

# Traveller Accommodation Programme

2014 – 2018



Adopted 13<sup>th</sup> January 2014

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## Introduction

The Housing (Traveller Accommodation) Act, 1998 requires Housing Authorities, to prepare and adopt a 5-year programme, or for such shorter period as the Minister may direct, to meet the existing and projected accommodation needs of Travellers. Under the provisions of this Act, Dún Laoghaire-Rathdown County Council is required to prepare and adopt a new Traveller Accommodation Programme.

The current Accommodation Programme covers the period 1<sup>st</sup> January 2009 to 31<sup>st</sup> December 2013 and the new Programme will cover the period from 1st January 2014 to 31st December 2018 inclusive.

Direction as to the preparation of the new Programme issued under Circular letter Housing 26/2013 from the Minister for Environment, Community and Local Government together with a "Memorandum on the Preparation, Adoption and Implementation of Local Authority Traveller Accommodation Programmes 2014-2018. The Minister has directed that the latest date for the adoption of the Programme is **30th April 2014**. Appendix D of this Programme sets out the guidelines and timescales for various stages for the preparation and adoption of the Programme as indicated in the Memorandum.

The Council's current Traveller Accommodation Programme 2009-2013, which was adopted in March 2009, has been reviewed as part of the preparation of this Accommodation Programme.

### 1.0 Policy Statement

- It is the Council's policy to ensure that all halting sites and grouped housing schemes will be managed and maintained to a high standard. The Council will continue with its programme of work to improve the standard of existing permanent Traveller specific accommodation and where necessary the upgrading of such accommodation. Dún Laoghaire-Rathdown County Council will continue to provide a comprehensive range of on-site services to Travellers including cleaning services, waste disposal, site maintenance services and a mobile caretaker service.
- The Accommodation Programme will operate within the context of relevant legislation which includes:  
Housing (Traveller Accommodation) Act 1998  
Housing (Miscellaneous Provisions) Act 2002  
Local Government Act 2001  
The Planning & Development Acts 2000-2006 as amended.  
Equal Status Acts 2000-2004 as amended
- Dún Laoghaire-Rathdown County Council will continue to engage on all Traveller issues through the local Traveller Accommodation Consultative Committee, Inter Agency Groups, National Organisations, Local Advocacy Groups.
- It is Dún Laoghaire-Rathdown County Council's policy to provide traveller specific accommodation for the county's indigenous Travelling Community. The Council regard a traveller household as "indigenous" where the household has been permanently

resident in the county for at least three years immediately prior to the adoption of Dún Laoghaire-Rathdown County Council's Traveller Accommodation Programme 2014-2018.

However, this does not preclude members of the Travelling Community not assessed for 2014-2018 Programme from applying for Traveller specific or Standard housing accommodation.

- Unauthorised encampments will be dealt with in accordance with the appropriate legislation.
- Nothing in this Programme shall prevent the Manager from exercising the powers conferred under Section 2(9) of the City and County Management (Amendment) Act 1955, (as amended by Section 27 of the Housing Act 1988) and Section 24 of Housing (Traveller Accommodation) Act 1998 in an emergency situation.
- The issue of transient sites has been discussed with the Traveller organisations, and at meetings of the LTACC. It is the view of Dún Laoghaire-Rathdown that transient sites should only be provided (if necessary) following the full provision of the Traveller specific housing requirement of Travellers indigenous to the Dún Laoghaire-Rathdown area.

It is proposed to continue discussing with the other Dublin Local Authorities the need for and, if necessary, identify suitable locations for such provision in order to provide for a co-ordinated approach to provision in the Dublin region.

- Anti-social behaviour impacts negatively on local residents, the wider community and Dún Laoghaire-Rathdown County Council staff. Anti-social behaviour such as, but not limited to, criminal damage, waste dumping and tampering with electricity supplies places an unacceptable burden on financial resources. It is Council policy that anti social behaviour will not be acceptable in any Council Traveller specific or standard housing accommodation. The provisions of the Housing (Traveller Accommodation) Act, 1998 the Housing (Miscellaneous Provisions) Act 1992 and the Housing (Miscellaneous Provisions) Act 1997, as amended, will be utilised where appropriate in the interests of good estate management. Should a Traveller contravene their tenancy agreement having been given due warnings to make good or desist from such contravention the Council will take whatever action is necessary including legal proceedings to remove the offending tenant/person. A person evicted for anti social behaviour will be deemed to have rendered him / herself homeless.
- It is Council policy that permanent halting sites will be no more than 5 bays. Travellers and Traveller interest groups have indicated that their preference is for small and moderately sized sites. No specific norm of site size will be specified, site size will be dependent on land availability and subject to the needs of family groupings within the Travelling community and those of the settled community.

## 2.0 Review of the Traveller Accommodation Programme 2009-2013

The Council, at its meeting on 9th March, 2009 adopted the Traveller Accommodation Programme 2009-2013.

### 2.1. Accommodation Needs 2009 - 2013

The Traveller Accommodation Programme 2009-2013 projected that the following accommodation would be required during the period of the Programme to meet existing and projected accommodation needs including provision for new family formation and migration:

<b>Table 1: Accommodation Requirement including family formation and migration 2009-2013 Traveller Accommodation Programme</b>			
<b>Existing categories of accommodation</b>	<b>Existing Families</b>	<b>Existing Permanent Units</b>	<b>5 year Projected need</b>
Halting Sites	14	15	26
Group Houses	24	27	12
Standard housing	32	32	21
Temporary/ Emergency	11	-	-
Roadside/ Unauthorised	10	-	-
Homeless	9	-	-
Private Rented	16	-	-
<b>Total</b>	<b>116</b>	<b>74</b>	<b>59</b>

### 2.2 Provision of Accommodation 2009-2013

The 2009 to 2013 Programme identified a requirement for 38 Traveller specific accommodation units and 21 standard houses to be provided.

During the life of the Programme 3 families have been accommodated in additional permanent Traveller Specific units and 50 casual vacancies were filled across the various halting site bays and group housing schemes.



*St. Michael's Park, Monkstown*

### **2.3 Refurbishment Programme of accommodation 2009-2013**

During the period of the 2009-2013 Programme the Council made significant progress in relation to the refurbishment of existing Traveller specific accommodation. Priority was given to this work as the Council wished to improve the living conditions of those families who had been living in the County for a considerable period and whose accommodation did not meet current standards for Traveller specific accommodation. The following is the current position in relation to these schemes:

- ❑ West Pier – Purpose built prefabricated units were fully refurbished in 2013.
- ❑ Nutgrove – The insulation was upgraded and external and internal painting carried out.
- ❑ Kilbogget – the units were insulated, windows upgraded, external and internal painting & roadway resurfaced.
- ❑ Monkstown –3 units of accommodation were fully reconstructed.

In addition, all of the accommodation provided by the Council was painted and planting works were undertaken in Booterstown.

### **2.4. Constraints on implementing the Traveller Accommodation Programme 2009- 2013**

#### **2.4.1 Site ownership**

A number of proposed sites identified in the Traveller Accommodation Programme 2009-2013 are not in the ownership of the Council. Many of these sites have been the subject of extensive negotiations over the years e.g. Enniskerry Road, Bird Avenue, UCD.

## **2.4.2 Economic downturn**

Since the adoption of the Traveller Accommodation Programme 2009-2013 in 2009, the funding available for the housing capital programme has declined significantly. This has had substantial implications for both the Traveller-specific budget and also the general social housing budget, under which the accommodation for Travellers is also provided.

## **2.4.3 Resources**

When they occur, considerable time and effort was spent on dealing with unauthorised sites or with unauthorised additional families on permanent halting sites or group housing schemes during the period of the 2009-2013 Programme.

# **3.0 Assessment of Need for 2014 – 2018 Programme**

## **3.1 Introduction**

The Housing (Traveller Accommodation) Act, 1998 requires housing authorities to carry out an assessment of the accommodation needs of Traveller households for whom accommodation will be required during the period of the Programme. This assessment must also include an assessment of the need for transient sites. Notice of the carrying out of the assessment was published in the local newspapers circulating in the area and was also sent to the relevant statutory bodies, The Housing Strategic Policy Committee, The Traveller Interagency Steering Group, the Local Traveller Accommodation Consultative Committee, Irish Traveller Movement and Southside Travellers.

