

July 2012

## Resolving Unfinished Housing Developments

Progress Report on Actions to Address Unfinished Housing Developments



Comhshaol, Pobal agus Rialtas Áitiúil  
Environment, Community and Local Government





# Contents

1. Introduction .....	1
2. Progress Update .....	2
3. Measuring Progress .....	4
4. The Task Ahead .....	5
5. Actions and Outputs .....	6
Appendix 1 .....	17
Examples of progress on unfinished housing developments	
Appendix 2 .....	28
Example of Quarterly Status Report	

# Minister's Foreword

The Government places a high priority in tackling problems associated with unfinished housing developments, because living amidst an unfinished housing development can be very problematic for residents and poor quality developments undermine our cities, towns and villages as sustainable communities.

One year ago, the Government published an action plan to address the recommendations of a report by the Advisory Group on Unfinished Housing Development. At that time, the Government promised to report annually on progress made until the issue was seen to be under control.

Delivering on that promise, I am pleased to introduce this first annual report on progress this Government is making in tackling the problems raised by unfinished housing developments, one of Ireland's more visible legacies of failed policies of previous administrations.

It is taking time to turn around the many developments on the ground that are adversely affecting communities. There are complex legal, financial, procedural and construction issues involved. Patience will be required.

However there is a new-found consensus amongst the various interests affected - local authorities, financial institutions (including NAMA), relevant government departments and agencies as well as developers - on the key issues.

More importantly, there is a new-found determination amongst the various interests to progressively address the problems that have arisen for the benefit of residents, the quality of our cities, towns and villages and the reputation of our country.

Moreover, the activities reported on, and the physical evidence of the progress now to be seen on the ground are a sign that Government is moving on this pressing issue and that more and more physical evidence of progress will be visible into the year ahead.

I wish to thank the various interests involved for their commitment and hard work that make progress possible and I will be monitoring the situation closely through the work of my Department and the Housing Agency and the National Co-ordination Committee that I chair.

A handwritten signature in black ink that reads "Jan O'Sullivan". The signature is written in a cursive style and is positioned above a horizontal line.

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Ms Jan O'Sullivan T.D.

Minister of State for Housing and Planning



# Progress Report on Actions to Resolve Unfinished Housing Developments

## 1. Introduction

In June 2011, the Government announced a range of actions to address the problems posed by unfinished housing developments.

It is now one year later and, as promised, this report outlines the real progress that is being and must continue to be made, which is particularly focused on addressing the needs of residents living in such developments.

Actions taken have also focused on implementing the recommendations contained in the [Final Report of the Advisory Group on Unfinished Housing Developments](#) under four overarching aims, namely:

- 1. Bringing together** the key actors at national, regional and local levels to resolve unfinished housing developments, creating **a more co-ordinated approach**;
- 2. Tackling public safety issues** that have arisen on some unfinished housing developments through an initial €5 million provision for urgent public safety works on abandoned developments, monies that will ultimately be recouped by landowners and developers;
- 3. Putting in place a stronger legislative and policy framework** to ensure effective engagement by developers, site owners and funders in working with local authorities and residents in resolving unfinished housing developments; and
- 4. Building confidence in the housing sector** by (i) developing best practice models for bringing vacant housing into beneficial use and (ii) ensuring a phased approach to development, concentrating first on utilising the stock of vacant and part- completed housing within unfinished developments.

Over the first 12 months, the Government recognised that an initial priority should be placed on resolving problems on potentially unsafe sites thereby improving living conditions for residents.

Notwithstanding the priority on tackling public safety issues, Government action was also focused on bringing vacant housing into beneficial use including identification of opportunities to purchase and/or lease empty suitable houses for social housing.

A related priority was the development of site resolution plans for at least 300 developments by the end of 2011 which was to form the launch pad for future progress.

The Government's plan for resolving unfinished housing recognised that, while it will take time to progressively deal with developments with significant completion issues, co-ordination of key stakeholders – developers, funders, State agencies, local authorities, and local residents – will start to yield tangible results immediately.

## 2. Progress Update

A survey of unfinished housing developments in Ireland was conducted during summer 2011. Unfinished developments were housing schemes that had been commenced but had not been completed in that building works are outstanding.

These developments are different from older completed estates that may have minor defects.

