



THE COUNCILS OF THE CITY AND COUNTY OF KILKENNY

TRAVELLER ACCOMMODATION PROGRAMME

2014 - 2018

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SECTION 1 INTRODUCTION

Kilkenny Local Authorities are committed to adopting a pro-active and flexible approach in meeting the challenge of providing accommodation for those in need and assisting others who can afford it to obtain their own accommodation. The provision of Traveller Accommodation and associated support services is a central part of the Local Authorities Housing Service Programme.

The Housing (Traveller Accommodation) Act 1998 provides a comprehensive framework within which Traveller Accommodation is provided and requires that each Housing Authority adopts a Traveller Accommodation Programme for its functional area. Kilkenny Local Authorities, in preparing the programme for 2014-2018 undertook an extensive public consultation process with all stakeholders including meaningful consultation with Travellers and their representatives. This consultation was undertaken following the key principles of '*Consultation Guidelines for Traveller Specific Accommodation Projects*' issued by the National Traveller Accommodation Consultative Committee in August 2008.

This process involved consultation with the Local Traveller Consultative Committee, the Housing Strategic Policy Committee, Agencies on the Traveller Interagency Group for County Kilkenny and members of the County and City Councils, Traveller and Local Development Organisations and other groups that have an interest in the provision of Traveller Services. By way of advertisements in the local press, written submissions were sought from members of the public and other groups that might wish to make a contribution towards the preparation of the programme. This process has resulted in the development of an accommodation programme for the period 2014-2018 which it is hoped will address the accommodation needs of Travellers in the City and County of Kilkenny.

SECTION 2 DEFINITIONS

The Council's of the City and County of Kilkenny for the purpose of this document will be referred to the Housing Authority and will for the purpose of this Programme refer to the administrative area of Kilkenny City and County as prescribed in Section 5 of the Housing (Traveller Accommodation) Act, 1998.

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SECTION 3 TRAVELLER ACCOMMODATION PROGRAMME 2009 - 2013

The Traveller Accommodation Programme for the period 2005-2008 was adopted on January 19th 2009 and February 9th 2009 by Kilkenny County and City Councils respectively and was reviewed pursuant to Section 17 of the Housing (Traveller Accommodation) Act 1998 in 2011.

Over its lifetime and despite ever increasing challenges, significant progress has been made in achieving the targets set out in the programme (53 families to be provided with permanent accommodation) This figure represents a 51 % increase on the targets set out in the 2005 - 2008 Programme.

From a total of 73 offers of accommodation made 56 families have been provided with permanent accommodation of their choice.

Table 1 below outlines the implementation measures set out in TAP 2009-2013 and provides us with the baseline by which to measure and evaluate progress made in the delivery of units of accommodation as identified.

Table 2 outlines the progress made to date in achieving these targets.

A comparative study between Table 1 and Table 2 indicates that Kilkenny Local Authorities was on target in delivering the number of accommodation units proposed in our programme.

Table 1

| | 2009 | | 2010 | | 2011 | | 2012 | | 2013 | | Total |
|---|----------|----------|----------|----------|----------|----------|-----------|----------|-----------|----------|-----------|
| | Current | Proj | Current | Proj | Current | Proj | Current | Proj | Current | Proj | |
| Standard Housing | 4 | 2 | 5 | 2 | 4 | | 5 | | 5 | 2 | 29 |
| Group Housing | | | 2 | | 4 | | 5 | 2 | 5 | | 18 |
| Residential Caravan Site | 2 | | | | | 2 | | | | | 4 |
| Single Instance Housing | 1 | | | | | | | | | | 1 |
| Assistance in providing own accommodation | 1 | | | | | | | | | | 1 |
| Total | 8 | 2 | 7 | 2 | 8 | 2 | 10 | 2 | 10 | 2 | 53 |

Table 2

| | 2009 | | 2010 | | 2011 | | 2012 | | 2013 to date | | Total |
|---|-----------|------|----------|------|-----------|------|-----------|----------|--------------|----------|-----------|
| | Current | Proj | Current | Proj | Current | Proj | Current | Proj | Current | Proj | |
| Standard Housing + RAS | 5+4 | | 6+1 | | 2+5 | | 5 | | 5+1 | 3+1 | 26+12 |
| Group Housing | 1* | | 0 | | | | 1* | | | 1* | 3 |
| Residential Caravan Site | | | 1* | | 2 | | | 1* | | 3* | 7 |
| Single Instance Housing | 0 | | | | 2 | | 6 | | | | 8 |
| Assistance in providing own accommodation | | | | | | | | | | | |
| Total | 10 | | 8 | | 11 | | 12 | 1 | 6 | 8 | 56 |

*Casual Vacancies

During the period 2009 to end of October, 2013:-

- From a total of 73 offers of accommodation made to Traveller families to date, 56 families have been provided with permanent accommodation of their choice.
- The 73 offers made include multiple offers to individual families.
- 6 families moved from halting site/roadside locations to permanent housing:
 - 1 family from roadside.
 - 1 family from temporary bay.
 - 3 families from permanent bay.
 - 1 family from shared bay on permanent site.
- 5 families secured transfers.
- 20 plus families have been offered assistance under the Supplementary Welfare Scheme (Rent Allowance for Private Rented Accommodation).
- 12 families have been assisted with a loan under Section 25 of the Housing (Traveller Accommodation) Act, 1998 for the purchase of a caravan.

- 12 families have been accommodated under the Rental Accommodation Scheme (RAS).
- The Local Traveller Accommodation Consultative Committee met on occasions (January 2009).

The Housing Authority is committed to active participation in an integrated, inter-agency and multi-disciplinary approach to the provision of services to the Traveller Community. This approach incorporates the principles of social inclusion and anti-discriminatory practise.