A survey of Traveller families living in the County was carried out in September 2013. Staff from the Traveller Accommodation Unit visited halting sites and group housing schemes and interviewed as many Travellers as possible in the County at the time of the survey to determine preference for accommodation requirements. Any traveller who was not contacted as part of the survey was telephoned a number of times to identify the accommodation needs of Traveller families over the length of the programme.

The assessment covered both existing needs and future projected needs of individuals who are of age over the lifetime of the programme. A range of accommodation options were offered i.e. standard and grouped housing, halting sites, private rented accommodation and transient sites. Families who currently have accommodation provided by Dún Laoghaire-Rathdown County Council were also asked if they were satisfied with the existing accommodation provided to them.

The response rate to the assessment was 89% which is extremely high. In helping to achieve this high rate of response, the role played by Southside Travellers in making traveller families aware and explaining the assessment is recognised and acknowledged.



### 3.2 Existing Traveller Accommodation Needs

The survey results show that there are 114 Traveller families resident in the County in various forms of accommodation including standard housing, group housing, halting sites, temporary/emergency sites, unauthorised/sharing and private rented.

Table 2 below indicates the existing accommodation circumstances of Travellers in the County: -

<b>Table 2: Existing Traveller Accommodation Circumstances</b>		
<b>Accommodation Type</b>	<b>No. of Families</b>	<b>%</b>
Grouped Housing	22	19
Halting Site	22	19
Standard Housing	34 (78)	30
Temporary Bays	6	5
Sharing Accommodation	5	5
Unauthorised	1	1
Private Rented	10	9
Homeless	14 (36)	12
<b>Total</b>	<b>114</b>	<b>100 %</b>

This Table shows that 78 families are in permanent accommodation, which is an increase of 11% during the period of the 2009–2013. Of the remaining 36 families currently without permanent accommodation, 6 families are in temporary sites provided by the Council at 3 locations, the need to regularise this forms part of the 2014 – 2018 programme. 14 families/individuals are living on a continuous basis in homeless accommodation. There are 5 families sharing accommodation with other families, 1 family on an unauthorised site, and 10 families are now in private rented accommodation.

As part of the assessment, families were asked to state their satisfaction with their existing accommodation. Of the 56 families currently living in Traveller Specific Accommodation provided by the Council, 25 are satisfied with their accommodation type.

Of the 31 families who expressed dissatisfaction with their current accommodation, they have indicated the following preferences:

- 10 currently living in Grouped Housing but prefer Standard Housing
- 4 currently living in Halting Sites but prefer Standard Housing
- 17 currently living in Halting Sites but prefer Grouped Housing

Of the 14 persons in homeless accommodation, 34 persons in Standard Housing and 10 persons in Private Rented accommodation, 3 responses were received

one response in each category in all cases they indicated a preference for Standard Housing.

Of the 28 families currently living in temporary and permanent halting sites, 19 have expressed an interest in either grouped or standard housing, some of whom have expressed a wish to have their bays converted to Grouped Housing. It is proposed to examine the possibility of the conversion of some of these units within the lifetime of the 2014-2018 programme as they become vacant subject to planning requirements and the availability of the necessary funds and resources.

The assessment showed there are a total of 56 families living in Traveller Specific Accommodation in the County of which 44 families have permanent accommodation and 6 families are currently living in temporary halting sites provided by Dún Laoghaire-Rathdown County Council. 5 families are currently sharing accommodation and 1 family in an unauthorised site. 37 individuals are currently over 18 years and 28 individuals will reach 18 years of age before 2018.

### **3.3 Assessment of future accommodation needs**

#### **3.3.1. Introduction**

In accordance with the provisions of the Housing (Traveller Accommodation) Act 1998 and the Minister's direction, an assessment of the projected accommodation needs of Traveller families arising during the duration of the Programme i.e. 1<sup>st</sup> January 2014 to 31<sup>st</sup> December 2018 has been carried out.

There are 36 existing families to be accommodated as part of this programme. 10 are in Private Rented, 14 in Homeless Accommodation, 5 sharing, 6 in Temporary Halting Sites and 1 in an unauthorised site.

28 children will reach the age of eighteen in the period 2014 to 2018. Based on the Council's experience during the 2009 - 2013 Programme it is estimated that accommodation will be required for 25% of the Traveller children who will reach the age of 18 during the lifetime of this Programme. This represents 7 units of accommodation.

In addition there are 37 individuals who have already reached 18 currently living with their parents, it is estimated that 50% of these will require their own accommodation during the life of the programme, which represents 19 units of accommodation.

**The total accommodation need for the 2014 – 2018 Programme, therefore is 36 family units for existing families in need, 7 units for persons who will reach the age of 18 in the lifetime of the programme and 19 units for persons who are already over the age of 18, giving a total need of 62 units of accommodation. These will be achieved by refurbishing existing vacant units, construction of new units, casual vacancies and standard social housing units.**

### 3.3.2. Migration

It is Dún Laoghaire-Rathdown County Council's policy to provide traveller specific accommodation for the county's indigenous Travelling Community. The Council regard a traveller household as "indigenous" where the household has been permanently resident in the county for at least three years immediately prior to the adoption of Dún Laoghaire-Rathdown County Council's Traveller Accommodation Programme 2014-2018. However, this does not preclude members of the Travelling Community not assessed for the 2014-2018 Programme from applying for Traveller specific or Standard housing accommodation.

A number of families who had been resident in the County during the assessment carried out for the 2009-2013 Programme left the County and the majority of them are at various locations in the greater Dublin and Leinster areas.

### 3.4. Conclusions from Assessment

#### 3.4.1. Introduction

Having assessed the accommodation requirements of existing Traveller families in the County, the projected need due to family formations and migration, the following section sets out a summary of the various types of accommodation required during the Traveller Accommodation Programme 2014 – 2018.

#### 3.4.2

**Table 3: Accommodation Requirements for 2014 – 2018 Programme**

Type of Accommodation	Existing & Projected Families	Existing Permanent Accommodation	Net requirement
Grouped House	22	30	30
Halting Site	22	23	8
Standard House	34	34	15
Temporary Halt. Site	6	-	
Sharing Accom.	5	-	
Unauthorised	1	-	
Private Rented	10	-	
Homeless	14	-	
Currently <18	19		
Will be 18 by 2018	7		
<b>TOTALS</b>	<b>140</b>	<b>87*</b>	<b>53</b>

\*87 includes 9 units that are due to be refurbished.

The total need of 62 units will be satisfied by the 9 refurbished units and the additional 53 units of accommodation required.

While there is a large increase in the percentage of families expressing an interest in standard social housing units the availability of accessing social housing units is limited. The Traveller Accommodation Unit of the Council will work with families in developing tenancy awareness and skills.

Of the tenants who expressed an interest in traveller specific accommodation, the preference was 20% for halting site and 80% for grouped housing.

Some of the existing tenants in halting sites have expressed an interest in grouped housing. Dún Laoghaire-Rathdown County Council proposes to examine the possibility of converting some halting site bays into grouped housing as they become vacant, subject to planning requirements, finances and resources being available.

### 3.4.3. Casual Vacancies

It is not possible to predict when casual vacancies will arise over the life of the programme. It is the Council's intention to re-let these units as quickly as possible to applicants on the traveller specific housing list.

