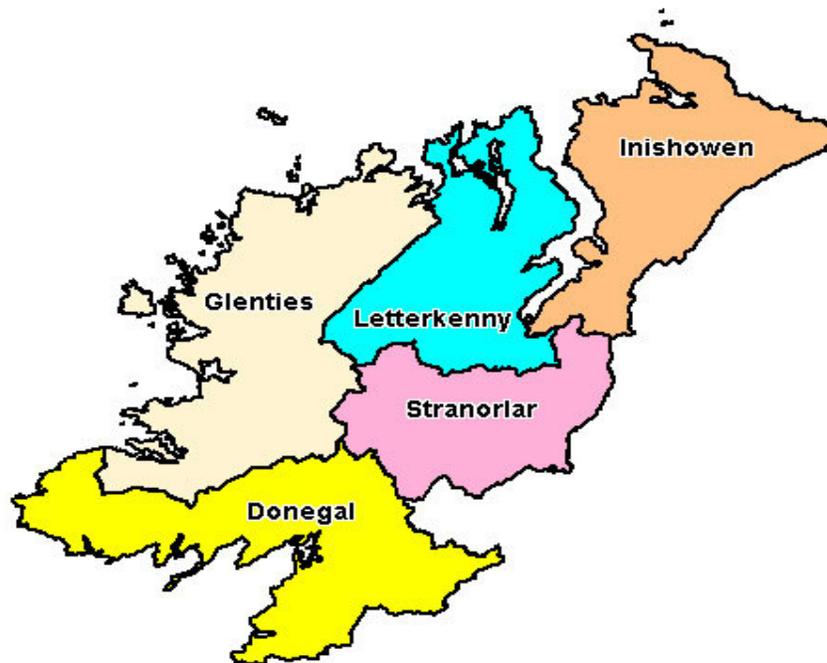




COMHAIRLE CHONTAE

**Dhún na nGall**

DONEGAL COUNTY COUNCIL



# **Traveller Accommodation Programme**

## **2014 – 2018**

**(Adopted on 27<sup>th</sup> January 2014)**

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## Section 1

### **Introduction**

#### **Housing (Traveller Accommodation) Act 1998**

On 2<sup>nd</sup> August 2013, the Minister for Housing and Planning directed Housing Authorities to prepare, adopt and implement a 5-year Traveller Accommodation Programme for the period 1<sup>st</sup> January 2014 to 31<sup>st</sup> December 2018 in accordance with the provisions of the Housing (Traveller Accommodation) Act 1998.

The Local Government Bill 2013 provides for the replacement of Borough and Town Councils by Municipal Districts and the Minister has also directed that due consideration is given to these developments and their implications in the preparation of the new Traveller Accommodation Programme.

The Minister has further specified 30<sup>th</sup> April 2014 as the latest date by which Accommodation Programmes must be adopted.

The incoming Programme will be the Donegal County Council's fourth Traveller Accommodation Programme, with previous Programmes covering the periods 2000 – 2004, 2005 – 2008 & 2009 – 2013. The existing Programme expires on 31<sup>st</sup> December 2013.

#### **Initiating the process for preparation of new Programme**

Notification of intention to prepare a Draft Traveller Accommodation Programme was issued to 80 different bodies. Submissions received in response to the said notification have been considered in the context of the preparation of the Draft Programme.

Separate notice of intention to carry out an assessment of need for Travellers in the County was also issued to these bodies as referred to further in Section 5.

#### **Local Traveller Accommodation Consultative Committee (LTACC)**

Under Section 21 and 22 of the Housing (Traveller Accommodation) Act 1998 the Local Traveller Accommodation Consultative Committees (LTACC) were established to facilitate consultation between Housing Authorities and Travellers and to advise on any aspect of accommodation for Travellers, and to advise on the preparation and implementation of any accommodation programme.

The membership of the Donegal LTACC comprises of 12 members with 6 Local Authority Members, 3 Traveller Representatives and 3 Local Authority Officials making up the LTACC membership.

The LTACC meets on a quarterly basis. During the current Traveller Accommodation Programme, Donegal were one of the first LTACC's nationally to appoint a Traveller representative as Chairperson. The Donegal LTACC plays an active and pivotal role in both the preparation and

implementation of the Traveller Accommodation Programme in County Donegal.

## Section 2

### **County Profile**

Donegal County contains five electoral areas, Donegal, Glenties, Inishowen, Letterkenny and Stranorlar. The 2011 national census figures outline the population of the county to be 161,137 representing an increase of 13,870 on 2006.

An Annual Count of Traveller families takes place at the end of November each year and the most recent count at the end of November 2012 outlines that 248 Traveller families were resident in the County at that time, representing an increase of 78 families from 2006. In comparison to neighbouring Counties, Donegal has a significantly larger number of Traveller families residing in its functional area with Sligo 113, Leitrim 59, Cavan 161 & Monaghan 155. On a national level, Donegal has the 15<sup>th</sup> largest Traveller population in the country.

A break down of the various accommodation types of the 248 families who were residing in the County at the end of November 2012 is as follows:

- 119 Standard Local Authority Social Housing
- 10 Group Housing
- 90 Private Rented Accommodation
  - 3 Voluntary Housing
  - 2 Homeless Accommodation
- 11 Sharing with Tenants / Owners
- 10 Halting Site Accommodation
  - 3 Unauthorised Sites

Donegal has two temporary emergency indigenous halting sites at Big Isle, Manorcunningham and Ballintra. A temporary emergency transient site is located at Lisfannon Buncrana. Two group housing schemes are located in Letterkenny with four permanent halts located in Letterkenny (1), Kerrykeel (1), Killybegs (1) & Ardara (1).

### **Section 3**

#### **Legislative requirements regarding the preparation of an Accommodation Programme**

A summary of the steps to be followed when drawing up, amending or replacing an accommodation programme is set out hereunder. The full arrangement is contained within the Housing (Traveller Accommodation) Act 1998).

#### **Section 8**

Before preparing a draft of an accommodation programme, or a draft of an amendment to or a replacement of the accommodation programme, the housing authority shall give notice in writing of the intention to do so to the following:

- All adjoining Local Authorities.
- Town Council's both within the relevant local authority and the adjoining local authorities
- HSE within the functional area or adjoining the functional area
- The LTACC within the functional area.
- Local Community bodies that the Local Authority deems appropriate
- Other bodies that the authority deems appropriate, including Voluntary and non-profit making bodies that are involved in the provision of accommodation

#### **Section 9**

**A.** Notice to be published in at least one local newspaper stating that the Local Authority:

- Propose to adopt, amend or replace a programme
- That a draft of the programme is available for inspection
- That regard will be had to any submission received within 2 months of the publication of the notice.

**B.** Within 7 days of the publication of the notice the housing authority shall:

- Send a copy of the notice and draft plan to the bodies notified under Section 8.
- Make arrangements for a copy of the notice to be displayed at Local Authority Offices to which the public have access.
- Make available the draft Accommodation Programme for inspection.

#### **Section 10**

Refers to the preparation of the Accommodation Programme and what should be included such as recent housing assessments, policy statement, and strategy for dealing with implementation of programme, types of accommodation etc.

**Section 11**

Report by Manager - County Manager to prepare a report on submissions received:

- Summarising matters contained
- Specifying names of persons who made submissions
- Specifying the response of the Housing Authority to the submissions
- Indicate whether it is proposed to proceed with the draft or to proceed with the draft as varied or modified in a manner indicated in the report.

**Section 12**

County Manager to submit the draft accommodation programme and his report referred to in Section 11 to the members of the local authority not later than three months before the date specified for adoption by the Minister.

Copy of the Draft (with or without modifications, as appropriate) to be forwarded to prescribed bodies, as above, as soon as possible after submission of Manager's report to members (section 12 of 1998 Act).

**Section 14**

Programme must be adopted by members of Council within 21 days from the date specified for adoption (section 13(2) of 1998 Act).

