

DÁIL ÉIREANN

AN COMHCHOISTE UM THITHÍOCHT, RIALTAS ÁITIÚIL AGUS OIDHREACTH

JOINT COMMITTEE ON HOUSING, LOCAL GOVERNMENT AND HERITAGE

Dé Máirt, 14 Nollaig 2021

Tuesday, 14 December 2021

Tháinig an Comhchoiste le chéile ag 3 p.m.

The Joint Committee met at 3 p.m.

Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Francis Noel Duffy,	Victor Boyhan,
Thomas Gould,	John Cummins,
Emer Higgins,	Mary Fitzpatrick,
Paul McAuliffe,	Rebecca Moynihan.
Cian O'Callaghan,	
Richard O'Donoghue,	
Eoin Ó Broin.	

I láthair / In attendance: Deputy Michael McNamara.

Teachta / Deputy Steven Matthews sa Chathaoir / in the Chair.

Urban Regeneration: Discussion

Chairman: Everybody is very welcome to this meeting of the Oireachtas Joint Committee on Housing, Local Government and Heritage. Today we hold the first meeting in a series of three meetings at which we will look at urban regeneration within our cities, towns and villages across the country. Today we will focus on the repair and lease scheme, compulsory purchase orders, dereliction and vacancy in general. Over the course of the three meetings we will look at a lot of other factors that have an influence and could assist us with bringing life, vibrancy and living back to many towns and villages. Dereliction and vacancy are often obvious to us because they are a tangible thing we can see as we walk through towns, but the underlying reasons for and the solutions to dereliction and vacancy may not be as obvious.

We have a number of witnesses attending who have a lot of experience, as we will have at our second and third meetings on this topic. They include practitioners, academics, architects and many others who have an interest, a lot of experience and competency in this area. Today we are joined from Dublin City Council by Mr. Richard Shakespeare, deputy chief executive at the planning and property development department, and Mr. Paul Clegg, executive manager of the planning and property development department. Mr. Dave Dinnigan is the acting assistant chief executive at the housing and community services department, and Mr. John O'Hara is city planner. From Waterford City and County Council we are joined by Mr. Ivan Grimes, director of services, and Mr. Paul Johnston, senior resident engineer. From the UCD school of architecture, planning and environmental policy we are joined by Ms Orla Murphy. I understand that Ms Murphy is also co-director of the UCD centre for Irish towns. From Anois we are joined by co-directors Dr. Frank O'Connor and Ms Jude Sherry. I thank you all for your attendance and the written submissions you sent in in advance.

I will read out a brief note on privilege. Members are reminded of the constitutional requirement that they must be physically present within the confines of the place where Parliament has chosen to sit, namely, Leinster House, in order to participate in public meetings. Members attending remotely from within the Leinster House complex are protected by absolute privilege in respect of their contributions to today's meeting. This means they will have an absolute defence against any defamation action for anything they say at the meeting. For witnesses attending remotely, there are some limitations to parliamentary privilege. As such, they may not benefit from the same level of immunity from legal proceedings as a person who is physically present within the Leinster House complex. Members and witnesses are expected not to abuse the privilege they enjoy, and it is my duty as Chair to ensure that that privilege is not abused. Therefore, if their statements are potentially defamatory in respect of an identifiable person or entity, they will be directed to discontinue their remarks and it is imperative that they comply with any such direction. Members and witnesses are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the Houses or an official either by name or in such a way as to make him or her identifiable.

The opening statements that were submitted in advance of the meeting will be published on the committee website after this meeting. I also extend a welcome to anybody who may be watching the meeting on Oireachtas TV. I think there has been quite a level of interest in this series of meetings.

I invite Mr. Shakespeare, on behalf of Dublin City Council, to make his opening statement.

Mr. Richard Shakespeare: I thank the Chairman and the members of the committee for inviting the city council to present to them. I am joined by my colleagues, Mr. Dave Dinnigan, Mr. Paul Clegg and Mr. John O'Hara.

Ongoing urban regeneration has been a central feature of city council policy in response to the widespread dereliction of the 1980s. With the help of the Urban Renewal Act 1986 and other incentives, there have been notable urban renewal and regeneration successes, including the Dublin docklands, the new Grangegorman campus and many more smaller interventions. This has enabled the population of the inner city between the canals to increase by more than 50,000, bringing increased vitality to this part of the city. In accordance with both the national planning framework and regional policy, the city council continues to be proactively engaged in the ongoing regeneration of the city in respect of vacant sites and infill development. The new draft city development plan, currently on public display, sets out a core strategy for the successful growth of our capital city over the next six years and beyond. By 2028 the city council must provide for an increase in population of approximately 35,000 people. The achievement of the core strategy requires a proactive commitment to urban regeneration at all levels in the city. In addition, the draft development plan has identified the need for strategic regeneration plans for Dublin Industrial Estate and the Naas Road and Ballyfermot areas as part of the City Edge Project, which is a collaborative project between the city council and South Dublin County Council. At a more local level, the development plan seeks the regeneration of brownfield sites throughout the city, including vacant and underused sites with the potential for infill housing, mews lanes and vacant upper floors. The regeneration of the inner city will be greatly enhanced by recent urban regeneration and development fund, URDF, funding for both the north and south inner city concept areas, totalling approximately €170 million.

Having set out the context of urban regeneration policy in the city, I now propose to address the more specific issues that the committee requested we address. The working definition of "residential vacancy" used by the city council is a home that is not occupied and has remained so for longer than six months and is not currently marketed for sale or rent by the owner. There are many reasons a property may be vacant, including legal disputes relating to title or wards of court. The city council is tasked by the Department of Housing, Local Government and Heritage to implement a vacant homes action plan. In response to this requirement and the actions outlined in Rebuilding Ireland under pillar 5, the city council has appointed a vacant homes officer and initiated early actions to identify and return to use vacant homes in its administrative area. This includes the active deployment and promotion of the two main market interventions available, that is, the repair and lease scheme, and the buy and renew scheme.

In 2017, the city council undertook a pilot street survey to test a methodology for identifying vacant homes in four electoral divisions. A total of 213 potentially vacant homes were identified. Of those, just 49 were confirmed as vacant by neighbours or non-occupants, with 16 being confirmed as vacant long term. Of those 16, 13 were determined unsuitable for either of the incentive schemes, leaving three homes remaining that may be suitable. The survey was used to form a realistic view of long-term residential vacancy and helped diffuse the assumptions that there were over 30,000 vacant units in the city as per Central Statistics Office data. Survey results show that Dublin's vacancy is nuanced and often conflated with availability and non-occupancy. In short, the survey shows that there is no "low-hanging fruit" for residential dwellings in Dublin that are vacant and available for use as social houses. It is understood that the CSO plans to deploy an enhanced approach during the next census to residential properties that appear to be vacant and Revenue will obtain useful information about vacant residential property from the local property tax revaluation. Coupled together, these data should provide a

more realistic picture of residential vacancy in the city.

The repair and lease scheme allows owners of private properties to avail of interest-free State loans to refurbish a property to private rented standards and, in return, lease it as housing stock. While initial public interest in the scheme was encouraging, once the details of the scheme were published, interest declined. Eleven applications were received, with only two completing. The buy and renew scheme allows the city council to acquire long-term vacant property from private owners at a current market valuation and then refurbish it and return it to use as housing stock in a timely manner. The city council has acquired 68 properties, of which 41 have been refurbished and returned to housing stock. An additional 27 properties are undergoing refurbishment works and near completion, and there are plans to bring an additional 99 into the housing stock over the coming years.

The city council established an active land management unit in 2016 to provide a more proactive approach to targeting underutilised, vacant and derelict lands and buildings in the city area. The public's view of what constitutes a derelict site can be very varied and is not always in accordance with the legislative definition set out in the Derelict Sites Act 1990. For a site to be determined to be derelict, it must meet the criteria set out in the Act. In our experience, dereliction arises where there are title difficulties, probate issues, owners with personal difficulties, a lack of finances and companies in liquidation. The council's approach, therefore, is to engage actively with owners with a view to agreeing with them what works are required to prevent a property from becoming or remaining derelict.

The council, through the effective exercise of the legislative provisions in the Derelict Sites Act 1990, proactively strives to achieve the eradication of dereliction in the city and the return of derelict sites to active use. The council has had an ongoing acquisition strategy since 2017 but will only acquire compulsorily as a last resort.

The number of derelict sites acquired compulsorily is just part of the story. The council's experience is that, in the face of compulsory acquisition, some sites have been rendered non-derelict and removed from the derelict sites register; owners may be actively seeking planning permission or have obtained planning permission for redevelopment; and derelict sites may have been placed on the market and are at varying stages in the sales process, which offers the prospect that they will be redeveloped and returned to active use.

The vacant sites register was established under the Urban Regeneration and Housing Act 2015. The Act aims to bring vacant land in urban areas into use. Since January 2019, sites that meet the vacant site criteria outlined in the Act and entered on the register for one calendar year are subject to a levy. The levy currently stands at 7% of the market value of the property. There is no interest payable on unpaid levies. It is worth noting that the Act provides for appeals at every step of the process, which has the effect of slowing down entry in the register and applying the levy.

The city council uses its compulsory acquisition powers as part of its active land management strategy. Recent CPOs include those concerning the Abbey Street Lower–Abbey Theatre redevelopment, Emmet Road, Ryder's Row and Main Street in Chapelizod.

