/letting agents.
- Mail drop to all residents and businesses or services within the designated area and in the surrounding areas outside of the proposed designation who may be affected or who are likely to consider that they live in the same locality as the proposed scheme.
- Direct mail and email to local communities (this includes a number of harder to reach groups).
- Press releases to local media/press and landlord trade journals.
- Posters erected in local venues such as cafes, libraries, pubs etc.
- Drop in sessions planned for stakeholders directly affected across BCP.
- Communications via LCD screens in council buildings;
- Written papers and presentations where appropriate.

Additional Licensing Consultation will be taking place using the following methods:

- The consultation will run alongside the 12-week selective licensing consultation
- As with selective licensing, a consultation document and summary will be produced as well as a paper and online survey.
- The consultation will be widely promoted as per the selective licensing plan.
- Paper questionnaires will be available in all libraries in the BCP area.
- Consultation packs including the consultation document and questionnaire will be emailed key stakeholders.
- Additional roadshows will be held at universities to promote the consultation and answer questions.

The Council will also produce a smaller, summarised version of the business case (the “Consultation Pack”) which will provide the same information in a condensed form. A questionnaire will also be produced which will be used to gather views from all stakeholders to the proposal.

A micro site will be developed which will sit within the Council’s main website and provide a direct link for people wanting to know more about the proposal for selective licensing. All documents will be published on the micro site and promoted to key groups through the methods outlined in the section below. This will include all consultation documents, questionnaires, details of drop in sessions, minutes of relevant meetings etc. An email address will be created to enable direct communication to the Discretionary Licensing Development Team.

STAKEHOLDER ENGAGEMENT

To ensure a true reflection of the views of affected groups related to this consultation, it is important that particular groups of stakeholders are effectively targeted with communications about the proposal and given every opportunity to share their views.

The following groups will receive direct communications about the proposal to request their views:

- **All residents in the proposed Selective Licensing area**

There are 42000 households in the proposed area. A questionnaire will be sent to every household within this area, complete with the “consultation pack” and prepaid return envelope to encourage a high response rate. A number of community drop-in sessions will be held at various locations within the designated area, which will enable local residents to find out more about the proposal. Details of the drop-in sessions will be provided with the questionnaire documentation.

- **Elected Members and local Members of Parliament**

The Business case and Consultation plan will be submitted to the portfolio holder for approval to go out to consultation. Following this all elected members for the proposed areas and the relevant Members of Parliament, will be e-mailed detailing the key aspects of the proposal and either a paper produced and/or presentation to the MPs and elected members for the areas where the schemes are located. This e-mail will invite any feedback /comments regarding the proposal. A full member briefing on additional licensing will also be offered.

- **Private Landlords, Letting Agents/Estate Agents and National and Local Landlord Associations**

All known landlords and letting agents and Estate Agents will be sent a letter explaining what the proposals are and how it will affect them as landlords. The letter will include links to the website where the full consultation document will be available and invite completion of the questionnaire.

The National Landlords Association, the Association of Residential Lettings Agents, the Guild of Residential Landlords and Residential Landlords Association and Training for Landlords will be contacted directly by letter and where applicable, e-mail.

A separate invitation will be sent regarding a number of drop-in sessions to be held at various venues and various times of the day. These drop-in sessions will be aimed predominately at those who are directly affected or are likely to be affected and will be informal so landlords or the public can call in at any time. The sessions will be held so that landlords can find out more about the proposal, ask any questions and provide any comments/feedback. Council staff will be on hand to answer any questions.

A specific meeting will be held for the local NLA & ARLA groups both at the pre consultation stage and during the formal consultation period. The session will provide landlords and lettings agents with an opportunity for feedback and discussion with the Discretionary Licensing Development Team.

- **Supported Housing Providers**

All known providers of supported accommodation who operate in the designated area or who could manage stock will be contacted directly by e-mail and advised of the consultation process, business case and will be invited to complete a questionnaire. There will be a link to the website within the email.

