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Consultation methods – comparison with other Local Authorities

Prior to making a designation for either Additional Licensing or Selective Licensing, under the Housing Act 2004 the Council must *take reasonable steps to consult persons who are likely to be affected by the designation*.

Oxford City Council consultation took place during September to December 2020. During this time, there were restrictions on social gatherings and a national lockdown in November due to Covid-19. Comments were made during the consultation that it was not an appropriate time to consult because landlords could not attend events and community groups may not have been able to “get together” to respond.

A comparison between the Council’s consultation methods and five non-Covid licensing consultations was undertaken to evaluate any impacts on results.

- London Borough of Croydon¹ – borough wide renewal of selective licensing scheme, consultation 16 December 2019 to 9 March 2020. Chosen as estimated to cover 35.6% total housing stock and the consultation was immediately before pandemic.
- London Borough of Waltham Forest² – borough wide renewal of selective licensing scheme and borough wide renewal of additional licensing scheme, consultation 04 February 2019 to 29 April 2019. Chosen as estimated to cover 37% total stock and this scheme has been approved by Secretary of State.
- Nottingham City Council³ – city wide selective licensing scheme and renewal of additional licensing scheme consultation 16 January 2017 to 31 March 2017. Chosen as estimated to cover 32% total stock, this was a new selective licensing scheme and Nottingham is a similar city in terms of a large university town with regional hospital.
- Liverpool City Council⁴ – city wide renewal of selective licensing scheme consultation 4 March 2019 to 26 May 2019. Chosen as estimated to cover 32% total housing stock and this scheme was rejected by Secretary of State (due to evidence)
- Slough District Council⁵ – small area selective licensing scheme consultation 7 November 2019 to 31 January 2019. Chosen as estimated to cover 50% stock in the chosen Selective Licensing wards, was an area-wide Additional licensing scheme, the consultation took place over a similar period in the year and it is our “nearest neighbour” with a selective licensing scheme and considered similar demographics for ethnicity

While it is accepted that social distancing has limited certain consultation activities, this does not mean that the Council has failed to take *reasonable steps to consult*. The Council has used a range of activities to engage *those persons likely to be affected by the designation* –

¹ London Borough of Croydon, April 2020

<https://www.croydon.gov.uk/sites/default/files/Final%20report%20of%20consultation%20findings%20%E2%80%93%20CPRL%202020.pdf>

² London Borough of Waltham Forest May 2019

<https://democracy.walthamforest.gov.uk/documents/s68631/Appendix%201%20-%20Waltham%20Forest%20Licensing%20Consultation%20Report%20May%202019.pdf>

³ Nottingham City Council July 2017

<https://committee.nottinghamcity.gov.uk/documents/s59486/Appendix%202%20Selective%20Licensing%20Consultation.pdf>

⁴ Liverpool City Council July 2019 <http://councillors.liverpool.gov.uk/documents/s234656/H2%20-%20Annexe%204%20Liverpool%20CC%20Licensing.pdf>

