

May 2011

**Resolving Ireland's
Unfinished Housing
Developments**

Report of the Advisory
Group on Unfinished Housing
Developments

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Foreword

Good quality housing is essential to our quality of life. The economic environment has created significant difficulties for many housing developments across the country. Recognising the impact those difficulties are having on people and families, the process of managing and resolving the unfinished housing developments is a matter of national importance.

As the Chair of the Advisory Group on Unfinished Housing Developments, I am pleased to present this report to the Minister for Housing and Planning, Mr. Willie Penrose T.D.

This report is a culmination of five months of dedicated work by the Advisory Group. I would like to thank members of the Advisory Group most sincerely for giving so generously of their time and expert knowledge and working together with such a great sense of co-operation and good intent.

I hope that this report's recommendations are acted on and that the considerable spirit of partnership that facilitated this work continues into the work to be done on the ground.

John O'Connor
Chair of Advisory Group

1. Context

The issue of unfinished dwellings in new housing developments is a matter of national concern and, in some cases, has a serious impact on the residents in these developments.

To establish a proper evidence basis for action on unfinished housing developments, the Department of the Environment, Community and Local Government¹ (DECLG) carried out a detailed national survey in Autumn 2010. A total of 2,846 housing developments were inspected in this survey and a summary of key results are outlined below.

Table 1: Key Results from the National Housing Development Survey

Summary of Key Results:

- **121,275** dwellings commenced
- **78,195** dwellings complete and occupied
- **23,250** dwellings complete and vacant
- **9,976** dwellings were near complete (e.g. watertight, but require fitting out or connection to services)
- **9,854** dwellings were at early stages of construction activity

The survey results² found that the overhang of new but unoccupied dwellings was relatively modest in the main urbanised areas but more pronounced in areas such as in the Midlands and Border Regional Authority areas.

The survey also found that the majority of developments were relatively small for example 50% of the surveyed developments contained less than 30 dwellings.

1 Previously the Department of the Environment, Heritage and Local Government

2 The survey can be found at www.environ.ie/en/DevelopmentandHousing/Housing/UnfinishedHousingDevelopments/

1.1 The Advisory Group and its Terms of Reference

Following the completion of the national survey, the then Ministers for Housing and Local Services; and Planning, Sustainable Transport and Horticulture established an Advisory Group on Unfinished Developments to advise the Ministers on actions to ensure the effective management and resolution of unfinished housing developments with a particular focus on:

- a. identifying the key stakeholders³, their respective roles and responsibilities in the resolution of unfinished housing developments;
- b. measures to provide for the safety and security of unfinished developments;
- c. good practice approaches in the provision of securities for the satisfactory provision of essential infrastructure within housing developments;
- d. facilitating the provision of adequate working capital to enable the resolution of housing development sites;
- e. addressing building control certification issues that may have arisen on part constructed developments;
- f. considering the scope for alternative uses and longer-term development solutions for completed, unoccupied developments and unfinished developments;
- g. assisting in the process of restoring occupier and market confidence in the long-term future of individual developments and in the overall market for development properties;
- h. finalising a concise Code of Practice on the above matters; and
- i. considering whether legislative, regulatory and/or policy changes are warranted and if so, what the scope of such changes should encompass.

Since November 2010, the Group has met on a fortnightly basis. A number of sub-groups were formed to assess specific issues as set out in the terms of reference. An early output was to issue a Draft Manual on Resolving Unfinished Developments for public consultation on 1 December, 2010.

This report, together with the forthcoming finalised *Guidance Manual on Managing and Resolving Unfinished Housing Developments* as well as a *Code of Practice*, will set out ways of resolving challenges faced by these developments.

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3 See Appendix 1

2. Key Findings

2.1 The Scale of the Problem

The Advisory Group's first task was to establish the scale of the problem. The national survey found that there are 23,250 complete and vacant dwellings and an additional 9,976 near complete dwellings which are vacant. A total of 2,846 housing developments were inspected in the national survey and of these, almost 33% or 932 developments were substantially complete and occupied, 150 developments are more than 90% complete and 109 developments had initiated site works but no construction work had commenced.

In addition, there is a remaining cohort of some 1,655 unfinished developments with more substantial construction works outstanding. Many of these developments will be resolved through the normal process of developers completing such developments albeit in some cases over considerably longer timescales and overseen by local authorities in their various functions.

However, within the 1,655 developments mentioned above, there is a further cohort of developments, that have serious completion issues where residents are significantly affected. To be resolved, these developments may require some level of intervention by the State.

A summary of the overall findings is illustrated below.

Table 2.1: Some Details of the National Housing Development Survey

Assessment of Developments Inspected Number (%) of Developments	
Number of developments inspected	2,846 (100%)
Developments substantially complete	932 (33%)
Developments 90% complete	150 (5%)
Developments no construction commenced	109 (4%)
Developments with works outstanding	1,655 (58%)

Developments that are substantially complete or that have not advanced significantly in their construction stages do not, in general, present major problems.

However, problems can arise with unfinished housing development depending on:

- Whether or not the developer is active on the relevant site and that developer is completing and managing that development appropriately;
- Whether or not a receiver has been appointed by the financial institutions involved for developments in financial difficulties; and
- The extent to which the development or the relevant phase of development has been completed and how uncompleted parts of the development are being managed from a public safety perspective.

2.2 Categories of Development

The Group considered that unfinished housing developments can be broadly categorised as follows:

- Category 1:** The developer is active and the housing development is being completed and appropriately managed.
- Category 2:** A receiver has been appointed and the development is being appropriately managed.
- Category 3:** The developer is in place but there is no on-site activity and there are significant planning, building control compliance and public safety issues to be addressed.
- Category 4:** The developer or site owner is effectively not contactable and no receiver has been appointed and similar problems to category 3 exist.

Categories 1 and 2 can be resolved within the standard procedures that exist, by developers, financial institutions and/or receivers, and may involve interaction with local authority planning and building control sections.

Categories 3 and 4 are the ones that require a high level of intervention to bring about some resolution and are of most concern to the Advisory Group. Category 4 could be called “developer abandoned developments” and are the developments that require the most attention.

The focus of this report and the recommendations are therefore primarily on the Category 3 and Category 4 developments⁴.

It is important to note that as sites either deteriorate or improve, they may move between categories. This demands constant monitoring and effective responses.

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⁴ Due to their complexity and the reporting timeframe, issues specific to unfinished apartment developments have not been addressed in this report but need to be taken into account in its implementation.

2.3 The Case for Dealing with Unfinished Developments

The scale of the problem of unfinished developments is clearly highlighted in the previous section. Some of the key issues with unfinished developments are outlined below and highlight the case to be made for dealing with such developments.

