

TRAVELLER ACCOMMODATION PROGRAMME 2009 – 2013

Introduction.

The Housing (Traveller Accommodation) Act 1998 places a statutory obligation on Local Authorities to prepare and implement a Traveller Accommodation Programme. The Programme will specify targets to be met during the period 2009 to 2013.

The current Programme was adopted on 11th April, 2005. Over the Period of the current Programme 2005 – 2008 a total of one hundred and eighty two families have been accommodated with the support of Mayo County Council. Fifty one families have been accommodated in Local Authority dwellings, seven families have been accommodated through Mayo County Council's Rental Accommodation Scheme (RAS) and a further one hundred and twenty four families have been supported and assisted by Mayo County Council Traveller Accommodation Liaison Officers in securing private rented accommodation.

The number of Traveller families resident in the County has increased from one hundred and sixty nine in 2005 to three hundred and fourteen as at 1st. October, 2008, due to new family formations and families returning to the County.

Since 2005 the number of Traveller families on the roadside has decreased from forty three to twenty and the number of Traveller families in private rented accommodation has increased from seventeen to one hundred and twenty five.

SECTION (01). BACKGROUND / CONTEXT

The Housing (Traveller Accommodation) Act 1998 amends and extends the existing Housing Acts and places a statutory obligation on Housing Authorities, including Mayo County Council in relation to, inter alia, the following;

- To prepare and adopt by a date specified, in consultation with Travellers, a Traveller Accommodation Programme to meet the existing and projected accommodation needs of Travellers in the County;
- Allow for public input to the preparation and amendment of such programmes;
- Obliges Housing Authorities to take appropriate steps to secure implementation of programmes.
- Requires Planning Authorities to include objectives concerning Traveller accommodation in their Development Plans.

In accordance with Section 7 of the 1998 Act, the Minister for the Environment, Heritage and Local Government has directed that the third Traveller Accommodation Programme will be prepared and adopted by the specified date of **30th April, 2009**.

Section 10 of the Act specifies that the Programme will cover the five year period, 2009 – 2013.

To facilitate consultation with Travellers on the preparation and implementation of the Traveller Accommodation Programme and to progress the implementation of the Programme, the Council, in accordance with the Housing (Traveller Accommodation) Act 1992, has established a Traveller Accommodation Consultative Committee, which was duly set up in November 2004. The Committee includes representatives from the Traveller community, Local Elected Representatives and officials of Mayo County Council. The membership of the Committee is given at **Appendix 1**.

In accordance with Section 8 of the Act, on 14th October, 2008, notice of intention to prepare a draft Traveller Accommodation Programme was advertised in three local newspapers and issued to specified bodies. Seven submissions were received and were considered in the preparation of this draft Programme.

On the basis of the Assessment of Need and projections on population increase for the period 2009 – 2013, this draft Programme has been formulated to meet the Council's statutory obligations.

On 18th November, 2008, in accordance with Section 9, Notice of the availability of the Draft Accommodation Programme was advertised in three local papers. Individuals and Groups were requested to submit, in writing, their views and comments on the draft Programme within a period of eight weeks.

A total of eleven submissions were received and were considered by Mayo County Council and the Local Traveller Accommodation Consultative Committee. The concerns raised were addressed and modifications included in the current draft.

Section 10 of the Act specifies that the new Programme will cover the five year period, 2009 – 2013.

SECTION (02). POLICY

(02.1) General Policy

It is the Policy of Mayo County Council to provide for the accommodation needs of Travellers, as far as is reasonable and feasible, using the full range of housing options available to the Council. In the provision of accommodation, priority will be given to members of the Traveller community who were born in Mayo and who have lived in the county continuously, or who, having returned to the county, have lived here for a continuous period of one year, or who, having moved into the county, have lived here for a continuous period of not less than three years.

(02. 2) Corporate Objectives

(02.2.1) Corporate Plan 2005 – 2009

In Mayo County Council's Corporate Plan 2005 – 2009 advancing the implementation of the provisions contained in the Traveller Accommodation Programme is listed as a Corporate Strategy. This Strategy is included to ensure the delivery of a Corporate Objective, which is *"to ensure that every Mayo family can live in a dwelling of good standard, located in an acceptable environment, at a price or rent they can afford."*

The existing Corporate Plan will expire in December 2009 and the next Plan 2010 - 2014 will take on board the implementation of the new Traveller Accommodation Programme 2009 – 2013.