The Department's survey updated the previous survey material from 2010 and involved the inspection of a total of 2,876 housing development sites of two or more dwellings. Of these 2,876 developments, 701 were recorded as effectively complete and a further 109 developments were recorded as having no substantial works commenced. Taking the developments above from the survey of 2,876 sites left a total of **2,066** unfinished housing developments.

However, not all of the 2,066 unfinished housing developments were found to be seriously problematic. In early 2011, local authorities were asked to categorise the unfinished housing developments in the Departments survey in their areas, for the purposes of an initiative on public safety under four headings:

- Category 1: Developer present and active;
- Category 2: Developments where a receiver had been appointed;
- Category 3: Developer present but not active; and
- Category 4: Abandoned developments (no developer present) with serious public safety issues.

The Department, working with local authorities, prioritised action to improve public safety on 128 category 4 developments (since the quarterly status report issued in April 2012, a number of developments were reclassified, see appendix 2) with further developments (see 6 & 7 below) targeted for action through NAMA and the Health and Safety Authority.

Actions are also being taken on other developments that are not as problematic as the category 4 developments but which have not been completed in line with the original planning permission. In many cases, such developments may need a longer term plan to resolve them, including amendments to the original planning permission.

Across all categories, local authorities have requested the preparation of site resolution plans on a total of 770 sites.

The local authorities, under the overall direction of the National Co-ordination Committee have reported<sup>1</sup> that, by end April 2012:

## 2.1 Completed Developments and Work Ongoing

1. 136 developments have had site resolution plans completed with a further 75 unfinished housing developments being completed and taken over by the relevant local authority for the purposes of maintaining roads and services, meaning that **211 additional developments have now been effectively resolved**.
2. **523 developments are currently being resolved** through action by the developer and/or funder as in the case of a receiver appointed by a lending institution.
3. **137 category 3 sites, held as loan security by NAMA, are being assessed** for the purposes of future site resolution plans.
4. **636 developments are the subject of current legal enforcement proceedings**, statutory notices etc.

## 2.2 Public Safety Initiative

5. **128 developments were approved for funding under the Departments Public Safety Initiative** involving a total of €3.17m with a significant improvement in living conditions for residents as the photographs in Appendix 1 illustrate.
6. **29 category 4 developments are in the process of urgent remedial works funded by NAMA** through debtors/receivers to address public safety related concerns at a cost of around €3m paid for by NAMA, and 19 sites have been resolved to date in this process.
7. **20 sites have been addressed through action by the Health and Safety Authority** after a review of 157 Category 4 sites, which were advised to the HSA by the local authorities, thereby ensuring developers are complying with the Health and Safety at Work Act.

## 2.3 Social Housing Benefit

8. **3,200 homes have been indicated by NAMA as being available for potential use for social housing purposes** and are being progressively assessed by housing authorities and approved housing bodies.

It is important to note that the efforts above will take time to manifest themselves on housing developments around the country as the various legal, financial, contractual and physical work processes are progressed and concluded, but they are evidence of a serious start being made on a difficult and complex problem.

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<sup>1</sup> Please Note: Adding the figures above will result in a larger number than the 2,066 housing developments, this is because individual housing schemes may be the subject of action under more than one heading.

## 2.4 Additional Progress

To complement the achievements at a site by site level, a range of other commitments outlined in the June 2011 Government Action Plan has also been delivered on, including:

9. The Department of Environment Community and Local Government published a best practice Guidance Manual on Managing and Resolving Unfinished Housing Developments, including approaches to site resolution planning, coupled to an agreed Code of Practice and a Guide for Residents (all published and available on [www.housing.ie](http://www.housing.ie));
10. NAMA has instituted a dedicated process that, through its planning and portfolio management sections, works with local authorities, developers and/or receivers and the Department in ensuring effective site resolution planning is carried out, where feasible and appropriate, in respect of those developments that come within the remit of the NAMA process. Evidence of the positive impact of this approach can be seen in the data above;
11. The Department, taking account of the recommendations in the Advisory Group's Report, issued the Circular PH 1/2012 in early June 2012 on the Derelict Sites Act 1990 and statistical returns and the prescription of urban areas. This Circular ensures that unfinished developments can, where the local authority wishes, be tackled through that legislation **through the imposition of a Derelict Sites Levy**, which can be accumulated to enable the acquisition of abandoned sites if necessary;
12. The Housing Agency, together with the City and County Managers Association and the Department of Environment, Community and Local Government have been working with the Irish Banking Federation to ensure a co-ordinated and strategic approach to liaison between the banking sector and local authorities especially as they tackle the difficulties that have arisen on some unfinished housing developments. As a result, the relevant banking organisations have established dedicated teams and contact points which are available on [www.housing.ie](http://www.housing.ie);
13. A National Workshop for Local Authority Co-ordinators was organised by DECLG and the Housing Agency for all local authority unfinished housing development co-ordinators on the 24th May 2012 in Athlone and further events will be organised as required; and
14. Work is progressing in developing further guidance on the roles and responsibilities of receivers and local authorities and more standardised approaches to planning securities and bonds for issue over the summer.