- 2.3.1 Partnership Approach with Residents** — Many unfinished developments are having a serious impact on the living environment of residents. These developments also impact on the wider community, society and the economy. The primary objective of addressing unfinished developments should be to address the needs of the residents. The Advisory Group considers it imperative that stakeholders work together to co-ordinate their efforts to resolve problems associated with unfinished housing developments. This can be assisted through information sharing and co-operation coupled with an appropriate level of flexibility. Local authorities, developers/site owners, financial institutions and approved housing bodies must ensure that residents are directly and centrally involved wherever possible in resolving these developments. Progress can be made where the various stakeholders work together with residents and use their collective resources. All those involved should work in a co-operative and pragmatic way.
- 2.3.2 Role of the Planning System** — Within the context of ongoing lower levels of demand for new housing, the planning system has a key role to play in focusing attention on developments that have commenced and are in need of resolution. Therefore, the scale and location of unfinished housing developments and the need to secure their resolution must be taken into account in the preparation of the relevant strategies within both development plans and local area plans. They should also be considered in the operation of the development management process by planning authorities, including An Bord Pleanála.
- 2.3.3 Housing Demand, Market Confidence and New Approaches** — A key factor in resolving unfinished developments is the level of housing demand. In general, developments in urban areas can be more readily resolved while those in rural areas present greater difficulty. Immediate action with early examples of good practice and community involvement in the resolution process is essential in improving market confidence. Where appropriate, options such as community involvement, co-operatives and self-build should be considered.

In the context of the overall report, a number of areas stood out as note worthy and are dealt with in the following sections.

2.4 Site Resolution Plans

2.4.1 Overview

In order to decide on an appropriate way of dealing with an unfinished development, a preliminary assessment is required at the outset. From this a plan can be determined on how to deal with the development and bring about an appropriate level of resolution. This will not necessarily be the full completion of the development but a pragmatic and effective solution. In particular, it is essential that a good living environment is achieved for the residents.

Site Resolution Plans (SRPs) have and are being prepared by developers and receivers for many developments. These SRPs include an assessment of the development and an outline plan of action of what needs to be done, and suggested funding proposals. The work required for developments varies from those that require a small amount of work to a major level of intervention and a major level of funding.

The overall context, scope and detail required in each SRP will be dependent on the categorisation of the relevant development as outlined under Section 2.2. It is important that detailed SRPs are carried out for category 3 and category 4 developments.

In the absence or failure of developers and owners to prepare an SRP, there should be an option and resources for local authorities to prepare and implement an initial site response as a more straightforward and interim step to help identify and resolve critical issues. This response will require funding support. The SRP or initial site response process may show that, for relatively small expenditure, the worst problems in a given development can be resolved.

2.4.2 Objectives of Site Resolution Plans

The objective of the SRP is to explore every option for the unfinished development in question in order to maximise its commercial future and, therefore, its potential to be resolved, especially issues that affect local residents.

The SRP process is designed to complement other processes operated by the National Asset Management Agency (NAMA) and financial institutions, such as the Receivers Property Business Plan, by securing the possible planning and development outcomes that will maximise the value of the property, its chances of being resolved and addressing issues affecting residents in the development.

The SRP process should ideally be completed over an 8-12 week period.

2.4.3 SRP Stakeholders

The SRP should be prepared by the developer or a receiver where one has been appointed with inputs as appropriate from:

- Any established residents of the development;
- The local authority; and
- Other interested bodies such as new investors in the project.

Appendix 2 sets out some details on the process of developing SRPs and also highlights some interim steps that can be put in place to address serious shorter term, mainly public safety related issues, on sites pending the preparation of a site resolution plan.

A detailed template for SRPs is outlined in the Manual on Unfinished Housing Developments that will be published concurrently with this report and is the template that should be used for the purposes of guidance on approach and content.

2.4.4 Interim Action Pending Preparation of Site Resolution Plans

It can take time for a developer or funder to emerge who is capable of preparing and implementing the Site Resolution Plan process. However, for any residents in such developments, problems such as deteriorating fencing around part constructed housing, deteriorating part finished or near completed housing, inoperative public lighting, rubble/debris on open spaces and defective water services can seriously affect quality of life and the long-term marketability and resolution of the development.

Where there are public safety and public health type issues that are seriously affecting residents, there may be a need for the local authority to develop and implement an initial site response to address such problems until a developer emerges who can prepare or implement the site resolution process.

To that end, the Department has been closely liaising with local authorities across the country, identifying the most problematic sites from a public safety perspective given the powers available to local authorities in relation to dangerous places and structures under the 1964 (Sanitary Services) Act, as well as offering technical and funding support.

On these most problematic sites, the initial site response could be an action list of critical short term issues that local authorities would prepare and implement, preferably with the participation of local residents.

Any costs incurred by local authorities in preparing and implementing an initial site response must be recouped from any future developer or funder of the development.

2.5 Working Capital

2.5.1 Overview

Funding is essential in order to resolve unfinished developments. The biggest issue is the availability and provision of adequate working capital by financial institutions. A cost benefit analysis and the viability of the development will determine the availability of working capital.

It is a standard procedure for developers, under the terms of planning permissions, to be required to lodge cash or an insurance bond with planning authorities. These provide security for the satisfactory completion of certain essential infrastructure and other works such as roads and footpaths, amenities such as open space and lighting and water services.

In many cases bonds have been or are in the course of being called in by Local Authorities with a view to encashing their value in order to realise the funding necessary to carry out essential works.

Practical experience in the operation of bonds leads the Group to believe that they are actually problematic and time consuming to liquidate. This can result in residents having to endure difficult living conditions while the local authority and issuer of the bond work out a solution.

In general, in assessing the future viability of unfinished housing developments and apartment blocks and future availability of working capital, the financial sector should assess such developments on a case by case basis, based on full economic insight including but not limited to projected cash flows based on reasonable assumptions. All assessments will be critically dependent on the expected commercial viability of the development (or part thereof) if it were financed to completion. All cost benefit analysis and projections prepared for sites (or phases of sites) need to clearly demonstrate that requested working capital will add and/or preserve value, and/or minimise potential loss in value.

Any projections/feasibilities prepared will have regard to existing planning permissions, any statutory notices issued, performance bonds in place, local authority levies, insurances, supply & demand issues and any other liabilities that are deemed relevant to fully assess the viability of the project/request.

Attracting and being able to use working capital may be among the most challenging aspects of resolving unfinished housing developments. For example:

- How to deal with developments where financial charges are in place but no receiver has been appointed and no action has being taken?
- In cases where unfinished housing developments fall within NAMA's remit (i.e. owned by borrowers whose loans on those sites are acquired by NAMA), NAMA will manage such loan assets in accordance with their own established debtor mechanism and their statutory obligation under the NAMA Act. Various forms of security will need to be examined; these would include bank bonds, insurance bonds and cash.