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SECTION 4 LEGISLATION AND POLICY

Under the provisions of the Traveller Accommodation Act, 1998, the Councils of the City and County of Kilkenny is required to prepare, adopt and implement a new Traveller Accommodation Programme (TAP) to meet the accommodation needs of the county's indigenous Traveller community, whose families reside in its functional area during the preparation of this proposed plan for 2014 - 2018.

Directions under the Act in relation to the preparation of the new Traveller Accommodation programme are contained in Circular 26/2013 together with a "Memorandum of the Preparation, Adoption and Implementation of Local Traveller Accommodation Programmes 2014 -2018" issued by the Minister on 2nd August, 2013. The Minister has specified that the latest date for the adoption of the Traveller Accommodation Programmes is the 30th April, 2014.

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

These provisions :

- require relevant housing authorities in consultation with Travellers and representative bodies, to prepare and adopt by a specified date, an accommodation programme to meet the existing and projected accommodation needs of Travellers in their area,
- 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.

This Traveller Accommodation Programme will be implemented having regard to all relevant housing and other legislation and will take into consideration the requirement of relevant policies and departmental guidelines and circulars.

It is the intention of the Housing Authority when implementing the Traveller Accommodation Programme that where possible agreement by all stakeholders will be achieved. In any event actions implemented will be on the basis that

they meet the accommodation needs of families having regard to local community needs and circumstances.

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SECTION 5

STATEMENT OF POLICY & PROCEDURES

- The Housing Authority recognizes the distinct requirement of Travellers in relation to the provision of accommodation taking particular cognisance of their culture, socio-economic background and family groupings.
- The Housing Authority recognizes the link between the provision of adequate accommodation and its impact on Traveller health, education, employment and life expectancy.
- It is the policy of the Housing Authority to provide appropriate accommodation for indigenous Traveller families who request it, and who, pursuant to the Housing (Traveller Accommodation) Act 1998 and generic housing legislation are considered to be in need of accommodation.
- Applications must be made by means of the Housing Authority's standard application form for accommodation and all applicants will be considered. All necessary advice and assistance will be provided to applicants if requested to address any difficulties that may arise in completing the application process.
- Applicants for accommodation will be assessed and considered in the context of this programme and the Housing Authority's Allocation Scheme for Social Housing Support.
- Traveller families permanently resident in Kilkenny for at least one year and resident in its functional area during the preparation of this programme will be regarded as indigenous. Traveller families who have continuously resided in Kilkenny for at least nine months each year for the three years prior to commencement of this programme will also be deemed indigenous if: (i) The functional area is their predominant place of resident, as determined during the preparation of this Programme and (ii) They are not included in the Traveller Accommodation Programme of another Local Authority.
- The Housing Authority will, where feasible, consider the preferred option in terms of the type of accommodation requested. If this is not

possible, other accommodation options will be considered and may be offered to individual families.

- Offers of accommodation made and offers refused will be dealt with in line with the Housing Allocation Scheme for Social Housing Support.
- Applicants from the roadside or an unofficial site must provide evidence that they have pursued other accommodation options and satisfy the Housing Authority that the family's decision to opt for the roadside or an unofficial site is reasonable taking individual circumstances into account. Only if the Housing Authority is satisfied that the applicants have no other option, will an application be approved on the basis that they meet the qualifying criteria
- Applications from families who have vacated Local Authority accommodation will only be considered in circumstances where the Housing Authority is satisfied that the reasons given for vacating previous accommodation are reasonable, in the family's best interest and were not for the sole purpose of securing alternative accommodation.
- Applications from families who are included in accommodation programmes in other local authority areas will only be considered in exceptional circumstances as determined by the Housing Authority.
- The provision of sites with limited facilities is defined in Section 29 Housing (Traveller Accommodation) Act 1998 will be considered only in exceptional circumstances as determined by the Housing Authority. These sites will not be provided to families if (i) an offer of accommodation is refused (ii) families have already been accommodated or (iii) to those who have the resources to provide their own accommodation.
- It is the policy of the Housing Authority that Travellers themselves must take primary responsibility for their economic activities including horse husbandry and care where it is possible and feasible to do so. Consideration will be given to supporting Travellers in the pursuit of legitimate economic activities.

- Persons who own horses are obliged to comply with the requirements of the Control of Horses Act 1996, animal welfare legislation and the Control of Horses Bye Laws 1998.
- It is the policy of the Housing Authority to adopt an inter-agency approach in the delivery of Traveller services. New accommodation provision and/or support services will be provided as part of the inter-agency strategic approach to service delivery.
- The Housing Authority will assist families prior to and after the allocation of accommodation and training will be provided in conjunction with Kilkenny Local Authorities Traveller specific pre-tenancy training programme.
- The requirements of National Guidelines will be considered in the construction, maintenance and management of Traveller specific accommodation.
- Tenants will be required to meet their responsibilities as outlined in the tenancy agreement entered into between themselves and the Housing Authority.
- Travellers who present themselves as homeless will be afforded the supports and services provided by Kilkenny Homeless Action Team of which the Housing Authority is a participating agency.
- Unauthorised encampments will be dealt with in accordance with the requirements of the relevant legislation as appropriate. Prior to families being asked to move or vacate an area which is not authorised for caravan parking the Housing Department will investigate the circumstances of the family to establish if they are included in the accommodation programme in Kilkenny or any other Local Authority.
- The Housing Authority will not provide accommodation to Trading Traveller families who it determines can provide their own facilities.

SECTION 6

ASSESSMENT OF NEED / PROJECTED NEED

An assessment of accommodation need was undertaken on 7th May, 2013 as prescribed under Section 21 of the Housing (Miscellaneous Provisions) Act, 2009. This statutory assessment of need assessed all applicants seeking assistance with accommodation. The number of approved Traveller households seeking assistance with accommodation further to the Housing Needs Assessment was 27.

An assessment of need (Under Section 6.1 of the 1998 Act) was carried out in Sept/Oct as part of the preparation of this programme. This assessment accounted for an additional 23 Traveller households.