## 3. Measuring Progress

Since the National Co-ordination Committee, chaired by Minister of State for Housing and Planning, Jan O'Sullivan, TD, was established in June 2011, the Committee has met on eight occasions. The work of the committee is ensuring that the extensive efforts of the local authority, government department and agency teams will be effectively measured both to highlight progress and to identify areas needing attention.

To support the work of the committee in producing this report and monitoring progress generally:

1. The Housing Agency compiles a "Quarterly Status Report" (QSR) on the basis of returns from each of the 34 City and County Council Unfinished Housing Development Co-ordinators. A test QSR1 was conducted in March/April (refer to Appendix 2) and this test phase report is currently being cross checked and will be updated later this summer;
2. Previous (2010 and 2011) National Housing Development Surveys are being updated by a new survey to be completed by end Q3. This 2012 survey will update the completion status data for each development previously surveyed and will, for the first time, include a qualitative assessment by the relevant local authority. The qualitative assessment will be accompanied by a map illustrating the extent of any part of a development (or part thereof) in a seriously problematic condition. Additional developments, if consistent with the original criteria for unfinished estates, may be identified for inclusion; and
3. The 2012 survey will feed into the National Unfinished Housing Developments Database. This national database is updated by the Department of the Environment, Community and Local Government through regular local authority input and updates, in consultation with local communities and other stakeholders;

## 4. The Task Ahead

From the start of the Government's initiative on unfinished housing in mid 2011, the initial focus was establishing effective co-ordination mechanisms at national and local levels in particular and in securing sites from a public safety perspective.

An effective co-ordination system has been established and has started to deliver tangible results, which will become more and more obvious in the year ahead.

In relation to public safety, while it is difficult to make every site 100% safe, considerable efforts are being made to ensure that the owners of development sites are made to honour their obligations from a public safety perspective. In some cases, the relevant local authorities have had to step in to address public safety concerns under the Department's Public Safety Initiative.

For the year ahead, in addition to continuing the positive work of the past year, new priorities will include:

1. Monitoring to ensure **effective implementation and translation of the various enforcement and site resolution planning activities** currently underway into practical impact on the ground;
2. To continue to **ensure vacant homes that are in suitable locations and in good condition are brought into beneficial use** to meet the housing needs of the country;
3. To identify **any residual cohort of developments that may not be capable of long term beneficial use** and, in conjunction with their owners, funders and the relevant authorities, develop and implement proposals for these developments, including clearance where necessary;

4. To **further improve the data on unfinished housing developments** throughout the country including a simplified categorisation of developments focusing on those portions of developments in a seriously problematic condition; and
5. **Finalising clearer standard guidance** on matters such as development bonds, the phasing of developments and relevant matters to avoid a repeat of mistakes from the past as and when the housing development sector starts to recover and there are housing developments commencing into the future.

## 5. Actions and Outputs

The following tables outline some further details of the actions taken to deliver on the aims of the Government's report, 'Resolving Unfinished Housing Developments – Response to the Advisory Group Report on Unfinished Housing Developments', over the period June 2011 to June 2012.