(02.2.1) County Development Board Strategy 2003 - 2013

Addressing the Accommodation needs of Travellers is listed as a Strategic Action in Mayo County Development Board's ten year Integrated Strategy for the Economic, Social and Cultural development of the County. One of the key Operational Actions listed to achieve this is to review and deliver the Local Authority Traveller Accommodation Programme.

(02.2.2) County Development Plan 2008-2014

The County Development Plan states that *"it is an objective of the Council to take reasonable steps to secure the implementation of the Traveller Accommodation Programme 2005 – 2008, in the County"*.

Under current legal provisions, the Traveller Accommodation Programme 2005 – 2008 automatically became part of the County Development Plan 2008 – 2014. Following its adoption, the adoption of the Traveller Accommodation Programme 2009 – 2013, will automatically be incorporated into the County Development Plan 2008 – 2014.

(02.3) Accommodation Policy

Mayo County Council's Policy in relation to the accommodation matters is as follows;

(02.3.1) **Accommodation**

The Council recognises and will have regard to the distinct cultural identity of Travellers in the provision, maintenance and management of accommodation for the Traveller community.

(02.3.2) **Allocation**

Accommodation in Social Housing will be allocated transparently and equitably on the basis of need and in accordance with the Council's Scheme of Letting Priorities and having regard to; good estate management practice, achieving an appropriate social mix within areas, compatibility of families, anti-social behaviour, social and previous accommodation history and house size requirement.

The Council will have regard to the specific housing needs of Travellers in the design of Social Housing Schemes in as far as is practicable.

In order to meet the housing needs of Travellers identified in the Programme, a **minimum of one in five units in new Social Housing Schemes of up to nine units, and a minimum of one in eight houses in new Social Housing Schemes with ten houses or more will be allocated to Traveller families, in areas where need exists**".

(02.3.3) **Casual Vacancies**

Casual vacancies in social housing and transfers within our existing housing stock will be assessed on the basis of the Council's Scheme of Letting Priorities, having regard to the considerations outlined at (02.3.2) above.

(02.3.3) **Horses**

It is recognised that the keeping of horses is a tradition, which continues to be practiced by some Traveller families. Such families will be required to make their own arrangements for the acquisition of land for grazing purposes and be prepared to pay for the rent or purchase of this land. It is not the policy of Mayo County Council to provide land for the accommodation of horses, and the keeping of horses on local authority housing developments is strictly forbidden.

(02.3.4) Group Schemes / Single Houses

The programme will also provide housing for Traveller families through the development of Group Schemes specifically developed for Traveller families and through the development or acquisition of single instance housing as appropriate, where funding is available.

(02.3.5) Accommodation Alternatives

The Council will actively encourage and facilitate Travellers who wish to avail of privately funded accommodation through the Affordable Housing and Shared Ownership Schemes and Incremental Purchase. The Council will similarly promote and support the provision of housing for Travellers by Voluntary Housing Associations, wherever opportunities arise.

(02.3.6) New Family Formations

New families forming within the County will be expected to make reasonable efforts to secure accommodation from within their own resources.

(02.3.7) Returning Families.

Families returning to live in the County will also be expected to make reasonable efforts to secure accommodation from within their own resources.

(02.3.8) Private Rented Accommodation

Mayo County Council, through the Traveller Accommodation Liaison Officers, will continue to assist and support families in securing private rented accommodation where reasonable accommodation is available. The provision of private rented accommodation will be one of the methods used by the Council to meet the targets set in this Programme. Families will be advised and assisted in relation to the Rental Accommodation Scheme, which is operated by Mayo County Council.

(02.3.9) Refusal of Housing Offers

It is the policy of Mayo County Council to set a limit regarding the offering of local authority accommodation following refusals. Mayo County Council will allow two refusals of reasonable offers of accommodation, following which the needs of other applicants on the waiting list will be accorded higher priority.