⁵ Slough Borough Council March 2019

<http://sloughboroughcouncil.org/moderngov/documents/s55376/Appendices.pdf>

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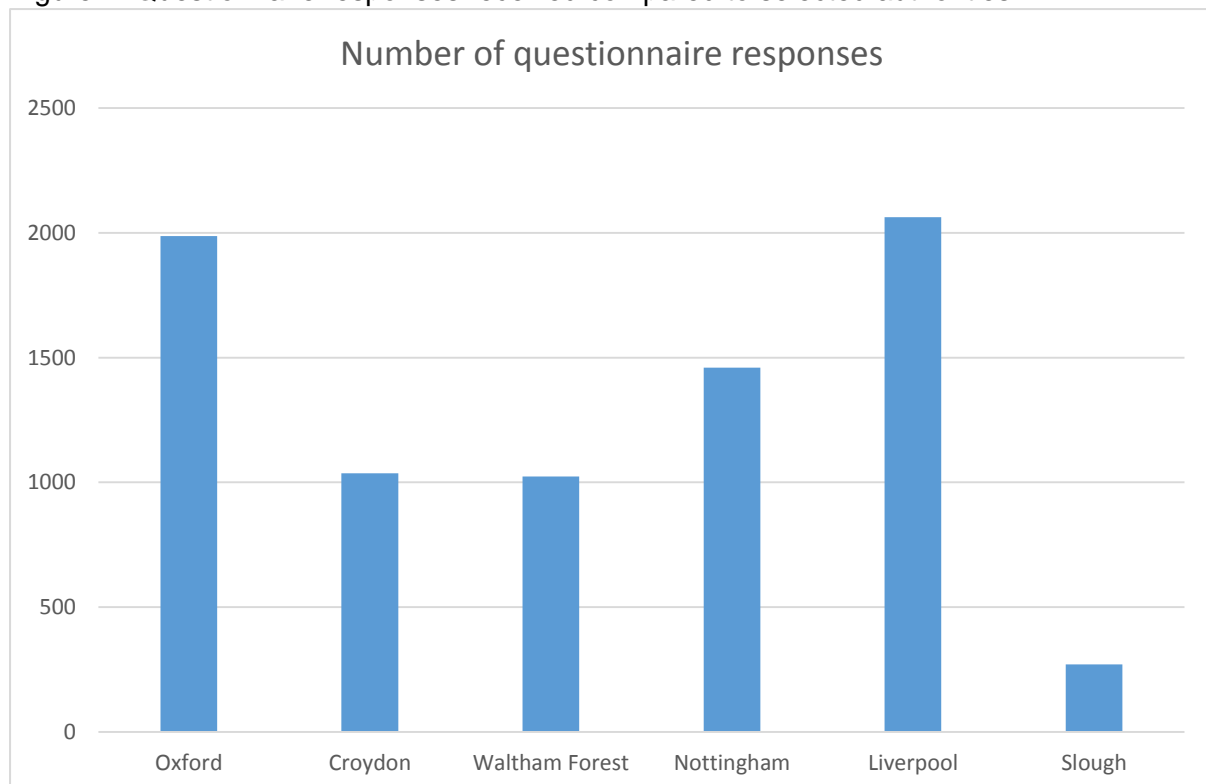
that is namely landlords and tenants. Comparison with other authorities demonstrates that the number of responses and consultation methods are comparable.

- Oxford City Council had a higher number of questionnaire responses, bar one authority;
- Out of the questionnaire responses, a higher proportion were from residents, bar one authority;
- The number of attendees to landlord events was lower compared to three other authorities, however as a proportion of properties affected the attendee rate is second highest;
- We used the most popular methods employed by the comparison authorities, bar the “face to face” events;

Lack of “face to face” events has not hindered the ability of landlords and residents to take part – considering the online questionnaire has given higher response numbers than most other authorities and the proportion of residents is high. The views expressed are likely to remain the same even though some individual persons may feel they have not been able to participate. This does not mean the consultation has been fundamentally flawed.

It is acknowledged that the ability of people to meet may have hindered certain resident groups to meet, discuss the proposals and formulate a response. However, it was possible to meet between September and October in small groups. It is acknowledged there may be other, more pressing concerns preventing responses. Given that the proportion of residents responses are higher than comparison authorities and we held specific stakeholder interviews then the views expressed are likely to remain the same even though some individual persons may feel they have not been able to participate. This does not mean the consultation has been fundamentally flawed.

Figure 1: Questionnaire responses received compared to selected authorities



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Figure 2: Breakdown of responses from landlords / agents or residents compared to selected authorities