### 5.1 Co-ordination and Partnership

Action / Output	Status
<p><b>National Co-ordination</b></p> <p>A <u>National Co-ordination Committee (NCC) on Unfinished Housing Developments</u>, will drive the implementation process and the recommendations of the report of the Advisory Group, with a particular focus on resolving sites.</p> <p><b><i>The NCC, comprising of representatives of all stakeholders, is chaired by the Minister for Housing and Planning Jan O'Sullivan and meets every two months, the last meeting taking place on 19th June 2012.</i></b></p> <p><b><i>A National Workshop for Local Authority Co-ordinators was held on the 24th May 2012, all local authorities were represented, as was the DECLG, NAMA, HSA, the IBF by AIB and a Receiver.</i></b></p>	<p>On-going.</p> <p>Number of documents &amp; guidance manuals published and complete.</p> <p>A number of items from the workshop are available on <a href="http://www.housing.ie/estates">www.housing.ie/estates</a> such as; Presentations, a consolidated list of the outcomes from each of the four groups in the afternoon clinics, contact email addresses for all attendees and DECLG Inspectorate contacts.</p>

Action / <b>Output</b>	Status
<p><b>Local Co-ordination</b></p> <p>City and County Councils will each establish <u>Unfinished Housing Development Teams</u> to co-ordinate actions at a local level and to provide regular reports to the National Co-ordination Team.</p> <p><b><i>Each City and County Council has established an Unfinished housing Development Co-ordinator who leads the relevant local authority teams and the Co-ordinator's name, email and phone numbers are available to the public on <a href="http://www.housing.ie/our-services/unfinished-housing-developments/local-authority-contacts.aspx">http://www.housing.ie/our-services/unfinished-housing-developments/local-authority-contacts.aspx</a>.</i></b></p> <p><b><i>A Quarterly Status Report (QSR) template was established and provided to each Local Authority Co-ordinator for completion, this template will be used to monitor activity, progress and outcomes quarterly.</i></b></p> <p><b><i>A number of sub-groups have been established with local authority representation in order to assess various aspects of resolving the issue of unfinished housing developments; such as the Legislative Review Group, and the National Housing Development Survey Project Board.</i></b></p>	<p>Complete &amp; Reports on-going.</p> <p>The April 2012 QSR is complete and its main conclusions are referred to earlier in this report (see Appendix 2).</p>

Action / <b>Output</b>	Status
<p><b>Code of Practice</b></p> <p>A <u>Code of Practice</u> on issues such as public safety, the site resolution plan process, information exchange and identification of development solutions will be finalised by the National Co-ordination Team to ensure buy-in by developers, site owners, funders, local authorities and residents.</p> <p><b><i>The Stakeholders Code of Practice was published in October 2011, a copy of which can be found at <a href="http://www.housing.ie">www.housing.ie</a>. This code of practice acts as a framework for specific co-ordinated and integrated actions between key stakeholders addressing the issues that have arisen in relation to the unfinished housing developments. The code represents agreement on specific protocols of engagement and action between representative bodies of the key stakeholders in the process of resolving unfinished housing developments including:</i></b></p> <ul style="list-style-type: none"> <li>● <b><i>Builders/Developers (as represented by the Construction Industry Federation and the Irish Home Builder's Association);</i></b></li> <li>● <b><i>Financial Institutions (as represented by the Irish Banking Federation);</i></b></li> <li>● <b><i>The National Assets Management Agency (NAMA)</i></b></li> <li>● <b><i>Residents as represented by Irish Rural Link;</i></b></li> <li>● <b><i>Local Authorities as represented by the City and County Managers' Association;</i></b></li> <li>● <b><i>The Department of Environment, Community and Local Government; and</i></b></li> <li>● <b><i>The Housing Agency.</i></b></li> </ul>	<p>Preparation: Complete</p> <p>Implementation: On-going</p>

Action / <b>Output</b>	Status
<p><b>NAMA involvement</b></p> <p>In cases where unfinished housing developments are held as loan security, <u>NAMA</u> will work with local authorities, developers and/or receivers and the Department in facilitating early resolution of public safety issues and in co-operating with the other stakeholders in agreeing and implementing Site Resolution Plans, where feasible and appropriate.</p> <p><b><i>NAMA is represented at the NCC meetings and is actively engaged in working with the Department, LA's and banks. 29 developments have been identified by NAMA as unfinished housing developments within Category 4. So far, 19 of the Category 4 sites have been resolved and funding is approved/ works underway on the remaining 10.</i></b></p> <p><b><i>With regard to the NAMA Category 3 estates (137 developments) - work is advanced on clarifying the status of each site and agreeing the plans and timetables for optimum site resolution. NAMA presented to delegates a paper on their involvement with Unfinished Housing Developments at the annual Irish Planning Institute conference which was held on the 27th April 2012. NAMA were also represented and took part at the National Local Authorities workshop held in Athlone on the 24th May 2012.</i></b></p>	<p>Significant progress made.</p> <p>On-going.</p>
<p><b>Engagement with the Banking Sector</b></p> <p>The Minister will engage with <u>other financial institutions</u> (both domestic and non-domestic banks) to ensure a full understanding of their statutory responsibilities and to secure their co-operation and engagement with local authorities and developers in addressing public safety issues and in agreeing and implementing Site Resolution Plans.</p> <p><b><i>Regular meetings have been established with the Irish Banking Federation (IBF). The full contact list of LA representatives has been provided to the IBF. The IBF have been providing updates of their progress and involvement at each NCC meeting. The IBF engaged with local authority co-ordinators at the National Workshop held in Athlone on the 24th May 2012.</i></b></p>	<p>On-going</p>