(02.3.10) Transient Accommodation

Mayo County Council has no plans, at this time, to provide transient sites within the County. It is the view of Mayo County Council that the provision of a network of transient sites is a National issue which needs to be provided and managed on a National basis.

Mayo County Council will continue to accord priority to providing for the accommodation needs of Traveller families within the County.

(02.3.11) Halting Sites

There is currently one six bay Halting Site in Castlebar, which is being maintained to the highest National standards with a full time Caretaker.

The assessment of need carried out on 31st March and updated to the 1st October, 2008, recorded no need for additional halting site accommodation during the course of the 2009 - 2013 Programme.

(02.3.12) Unauthorised Encampments

The Mayo Authorities, in their role as Planning Authorities, and as Sanitary Authority cannot tolerate unauthorised encampments in areas where such encampments could give rise to risk of unacceptable conditions. The Authorities, therefore, while taking into account the rights and well-being of Travellers, will institute enforcement action through the Courts, where necessary, to have such unauthorised encampments removed. This course of action will be initiated in cases where, public health, public order, traffic hazard, loss of amenity or where private, commercial or residential interests are being significantly affected/compromised; or where completion of essential public works is being hindered.

The Housing (Miscellaneous Provisions) Act 2002, which amends the Criminal Justice (Public Order) Act 1994, deals with the matter of trespass and enforcement of this legislation is dealt with by the Gardai.

Sympathetic consideration will be given to the merits of each individual case and the Local Authorities will have regard to the legal, housing, planning, environmental, social, technical and other constraints within which they must operate.

SECTION (03). ASSESSMENT OF NEED

Section 6 of the Housing Act, 1998 provides statutory backing for the carrying out by a relevant Housing Authority, of an assessment of need for sites for caravans in conjunction with the assessment of housing need undertaken under Section 9 of the Housing Act, 1988. Section 6 also specifies that a relevant Housing Authority must make an estimate of the number of Traveller families and households for whom accommodation will be required within the period of the Programme.

(03.1) Current Need

In March, 2008, an assessment of need was undertaken by Mayo County Council in consultation with all relevant bodies. The information identified in that assessment has been updated to 1st October, 2008.

Appendix 01 outlines the number of families who will be in need of accommodation over the course of the 2009 – 2013 Programme.

At present, all Traveller Families who meet the criteria of the current Traveller Accommodation Programme have indicated their preference for accommodation in either Standard Housing or in specifically designed Group Housing. Only one family in the County has indicated a preference for Halting Site Accommodation.

(03.2) Projected Need

The targets and projections of the Traveller Accommodation Programme 2009 - 2013 are based on the Assessment of Need carried out in March 2008 and updated at 1st October 2008.

From discussions with the families residing in private rented accommodation, it is accepted that 80% of the families **are satisfied** with their present accommodation. On this basis, an allowance of 20% has been made for families in private rented accommodation who wish to be provided with alternative accommodation during the course of the current Programme, 2009 - 2013. (Appendix 01).

As suggested in the Government Task Force Report on the Travelling Community in 1995, the final projected targets are based on a 4% increase on the figures collated as at 1st October, 2008. A projected figure has also been included in respect of possible returning families and new family formations.

There will be a review of the figures on an annual basis over the lifetime of the Programme from 2009 to 2013, and any adjustments required to deal with developments during the preceding year will be incorporated at the time of the annual review. Revised targets for the following years will be set, based on the outcome of the annual review.

(03.3) Traveller Families Residing in Private Rented Accommodation and on the Roadside.

At present there are approximately three hundred and fourteen Traveller Families residing in County Mayo. One hundred and twenty four families are residing in private rented accommodation and twenty are resident on the roadside or on temporary unauthorised sites.

At the start of the 2005 – 2008 Programme there were sixty three families awaiting Local Authority accommodation, of which forty three were resident on the roadside. Mayo County Council provided fifty one units of Accommodation for Travellers and assisted one hundred and twenty four families in securing private rented accommodation. A further seven families were accommodated in the private rented sector through the Mayo County Council Rental Accommodation Scheme.