If members fail to adopt Programme by date specified for adoption or within 21 days from that date, County Manager shall, by order, adopt the Programme within one month from that date (section 14 of 1998 Act).

**Section 15**

As soon as may be after the adoption of an accommodation programme, the local authority must

**A.** Publish a notice in at least one local newspaper stating:

- The accommodation programme has been adopted
- The times and places where a copy of the programme can be inspected
- That a copy of the programme may be purchased on payment of a fee not exceeding the reasonable costs of making such a copy

**B.** Make arrangements for a copy of the notice published under paragraph A, to be displayed at the authorities' public offices**C.** Furnish a copy of the accommodation programme to

- The Members of the Local Authority
- The Minister
- The bodies notified under Section 8

## **Section 4**

### **Review of 2009 – 2013 Traveller Accommodation Programme**

Members of Donegal County Council adopted the 2009 – 2013 Traveller Accommodation Programme on the 29<sup>th</sup> March 2005. This Programme set out the following specific & detailed targets to be achieved over the duration of the Programme

- Permanent Accommodation – Provide 30 Units
- Transient Accommodation – Provide 3 sites
- Permanent Halt – Provide 1 unit
- Families already housed in standard accommodation – Better integration through a range of measures

#### **Permanent Accommodation**

The Programme targeted the provision of permanent accommodation for 30 families during the period of the programme. This target has already been superseded and it is envisaged that at the end of the Programme, 50 units of permanent accommodation will have been provided for members of the Donegal Travelling community as follows:

- 31 families re-housed in standard Local Authority / Voluntary housing
- 13 families provided with accommodation through the Rental Accommodation Scheme
- 1 family provided with a permanent halt
- 2 families accommodated in family Group Scheme
- 1 family provided with Single Instance accommodation
- 2 families accommodated through Long Term Lease Programme

In addition to the 50 units of accommodation provided, a further 8 families refused offers of accommodation during the life of the Programme.

#### **Transient Accommodation**

The Programme outlined targets in terms of the provisions of Transient Accommodation in the County, which was to provide three Transient sites with the need for a fourth site to be reviewed. While the success rate in providing individual family units has again been remarkably high, despite significant efforts, no new Transient site has been provided during the life of the Programme with the provision of such sites presenting a significant challenge. One emergency Transient site has however continued to remain open and is available for occupation.

Section 7 of the Programme outlined a 5-Point strategy and methodology for bringing potential sites through the necessary processes to a developed site. In one case, a proposed site in the Inishowen Electoral Area, was progressed through all five stages although following due consideration of the proposal by the members, a decision was taken to defer the proposed development arising from concerns in relation to traffic safety.

In another case in the Letterkenny Electoral Area, at stage two of the methodology, the LTACC raised matters for consideration in relation to a proposed site. Arising from investigation of those matters, it was decided not to proceed with the proposal.

### **Permanent Halt**

The permanent halt proposal referred to was not advanced during the last programme for mainly two reasons, the unavailability of local authority or other suitable lands in the area and secondly, the family wished to have the permanent halt at a specific named location, which was land that was not available and was in use for other purposes.

### **Families already housed in standard accommodation – Better integration through a range of measures**

A number of specific measures have been undertaken in relation to better integration and key to this was a partnership approach. The Local Traveller Accommodation Consultative Committee set up a sub group to deal with a wide range of complex issues including better integration on a group housing scheme. Membership of the sub group comprised of officials from the Council, Donegal Travellers Project, HSE, An Garda Síochána and an elected representative.

Further initiatives were built on at a further group-housing scheme through a pilot tenant participation programme. An interagency group was established to deal with issues regarding accommodation as well as a wide range of associated issues. The end goal was to have the families take ownership and responsibility for all aspects of their accommodation and to a large degree, that has happened.

A further example of better integration through a range of measures was the establishment of the PEACE III Respecting & Connecting Communities Project (RCC). The project identified two pilot areas of Donegal to address issues of Traveller / Settled conflict. The pilot areas selected included a Council Housing scheme and an area comprising of 9 different estates including private, County Council and Town Council. In one of the pilot areas, a mediator was appointed to work with the residents to look at ways to address and deal with the ongoing issues on the estate. Three members of the LTACC were members of the Working Group and Steering Group of the Project.

Further, on an ongoing basis, there is consultation between the Council, Donegal Travellers Project, the HSE and An Garda Síochána in relation to priority, high needs cases where a collective intervention is required, whether maintenance related or other issues are affecting the family / accommodation. It has become common practice for a 'working group' of interagency officials to meet where these difficult cases arise to discuss, plan, manage and devise a course of action.

### **Other Traveller specific accommodation projects**

A range of other Traveller specific projects were also progressed during the course of the Programme relating to families with specific needs, where funding was secured on a case by case basis through the Traveller Accommodation Unit in the Department of Environment, Community and Local Government to improve, upgrade or extend existing accommodation at a total cost of almost €400,000.

The range of measures included: extension to existing accommodation (4), refurbishment of existing accommodation (5), internal and external adaptation works (4) and halting site upgrades (2).

The Council also sought to acquire a dwelling to rehouse a family with significant accommodation needs in the Ballyshannon area. Following a rigorous assessment process, a specific dwelling was identified and the Council entered into a contract to acquire it. The dwelling was however subsequently destroyed in a fire to the extent that the vendor could not complete the sale. This occurrence presented significant challenges for all concerned including the family in question, Travellers in the South of the County, LTACC, Donegal Travellers Project and the Council.



**Major refurbishment works completed for elderly couple**



**Permanent Halt – Construction beside family home following interagency review**

## **Section 5**

### **Assessment of the Accommodation Needs of Travellers**

One of the key components in the preparation of a Traveller Accommodation Programme is the carrying out of an assessment of the accommodation needs of Travellers. Under Circular No. TAU 26/2013 dated 2<sup>nd</sup> August 2013, the Minister for Housing and Planning, under Section 6(1) of the 1998 Housing (Traveller Accommodation) Act, gave direction to Local Authorities in the preparation of this assessment of the accommodation needs of Travellers in its functional area. Local Authorities are required to consider the following key issues in the preparation of such an assessment:

- Identify the accommodation needs of Traveller families to be met under the new programmes. This must relate to existing accommodation needs and need that will arise during the period of the programme across a range of accommodation options including standard and group housing, permanent residential sites for caravans and transient sites
- 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.
- Make an estimate of the projected needs of Traveller families arising over the five-year period of the programme.
- Include an assessment of need for residential caravan parks for Travellers and the likely increase in the need for accommodation arising from the growth in the numbers of Traveller families
- Consult with Traveller families and any relevant Traveller support groups within their functional area, to ascertain a comprehensive picture of the existing and projected need for housing accommodation for Traveller families over the period of the new programmes.

#### **Initiating the process for carrying out the Assessment**

The Council issued 80 notifications to the statutory agencies, bordering local authorities, relevant bodies in Northern Ireland, Voluntary bodies, LTACC members, Donegal Forums, Homeless Hostel advising of its intention to carry out an assessment of the need for accommodation for Travellers in the County and inviting submissions.

Information gathered from both the summary of social housing assessments which had been completed in April 2013 and the November 2012 Annual Count of Traveller families was used as a base point in the preparation of the assessment of the accommodation needs of Travellers in County Donegal.

Over and above the April 2013 summary of housing assessments and the 2012 Annual Count of Traveller families, an updated database of Traveller families detailing, family name, family make-up, addresses, etc. is updated on a regular basis in consultation with Donegal Travellers Project, HSE Public Health Nurse for Travellers and the Traveller Accommodation Officer in

Donegal County Council. This updated database gives an accurate reflection of all Traveller families residing in the County at any given time and formed a key component in the preparation of this assessment of accommodation needs, which is hereinafter referred to as the October 2013 needs assessment.