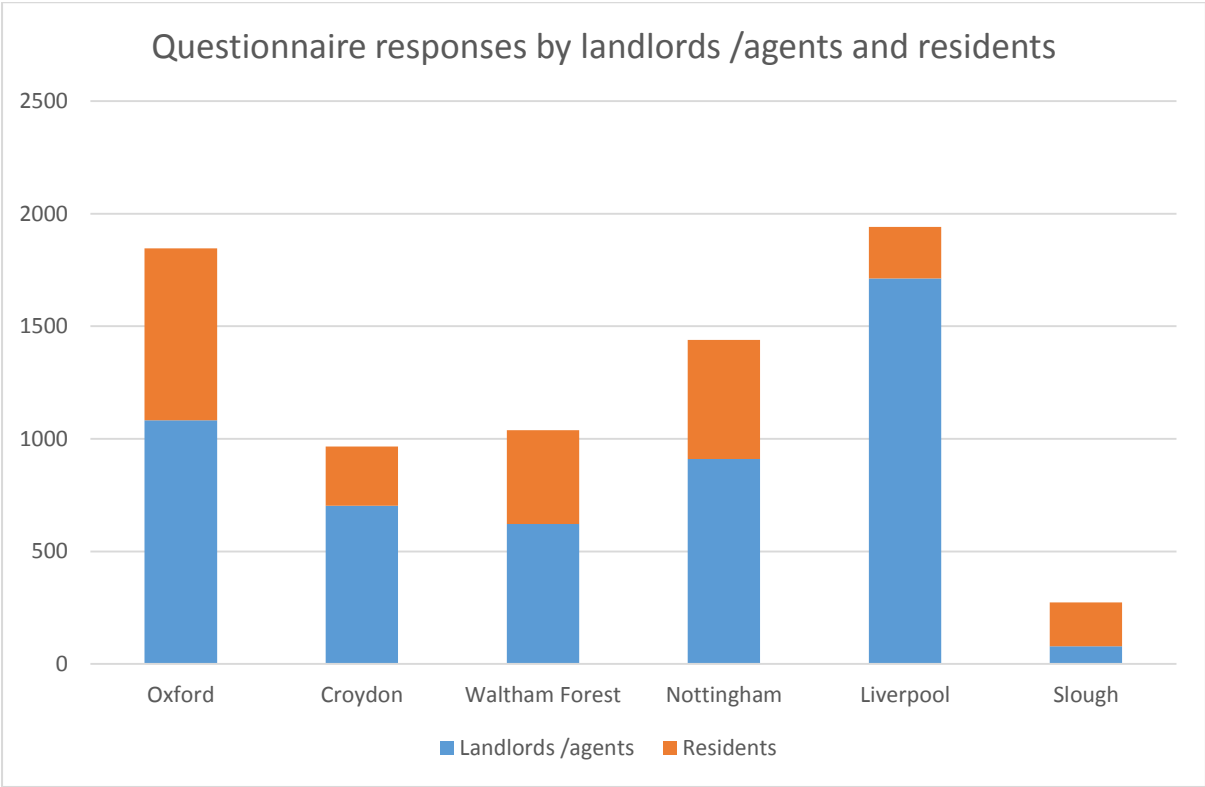
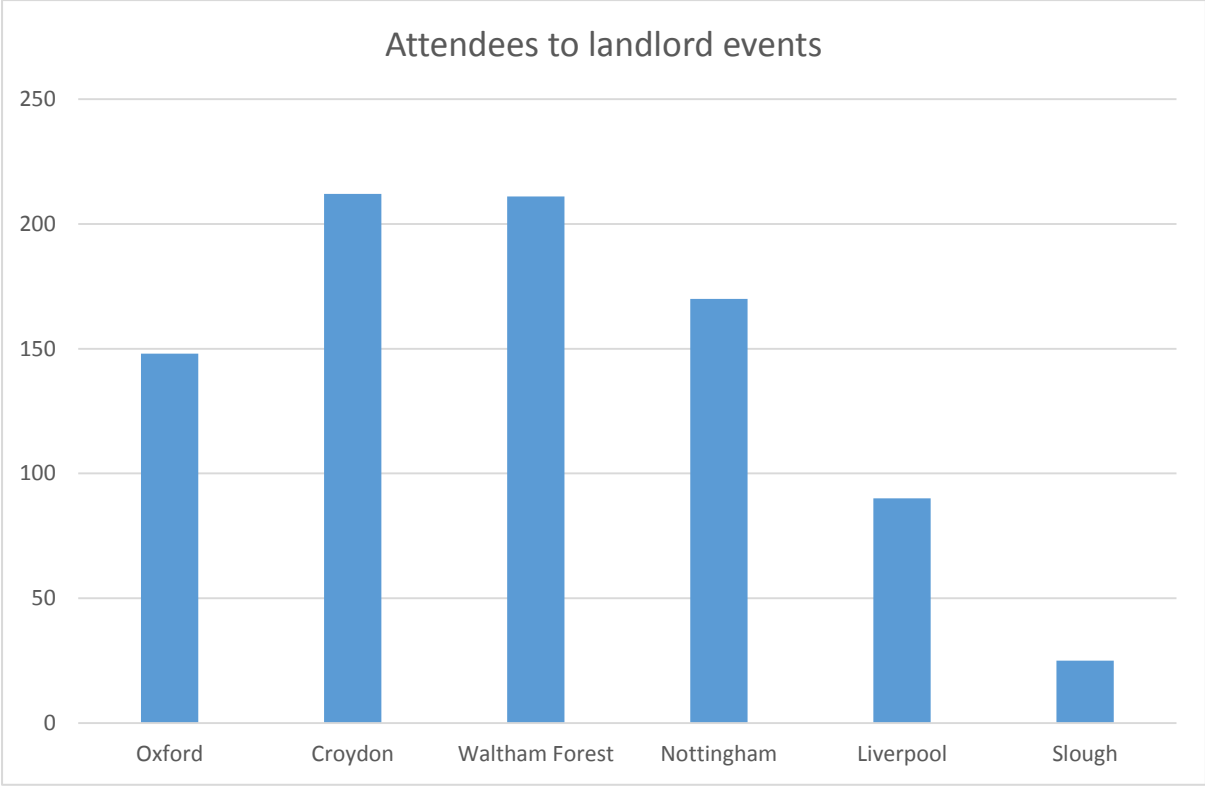