SECTION (04). IMPLEMENTATION STRATEGY

(04.1) Implementing Authorities

Mayo County Council is the body responsible for the implementation of the proposals contained in this Programme. It is the intention of Mayo County Council to co-ordinate efforts with the Town Councils of Ballina, Castlebar and Westport and to ensure the success of the Programme for the statutory period 2009 - 2013. To ensure effective delivery of the Programme we envisage a comprehensive partnership approach involving all of the agencies which have a role to play in the areas of Traveller Accommodation, including;

- Local Traveller Accommodation Consultative Committee
- Mayo County Development Board
- Health Service Executive
- Mayo Traveller Support Group
- Voluntary Housing Bodies
 - Sonas
 - Respond!
 - Cluid
 - Local Voluntary Housing Associations
- An Garda Síochána
- Local Community Groups
- Residents Associations
- Local Development Programme Companies
- Dept of Education
- Dept of Social and Family Affairs
- Dept of Environment, Heritage & Local Government.

Mayo County Council will work in co-operation with these groups and other stakeholders to secure the implementation of the Traveller Accommodation Programme 2009 - 2013.

(04.2) Programme Delivery

It is the intention of Mayo County Council to communicate the requirements of the Programme and to co-ordinate efforts with the Town Councils of Ballina, Castlebar and Westport to ensure the success of the Programme for the statutory period 2009 - 2013.

The Council will similarly promote the provision of Traveller specific accommodation in all housing developments undertaken by Voluntary Groups.

Successful implementation of the Programme will require the provision of adequate funding, both capital and revenue, to achieve the objectives set out herein.

There will be an annual review of progress on the implementation of the Programme in addition to the statutory required review after three years.

Mayo County Council recognises that Traveller Support Services are seriously under pressure in Ballina, Ballinrobe and Ballyhaunis, and will positively encourage Traveller families seeking accommodation to consider accepting accommodation in other centres throughout the County.

In implementing the Traveller Accommodation Programme 2009 – 2013, Mayo County Council's Nuisance and Anti Social Behaviour Policy will be rigorously enforced. Unauthorised encampments will be dealt with, with the assistance of the Garda Síochána under Trespass legislation, and with recourse to the Courts where necessary.

In implementing the Traveller Accommodation Programme 2009 – 2013, Mayo County Council will actively promote an integrated multi agency approach to providing support services to the Traveller Community. The Council will assist Voluntary and Statutory agencies in this work, in as far as is practicable.

(04.3) Communication

In accordance with the requirements of the legislation and with Directives issued by the Minister for the Environment, Heritage and Local Government, notice of the carrying out of the assessment of need and of the intention to prepare the draft Accommodation Programme was given to the following bodies:

- Members of Mayo County Council Housing SPC
- Town Councils of Ballina, Castlebar and Westport
- Local Traveller Accommodation Consultative Committee
- Health Service Executive
- Voluntary Housing Groups
- Adjoining Local Authorities
- Community and Enterprise Section, Mayo County Council.

In addition, public comment was invited by advertisements in the local press. A total of seven Submissions were received. The response to these Submissions are contained in Section 6 of this Programme.

Mayo County Council would like to acknowledge the work and effort put in by those Bodies who made Submissions.

SECTION (05). MANAGEMENT OF ACCOMMODATION

(05.1) Policy

Mayo County Council will encourage and facilitate the participation of Travellers in the management and maintenance of Traveller specific Accommodation. The Council will have regard to models of good practice in the maintenance and management of Traveller accommodation to inform this initiative.

(05.2) Anti Social Behaviour

Mayo County Council, together with the Town Councils of Ballina, Castlebar and Westport, adopted a Nuisance and Anti-Social Behaviour Policy in November 2006.

Anti-Social Behaviour is defined in Section 1 of the Housing (Miscellaneous Provisions) Act, 1997 as follows;

- (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) *Any behaviour which causes or is likely to cause any significant or persistent danger, injury, damage, loss or fear to any person living, working or otherwise lawfully in or in the vicinity of a house provided by a housing authority under the Housing Acts, 1966 to 1997, or a housing estate in which the house is situated and without prejudice to the foregoing, includes violence, threats, intimidation, coercion, harassment or serious obstruction of any person.*

Mayo County Council together with the Town Councils of Ballina, Castlebar and Westport, will not tolerate anti-social behaviour in any of the housing developments for which they have responsibility.