## 4.0. Meeting Identified Needs

### 4.1. Traveller Specific Accommodation

It is proposed to meet the needs for Traveller Specific Accommodation from the Council's programme which is set out in Table 4 below: -

<b>Table 4: Halting and Group Housing Programme</b>	
<b>Halting Site Programme</b>	<b>No. of bays</b>
Cloragh	3
Kilternan, Glenamuck Road	4
West Pier	3
	<b>10</b>
<b>Group Housing Programme</b>	
Enniskerry Road	4
Bird Avenue	3
Lehaunstown	5
Mount Anville Road	5
Pottery Road	5
Stillorgan Grove	6
Rathmichael Road	5
University College Dublin	5
	<b>38</b>

The following is a summary of the current position in relation to each of these sites:

- ❑ Bird Avenue –located at the site of the Marist Fathers site and was provided subject to conditions of a planning application. The land is currently not in the ownership of the Council.
- ❑ Cloragh – the site is in Council ownership and at preliminary design stage.
- ❑ Enniskerry Road – site not in ownership of the Council but negotiations will continue regarding its acquisition.
- ❑ Kiltiernan, Glenamuck Road – the site is within County Council ownership and is dependent on the road widening scheme which is part of the Kiltiernan/ Glenamuck Local Area Plan.
- ❑ Lehaunstown – site identified on the 2010 – 2016 County Development Plan. Provision for traveller accommodation is provided for in the Cherrywood Strategic Development Zone scheme which is currently awaiting approval by An Bord Pleanála.
- ❑ Mount Anville Road – this site is in Council ownership and is currently at the pre-design stage.
- ❑ Pottery Road – the site is in ownership of the Council. The Pottery Road Widening Scheme has commenced.. Development of the traveller accommodation scheme will be considered after completion of the road improvement scheme.
- ❑ Rathmichael Road – a temporary site has been created at this location. The majority of tenants from this site have been housed in permanent accommodation. Further development of this site is dependent on the provision of infrastructure.
- ❑ Stillorgan Grove – the land is not in the ownership of the Council. The site was identified for a Halting site in the 2009 – 2013 Traveller Accommodation Programme. Its use has now been altered to accommodate Grouped Housing.
- ❑ West Pier – the site is in Council ownership and is currently in use as a Temporary Halting Site.
- ❑ U.C.D. – the land is not in the ownership of the Council but negotiations will continue regarding its acquisition. The site was identified for a Halting site in the 2009 – 2013 Traveller Accommodation Programme. Its use has now been altered to accommodate Grouped Housing.

## **4.2. Temporary/Emergency Halting Sites**

The Council will continue, where possible, to provide temporary halting site accommodation for Travellers who are in need of accommodation and who are permanently resident in the County. Facilities will be provided in these sites and they will continue in operation until the families are allocated permanent accommodation.

## **4.3. Design of halting sites**

It is Council policy that permanent halting sites will be no more than 5 bays. Travellers and Traveller interest groups have indicated that their preference is for small and moderately sized sites. No specific norm of site size will be specified, site size will be dependent on land availability and subject to the needs of family groupings within the Travelling community and those of the settled community.

All new permanent sites will be designed to meet the requirements of the Department of the Environment, Heritage and Local Government Guidelines and all designs for new sites will be brought to the Local Traveller Accommodation Consultative Committee. Preferences of travellers for Grouped Housing rather than halting sites will be taken into consideration at design stage.

## **4.4. Standard Local Authority Housing**

In Section 3 it has been identified that 14 Traveller households may require accommodation in standard local authority housing during the period of this Programme. Offers of standard local authority housing will be made in accordance with the Council's Scheme of Letting Priorities and having regard to the Council's policy in relation to anti social behaviour and attendance at pre tenancy training programmes.

## **4.5 Private Rented**

Currently there are 10 families/individuals living in Private Rented accommodation. The assessment has not identified any Traveller families as having chosen private rented accommodation as their first preference. However, the access to private rented options (including the RAS scheme) is retained in the 2014 – 2018 Programme as it provides a broader range of accommodation for Travellers, which is in line with Action G in the Interagency Strategy to broaden accommodation options for Travellers.

## **4.6 Transient Sites: 2014-2018**

The issue of transient sites has been discussed with the Traveller organisations, and at meetings of the LTACC. It is the view of Dún Laoghaire-Rathdown County Council that transient sites should only be provided (if necessary) following the full provision of the Traveller specific housing requirement of Travellers indigenous to the Dún Laoghaire-Rathdown area.

It is proposed to continue discussing with the other Dublin Local Authorities the need for and, if necessary, identify suitable locations for such provision in order to provide for a co-ordinated approach to provision in the Dublin region.

## **4.7 Refurbishment Programme**

Designs for the refurbishment of the Grouped Housing Scheme in Glendruid are currently being advanced with a view to seeking tenders for the work in early 2014.

Subject to the availability of funding from the Department of the Environment, Community and Local Government it is proposed to commence refurbishment of this scheme in 2014.

## **5. Consultation**

### **5.1 Introduction**

With the exception of the provision of temporary/emergency sites it is the intention of the Council to consult with as many people as possible who are concerned with or affected by proposals for Traveller accommodation. Those who will be consulted include the Local Traveller Accommodation Consultative Committee, community and interest groups, Travellers, and the public in general.

### **5.2 Submissions**

As part of the preparation of this programme submissions were requested. Southside Travellers Action Group and The Irish Traveller Movement made submissions which were taken into consideration as part of this programme.

### **5.3 Local Traveller Accommodation Consultative Committee**

The Local Traveller Accommodation Consultative Committee will play a key role in the consultation process and will with the exception of the provision of temporary/emergency sites be consulted on matters relating to Traveller accommodation and other issues relating to Travellers.

### **5.4. Community/Interest Groups**

It is proposed that Council officials will attend meetings, if requested, to outline proposals for permanent Traveller specific accommodation for particular areas. The Part 8 Planning process under the Local Government (Planning & Development) Regulations 2001 to 2007 and the Planning and Development Acts 2000 to 2006, as amended, will apply in respect of all proposals for permanent Traveller specific accommodation. Proposals for the development of temporary/emergency sites will not be subject to the Part 8 process.

### **5.5. Traveller Accommodation Unit**

The Traveller Accommodation Unit is responsible for keeping both the general public and also Travellers informed with regard to the development of proposals for permanent Traveller specific accommodation in the Programme. Appropriate staff from this Section will attend meetings with the settled community or Travellers to discuss and inform them of any matters relating to the provision of permanent Traveller specific accommodation that affect them.

## **5.6 Emergency Situation**

Notwithstanding the above commitments nothing in this Programme shall prevent the Manager from exercising the powers conferred under Section 2(9) of the City and County Management (Amendment) Act 1955, (as amended by Section 27 of the Housing Act 1988) and Section 24 of Housing (Traveller Accommodation) Act 1998 in an emergency situation.

## **6.0 Management and Maintenance**

### **6.1 Introduction**

It is the Council's policy to ensure that all halting sites and grouped housing schemes will be managed and maintained to a high standard. The Council will continue with its programme of work to improve the standard of existing permanent Traveller specific accommodation and where necessary the upgrading of such accommodation.

### **6.2 Tenancy Agreement**

All tenants will be required to sign a tenancy agreement irrespective of what type of accommodation they occupy. The Council will continue to provide a copy of the tenancy agreement to all tenants and explain its contents before a tenant signs the agreement.

### **6.3. Anti Social Behaviour**

It is Council policy that anti social behaviour will not be acceptable in any Council Traveller specific or standard housing accommodation. The provisions of the Housing (Traveller Accommodation) Act, 1998 the Housing (Miscellaneous Provisions) Act 1992 and the Housing (Miscellaneous Provisions) Act 1997, as amended, will be utilised where appropriate in the interests of good estate management. Should a Traveller contravene their tenancy agreement having been given due warnings to make good or desist from such contravention the Council will take whatever action is necessary including legal proceedings to remove the offending tenant/person. A person evicted for anti social behaviour will be deemed to have rendered him / herself homeless.

### **6.4 Rent**

Tenants are required to pay rent for the type of accommodation they occupy. The rent may be revised from time to time but no more than once a year. Rent will be charged in accordance with the Differential Rent scheme.

Non-payment of rent will result in repossession proceedings being instigated, as is the norm with standard housing. A person evicted for non-payment of rent will be deemed to have rendered him / herself homeless.



## **6.5 Pre let repairs**

Prior to the letting of Traveller specific accommodation the Council will ensure that the necessary pre-letting works are carried out and will advise the prospective tenants accordingly.