Action / <b>Output</b>	Status
<p><b>Resident's Information</b></p> <p>An <u>Information Pack for local residents</u> in unfinished housing developments will be prepared and published by the Housing and Sustainable Communities Agency.</p> <p><b><i>A Guide for Residents in Unfinished Housing Developments was published in Oct 2011. This guide has been made available in hard copy within the various LA's nationwide in English and Irish and on <a href="http://www.housing.ie">www.housing.ie</a>. The guide has been developed to give information to residents in unfinished developments on how they can become involved in helping to resolve the difficulties that can arise in these developments. The housing agencies website also provides information for the public/residents on the various reports and manuals, codes of practice, LA contacts and the results of the 2010 and 2011 survey.</i></b></p>	<p>Complete and website being continually updated with current information.</p>
<p><b>County Development Board Involvement</b></p> <p>With the support of the National Co-ordination Team, the Department of Environment, Community and Local Government will issue <u>guidance to City and County Development Boards</u> on encouraging and facilitating community involvement in resolving unfinished housing developments.</p> <p><b><i>The Community and Enterprise Network is to provide guidance on the role of the City &amp; County Development Board on facilitating community involvement.</i></b></p>	<p>In Progress</p>
<p><b>Best Practice Manual</b></p> <p>A best practice <u>Guidance Manual on Managing and Resolving Unfinished Housing Developments</u> on unfinished housing developments will provide practical guidance for local authorities and other stakeholders on how to manage the unfinished housing development issue generally and focusing on steps to bring about the resolution of sites.</p> <p><b><i>The Manual was published in August 2011 and is available to view/download at <a href="http://www.housing.ie">www.housing.ie</a></i></b></p>	<p>Complete</p>

## 5.2 Public Safety

Action / <b>Output</b>	Status
<p><b>Categorisation</b></p> <p>Building on the baseline survey work carried out by the Department in Autumn 2010, local authorities will complete their own initial <u>categorisation of unfinished housing sites</u> in line with the four categories identified in the Advisory Group's Report and will monitor the developments in their areas, updating regularly and reporting annually to the National Co-ordination Team on the categorisation and status of housing developments in their areas.</p> <p><b><i>LA's have completed their own initial categorisation. In the context of the 2012 National Housing Development Survey, a DECLG/LA sub-group has assessed the existing categorisation system and the approach is now more focused on the physical quality of developments. The 2012 survey is due to take place during June, July and August 2012.</i></b></p>	<p>LA's completed categorisation.</p> <p>On-going</p>
<p><b>Public Safety Initiative</b></p> <p>The Department will <u>expedite the approval of applications for funding support from the €5 million public safety initiative funding</u> with the first allocations to be made in June 2011.</p> <p><b><i>Desktop appraisals are continuously carried out on the applications made by LA's in relation to PSI funding by the Housing &amp; Planning Inspectorates and aided by engineering site inspections.</i></b></p> <p><b><i>Currently there are 128 developments in this category and submissions have been received in the case of 126 of these. Approvals for funding, so far total €3.17 million.</i></b></p>	<p>Significant progress made.</p> <p>On-going.</p>