Once again, many thanks for allowing me to present this afternoon. My colleagues and I can expand on the issues if requested.

Chairman: I thank Mr. Shakespeare. I call on Mr. Grimes to make the opening statement

for Waterford City and County Council.

Mr. Ivan Grimes: I thank the committee for the invitation to attend the meeting this afternoon. I am accompanied by my colleague Mr. Paul Johnston, who is the senior resident engineer in Waterford City and County Council's housing department. He is one of the people who came up with the concept of the repair and lease scheme in the first instance. I have a very brief opening statement. After that and the conclusion of the other statements, Mr. Johnston and I will endeavour to take any questions members may have.

Since 2016, Waterford council has been actively seeking to reduce the number of vacant homes across Waterford city and county. This was in the context of census 2016 data, which indicated that the number of vacant residential units in Waterford was nearly 5,200, or 13.6 % of the total residential stock. That cannot be sustained in the context of increasing demand for social and private housing.

Working with our councillors, we put in place an action plan. Some of the key objectives are to maximise the potential for the reuse of empty homes for social and private housing; increase public awareness of the issue of vacant properties to give people an opportunity to bring issues to the council directly; improve streetscapes in cities and towns; promote the availability of funding, schemes and initiatives designed to tackle vacancy; and, important in a social context, reduce the level of local antisocial behaviour that can often occur in long-term vacant properties.

A vacant homes team was established in the housing department. Its primary focus was to identify and record vacant units and assess the options available to bring those units back into occupancy. The team works to encourage vacant property owners to allow their properties to be used for social housing through the repair and lease and buy and renew schemes. We have taken enforcement action through CPOs. In our experience, the repair and lease and buy and renew schemes have been particularly effective in Waterford. The use of CPOs has had more mixed results, with legal delays and challenges in some instances, but we intend to continue to use the CPO process.

There are approximately 320 units in the repair and lease scheme pipeline in Waterford, including 140 that have already been returned to productive use since the scheme commenced. There are approximately 50 units in the buy and renew scheme pipeline. Both schemes, particularly the repair and lease scheme, have delivered one-bedroom and two-bedroom units for us, particularly in urban areas where demand for this type of accommodation is most acute. Both schemes have been used in combination with initiatives such as the living city initiative and planning exemptions that allow vacant commercial and retail buildings to be converted into residential accommodation. Interest in the repair and lease scheme is very high in Waterford. The Department recently approved a scheme that will deliver 71 units within a former convent building. In this regard, we will be targeting elderly residents primarily.

To date, we have applied CPOs to approximately 49 vacant dwellings to return them to use for housing purposes. There have been mixed results. The success rate is probably around 50%.

We acknowledge the ongoing support the council has received from the Department through funding it has provided and also the encouragement and advice it has given us, particularly when we were implementing the repair and lease scheme.

Chairman: What was the timeframe for the 49 CPOs that have been used to date? Mr. Grimes may come back to me on that if he wishes. I now invite Ms Orla Murphy from the UCD school of architecture to make her opening statement.

Ms Orla Murphy: I thank the Chairman and committee members for inviting me to present on the topic of urban regeneration, including the issues of repair and lease, CPO, dereliction and vacancy. I am speaking today as a registered architect, an assistant professor in UCD school of architecture, planning and environmental policy, and co-director of UCD's Centre for Irish Towns.

As a key policy objective of Project Ireland 2040, the national planning framework, compact urban settlement in towns and cities is acknowledged as fundamental to the future social and spatial sustainability of the country, for several reasons. First, it supports demographic growth, bearing in mind that the population is predicted to exceed 6 million by 2040. Second, it allows for the effective use of existing infrastructure, including for transport, water supply, sewage, energy and data. Third, it promotes the reuse of buildings already built - and their embodied carbon - over new build, with its associated carbon dioxide emissions. Finally, compact urban settlement can support social cohesion through the design of walkable neighbourhoods and good public spaces that link to well-used amenities and support inclusive multigenerational access to services, culture, education and business.

This objective is now embedded across policy at all scales in Ireland, including in Our Rural Future: Rural Development Policy 2021–2025; Housing for All: A New Housing Plan for Ireland; the Climate Action Plan 2021; regional spatial and economic strategies for the three regional assemblies; county development plans; local area plans; and as expected in the forthcoming town centre first policy.

What is less clear is how this policy objective is implemented on the ground, and how challenges facing our towns and cities in achieving this objective are addressed effectively. The challenge of vacancy and dereliction, which is the focus of this meeting, has more recently been broadly acknowledged as a barrier to achieving compact urban settlement.

Neither vacancy nor dereliction is a new phenomenon in Ireland. Several important recent studies have examined vacancy under different lenses. Dr. Philip Crowe's report, *How Data on Vacancy is Created and Used: Case Studies from Scotland, Denmark and Philadelphia*, analyses and compares methodologies for measuring and understanding vacancy internationally. The report offers clear descriptions of how vacancy is measured and highlights, in particular, the vacant property indicators model as used in Philadelphia to combine data sets to predict the likelihood of vacancy at any time. Dr. Kathleen Stokes and Dr. Cian O'Callaghan's report, *Taking Stock of Dublin's Vacant Sites and Properties: A Review of Existing Policies and Measures*, notes that vacancy and the reasons behind it are nuanced and that means and tools to measure it vary. It recommends five key actions with a view to supporting "targeted and effective political responses".

Third, the Town Centre Living Initiative synthesis report, authored by SpaceEngagers, documents and analyses the Department of Rural and Community Development's 2018 pilot town centre living initiative, whose aim was to test pilot strategies to understand the various causes of and measure vacancy in town centres in Ireland. The report recommends 15 key actions.

A summary of these studies is beyond the scope of this statement, but I draw the attention of the committee to them and the many recommendations contained therein. I would be happy

to discuss these further, particularly those relating to finance, during the questions and answers.

Unfortunately, these reports and studies have not yet translated to action and implementation. It seems we have yet to comprehensively understand what we mean by vacancy and who should be charged with tackling it or how. Vacancy is not a blanket term and means different things to different people. It can vary over time and have many causes. It can be temporary or long term. It can apply to sites, whole buildings, or parts of buildings. It can apply to dwellings, but also to other types of building. It can be linked with dereliction, but is not always. A small percentage of building stock will always be vacant and needs to be to allow for regeneration, movement of people and businesses, change of ownership, etc. However, large volumes of long-term vacant space, which we have in Ireland, leading to potential dereliction and-or coupled with hoarding of built assets is neither normal, desirable nor sustainable.

I will look at data and how we measure it. How do we know the extent of these different types of vacancy? In 2018, as part of Rebuilding Ireland, the then Department of Housing, Planning and Local Government published the national vacant housing reuse strategy, which among other actions called for the establishment of “robust and reliable methods to identify and track vacant property and land”. However, we have as yet no robust, comprehensive or dynamic system for tracking vacancy across types and time, despite having a range of disconnected modes, and this has tended to confuse the narrative around vacancy in the country.

What do we have? At the national scale, the census has the benefits of capturing data with a high degree of accuracy. However, it is periodic and only records data on dwellings. GeoDirectory’s quarterly residential building report and commercial vacancy report provide national snapshots of key metrics of national building stock, including vacancy, holiday homes and dereliction. *VacantHomes.ie* seeks to engage the public to record and report vacant buildings, although gathered data is not publicly available.

At county level, all local authorities are required to maintain separate registers of vacant sites and derelict buildings. In addition, the Heritage Council’s collaborative town centre health check programme has conducted baseline reporting of ground floor vacancy in 15 towns and developed a methodology and knowledge base for building collaboration and partnerships as sustainable methods for ongoing management of town centre regeneration. In the Government’s newest housing policy, *Housing For All: A New Housing Plan for Ireland*, action 19.12 requires the Department of Finance to “Collect data on vacancy levels in residential property with a view to introducing a vacant property tax”.

Despite all of these data, reports and hundreds of pages of policy, there is still no Department or agency responsible for comprehensively co-ordinating a programme of mapping, documenting and understanding vacancy and land use patterns at the national, regional and local scale. The result is, unfortunately, a haphazard approach that leaves us still without a clear understanding of the scale of vacancy, its underlying causes and necessary actions to ameliorate it.

As Stokes and O’Callaghan point out, “Vacancy and dereliction are symptoms rather than causes of the unequal housing, property and development regimes [in] Irish [towns and] cities.” For example, as they point out, less visible forms of vacancy include short-term lets, which can have the effect of removing properties from the long-term rental market. At the date of writing, Westport, County Mayo had only two available dwellings to rent listed on *Daft.ie*, despite there being 252 available short-term let Airbnb options. This is under-the-radar vacancy, but it has a significant impact on the sustainability of the town.

This lack of a co-ordinated approach to town centres and city districts means that buildings, which are valuable assets connected to expensive infrastructure and stores of embodied carbon, and all of which are owned by someone, sit idle. Meanwhile, long-term homeless figures are again rising, at 8,130 in Focus Ireland's October report.

From ongoing research and experience in this area, I would make a number of observations. First, we already have access to significant volumes of data, but are we asking the right questions? Are we asking the difficult questions? We also have ample legislation and policy but there is a curious lack of action and accountability. Why is this? Why is there a reluctance to collect vacant site levies? Why are the powers of the Derelict Sites Act 1990 and the Urban Regeneration and Housing Act 2015, which include CPO and levy powers, not used to their full capacity? Why is the ownership of all property not in the public domain, when in other countries this information is a matter of public record and interest? An outsider looking on might be justifiably confused and wonder whether it might be the case that the *status quo* of empty untaxed assets, be they vacant, derelict, used for short-term lets or buildings that are held onto and used as quasi-pensions, sometimes suits some of us? Otherwise, why would we not simply do the work that is already mandated in policy and legislation? *Cui bono?* Who benefits?