Innovative solutions, such as apprenticeships on-site for people in receipt of jobseekers benefit/allowance while retaining benefits and top-ups on their income without losing associated benefits such as medical cards could be considered. This could be explored through Community Employment Schemes or FÁS. A similar scheme could also be viable for people formerly in the building trade – the option to return to work while retaining benefits and receiving a top-up on their income. Alternatively, to facilitate apprentices/people in these welfare-to-work schemes to purchase/co-own or rent the final product could also be explored in the context of addressing local authority housing lists.

2.5.2 Specific considerations on working capital:

- The debtor's position will be served by ensuring he remains in open communication with his lender and making full disclosure of all relevant information.
- An initial assessment will be carried out in the first instance. If this assessment provides some indication of viability, the relevant parties should progress to a site resolution plan.
- Where a site resolution plan is warranted, the financial institutions should, subject to any restrictions around customer confidentiality, engage and communicate fully with relevant parties with respect to input to the plan.
- Financial institutions will consider where appropriate, and having regard to the considerations set out below, the provision of working capital to a party other than the developer (e.g. to a local authority or other innovative partnerships which emerge to complete developments).

2.5.3 Requests for working capital

Where requests for the provision of working capital are received by Financial Institutions/NAMA, they should:

- Be assessed on a case by case basis, based on full economic insight including but not limited to projected cash flows based on reasonable assumptions.
- Be critically dependent on the expected commercial viability of the development (or part thereof) if it were financed to completion.
- Depend on the financial situation of the developer and the level of co-operation from the developer.
- Consider expected repayment of the additional cash required as a priority and also the original facility.
- Depend on current and expected value of the security and on whether any further security is available to secure further financial facilities.
- Be dependent on the period of time for which the credit is sought.
- Depend on the financial institution obtaining pricing for risk, i.e., satisfactory margin compared to the risks involved.

Any projections/feasibilities prepared will have regard to all Planning Acts, all DECLG planning Guidance documents issued, all existing planning permissions, any statutory notices issued, performance bonds in place, local authority levies, insurances, supply & demand issues, potential for social benefits, and any other liabilities that are deemed relevant to fully assess the viability of the project/request.

2.6 Planning Permission Securities for Completion

In planning terms, 'securities for completion' refers to either a cash or insurance bond lodged with a local authority. This acts as security for the satisfactory completion of a housing development in terms of the 'taking-in charge' remit that may fall to the local authority in due course. Therefore, it principally refers to the standard of roads, footpaths, sewers, water mains, drains, public lighting and open spaces. To access these funds for building works would be irregular and may require legislative alterations.

Experience by local authorities indicates that in situations where a receiver has been appointed and is involved in working to resolve incomplete development issues the involvement has proved to be cooperative and positive.

The experience of local authorities in relation to accessing funds from development bond/security guarantors appears to suggest a more difficult situation, at least firstly requiring engagement with lengthy enforcement processes and then on occasions necessitating legal judgement. This would imply that there is a need for greater cooperation and pro-activeness by financial institutions and developers particularly in relation to the release of working capital to facilitate the early resolve of critical site safety, compliance obligations and Site Resolution Plans.

Considerations have been given to a number of alternate approaches to addressing some of the shortcomings currently being experienced both in relation to the raising of new investor development bonds/securities, or the extension of existing bond facilities, the latter being considered a key priority in helping ensure the maintenance of proper securities against the development.

The leveraging of working capital for the purposes of undertaking appropriate and necessary development site resolution works has also been considered in this context. Possibilities have included a movement to more cash based bond arrangements with the potential for incremental release criteria, as well as the potential for local authorities to take (temporary) beneficial title or charge over specified parts of an unfinished development.

Having regard to the experiences of local authorities, further consideration is necessary in relation to:

- the standardisation of bond agreement wording and approaches to maintaining bonds active, by extension where necessary;

- the provision of advice in respect of the securing of title (temporary or otherwise) over property within a development, and potential for future exposures;
- the provision of advice in respect of bond adequacy issues, and a more consistent charge mechanism across planning authorities;
- the appropriateness of using development contributions for the completion works within unfinished housing developments;
- more timely and active engagement of the financial institutions (as funders or bond providers) in addressing the issues of unfinished developments.

Further details on securities for completion are set out in Appendix 3.

2.7 Development Solutions

Alternative solutions for developments should be considered in a broad context to include:

- proper and sustainable planning and development in the area
- existing planning policy and objectives
- existing and likely future housing need
- existing and likely future market demand

Each unfinished residential developments has distinct characteristics, context and issues. Different responses are required depending on the local situation. Each development will need to be considered within its own context and on its own merits.

There are a number of site-specific conditions to be considered for example; the presence of a developer, the availability of finance and the existence of a housing need or market demand. The options can be broadly categorised as follows and are further developed in Appendix 4:

- Completion with revisions
- Consolidation and significant revisions
- Consolidation of an element or phase
- Abandonment and/or restoration
- Alternative land use options

Reconsidering alternative development types and uses will require reconsideration of the merit of schemes in the changed planning and development context. It may be necessary for statutory plans to respond to this issue by reconsideration of existing policies, zoning and other development management objectives.

Where appropriate, options such as community involvement, co-operatives and self-build should be considered.

The Irish Council for Social Housing and the National Association of Building Cooperatives believe that opportunities exist for the voluntary and co-operative sector to have an impact on the issue of unfinished housing housing developments by working in partnership with local authorities to serve local social housing need. Any sale or transfer to the voluntary or cooperative sector, or directly to the local

authority for social housing use, or for affordable housing, must be within the context of sustainable communities and mixed tenure and should be taken into consideration existing Part V transfers.

With regard to Part M and the disability sectoral plans, access officers from local authorities could take the opportunity to ensure that a stream of accessible housing is available to people on the social housing waiting lists in their areas, by engaging with ongoing development processes. This could be appropriate in terms of the forthcoming National Housing Strategy for People with Disabilities.

Enforcement may be a last resort, but, in some instances, may be necessary particularly if it is likely to address health, safety and basic service infrastructure.

2.8 Market Issues

The level of over-supply in the key metropolitan areas is not as extensive as might be expected as identified in the National Housing Development Survey. As liquidity in the banking sector recovers and if consumer confidence stabilises and returns, the prospects for resolving many unfinished housing developments in the main cities and urban areas will probably improve over the short to medium term. However, for other unfinished developments in areas with a weaker housing market and proportionately higher levels of unoccupied housing, the longer term viability of such developments in their originally approved format may be in doubt. All remedial works should be completed quickly and transparently to ensure consumer confidence is restored. Renewed and refreshed advertising, marketing and use of social media, innovative projects on site⁵ to involve and incorporate a community could also assist in revitalising consumer interest.