## **6.6 Maintenance Requests**

All tenants of Traveller accommodation are given a copy of the Tenant's handbook and they will be formally advised as to what their responsibilities are with regard to maintenance. The Council will record maintenance requests in respect of Traveller specific accommodation. The person requesting the work will be notified as to whether said work is the responsibility of the Council or the tenant. Where work is the responsibility of the Council an estimated time frame based on the priority status of the work will be notified to the tenant. Works of an emergency nature will continue to receive immediate attention. In order to ensure value for money and in accordance with best practice, it is Council policy to divert as much of its financial resources as possible away from emergency maintenance towards planned maintenance.

## **6.7 Tenant Responsibilities**

The Council will continue to work with community development agencies to ensure that all Travellers are aware of their responsibilities as tenants of Council accommodation. It is further intended that appropriate training will be organised and guidelines developed to ensure that the day-to-day obligations of keeping sites/houses in an acceptable condition are fully understood by and complied with by persons occupying Council accommodation.

## **6.8 Tenant Participation in Estate Management**

As far as possible Tenant participation in the management and maintenance of schemes will be encouraged. The Council will, in consultation with the Local Consultative Committee, re-commence a tenant participation estate management scheme in one halting site and in one grouped housing scheme. As part of this scheme it is intended to investigate the possibility of providing play space for children in suitable locations where practicable.

## **6.9 Accommodation Working Group**

Management and maintenance issues will be reported on at each meeting of the Local Traveller Accommodation Consultative Committee. In addition, a Working Group has recently been set up to discuss the issues affecting travellers.

## **6.10 Resident/Community Groups**

The Council will, if required, meet with representatives of any resident groups or other community groups to discuss any matters relating to the management and maintenance of Traveller accommodation in their area.

## **7.0 Unauthorised Sites**

The law regarding unauthorised sites is outlined in the Housing (Traveller Accommodation) Act 1998 and the Housing (Miscellaneous Provisions) Act 2002. The Council will continue to use these powers where appropriate. In addition, in areas where High Court injunctions are in place the Council will continue to seek the enforcement of these orders.

## **8.0 Other Matters**

### **8.1 Support**

The Council recognises the role of Southside Traveller Action Group as a Community Development Group and its role in supporting Travellers to participate and represent their collective needs in the County. In addition, Southside Travellers Action Group provide a Resource Centre for Travellers in the County. This Centre runs a number of personal and community development programmes and provides a focus point for Travellers.

### **8.2 Local Travellers Accommodation Consultative Committee**

The Local Travellers Accommodation Consultative Committee comprises Councillors, members of Southside Travellers Action Group, representatives of the travelling community themselves and Council officials. The Committee has changed the time and venue for its meetings and participation among the travelling community has increased. It is hoped that the success can be built on for the duration of the 2014 – 2018 programme.

### **8.3 Strategic Policy Committee**

The Housing Strategic Policy Committee meets quarterly to formulate policy on housing issues.

### **8.4 Interagency Strategy “ Better Services for Travellers”**

Dún Laoghaire-Rathdown County Council adopted a strategy for Inter-Agency Co-operation in the delivery of services and Supports to the Traveller population in its administrative area. The agency meets on a regular basis to discuss the issues affecting travellers.

### **8.5 Promotion of Policy**

The Council will ensure to the best of its ability that the contents of the policy document are made known to all residents of the County including Travellers.

### **8.6 Support Resources**

The Department of Environment, Community & Local Government will be approached for funding for the provision of Support Resources to augment the efforts of the Council.

## **9.0 Strategy and Implementation Statement**

### **9.1 Introduction**

Dún Laoghaire-Rathdown County Council is the implementing authority in this County for securing the implementation of the Traveller Accommodation Programme 2014 - 2018. It is the Council's objective to provide accommodation for all Travellers who took part in the assessment within the lifetime of the Programme.

The Traveller Accommodation Unit has been designated to deal with all matters arising from the implementation of the Housing (Traveller Accommodation) Act, 1998. This section is responsible for ensuring that all parties concerned with Traveller accommodation are kept informed with regard to the development of proposals for permanent Traveller specific accommodation in the Programme.

### **9.2 Provision of Accommodation**

The Council will provide a variety of accommodation for Travellers including halting sites, grouped housing, private rented and standard housing to meet their needs. Traveller specific accommodation will be provided with the financial assistance of the Department of the Environment, Heritage and Local Government.

Notwithstanding the foregoing, the Council will consider any applications from approved voluntary housing bodies that wish to provide Traveller specific accommodation to meet the needs identified in this Programme.

In addition, the Council will facilitate any Traveller household who qualifies for and wishes to avail of the Rental Accommodation Scheme to meet their housing needs.

The Council will continue, where possible to provide temporary/emergency halting site accommodation for Travellers who are in need of accommodation and who are permanently resident in the County. Facilities will be provided in these sites and they will continue in operation until the families are allocated permanent accommodation.

### 9.3 Annual Targets

It is estimated that **62** permanent units of accommodation will be required over the next five years. The following targets have been set, subject to the availability of finance for the provision of these units:

<b>YEAR</b>	<b>Grouped</b>	<b>Halting Sites</b>	<b>Standard</b>
<b>2014</b>	<b>8 (refurb)</b>	<b>1 (refurb)</b>	<b>3</b>
<b>2015</b>	<b>7</b>	<b>4</b>	<b>3</b>
<b>2016</b>	<b>7</b>		<b>3</b>
<b>2017</b>	<b>7</b>	<b>4</b>	<b>3</b>
<b>2018</b>	<b>9</b>		<b>3</b>
<b>Total</b>	<b>38</b>	<b>9</b>	<b>15</b>

Travellers may also be accommodated through casual vacancies, which arise in existing accommodation during the course of the programme and through the conversion of Halting Sites to Grouped Housing systematically as they become vacant.

### 10 Review of 2014 – 2018 Traveller Accommodation Programme

The programme will be kept under review and an overall review will be undertaken **not later than 31<sup>st</sup> December, 2016**.

## **APPENDIX A - Definitions**

### Definitions

#### Permanent Halting Site

A permanent halting site is a site with individual bays, with a full range of services provided in a small structure on each bay.

#### Temporary/Emergency Halting Site

A temporary/emergency halting site is a site, which provides basic facilities for families awaiting permanent accommodation.

#### Transient Halting Site

A transient halting site is a site providing basic facilities for short-term use by families pursuing a nomadic way of life or visiting relatives.

#### Group Housing Scheme

A scheme of houses specifically built for members of the Travelling Community.

## APPENDIX B – Existing and Proposed Sites

### EXISTING TRAVELLER SPECIFIC ACCOMMODATION IN COUNTY

#### HALTING SITES

Aughmore Lane, Shankill	5 Bays
Burton Park, Leopardstown.	5 Bays
Woodpark, Sallynoggin.	3 Bays
Boosterstown Park	4 Bays
Wyckham Avenue, Ballinteer	3 Bays
St Michael's Park, Monkstown	3 Bays

#### GROUPED HOUSING

Nutgrove Crescent, Rathfarnham.	8 Houses
Kilbogget Grove, Kilbogget.	4 Houses
Ballyogan Grove, Ballyogan.	4 Houses
Glendruid, Ballybrack.	6 Houses*
Old Conna Avenue, Bray.	2 Houses
St Louise's Park, Blackrock	6 Houses

\* Closed for refurbishment

#### TEMPORARY/EMERGENCY SITES

Rathmichael Road (Temporary)	1 Bay
Glenamuck Road (Temporary Emergency)	3 Bays
West Pier (Temporary)	3 bays