Action / <b>Output</b>	Status
<p><b>HSA Liaison</b></p> <p>Local authorities and the Health and Safety Authority will continue to liaise and engage in <u>monitoring incomplete sites</u> and any resolution activities being undertaken either by the developer or local authority.</p> <p><b><i>The HSA has inspected 157 category 4 sites, of which 85% were determined to have no duty holder under Health and Safety at Work legislation. The DECLG/Housing Agency has been provided with these site assessments. The scope of the HSA's inspections is to expand to include category 3 developments, at this stage, and the agency will update the NCC as needed. The HSA were represented and took part in the National Local Authority Workshop held in Athlone on the 24th May 2012.</i></b></p>	<p>Significant progress made.</p> <p>On-going.</p>
<p><b>DECLG Support</b></p> <p>The <u>Department will provide ongoing technical assistance to local authorities</u> on the categorisation of developments, on the formulation of an initial site response, on the preparation of Site Resolution Plans, as well as planning and building control queries.</p> <p><b><i>The Housing Inspectorate with the Housing Agency provides technical support to LA's on PSI funding and related queries.</i></b></p> <p><b><i>The National Housing Development Survey 2011 was completed with full results compiled, published and available for viewing on <a href="http://www.housing.ie">www.housing.ie</a>.</i></b></p> <p><b><i>The Housing Agency has established an on-line forum/discussion point for LA/UFH co-ordinators and will manage the distribution of and responses to queries made via the forum.</i></b></p>	<p>Significant support mechanisms established and on-going.</p> <p>Complete</p>

### 5.3 Site Resolution Plans

Action / <b>Output</b>	Status
<p>City and County Unfinished Housing Development Teams will identify priority sites that should be the subject of Site Resolution Plans (SRP's) and will work with site owners, developers, funders and residents in their efforts to develop such plans, reporting to the National Co-ordination Team, <u>with a view to ensuring that <b>300 Site Resolution Plans</b> are in place by end 2011.</u></p> <p><b><i>The Housing Agency issued a Quarterly Status Report in April 2012 one item of which was to quantify the total number of SRP's that have been requested by or initiated by the LA's in relation to 'unfinished' developments.</i></b></p> <p><b><i>A significant and growing amount of Site Resolution Plans have been initiated, requested or are in progress. According to the LA's these SRP's are being achieved through formal and informal processes. Formal refers to a request explicitly requesting a SRP and informal includes any correspondence to the developer requesting them to complete the development. As of April 2012, 136 site resolution plans have been completed and 75 developments have been taken in charge.</i></b></p>	<p>Significant progress made.</p> <p>On-going.</p>
<p>City and County Unfinished Housing Development Teams will develop <u>best practice approaches to the re-use of vacant housing</u> in each of their areas by the end of 2011.</p>	<p>Outstanding</p>

## 5.4 Legislative and Policy Framework

Action / <b>Output</b>	Status
<p><b>Legislative Review</b></p> <p>The Department, with the support of the National Co-ordination Team, will immediately <u>review existing legislation</u> as identified by the Advisory Group and develop any necessary amendments to the legislation to ensure that there are adequate powers available to address the efficient resolution of unfinished housing developments, with a particular focus on:</p> <ul style="list-style-type: none"> <li>• the need to establish the site resolution plan process on a statutory footing;-</li> <li>• the applicability and effectiveness of the Derelict Sites Act 1990 in dealing with such developments, through, for example, the introduction of a statutory definition of abandoned housing development, and revised timeframes for action; and</li> <li>• amending Water Services legislation to ensure that water services authorities can enter housing developments that have not been taken in charge to effect emergency repairs to water and wastewater systems without the requirement to take in charge such infrastructures, to effect repairs to water mains and distribution systems and/or to take such steps as are necessary to prevent serious water leakage or water pollution.</li> </ul> <p><b><i>A Legislative Review sub-group has been established with the first meeting taking place in early 2012. In terms of the Derelict Sites Act, the Derelict Sites Circular, Circular PH 1/2012, was issued to Local Authorities in early June 2012 on the Derelict Sites Act 1990, statistical returns and the prescription of urban areas. This circular references the difficulties associated with unfinished developments and the potential scope to tackle these over the long term through derelict sites legislation by proposing them for prescription as an urban area under the act.</i></b></p> <p><b><i>In relation to Bonds the LRG has met and discussed this topic and forwarded reports to the DECLG. LA's are coming up against difficulties with past bonds.</i></b></p> <p><b><i>DECLG is developing a circular to all local authorities on development securities, which will recommend a standard approach to the wording and coverage of bonds and securities. The circular will be finalised by Autumn 2012.</i></b></p> <p><b><i>In support of the above, the Housing Agency is currently collating all documentation with reference to bonds together in one document setting out:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>What bonds are for;</i></b></li> <li>• <b><i>Experience and the hall marks of good bonds;</i></b></li> <li>• <b><i>Wording on good practice, and</i></b></li> <li>• <b><i>Responsibility for provision.</i></b></li> </ul> <p><b><i>This will then be circulated and reviewed by the Legislative Review Group before issue to local authorities.</i></b></p>	<p>Complete</p> <p>In progress and on-going</p>