Where instances of anti-social behaviour occur, appropriate action will be taken to deal with the tenant involved in such behaviour. The sanctions will be as outlined in the Nuisance Anti-Social Behaviour Policy adopted by the Councils and may include the ultimate sanction of eviction.

A tenant evicted from Council accommodation due to anti-social behaviour will be deemed to have rendered himself or herself homeless within the meaning of Section 11 (2) (b) of the Housing Act 1988 and may not be provided with another home by the Council until such time as the Council is satisfied that the evicted tenant and his/her family are capable of living, and agreeable to live in the community, without causing further anti-social behaviour.

Applicants on Mayo County Council's housing list, who have previously engaged in anti-social behaviour will render themselves ineligible for local authority housing for a probationary period of three years.

SECTION (06). SUBMISSIONS RECEIVED IN PREPARING PROGRAMME

(A) PREPARATION OF DRAFT PROGRAMME

Mayo County Council received seven Submissions in response to the Notice of Intention of the Preparation of this Draft Programme, advertised on 14th October, 2008, from the following interested parties;

- **Irish Traveller Movement**
- **Ballinrobe Community Development Council**
- **Respond Housing Association**
- **Cluid Housing Association, Sligo**
- **Traveller Health Unit, Health Service Executive**
- **Mayo Traveller Support Group**
- **Society of St. Vincent de Paul, Ballina.**

These Submissions were considered by Mayo County Council in preparing the initial Draft Accommodation Programme.

The full Submissions are available for inspection at the Offices of Mayo County Council, Altamont St., Westport.

(B) MODIFICATIONS TO DRAFT PROGRAMME

Mayo County Council circulated the Draft Traveller Accommodation Programme to prescribed bodies, neighbouring Local Authorities, and those parties who had made submissions at the pre-Draft stage. The availability of the Draft Programme was also advertised in three local papers. Responses were invited to be submitted by the 13th January 2009. A total of eleven submissions were received from the following interested parties;

- **Mayo Traveller Support Group**
- **Mr. John O'Mahony, T.D.**
- **Moy Valley Resources, Ballina**
- **Cllr. Padraic Moore and Cllr Mary Kelly, Ballina Town Council**
- **Cllr. Mark Winters, Ballina Town Council**
- **Cllr. Johnnie O'Malley, Ballina Town Council**
- **Society of St. Vincent de Paul, Ballina**
- **Ardnaree Traders**
- **Mr. Walter H. Loughney, Ballinrobe**
- **Ballina Chamber of Commerce**
- **Mayo Advocacy Service for People with Disabilities.**

These submissions were considered by Mayo County Council and by the Local Traveller Accommodation Consultative Committee. The concerns raised were addressed and modifications included in the current Draft Traveller Accommodation Programme 2009 – 2013.

The full Submissions are available for inspection at the Offices of Mayo County Council, Altamont St., Westport.

SECTION (07). CONCLUSIONS AND RECOMMENDATIONS

The estimated number of units of accommodation required to meet the needs of the Traveller Community for the period 2009 – 2013 is seventy one units.

As suggested in the Government Task Force Report on the Travelling Community in 1995, the final projected targets are based on a 4% increase on the figures collated as at 1st October, 2008. A projected figure has also been included in respect of possible returning families and new family formations, as outlined in Appendix 01.

Accommodation is provided for Members of the Travelling Community throughout County Mayo through five principle methods;

- Privately owned and financed
- Local Authority developed accommodation
- Private Rented accommodation
- Rental Accommodation Scheme accommodation
- Accommodation developed by Voluntary Groups.

It is the intention of Mayo County Council to use all of these methods of accommodation to reach the projected targets for additional units of accommodation required in the period 2009 – 2013. **Table 01** hereunder outlines the proportion of accommodation to be provided by each method. The number of units required, broken down by stated order of preference, in each Electoral Area over the period of the Programme is also given.