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### PROGRAMME OF PROPOSED TRAVELLER SPECIFIC ACCOMMODATION

#### Location

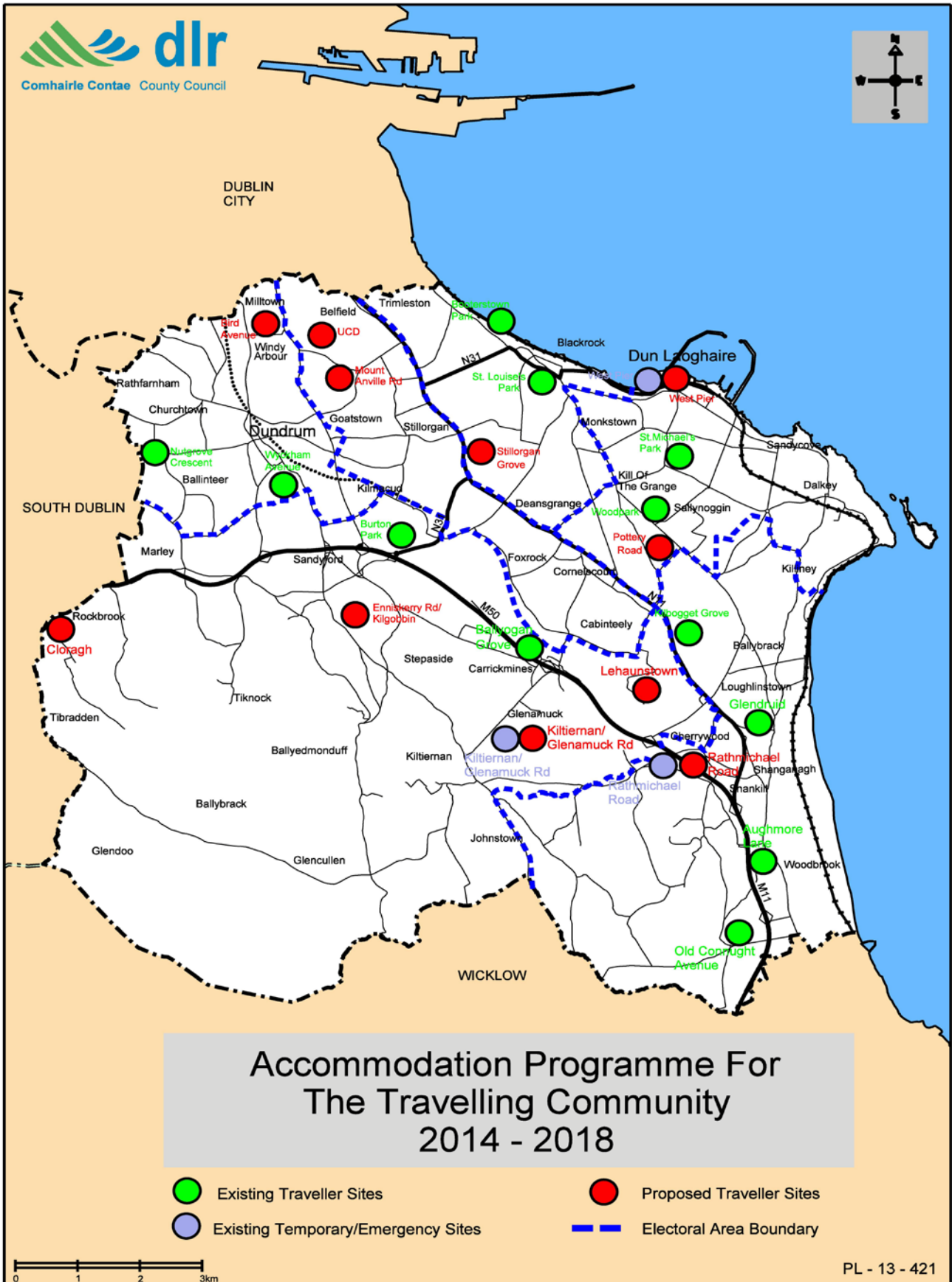
#### No. of Units

#### Halting Sites

Cloragh	3
Kiltiernan/Glenamuck	4
West Pier	3
	<b><u>10</u></b>

#### Grouped Housing

Enniskerry Road/Kilgobbin	4
Bird Avenue	3
Mount Anville Road	5
Pottery Road	5
Lehaunstown	5
Stillorgan Grove	6
Rathmichael Road	5
University College Dublin	5
	<b><u>38</u></b>



## APPENDIX D - Memorandum



Comhshaol, Oidhreacht agus Rialtas Áitiúil  
Environment, Heritage and Local Government

### **Memorandum on the preparation Adoption and implementation of local authority Traveller accommodation programmes 2014 – 2018**

**August 2013**





# **LOCAL AUTHORITY TRAVELLER ACCOMMODATION PROGRAMMES 2014-2018**

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### **PREPARATION, ADOPTION AND IMPLEMENTATION OF PROGRAMMES UNDER THE HOUSING (TRAVELLER ACCOMMODATION) ACT, 1998**

#### **Introduction**

This memorandum provides housing authorities with advice and guidelines on the preparation, adoption and implementation of their fourth Traveller accommodation programmes 2014-2018 under the Housing (Traveller Accommodation) Act, 1998. The memorandum incorporates specific directions issued by the Minister under the Act, which apply to the accommodation programmes.

The Memorandum covers the various provisions of the 1998 Act which govern the housing authorities duties in relation to preparation, adoption and implementation of accommodation programmes and related matters. These provisions: -

- require relevant housing authorities, in consultation with Travellers, to prepare and adopt by a date to be specified, accommodation programmes to meet the existing and projected accommodation needs of Travellers in their areas;
- allow for public input to the preparation and amendment of such programmes;
- oblige relevant housing authorities to take appropriate steps to secure implementation of programmes; and
- require planning authorities to include objectives concerning Traveller accommodation in their county/city development plans.

Part I of the memorandum deals with the provisions of the Act relating to the requirements on relevant housing authorities to consult other public bodies, Travellers and the general public with regard to the preparation, review or amendment of local Traveller accommodation programmes.

Part II of the memorandum deals with the preparation, content, adoption, implementation and review of local Traveller accommodation programmes.

Part III deals with the provisions of section 10(2)(i) of the Planning and Development Act, 2000 concerning the mandatory inclusion of appropriate objectives in county and city development plans to facilitate the provision of Traveller accommodation.

Part IV of the memorandum concerns the powers of housing authorities to provide, improve, manage and control a range of sites for caravans.

Attached to this memorandum is a Schedule setting out the main steps leading up to the adoption of accommodation programmes. It incorporates an indicative timescale in respect of the preparation and adoption of the new programme based on the latest date for adoption of the programmes which has been specified by the Minister i.e. 30 April, 2014. Relevant housing authorities are reminded that the adoption of a programme is a reserved function.

However, where members fail to adopt the programme by 30 April, 2014, or by a date not later than 21 days after that date as may be decided under section 13 of the 1998 Act, there is a requirement on the Manager to take the necessary measures to adopt a programme within a further period of one month. The adoption of accommodation programmes by all relevant housing authorities by the specified date is a critical feature of the Act in the interests of ensuring a comprehensive and integrated response to the identified needs.

Housing authorities are requested to adhere to the suggested timetable to ensure that they are in a position to comply with the statutory deadlines.

## **PART I - CONSULTATION**

### **1. Statutory Requirements**

The Act places a strong emphasis on consultation with all interests concerned. Accommodation programmes are required to be prepared in consultation with other local

public authorities, community and other bodies, Travellers, via the local consultative committee, and the public in general. The purpose of these consultation provisions is to ensure that the interests of all concerned with or affected by proposals for Traveller accommodation are considered and to facilitate a planned and comprehensive response by housing authorities to the accommodation needs of Travellers.

## **2. Local Consultative Committees**

Sections 21 and 22 of the Act provide that local Traveller accommodation consultative committees must be in place to facilitate consultation between housing authorities and Travellers and to advise on any aspect of accommodation for Travellers. County and City councils are required to appoint such committees for the purposes set out in subsections (1) to (4) of section 21 of the Act.

Where there are other relevant housing authorities i.e. borough councils and the town councils of Bray and Dundalk in an administrative county, the county council concerned is required to appoint a member from each such authority to the committee. The number of members of the appointing authority and of any other relevant housing authority appointed to a local consultative committee must not exceed one half of the membership. County councils should consider what further arrangements are necessary to facilitate an input from other housing authorities in the administrative county (i.e. town councils). As you are aware the Local Government Bill 2013 provides for the replacement of borough and town councils by municipal districts. Please give due consideration to these developments and their implications in the preparation of the new Traveller Accommodation Programme.