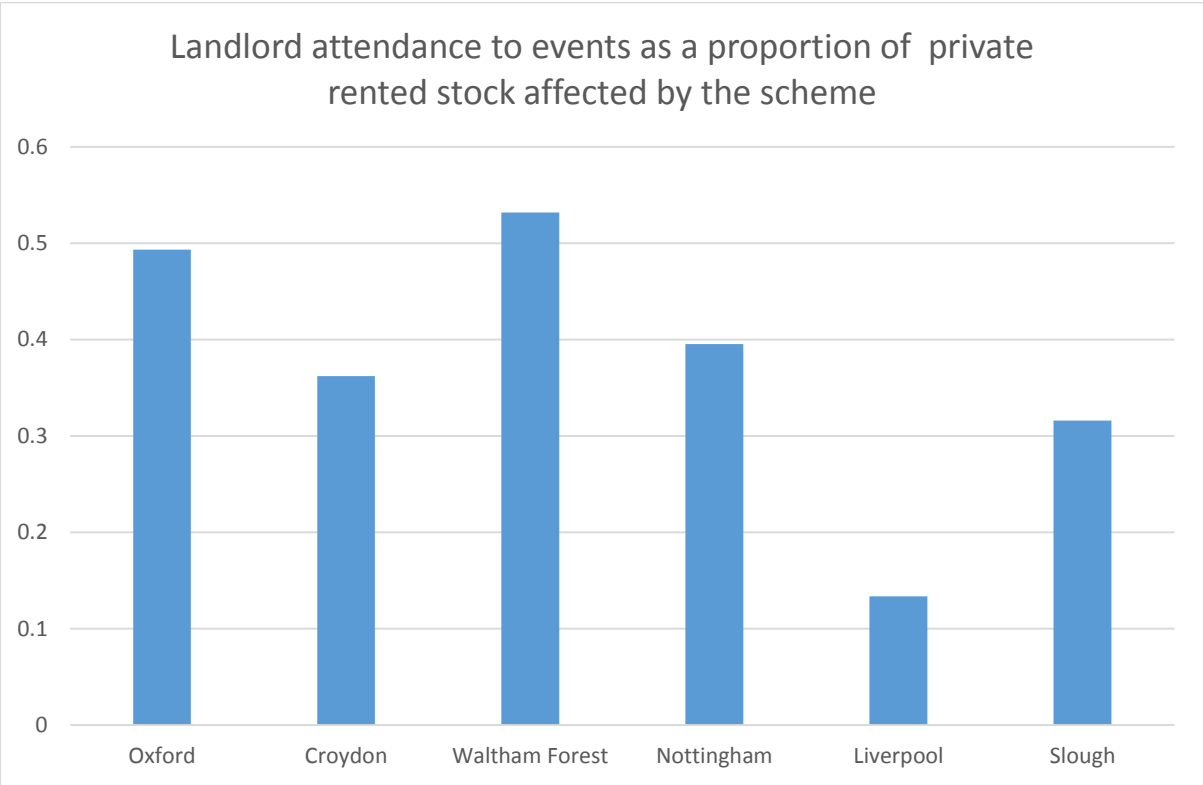