- **Businesses/services within the proposed designation areas and in the immediately surrounding areas**

Mail drop - All properties within the proposed streets within the designated areas will be mail dropped an overview letter, and executive summary of the business case. The letter will explain what the scheme is and what its potential implications are. The letter will encourage businesses and stakeholders to also visit the website to obtain further information and complete the questionnaire either online or they can request a paper copy if required. Details of a number of drop in sessions to be held at various venues and various times of the day will also be provided.

- **Social Landlords**

All social landlords who operate in the designated areas or who could manage stock will be contacted directly by e-mail and advised of the consultation process, business case and will be invited to complete a questionnaire.

- **Stakeholders, Partners & Community Groups in the proposed designated area**

Community groups will be contacted by letter and/or e-mail with details of the proposal. They will be advised of the information available on the website and that drop in sessions will be held with details to be made available on the Council website.

Stakeholders and interested parties such as Dorset Police, Dorset & Wiltshire Fire & Rescue Service, South Central Immigration Service, Shelter, Citizens' Advice Bureau and numerous others will be consulted directly through a consultation event and other methods.

Whilst direct consultation will attempt to be as exhaustive as possible, any interested groups not already identified and consulted directly will also be encouraged to complete the questionnaire or make comments. Groups not consulted directly are

considered likely to hear about the proposal through mediums such as the website, posters and local press releases.

- **BCP Council Staff**

An e-mail will be sent to relevant Departments/Teams to advise them of the proposal seeking comments. Relevant areas to include but are limited to – Housing Benefits, ASB Team, Community Wardens, Supported Housing and SP Hub, Housing Options Team, CRI, Strategic Planning, Economic Development and Social Care Teams. For any team who may experience a significant impact from the proposal, a meeting can be arranged to discuss the implications and to provide an opportunity for Council officers to provide suggestions and feedback on the proposal. Information will be sent through to all staff via the Chief Executive's weekly staff e-mail bulletin and a blog by the Director of Communities.

- **All Other Residents**

Press releases will be issued to local media to promote the consultation. Posters will be placed around the proposed Discretionary Licensing areas advertising the consultation. The Council will create a micro site within the Council's own website where all information regarding the proposal will be posted. LCD screens in Council buildings will display information and highlight the consultation being undertaken. Some key local venues (libraries/shops/cafes/pubs) will be asked to display poster/leaflets.

Information will be available on the council website so any people with internet access will be able to find out more about the proposal as well as completing an online questionnaire which also enables the opportunity to add comments. Details will be made available on the website and posters, once they are confirmed, of the number of drop in sessions to be held in public places in order to make them as accessible as possible.

Social media will also provide an opportunity to reach a larger audience and consideration will be given to asking stakeholders, such as Dorset Police to include information through their social media sites.

Further communication will be sent to a database resident email addresses with information related to the proposal and a direct link to the consultation questionnaire.

How issues raised will be dealt with as part of the consultation

Throughout the consultation process a record of each consultation event or period that has been undertaken and what issues were raised from these will be formally logged. This will detail the date of the consultation, what form the consultation took place, who was consulted and what were the results/issues raised. Different methods of communications will be used as part of the consultation process and a separate consultation report will be produced for each event to enable a 'portfolio' to be produced as one document at the end, with each element represented as a section.

BCP Council is committed to ensuring all comments received are recorded and there is a clear audit trail of all decisions made and how consultation responses were taken into consideration and balanced with any evidence and specific information gathered. The

consultation report will be published and placed on the website. Where feasible independent facilitation of focus groups and consideration of consultation results will be undertaken.

Consultation Pack

- Background and Overview of Private Sector Licensing
- Strategic Context and Objectives
- Options Appraisal
- Consultation Process
- Proposal
- Scheme Costs and Fee Structure

Consultation Costs

Selective licensing area

Postal consultation packs (printing and postage based on 24,500 residential addresses in designated area)

£21,000

Hard copies for libraries and drop-in events

£4,000

Business letters

£1,500

Independent workshops

£21,500

Data entry

£3,000

Translations and easy read versions

£2,500

Web and comms (inc. promotion on relevant websites)

£2,000

Insight team costs (research and reporting)

£7,000

TOTAL

£62,500

Additional licensing costs

Postal consultation packs to key stakeholders

£1,000

Hard copies for libraries and drop-in events

£6,000

TOTAL

£7,000