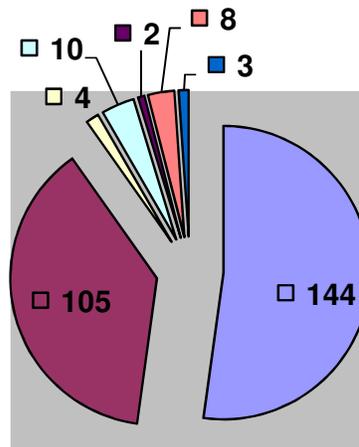
At the September 2013 meeting of the LTACC, the committee endorsed the methodology for carrying out the assessment as outlined.

The consultation process in terms of Traveller numbers, addresses etc. is an ongoing approach adopted by the Council in consultation with Donegal Travellers Project and the HSE and was the foundation for the completion of the October 2013 needs assessment ensuring that an accurate, precise and comprehensive picture of the existing and projected need for accommodation for Traveller families in the County was achieved.

The October 2013 needs assessment identified 276 Traveller families residing in County Donegal as follows:

<b>Electoral Area</b>	<b>Number of Traveller families</b>
Donegal	39
Glenties	2
Inishowen	16
Letterkenny	180
Stranorlar	39
<b>Total</b>	<b>276</b>

## October 2013 Need Assessment Accommodation Types of the 276 Traveller Families



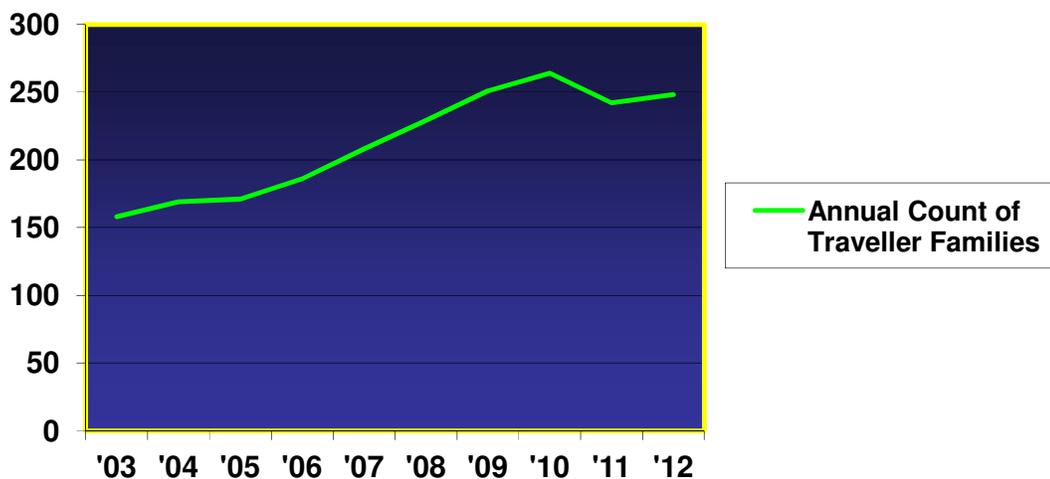
- Standard Housing (144)
- Private Rented (105)
- Permanent Halt (4)
- Temporary Halting Sites (10)
- Roadside (2)
- Sharing with Relatives (8)
- Other (3)

The table below illustrates the trend in the Traveller population over the past 10 years.

10-Year Profile of Traveller Population in County Donegal - 2003 – 2012

<b>Year</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Standard Housing	99	91	98	108	114	123	122	121	125	125
Group Housing	12	11	11	12	12	12	11	11	11	10
Permanent Sites	6	7	7	7	6	2	2	2	2	4
Temporary Sites	15	20	8	9	9	8	6	6	6	6
Sharing With relatives	9	5	3	7	6	3	13	4	4	11
Private rented	16	29	35	41	57	81	95	119	93	87
Roadside/ unauthorised sites	0	3	1	0	4	0	2	1	0	3
Other	1	3	8	2	0	0	0	0	1	2
<b>Total</b>	<b>158</b>	<b>169</b>	<b>171</b>	<b>186</b>	<b>208</b>	<b>229</b>	<b>251</b>	<b>264</b>	<b>242</b>	<b>248</b>

**Annual Count of Traveller Families in County Donegal over the past 10 years in graph format**



**Present Traveller Accommodation need in County Donegal**

Current Need based on October 2013 Needs Assessment

Of the 276 families identified, 127 families can be classified as in need of accommodation as follows: 105 Private Rented, 10 Temporary sites, 2 Roadside, 8 Sharing with relatives & 2 Other (1 family in this category in long term care). The table below breaks down the 127 families into electoral area and current accommodation type:

<b>Electoral Area</b>	<b>Private Rented</b>	<b>Temporary Sites</b>	<b>Roadside</b>	<b>Sharing</b>	<b>Other</b>
Donegal	13	4	2	0	0
Glenties	0	0	0	0	0
Inishowen	10	0	0	1	0
Letterkenny	63	6	0	7	2
Stranorlar	19	0	0	0	0
<b>Total</b>	<b>105</b>	<b>10</b>	<b>2</b>	<b>8</b>	<b>2</b>

**Total Families: 127**

Current Need based on applicants qualified for Social Housing Support

In line with the direction from the Minister, that 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, a detailed and thorough exercise was completed to establish the number of active Traveller housing applications at the time of the October 2013 needs assessment. The table below illustrates that there are 68 active applications as follows:

<b>Electoral Area</b>	<b>Approved Applicants</b>	<b>RAS Approval</b>	<b>Assessment Pending</b>	<b>Further Information awaited</b>	<b>Deferred</b>
Donegal	11	0	1	0	0
Glenties	0	0	0	0	0
Inishowen	6	1	0	0	1
Letterkenny	26	2	7	5	0
Stranorlar	7	0	1	0	0
<b>Total</b>	<b>50</b>	<b>3</b>	<b>9</b>	<b>5</b>	<b>1</b>

**Total Families: 68**

Scheme housing has been identified as the largest type of accommodation option preferred with no need identified for permanent residential sites for caravans

## **October 2013 Needs Assessment - Projected Increase in Traveller Population in County Donegal 2014 –2018**

The annual count figures were a key component in considering projected need in the years ahead. Donegal has had a large number of families coming to reside in the County over the duration of the previous Traveller Accommodation Programme. Some of these families have settled in the County long term while others for short periods. There have been significant increases and decreases in the Traveller population in the County over the past 6 years. Factors affecting the changing circumstances in the Traveller population in Donegal include nomadism, seasonal changes, family influence, accessibility to private rented accommodation and cross border challenges.

Approximately 20-25 Traveller children are born on an annual basis to Donegal Traveller families. In some of these cases, births lead to overcrowding within the family unit thus accommodation suitable to the family size / needs becomes an issue. The Council are presently dealing with two such cases of large families and alternative accommodation plans are being advanced for the two families.

Recent marriage trends also indicate that more families are looking to settle in Donegal after marriage. A further consideration of projected need is the age profile of existing families and the rate of new family formations in the County.

In line with the Minister's direction that housing authorities make an estimate of the projected needs of Traveller families arising over the five-year period of the programme, following research of the annual count, family profiles, recent increase in population, marriage trends, number of families that leave the jurisdiction after a period of time etc. a projected increase of 30 - 40 Traveller families is envisaged.

The increase in Traveller population and number of units and range of accommodation required will be kept under review on an ongoing basis throughout the duration of the Traveller Accommodation Programme 2014 – 2018 in close consultation with all the relevant agencies and in particular Donegal Travellers Project.

## **October 2013 Needs Assessment - Assessment of need for Transient sites**

Donegal County Council's previous Traveller Accommodation Programme 2009 – 2013 identified the need for three Transient sites with the need for a further site in the South of the County to be reviewed. Section 4 of the Programme gives a background to the processes and efforts to have a number of permanent Transient sites in the County over the course of the last programme. Specific proposals for two sites failed at various stages of the agreed methodology for advancing sites.