The objective is to ensure that confidence and stability are brought to bear on the market and that the issue of oversupply in areas with weaker housing markets, or in areas that would not be considered sustainable community-bases, is addressed and innovative alternatives are pursued.

In this vein, the source of renewed consumer confidence in new developments may come from current residents. However, optimism cannot be enforced and many residents may feel that they should point out the negatives of their housing development to protect others from being in the same situation. In considering this need, communication with residents is essential – if residents know and/or have input in the details of plans for their housing development even in the long-term, they will be a lot more positive and willing to encourage potential purchasers.

Many of these potential purchasers will come forward from within the immediate community and a method through which they are assisted to purchase homes in unfinished developments could be put in place, in line with existing regulations and legislation.

3. Detailed Recommendations

3.1 Co-operation of Stakeholders

Background

The Advisory Group considers that, above all else, it is imperative that stakeholders work together to co-ordinate their efforts to resolve problems associated with unfinished housing developments. This will be achieved through information sharing and co-operation, coupled with the adoption of a problem-solving approach.

Recommendations

- 3.1.1** It is essential that all parties work in the spirit of co-operation to find solutions to resolving problems associated with unfinished housing developments. This will require flexibility as developments are dealt with on a case-by-case basis. Co-operation and open communication between all stakeholders is essential.
- 3.1.2** To avoid delay, a formal protocol for liaison between the various stakeholders — developers, financial institutions, residents, local authorities and the DECLG — must be put in place to facilitate the sharing of information. This should be included in the proposed Code of Practice on unfinished developments.

3.2 Public Safety

Background

The Advisory Group considers that dealing with matters of public safety has to be a key priority. The owner/developer is primarily responsible for ensuring public safety in unfinished developments. However, where urgent intervention is required, the funding of these necessary public safety works in unfinished developments requires the financial institutions, local authorities and the State to work together.

Recommendations:

- 3.2.1** The first priority is to ensure that unfinished housing developments are secured to reduce the safety risks arising to residents and members of the public. Securing such developments must be preceded by identifying the duty holder; this may be a developer or the receiver. Methods must be established to secure housing developments where a developer has effectively abandoned the developments and a receiver has not been appointed. As a last resort, this interim responsibility may have to be assumed by the local authority. Initial funding of €5 million has been made available by the DECLG to local authorities on a cost recovery basis to assist in their functions under the public safety legislation.

3.3 Residents and Communities

Background

Current residents have been among the individuals most impacted by unfinished housing developments and must be prioritised in any resolution. Developments of particular concern are those with a low level of occupied housing and those which were not satisfactorily completed. A level of realism is needed on all sides and it is important to manage expectations while ensuring that residents are provided with a good living environment.

Recommendations

- 3.3.1** Unfinished housing developments with established residents must be prioritised for action over unfinished but unoccupied developments.
- 3.3.2** Local authorities, developers and site owners, including financial institutions must ensure that residents are directly and centrally involved, where possible, in resolving unfinished housing developments. This should take place within the site resolution plan process and through public participation measures generally.
- 3.3.3** An information guide to support residents of unfinished housing developments should be developed. This guide could include, for example; information on rights; entitlements; methods of resolving issues; working with management companies; and how to access community development funding etc.
- 3.3.4** Residents should be kept informed on progress in tackling the unfinished developments.
- 3.3.5** City and County Development Boards should explore with each local authority, potential roles for the relevant local community forum, the environmental sector and the local and community development company (L&CDC). This should enable community involvement in identifying solutions on specific sites and as part of the site resolution plan process. Such local involvement in the site resolution plan process could include community-led physical works, assistance in securing vacant premises for community development functions and, subject to the availability of funding, could be delivered through community and employment schemes.

3.4 Prioritisation

Background

It is the view of the Advisory Group that unfinished developments will need to be assessed and ranked for priority attention. Resources can be utilised to effect in this way for all the organisations involved.

Recommendations

- 3.4.1** Each County and City Council should prepare a graded and prioritised list of unfinished housing developments in its area. This list should particularly focus on the more problematic developments.

In setting priorities particular attention should be paid to developments with established residents where there are part-built units, outstanding drainage or sewage issues or other issues of immediate concern.

- 3.4.2** As well as prioritisation of developments there also needs to be a prioritisation of critical issues that need to be resolved within developments. These include serious deficiencies in relation to public safety, public lighting, water supply, and foul drainage.
- 3.4.3** Actions need to be taken to ensure the completion and occupation of developments over a reasonable time frame to prevent them from falling into disrepair and neglect.

3.5 Site Resolution Plans

Background

The Advisory Group emphasise the importance of taking a planned approach to addressing the issues. Where actions are required, these should be identified and prioritised in a site resolution plan. The level of response will depend largely on the availability of funding, but priority actions should be undertaken where possible.

Recommendations

- 3.5.1** An assessment, suggested actions and funding proposals for each unfinished development should be prepared. Plans for the more problematic developments should be agreed by December 2011.
- 3.5.2** Site Resolutions Plans should ideally be prepared by developers or receivers. Where the necessary expertise is required, professional support may be engaged in the preparation of the SRPs.
- 3.5.3** For many developments, in particular where a development is not active and has serious issues, the local authority may have to undertake an initial site response including assessment of the development and consideration of options for resolution. The costs associated with implementing this response would need to be itemised and assigned between the relevant parties.

- 3.5.4** In deciding on a plan of action, it is essential that the various stakeholders work together and take a pragmatic and flexible approach to arriving at solutions.
- 3.5.5** A standardised SRP template should be drawn up. The key elements of SRPs are summarised in Appendix 2. A detailed approach to SRPs will be set out in the Guidance Manual.
- (a)** The first duty is to establish ownership, security and insurance and from there, what has been done and what needs to be done.
 - (b)** This process should take into account available finance, local housing demand, funder and community aims.
 - (c)** Communication and transparency around SRPs may act to encourage consumer confidence.
- 3.5.6** Similarly, a template for the local authorities' initial site response should be prepared and made available to local authorities.
- 3.5.7** In cases where unfinished housing developments fall within NAMA's remit (i.e. owned by borrowers whose loans on those sites are acquired by NAMA), NAMA will manage such loan assets in accordance with its debtor mechanism and statutory obligations under the NAMA Act.

Note: The confidentiality of commercially sensitive information on the bank/borrower relationship, and data protection, must be respected in the Site Resolution Plan and in all relevant communications and documents.