## **3. Role of Local Consultative Committees in preparation of programmes**

Apart from the role assigned to the local consultative committee under sections 21 and 22 of the Act, other provisions of the Act involve the committee -

- subsections (3), (4), and (7) of section 6 in relation to the assessment of needs;
- section 8(d) in relation to giving of notice on the preparation of draft programmes;
- section 9(2)(a) in relation to sending a copy of the public notice and of the draft accommodation programme to the local consultative committee;
- section 12 in relation to furnishing to the committee a copy of the draft programme submitted to the members of the authority; and

- section 15(c) in relation to furnishing a copy of the adopted programme to the committee.

#### **4. Accommodation Officer of ITM**

The Department provides financial support towards the employment by the Irish Traveller Movement of Accommodation Officers to support participation by Travellers and Traveller organisations on local Traveller accommodation consultative committees and in management and maintenance arrangements for Traveller accommodation, to develop a Traveller perspective on the provision of transient sites, and to foster a greater understanding among Travellers of the range of means by which their accommodation needs may be met. Where local Traveller support groups do not operate within a local authority's functional area, the authority may wish to consult an Accommodation Officer in relation to Traveller representation on their local consultative committees. (Irish Traveller Movement, 4-5 Eustace Street, Dublin 2, Phone (01) 679 6577 or E-mail [itmaccommodation@gmail.com](mailto:itmaccommodation@gmail.com) )

#### **5. Public Consultation**

The formal procedures to provide for consultation with the public before an accommodation programme or an amendment to or a replacement of a programme is adopted are in addition to consultation procedures under planning legislation, including consultation on development plans and any variations which may be required arising from section 10(2) of the Planning and Development Act, 2000, consultation on local authority developments including sites for caravans under Part 8 of the Planning and Development Regulations, 2001 and statutory consultation arising from Environmental Impact Assessments.

The methods of consultation outlined above are minimum requirements only. Where some housing authorities have broad based liaison or consultative committees on which community and other local groups are represented, the requirements of the Housing (Traveller Accommodation) Act, 1998, in relation to public consultation do not preclude these arrangements.

The Traveller Interagency Groups (TIG's) which were established under the County Development Boards and support interagency co-operation in the delivery of services and supports to the Traveller community should be included in the consultation process.

It will be a matter for individual local authorities to pursue other supplementary information

and public awareness exercises, as they consider appropriate, bearing in mind local circumstances. For example, local authority officials may attend or arrange public meetings on Traveller issues and arrange broadly based ad-hoc area committees to address problems arising. Local information campaigns could be organised involving the local media in the area with a view to fostering greater understanding between Travellers and the public.

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## **PART II - ACCOMMODATION PROGRAMMES**

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### **6. General**

Sections 5 to 18 of the Act provide for the detailed procedures leading to the adoption and implementation of Traveller accommodation programmes. Where a housing authority is in the process of implementing its existing accommodation programme and has not completed, or is not likely to complete, the implementation of its programme before its expiry, the outstanding elements of the programme may form part of the new programme to be prepared and adopted in accordance with sections 5 to 18 of the Act.

Section 5 is the interpretation section for Part II of the Act. It defines “relevant housing authorities” i.e. those housing authorities that are required under the Act to prepare and adopt local Traveller accommodation programmes. The relevant housing authorities are the 29 county councils, 5 city councils, 5 borough councils and Bray and Dundalk Town Councils. As you are aware the Local Government Bill 2013 provides for the replacement of borough and town councils by municipal districts. Please give due consideration to these developments and their implications in the preparation of the new Traveller Accommodation Programme.

## **7. Assessment of needs**

Section 6 requires each relevant housing authority, for the purposes of preparing a programme, in respect of their functional area, to make an assessment of the accommodation needs of Travellers who are assessed under Section 20 of the Housing (Miscellaneous Provisions) Act 2009 as being qualified for social housing support, including the need for sites. In making an assessment, a Housing Authority is required to have regard to:

- An estimate of the number of Travellers for whom accommodation will be required during the course of the programme.
- Any summary of social housing assessments prepared under section 21 (c) of the Housing (Miscellaneous Provisions) Act 2009
- The need for transient sites
- Views of the LTACC considered

### **Directions by the Minister**

*The Minister has, under section 6(1) of the 1998 Act, directed that relevant housing authorities for the purposes of preparing a Traveller Accommodation Programme in the functional area concerned, make an assessment of the accommodation needs of Travellers who are assessed under S.20 of the Housing (Miscellaneous Provisions) Act 2009 as being qualified for social housing support, including the need for sites.*

*The Minister has given a direction under section 6(5) of the 1998 Act, specifying that relevant housing authorities shall make an estimate of the projected accommodation needs of Traveller families arising during the duration of the programme (1<sup>st</sup> January, 2014 to 31<sup>st</sup> December, 2018).*

Relevant housing authorities are required to identify the accommodation needs of Traveller families to be met under the new programmes. This must relate to the existing accommodation needs and the projected need that will arise during the period of the programmes across a range of accommodation options including standard and group housing, permanent residential sites for caravans and transient sites provided directly by the housing authority or by approved housing bodies or individuals, with or without the assistance of the housing authority. The assessment of need for sites must include an assessment of the need for transient sites.

Pursuant to Section 21 of the 2009 Act, housing authorities were requested to prepare a summary of the social housing assessments carried out in their administrative areas as at 7<sup>th</sup> May, 2013. In conjunction with this process, each housing authority was requested to make an assessment of need for permanent residential caravan parks for Travellers, in addition to the likely increase in the need for accommodation arising from growth in the numbers of Traveller families. Housing Authorities should have regard to the information and the need for housing accommodation contained in the data, in addition to any other supplementary information on the accommodation needs available to the housing authority.

A housing authority should also undertake such additional inquiries as may be necessary, including consultation with Traveller families and any relevant Traveller support groups within the functional area of the authority, to ascertain a comprehensive picture of the existing and projected need for housing accommodation of Traveller families within their area for the period 2014 to 2018 to update their assessment of needs of Traveller families within their area.

#### **8. Date for adoption of accommodation programmes**

Section 7 requires each relevant housing authority to adopt an accommodation programme by resolution of the members by a date to be specified by the Minister.

#### ***Date Specified by the Minister***

*Under section 7(4) of the Act the Minister has specified 30 April, 2014, as the date by which accommodation programmes must be adopted.*

#### **9. Notice of Preparation of Accommodation Programme**

Section 8 of the Act requires authorities, before preparing a draft of an accommodation programme, to give notice in writing of their intention to do so to –

- (a) any relevant housing authority where the functional area of such relevant housing authority adjoins the functional area of the relevant housing authority preparing, amending or replacing the accommodation programme,
- (b) a town council which is not a relevant housing authority where the functional area of that town council is within or adjoins the functional area of the relevant housing authority preparing, amending or replacing the accommodation programme,



- (c) a HSE region where the functional area of that HSE region includes or adjoins the functional area of the relevant housing authority preparing, amending or replacing a programme,
- (d) the local consultative committee concerned,
- (e) such local community bodies as the relevant housing authority consider appropriate, and
- (f) such other body as the relevant housing authority concerned consider appropriate having regard to all the circumstances, including voluntary or non-profit making bodies that are engaged in the provision of accommodation, shelter and welfare or any of them in the functional area concerned. This category should also include any relevant local Traveller support groups in the functional area of the authority.

The authorities listed at paras (a) to (c) are those which are most likely to be affected by or have an interest in an accommodation programme. Included are those smaller town councils which adjoin or are within the functional area of the relevant housing authority preparing the programme. This provision in relation to prior notification of the authorities specified is an important mechanism for facilitating co-ordination between adjoining programmes (see also para. 25). It is envisaged that the normal channels for communication will be availed of to convey any concerns or other views of the authorities or bodies consulted. The section also gives a flexibility to relevant housing authorities to notify other bodies as the authority consider appropriate.