Given that the annual patterns of movement of Transient families in Donegal have changed significantly over the past number of years, coupled with the specific views put across in submissions received in the preparation of the current Draft Programme, there is now a very clear need for a comprehensive review of the position in terms of the need for Transient accommodation in Donegal.

The present temporary Transient site located at Lisfannon, Buncrana in the Inishowen Electoral Area has not been utilised to the extent that it was going back to 5-10 years ago. The use of the site over the last Programme has been mainly by individual families for relatively short periods and a major difficulty has been that the site at times has been used more for purposes of confirming an address rather than for Transient families visiting the County for short periods.

The Irish Traveller Movement (ITM) submission to the Draft Programme gives excellent guidance notes in terms of the provision of accommodation for nomadic families arising from research carried out by the ITM:

- Provide accommodation for the annual patterns of movement of families
- Transient provision must not be used as a 'temporary' accommodation option for families normally resident in the Local Authority Area who are awaiting permanent accommodation
- 8-week maximum duration of stay is recommended
- A very clear preference for transient site provision to be kept to smaller sizes and the provision of basic services

The HSE submission to the Draft Programme recommends the provision of two serviced sites for nomadic families, one in Inishowen and one in South Donegal. This is also the view of Donegal Travellers Project where they recommend a minimum of two transient halting sites be identified and progressed during the incoming Programme. Further submissions from the Ballyshannon and Bundoran Traveller Woman's Group and the Donegal South Forum Limited recommend the provision of a Transient site in the South of the County.

A temporary emergency Transient site was provided previously in the South of the County but the status of the site changed in 2006 after families moved

permanently on to the site. Following a legal process, the status of the site changed to a temporary indigenous halting site. In the provision of Transient accommodation and as outlined in the ITM submission, regard should be had to the purpose of the provision of a Transient site i.e. not used as temporary accommodation for families awaiting permanent accommodation.

An overall comprehensive review of the position in terms of Transient accommodation, including such provision at regional / national level will be completed by the last quarter of 2014 with an action plan developed. The said review will explore the potential for the establishment of an LTACC sub-group in relation to the identification of suitable sites.

## **Objectives and Strategy to address the need**

Under Circular TAU 26/2013 of 2<sup>nd</sup> August 2013, the Minister directs that implementation targets must be realistic and achievable. He also directs that annual implementation targets be included in the programme.

The Minister also outlines that programmes should be prepared with consideration given to the significant decline in funding for the housing capital programme which has had substantial implications for the Traveller-specific budget and also the general social housing budget, under which accommodation for Travellers is also provided.

There are ongoing Review Plans already in place for the two sites with commitments having been made in respect of three families in particular. These plans have been completed in consultation with the Local Traveller Accommodation Consultative Committee and while in some cases, offers of accommodation have already been made and declined, there remains a clear commitment to deal with these accommodation proposals during the life of this Programme, utilising the full scope of accommodation options as outlined in the Housing (Traveller Accommodation) Act.

The HSE's submission to the Draft Programme recommends: "Travellers should be consulted widely and appropriately about their accommodation needs and options. Negotiated, practical and realistic proposals should be agreed and then implemented". The Irish Traveller Movement submission outlines that Traveller Accommodation Programmes should be realistic and achievable, it is important to begin the programme by addressing the specific accommodation needs of Travellers and any issues or obstacles that may be present. In terms of the two proposals referred to above, the HSE recommendation & Irish Traveller Movement's comments are particularly relevant and constitute a practical common sense approach to put in place appropriate, proper and planned out accommodation solutions. Further, it is considered that consultations in relation to these proposals should also involve the Local Traveller Accommodation Consultative Committee as well as Donegal Travellers Project.

There are ongoing Review Plans already in place for the two sites with commitments having been made in respect of three families in particular. These plans have been completed in consultation with the Local Traveller Accommodation Consultative Committee and while in some cases, offers of accommodation have already been made and declined, there remains a clear commitment to deal with these accommodation proposals during the life of this Programme, utilising the full scope of accommodation options as outlined in the Housing (Traveller Accommodation) Act.

The second key objective is the continued and ongoing process of seeking to carry out adaptation works to existing Traveller homes with priority being had to instances where elderly families reside or where there are severe medical circumstances.

The third objective is the continuation of the Council's policy of the general provision of accommodation for Traveller families through the broad range of social housing measures including traditional Local Authority accommodation, both owned and leased, the Rental Accommodation Scheme and accommodation provided by approved Housing bodies, also both owned and leased. In terms of allocation of accommodation generally, it is the policy of Donegal County Council to allocate housing accommodation in accordance with the Allocation Scheme as outlined in points 11 & 12 in the Policy Statement contained within Section 7 of this Programme. Allocation of dwellings to Traveller families will be considered in conjunction with all other housing applicants.

The final key objective of the Programme is the completion of an overall comprehensive review of the position in terms of Transient accommodation, including such provision at regional / national level by the last quarter of 2014 with an action plan developed. The said review will explore the potential for the establishment of an LTACC sub-group in relation to the identification of suitable sites.

In line with previous Programmes, the key objectives with timeframes for delivery are set out in tabular format overleaf.

## Programme Objectives

	<b>Objectives</b>	<b>Dates / Timeframes</b>	<b>Progress / Status Report</b>
<b>1</b>	Continue to prioritise accommodation of families residing on the Ballintra & Big Isle halting sites with delivery of specific accommodation proposals for three families	2014 - 2015	Ongoing
<b>2(a)</b>	Complete 2-storey, 2 bed extension to family home in Ballyshannon	January - June 2014	Ongoing
<b>2(b)</b>	Continue with the progression of small scale projects for Traveller families on a case by case basis where emergency need arises during the course of the Programme i.e. adaption works, remedial works, window replacement, refurbishment programmes etc.	2014 - 2018	2014 - 2018
<b>3</b>	Provide 32 units of accommodation through a range of Social Housing measures. Projected provision over five year period: 2014 – 7            2015 - 6 2016 – 6            2017 - 7 2018 – 6	2014 - 2018	2014 - 2018
<b>4</b>	An overall comprehensive review of the position in terms of Transient accommodation, including such provision at regional / national level will be completed by the last quarter of 2014 with an action plan developed. The said review will explore the potential for the establishment of an LTACC sub-group in relation to the identification of suitable sites.	2014	2014

***The objectives set out above are in keeping with the Ministers direction in that they are realistic and achievable.***

## **Section 6**

### **Implementation of Strategy**

#### **Identification of implementing authorities**

In implementing its Traveller Accommodation Programme 2014 – 2018, Donegal County Council will rely on experiences over previous programmes and seek to overcome obstacles which prevented certain aspects of the programme from being implemented. In this regard, the statement in the Irish Travellers Movement submission to the Draft Programme is relevant in the implementation and adoption of the third edition of Traveller Accommodation Programmes in that they should be SMART principles, **S**pecific, **M**easurable, **A**chievable, **R**elevant & **T**imebound. Further, the Minister has directed that that implementation targets must be realistic and achievable.

#### **Implementing Authority**

Donegal County Council, being the relevant housing authority, as defined in the 1998 Act, is the implementing Authority with overall responsibility for the implementation of the Traveller Accommodation Programme in its functional area. As Donegal County Council already provide its services on an electoral area basis, the replacement of Borough & Town Council by municipal districts is not seen as a matter that will have any negative impact on the delivery of the Accommodation Programme.

#### **Resources / Funding**

Resources required for the implementation of this accommodation programme will be by means of Capital Allocation from the Department of the Environment, Community and Local Government and from each housing authority's annual revenue budgets. In relation to Voluntary Housing Bodies assistance will be provided through the Capital Assistance Scheme. Other agencies resources will be provided through their own funding sources.

However, it is abundantly clear given the difficult economic circumstances over the past number of years that funding will be an issue in the delivery of Traveller Accommodation over the duration of the new Programme. Indeed, Circular 26/2013 directing Local Authorities to prepare their new Programmes makes clear and specific reference in this regard stating that the funding situation for both general housing and Traveller specific accommodation will remain challenging, at least in the short term and this position should be reflected in the Programme. Donegal County Council nonetheless commits to seeking to maximise the drawdown of any funds available in the delivery of the Traveller Accommodation Programme.