Figure 3: Attendance at landlord events (by number) compared to selected authorities



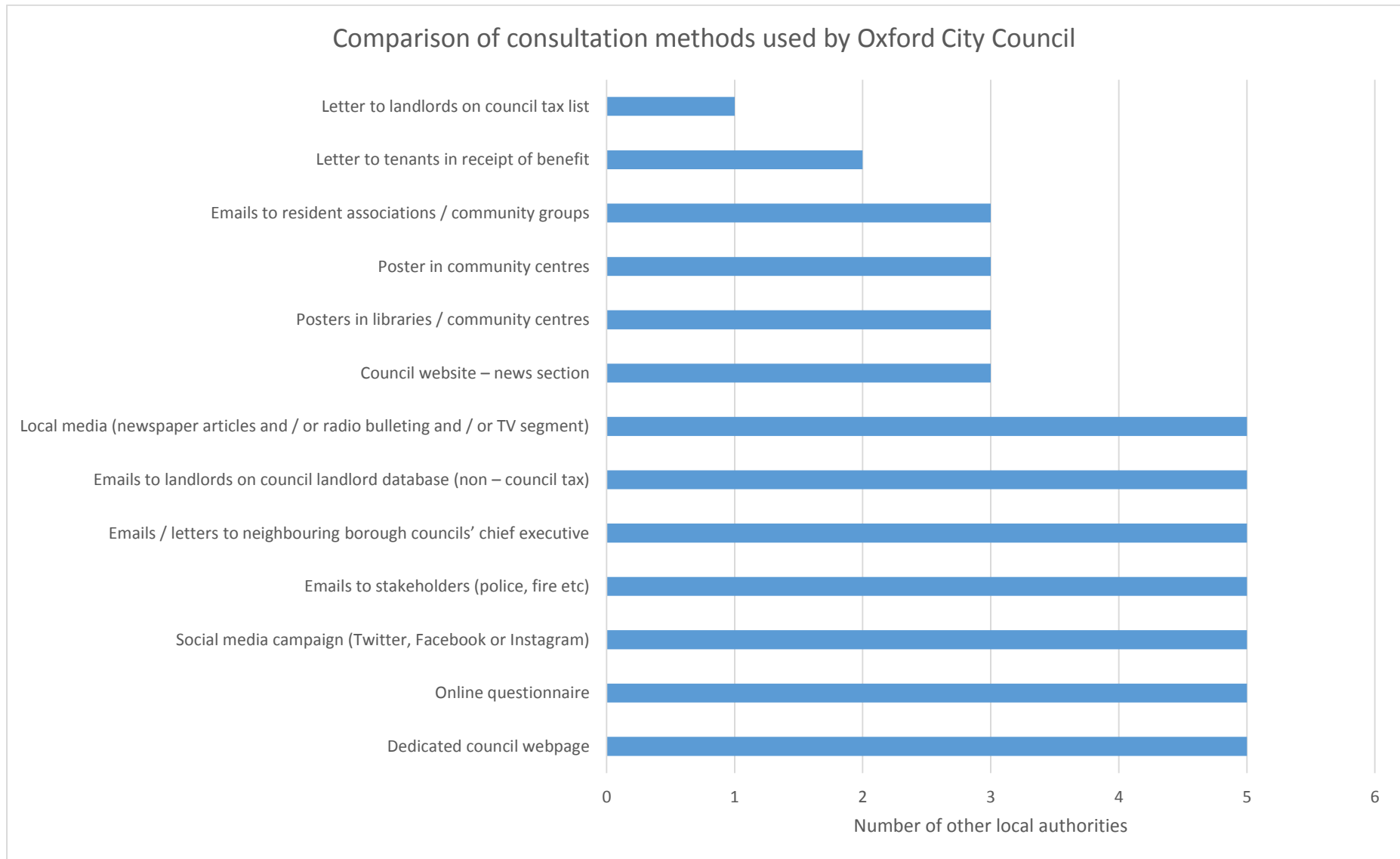
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Figure 4: Attendance at landlord events by ratio of number of private rented properties compared to selected authorities



