

## COMHAIRLE CHONTAE NA GAILLIMHE

### Minutes of Housing SPC Meeting held on Wednesday, 10<sup>th</sup> June 2020 in Council Chamber, County Hall at 10.00am

#### I Láthair:-

**Baill:** Cllr. J. Byrne, Chairperson  
Cllr. J. McClearn  
Cllr. J. Charity  
Cllr. S. Walsh  
Cllr E. Mannion (via MS Teams)  
Mr. E McGuane (Business)  
Ms. M. Conneely (Voluntary)  
Ms. C. McGrath (Social Inclusion)

**Oifigh:** Mr. L. Hanrahan, Director of Services, Housing  
Ms. J. Brann, Senior Executive Officer, Housing  
Ms. N. Heffernan, Administrative Officer, Housing  
Ms. R. Lowe, Senior Executive Engineer, Housing  
Ms. G. Byrne, Staff Officer, Housing  
Mr. J Kearns, Executive Engineer, Housing  
Ms. E. McKiernan, Assistant Staff Officer, Housing

#### 1. Introduction

The Meeting commenced with the introduction and welcome of the newly appointed Director of Housing, Mr Liam Hanrahan to the members by the Chairperson Cllr Joe Byrne. Mr Hanrahan thanked Cllr Byrne for the welcome and said he was looking forward to working in Housing. He explained that he had previous experience working in housing in the City Council where he spent a significant period involved in traveler accommodation programme. He acknowledged that there was significant work to be done by the Housing SPC.

## 2. Minutes

The minutes of the Housing SPC meeting of 20<sup>th</sup> May 2020 were proposed by Cllr J. McClearn and seconded by Mr E. McGuane

## 3. Draft Housing Allocation Scheme

The Draft Housing Allocation scheme will have to be put forward for approval at the next plenary Council meeting on 29<sup>th</sup> June, 2020. Mr G. Scully advised that in Section 1. item 1.4 the Homeless Strategy would be included. No further changes to section 1. Mr Scully moved on to Section 2 which deals with the scope of the scheme. Mr Scully wanted to clarify an issue that arose during the meeting held on the 20<sup>th</sup> May that Galway County Council's functional area is the entire County.

Section 3 covers the categories of eligibility; item 3.6 areas of choice was amended three years ago to reduce the number of areas of choice to 15 County areas and 1 Galway City West and 1 Galway City East available to applicants.

Section 3, item 3.8 Type of Dwelling the proposed changes are that being made because of the experience of the housing allocations teams in dealing with allocations since 2017. 1 or 2 bed units may be offered to an individual or couple. 2 bed units will be offered to lone parent with one child or two individual adults or one individual and their carer.

In respect of a separated couple with children where the other parent has access to their children their housing allocation will be based on one bedroom less that of the parent with full custody / access e.g. if the parent has access to 2 children they can be allocated a 2-bed unit. 4-bed candidates can qualify for a 3-bed unit. Sharing of bedrooms. Sharing of bedrooms between same sex adult children and their younger siblings should be avoided where possible. This is where there is a large age gap. e.g. under 10 & over 18 The effect of these changes will result in the reduction of applicants on the 2-bed list from 1200 to 888 and an increase in the applicants on the 3-bed list from 385 to 722

Cllr J. McClearn welcomed the changes to allocations scheme as the matter of housing has proved challenging in Portumna. Cllr J Byrne also welcomed the changes.

Cllr J. Charity queried the rigid nature of the categories and whether applicants could be assessed on a case by case basis by the Executive? He used an example of an applicant that may qualify for a 3-bed unit being considered for a 2-bed unit in an area of their choice. Mr. G. Scully responded that in certain areas of low demand applicants could be considered for a property that they might under-occupy.

Section 3, item 3.9 order of priority is set in statute so that all applicants are assessed fairly under a scheme of letting priorities. Transfer applicants in the 'unsuitable category' would not be a high priority but those only number 28 applicants out of 3,500 households.

Section 4 covers Reservation of Dwellings the proposed changes were as outlined in the draft scheme.

Mr G. Scully explained that he had received a submission from the Councillors in respect of Section 6 and refusals relating to rent arrears in other LA properties and including RAS properties and he would have a response before the next Plenary Council meeting.

Section 7, Refusals. An applicant may refuse one offer in a 12-month period, if they refuse 2 offers within a 12-month period they will be suspended. An offer of accommodation must be responded to by the applicant within 7 days. Cllr J. Byrne queried this and was advised by Mr G. Scully that it was 7 working days and that very few refusals resulted by default of not responding within the allocated time frame. Ms. C. McGrath enquired about multiple tenancies for a property. Mr G. Scully advised that the former Acting Director of Housing Mr. M. Owens had responded that there is no facility for multiple tenancies for an individual property but the applicants who enter a shared tenancy can apply for a transfer after a period of two years.

Section 8 Choice Based lettings is amended to include units from Approved Housing Bodies (AHB) subject to agreement. Ms. M. Conneely queried the circumstances surrounding this amendment and Mr. G. Scully responded that there had been two requests for this change from two AHB's but that the Choice Based Letting scheme does not apply to OPD units. Ms. M. Conneely replied that she would like a partnership approach to this. Cllr J. Charity queried if expressions of interest from applicants under the Choice Based Letting scheme are assessed under the scheme of letting priorities. Mr. L. Hanrahan confirmed that they are.