#### **Means of providing accommodation**

Allied to the resource / funding constraints, the process of shifting the focus of Social Housing delivery generally away from the reliance on construction and acquisition towards a greater role for flexible mechanisms has been underway for the past number of years. This envisages a "life-cycle" approach in the development of housing policy and the creation of a system of flexible support mechanisms tailored to take account of particular households at whatever

point they are in the “life-cycle” and in a manner that empowers personal choice and autonomy. Over recent years, the Social Housing Investment Programme has been repositioned and reconstituted in order to ensure continuity of supply on a sustainable basis. The focus of supply primarily now lies within the expanded suite of non-construction supply options including: Social Housing Leasing Initiative, Rental Accommodation Scheme, Expanded role of Voluntary & Co-operative Sector, Loan & Grants to purchase / improve dwellings.

There is limited capital investment in Local Authority construction or acquisition generally and what capital funding is available will be prioritised to meet special needs, to support regeneration and to maintain the housing stock. The majority of accommodation to be provided for Travellers under this Programme will also come through these mechanisms.

### **Rental Accommodation Scheme (RAS) & Long Term Lease (LTL)**

Both these schemes provide Local Authorities with an additional option for Travellers with long term housing needs and will be considered by the Council as a housing option. Over the past 18 months of the previous Programmes, RAS in particular has become a popular accommodation choice with a large number of Traveller families already in private rented accommodation looking to avail of accommodation through this initiative.

### **Assistance to Voluntary Bodies**

Donegal County Council will consider any applications by an approved Voluntary Body to provide housing for Travellers under the Capital Assistance Scheme.

### **Identification of other bodies concerned**

Other bodies concerned with the implementation of the Accommodation Programme include Town Councils (presently), Voluntary Housing Associations, Donegal Travellers Project, Health Service Executive, An Garda Síochána, FAS, Education Services, Social Welfare Services, VEC, CENA Culturally Appropriate Homes Ltd., MABS, Inter Agency Group for Travellers (IAG) and any other agency identified as the need arises.

### **Local Traveller Accommodation Consultative Committee (LTACC)**

The role and distinct expertise of LTACC membership is recognised in relation to dealing with crisis situations as they arise and where deemed necessary, the Chairperson of the committee may convene emergency meetings in such situations.

### **Consultation**

Donegal County Council recognises that consultation on a number of levels is critical to the successful implementation of the Programme.

The general public will be informed of the incoming Programme by way of publication of notice in the local press both at Draft stage and following adoption of the Programme. Notification to statutory bodies, local Voluntary Bodies, Donegal Travellers Project has also issued outlining the Council's

intention to replace its existing Programme. These groupings will be kept informed of progress through to the full adoption of the Programme.

Meeting with Travellers, members of the local community and local residents will be carried out as required.

The working relationships developed between the Council, Donegal Travellers Project and all the statutory agencies over the course of the previous programmes has led to extremely healthy and positive relations. These same groupings come together regularly whether through the LTACC, Working Groups or participation on a number of other specific projects i.e. Canal Road LTACC sub group, Cullion Road Pilot Tenant Participation group, Respecting & Connecting Communities Project etc.

The elected members also have a role to play in the implementation of the Programme and discussions are ongoing during the Programme with the members through the various committees as well as on an individual basis as necessary.

As well as the above, continuous consultation through the Local Traveller Accommodation Consultative Committee regarding accommodation issues and needs will also be key to the delivery of the Programme.

### **Methodology for Progressing Permanent Accommodation Proposals**

The methodology set out in this section for progressing permanent accommodation site proposals also formed part of the Traveller Accommodation Programme 2009 – 2013. This process is seen as an essential part of progressing sites from that of a potential site to a developed site and allows for openness and transparency at all stages for all parties.

The five-point methodology details as follows:

- The sites to be examined from a planning/technical view point to ascertain if there are any fatal flaws, which would rule the site out
- Arising from the output of this review, details of the site to be presented to the Local Traveller Accommodation Consultative Committee, the Housing Strategic Policy Committee, followed by the Electoral Area Committee and Town Council
- Sites then to be included in the Draft Local Area Plan/County Development Plan for publication as part of that process. Public meetings to be held in areas where sites are proposed
- Following completion of detailed plans of proposed development, normal public consultation process under existing planning regulations to take place
- Report on said consultation to be presented to members in the context of taking a decision as regards whether or not the proposed development should take place

**Selection of land / sites Traveller-specific accommodation**

The criteria for site selection set out in Sections 14 & 15 of this plan will be used as the basis to study available land and in consultation with the Local Traveller Accommodation Consultative Committee and the relevant Electoral Area Committee of Donegal County Council, will be used to make the initial decision to choose any particular sites.

Development of any land to be acquired will be subject to agreement under Part VIII of the Local Government (Planning & Development) Act 2000. Public consultation in relation to such sites will be conducted in accordance with procedures set out under the above regulations. Wherever possible, suitable sites will be acquired by agreement, however, if necessary, the acquisition of suitable sites by Compulsory Purchase Order is not ruled out.

## Section 7

### **Policy Statement**

1. The policy of Donegal Housing Authorities will be to provide suitable accommodation for Traveller families in its administrative area, in consultation with Travellers, Travellers Organisations, Local Traveller Accommodation Consultative Committee, Public Representatives, the wider community and other statutory & Voluntary bodies.
2. Donegal County Council will continue to consult with Travellers, Travellers Organisations, the Local Traveller Accommodation Consultative Committee and other statutory & voluntary bodies on issues relating to Traveller Accommodation. This will include the type of accommodation provided, permanent/temporary halting sites, transient halting sites, provision for visiting Traveller facilities, size and layout, security, management and maintenance of sites.
3. Donegal County Council accepts the culture of Travellers and that a nomadic existence is valid and will not discourage it. Where Traveller families wish to leave their accommodation for short periods, accommodation will not be considered abandoned provided Donegal County Council has been notified and has agreed the period the accommodation will be vacant.
4. It will be the policy of Donegal Housing Authorities to provide suitable accommodation in order to remove the need for unauthorised, unsanitary and unsuitable encampments and the need for travellers to reside on the roadside within the general context of this accommodation programme.
5. Donegal County Council will not provide accommodation for Traveller families who continue to avail of accommodation in the functional area of another local authority, save where they avail of transient halting sites, for stays of short duration only.
6. Donegal County Council will promote:
  - (a) the involvement of Traveller tenants in the development of participation programmes.
  - (b) anti-discrimination policies to ensure that Traveller tenants are not excluded, purely because they are Travellers.
7. Donegal Housing Authorities shall, in the interests of good estate management, use all legislative powers at their disposal to control anti-social behaviour on the part of all its tenants and/or housing applicants.
8. Donegal County Council's Anti-Social Behaviour Strategy sets out the Councils approach to dealing with anti-social behaviour which includes

provision that where it is considered that a person has been engaged in anti-social behaviour, or that a letting to that person would not be in the interest of good estate management, offers of accommodation may be refused or deferred in the first instance, and in the case of existing tenants, proceedings will be initiated for termination of tenancy, eviction of the tenant, and repossession of the accommodation.

In the case of existing tenants identified by Donegal Housing Authorities as responsible for anti-social behaviour, vandalising a facility or interfering with other tenants or residents of the facility, a speedy and effective response will be taken. A process incorporating the following elements is proposed:

- (a) warning notice
- (b) interview
- (c) rehabilitation programme, where appropriate
- (d) if (a), (b), and (c) do not produce the desired result, then the ultimate sanction of eviction would be pursued.

The provision of the Council's Anti-Social Behaviour strategy also applies to halting sites.