3.6 Teams and Staff Assigned

Background

The Advisory Group considers it essential that the organisations involved designate specific staff to deal with unfinished developments. Designated staff (and teams where appropriate) should be assigned by local authorities, approved housing bodies, financial institutions, NAMA and the Construction Industry Federation / developer in order to facilitate co-operation, decision-making and information sharing. An appropriate level of co-operation is achievable while adhering to matters of confidentiality.

Recommendations

- 3.6.1** Resolution of unfinished housing development issues requires national and local co-ordination.
- 3.6.2** Local authorities should establish dedicated unfinished housing development teams, staffed by approximately 3 people, well-informed in this area, for a 2-3 year period. However, the number of staff and time required is dependent on the size of the local authority and on the number of unfinished developments in their area.
- (a)** The duty of these teams is to, as required; identify developments in need of attention in their area and prepare a register, facilitate dialogue, carry out inspections and be a one-stop information team for all interested stakeholders. Ideally, a shared services arrangement to streamline inspections should be implemented, where feasible.
- (b)** The local authority team should be led by a senior official experienced in dealing with the relevant issues and who would be responsible for reporting on progress made to the DECLG. The official should be able to call on technical support from the DECLG regional housing inspectorate to assist in its work as regards profiling and tackling unfinished housing developments.
- 3.6.3** The Construction Industry Federation and/or individual developers as appropriate, should designate staff to provide a level of co-ordination between developers and liaise with local authorities and financial institutions.
- 3.6.4** Each financial institution should establish a central contact point and teams as appropriate that would co-ordinate and liaise with stakeholders, in particular, the local authorities and their corresponding teams. NAMA should also nominate a representative to liaise with the stakeholders.
- 3.6.5** Financial institutions should operate on the basis of disclosure of all relevant information to the local authorities regarding the viability or otherwise of unfinished housing developments, subject to the provisions of the relevant data protection legislation.

3.7 Data and Information

Background

The National Housing Development Survey has provided an excellent baseline from which the national, regional and local authorities can move forward working with private sector partners and communities.

Recommendations

- 3.7.1** It is essential that accurate data is collected and updated regularly so decisions can be made on an evidence-base. This evidence base is a valuable tool for strategic planning and engagement and must be maintained and updated to ensure that reliable information is available.

3.8 Working Capital, Funding & Planning Securities

Background

Funding is essential in order to resolve unfinished developments. The biggest issue is the availability and provision of adequate working capital by financial institutions. A cost benefit analysis and the viability of the development will determine the availability of working capital.

Whilst the use of financial securities/bonds may give some financial assistance to local authorities in resolving issues in certain developments, it is considered by the Group to be inadequate in most cases. Both a partnership approach and a mechanism to provide financial assistance to local authorities are critical if they are to play their full part in the resolution process.

Recommendations

- 3.8.1** Resources from financial institutions and the central exchequer will have to play a significant role in the process of resolution. In some instances local authorities may be able to utilise development completion bonds and securities provided on foot of conditions on planning permissions.
- 3.8.2** Adequate support and funding for local authorities is recommended in order for them to intervene effectively, where this becomes necessary. It is specifically recommended that ring-fenced State funding and resources (on a recoupable basis) are necessary to support local authorities in carrying out assessments and intervening where those with the primary responsibility for developments have failed to act.
- 3.8.3** The assignment of costs between the various parties, developers, financial institutions, receivers and local authorities needs to be addressed. Compensation of local authorities by those with primary responsibility for the cost of any site remediation measures that they incur as part of their statutory functions must be addressed in particular.
- 3.8.4** The sequestering of development completion bonds and securities should be examined.

- 3.8.5** The DECLG together with local authorities, developers, financial institutions and insurance companies should conduct a review of the performance of planning securities and develop improved and more standardised approaches to planning securities and their application in line with the findings outlined in this report.

3.9 Housing Demand, Market Confidence and New Approaches

Background

A key factor in resolving unfinished developments is the level of housing demand. Developments in urban areas where there is an underlying need and demand for housing can be more readily resolved. The greatest difficulty will be addressing and resolving developments in rural, low demand areas. Immediate and prioritised action to deal with the most problematic developments coupled with the emergence of many good practice examples and proper community involvement in the resolution process is essential in improving market confidence.

The Advisory Group considers that innovative approaches are required to resolve problems associated with a number of the unfinished housing developments.

In the first instance a development has to be assessed and the options for its resolution considered. This may be the completion and finishing off of the current phase of the development. Another option may be to complete and consolidate the development. For developments where ownership has been relinquished and there is housing to be completed, options such as equity partnerships, self-build and co-operatives should be considered.

Recommendations

- 3.9.1** When ownership has been established and where there is agreement between the parties, there are a range of options available to both the private and public sector. It is recommended that options such as utilising housing stock for low-cost sale, social housing and co-operative housing in line with existing local conditions should be considered.
- 3.9.2** DECLG should facilitate local authorities, acting in their housing, planning and community development capacities in identifying alternative housing models for unoccupied housing. The options include leasing and/or purchase of housing, or supporting community-led initiatives to use vacant property for community development purposes. These options should be location-specific solutions and amenable to residents of the local community. This work can be assisted by approved housing bodies through their representative bodies: The Irish Council for Social Housing (ICSH) and The National Association of Building Co-Operatives (NABCo).
- 3.9.3** The methods for transferring housing to local authorities or groups such as approved housing bodies are already well-established. Alternative options such as 'Equity Partnerships' and self-build should be examined, such as those already identified in the UK. For example, the self build model could

be used in developments where the existing owner wishes to consider the option to sell a partially built property to an individual on a phased basis whereby they would take full ownership upon completion to an agreed standard. The individual would undertake to complete the unit him/herself, having purchased for a below market value.

3.10 Legislation, Regulation and Codes

Background

The Advisory Group considered whether legislative change is necessary to address the issues with unfinished housing developments. Due to the urgency of resolving developments, the Group is of the view that co-operation between the parties as set out in an earlier section is the most important issue. However, it is considered that some amendment to existing legislation is needed to properly effect completion of some unfinished developments.