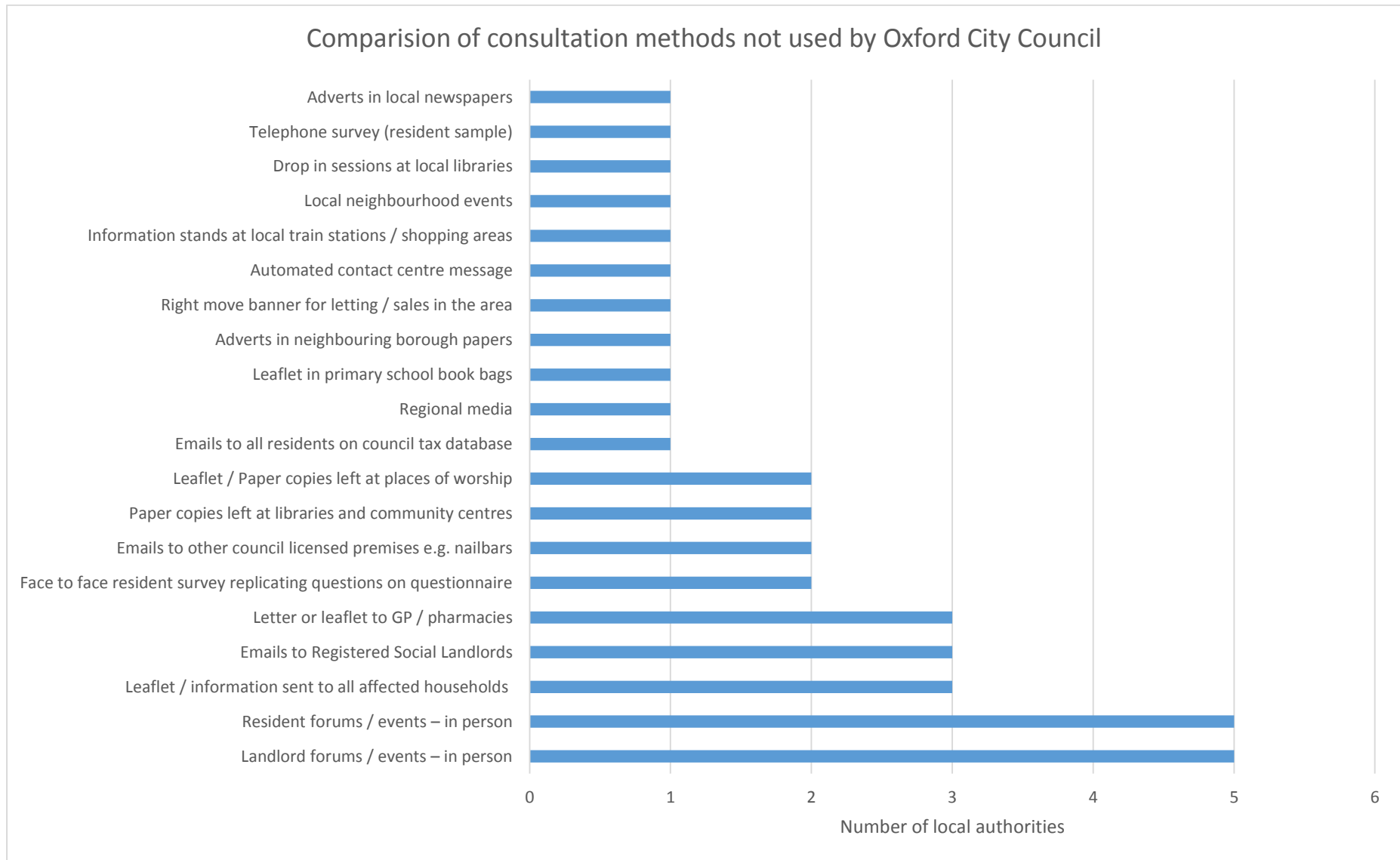
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Figure 5: Consultation methods used by Oxford City Council compared to selected authorities