Traveller support groups operating within the functional area of the authority or the functional area of another authority within or adjoining the functional area of the relevant housing authority should be given notice under section 8.

a) **10. Date for issue of notice under section 8**

Section 8 does not provide for any specific date by which notice should be given of the preparation process. This notice should issue at as early a date as practicable. The important consideration is that sufficient time is given for groups to prepare a submission or to have an input to the process from an early stage.

**11. Other Consultative/Notification Procedures**

Notification of a body or an authority at this stage of the process is significant as other consultative/notification procedures automatically follow, i.e. –

- under section 9(2), a copy of the notice published in a newspaper and the draft of the accommodation programme being made available for public inspection must be sent to the notified bodies;
- under section 12, a copy of the draft accommodation programme which has been submitted to the members of the authority for adoption must be sent to the notified bodies; and
- under section 15, a copy of the adopted accommodation programme must be sent to the notified bodies.

**12. NOTICE OF DRAFT ACCOMMODATION PROGRAMME AVAILABLE FOR PUBLIC INSPECTION**

Under section 9, the draft accommodation programme must be made available for public inspection and such availability must be advertised in local newspapers. There are also other requirements in relation to the giving of notice under section 9, i.e. -

- (a) to send a copy of the notice and the draft accommodation programme to any authority, body or the local consultative committee notified under the requirements of section 8, and
- (b) to make arrangements for a copy of the notice to be displayed at other appropriate offices of the relevant housing authority.

Public libraries should be considered for the purpose of meeting the requirements at (b).

Interested individuals or groups have 2 months to submit in writing their views and comments on the draft. The timeframe as suggested in the attached Schedule allows the Manager of the relevant housing authority a further period of over 5 weeks to draw up a report for the members. (See also para. 21).

### **13. DURATION OF PROGRAMMES -**

Section 10 provides for the duration, form and content of accommodation programmes.

#### **Direction of the Minister**

*The Minister has, under section 10(1) of the 1998 Act, directed that the next accommodation programme should be for a period of 5 years and that the programme shall begin on the 1<sup>st</sup> January 2014.*

The power of housing authorities to develop and bring current proposals to construction between the expiry of the current programme and the adoption of the new programmes is assured by the provisions of section 23 of the 1998 Act.

### **14. Content of Programmes**

Section 10(2) of the Act requires that accommodation programmes contain at least the matters specified in that section in the interests of ensuring a high standard of quality and consistency of programmes.

#### **Direction of the Minister**

*Under section 10(2)(b) of the Act the Minister has directed that the information in relation to the needs to be met by the programmes shall be in summary form but in sufficient detail to show the needs for all categories of Traveller accommodation and the general area in which the accommodation is required.*

### **15. Policy Statement**

Section 10(2)(c) requires that a statement of policy in relation to meeting accommodation needs be included in the programme. This statement of policy should address general issues such as consultation with the interests concerned and specify goals and the timeframe within which needs are to be met. The policy statement should set out the authority's policy in relation to:

- the provision of permanent, emergency, temporary or transient accommodation
- including traditional halting sites and visitor facilities at permanent accommodation,

- the provision of back up, training and support for those waiting for accommodation and those provided with the accommodation of their choice;
- the position in relating to meeting the distinct needs and family circumstances of Travellers
- unauthorised encampments.

## **16. Strategy Statement**

Section 10(2)(d) requires that an accommodation programme should specify a strategy for securing the implementation of the programme. The strategy of the relevant housing authority should:

- identify the implementing authorities and other bodies and the resources required;
- describe how co-operation/co-ordination between implementing authorities will be secured;
- indicate the means of providing accommodation, distinguishing between direct provision by authorities concerned, and the assistance from those authorities to approved voluntary bodies or to private individuals;
- allow for information/awareness and consultative exercises directed at Travellers and the general public;
- detail the structures for the development of accommodation proposals;
- set out arrangements for management and maintenance of the accommodation;
- give details of procedures for dealing with problems arising; and
- specify the mechanisms for monitoring progress in implementing the programme.

## **17. Measures for Implementation**

Subsection 10(2)(e) requires that the programme must also include specific measures or proposals for each implementing authority or other party concerned. It is considered that such measures should cover:

- the provision of the range of accommodation required,
- assistance to Travellers to provide accommodation for their own use,
- assistance to approved voluntary bodies in respect of the provision or management of accommodation for Travellers, and
- arrangements for the proper management, including assistance towards the management, of the above accommodation.

**Direction of the Minister**

*The Minister has directed under section 10(2) of the 1998 Act that annual targets be included in the programmes in respect of the implementation of the programmes. The targets should include details of the numbers of units of accommodation proposed to be delivered for **each** of the five years of the programme for Traveller specific accommodation (group housing, bays on halting sites, including transient sites) both new and refurbished and for standard housing.*

These targets will be used to assess local authorities' progress annually under the service indicators initiative.

**18. Voluntary Housing, Rental Accommodation Scheme and other accommodation**

The programme should also take account of the possibility that some Traveller families, by the nature of their economic activity, are in a position to provide their own accommodation with or without the assistance of the local authority. A wide range of accommodation options is available to complement local authority provided accommodation for Travellers. These options are set out in the booklet "Accommodation options for Travellers" which issued to local authorities in 2000. Subsequent to that, the Rental Accommodation Scheme (RAS) was introduced for people in receipt of rent supplement allowances. RAS provides local authorities with an additional option for those with long-term housing needs. New leasing arrangements have also been introduced. Local authorities are requested to inform Travellers, support groups and other voluntary organisations concerned with the accommodation needs of Travellers, of the options available and to encourage and facilitate Travellers and Traveller organisations to avail of these options. Travellers and/or organisations wishing to provide sites or accommodation on their behalf should be advised to consult the planning authority before land is purchased or application for planning permission is made.

## **19. Need to have regard to Travellers' Distinct Needs**

Section 10(3) specifies matters to which regard must be had when preparing programmes. The purpose of the subsection is to ensure that the measures for the provision of accommodation to be included in the programme under section 10(2) will meet the identified needs for accommodation for Travellers, including, where appropriate, Traveller specific accommodation identified by the relevant housing authority. Regard must also be had to the need for transient sites i.e. for stays of short duration as distinct from sites or parks for caravans for use as a permanent home. Programmes should elaborate on this item in some detail including the results of this aspect of the assessment of needs for sites which the Minister has directed should be made in connection with the preparation of the new programme (see para. 7 above). Sites traditionally used at certain times of the year; sites for transient families, and facilities for regular visitors to residents of permanent accommodation at particular times of the year should be covered here.

## **20. Amendment of Draft Programme Following Public Consultation**

Section 10(4) makes it clear that a relevant housing authority has the power to amend the draft of an accommodation programme following completion of the public notice procedures under section 9 of the Act e.g. to take account of submissions made. It should be noted that, in availing of this discretion, relevant housing authorities would have to ensure that the draft programme complied with the requirements of the Act in relation to the preparation and contents of programmes.

## **21. ADOPTION OF PROGRAMME**

Section 11 requires the Manager of a relevant housing authority to submit a report to the members as soon as may be after the date by which submissions under the public consultation process referred to in section 9(1)(c) are to be received (see para. 12). The report must:

- (a) summarise the matters contained in such submissions,
- (b) specify the names of the persons who made such submissions,
- (c) specify the response of the relevant housing authority concerned to such submissions,  
and
- (d) indicate whether it is proposed to proceed with the draft of the accommodation programme or of the amendment to or the replacement of it, or to proceed with the draft as varied or modified in a manner indicated in the report, or not to proceed with such draft accommodation programme (see also para. 25 in relation to co-ordination of programmes).

Section 12 requires the manager to submit the report prepared under section 11 together with the draft accommodation programme to the members of the authority not later than 3 months before the date specified for adoption by the Minister so as to allow sufficient time for debate. The latest date for this is **30 January 2014** (see attached Schedule), which gives the minimum period of 3 months to the members to consider the report and programme.

Under section 13, the members are allowed up to a further three weeks to adjourn meetings at which the motion for adoption of a programme is being discussed. Section 13 is intended to cater for a situation where meetings may have to be adjourned for unexpected events or special occasions, holidays or other situations where meetings have to be adjourned from time to time.