The 50 families currently seeking assistance with permanent accommodation indicate the type of accommodation sought and the preferred location.

- 38 Families have stated a preference for housing
 - 5 Families have stated a preference for accommodation as part of a group housing scheme.
 - 3 Families have stated a preference for halting site accommodation.
 - 3 Families has stated a preference for single instance housing
 - 1 Family is requesting the construction of a bungalow on a privately owned site.

Three (3) existing local authority tenants have sought assistance in applying for a housing transfer.

Projected Need

The projected need has also been considered in the preparation of this plan. Having considered all factors including the age profile of Travellers likely to reach 18 years or over within the lifetime of this programme in addition to experience gained from previous programmes, it is estimated that 15 additional families will be in need of assistance with accommodation during the period of this programme.

Summary :

| | |
|-----------------|-------------|
| Current Need: | 50 families |
| Projected Need: | 15 families |

Transient Sites

In the preparation of this programme an assessment of the need for transient sites was undertaken in addition to consultation with members of the Traveller community to determine their views on the issue.

The level and frequency of roadside parking by transient families throughout the year in Kilkenny is negligible.

The views of the Traveller community can be summarised as follows:

- Transient sites do not meet Traveller culture of nomadism.
- Families admitted to transient sites will refuse to move on.
- Danger of families moving from large urban areas to rural locations.
- Transient families could cause trouble in the locality which would ruin the reputation of local Traveller families.
- Fear that influx of transient families could lead to feuding.
- In rural areas the relationships between the settled community and the Traveller community is positive. Fear that these relationships would be irreparably damaged.
- If Traveller families want to travel to another county they are happy to pay for their own accommodation in private caravan parks or holiday rentals and would prefer to mix with the general settled community.
- Traveller families would rarely if ever move onto a transient site with other Traveller families not know to them.

Given the assessed absence of need and the overwhelming negative response from the consultation process, the Housing Authority will not be progressing the provision of transient sites at this time.

SECTION 7

PERFORMANCE, MONITORING AND MEASUREMENT

Accommodation Provision

It is planned that 53 families will be provided with permanent accommodation over the five year period of this programme. The assessed need demonstrates current requirements and consideration is also being given to the projected needs.

Therefore, the target of 10 families will be offered permanent accommodation each year during the period of the plan. This target is based on current need and projected need and the fact that applicants are on the waiting list for a number of years before being provided with permanent accommodation.

Targets will be monitored by the Housing Authority on a monthly basis at the Housing Service Review Meetings and figures will also be delivered on a quarterly and annual basis to the DoEHLG as a national performance indicator.

Annual progress reports will be submitted to the Local Traveller Accommodation Consultative Committee and the Housing Strategic Policy Committee .

The programme will also be reviewed at least once within the five year period under Section 17 (1) (a) of the Housing (Traveller Accommodation) Act, 1998.

Tenancy Support / Sustainment

- All Traveller tenants will be offered pre-tenancy training prior to the allocation of accommodation
- Traveller tenants will be assisted to participate in resident associations with the support of the Council's Estate Management Liaison Officer
- Traveller tenants will be offered if required a tenancy sustainment service provided by Focus Ireland or other agencies on contract to the Housing Authority.
- Family supports and capacity building initiatives will be provided to families living in Traveller specific accommodation. This work will be a joint initiative between the Council's Social Worker and Community Development Worker and in partnership with other statutory and non-governmental organisations.

- Families living in Traveller specific accommodation will be offered assistance in the management and maintenance of their accommodation by the Site/Group Housing Scheme Caretaker.

Local Traveller Accommodation Consultative Committee

A new LTACC will be established in 2014

A programme will be devised to enable the committee to function as an effective body to advance the accommodation needs of Travellers.

A minimum of four meetings will be held annually

Annual reports on the activities of the committee will be submitted to the National Traveller Accommodation Consultative Committee and to the Housing Strategic Policy Committee.

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SECTION 8 STRATEGY

Within the period of this five year programme, the Housing Authority will endeavour to meet the accommodation needs of the Travellers who are approved applicants for accommodation. To achieve these objectives and to ensure its successful implementation a comprehensive strategy is required which is dependent on ongoing liaison with the Traveller Community, with elected members, the settled community, relevant statutory and non-governmental organisations.

Provision of capital funding is the responsibility of the Department of Environment, Heritage and Local Government.

The Housing Authority will make provision in its Annual Estimates for the management and maintenance of all accommodation provided.

Tenant Support and community sustainment is a guiding principle in the delivery of social housing/social accommodation in the City and County of Kilkenny and as already detailed will be at the core of the implementation of this programme.

The requirements of local and national policies, most notably 'Delivering Homes - Sustaining Communities' will be central in the implementation strategy of the Traveller Accommodation Programme 2014-2018.

The Housing Authority will actively promote the full range of social housing options for Traveller families which are set out hereunder:-

- Standard Local Authority Housing
- Group Housing
- Residential Caravan Sites
- Single Instance Houses
- Caravan Loan & Grant Scheme
- Rural Cottage Programme
- Affordable Housing Scheme
- Voluntary or Co-Operative Housing
- Annuity Loans/Traveller Grant for purchase of a house
- Shared Ownership Scheme

- Rental Accommodation Scheme (RAS)
- Improvement Work in Lieu of Re-housing
- Housing Aid for Older People
- Housing Adaptation Grant for People with a Disability
- Mobility Aids Housing Grant Scheme

Consideration will be given to the accommodation needs of Traveller families in the preparation of the Housing Authority's Housing Strategy for the City and County. The provision of Traveller accommodation as identified in this programme will also be taken into account when making the County Development and Local Area Plan.

The provision and management of accommodation for Travellers by the voluntary housing sector will be actively considered by the Housing Authority in meeting the targets set out in this programme.