Action / <b>Output</b>	Status
<p><b>Taking in Charge Standards</b></p> <p>The Department will <u>review taking-in-charge standards</u> for public infrastructure within housing developments such as roads, public lighting and piped services with a view to making recommendations on how best to develop national standards.</p> <p><b><i>DECLG has raised this matter with CCMA. Initial indications are that, apart from some minor adjustments, taking in charge standards are considered appropriate but that there needs to be a more consistent and strategically (within local authorities) managed approach to co-ordinating the sign-off of the taking in charge process, at City/County Management level where necessary. DECLG and CCMA will meet with IBF to consider the possibility of a protocol on this matter for consideration by the NCC in Q3 2012.</i></b></p>	<p>In progress</p>
<p><b>Building Standards Compliance</b></p> <p>The <u>Report of the Advisory Group will be referred to the Building Standards Compliance Group</u> for its analysis and response.</p> <p><b><i>A report was received from the Building Standards Section (DECLG). Building Control provisions enable LAs to waiver certain aspects of the building regulations and this provision would appear to be the most practical course of action. Therefore, no specific action may be required.</i></b></p>	<p>Complete</p>

## 5.5 Housing Market and Planning Supports

Action / <b>Output</b>	Status
<p><b>Planning Guidance</b></p> <p>The Department will re-state previous planning guidance to planning authorities on specific policy aspects regarding better phasing of development, the provision of bonds / securities and other DECLG policies as regards sequential and phased development to inform the resolution of unfinished housing.</p> <p><b><i>In progress – a circular has been issued regarding the Derelict Sites Act and further guidance on the future phasing of developments is being prepared.</i></b></p>	Complete, further guidance planned by Q3 2012
<p><b>Re-Use of Vacant Housing</b></p> <p>The Department, working alongside local authorities and voluntary housing bodies, will engage actively with developers and site owners, including NAMA, in seeking to ensure positive uses for vacant complete and near complete housing and in line with the achievement of sustainable communities and balanced tenure of housing developments.</p> <p><b><i>LA's together with approved housing bodies and NAMA are working with the DECLG with a view to leasing and sale of some of the properties over which NAMA holds security into beneficial use for social housing and other purposes. DECLG will report to each NCC meeting on on-going progress in this area.</i></b></p>	In progress
<p>The Housing and Sustainable Communities Agency will undertake an examination of the potential role for self-build and equity partnership type models to enable residents and new investors to assist in resolving unfinished components of housing developments.</p> <p><b><i>The Housing Agency continues to liaise with a UK based equity partnership in the progressing of two pilot projects which have been identified in Bandon Co. Cork and Kilminchy, Portlaoise.</i></b></p> <p><b><i>Progress, however, has been slow to date on these projects as there have been issues with regard to Part V conditions which were not identified initially and a revised planning permission is required for the Kilminchy development. Contact continues to be maintained with the equity partnership and updated reports will be made to the NCC as progress is made.</i></b></p>	On-going

# Appendix 1: Examples of Progress on Unfinished Housing Developments

## (1) Improvements through Public Safety Initiative (PSI) Funding

**Longford**

*Cnoc na gréine, Granard, Department Reference 1782  
Co-ordinates x:634,648, y:781,365*

This development has since reached the standard to allow it to be Taken in Charge by the Local Authority.

*Before*



*After*



**Limerick County**

*Hawthorns, Ballyagran, Department Reference: 2868  
Co-ordinates x:546,819, y:628,270*

*Before*



*After*



**Roscommon**

*Circular Road, Ballaghaderreen, Department Reference: 2295  
Co-ordinates x:561,874, y:794,651*

*Before*



*After*



**Laois**

*Glenall, Borris in Ossary, Department Reference: 1516  
Co-ordinates x:624,350, y:687,899*

*Before*



*After*



**Laois**

*Slí na Mona, Portarlinton, Department Reference: 1544  
Co-ordinates x:654,355, y:713,559*