The Housing (Miscellaneous Provisions) Act 1997 as amended by the Housing (Miscellaneous Provisions) Act 2009, defines anti-social behaviour as either or both of the following:

- (a) (a) the manufacture, production, preparation, importation, exportation, sale, supply, possession for the purposes of sale or supply, or distribution of a controlled drug (within the meaning of the Misuse of Drugs Acts 1977 and 1984),
  - (b) (b) any behaviour that causes or is likely to cause any significant or persistent danger, injury, damage, alarm, loss or fear to any person living, working or otherwise lawfully in or in the vicinity of a house provided by a housing authority, or a housing estate in which the house is situated, and includes:
    - (i) violence, threats, intimidation, coercion, harassment or serious obstruction of any person,
    - (ii) behaviour which causes any significant or persistent impairment of a person's use or enjoyment of his or her home, or
    - (iii) damage to or defacement by writing or other marks of any property, including a person's home.
9. Donegal County Council shall review the Accommodation Programme at least once in every four-year period, or at such times as the Minister may specify or, when necessary, in consideration of changing needs of Travellers, natural increase in households, changing patterns of movements etc., in consultation with the Local Traveller Accommodation Consultative Committee. In this regard, the Minister has directed that this Programme be reviewed not later than 31<sup>st</sup> December 2016.

10. Donegal Housing Authorities will endeavour to provide, where appropriate, Traveller specific accommodation, which has regard to Traveller culture and traditional economic activities.
11. In cases where Traveller families so wish and where the Housing Authority consider it appropriate, from a good estate management and a social point of view, efforts will be made to re-house such families in the mainstream Housing Programme in accordance with the Allocation Scheme.
12. Donegal Housing Authorities, when allocating accommodation, will have regard to the provisions of the Allocation Scheme, estate management issues, an appropriate social mix within areas, compatibility of families, anti-social behaviour, house size requirement. families circumstances including health, family size, length of time in district, family history in an area, integration into that area etc. In line with a submission to the Draft Programme from the Irish Travellers Movement, Donegal County Council will not operate separate waiting lists for Traveller applicants to standard housing applicants.
13. Donegal County Council will endeavour to ensure that through the various consultation processes that the criteria as identified will be used for the provision of Group houses and temporary/permanent halts.
14. Maintenance & Training  
Donegal County Council employs a Traveller Accommodation Caretaker who has responsibility for the operation and maintenance of Traveller Accommodation and in particular, temporary, permanent and transient halting sites. This caretaker is employed on a fulltime basis and currently has responsibility for the temporary emergency indigenous & transient sites, permanent halts as well as two group-housing schemes. The role of the Caretaker has changed considerably over the years and as well as the sites, he also now has direct involvement with the Housing Engineers in relation to maintenance, repairs and contract works on Traveller dwellings. Further, it is the experience of the Council that families who have a long standing working relationship with the Caretaker prefer and are more comfortable with his involvement as part of any maintenance plan relating to their accommodation.
15. Donegal County Council will actively encourage the increased participation and involvement of Travellers in the planning for and control of their own accommodation.
  - (i) Participation of Travellers on the LTACC
  - (ii) Caretaker role on sites.
  - (iii) Develop and maintaining of landscaping, open spaces and internal/external borders to ensure that the sites are both functional and pleasant to live on, and aesthetically pleasing.

16. Donegal County Council, in co-operation with Donegal Travellers Project and the Local Traveller Accommodation Consultative Committee will deliver appropriate back up, tenancy support and training programmes for Traveller families, prior to and after the allocation of accommodation.
17. Donegal County Council will set up and monitor maintenance plans for permanent/temporary halting sites, transient sites and Group Housing Schemes. Responsibility for the upkeep of such sites is not just the role of the Council but tenants also have a role to play in the upkeep of their individual bays / sites.
18. The aim of “Children First” is to promote the safety and well-being of children with parents and guardians having the main responsibility for the care and protection of children. Donegal Local Authorities supports a collaborative interagency approach in dealing with specific accommodation cases particularly relating to children.
19. The Local Traveller Accommodation Consultative Committee shall prepare its annual report for submission to the Department of Environment, Community and Local Government.
20. The Chair of the LTACC or any member of the committee may call a meeting of the committee in the event of an extra-ordinary event or crisis situation.
21. Donegal County Council will work with Donegal Travellers Project in providing information to the Travelling Community about Housing and other policies.

## Section 8

### **Emergency Situations/ Options for Travellers who are Homeless**

There are several options available to Travellers who find themselves homeless.

- The St. Vincent De Paul Homeless Hostel in Letterkenny (part funded by Donegal County Council)
- B&B accommodation for two nights
- Deposits for private-rented accommodation
- Provision of caravans in emergencies

All of the above options are utilised by Travellers in Donegal. Emergency B&B situations have arisen as a result of a number of reasons including family feuds, landlords evicting families from rented accommodation, families arriving in the County without accommodation planned in advance, domestic violence etc.

The St. Vincent De Paul Homeless Hostel in Letterkenny offers emergency short-term accommodation to people experiencing unplanned homelessness. They have provided an immense service to Traveller families in Donegal since they opened in 1997. This provision has also been utilised frequently by Traveller families over the course of the 2009 – 2013 Programme.

In a particular case during the last year of the previous Programme, an interagency group was established to deal with extremely complex issues including homelessness of a particular Traveller family. A short, medium and long-term plan was put in place to meet the varying needs of the family. This necessitated the family having to remain in the Homeless Hostel for 6 months until such time as appropriate accommodation was sourced and the family were fit and ready to reside independently in the community again. This programme of work could not have happened without the assistance of the Homeless Hostel.

There is also an ongoing partnership approach in crisis homeless situations between Donegal County Council and Donegal Travellers Project.

Caravan replacement for families was also utilised over the course of the programme. The predominant reasons for emergency replacement were fire, storm, age of caravan, poor repair and health reasons.

## **Section 9**

### **Assistance to Travellers to Provide own Accommodation**

Donegal County Council will continue to provide assistance to Travellers to provide accommodation for themselves, with the aid of the fiscal incentives available. These are as follows:

- Local Authority Loans for Purchase.
- Mortgage Allowance
- House Improvement Loan
- Improvement Works in lieu of Local Authority Housing
- Housing Adaptation Grants for older people and people with a disability
- Caravan Loans / Caravan Grant

#### **Caravan Loans**

A Caravan Loan Scheme was introduced by the Department of the Environment in February 2000 and is operated by this Council to assist families whose caravans are considered to be no longer habitable. The applicant must be in need of accommodation and unable to provide from their own resources, and the caravan purchased must meet the needs of the family concerned. The applicant must be deemed as indigenous to the County and must be resident on an official Council run halting site or must provide a site that is acceptable to the Council. The scheme is dependent on the availability of finance, which includes budgetary provisions of the Traveller Accommodation Unit as well as the repayment of existing loans.

#### **Caravan Grant Scheme**

In accordance with Circular TAU 1/2000, the Department may provide funding (50% of costs) towards the provision of reasonably priced caravans where evidence is provided of an emergency situation i.e. fire, storm damage etc. The Council assume responsibility of sourcing the appropriate caravan / mobile home.

## Section 10

### **Private Rented Accommodation**

The Assessment of Need as contained in this programme highlighted the significant number of Travellers presently residing in accommodation in the Private Rented sector in the County. The figure of 117 families residing in private rented accommodation is encouraging in that it highlights the significant shift in the number of Travellers accessing accommodation in the private rented market. The large percentage of Travellers residing in rented accommodation is in the Letterkenny area where there is huge availability of accommodation in the private rented market, both privately and through estate agents.

Families can experience discrimination when trying to acquire private rented accommodation and indeed a number of families are renting sub-standard accommodation in the private market. However, over the past number of years in particular, given the large increase of families into the County, the experience in certain parts of the County is that families access private rented accommodation with relative ease. Where families are renting sub-standard accommodation, such families are to be encouraged to move to more suitable accommodation, given the widespread availability presently on offer. Significant changes in the supplementary welfare allowance process is also having an impact on families in private rented accommodation.