Under the proposed restructuring of the Local Government and Local Development sectors Kilkenny Local Authorities will support the establishment of a new County Development Committee. This Committee will oversee the preparation of a new Community Development Plan which will promote consultation with and inclusion of Travellers.

The Housing Authority is an active partner in the Kilkenny Interagency Traveller Group in pursuing actions in all aspects of the welfare of Travellers living in the City and County of Kilkenny..

The Housing Authority is also committed to working in partnership with statutory and non-governmental organisations in the provision of support services to the Traveller community, which is evident in the work carried out in conjunction with agencies and organisations, which include:-

- Health Service Executive
- Department of Education and Science
- FAS/Kilkenny Employment for Youth (KEY) and the Community Employment Scheme.
- Department of Social, and Family Affairs
- Schools Completion Programme
- Kilkenny Leader Partnership
- Kilkenny Traveller Community Movement (KTCM)
- Traveller Health Unit South East
- Kilkenny Traveller Interagency Group

- Kilkenny Integration Forum
- Department of Social Protection
- Fr. McGrath Centre
- VEC - Word Aid
- Ossory Youth (Foroige)
- Gardai
- Probation and Welfare Service
- Kilkenny Community Early Years Project
- Clergy
- Money Advice and Budgeting Service - (MABS)
- Kilkenny Womens Refuge (KWR)
- Good Shepherd Centre (GSC)

Support will be given to community based initiatives that will facilitate Travellers and the settled community to work more closely together and will enable Travellers to have an active role in their communities.

SECTION 9

Based on current and projected need as outlined in Section 7 of this programme, the Housing Authority will endeavour to provide accommodation as follows:

IMPLEMENTATION MEASURES

Table 1

| | 2014 | | 2015 | | 2016 | | 2017 | | 2018 | | |
|--------------------------|----------|----------|-----------|----------|-----------|----------|-----------|----------|----------|----------|-----------|
| | Current | Proj | Current | Proj | Current | Proj | Current | Proj | Current | Proj | Total |
| Standard Housing | 8 | 2 | 7 | 2 | 8 | 3 | 7 | 3 | 8 | 3 | 51 |
| Group Housing | | | 2 | | 2 | | 1 | | | | 5 |
| Residential Caravan Site | | | | | | | 3 | 2 | | | 5 |
| Single Instance Housing | 1 | | 1 | | 1 | | | | | | 3 |
| Rural Cottagw | | | 1 | | | | | | | | 1 |
| Total | 9 | 2 | 11 | 2 | 11 | 3 | 11 | 5 | 8 | 3 | 65 |

SECTION 10

SUMMARY

This Traveller Accommodation Programme outlines the existing and projected need for Traveller Accommodation in the City and County of Kilkenny for the period January 2014 to December 2018.

It outlines the policies in relation to Traveller Accommodation

- Strategy for implementation
- Methodology for the monitoring and measurement of performance
- Implementation measures

The preparation of the programme was carried out taking cognisance of all relevant legislative and relevant policy guidelines and following a public consultation process which included Travellers, settled community, statutory and non-governmental organisations that are interested in and/or offer a service to Travellers.

Implementation of the programme presents ongoing challenges to Kilkenny Local Authorities and its success requires a commitment from all involved to work together in partnership and with the recognition of the specific needs of the Traveller Community.

Achieving the targets contained in the programme is also subject to the necessary capital and revenue funding being made available throughout the lifetime of the programme.

SECTION 11

APPENDICES

- APPENDIX 1 Location of families and current accommodation status by Electoral Area (to be completed and included following November, 2013 Annual Count).
- APPENDIX 2 Annual Count of Traveller Families and their accommodation position 2013 (to be included following November, 2013 Annual Count).
- APPENDIX 3 Cultural Diversity Policy Document
- APPENDIX 4 Allocation Scheme for Social Housing Support.
- APPENDIX 5 Local Traveller Accommodation Consultative Committee

APPENDIX 1

LOCATION OF FAMILIES AND THEIR CURRENT ACCOMMODATION STATUS BY ELECTORAL AREA

Ballyragget Electoral Area

Traveller families residing in the Ballyragget Electoral Area have been traditionally accommodated in housing - Standard Housing and Single Instance Housing.

The assessment of need carried out in the preparation of this programme indicates that there is only one (1) family seeking accommodation in this area and they have applied for housing.

The accommodation needs of this family will be addressed by the provision of a standard local authority house in their preferred area during this period.

The need for Traveller specific accommodation in this area has not been identified.

Callan Electoral Area

Traveller families residing in the Callan Electoral Area have been traditionally accommodated in housing - Standard Housing and Single Instance Housing.

The assessment of need for the Callan Electoral Area indicates that only two (2) families have made an application for accommodation. The accommodation needs of these families will be addressed by the provision of a standard local authority house in their preferred area during this period.

The need for Traveller specific accommodation in this area has not been identified.

Kilkenny Electoral Area

Given its high population and housing density, the largest number of Traveller families seeking assistance with accommodation has been in Kilkenny City and Environs.

Located in this area are also the Councils' two Traveller specific accommodation projects situated at Hebron and ~Wetlands in the Eastern and Western City Environs respectively.

Consequently the greatest demand for accommodation has been identified in the Kilkenny Electoral Area with assessed need broken down as follows:

Hebron: Refurbishment and upgrading of the four halting site bays at St. Mary's Avenue has been completed in sympathy with the adjacent Group Housing Scheme. Two of the bays have been allocated to families who wished to be accommodated permanently on the halting site while the other two bays have been allocated to two newly formed families (identified in the projected needs of Traveller Accommodation Programme 2009 -2013.

The assessment of need identifies three (3) new families units who wish to be accommodated in a Traveller specific halting site.

It is proposed that a five (5) bay halting site will be provided to meet the accommodation needs of these young families. It is envisaged that this site will be used as transitional accommodation in preparation for transfer to houses.