*Before*



*After*



**Laois**

*Slí na Mona, Portarlinton, continued.*

*Before*



*After*



## (2) Improvements through Site Resolution

### **Kerry**

*Millbrook Village, Milltown, Department Reference: 1296  
Co-ordinates x:482,870, y:600,493*

49 houses were granted plg permission – 40 houses were built and subfloors were cast for the remaining 9. Through consultation between the Council and developer the portion of the site containing the 40 built houses has been Taken in Charge. The developer then sought for the bond to be released on the remaining 9, of which there were only subfloors. A Site Resolution Plan was agreed between Kerry County Council and the developer, which included clearing the debris and rubbish; importing subsoil and grading over the 9 subfloors to produce a smooth profile; planting whitethorn hedging and fencing to adequately separate the area taken in charge from the area returned to agricultural use.

### *Before*



### *After*



**Kilkenny**

*Havencourt, Ballyragget, Department Reference: 1416  
Co-ordinates x:645,108, y:670,237*

Remediated by the developer following consultation with the local authority

*Before*



*After*



**Limerick County**

*Clarina Village, Clarina, Department Reference: 1692  
Co-ordinates x:550,600, y:653,992*

Through consultation with the residents the open space area was reconfigured. The residents requested that a footpath be provided along the Ballybrown Road instead of a previously proposed footpath connecting the estate to the N69 road.

**Before**



**After**



Site Resolution Plan prepared by Council and agreed with developer



Before



After



**Cork County**

*Sli Na Scoile, Kealkill, Bantry, Department Reference: 580  
Co-ordinates x:504,876, y:556,090*

The Council engaged in consultation with the developer in 2010 and set out a number of parameters that needed to be completed. These include the completion of the wearing course on the estate road, provision of public lighting, provision of marker posts/indicators plates for water fittings, complete landscaping etc. These works were carried out by the developer in 2011. Seven terraced houses as 'phase 1' were built, the 6 houses in phase 2 will not be developed. This process reflects the progress made by the Council when engaging with a cooperative developer.

*Before*



*After*



*Before*



*After*



*Before*



## Appendix 2: Quarterly Status Report 1

Unfinished Housing Developments - Quarterly Status Report QSR1 (April 2012)							
Local Authority	Enforcement	Public Safety Initiative	Site Resolution Plan	Developer/Funder Resolution	Bond Drawn Down	Site Resolution Complete	Taken in Charge
	(Notices; Bonds; Status, etc.)	(Funding approved; works commenced; issues resolved, etc.)	(Requested or initiated by LA; Agreed; In progress;	(NAMA, Receivership, etc.)			
Carlow	4	13	0	1	3	0	0
Cavan	5	24	30	10	5	0	1
Clare	4	1	40	59	5	0	0
Ennis	1	0	5	9	0	0	0
Cork County	1	6	141	27	2	0	17
Cork City	0	0	3	1	0	5	8
Donegal	19	0	17	9	1	1	0
Dublin City	20	0	24	2	0	0	0
DunLaoghaire Rath	1	0	3	11	1	45	0
Fingal	1	0	14	4	1	0	1
Galway County	28	2	1	3	1	0	0
Galway City	3	1	0	10	0	14	0
Kerry	9	0	4	17	2	1	3
Kildare	3	1	12	1	0	3	1
Kilkenny	15	4	15	27	3	1	12
Laois	44	5	8	21	22	4	1
Limerick County	60	7	47	5	14	0	2
Limerick City	2	1	0	4	0	0	0
Leitrim	19	6	0	31	0	0	3
Longford	9	23	14	18	6	6	0
Louth	4	5	2	0	3	0	2
Mayo	35	1	25	4	0	20	0
Meath	3	0	4	2	5	0	0
Monaghan	10	3	27	30	2	1	0
Offaly	7	2	25	2	0	0	1
Roscommon	103	9	67	51	5	8	6
Sligo	77	6	75	73	2	0	2
South Dublin	6	0	28	28	0	0	0
Tipperary North	12	0	12	3	1	0	2
Tipperary South	20	3	1	0	0	0	0
Waterford County	14	1	52	19	13	19	0
Waterford City	3	0	4	2	0	3	1
Westmeath	26	4	28	2	16	0	6
Wexford	47	6	25	25	5	0	0
Wicklow	21	0	17	12	10	5	6
<b>Totals:</b>	<b>636</b>	<b>134</b>	<b>770</b>	<b>523</b>	<b>128</b>	<b>136</b>	<b>75</b>