Second, a single point of responsibility and partnership is needed. A co-ordinated, supportive partnership approach, which Ireland currently lacks, is needed. We could learn from our neighbours in Scotland. Faced with similar challenges, they have developed an exemplary framework, informed by a town centre first approach, which combines a single comparative data platform, Understanding Scottish Places, with the USP Your Town Audit and place standard and town centre toolkits within a supportive mechanism of the Scotland's Towns Partnership. Scottish Empty Homes Partnership and Scotland's Towns Partnership ensure knowledge is shared and comparable, actions are co-ordinated and a partnership approach to compact urban settlement is collaboratively developed and delivered at all scales, from national to local, while still respecting the unique character of towns and city districts. The Heritage Council and the UCD Centre for Irish Towns have built good relationships with colleagues in the Scotland's Towns Partnership and the University of Edinburgh and they have generously shared their knowledge and experience and stand willing to help us.

Third is the need for a co-ordinated and collaborative approach. Towns and cities are unique places, and no one-size-fits-all solution will work for every place. Equally, fixing vacancy and dereliction on its own will not fix towns or city districts. However, a partnership approach, informed by publicly available, comparable data, could connect with local authorities and communities in towns to support common baseline audits and, in parallel and of equal importance, help develop locally tailored, participatory vision plans that support compact urban places to be connected, climate resilient, healthy and beautiful places to live. Progress and action can then be managed and assessed relative to baseline checks and goals unique to each place but co-ordinated nationally. The recently announced town centre actions plans are welcomed, but it is suggested that they might be of more value if co-ordinated by a partnership model and based on a common structure with inclusion, design and sustainability at its core.

We should be actively implementing all our CPO and levy powers. However, unless we understand our towns and cities at a granular scale, as well as the macro forces that continue to shape them, and can benchmark them in time and space relative to one another, we will remain unable to imagine them as they could be. A co-ordinated approach, using common metrics, participatory tools and methodologies within an open, supportive and participatory framework that harnesses design skills to respond to the unique conditions of people and place is essential.

Dr. Frank O'Connor: I thank the Cathaoirleach, committee members, attendees and observers for the opportunity for Ms Sherry and I to present. The most destructive myth in Ireland is that our Constitution protects private property above all else, when it clearly states that private property rights ought to be regulated by principles of social justice and common good. The State is not upholding its side of this foundational social contract by allowing extreme levels of vacancy and dereliction to persist. This is a dereliction of duty.

Dereliction is a pollutant that visually reflects inequalities in society. When many people are struggling to find a secure and affordable home or dying on our streets, others are allowed to leave homes empty with no repercussions. This is a social crime and a scandalous waste of precious resources that is actively reducing the market supply of properties and increasing prices and rents. High levels of vacancy and dereliction have a detrimental impact on community well-being, sense of place, physical and mental health and the local environment and economy. This is compounded by the excessive loss of heritage through neglect and destruction.

Construction is already the most wasteful sector in Ireland, so bringing buildings back into use is the best way to transition to a circular economy, where existing buildings are treated as valuable material banks by ensuring all materials are retained at their highest value in their current structure, potentially saving millions of tonnes of embedded carbon. Simply put, the most sustainable building is the existing one and we need urgently to abolish demolish and bring every building back into use.

In June 2020, we started a daily dose of dereliction through a Twitter thread which, over one year, amassed nearly 450 derelict properties and sites, all within a 2 km radius of Cork city centre island. Viewed by millions, this daily shining a light has caused the Irish nation to wake up to the reality that we have normalised derelict Ireland for far too long.

In March, we released the report *This is Derelict Ireland*, a *pro bono* study that debunks ten deadly myths of dereliction. It is the first ever study of its scale and depth in Ireland and the conclusion of two year's research analysing 340 derelict properties. This has led to a national movement with hundreds of people across Ireland sharing images of derelict Ireland. To complement this online movement, we created a walking festival to end dereliction, in collaboration with the Community Action Tenants Union, CATU, Cork. The first festival was in Cork city in September and the second one took place in Dublin with Reclaim Our Spaces and CATU Ireland.

Ms Jude Sherry: The most common dereliction myth is that we need new legislation to tackle it. Although it is not perfect, the simple fact is the Derelict Sites Act is not fully enforced. We urgently need all local authorities to hire vacant homes officers, register all derelict properties and remove vacant discount from business rates. We propose Revenue collect the 7% annual dereliction levy and any new vacancy tax and ring-fence it for legal support to local authorities and to establish a one-stop shop.

With the tenth highest vacant homes rates in the world, the majority of which are in our urban centres, it is no wonder many view these places as unliveable. Yet these are the key to quickly, sustainably and cheaply densifying our villages, towns and cities, since all the necessary infrastructure and resources already exist. We simply have to join the European renovation wave with realistic incentives that prioritises urban heritage buildings.

Many of our urban centres need a positive disruption to kick-start their regeneration, otherwise known as a "leaba the", a hotbed of innovation through meanwhile-use of vacant commer-

cial properties, which we launched in collaboration with the Heritage Council's collaborative town centre health check programme, CTCHC, programme. This is a wonderful regeneration opportunity that needs to be realised.

The culture of owners leaving a building derelict and falling onto the street with no repercussions or costs to them has to end. With our current escalating land and properties prices, owners are rewarded for their bad behaviour from the guaranteed rising asset value. This is not the foundation of a healthy society or economy.

We call on the committee to ensure all effective policy measures are put in place to utilise all vacant and derelict properties in Ireland, as homes or as creative, commercial, community and play spaces. We have identified a toolbox of international policy measures that takes a three-pronged approach to tackling dereliction and vacancy through addressing usage, custodianship and ownership. These include a vacancy tax, compulsory sales and compulsory rental orders, meanwhile use, and stricter building control.

If we do this, the opportunities are unlimited. Tackling dereliction and vacancy provides a unique opportunity to provide homes and places to play, create and work. This is what the people of Ireland want. Let us do it now and end this pointless waste, neglect and vandalism.

I thank the committee for taking the time to listen to us today and taking an interest in derelict Ireland.

Chairman: I thank Dr. O'Connor and Ms Sherry for their submissions. I will move now to members to put questions. If they could keep their questions to five or six minutes per slot, including questions and answers, we should be able to have a second round of questions.

Deputy Paul McAuliffe: If the Seanad is not voting, I will take that first slot, unless Senator Fitzpatrick is there already.

Chairman: I had suggested, because I know the Seanad is going through a number of votes this afternoon, that as the Seanad becomes free and Senators arrive, I will try to fit them in for their questions. However, if Deputy McAuliffe wishes to take the question now-----

Senator Mary Fitzpatrick: I am here.

Chairman: Does Senator Fitzpatrick wish to go first?

Senator Mary Fitzpatrick: If I can, because-----

Chairman: Absolutely

Senator Mary Fitzpatrick: -----I will likely be called for another vote. I apologise to all the attendees. I thank them all for their submissions and for all the work they do daily on this very important issue. I have read all of their submissions but also followed their work. As a former city councillor, I am most familiar with Dublin City Council's workings. I thank all the attendees and very much appreciate their work.

From our perspective, the housing crisis requires us to sweat every single asset, and using existing built property is the most sustainable and efficient way for us to increase the housing stock. It is a major priority for us. The submissions make it very clear this is not a simple issue. It is complex and a nuanced approach needs to be taken to it. Waterford's example of the repair and lease scheme shows very much how significant progress can be made when there is

a focused, proactive approach.

In terms of the submission from Dublin City Council, I suggest we need to come back to the urban regeneration of public spaces and buildings. It is a piece of work all on its own. My questions are to do with private properties. Dublin City Council undertook a street survey in 2017 of four electoral divisions. I wonder which four they were, because the council's contribution is stark. It says there is almost nothing there. That is not the lived experience in the city. The lived experience in the city is we have considerable dereliction. We have far too much vacancy and dereliction, and I appreciate there is a distinct difference between both. From the city council's perspective, there are 162 electoral divisions, so I would be interested to know which four were surveyed.

I would also like to know whether the city council is taking a co-ordinated, proactive approach to using all of the tools available to it. From an outsider's perspective, of somebody living in the city, there are CPO powers, vacancy tax, derelict and vacancy registers and a register for dangerous buildings. However, are they working in a co-ordinated and proactive way to turn the vacant properties into habitable and inhabited properties?

Chairman: Is Senator Fitzpatrick's question for Mr. Shakespeare?

Senator Mary Fitzpatrick: It is for whomever of the four witnesses from Dublin City Council. I appreciate all of their attendance.

Mr. Paul Clegg: The survey carried out in 2017 concentrated on four district electoral divisions, DEDs: Ballybough, Rotunda and Rathmines west D and F. We were looking at the census information at the time and what we were trying to drill down to see was exactly how many dwellings could be used for the repair and renewal scheme. The census at the time was looking at vacancy or occupancy at a particular point in time. Having discussed it in detail with the enumerators, we know that an awful lot of effort was put into determining vacancy at that time. However, that was the definition of vacancy for the purposes of the census. Having drilled down, we saw there were approximately 16 vacant properties, five of which were protected structures, which would not be suitable to be brought in as social homes. We were trying to determine how many of these would be used as social homes. A few of them were commercial units as well.