IMPLEMENTATION STRATEGY – T.A.P. 2009 - 2013

TABLE 01

Electoral Area	T.A.P 2009 – 2013 5 Year Target	T.A.P. Annual Target	Local Authority Accommodation	Private Rented Sector	Rental Accommodation Scheme	Voluntary Groups & Other
Ballina	29	6	2	2	1	1
Ballinrobe	3	1	1	0	0	0
Belmullet	0	0	0	0	0	0
Castlebar	17	4	1	2	1	1
Claremorris	2	0	0	0	0	0
Ballyhaunis	7	2	1	1	0	0
Swinford	1	1	1	0	0	0
Kilkelly	3	1	0	0	0	0
Kiltimagh	2	1	1	0	0	0
Foxford	1	1	1	0	0	0
Charlestown	5					
Westport	1	1	1	0	0	0
TOTAL:	71	18	9	5	2	2

Private Housing:

Mayo County Council will continue to assist members of the Traveller Community to source finance to purchase accommodation privately, both by way of direct housing loan and by way of the Incremental Purchase Scheme and the recently announced Home Choice Loan Scheme.

Consultation:

In the delivery of units of accommodation at local level, consultation will be entered into with the families. Due regard will be had to their housing need and expressed preference of accommodation type, in as far as is practicable.

Review:

In order for the Traveller Accommodation Programme 2009 – 2013 to be effective, it must be capable of ongoing modification and improvement over the period of the Programme. There will be an annual review of progress and a re-assessment of need which will be carried out at the same time as the Annual Count of Traveller Families in November each year. This will update the need as of 1st December in each year, and will set revised targets for accommodation provisions for the remaining years of the Programme, as required.

Appendix 01 Projected Target Over T.A.P. 2009 - 2013

Electoral Area	Location	Type of Accommodation			Total Numbers (Families) on Roadside Halting Site Temporary Facilities & Private Rented	Projected Target Over T.A.P. 2009 - 2013
		Roadside	Halting Site and Temporary Facilities	Private Rented *		
Ballina	Ballina	10		12	22	29
Ballinrobe	Ballinrobe	0		2	2	3
Castlebar	Castlebar	2	4	7	13	17
Claremorris	Claremorris	1		1	1	2
	Ballyhaunis	4		2	6	7
Swinford	Swinford	1		0	1	1
	Kilkelly	0		2	2	3
	Kiltimagh	1		1	2	2
	Charlestown	1	2	1	4	5
	Foxford	0		1	1	1
Westport	Westport	0		1	1	1
TOTAL		20	6	30	55	71

***Note:**

Allowance of 20% for families currently in private rented accommodation who wish to be provided with alternative accommodation over the course of the current Programme 2009 - 2013.

Appendix 02

Families Currently accommodated by Local Authority, Voluntary Housing Associations and Families who have purchased their homes through Shared Ownership or Tenant Purchase Schemes, other assisted Scheme

Electoral Area	Location	Local Authority	Voluntary Housing Assoc. & RAS	Owner Occupied	Total
Ballina	Ballina	25	10	26	61
Castlebar	Ballinrobe	29		7	36
	Castlebar	22	5	2	29
	Balla	2		0	2
	Ballyvary	1		0	1
Claremorris	Claremorris	3		1	4
	Ballyhaunis	14		1	15
	Ballindine	1		1	2
Swinford	Swinford	4		0	4
	Bohola	1		0	1
	Kilkelly	1		1	2
	Charlestown	2		0	2
	Foxford	2		0	2
Westport	Westport	3		0	3
TOTAL		110	15	39	164

Appendix 03

Membership of Local Traveller Accommodation Consultative Committee

Cllr. John Cribbin
Cllr. Henry Kenny.
Cllr. Pat Mc Hugh.
Cllr. Jarlath Munnelly
Cllr. Paddy Mc Guinness
Cllr. Johnnie O'Malley
Cllr. Frank Chambers
Cllr. Cyril Bourke
Cllr. Tim Quinn.

Peter Hynes, DOS Housing West Region
Seamus Granahan, DOS South West Region
Paddy Mahon, DOS North East Region
John Coll, DOS Community and Enterprise
Gary Smyth, Traveller Accommodation Liaison Officer
Eileen Corcoran, Traveller Accommodation Liaison Officer
Orla Hughes, Social Worker
Bernie Rowland, Social Worker.

Rosemarie Maughan
Mary Collins
Bridget Maughan
Patrick Conroy
Helen McDonagh
Bernadette Comiskey
Mona Munyikwa
Pippa Daniel.