The exact location of this proposed halting site within Kilkenny City & Environs has yet to be determined.

Wetlands: The Housing Authorities inability to deliver on the proposed provision of a Group Housing Scheme at St. Catherine's has been the major disappointment of the Traveller Accommodation Programme 2009 - 2013.

This outcome has been despite exhaustive efforts to deliver on the Scheme, including extensive consultation with the families, working in partnership with statutory and non-governmental organisations, the appointment of a Community Worker to work with the families on site and the submission of numerous plans and revised plans to the Department of the Environment, Heritage and Local Government. In summary the capital resources were not made available to advance the Scheme.

Meeting the accommodation needs of the families currently residing at St. Catherine's, Wetlands remains a priority action for the Traveller Accommodation Programme 2014 -2018. Given the changing profile of the families and their expressed accommodation needs, it is proposed to :-

- Redevelopment of the halting site by the construction of five (5) house Group Housing Scheme at Wetlands.
- Provide three (3) single instance houses.
- Accommodate five (5) families within standard social housing options.

PRA Thirteen (13) families currently reside in private rented accommodation including:

- (i) Rent Supplement,
- (ii) From own resources in Kilkenny City and Environs.

It is proposed that during the lifetime of the 2014 - 2018 Programme these thirteen families will be considered for social housing options in the City and Environs.

Piltown Electoral Area

Meeting the accommodation needs of Traveller families in South County Kilkenny continues to be challenging for Kilkenny County Council.

This is due to a number of factors including (i) the complex needs of some of the families (ii) the close proximity to neighbouring counties (iii) limited availability of housing in the area and (iv) the very specific demands of individual families.

Rosbercon: Eight (8) families have been identified to be in need of housing in the Rosbercon area - seven (7) standard, one (1) rural. Two (2) are still outstanding from the 2009 -2013 Traveller Accommodation Programme.

Ferrybank: Six (6) families have been identified to be in need of housing in the Ferrybank area. The preferred option is standard housing.

Piltown: Five (5) have been identified to be in need of accommodation in the Piltown area. The preferred option is standard housing.

APPENDIX 3

KILKENNY LOCAL AUTHORITIES



CULTURAL DIVERSITY

MEMBERS OF THE TRAVELLER COMMUNITY

BOOKLET FOR STAFF

KILKENNY LOCAL AUTHORITIES

CULTURAL DIVERSITY

- MEMBERS OF THE TRAVELLER COMMUNITY -

BOOKLET FOR STAFF

'This organisation is committed to maintaining a workplace environment that encourages and supports the right to dignity and respect in the workplace. Anyone who works in or deals with this organisation is expected to treat every person with dignity and respect. Similarly, everyone who comes in contact with this organisation as employee, customer, client, member of the public, elected member, consultant etc. can expect to be treated with dignity and respect.

All will be treated equally and respected for their individuality and diversity. Any form of intimidating behaviour, including harassment, sexual harassment and bullying is not accepted by this organisation and is not tolerated and where it occurs, is regarded as contravening the values of the organisation and as such is treated as a serious disciplinary matter'. [Kilkenny Local Authorities Dignity at Work Charter]

STATEMENT OF PURPOSE

The purpose of this booklet is to provide to all our staff in Kilkenny Local Authorities:

a manual, to assist you in your working relationships with members of the Traveller Community as customers and work colleagues; *and*

a practical expression of our Equality and Diversity Management Policy and Customer Action/Services Plan;

LEGISLATIVE BACKGROUND

Our management and employees in Kilkenny Local Authorities have a legal obligation under the **Equal Status Act, 2000** and the **Employment Equality Act, 1998**. These Acts outlaw discrimination on nine distinct grounds:- Gender, Marital status, Family status, Sexual Orientation, Religion, Age, Disability, Race, Membership of the Traveller community.

While people can be discriminated against on more than one ground, this booklet focuses on the Traveller community ground. It is worth noting that over 65% of all cases taken to date under the Equal Status Act refer to the Traveller community.

OUR SERVICE TO MEMBERS OF THE TRAVELLER COMMUNITY

'Traveller community means the community of people who are commonly called Travellers and who are identified (both by themselves and others) as people with a shared history, culture, and traditions including, historically, a nomadic way of life on the island of Ireland' - Equal Status Act, 2000; Section 2 (1).

Kilkenny Local Authorities acknowledges the need to provide good quality customer services in a professional, efficient, effective and impartial manner and to ensure that our policies and activities are based on the principle of good customer care. The publication of this booklet is a demonstration of a commitment to provide good quality service to our customers who are members of the Traveller community.

It is important in providing a service to members of the Traveller community that we in Kilkenny Local Authorities value diversity, and relate to people from the Traveller community accordingly. However, it is equally important that we do not make stereotyped presumptions about individual members of the Traveller community, or their specific needs. As with the provision of services to all of the Council's customers, we must work towards identifying and eliminating barriers to access to services, and ensure that all the Council's business is carried out with due courtesy and fairness.

In providing the Council's service to members of the Traveller Community we, in Kilkenny Local Authorities, undertake to:

Develop an awareness, through in service training, of Traveller culture;

Use language that is courteous, friendly and understandable;

Use plain English where possible and refrain from using unnecessary legal or business jargon as staff should be conscious that, together with the public generally, literacy may be an issue for some members of the Traveller community;

Ensure, as far as possible, that every person understands what is being said to him/her;

Give clear details of any further action that may be required. Provide information on documentation that may be needed and show him/her what this documentation looks like;

Offer assistance with the completion of any forms, if necessary;

Be conscious that we may have prejudices and, if we do, not to let these prejudices interfere with our customer relations with members of the Traveller community;

Ensure, as far as is possible, that public offices are welcoming and that they facilitate people able in carrying out their business with the Council;

People working in public offices should be aware of the needs of customers, including members of the Traveller community, and make necessary appropriate arrangements;

Establish the individual requirements of all the Council's customers, including members of the Traveller community, so that, where possible, the appropriate arrangements are put in place;

Liaise with the Council's staff who enjoy an advocacy relationship for members of the Traveller community and may be in a position to mediate if there are any disagreements or problems, where appropriate e.g. social workers;

Facilitate the Traveller community to get involved in the consultation process on issues that affect their community.