Senator Fitzpatrick asked whether there was a co-ordinated approach. There is. For derelict sites, we need to remember and look to the definition of a derelict site. Dereliction is about where land detracts to a material degree from an amenity or character. We keep an eye on approximately 400 active derelict sites. We have 75 sites on the derelict sites register.

In our experience, people do not deliberately let their properties go into dereliction. There are title and probate issues as well as owners who have personal difficulties and a lack of finance. We find that engagement helps a lot with dealing with dereliction. We charge levies on the 75 sites on the derelict sites register. We have 45 sites on the vacant homes register and approximately 200 active sites. There is a big and co-ordinated approach on our part.

We have four active CPOs. We have not targeted individual CPOs on particular dwellings. However, we welcome it when we get a focus from the census. As a result of the data that will come out from the analysis of the local property tax by the Revenue Commissioners, we will have a clearer idea about the number of vacant homes we have. I have only been talking about the residential end of things. I have not been talking about commercial vacancy. We are anx-

ious to see the actual level of vacancy so that we can use the powers we have under the repair and lease scheme. We will not be found wanting. We will take whatever action is required once there is a clear analysis of the data.

Senator Mary Fitzpatrick: I thank Mr. Clegg for his reply. I have one supplementary question. When the staff of the dangerous buildings section are called out and undertake work on a building in Dublin city, do they automatically refer that property to the derelict sites section in Dublin City Council, the vacant sites section, or both? What percentage of the housing requirement in the housing needs assessment does Dublin City Council anticipate getting from renovating existing built infrastructure?

Mr. Paul Clegg: There is ongoing consultation with our dangerous building section, particularly on what action we can take on derelict sites. There is ongoing interaction between us. Will the Senator repeat her last question?

Senator Mary Fitzpatrick: Dublin City Council is completing a housing needs assessment under Housing for All. What percentage of the housing it projects to deliver and needs does it anticipate deriving from renovating existing built properties?

Mr. Paul Clegg: I might ask Mr. Dinnigan or Mr. O'Hara to come in on that question.

Mr. Dave Dinnigan: The housing needs demand assessment, HNDA, does not include that in its assessment under the current model.

Senator Mary Fitzpatrick: Does that mean Dublin City Council is not-----

Chairman: I ask the Senator to be as brief as she can. She has taken up eight minutes now.

Senator Mary Fitzpatrick: I apologise. I want to clarify the reply. Does that mean Dublin City Council is not formally targeting deriving any additional homes from the renovation of existing vacant properties?

Mr. Dave Dinnigan: No. Just because it is not included in the HNDA model does not mean we do not have other methodologies to do that. As another contributor mentioned earlier, we have a vacant homes officer who works with our various teams, including our housing and legal teams. We use our extensive area management presence locally to identify them. We probably have a better understanding and methodology because it is not fixed at one time; it is continuous.

Deputy Eoin Ó Broin: I confirm I am in Leinster House. I thank all our guests for their important presentations. In particular, I want to say to Ms Murphy that there were a lot of incredibly useful and practical suggestions in her presentation as to how we tackle the issue she raised around implementation. I compliment Anois on its innovative campaigning work. Please keep it up because it is important to keep highlighting this issue.

In response to Mr. Grimes and Mr. Shakespeare, I acknowledge that local authorities are doing an enormous amount of work, often under the most difficult of circumstances in terms of a lack of staff and funding. While some of the remarks I am going to make are very critical, they are not in any way critical of Mr. Grimes, Mr. Shakespeare or their teams. The problems are elsewhere.

The idea that large volumes of homes can be left vacant in a housing crisis is the equivalent of hoarding food in a famine. The State and its agencies simply should not have allowed this to

happen for so long. When I compare the targets that were set under Rebuilding Ireland with the level of delivery under what Mr. Shakespeare rightly highlighted as the two main Government policy interventions over the past five years, the policy has been an abject failure. Anybody who is honest about it knows that. We were promised 3,500 repair and leases by the end of 2021. We probably have approximately 273. That is an 8% success rate, which is shockingly low by any standards. No targets for buy and renew were set by the previous Government but we only got approximately 670 units. That means that even with a very modest set of targets, we are way behind. What is concerning me is that the actual targets that are set in the current Government's housing plan for bringing vacant units back into stock, 2,500 by 2026, is even less ambitious although, given that the policy is going to be broadly the same as the previous one, perhaps it is a more realistic target.

Ms Murphy has made a compelling case for sorting out the data war. I have always been of the view that the Central Statistics Office figures are far too high, for a variety of reasons, and I have always used the GeoDirectory figures. Even if we think the GeoDirectory's figure of 92,000 is too high and the true figure is one half or one quarter of that, we are still talking about thousands of units in areas of high demand. The data we have from the Department of Housing, Local Government and Heritage shows that it is quicker and cheaper to bring a unit into use through buy and renew than to build a new unit. That is before one deals with the important sustainability, urban regeneration and place-making points that Anois and Ms Murphy set out. I am incredibly disheartened by how little progress there has been, despite the hard work of many people on the ground.

I think Ms Murphy has answered a fair number of my questions. I am going to ask Mr. Grimes and Mr. Shakespeare an awkward question. Ms Murphy set out a clear methodology for getting the baseline figures and until we have those figures, everything else is a mess. Do Mr. Grimes and Mr. Shakespeare think the proposition Ms Murphy has made could be implemented quickly and what would it take to establish that clear baseline so we know exactly where it is? Will Ms Murphy give us a little more information about the success in Scotland? Did they have a good framework? There will probably be a third round of questioning so I will be hanging around to pester our guests with more questions. Perhaps I will leave it at that for the moment.

Mr. Richard Shakespeare: Anything that can give us greater clarity on the quantum of the problem is beneficial. Given the relative complexity of the tools and data sets that are there, I do not know how quickly that can be tidied up. I am not expert in that field at all. I defer to Ms Murphy as to how that will be worked through. Anything that makes it easier would be welcome.

Mr. Ivan Grimes: I listened with interest to Ms Murphy's presentation and thought there were some good ideas in it. Anything that can improve the data we have and which we can utilise is worth exploring. We looked at data sources a number of years ago, starting with the census. The problem with the census is that it gives information on an area but it does not give addresses. Even going beyond that, and I think a number of contributions have referenced this point, the knowledge that a property is vacant does not tell one who owns it, why it is vacant and what are the other issues around it. It would be worth exploring.

Chairman: I highlighted the paragraph in Ms Murphy's opening statement where she outlined that all of the data and reports are available but there is no single entity to collate it. Will she elaborate on that? I think that aligns with Deputy Ó Broin's question.

Ms Orla Murphy: I would be happy to elaborate. My intention is not to undermine the

good work that is going on in lots of places in the country and with lots of different pilot strategies and different approaches that have been trialled over the past number of years. However, even hearing the volume of approaches that are being taken, some of which have been presented today, underlines and highlights the urgent need to bring it all together so that we are all talking about the same thing when we speak about vacancy. We have a lot of data sets to avail of. The approach taken in Philadelphia involved layering those data sets so that we can combine them and ask of them different questions in order that we can understand what is partially vacant, what a short-term let is, what is a commercial property and what is residential vacancy, and can track this quite quickly over time. GeoDirectory is very powerful. The fact that we have postmen and postwomen on the ground who know their local area intimately can be combined into national data sets and updated quarterly. It is quite powerful as one tool. It gives us a very accurate national picture but that is irregular.

How do we bring that together? First, we need the will to recognise that this is useful and then we need a single national platform to do that. Understanding Scottish Places is an open platform data set that allows us to look at all of the information online and compare different towns and cities, not just to do with dereliction and vacancy but also to do with statistics that may be gathered in the census regarding commuting patterns, education facilities and the different types of homes we have so we can compare, contrast and track data. Unless we know what we have, it is very difficult to make plans for what we need to do. This must occur at a national level. Through advances in GIS systems and the various agencies collecting data, which have been highlighted in the Stokes-O’Callaghan report in some detail, this can very easily be translated into a national data set but we must have the will to put that into action and resource it properly.

The partnership approach in Scotland emerged out of a recognised need to have a town centre first approach. This applied to rural towns but also to city districts. That was parsed at what that meant. The responsibility for it was put directly under a high-level department. It was not placed with a department of housing or a compartment of rural and community development but, in our case, placed under the Department of the Taoiseach because it is cross-cutting. It must cut across all policies and not be siloed into one or the other. Within that, there are links to the data sets we have but also to common tools and methodologies that we would use so that we are not trying to stick individual sticking plasters on different problems around the country but are co-ordinating that into one approach that can be adopted and adapted depending on the scale of the place with which we are working and allows us to see what is working where, how that can impact on different places and track it over time. The Heritage Council’s collaborative town centre health check programme is excellent but is only happening in 15 towns and is pretty much led single-handedly by Alison Harvey with the support of collaborators in the towns. She has a long queue of other towns that want to be part of that programme but it is not yet a national programme. It cannot be because it does not have the resources to do so. There are similar tools in Scotland such as the Understanding Scottish Places audit tool and the Place Standard tool. These are commonly used and can be rolled out in any town, neighbourhood, community or city. Again, they are comparable and digitally linked so that the information gathered can be compared and the same tools and methodologies are used nationally.