Private rented accommodation is an appropriate short to medium term housing solution for applicants on the Housing waiting list. Indeed it is an option availed of by the majority of social housing applicants and the increasing numbers of Traveller families availing of this option is significant and welcome.

#### ○ **Rental Accommodation Scheme (RAS)**

The Rental Accommodation Scheme (RAS) is an initiative introduced to cater for the accommodation needs of persons who are in receipt of rent supplement, normally for more than 18 months, and who have a long-term housing need (excluding asylum seekers or other non-nationals who do not have leave to remain in the State permanently and students). The scheme is administered by Donegal County Council and is intended to provide an additional source of good quality rented accommodation for eligible persons to enhance the Councils response to meeting long-term housing need. The Council will enter into contractual arrangements with accommodation providers to secure the medium to long-term availability of private rented accommodation under the scheme.

Traveller families are encouraged to avail of this scheme which will bring security to families in the rented sector as a common complaint is that Landlords are not entering into or not keeping letting agreements and families are having to vacate their rented accommodation at short notice. The Rental Accommodation Scheme will afford families to have longer term plans in

terms of accommodation i.e. schools, Hospital / GP appointments etc. which obviously brings more stability within the family unit.

- **Residential Tenancies Act 2004**

The letting and tenancy of dwellings by private landlords to families / persons is solely a matter for the private landlord and is regulated by the Private Rented Tenancies Board under the auspices of the Residential Tenancies Act 2004.

Families availing of accommodation in the private rented sector are entitled to apply to the Community Welfare Officer for Supplementary Welfare Allowance. While the Community Welfare Service has discretionary powers in the awarding of rent supplement, in the main, applicants will have to be qualified as in need of social housing support by the Housing Authority. The decision on allocation of rent supplement rests solely with the Department of Social Welfare.

In some cases, families will make an application to the Council for assistance with a homeless deposit.

- **Family Responsibility**

Donegal Housing Authorities will consider applications for housing from new Traveller families not currently included in the Assessment of Need, along with all other housing applications. However, as the housing need of new Traveller families will be competing with needs of all other categories, there will be an inevitable delay in the provision of suitable accommodation. Accordingly, applicants qualified as been in need of Social Housing support will be included on the housing waiting list in the interim. Traveller families as with all other applicants, have a responsibility to consider their short-medium term housing requirements while awaiting local authority accommodation.

Prior to the allocation of local authority housing, applicants on the waiting list primarily meet their short-term accommodation needs by availing of private rented accommodation with assistance under the Supplementary Welfare Allowance Scheme where necessary. Travellers are encouraged to avail of private rented accommodation to meet their short-medium term needs. Provision of accommodation to meet the short-medium term needs while awaiting local authority accommodation will remain the responsibility of the housing applicant.

Other Traveller families on taking up residence in Donegal will similarly be entitled to apply for Local Authority accommodation and will have a responsibility to meet their own short-medium term accommodation requirements.

## Section 11

### **Interagency Framework for addressing conflict and/or tensions between the Traveller / Settled Community**

Respecting & Connecting Communities was a successful project set up to build better relations between Travellers & the wider community as set out in the Donegal Peace III Action Plan 2008 – 2010. The project was based within The Social Inclusion Unit of Donegal County Council and was delivered within the context of the Donegal County Development Board Interagency Group on Traveller issues. It was directed by a steering group comprising of key stakeholders in the County including members of the Traveller Community. The Steering Committee is comprised of the following groups and agencies who are involved in supporting and delivering services to the Traveller community in the County:

Donegal County Council, Social Inclusion Unit, Donegal Travellers Project, Health Service Executive, An Garda Síochána, Letterkenny Town Council, Media, Citizens Information Board, Donegal Local Development Company, Inishowen Development Partnership, Vocational Educational Committee, Visiting Teacher for Travellers & St. Fiachras Training Centre.

The first phase of the project culminated in the drafting of a Framework document. The purpose of this document was to detail an agreed and workable Interagency Framework for dealing with and addressing conflict situations and/or tensions between the Traveller and settled community. The Framework document was the result of a series of dedicated workshops and meetings between key stakeholders to collaboratively agree the individual role, responsibilities and responses of each relevant stakeholder in a situation where tensions or conflict exist or where there is a risk of conflict between the Traveller and settled community. The agreements within the Framework document represent a commitment to a standardised interagency methodology to conflict resolution which will result in a coherent and integrated response to conflict situations.

The second phase of the Project focused on applying and testing the applicability of good practice guidelines within the context of the framework at a grassroots level. Two pilot areas were selected, one each in North & South Donegal. The first area where Traveller / Conflict was ongoing was an area of Letterkenny consisting of nine housing estates. The second area selected was a Council Housing scheme where there was a history of Traveller / Settled tensions. A number of initiatives in line with the Framework Document were implemented including meetings with residents, assisting the set up of residents groups encouraging Traveller participation, the introduction of a Mediator in one conflict situation as well as numerous other initiatives / programmes with ongoing intensive involvement of all the agencies.

The culmination of the Respecting & Connecting Project is that key lessons were learned in relation to conflict between both communities, how to act and react in certain situations and the Framework Document now exists as “Good

Practice Guidelines” for any of the agencies to deal with a range of Traveller / Settled conflicts going forward. While the Council along with the other agencies and in particular Donegal Travellers Project deal with issues of low level conflict on a regular basis, the general consensus is that where an emergency or crisis conflict situation arises, the Framework document can be applied as an appropriate tool to assess, plan and manage the conflict situation.

### **Good Practice Guidelines for Convening Meetings in emergency / crisis situations**

1. That the working group consisting of personnel who are currently working at a grassroots level with the Traveller community will commit to meet on a regular basis as agreed. The purpose of these meetings is to share information, monitor cases and where necessary discuss possible actions to be implemented where issues have arisen between the Traveller and settled community.
2. Notwithstanding the working group meetings, any member of the working group may call an emergency meeting of the group should they deem this necessary. The working group commits to making themselves available to attend a meeting within 48 hours unless extenuating circumstances exist.
3. Middle/senior management shall recognise the mandate of the working group. Within their own organisations middle/senior management shall authorise priority status be given to actions deemed urgent by their representative on the working group.
4. Middle/senior management shall commit to attend Interagency Meetings when requested to do so by the working group should they deem the situation to be of a nature that requires higher level input and decision making.
5. Organisations will commit to review the efficiency of their internal structures for addressing conflict and/or tensions between the Traveller and settled community when it arises. This will include the review of their policies and approaches for dealing with conflict.
6. Organisations will commit to considering further preventative measures within their organisations to address conflict/tensions in parallel with conflict resolution measures. These measures will attempt to break existing patterns and involve “thinking outside the box”.

## Section 12

### **Unauthorised Encampments**

It is policy of Donegal County Council to provide suitable accommodation in order to remove the need for unauthorised unsanitary and unsuitable encampments and the need for Travellers to reside on the roadside. The County Council, in its role as both Planning and Sanitary authority cannot, however, tolerate unauthorised encampments in areas where this would give rise to unacceptable conditions.

At present, there are two Acts that are primarily used to deal with illegal encampments.

**1. The Criminal Justice (Public Order) Act 1994, as amended by Section 24 of the Housing (Miscellaneous Provisions) Act, 2002.**

Section 24 deals with offences relating to entering and occupying land and the placing of an object on land without consent. Enforcement of this new provision is a matter for the Gardai.

**2. The Planning & Development Act 2000.**

Section 160 of the Planning and Development Act 2000 relates to the unauthorised development of lands consisting of the keeping/placing of caravans etc for the purposes of caravanning/habitation. This Act is enforced where the illegal encampment is situated on any public road, within the meaning of the Roads Act 1993, or on private lands.

Donegal County Council shall use all legislative powers at its disposal to remove unauthorised encampments, and will take appropriate measures to safeguard against the creation of unauthorised developments.