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Figure 6: Consultation methods NOT used by Oxford City Council compared to selected authorities



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Limitations and Impact

Limitation	Impact
Inability to hold face to face consultation events for landlords	<p>It is acknowledged that some landlords will feel they were not able to participate and share views. However, over 1,000 landlords and 70 letting agents responded to the consultation and 148 landlords / agents participated in events.</p> <p>Comparison to other authorities that held face to face events demonstrates a similar turn out to virtual events as face to face events. Virtual events may have benefitted some landlords, though not needing to travel and ability to “hear and see” presentations more easily on personal computers.</p> <p>All current HMO licence holders were emailed to invite to participate in the consultation (or sent a letter where they did not have email). Over 5,600 letters were sent to persons on the council tax database thought to be landlords. It is considered the council has taken reasonable steps to consult landlords likely to be affected by the consultation and the views expressed by those landlords who did take part are likely to cover all landlord views.</p>
Inability to hold face to face consultation events for residents	<p>The inability to hold residents forums may have impacted the ability of some residents to give views. It is appreciated that some people may feel they could not have expressed their views by not being present in person. A specific residents’ focus group was held. This was limited to 12 persons to allow in-depth conversations. Over 760 residents did respond to the questionnaire. Comparably, the proportion of residents to landlords completing surveys was second highest.</p> <p>Comparison with other authorities that held face to face events generally results in low turnout e.g. 10 to 60 persons. In 2015, we held local resident events in libraries and had very low turnout (max 10 to any event). Over 1,600 letters were sent to tenants.</p> <p>It is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.</p>
Inability for affected groups to gather face to face to discuss the consultation and submit a response;	<p>It is acknowledged that this will have limited resident groups’ ability to gather to discuss their views. 12 resident associations and 4 parish councils were contacted in October and again in December. The Oxford Community Forum, who represent some Asian landlords in the city were contacted and were sent 60 paper questionnaires to enable their members without access to a computer to respond.</p> <p>Concerns were raised in the consultation that certain ethnic groups were not able to meet and formulate views as they would have liked to do so in pre-pandemic times. However, a specific stakeholder interview was arranged for this group to allow representatives to give views. It is also considered that during September / October that small groups could have met to give views.</p> <p>It is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.</p>
Reduced use of public transport, community	<p>It is acknowledged that reduced use of public transport, community centres etc would have limited the ability of persons to see advertisements and posters about the consultation. However, as resident participation is</p>

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centres, libraries etc that would prevent people from seeing / posters	comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Non – use of emails or letters to every person on council tax database	Some authorities have sent emails / letters to every property registered on council tax database. Oxford City Council undertook a more targeted approach – contacting those tenants in receipt of housing benefit and letters to those persons thought to be landlords. In this respect, we have made efforts to contact those <i>likely to be affected by the designation</i> . It is accepted that some residents may not have been aware of the consultation. However, as resident participation is comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Non – use of adverts in local papers	This method was only used by one other authority so it is not a popular method. While it would have given additional publicity to the consultation then it is not known if it would have increased responses. There were three stories in the local newspaper throughout the campaign and therefore, this could be considered an “advert”. A news story is also likely to be more “eye-catching” than an advert - In this respect, we have made efforts to contact those <i>likely to be affected by the designation</i> . As resident participation is comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Non – use of telephone surveys	This method was only used by one other authority so it is not a popular method. While it would have given additional resident views, from all sectors, it is unlikely to have raised different points. As resident participation is comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Non – use of face to face (doorstep) surveys	It was not possible to undertake face to face surveys due to COVID-19. However, this method was used by only two other authorities and so is not the most common method. A council does not have to undertake all methods available for consultation. As resident participation is comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Non – use of leaflet distribution e.g. local places of worship, school book bags, left at libraries / community centres	It was not possible to leave leaflets due to COVID-19. This could have created a transmission pathway. This method would have been of benefit to raise awareness – especially amongst minority groups by leaving leaflets at places of worship. However, lack of using this method does not mean the consultation is flawed. We offered a stakeholder interview to one community group – in this respect we have made efforts to contact those <i>likely to be affected by the designation</i> . As resident participation is comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.