WORKING WITH MEMBERS OF THE TRAVELLER COMMUNITY AS COLLEAGUES

Kilkenny Local Authorities Equality & Diversity Management Policy supports the right to dignity and respect in the workplace for every member of staff who works here. Accordingly, when working with members of the Traveller Community we will:

Review work policies, on an ongoing basis, to ensure that they are not discriminatory against anyone;

Identify and remove any barriers to ensure that our workplace is accessible for everyone;

Monitor the workplace to assist in preventing discrimination and harassment to all employees including members of the Traveller community;

Adapt the Council's standard staff induction programme to include issues of workplace discrimination and harassment including against members of the Traveller community;

Ensure that a colleague, who is a member of the Traveller community, knows that he/she is welcome to join in any of the Council's social activities;

Respect the importance of family and extended family to members of the Traveller community, and will make reasonable efforts to facilitate attendance at family gatherings and cultural celebrations;

Develop an analysis of the individual training needs of all members of staff, including Traveller staff to encourage full participation in life long learning and occupational training. This may also include the provision of a mentor service;

Endeavour to ensure that all our supervisors communicate in such a way that they are understood by all staff, including any member of the Traveller community;

Endeavour to provide all staff and supervisors with diversity and equality training so that there is general awareness of all diversity issues;

A number of formal structures are in place that enables staff to contribute to our organisational goals, structures, policies and procedures. Examples include the workplace partnership process, Equality Action Team, focus groups, staff suggestion schemes, etc. Any employee, who is a member of the Traveller community, should be encouraged to participate in such structures that he/she can contribute to any issues, particularly those that may have a direct impact on his/her working life with Kilkenny Local Authorities.

DRAFT

KILKENNY LOCAL AUTHORITIES

ALLOCATION SCHEME

For

Social Housing Support



In accordance with

Section 22 of the Housing (Miscellaneous Provisions) Act, 2009

And

Social Housing Allocation Regulations 2011 (S.I. No. 198 of 2011)

June 2011

Part 1: Interpretation

In this allocation scheme –

“Kilkenny Local Authorities” shall be construed as including the functional areas of Kilkenny County Council and Kilkenny Borough Council.

(A) Purpose of the Scheme

The purpose of the Allocation Scheme is to provide a means of determining the order of priority to be accorded in the allocation of dwellings to:

- persons assessed as being qualified for social housing support in accordance with Section 20 of the Housing (Miscellaneous Provisions) Act, 2009 (and associated regulations);
- persons transferring from a dwelling, including from a dwelling provided under the Social Housing Leasing Initiative or the Rental Accommodation Scheme **and**, including transfers to new dwellings being purchased under the Incremental Purchase Scheme.

This allocation scheme applies to –

(a) Dwellings provided under the Housing Acts 1966 to 2009 or Part V of the Planning and Development Act 2000 –

(i) of which the housing authority (Kilkenny Local Authorities) is the owner, **or**

(ii) of which the housing authority is not the owner and which are provided under a contract or lease between the housing authority and the owner concerned, including rental accommodation availability agreements,

and

(b) dwellings owned and provided by Approved Housing Bodies (AHBs) to whom assistance is given under section 6 of the Housing Act 1992 for the purposes of such provision.

(B) The manner in which dwellings are allocated

The manner in which Kilkenny Local Authorities (hereinafter called the housing authority) will allocate dwellings, or different categories of dwellings, to households referred to in

Section 22(3) of the Act of 2009, or to different classes of households, shall have regard to the order of priority as set out in (c) to (e) hereunder.

(C) Order of Priority

In the making of any allocation, the following priorities shall apply in the order as set out hereunder:

1. Emergencies:

(a) Persons being displaced from Dangerous buildings under the Local Government (Sanitary Services) Act, 1964, or potentially dangerous buildings under the Fire Services Act 1981, as amended, or persons rendered homeless by fire, flood, storm damage etc. or by operations of the Kilkenny Local Authorities from dwellings urgently required for redevelopment.

(b) Households that are homeless as defined by Section 2 Housing Act 1988. Accommodation made available in this category may include Tenancy sustainment supports

2. Applicants living in unfit Conditions as defined in Section 66 of the Housing Act, 1966.

3. Applicants living in overcrowded conditions as defined in Section of 63 of the Housing Act, 1966.

4. Older persons (aged 55 yrs or more). Accommodation under this category will be those provided specifically for older persons or that is specifically suited to the older person's need.

5. Applicants in need of housing on disability, medical, compassionate or other similar grounds

6. Traveller Households: Including households who wish to be housed in standard social Housing supports and in Traveller specific accommodation under this category will be provided in accordance with the Kilkenny Local Authorities Traveller Accommodation Programme

7. Applicants not included in any other category above, who have been assessed and approved for Social Housing Support.

Whilst allocations will be made in accordance with the above order of priority, where a number of applicants fall within the same category, regard shall be had to the length of

time that has elapsed since the applicant qualified for inclusion as a qualified applicant for housing by Kilkenny Local Authorities.
All Allocations shall be subject to Section (G) (ii) hereunder and all shall also be subject to principles of good estate management.

All nominations to dwellings owned and provided by Approved Housing Bodies shall also follow the above order of priority.

(D) Exceptions

Notwithstanding anything in Section C above, the housing authority may disregard the order of priority given to a household under an allocation scheme where the household is being provided with social housing support in the following circumstances: -

- persons in need of accommodation arising from specified exceptional circumstances, including displacement by fire, flood or any other emergency, development, redevelopment or regeneration of an area by the housing authority, or exceptional medical or compassionate grounds;
- in a dwelling let to the household under a Chapter 4 tenancy agreement having been assessed under Section 20 (3), i.e. RAS accommodation.