Section 10, Succession to Tenancies Cllr J. Byrne queried the situation where the death occurs of the last family member of a LA property and that property is taken back for re-allocation could a relative of the deceased transfer from another LA property or qualify (if on the LA housing list) for the property? Mr. G. Scully responded that in the previous SPC Mr M. Owens had explained that succession of tenancies is laid out in legislation and that the LA has no discretion. If a family member is resident in the property for the previous 12 months and on the tenancy as an approved occupant they can succeed the tenancy. The scheme was scrutinized 2017 and tested in a Court case last year and remains an area where there is no discretion. Cllr. J. Byrne enquired whether there was a discretion in terms of a transfer to such a property and Mr G. Scully advised that all transfers were dealt with under the scheme of letting priorities but that it could potentially be examined under the appeals process. Cllr E. Mannion spoke about the situation where a property has been constructed by the LA on a site owned by a family member and that it proves difficult for the relatives understand that the property is under LA ownership and can be re-allocated. Mr G. Scully acknowledged that his is a difficult and sensitive situation.

Section 12 Permission to reside Mr. G. Scully advised that all family members are included but that at the age of 18 any child should apply to the LA to become an approved occupant. Any approved occupant of a tenancy if employed is eligible for assessment for rent under the differential rent scheme. For a family member to succeed a tenancy they must be an approved occupant and have resided in the property for the previous 12 months. Cllr J. McClearn said that there are many examples of family members not declaring themselves as an occupant perhaps misguidedly in an effort to avoid paying rent without full understanding the implications in

relation to the succession of the tenancy. He added that LA households need to be made aware of this. Cllr E. Mannion said that she makes households aware but that it is a big problem. Ms. M. Conneely said that she has experienced this situation in the AHB sector and that awareness needs to be raised. Cllr J. Byrne said that the Housing SPC needs to communicate this to LA households. Ms. N. Heffernan advised that the LA is proactive in this regard and looks for the details of all the household occupants at rent review stage and at tenancy sustainment visits. Section 14, Estate Management Cllr J. Byrne queried who is responsible for paying the estate management fees in estates where there are LA tenants? Mr G. Scully responded that he will advise later.

Section 16, Appeals Process the period for submission of an appeal have been increased to 14 days. Mr G. Scully and Mr L. Hanrahan both feel that this is sufficient time and complies with the Customer Services Charter and may permit increased flexibility for the Executive. Cllr J. Charity asked if applicants are aware of the appeals process. Mr L. Hanrahan confirmed that they are.

The meeting was then opened for any questions relating to the allocations scheme. Cllr J. Byrne was contacted by Cllr Dermot Connolly in relation to a query he had regarding whether the length of time an applicant had spent on another LA housing list could be considered and added to a new LA list? Mr G. Scully advised that in the functional area of Galway this is the case for applicants that move from Galway City Council and Galway County Council, this does not apply between Galway and other LA areas. Cllr J. McClearn added that he thought this was inflexible and that applicants should be credited for time spent on other LA housing lists. Mr L. Hanrahan responded that this has been loosely discussed at Department level under the allocations scheme and that it was set up this way as a deterrent for applicants in the Dublin functional area being prioritized in other LA areas due to length of time on a housing list. Cllr J. Byrne requested that a letter be written to the Department regarding this matter.

Ms. C. McGrath queried where applicants have a medical / disability need which is given the higher priority their individual medical / disability needs or their length of time on the housing list? Mr G. Scully answered that allocations are prioritized based on needs first and then by length of time on the housing list. He continued that order of priority is a function of the SPC and that in 2017 a change was made prioritizing disability category ahead of overcrowding category in the scheme of letting priorities. Further to that he added that a lot of units to be allocated are disability specific and set aside for this purpose, a percentage of all OPD units would have a subsection for disability priority. Cllr J. Byrne asked if it was possible to put a predetermined number under Section 4, item 4.1 of the scheme? Mr G. Scully answered that flexibility is required and as a member of the HSAC they would look at mixed units to provide variety and flexibility. Mr L. Hanrahan said that decision in respect of new builds comes under Planning and that it is dealt with by mixed development at the planning stage under the planning process.

Ms. C. McGrath queried the transfer process criteria? Mr G. Scully answered that the LA tenant must be a tenant for a minimum of 2 years to qualify to apply for a transfer.

Cllr J. Byrne asked if the SPC were happy to bring these proposed amendments to the next Plenary meeting for consideration. Cllr J. McClearn proposed this and it was seconded by Cllr J. Charity

#### 4. Any other Business

Cllr J. Byrne requested that the schedule he sent in relation to the draft work programme of the Housing SPC be reviewed and that any documents relating to the work programme be circulated in a timely manner to allow the members time to review same. Ms. J. Brann advised that a draft programme has incorporated items from Cllr J. Byrnes list and other policy areas that she indicated in her presentation previously and that the next meetings need to be scheduled. Mr L. Hanrahan advised that there may be items included in the work programme that need to be done in a timely manner and other items as directed by the Minister of Housing.

Mr E. McGuane asked if rural town renewal was something that could be included as it involved the development potential of former business premises to residential? Ms. J. Brann said that the rural town renewal crossed over two SPC's. Ms. R. Lowe responded that it was possible that land banks may become available and if anyone became aware of any to email her directly in respect of same for consideration of their potential. Cllr J. McClearn asked if there was anything Housing unit could contribute to getting the vacant properties in rural village and towns occupied? Mr J. Brann advised that the repair and lease scheme may be suitable for these types of properties. Cllr J. Charity asked if the housing SPC could review the bye laws in relation to the control of horses as this is an area that is a high priority for him. Mr L. Hanrahan said that a work programme would be circulated in advance of the next SPC meeting and would also take proposals for inclusion.

Next SPC meeting scheduled to take place on Wednesday 1<sup>st</sup> July and further meetings on Wednesday 2<sup>nd</sup> September and Wednesday 4<sup>th</sup> November.

Meeting concluded.