There are quite simple tools. I acknowledge that it is a complex problem but vacancy and dereliction are symptomatic. Fixing vacancy and dereliction will not fix our urban places. It is a larger and more holistic problem that needs a national co-ordinated partnership approach that is not siloed into any Department or local authority but works from the high level all the way down to a bottom-up approach that is supportive, uses partnership, gathers all of the partners,

agencies and local authorities together, and makes best use of our existing policy. We have a lot of policy that is really well written and has very admirable objectives but there is a blockage concerning how that translates into action on the ground. All of us see this in our daily lives as we move around cities and towns and can see that whole streets are still vacant. The principal street in our capital suffers hugely from vacancy and dereliction. This is something that any visitor to our country sees as his or her first port of call when he or she visits our country but it is also the case in many rural towns. It is also seen in towns with high levels of short-term lets that are not yet rent pressure zones. This is translating into an unsustainable future for those towns because they simply cannot sustain new populations coming to them. We will have a significant population increase so we must act with urgency on this and do it while reducing our carbon emissions by 7% every year. It is a massive challenge that needs national co-ordination and the resources behind that to deliver it.

Chairman: I agree with a lot of what Professor Murphy has said but, unfortunately, we are up to 12 minutes on that slot.

Senator John Cummins: I thank all our witnesses contributing to the debate on this very important topic. We need to address this issue, which is why this committee is placing such an emphasis on it. I read all the opening statements with interest. I agree with Mr. Shakespeare's thesis that this issue is very complex and that there are many reasons we have vacant properties in the middle of a housing crisis. Not only is the analysis of four electoral divisions within Dublin City Council, which showed that there are only 16 vacant units within it, not reflective of the wider issues within the council area, it is not a credible figure compared to the reality on the ground. Even allowing for those 16 units, Mr. Shakespeare mentioned that 13 of them were unsuitable for use by the schemes. In his response to Senator Fitzpatrick, he mentioned that some of the more protected structures were not suitable but that is not something that is not permitted under the schemes. In Waterford city, a project has commenced that will deliver 72 units in a former derelict Little Sisters of the Poor nursing home, which is a protected structure in the heart of the city, under the repair and lease scheme, so I do not accept that protected structures cannot be included in the scheme. I also put it to him that the figure of 11 applications under the repair and lease scheme in his opening is not accurate because Government figures state that 39 applications were made to Dublin City Council and only one lease has been delivered accumulating two units, which is shamefully low. I am not picking on Dublin City Council because 23 councils across this country have delivered five units or less under the repair and lease scheme in the past four years and eight local authorities have not delivered a single unit.

If we contrast that with my own local authority in Waterford, which has delivered 122 units under the repair and lease scheme, that accounts for 45% of all units nationally. I welcome the director of services, Mr. Ivan Grimes, and Mr. Paul Johnston. I would like to ask them a direct question. Why is Waterford City and County Council able to achieve these figures? Do Mr. Grimes and Mr. Johnston feel there is an ability to enhance this repair and lease scheme so that we can target units for cost rental for middle-income earners as well as social housing?

Mr. Dave Dinnigan: I will respond to the comments on the repair and leasing scheme. We will double-check our figures but we went through it again this morning. The repair and leasing scheme was well advertised and promoted at the time and there was a lot of interest and phone calls from proposers. That narrowed down quickly. That might be because there are some different market conditions in Dublin from the rest of the country. It was felt the interest-free loan was not attractive and people were more looking for grants, which is understandable, but the scheme was what it was at the time and we had to implement it. In some cases the minimum

length of ten years for the lease was seen as too onerous for some individuals. The private sector also felt it might have been able to achieve greater income on the condition of 80% of the market rent. There were a few options and they were the general comments people went through as proposers getting on to Dublin City Council at the time. It seems like the repair and leasing scheme was not particularly attractive, despite quite a lot of effort being expended on our team's behalf to engage with proposers.

The buy and renew scheme was much more successful and seemed to fit the appetite of the market much more. One ruinous house on a street or road can have a deleterious effect on the whole neighbourhood, so bringing one or two units back into use makes a significant difference. Even though 68 units looks comparatively small given the size of the city, it would have made a huge difference in many areas of the city centre. It would be our hope and expectation that we would be able to add another 99 units to that number in the coming years. We are active in promoting the scheme. We use every opportunity we can but, at the end of the day, the two schemes are as they are and we have to implement them. We are also relying on proposers from the open market to engage with us.

Chairman: The next question was for Waterford City and County Council.

Mr. Ivan Grimes: As I said in my initial comments, we were one of the local authorities to come up with the concept of the repair and leasing scheme and we put a fair bit of effort into it. It took quite a while to get it going and Senator Cummins will be aware of that. Initially we were dealing with individual property owners and the scheme does not really suit them. It is more suitable for multi-unit properties or owners. For example, we have had a number of pubs that have gone out of business and been converted into multi-occupancy units, especially in Waterford city. About three years ago we engaged with the local estate agents and auctioneers on the scheme. They are a good source of information about owners and they know about properties that are vacant and people who are interested in turning a buck, for want of a better word, from their vacant properties. It is hard work getting the scheme up and running, but once it gets up and running, it delivers and it sells itself.

Senator John Cummins: I refer to the ability to develop the scheme further for potential use as cost-rental units for middle-income earners.

Mr. Ivan Grimes: I will let my colleague Mr. Johnston come in on that because he is the guy with all the good ideas.

Mr. Paul Johnston: No pressure, then. It is something we have been considering and that we would like to explore further. The basis of it is that it has proven successful to us in Waterford, given that it has been targeted at social housing. When it is considered that the model is based on a discounted rent of up to 20%, the basis of an affordable rental is there already. That would have the benefit of being able to provide a mixed tenure refurbishment in town, village and city centres, which can only be of benefit. If that mixed tenure can be brought to this, it opens it up even further, so that would be our request.

Senator John Cummins: I ask that Dublin City Council come back to us on that figure of 11 applications. The Government figures from *gov.ie* are 39, which shows there is only a 5% conversion rate between applications versus delivery of units on the ground. If that is compared with Waterford, there is a conversion rate of upwards of 40%. Something is seriously wrong there and we have not had sufficient answers on that. It is not good enough just to say we have to rely on proposals that come to us. It takes work to identify these units and make the owners

aware. There is an ability to deliver multiple units within a single property and that is what needs to be worked at.

Chairman: We are all going over time because we have a lot to say on this matter. The next slot is a Green Party slot, which I will take. I refer to the CPO powers the councils have. One of the witnesses from Dublin City Council mentioned that it has four active CPOs and the witnesses from Waterford City and County Council mentioned that it has 49. We know that Housing for All has a target of 2,500 CPOs by 2026, which is 500 per year. Does more need to be done to provide the councils with more resources to be able to purchase properties compulsorily or do changes need to be made in the CPO process to allow them to meet that target? Why does Dublin City Council only have four active CPOs?

Mr. Paul Clegg: We are looking at the scale of these particular CPOs. We also need to add into that figure the number of derelict homes we have compulsorily purchased, which is 25. We have not looked to purchase individual vacant homes compulsorily. The CPO powers are set out in legislation and there has to be a clear purpose. We have not identified individual homes that we will compulsorily purchase. We have concentrated our efforts on what we consider to be derelict homes. The four CPOs we have are Ryder's Row, which is a derelict site in the centre of the city, Main Street in Chapelizod, Emmet Road, to facilitate the redevelopment of St. Michael's estate, and Abbey Street, to do with the development of the Abbey Theatre.

Chairman: Dublin City Council tends to concentrate on the CPO of derelict buildings to bring them back into use rather than vacant buildings. Does Housing for All make it clear that local authorities should distinguish between them?

Mr. Paul Clegg: The first CPOs I mentioned are regeneration CPOs. On the CPOs used to acquire property, we have concentrated our efforts on bringing derelict houses back into the social housing stock. We have not looked at compulsorily purchasing vacant residential homes. It goes back to the earlier point about identifying what is a vacant and available home that we can look to acquire. One has to look at the scale of the city as well.

Chairman: I want to put the same question to Waterford City and County Council. It has a figure of 49 CPOs. What is the time period for that?

Mr. Ivan Grimes: We started looking at the CPO process at the beginning of 2018 and we commenced a formal process in mid-2018. We had a steady flow up until Covid, which has put a spanner in the works. The process is, by its nature, time consuming and there is a cost to the local authority for each CPO. We have legal costs and, assuming everything goes well, there is the cost of conveyancing, but if there is a challenge, then the costs mount up quickly. From our perspective, the 49 units that we targeted for CPO were ones we had received complaints about from neighbours about dumping or antisocial behaviour and in respect of which the owners could not be found or they would not engage. We prefer to encourage the owners to come through with the repair and lease and the buy and renew. Although effective, CPO is time consuming and costly.

Chairman: I thank Mr. Grimes. The website *vacanthomes.ie* was mentioned as a facility through which a person can report a vacant property. What happens when somebody makes a report to *vacanthomes.ie*?

Mr. Ivan Grimes: My understanding is that the *vacanthomes.ie* site is administered by Mayo County Council. People can log on to the website and upload details.

Chairman: The website is administered by Mayo County Council.

Mr. Ivan Grimes: Yes.

Chairman: Is it a facility to report vacant properties in Mayo only or is it that Mayo County Council administers the site?

Mr. Ivan Grimes: It is across the country.