The Council will endeavour to resolve unauthorised developments with understanding and by agreement with the Traveller families concerned, Donegal Traveller Project and other agencies.

The Council, therefore, while taking into account the rights and well-being of Travellers must reserve the right to institute enforcement action through the Courts to have such encampments cease in cases where issues of public health, public order, traffic hazard, loss of amenity, private, commercial or residential interests are being significantly affected/compromised, or completion of essential public works is being hindered.

Sympathetic consideration will be given to the merits of each individual case and the Council will have regard to the legal, housing, planning, environmental, social, technical, family circumstances, needs of children or other restraints within which it must operate.

In the event that the Local Authority is evicting a family, the Traveller Accommodation Officer will work closely with the family to ensure that relevant agencies are aware of the position.

## **Section 13**

### **Maintenance and Management of Traveller Sites**

Donegal County Council have in place a proper Management and Maintenance Programme for Traveller sites, which includes

- Employment of a Caretaker who is responsible for the operation and maintenance of Traveller specific accommodation and in particular temporary, permanent and transient sites as well as two Group Housing schemes
- Entrance Control
- Regular cleaning and disposal of waste materials
- Pest Control
- Quarterly power sweep / wash
- Fire Safety
- Policy in relation to Anti Social Behaviour
- The Council encourages the participation of Travellers in the Management and Maintenance of sites, with support from Donegal Travellers Project.
- The Council encourages Tenant Participation
- Information will be provided on sites in relation to Emergency Services.

## **Section 14**

### **Indigenous Travellers/Accommodation Types**

These are families permanently resident in the County. These families are not necessarily native to the county but have been living here for more than 18 months on a continuous basis, and have become a part of the community of Travellers, and have some roots in the community. A person living on an illegal encampment will not be regarded as indigenous, notwithstanding the fact that they may be resident on the illegal encampment for more than 18 months.

The type of accommodation, which can be provided, is varied as follows.

#### **Standard Housing:**

Local Authority housing are allocated to applicants in order of priority, taking all circumstances into account. Houses may be new e.g. on a new Housing Estate or previously occupied if allocated from existing stock.

#### **Rental Accommodation Scheme & Long Term Leasing**

In conjunction with the significant decline in funding which has seriously impacted on the financial support available for the housing capital programme and Traveller specific budget, these developments have led to the introduction of new means of delivering social housing support through the Rental Accommodation Scheme & Long Term Leasing

#### **Voluntary Housing**

Accommodation, both owned and leased, may be allocated as a Social Housing support.

#### **Group Housing**

Group Housing for two or more Traveller families in a purpose built scheme of houses/bungalows will comply with Department Guidelines for Group Housing for Travellers.

#### **Permanent Halting Sites**

Individual bays with full services will comply with Department Guidelines – Residential Caravan Parks for Travellers

#### **Single Housing**

Provision of single dwelling.

## **Criteria to identify sites for Indigenous Families i.e. Group Housing, Temporary and Permanent Halting Sites**

- Must comply with Planning and Development Regulations
- Location to take account of traditional parking areas
- Location to take account of individual family needs/requirements in particular safety, health and education
- Size – max.8 units/bays.
- Consultation with Travellers, Travellers Representatives/Organisations, Elected Members, General Public and other agencies.
- Take cognisance of the needs and compatibility of extended family groupings, and of the different population structure of the Traveller community with over fifty per cent under the age of fifteen;
- To contribute to improving relations between Travellers and Settled communities
- To include proper landscaping to ensure the site is not only functional but also pleasant to live on and aesthetically pleasing. This should include not only the site itself but also the outer boundary
- To have adequate public lighting for security and safety purposes
- To ensure an appropriate balance between personal privacy and communal needs compatible with the requirements of the Fire Officer
- To include facilities for play space, communal meeting rooms and public telephone
- Where possible cater for changing family structures;
- To be accessible and appropriate for Traveller tenants with a disability
- Each bay should allow for safe fuel storage with electricity, sewerage services and water supply provided.
- That all Health & Safety regulations will be taken into account
- Accommodation to comply with current guidelines issued by the Department of Environment, Community and Local Government and Department of Health and Children.

## **Section 15**

### **Transient Travellers/Guidelines for Transient Sites**

These consist of those families who spend only periods of time in the county – less than 3 months but generally less than 1 month. Transient families have no wish to settle in the county and do not become a part of the community of indigenous Travellers. Travelling Traders are a part of this category.

Transient sites cannot be occupied by a Traveller family for longer than 8 weeks in any one year.

Transient Sites are provided to meet the needs of Transient Families as set out below.

#### **Transient Sites**

Section 5 - Assessment of the Accommodation Needs for Travellers deals comprehensively with the matter of provision of Transient Accommodation in County Donegal.

Donegal County Council accepts that a nomadic existence is valid and it is not part of the Local Authority role to discourage it. Travellers have traditionally pursued a nomadic way of life.



**Current Transient facilities at Lisfannon, Buncrana**

***The following criteria will be used to identify suitable sites;***

- Must comply with Planning and Development Regulations
- Site to be approximately 2 – 5 miles from towns/villages, where possible
- Locations to take account of traditional parking areas and local patterns of Transient families
- To include proper landscaping to ensure the site is not only functional but also pleasant to live on and aesthetically pleasing. This should include not only the site itself but also the outer boundary
- To have adequate public lighting for security and safety purposes
- To ensure an appropriate balance between personal privacy and communal needs compatible with the requirements of the Fire Officer
- In accordance with the Irish Traveller Movement research, Transient site size to be kept small and services basic

Facilities to include:

1. Hard surface
2. Water supply
3. Toilet facilities
4. Electricity supply

## **Management & Maintenance agreement on Transient sites**

Management issues that will be included in the agreement for allocating transient accommodation include:

- (i) Applicants must apply to Donegal County Council at least two weeks in advance for the use of the facilities
- (ii) The maximum duration a family will be permitted to use the facilities is 8 weeks
- (iii) The charges applicable for use of the facilities
- (iv) The applicant will be required to notify the Housing Authority providing them with permanent accommodation of their intention to use the facility in order to avoid duplication of services
- (v) Under no circumstances will the applicant be permitted to extended family members occupy the bay allocated to them
- (vi) The applicant will be obliged to inform Donegal County Council in advance if it is their intention to vacate the bay earlier than originally intended in order to allow the Council reallocate accordingly
- (vii) Applicants must not conduct any trade, keep horses or other animals, keep or store any scrap or carry out any other activity from the site. Non compliance will result in immediate removal from the site
- (viii) Each family will be required to sign an agreement with the Council prior to occupation of sites.

Access to these facilities will be strictly controlled. Any member of the Travelling community requiring use of the facilities will have to apply in advance and agree to sign an agreement covering operational procedures. A suitably developed caretaker service will be provided to the sites. The charges for use of the facilities will be higher than those for permanent sites due to the inevitable increase in control, administration and maintenance costs.

## **Network of Transient sites**

Given Donegal's location in the North-West of the Country and the passing through of other Counties en route, the provision of a network of transient sites in an all-inclusive and complementary manner by the relevant housing authorities is a necessity if Transient Accommodation is to work in a successful and sufficient manner. Otherwise, the Counties where Transient sites are prioritised and progressed will have the problem of being incapable of catering for large numbers who wish to avail of Transient accommodation thus resulting in illegal encampments. Only the full implementation of Traveller Accommodation Programmes in terms of Transient accommodation nationally will address, progress and alleviate this issue.

## **Section 16**

### **Conclusion**

Donegal County Council acknowledges the role, support and commitment of Travellers, Donegal Travellers Project, HSE, the Local Traveller Accommodation Consultative committee, various interagency groups and elected representatives in delivery of its Traveller Accommodation Programme.

The Council are committed to continuing to work with Travellers, their representatives and other relevant agencies in the provision of accommodation for the Travelling community in Donegal.

The targets set out in the Programme are considered realistic and achievable and the Council are committed to securing the full implementation of the Programme during its lifetime.