In the allocation of RAS accommodation, the Housing Authority will have regard to the length of time a household has been in receipt of rent supplement; the length of time a household has been on the waiting list for social housing support, or a combination of both; and will be subject to Section (F) (ii) hereunder.

The Council may, in certain circumstances, disregard any applicant's present accommodation and circumstances, if the Council has reason to believe that the applicant/household has, deliberately or without good cause and sufficient reason, remained in or taken occupation of unsuitable accommodation primarily to improve the prospects of obtaining a tenancy from the Council.

(E) Medical Report

Where priority is claimed on Disability / Medical Grounds, the applicant shall submit a report from a Medical Practitioner detailing their disability/medical condition and how this impacts on their housing requirements. The Council in considering the awarding of a priority claimed on medical grounds may seek a recommendation from a medical practitioner appointed by the Council.

Where a priority is awarded, this priority may cover a particular type of accommodation and/or accommodation in a particular area.

(F) General Provisions

The following special conditions shall apply in respect of the Allocation Scheme for the Letting of Dwellings:

The Council may, from time to time, as they see fit, designate a particular number or proportion of dwellings becoming available to the Authority for allocation for all or any of the following purposes:

- (a) allocation to particular classes of household, e.g. older persons, persons with disabilities etc., thus affording priority in the allocation of those dwellings to approved households in the relevant category of need;
- (b) allocation to households transferring from all other forms of social housing support (e.g. RAS Units, Voluntary Housing Units) and leased units;
- (c) for particular forms of tenure, including an **Incremental Purchase dwelling**;
- (d) for allocation under **Choice Based Lettings** (CBL) subject to s.14 Housing (Miscellaneous Provisions) Act 1997

The procedure applied by the housing authority for an **Incremental Purchase Scheme** will be as set out in Part 3 of the 2009 Act and the Housing (Incremental Purchase) Regulations 2010 (S.I. No. 252 of 2010). Properties are designated by Manager's Order for use for Incremental Purchase Schemes.

- ❖ The procedure applied by the housing authority for **Choice Based Lettings** will be as set out in Sections 6 – 11 of the Social Housing Allocation Regulations 2011. In accordance with Regulation 12 (4), a refusal of an offer made under a CBL shall not constitute a refusal as per Section (G) (i) below. In accordance with Regulation 10(1), where an applicant refuses a reasonable offer of a CBL, the household cannot bid for another CBL dwelling for 1 year. Properties are designated by Manager's Order for use for Choice Based Lettings.
- ❖ Where an *elderly applicant* is the beneficial owner of a dwelling which is no longer adequate to meet their needs such applicant will be considered for re-housing.
- ❖ The Council may from time to time decide to allow for the setting aside of a house or houses for Community use subject to specified terms and conditions.
- ❖ Attendance at and successful completion of pre tenancy courses is a requirement for all allocations including both parties in the case of joint applicants.
- ❖ In the interest of good estate management the Council will have regard to the need to sustain a balanced community.

(G) Refusals

(G)(i) Refusal of offers of dwelling allocations

Two refusals of reasonable offers of social housing (over a twelve month period and within areas of choice, except in emergencies, etc.) will result in a household being deemed to have forfeited consideration for social housing for a specified period (two refusals will also mean that a household may lose rent supplement),

In the event of two refusals, Kilkenny Local Authorities will suspend a household from consideration for 12 months from the date of the second refusal. This will mean that the household will not be offered social housing for the suspension period and this period will not subsequently count for 'time on list' purposes.

An offer of a dwelling allocation by the housing authority shall be deemed to be reasonable where, in the opinion of the Council, the accommodation offered, would meet the accommodation needs and requirements of the household and the dwelling is situated in the area of choice specified by the household. The only exception to this is where the Council makes an offer because of specified exceptional circumstances, including displacement because of fire, flood or other emergency, development, redevelopment and regeneration of an area or exceptional and compassionate grounds. In these circumstances, the Council does not have to offer the household accommodation in their area of choice for it to be considered a reasonable offer.

Refusal of offers of accommodation offered under RAS and/or Leasing will be treated as a refusal of accommodation.

Applicants who are aggrieved with the decision of Kilkenny Local Authorities have the right to appeal in writing within 10 days of the date of said decision to the Director of Services.

The refusal of an offer made under Choice-Based Letting does not count as a refusal for the purposes of the general refusals policy.

(G)(ii) Refusal of Housing Authority to allocate

Notwithstanding anything contained in the Housing Acts 1966 to 2009 or in an Allocation Scheme made under section 22 of the 2009 Act, the housing authority may use its right under Section 14(1) (as amended) of the Housing (Miscellaneous Provisions) Act, 1997 to refuse to allocate or defer the allocation of a dwelling to a person where -

- (a) the authority considers that the person/household is/has been engaged in anti-social behaviour or that an allocation to that person would not be in the interest of good estate management, **or**
- (b) the person fails to provide information, including information relating to persons residing or to reside with that person, which is requested by the housing authority and which the authority considers necessary in connection with an application for an allocation, **and**
- (c) subject to any further provisions contained within Kilkenny Local Authorities Adopted Anti-Social Behaviour Policy.

(H) Former Local Authority Tenants

Former Local Authority tenants, who reapply for social housing support, will be placed on the housing waiting list and will only be allocated housing if the following conditions are complied with:

- ❖ They did not abandon a local authority tenancy without good reason in the previous five years.
- ❖ They did not surrender a local authority tenancy without good reason in the previous two years. (See Note)
- ❖ The rent account on their previous tenancy is clear
- ❖ Their compliance, during their previous tenancy, with the Kilkenny Local Authorities's Letting Conditions was satisfactory, with in particular the provisions relating to Estate Management and anti-social behaviour.
- ❖ All security, cleaning and cost of repairs of any damage done by the former tenant is paid.
- ❖ They are in need of accommodation and are unable to provide it from their own resources.