Chairman: If somebody reports a vacant property in Waterford, Dublin, Wicklow or wherever to Mayo County Council, how does that filter down to the relevant local authority and what is the next step of action when that arrives on the relevant local authority desk?

Mr. Ivan Grimes: My understanding is that we get updates periodically from Mayo County Council with regard to changes to the data for a local authority.

Chairman: I thank Mr. Grimes.

Mr. Paul Johnston: I might come in on that point. The website pushes a notification to the vacant homes officer in each local authority. People report vacant properties via the website, which is centrally administered by Mayo County Council. When a report is made, it pushes a notification to the email address of the vacant homes officer in each local authority. It is up to the local authority to act in terms of chasing after it to bring it back into use for private use through repair and lease, buy and renew or whatever.

Chairman: There is a process that has to be followed. Am I correct that there is a structured, standard process across all local authorities for dealing with that?

Mr. Paul Johnston: Yes.

Chairman: I thank Mr. Johnston.

I have a question for Ms Sherry and Dr. O'Connor, who mentioned in their opening statements that there are 450 derelict units within 2 km of Cork city centre. There is a definition of a derelict site under the Act. Did the witnesses stick closely to that definition? It is my experience dealing at local authority level that often when a site is to be deemed to be a derelict site, the director of services or somebody else in the council takes the view that proving that would be very difficult. What has been the experience of the witnesses? I am sure they did not simply look at sites and deem them to be derelict. Did they apply the strict criteria that the department of services member of a local authority would have to apply because it is a legal definition?

Ms Jude Sherry: I thank the Chairman for the question. To finish the quote raised earlier, the legal definition of dereliction is that it "detracts, or is likely to detract, to a material degree from the amenity, character or appearance of the land in the neighbourhood". The key phrase for us is "in the neighbourhood". Unless a house is isolated and in a rural area - we live in urban areas and we are talking about urban regeneration - it is about the effect the dereliction has on the neighbourhood. When it comes to the definition, the Derelict Sites Act 1990 goes on to provide a number of different examples of what can constitute dereliction. It is quite a broad definition. Some people criticised the broadness of that definition and there have been quotes in the press to the effect that it leaves councils to take in their own interpretation of what dereliction is. Dr. O'Connor and I agree with that broad definition from the point of view that it is in regard to what is considered derelict in the neighbourhood.

In terms of our lived experience of moving to the city centre of Cork from another historic city that is built on a marshland, namely, Amsterdam, there was a massive contrast for us. In Ireland, there is not the same high level of care and maintenance given to our built environment. There can be challenges in identifying what is and what is not derelict. When it comes to our lived experience in Cork, in all honesty we are considering buying hard hats to wear as we walk around the city because there have been numerous cases of parts of buildings falling down and buildings collapsing in the city. This is not something we have experienced. It resonates more to when we visited Havana in Cuba and the news reports there of collapsing and crumbling buildings.

Dr. Frank O'Connor: By way of clarification, we visited every property we listed over a period of a few weeks or a few months. We went back quite a few times to confirm the dereliction. We eventually had 450 on the thread over 12 months, but we left a couple of hundred more properties out because we stopped after one year. At the time we started the thread, there were approximately 95 properties on the Cork City Council derelict site register. Based on our short study of a 2 km radius of Cork city centre, we came up with a figure of 450, but it could have been a couple of hundred more. That shows there is a lot of discrepancy in terms of the figures.

Ms Jude Sherry: In terms of how we define vacancy, there are a lot of discrepancies between local councils and with An Bord Pleanála. There is one particular example in Cork city where the property is listed as a derelict property on the derelict site register. Cork City Council tried to CPO the site. To put this in context, the building's two double bay windows have completely collapsed and it has been completely boarded up. It is uninhabitable. An Bord Pleanála agrees that it is uninhabitable. It stated that in its current form, the property does not present as a dangerous structure but that it is distinctly unsightly in the area. This is an area where there are many examples of residential and other structures in different structural conditions, inclusive of buildings in poor structural and visual presentation. Up until the 1990 Act, dereliction was defined as a visual pollutant only. The 1990 Act broadened that scope.

Chairman: I am sorry to interrupt Ms Sherry but I have to apply the same strict time limit to everybody and I am over my ten minutes. I am sure we will get back to that important point. The next speaker is Deputy O'Donoghue.

Deputy Richard O'Donoghue: I thank the witnesses for being here. I apologise on behalf of Senator Boyhan that he cannot be here as he is currently in the Seanad Chamber dealing with the marine planning Bill.

I have been involved in construction since the early 1980s. I am from rural Limerick, where I was a councillor for six years prior to my election as a Deputy. Throughout my time on the council I saw a great deal of dereliction and I continue to see it now. As for what contributes to dereliction and how can we help, as I see it, the biggest contributor to dereliction is conservation laws in regard to buildings. I refer to Kilmallock, which is a 14th century town. I have worked there in construction. There are many barriers when it comes to the regeneration of derelict buildings in order that we can get people back into our towns and villages and added to that, the cost is unbelievable.

Limerick City and County Council tried to bring properties back into use through the repair and lease scheme but that did not work. People would not support it on the basis that it was not viable owing to the associated cost and the lack of contractors and tradespeople. The city and county council then sought to secure properties through the buy and renew scheme that, to me, was a better option, but problems arose in regard to ownership of the buildings. The council

tried to identify who owned the buildings, in respect of which it engaged with the National Asset Management Agency, NAMA, and the banks in regard to titles. At present, I am in regular contact in regard to at least 15 properties that are held up in respect of titles. These are properties in towns and villages that could be brought back into use such that people could live in them if the titles were sorted out. In the case of one title, the last known owner was 52 years ago. That building has been lying idle for the past 23 or 24 years, and the council is still seeking title in respect of it. There are other buildings that have been held up because of banking situations, and the council has issued compulsory purchase orders. This is a more expensive way of doing it but it is the only way we can get some of these properties out of dereliction. Some of these houses are only 15 years old and are reasonably modern buildings. Again, it is being held up and a lot of it is to do with the banks, title and bad debtors.

I am fully behind anything that will bring any building out of dereliction and get people back into the towns and villages around Limerick and the rest of the country but we have to tackle conservation. If we are talking about iconic buildings then we do need to protect the structure. If someone is in a position to protect the structure and bring it back into a habitable state, even from the point of view of tourism, that is fine. However, we have houses that are protected structures but there has been nobody living in them for the last 20 or 30 years and we need to get people into them. If they are in a streetscape, let us keep the front facade and roof structure of the building, but then we must make it viable to knock the rest and rebuild in order to give people up-to-date accommodation that can be efficiently heated, which would lead to lower energy costs. We need to move forward. I have been doing this for almost ten years, namely, trying to get people to keep the front facade of buildings but get the rest of the building into good economic repair. I know of a two-bedroom house that was repaired and extended at the back to add a third bedroom. Insurance companies would not insure the entire building because of conservation issues but they would insure the back of it.

All of this is to do with conservation laws. While I am big into my history, I am also big into housing people who need to be housed. I am interested in housing people in our towns and villages, which will increase footfall and help to sustain local businesses. I am all about that. Whatever it takes to make our towns, villages and rural areas sustainable needs to be supported. We have to tackle conservation. At the moment, as we all know, the increase in building costs globally has added approximately €40 to €50 per square foot to the cost of rebuilding houses. Specialised work in the context of conservation could add €100 to €120 per square foot because of the shortage of skilled workers.

I invite the witnesses to come to Limerick. I can take them around every part of Limerick because I know all of it. I invite them to help me to tackle the derelict houses and streetscapes that have been derelict for 20 or 30 years because of policies, regulations and stipulations. We have to have policies but we also have to look at the people in our counties and those from other counties that want to move in to our areas to start families or set up businesses. We have to welcome them, but we will not do it if our policies are stopping the rebuilding of Ireland.

Chairman: Thank you, Deputy. Perhaps Dr. O' Connor and Ms Sherry will expand their tour to take in Limerick. Does Ms Murphy wish to comment?

Ms Orla Murphy: I would be happy to pick up on a couple of the issues raised by the Deputy that are common throughout the country. The first relates to cost. We carried out an interesting study in collaboration with Mayo County Council. We looked at Ballinrobe town, one of six pilot towns in a vacancy study. We looked at three long-term vacant properties in the town and came up with possible design solutions to get them back into use. Some of the

buildings were protected structures but the design study proved that it was eminently possible and feasible to redesign protected structures to make beautiful, sustainable living homes within the town. The fabric is not the barrier. However, when the models were costed, it was discovered that even though, on a per metre squared basis, the cost did not exceed that of a new build on a greenfield site, when one added the cost of the work to the cost of the building itself, the resulting capital asset was not equal to the money spent carrying out the works. That is a huge problem in terms of getting access to mortgage funding. If someone needs to take out a loan to do this, even if he or she is minded to take on one of these properties, the current financial structures make that very difficult to achieve. The problem is not the heritage of the buildings but the systems around them that form barriers to reuse. It is important that we protect the heritage value and nature of our towns and cities because we cannot replace that. It is a building life thing but the best way to do that is to reuse the buildings, and design does not preclude that.