Where a programme is not adopted within this period, then under section 14 the Manager is required to do so by order within one month. Section 14 is a mechanism to ensure that all relevant housing authorities adopt programmes and that they do so in the same period. The Manager may make any modifications he/she considers appropriate before adopting the programme, subject, of course, to the other overriding statutory requirements in relation to the preparation and contents of programmes.

## **22. PUBLICATION AND DISTRIBUTION**

Section 15 requires publication in at least one local newspaper of a notice that the accommodation programme has been adopted and indicating where, and the times at which, it may be inspected. A copy of the programme must be furnished to the members, the Minister, any town council whose functional area is situated within the functional area of the adopting authority, the local HSE region, the local Traveller consultative committee, and any other body previously notified of its preparation under section 8 of the Act, including local Traveller groups.

### **23. IMPLEMENTATION**

Section 16 requires the relevant housing authority to take any reasonable steps as are necessary for securing the implementation of the programme. Overall responsibility for securing the implementation of the programme rests with the relevant housing authority. It would be expected that the arrangements for compliance with this requirement would be set out in that section of the programme which outlines the strategy for implementation (see para. 16). Other housing authorities whose functional areas have been included in the accommodation programmes must also have regard to the provisions of the programmes when performing any functions in relation to Traveller accommodation (for example in allocating standard local authority housing to Travellers). Housing authorities will be aware of, and will have been involved in, the preparation of any proposals or measures directly affecting them as a result of the requirements in relation to the giving of notice under section 8. Arrangements should be put in place to monitor progress in implementation, including involvement of the local consultative committee (see also provisions under section 31 of the Act in relation to reporting of progress made in implementing programmes).

#### **Review of programmes**

Section 17 (1) (a) of the Housing (Traveller Accommodation) Act, 1998, provides that a relevant housing authority shall review its accommodation programme at least once in each three-year period, or at such time as directed by the Minister. Any amendment to the accommodation programme proposed following any such review must be made within seven months and is subject to the same procedures and requirements, including public consultation.

#### **Direction of the Minister**

*The Minister has, under section 17(1) of the 1998 Act, directed that a review of the next accommodation programme should be carried out no later than **31<sup>st</sup> December, 2016**.*

This provision also allows for more frequent reviews to be carried out, if required.



### **JOINT OR CO-ORDINATED PROGRAMMES**

Under section 7(2) of the Act programmes may be adopted jointly by two or more local authorities and, under section 18, authorities must do so if required by the Minister after consultation with the authorities concerned. Relevant housing authorities and, in particular, borough councils and the town councils of Bray and Dundalk, may wish to give favourable consideration to the preparation of joint programmes with adjoining authorities or, in the case of the town councils referred to, the councils of the administrative county in which they are situate. Co-ordination of programmes is, of course, facilitated by the prior notice requirements of section 8 in relation to adjoining authorities.

### **EMERGENCY SITUATIONS**

Section 24 allows a Manager of a local authority to carry out works necessary for the provision of a reasonable standard of accommodation in an emergency situation using powers under section 138(4) and (5) of the Local Government Act, 2001.

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## **PART III - DEVELOPMENT PLANS**

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### **27. COUNTY AND CITY DEVELOPMENT PLAN**

Section 10(2)(i) of the Planning and Development Act 2000 requires that county and city development plans must include objectives for the provision of accommodation for Travellers and the use of particular areas for that purpose. This requirement stems from a number of court judgements which pointed to the need to ensure that county and city development plans contain suitable provisions to facilitate the provision of Traveller accommodation and that any existing provisions do not unnecessarily constrain proposals for Traveller accommodation.

28. Local authorities should re-examine, in consultation with their planning staff and with legal advisers if considered necessary, the adequacy of existing provisions in development plans or proposals for variations, particularly in the light of proposals for Traveller specific accommodation in their draft programmes. The purpose of the review is to ensure that any existing or new proposals for the provision of accommodation for Travellers are not in contravention of the development plan and the provisions of the plan will enable the implementation of the new accommodation programme, when adopted. It is a matter for the planning authority as to how objectives are to be worded, having regard to local circumstances.

It is essential that there is sufficient land with the objective for the provision of accommodation for Travellers and the use of sufficient areas for that purpose having regard to the contents of the accommodation programme. In particular, it is essential that such zoning objectives be provided in respect of areas in which it is indicated by the programmes that such accommodation will be provided.

Local authorities should consider bringing forward any proposals for variations to their development plans arising from proposals for Traveller specific accommodation in their draft accommodation programmes for consideration by the elected members at the same time as the submission of the draft accommodation programmes to the members for adoption. This will facilitate the simultaneous approval of both sets of proposals, thereby avoiding any gap between approval of the programme and of the variation of the development plan.

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## **PART IV - SITES FOR CARAVANS**

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### **Powers to provide sites for caravans**

Section 29 of the 1998 Act amended section 13 of the Housing Act, 1988, by the substitution of a revised section. This clarified the powers of housing authorities to provide, improve, manage and control a range of sites for caravans, including sites with limited facilities, (i.e. transient sites or temporary sites pending the provision of permanent accommodation) and to enable the Minister to issue guidelines for the various site types. The definition of “sites with limited facilities” sets out the minimum requirements for services/facilities at such sites.

### **Guidelines issued by the Minister**

The Minister has issued the following Guidelines under section 13(6) of the Housing Act, 1988, as amended by the 1998 Act.

Permanent Residential Parks for Caravans,

Basic Services and Facilities for Caravans Pending the Provision of Permanent Accommodation,

Guidelines for Accommodating Transient Traveller Families,

Guidelines for Group Housing for Travellers, and

Guidelines on Consultation Mechanisms concerning Traveller specific accommodation projects.

These Guidelines were prepared in consultation with interests concerned, including representatives of local authorities and Travellers under the auspices of the National Traveller Accommodation Consultative Committee.

Housing authorities must have regard to the Guidelines in developing their proposals for the provision of accommodation and in the preparation, adoption and implementation of accommodation programmes

### **Basic Services and Facilities for Caravans**

Pending the provision of suitable permanent accommodation, local authorities should review the position of Travellers on the roadside or other unauthorised sites in their functional area in the light of the Guidelines on Basic Services and Facilities for Caravans and seek to improve the position of these families by considering making available such services, including water, toilets and waste removal if there are no significant legal, planning, environmental, social, technical or other restraints in so doing. The question of further closures of traditional or unofficial halting sites should also be reviewed pending the provision of adequate accommodation.

SCHEDULE

**TIME-SCALE FOR ADOPTION OF THE  
NEW TRAVELLER ACCOMMODATION PROGRAMME UNDER 1998 ACT**

<b>TIMESCALE/ DATES FOR NEW PROGRAMME</b>	<b>Procedures</b>
	<b><u>PREPARATION OF PROGRAMME - section 8</u></b> The date for notice of preparation of programmes should allow adequate time for public and community bodies to prepare their inputs to the drafting process.
<b>August/September 2013</b>	<b><u>ASSESSMENT OF NEEDS FOR SITES</u></b> - section 6(1) of the 1998 Act. 1 months notice of intention to make the Assessment.
<b>September, 2013</b>	Making of Assessment.
<b>Sept/October 2013</b>	Results of Assessments available.
<b>October, 2013</b>	Completion of draft programme
<b>22 October 2013</b>	Newspaper notice of draft programme available for inspection - section 9
<b>22 December, 2013</b>	Latest date for receipt of written submissions on draft programme - section 9(1)(c) - two month period is required for making of submissions
<b>30 January, 2014</b>	Latest date for submission of draft to members for adoption - section 12 (one month)
<b>30 April, 2014</b>	<b><u>ADOPTION OF PROGRAMME.</u></b> Specified date for adoption - section 7 - at least 3 months required between submission of draft programme to members and adoption of programme
<b>20 May, 2014</b>	Adjournment of council meetings - section 13 (21 days)
<b>21 June, 2014</b>	<b><u>FAILURE TO ADOPT</u></b> If failure to adopt, further 1 month allowed before the programme, as may be modified, is adopted by manager's order - section 14
<b>as soon as may be (say one week)</b>	Publication and submission to the Minister - section 15