Recommendations

- 3.10.1** The updated *Guidance Manual on Managing and Resolving Unfinished Housing Developments* will be published concurrently with this report.
- 3.10.2** The associated voluntary Code of Practice should be published by May, 2011.
- 3.10.3** Previous planning guidance from the DECLG should be restated with regard to the measures needed to ensure that housing developments are developed in a phased and sequential manner, governed by the lodgement of appropriate securities for the satisfactory completion of essential public infrastructure and amenities in each phase of housing developments.
- 3.10.4** Existing legislation should be reviewed and amended where appropriate to ensure that there are adequate measures available to address unfinished developments. This legislation includes:
 - Planning & Development Act 2000 — 2010
 - Derelict Sites Act 1990 and the Litter Act 1997-2003
 - Local Government (Sanitary Services) Act 1964
 - Water Pollution Acts 1977 and 1990
 - Building Control Acts 1990-2007
- 3.10.5** Alternatively, one Act to consolidate legislation with regard to unfinished developments with a pre-determined lifespan of operation should be considered. However, the timing of other actions arising from this report should not be contingent on this being developed.
- 3.10.6** Amendments to Planning and Development Acts should be considered to facilitate minor works and changes to unfinished housing developments without having to go through the whole planning process.
- 3.10.7** The Derelict Sites Act 1990 should be amended so that it is applicable and effective in dealing with unfinished housing developments. This would be required in a limited number of cases.

- 3.10.8** The Water Services Act should be amended to ensure that water services authorities can enter onto housing developments that have not been taken in charge to affect emergency repairs to water mains and distribution systems or to take such steps as are necessary to stem serious water leakage.
- 3.10.9** Consideration will need to be given to legislative amendments to address the charging of costs that are incurred by local authorities in attending to emergency remedial works in unfinished developments.
- 3.10.10** Taking in Charge standards for unfinished developments should be reviewed having due regard to the viability of facilitating minimum works to improve the standard of living within such developments.
- 3.10.11** Planning securities for completion of a development including services in a development can be by means of a charge over assets within the development. Whether this charge can be a primary charge over the asset will depend on the consent of the existing primary charge holder and should not be unreasonably withheld.

3.11 Compliance

Background

Compliance with planning and building standards is essential. However, where units are partially built, questions regarding whether such units need to be upgraded to the latest compliance standards, or whether they can be completed to the standards at the time of permission being granted should be clarified. The issue above will also require legislative attention to ensure that there is no contravention of competition laws and that appropriate standards are achieved. If the above level of flexibility is feasible, it should only be an option on the most affected developments. Compliance ensures a certain progressive standard for consumers, and too much flexibility could serve to further damage the housing market in affected developments.

Recommendations

- 3.11.1** Where housing developments have been partly completed and are likely to be reconfigured as part of the Site Resolution Plan process, planning authorities and developers should take account of the future viability of developments and the changed planning, housing and development context in agreeing new arrangements to meet Planning and Development Act/ Part V considerations.
- 3.11.2** DECLG together with local authorities should prepare and adopt new national taking in charge standards to expedite and streamline the taking in charge process and application of consistent completion standards.

- 3.11.3** Building regulations and compliance may require revisiting by the national co-ordination committee in co-operation with the building standards compliance review group. If an unfinished development is part-built and alterations to codes and compliance have occurred in the interim period, certain decisions will need to be made around this. Flexibility may be recommended, but not to the detriment of the locality or conflict with competition law.
- 3.11.4** DECLG should provide expert assistance as required to local authorities to provide advice regarding solutions to building control compliance.
- 3.11.5** The current review of the building control system by the DECLG should consider this report in making any recommendations.

3.12 Monitoring Implementation

Background

The Advisory Group consider that the monitoring of works carried out to resolve developments is essential. A number of pilot projects should be identified and used to learn lessons, which can help in addressing other developments that require intervention. The monitoring of these pilot projects will primarily be about evaluation and to ensure that resolution plans are being put into action on the ground in a timely manner.

Recommendations

- 3.12.1** In line with recommendation 3.6.1, a National Co-ordination Committee should be established by the DECLG, to oversee that appropriate levels of stakeholder engagement, monitoring, inspection and evaluation are being carried out and ensuring that unfinished developments are being addressed and resolved.

4. Next Steps

- 1.** A National Co-ordination Committee should be established to oversee the implementation of action on unfinished developments and to monitor progress.
- 2.** Formal protocols for liaison between the various stakeholders; developers; financial institutions; residents; local authorities; approved housing bodies; the DECLG and other relevant Departments and Agencies such as the Health and Safety Authority – should be put in place to facilitate the sharing of information. This should be included in the proposed Code of Practice on unfinished developments.
- 3.** Public safety and critical issues e.g. public lighting, drainage etc that are having a serious impact on the residents of unfinished developments should be dealt with as a matter of urgency.
- 4.** Local authorities should prioritise a number of developments to act as lead projects to demonstrate what can be done. One good example for actions to resolve a development is Battery Court in Longford town. Outline details of this development and the approach are set out in Appendix 5.
- 5.** The relevant stakeholders should implement the *Guidance Manual on Managing and Resolving Unfinished Housing Developments* which will be published with this report together with a *Code of Practice* (currently being prepared by the DECLG) which will set out ways of resolving unfinished developments.

Appendices

Appendix 1: Key Stakeholders

Residents and local communities — living in or who are affected by unfinished housing developments and their long-term resolution.

Developers — including the owners of development sites and any management companies in place.

Financial Institutions — as well as the National Asset Management Agency (NAMA) and receivers appointed by charge holders.

Local Authorities — in their capacities as planning, housing, building control and water services authorities and representing local communities.

Department of Environment, Community and Local Government (DECLG) — as the Department with responsibilities for the construction sector, planning, housing, building control and local government and agencies under the aegis of the Department which include Housing and Sustainable Communities Agency and Environmental Protection Agency.

Other relevant Government Departments and Agencies — such as the Health and Safety Authority in their role of securing safety, health and welfare of persons at work.

Approved housing bodies — these include voluntary and cooperative housing organisations.

Professionals — from the relevant construction, property, legal and development sectors.

Appendix 2: Site Resolution Plans

Recommended Approach to Site Resolution Plans

This appendix summarises some key elements that are essential in the preparation by developers/receivers of Site Resolution Plans (SRP).

Key Steps

There are four principal steps in preparing a SRP as follows:

1. Scoping.
2. Identification of potential development options for the site.
3. Evaluation of options and selection of a preferred option.
4. Implementation and monitoring of the SRP.

Scoping: The initial step should focus on assessing the current status of the development moving on to research the options for the future of the site that, subject to funding, may be possible. The initial stage in preparing an SRP should also use similar information to the initial stage of the Receivers Property Business Plan approach employed by the National Asset Management Agency.

Having built up a good overview of the development, the scoping stage where warranted, should proceed to an initial phase of stakeholder consultation with both the relevant local authority, including the representative of the local authority's Unfinished Housing Developments Team and the representatives of the established residents.

Once initial information gathering and stakeholder consultation is complete, the person responsible for preparing an SRP should be in a position to identify the key issues facing the development and begin to set out potential options for the development.

Then, the scoping stage may proceed to round-table consultation with the key stakeholders with a view to exploring potential options for the development.