How do we create a much more supportive approach? I would point to some of the findings in the town centre living initiative which contains some suggested actions which might achieve that. These include financial incentives to help people who want to take on these properties to do so. Such incentives include, for example, the removal of all VAT for taking on one of these structures to reuse it as a family home. Another suggestion is the introduction of disincentives in respect of people who continue to hoard these buildings so that they get released to market, possibly at a lower rate than they are being held onto for the moment. I would point members to that report-----

Chairman: I am sorry to interrupt but we are 25 minutes over time so far. I must ask members again to try to keep their contributions within the six minute limit. The longer members take to ask questions, the shorter the time available for answers. Deputy Cian O'Callaghan is next.

Deputy Cian O'Callaghan: I thank all of our guests for attending. I especially want to thank Ms Sherry and Dr. O'Connor for the work they have done in Cork and nationally in terms of sparking a valuable conversation on this. I would encourage them to keep up the work they are doing. There is nothing more frustrating and angering for people than seeing vacant, derelict buildings that are not in use, especially those who are struggling to buy, paying very high rents or at risk of homelessness. It really gets them in the gut and is like a kick in the teeth. It is a huge problem for the wider community as well in terms of how wasteful it is and the negative effect it has on an area. It is vital that we introduce a vacant homes tax as quickly as possible for the reasons outlined by Ms Murphy. While it must be economically viable to bring properties back into use, there must also be disincentives for people to hang on to unused buildings.

My question relates to the opening statement from Ms Sherry and Dr. O'Connor. The appendix contains a figure for the number of derelict homes, as counted by GeoDirectory, of 22,754. This does not include commercial buildings so the figure could be significantly higher if such buildings were included. In contrast, there are only 1,548 derelict properties on the derelict sites registers across Ireland. Why are so many derelict buildings not making it on to the derelict sites register? That question is for Dublin City Council initially and then for Ms Murphy, Ms Sherry and Dr. O'Connor.

Mr. Paul Clegg: As I said at the outset, we have 75 sites on the derelict sites register and around 75% of them would be single, residential units. We also have another 300 to 400 active files that we keep an eye on. Our aim is not to get a property onto the derelict sites register but to deal with the dereliction. Based on our experience, property owners do not deliberately let their properties go into dereliction. We find that it arises because of title difficulties, probate

issues, people with personal difficulties and lack of finances. We have found that by engaging with people and trying to assist them, in the main, people have been proactively working on their derelict properties. Where we have had no response, we have compulsorily acquired 25 properties with another 12 are in the offing. In the main, they have been refurbished and brought back into use as social homes.

It is about engaging with people. It is not about putting them onto the derelict sites register. It is not about Dublin City Council getting income from derelict sites. We are doing all we can to encourage people to maintain their homes and not let them to go into dereliction.

Chairman: I think Deputy Cian O’Callaghan wanted to put the same question to the representatives of Waterford City and County Council and to Dr. O’Connor.

Deputy Cian O’Callaghan: I only wanted the perspective of one local authority on the issue. We might hear from Ms Murphy and if there is time at the end, we might hear from the representatives of Waterford City and County Council.

Ms Orla Murphy: I do not know why derelict properties would not be put on the derelict sites register. The registers need to be publicly available, including online, because for the past year and a half people have not been able to call into local authority offices in their county to check registers. I do not see any reason for them not being online. That does not preclude engaging with property owners at the same time. Properties can be recorded and put on the derelict sites register and engagement can happen simultaneously. I cannot understand why it does not happen.

Ms Jude Sherry: Likewise, we do not understand why derelict properties are not put on the derelict sites register. It is a law that should be used to its fullest because dereliction is on such a large scale and has gone on for so long. Nine months ago, we reported hundreds of properties to Cork City Council. Only four of those have been put on the derelict sites register in those nine months. Obviously, we understand it takes time to put a property on the derelict sites register. However, 72% of the derelict properties we identified, all within 2 km of Cork city island, have not been registered in the derelict register.

We have concerns when it comes to that approach of negotiating and working with the owners before a property goes on the derelict site register because as citizens, we do not have that transparency of knowing how many properties are under negotiation between owners and the local authority and for how long that negotiation has been going on. For instance, Cork City Council claims it is investigating about 90 properties. It has been 90 properties since 2019. They may be a different set of 90 properties, but as citizens we just do not know. That transparency is lacking when a property does not go on the derelict site register.

Deputy Cian O’Callaghan: Is there still time to hear from the representatives of Waterford City and County Council?

Chairman: We have had over six minutes now, so if the representatives of Waterford City and County Council could be very brief-----

Deputy Cian O’Callaghan: How long did other contributors take?

Chairman: I can give Deputy Cian O’Callaghan the same time as everybody else. It means that people will be able to get a question. I am trying to pull it back.

Deputy Cian O’Callaghan: I do not think it is fair to give everyone ten minutes and then cut it to six minutes for me.

Chairman: I have just asked members if they could comply with the six-minute rule. If Deputy Cian O’Callaghan does not want to, that is grand; fire away. I just asked for co-operation, but if members do not want to co-operate-----

Deputy Cian O’Callaghan: If we need to-----

Chairman: At the outset I said six minutes. It is my fault for letting contributions run to ten minutes. They were important points. If Deputy Cian O’Callaghan wishes to keep going, I will not cut the microphone on him.

Deputy Cian O’Callaghan: I have one quick question for Mr. Grimes. He said that the CPO process is effective but time-consuming and costly. Is one of the barriers to getting empty buildings on the derelict sites register related to resources or time? If it is, what could be done to address it?

Chairman: I ask Mr. Grimes to give as brief an answer as possible because I want to get back on time.

Mr. Ivan Grimes: Putting properties on the derelict sites register is time-consuming. There is scope for appeals and it can be delayed. In recent years we have taken the view that we will avoid putting properties on the register and rather encourage the owners to bring them back into use. That is evidenced by the figures in my opening statement.

Chairman: I thank Mr. Grimes. I appreciate that.

I call Senator Moynihan and ask her to stick as closely to six minutes as possible because otherwise people will not be able to get in at the end.

Senator Rebecca Moynihan: I will start by prefacing it because we often look at this issue a bit backwards. It is about enticing people to reuse a property. For example, in Amsterdam people are required to register a property and if it has fallen into vacancy, not necessarily dereliction, people are encouraged to bring it back into use. We need to begin to look at it that way.

In the middle of a housing crisis, we also have large build-to-rent properties being left empty, which is an absolute scandal. That does not strictly fall under dereliction or going through a CPO process but, as Deputy Cian O’Callaghan said, there needs to be the stick of a vacant site tax for something that can be reasonably used for housing. We need to do everything we can to reasonably bring it back into use for housing. Based on my experience on Dublin City Council, I know of many houses where we do not necessarily know who the owners are. It might be somebody who is either not living within the jurisdiction or in the local area and it is very difficult to get them to bring the property back into use.

With that in mind, I want to address the issue of funding so that local authorities can do the work we expect of them. Sometimes we criticise local authorities too much for not bringing properties back into use. We are inclined to think that everything is the local authorities’ responsibility while at the same time not giving them the funding and powers to allow them to do that.

I ask Mr. Clegg about the status of a property in Dolphin’s Barn that Dublin City Council sold to a developer in 2017 because it did not have the ability to bring it back into use. The

developer then sat on it, did not bring it back into use and did not fulfil the terms of the agreement. The same applied with the Iveagh Markets, which fell into dereliction after the property was disposed of and not brought back into use.

I want an explanation on Chapelizod. It is a whole village. I am delighted to see that Dublin City Council is moving to place CPOs on the sites in question. Those buildings have been sitting there and through the derelict sites register the owner or developer has put pretty pictures in the windows. It is still a village where there could be tens if not hundreds of homes that have been left vacant. I ask Mr. Clegg to outline the status of the CPOs he mentioned in Chapelizod village.

The Plough Pub is another problem. Dublin City Council bought that property with a view to getting a developer to build it and then leasing it back from the developer. That again comes down to funding for local authorities. Dublin City Council simply does not have the funding to be able to bring that back into use.

Does Ms Murphy know of any international comparators besides Scotland which have good data sets that not only identify dereliction but also vacancy? Do Ms Murphy and Ms Sherry believe there is a place for “meanwhile use” within vacancy and dereliction?

I hope I did not go on too long.

Chairman: I am timing everybody; Senator Moynihan is on the right side.

Mr. Paul Clegg: The Senator’s first question was about the site in Dolphin’s Barn. We are actively getting that back from the developer. I did not know that this would come up as a question today, but I would be able to get back to her and tell her exactly where the process is at. Regarding the Main Street in Chapelizod, that-----

Senator Rebecca Moynihan: I was using that as an example of Dublin City Council having a site and believing it could not be developed. Then it took four years to pull it back from the developer. I know that it is being brought back into use and that there are proposals for the site, but it is an example of how difficult it can be to bring such buildings back into use, even if there is a CPO and the council owns them.

Mr. Paul Clegg: The Senator is picking one particular site that we had difficulty with. She also mentioned the Plough Pub. That site was one that was agreed to be disposed of by the city council. We will actively look at the conditions of any agreement to ensure that developers do not breach those agreements. In the main, after we make a disposal, the developers do not do so. The Senator mentioned the Iveagh Market. As she is aware, that site is currently subject to a mediation process between three parties. I cannot really comment on the case. A CPO is in place for Main Street in Chapelizod. We are acquiring a number of derelict properties there. Was the Senator asking about an overall regeneration plan for Chapelizod? Is that her question?