Note: Tenancies must be surrendered in writing to the relevant Local Authority by each tenant. The keys of the property must only be submitted to an employee of the Local Authority. Applicants for rehousing must furnish Kilkenny Local Authorities with all information in relation to the surrendering of their previous tenancy and it will be at the discretion of the local authority to place them on the Housing waiting List.

(I) Transfers Of Tenants

Tenants of the Council, including tenants of dwellings provided under the Social Housing Leasing Initiative, RAS, or by AHB's may apply for consideration for a transfer to other dwellings, under the following circumstances -

- (a) overcrowding;
- (b) where older persons and other households wish to move to smaller accommodation (downsizing);
- (c) medical/compassionate reasons;
- (d) other exceptional circumstances.
- (e) To facilitate incremental purchase, where the authority has consented to such a purchase.

Note: The Council may seek to transfer tenants in order to achieve maximum use of housing stock in accordance with Government policy as laid out in '**Building Homes; Sustaining Communities**'.

Notwithstanding the above, tenants seeking a transfer must fulfil the following requirements to the satisfaction of the housing authority –

- hold the tenancy in their present dwelling, for a period of at least two years, unless it is a temporary tenancy;
- have a clear rent account – any transfer will take account of rent arrears but allowances may be made where an agreement is in place, and being adhered to by the tenant to address any such arrears over an agreed period of time;
- have kept their dwelling in satisfactory condition, subject to inspection;
- have complied with the conditions of their Tenancy Agreement and
- have no record of anti-social behaviour.

In the case of emergency or exceptional medical/compassionate grounds, the Council may forgo any or all of the above conditions in granting a transfer of tenancy.

Priority may be given to a household in receipt of social housing support in a property that is not owned by the Council and the house is no longer available to them through no fault/act of their own; i.e. rental accommodation availability arrangements, long term leasing initiatives etc.

Two refusals of reasonable offers of a transfer over a twelve month period will result in a household being deemed to have forfeited consideration for a transfer for a period of two years.

(J) Succession Tenancies

1. In the event of the death of one of the tenants in a joint tenancy, the tenancy will ordinarily be transferred to the surviving tenant or the spouse/partner, provided that he/she has been continuously resident in the dwelling for a continuous period of at least two years immediately prior to the death of the tenant and has been declared for and assessed for rent purposes for that entire period and is 18 years or older. Periods of residence not declared for rent assessment purposes are not applicable.

2. In the event of death of both spouses, tenancy will ordinarily be transferred to the eldest member of the family provided that:

(a) he /she has a housing need and is resident and has continued to reside in the house throughout his/her lifetime and has been continually declared for and assessed for rent purposes; or

(a) He /she is living in the house and has been declared/assessed for rent purposes , for a continuous period of at least 2 years immediately prior to the death of the tenant.

(b) He/she must be 18 years or older

Where there are two or more surviving members of the family who meet the criteria at a), b) or c) above, a joint tenancy may be granted by Kilkenny Local Authorities or where agreement cannot be reached regarding the family member to succeed, the House automatically reverts to Council.

1. Marital Breakdown

Legal Separation/Divorce: Where a legal separation agreement/divorce exists, regard will be had by the Kilkenny Local Authorities to the terms of that agreement in the consideration of any application to succession to tenancy.

2. Desertion

Where there is no legal separation or divorce agreement and where the Kilkenny Local Authorities are satisfied that a spouse has vacated the tenancy for a period of at least two years, the Kilkenny Local Authorities may consider an application for succession of tenancy from the remaining spouse and approve the tenancy if considered appropriate. Where a person other than a spouse is a joint tenant of a dwelling and has not resided in that dwelling for a period of at least two years, the Kilkenny Local Authorities may consider an application for succession from the remaining members of the household and approve the tenancy if considered appropriate.

All succession to Tenancy applications are subject to

- a) Household complies with Council's Anti-Social Behaviour Policy
- b) All aspects of any previous tenancy agreement in any Housing Authority

In addition to the above, successions will only be considered for immediate family members and or those who have already been approved for permission to reside there.

(K) Other Matters

Kilkenny Local Authorities may from time to time review this allocation scheme, and revise it by way of amendments to the scheme or make a new scheme, subject to the approval of the Council. Before making or amending an allocation scheme, the housing authority shall provide a draft of the scheme or amendment to the scheme, as the case may be, to the Minister, who may direct the Council to amend the draft scheme or draft amendment, and the Council shall comply with any such direction within such period as may be specified by the Minister.

The Council will investigate each applicant's previous housing history and reserves the right to seek all relevant information from other Local Authorities and other statutory agencies such as The Health Authorities or the Gardai with particular reference to anti-social behaviour.

A copy of the Scheme will be available for public inspection at the offices of the Council during office hours and will also be available on the Council's website at www.kilkennycoco.ie

(L) Appeals

Any person who is aggrieved by the Council's decision has the right to appeal in writing to the Director of Services for Housing within 10 working days of the Council's decision.

APPENDIX 5

LOCAL TRAVELLER ACCOMMODATION CONSULTATIVE COMMITTEE

Membership

Sector

Elected Members:

Member

Cllr. Andrew McGuinness (Chairperson)

Cllr. Marie Fitzpatrick

Cllr. Anne Marie Irish

Traveller Representative:

Mrs. Mary Berry

Mr. John McCarthy

Mr. Timmy O'Reilly

Ms. Winifrede McDonagh (KTCM)

Local Authority Staff:
Engineer.

Mr. Seamus Kavanagh, Senior Executive

Ms. Margaret Newport (Sen. Social Worker)

Mr. Michael Pyke (Halting Site Manager)

Secretarial and Administrative support provided by Ms.