Option Development: The next step is to explore all the potential options for the development that are set out below.

Option 1: Full completion as originally proposed.

Option 2: Full completion with modifications to the proposed layout and existing/proposed structures.

Option 3: Partial completion with a strategy for the long term use of any undeveloped lands.

Option 4: Abandonment and demolition. This option should be considered where the development is not considered viable, any partly constructed sites should be secured and consideration given to returning the development, or part thereof, to its pre-development use. These considerations should include measures to deal with any existing residents within partly completed areas of the development.

Evaluation and Selection of Preferred Option: The next stage of the SRP is to identify a preferred option. Evaluation of options and selection of a preferred option from the SRP process should proceed on the basis of comparative analysis of the options across a number of headings and addressing the criteria below.

Criteria 1: Cash flow analysis:

What is the Net Present Value (NPV) outcome of the option across optimistic, realistic and pessimistic scenarios? (High, Medium, Low)

Criteria 2: Market Analysis:

Would the option maximise the attractiveness of the development from a property market proposition? (High, Medium, Low)

Criteria 3: Ready for Sale Analysis:

How ready for sale would the option make the development? (High, Low, Medium)

Criteria 4: Development Partnership Analysis:

Does the option maximise use of innovative development and funding solutions?

Criteria 5: Sustainability and Impact Analysis:

How does the option fit with existing planning and sustainable community criteria such as the criteria outlined in the *Planning Guidelines on Sustainable Residential Development in Urban Areas* and its advice regarding urban design quality criteria?

Selection of a preferred option should be on the basis of the following:

1. The highest scoring option under criteria 1 and 2; and
2. The average score under criteria 3-5.

A simple concept drawing should be prepared by the developer and his/her agents summarising the key elements of the SRP and, finally, a table generated to outline the key and agreed roles and responsibilities of the key stakeholders (Developer/LA/Community) in advancing the plan, including key milestones.

Implementation and Monitoring: It is strongly recommended that the ongoing progression of each SRP should be overseen by a small liaison team for each development until the site is resolved and the case is discharged. The liaison team should be composed of the:

1. Project developer;
2. Representative of the relevant LA Unfinished Housing Development Team; and
3. Representatives of the local residents;

Template for Initial Assessment

The template overleaf is a suggested framework for use in preparing an initial site response, targeting first and foremost those sites where:

- The developer is not active on site, is not responding to correspondence and is not in a position to address the urgent issues identified;
- No receiver has been appointed and there is no immediate prospect of a new developer or funder taking over the development; and
- There is no short term prospect of enforcement action under planning or other relevant legislation solving the identified problems.

Having identified the details of the development from the National Housing Development Survey⁵ and local authority sources, including the relevant planning permission, details of the developer and planning status of the development, the initial site response can focus on addressing public safety type issues as outlined in the template.

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5 The survey can be found at www.environ.ie/en/DevelopmentandHousing/Housing/UnfinishedHousingDevelopments/

	Key Defects	Priority for Action 1-7	Estimated Cost	Implementation Strategy
(1) Site Security	Part completed areas accessible y/n			
(2) Safety of places / structures	Exposed excavations? Exposed pipes/drains? Water hazards? Unstable structures? Unprotected upper floor areas?			
(3) Public Lighting	Working y/n			
(4) Open Space	Cleared, levelled and landscaped y/n?			
(5) Roads and Footpaths	Base course y/n? Wearing course y/n? Footpaths to occupied houses y/n? Drainage satisfactory?			
(6) Water Services	Potable water supply y/n? Effective wastewater disposal?			
(7) Other	Other piped services functioning?			

Appendix 3: Securities for Completion

Planning Permission Securities for Completion

In planning terms, securities refer to either a cash deposit or insurance bond lodged with a local authority to ensure the satisfactory completion of certain elements of housing development such as roads, footpaths, sewers, water mains, drains, public lighting and open spaces.

The Planning and Development Acts provide for the application by a planning authority of a range of conditions relating to the satisfactory completion of a granted development as follows.

Section 34 (4) (f) of the Planning and Development Act 2000 provides for 'conditions for requiring the satisfactory completion within a specified period, not being less than 2 years from the commencement of any works, of the proposed development (including any roads, open spaces, car parks, sewers, water mains or drains or other public facilities), where the development includes the construction of 2 or more houses.'

Section 34 (4) (h) provide for 'conditions for determining the sequence and timing in which and the time at which works shall be carried out.'

Section 34 (4) (j) provides for 'conditions for the maintenance, until taken in charge by the local authority concerned, of roads, open spaces, car parks, sewers, water mains or drains and other public facilities or, where there is an agreement with the local authority in relation to such maintenance, conditions for maintenance in accordance with the agreement.'

Section 34 (4) (g) of the Act provides conditions for requiring the giving of adequate security for satisfactory completion of the proposed development.

Such securities above generally take the form of financial guarantees (a development bond, cash deposit or other such financial security) that planning obligations will be met and that such infrastructural elements of the development including roads, open spaces, car parking, sewers, surface water drains, water mains, public lighting and, or other public facilities will be satisfactorily completed.

Development Contributions

In addition to the above requirement, Section 48 (1) of the Act provides for the inclusion of Development Contributions. 'A planning authority may, when granting a permission under Section 34, include conditions for requiring the payment of a contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that it is intended will be provided, by or on behalf of a local authority (regardless of other sources of funding for the infrastructure and facilities).'

Section 49 (1) further provides for the application of Supplementary Development Contribution Schemes: 'A planning authority may, when granting a permission under Section 34, include conditions requiring the payment of a contribution in respect of any public infrastructure service or project.'

The financial obligations noted above under the Planning and Development Acts are likely to be the main vehicles through which an element of the necessary financial contribution may be realised. Planning authorities would need to be certain that any use of development contributions to part finance development completion works are in line with Section 48 (14) (a) of the 2000 Act which states that: 'money accruing to a local authority under this section shall be accounted for in a separate account, and shall only be applied as capital for public infrastructure and facilities.' The release of funds through the enforcement of development bond conditions is more likely to be the more common mechanism through which funding for completion works can be released to the planning authority.

As noted earlier, these development securities have traditionally been provided in a number of forms, the most common of which have been insurance bonds, bank undertakings/bonds and cash bonds, the latter proving more practical in default situations.

Access to Securities Funds

Access to funds through bond call up will generally require that the permission has expired and that a number of routine procedures have been completed by the planning authority. Typically these would include:

- a status assessment of the planning permission;
- appropriate compliance inspections;
- check if the relevant parties have been notified where non-compliances have been identified;
- check if the Planning Authority complied with Section 152 of the Planning and Development Act;
- the serving of an Enforcement Notice where required;
- the notification of non-compliance issues to Bond company and servicing of notice of consideration to claim;
- the completion of further inspections post notice period,
- the initiation of legal action for non-compliance; and
- the lodgement of claim against bond provider.

Under Section 28 of the Planning and Development (Amendment) Act 2010, new arrangements have been introduced to provide mechanisms for the extension of durations of planning permissions under certain circumstances. In such instances Section 28 (2) provides that: 'in extending the appropriate period under subsection (1) a planning authority may attach conditions requiring the giving of adequate security for the satisfactory completion of the proposed development, and/or may add to or vary any conditions to which the permission is already subject under section 34(4) (g).'

The provisions above enable planning authorities to review the adequacy of development security values.

Appendix 4: Development Solutions

Based on the site-specific conditions to be considered for example; the presence of a developer, the availability of finance and the existence of a housing need or market demand, the development solution options can be broadly categorised as follows:

■ **Completion with revisions**

This would include completion as originally planned but with some minor revisions that would play a role in improving the sustainability, character and functionality of unfinished residential developments. For example, changes to land use range and mix, urban or landscape structure or form, movement and access, building typologies or design. Revisions may also be made to the housing stock. For example units sizes could be changed or units could be amalgamated within unfinished multi-unit developments to provide housing which is more in line with market demand or suitable for family accommodation, older people or those with disabilities.

■ **Consolidation and significant revisions**

Consolidation of any completed or near-complete element of the development with significant alterations to uses and/or built form of the remaining incomplete element.

■ **Consolidation of an element or phase**

A phase or element of the originally planned and permitted development will be satisfactorily completed in isolation from the remainder of the scheme. The remaining unfinished element should be restored to an acceptable state from a functional, visual and safety perspective. It may be necessary to rectify existing problems such as sanitary, drainage, road, lighting and the landscape/open space. This would also improve the image of the development and assist in restoring consumer confidence to purchase currently vacant units.

■ **Abandonment and/or restoration**

This is an option of last resort whereby a commenced development is restored to an acceptable condition in a pre-development state. This would be an option where a scheme is vacant and has a low level of completion, has been abandoned, the demand for the said scheme has dissipated or it has become inconsistent with new policies regarding sustainable communities and planning.

■ **Alternative land use options**

Opportunities for significant change will be limited given urban context and predominant residential use. However, when new uses are being explored the following should be considered:

- » Compatibility of the new use with the zoning objective;
- » Compatibility of the new use with existing use(s);
- » Community or resident needs (including education, childcare, healthcare, special needs housing etc);
- » Opportunities for local business and enterprise;
- » Active and passive recreation and amenity; and
- » Local biodiversity and the natural environment including flood risk management.

Some potential alternative uses would include:

- » Retirement villages and the conversion of some vacant units for support services and facilities;
- » Community facilities (properties could be rented for community development, crèches, childcare, drop-in centres, education, after-school care, training);
- » Hospital support convalescence accommodation, dependent on locality;
- » Tourism villages/holiday accommodation, dependent on locality;
- » Local enterprise units — conversion of units for offices and related uses; and
- » Local shop facilities where such facilities would be commercially viable.

Alternative development types and uses will require reconsideration of the merit of schemes in the changed planning and development context. It may be necessary for statutory plans to respond to this issue by reconsideration of existing policies, zoning and other development management objectives.

Appendix 5: Case Study: Battery Court, Longford Town

Battery Court in Longford is a development of over 90 dwellings that commenced in 2006 in a tax incentive area. Works progressed in stages and included the development of detached, terraced, apartment and duplex housing until the developer's financial difficulties forced the appointment of a receiver in 2010. Problems experienced as the development progressed were the subject of adverse local and media concerns.

However, the appointment of a receiver has marked a turnaround for the development and, after careful economic assessment and business planning, the development is now well on its way to resolution. In particular the receiver arranged for the funding of:

- (1) Completion of open spaces, lighting, roads and services for completed dwellings;
- (2) Finishing out of dwellings that were nearly complete;
- (3) Some remedial work to improve the quality of completed but unoccupied dwellings; and
- (4) Seeking planning permission for the reconfiguration of an unsightly part constructed apartment and duplex complex within the site (see photo below).

The outcome of the process as a whole has been very successful so far. In particular:

- Price reductions and increased clarity as to the future of the overall development has improved buyer confidence to the point where a number of dwelling sales have been agreed;
- Complete but un-occupied dwellings will be taken over by a voluntary housing agency; and
- The relevant local authority (Longford County Council) continues to take a proactive and co-ordinated approach to re-assuring purchasers of housing in the development.

Photos 1-3 illustrate the condition of parts of the development before the receiver was appointed.



Photos 4-6 illustrate the condition of the development recently as site resolution progresses.



Appendix 6: Membership of the Advisory Group

Chair:

John O'Connor, *Housing and Sustainable Communities Agency*

Members:

Tim Caffrey, *City and County Managers Association*

Noel Carroll, *Department of the Environment, Community and Local Government*

Brian Cassidy, *Engineers Ireland*

Gene Clayton, *Irish Council for Social Housing*

Mark Cullen, *Health and Safety Authority*

Niall Cussen, *Department of the Environment, Community and Local Government*

Dominic Doherty, *Construction Industry Federation*

Helen Dunne, *Irish Rural Link*

Simon Ensor, *Irish Auctioneers and Valuers Institute*

Hubert Fitzpatrick, *Construction Industry Federation*

Donal Kellegher, *National Asset Management Agency*

Paul Keogh, *Royal Institute of Architects of Ireland*

Michael Moriarty, *National Asset Management Agency*

Conor Norton, *Irish Planning Institute/Royal Town Planning Institute*

Bill Nowlan, *Society of Chartered Surveyors*

Philip Nugent, *Department of the Environment, Community and Local Government*

Aidan O'Connor, *Department of the Environment,, Community and Local Government*

Micheál O'Connor, *Society of Chartered Surveyors*

Martin O'Halloran, *Health and Safety Authority*

Niall O'Keeffe, *National Association of Building Co-operatives*

Eimer O'Rourke, *Irish Banking Federation*

Niall Rice, *Farrell Grant Sparks*

Gordon Richards, *National Building Agency*

Secretary:

Katherine Banks, *Housing and Sustainable Communities Agency*

Appendix 7: Glossary

CIF: Construction Industry Federation

DECLG: Department of the Environment, Community and Local Government

FÁS: Foras Áiseanna Saothair

ICSH: Irish Council for Social Housing

L&CDC: Local and Community Development Company

NABCO: National Association of Building Co-Operatives

NAMA: National Asset Management Agency

SRP: Site Resolution Plan

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