Senator Rebecca Moynihan: I want to know what support the Department is giving the council to be able to bring sites back from dereliction and vacancy into use. That is the main issue. I understand the constraints on the council. Even if the sites are not the subject of a CPO and belong to the city council, I want to know what supports the Department is putting in place in terms of those large-scale sites. From my experience on the city council, I recall that the default position is to sell sites on to the developer to be developed. We were told that we could not develop sites ourselves because we did not have the resources to do so.

Mr. Paul Clegg: It is a mixed bag. There are some sites we will develop ourselves, some that we want to dispose of, and others in respect of which we will get support from the Department. With regard to the sites that I mentioned, when we talk about the Plough Pub, we are not, in the main, talking about a finance issue. In that instance, we are looking at a practical way to deal with a property that has fallen into severe disrepair, and the most expedient way to bring it back into active use. There is a mixed bag and a number of ways to deal with this area.

Chairman: Senator Moynihan has one minute left.

Senator Rebecca Moynihan: I have a few questions for other witnesses. Mr. Clegg did not really answer my question, but that is grand.

Chairman: I will try to bring the Senator back in in the second round. Is that okay?

Senator Rebecca Moynihan: Well, no. I have questions for Ms Murphy and the representatives of Anois on meanwhile use and data sets.

Chairman: The clock is at seven minutes and 25 seconds. The Senator can ask the questions, but I do not think we will have time for the witnesses to respond.

Senator Rebecca Moynihan: I have already asked them.

Ms Jude Sherry: Can I answer the Senator's question on meanwhile use?

Chairman: In about 30 seconds, if you can.

Ms Jude Sherry: It is pretty common across the rest of Europe as a means to tackle vacancies, particularly in commercial buildings. It offers a massive opportunity to use that vacancy as way to renovate, innovate and regenerate areas. However, it only happens in other countries because they have strict building controls and costs associated with vacancies. For example, in Amsterdam, it costs €50,000 to keep a one-acre vacant site vacant. The authorities there work with users, most often creative users, such as artists, designers, musicians and restaurateurs, to help them make use of these spaces in a fairly innovative way. It can increase footfall significantly and regenerate areas. I have lived close to large areas of Amsterdam where they have used it. It regenerates a whole area and brings life back onto the streets that would otherwise be dead if vacancy was left to become normalised as it has in Ireland. It is a massive opportunity to use sites, but it only generally works when there is a cost associated with vacancies. In the likes of Amsterdam, it is the owners who go to the local authorities looking for meanwhile use of the buildings; it is not the local authorities that chase down the owners. That is potentially the difference. The owners are the proactive ones looking to reduce their costs because Amsterdam and other cities and countries actually heavily enforce their building controls. There were significant dereliction and vacancy problems in Amsterdam in the 1970s and 1980s. It is only by-----

Chairman: Sorry, Ms Sherry, but I need to interrupt you there. We are up to nine minutes now. I will move on to the second Fine Gael slot.

Deputy Emer Higgins: I am here in Leinster House. I wish to thank the witnesses and, in particular, Anois, for sending in a comprehensive report that we looked at in our private meeting in advance of today's session. It is really impressive and comprehensive and contains a lot of information to tackle the misinformation that is out there regarding dereliction.

I come from the private sector, which I worked in before I became a Deputy. I am all about

best practice and sharing and setting targets. I firmly believe that if you do not measure it, you will not change it. No matter what statistics are used, whether they are from the GeoDirectory or the CSO, there is huge potential in unlocking vacant houses and turning them into homes for people. The first step, as I see it, is quantifying the issue. I do not believe that looking at four out of 162 electoral divisions and branding their figure of derelict houses, to use Mr. Shakespeare's term, as a realistic view of vacant housing, is how to do it. Ms Murphy has outlined the solution to that data issue. I think we really need to take on board her expertise and the international best practice, which she cited.

The second step, as I see it, is engaging with the homeowners and incentivising action. Waterford City and County Council has proven to us that this is possible within the schemes that already exist, which are underutilised by most local authorities. I am really pleased that representatives of the council are here today to give us a blow-by-blow account of how they achieved success through the likes of the repair and lease scheme. I ask Mr. Grimes to use his experience not just to become a showcase for the success of how these schemes can be delivered, but also to provide a blueprint for how to do it right. What we need to be doing is almost effectively developing a playbook on how it can be done - something that can be lifted and shifted to other local authorities in order that they can utilise the tools that have been spoken about, such as reaching out to estate agents and auctioneers, and the different tactics employed to make it a success. That is how we learn. There is no need to reinvent the wheel. When we have a success story, we should utilise it and ensure that local authorities can use it. All of us parliamentarians here are working in primarily different local authority areas, but we all work with colleagues in other local authorities. Us having that information can help us to work with them, their housing directors and chief executives to bring homes out of dereliction. I hope Mr. Grimes can lead the way on this and partner with the committee on it.

My first question to Mr. Shakespeare is as follows. Does Dublin City Council have a full-time vacant homes officer? It was great to get further context in the early part of the meeting when he explained a little more about the on-street engagement that takes place in respect of homes. I sat down to read the council's submission before today's meeting. It made for stark reading that the council could only find three vacant properties that would be worth tackling. The council's statement mentions an initial figure of 213, which was then whittled down to three. I am wondering where that figure of 213 came from. Was it from the GeoDirectory or CSO, or was the figure based on the council's own findings as the reality on the ground? I am interested in hearing if the council intends to look at the other 158 electoral divisions in the local authority. If the council got something like a playbook from Mr. Grimes, would it consider applying his method and Ms Murphy's methodology in an attempt to turn more vacant properties into much-needed homes?

Mr. Richard Shakespeare: In fairness, we are all about trying to do what is right. We will quite happily work with Mr. Grimes and his team in Waterford. It can be difficult, though, to take a one-size-fits-all approach to these things. The Deputy talked about sharing best practice. We are in a constant learning environment. None of us has the monopoly on the right way of doing anything, to be fair. On the Deputy's question on the vacant homes officer, we do have a full-time officer. On the initial figure 213 and the three vacant homes, it was a small sample size. It was just to give us an indicative approach to it. I think we are probably better off waiting for some of the census data and the local property tax returns, which we can layer over our data. I fully agree with Ms Murphy in terms of the layering over of data. It brings us to different levels of understanding the problem. Hopefully, that has answered the Deputy's questions.

Deputy Emer Higgins: Perhaps I could hear from Mr. Grimes on how Waterford City and County Council could help. There are probably bodies that Dublin City Council could be engaging with, for example, in terms of the Local Authorities Members Association and the Association of Irish Local Government doing information sessions for other councillors who could in turn start working with their local authorities a bit more effectively on this.

Mr. Ivan Grimes: We are more than happy to work with the committee, the Department of Housing, Local Government and Heritage and the other local authorities. In fact, Mr. Clegg and his team would have visited individual local authorities over the past number of years to outline how we approached, particularly on the repair and lease. We are more than happy to be part of that discovery.

Deputy Emer Higgins: Chair, we are finished bang on time.

Chairman: I thank Deputy Higgins. She is the only one to stick to the time, today. I now call Deputy Gould.

Deputy Thomas Gould: I thank witnesses for their contributions. This is a really serious issue. From my time in Cork City Council for 12 years and now in the Dáil, I think it is a scandal. My own constituency of Cork North-Central is blighted from the inner city areas to the rural areas with dereliction and vacancy. Since I have come to Dublin for the past almost two years as a Deputy, the amount of dereliction and vacancy up here is nothing short of a crime. I have spent the summers here for the past number of years and found that dereliction and vacancy is not an inner city problem, it is in every town and village and rural area, and it is being allowed to happen. From what I can see, the Government, the Department and the local authorities will not tackle landowners who are hoarding land. It is a complicated issue, but the major points are people holding land to maximise profit and the lack of funding to local authorities to hire the staff to compulsorily purchase the properties and the legal costs involved. That can only be solved by support from central government and the Department of Housing, Local Government and Heritage.

I have questions to put to Anois, to Dr. O'Connor and Ms Sherry in regard to dereliction. I see in my own constituency the antisocial behaviour, the gangs and the dumping that are caused when there are derelict and vacant sites. In the work that Dr. O'Connor and Ms Sherry have done, going around to the hundreds of sites, what are the detrimental issues they see in regard to vacancy and dereliction? For Professor Murphy who spoke in regard to vested interests and the holding of assets, does the professor believe that the current legislation on derelict sites and the levies and compulsory orders that exist are strong enough to tackle dereliction? Is it the case that the local authorities and the Department are just not enforcing the law? Can Dr. O'Connor and Ms Sherry answer first and then Professor Murphy?

Ms Jude Sherry: I thank the Deputy for that very important question. When we talk about dereliction and long-term vacancy it is not just about the owner or about using the spaces, it is actually about the impact it has on the wider community. Unfortunately today it has been disappointing to hear more about the owners of properties and the respect maybe given to them over that given to everyone else in the community, which is quite disheartening. As a citizen who lives on a street with multiple derelict properties, and as Deputy Gould pointed out, I also live in the same area, Blackpool, and there is dereliction anywhere we walk in the area, nearly every street in this community has dereliction. We only have to speak to our neighbour to realise the impacts it had, whether it is risk of rats, fires or collapsing buildings. The illegal dumping that happens around dereliction is disgusting. Much research shows there are far wider impacts

and detrimental impacts on our physical and mental health from dereliction. Research from the Scottish Land Commission identifies four main areas of impacts which are impacts on our mental and physical health, the obvious environmental pollutants and also the wider economic impacts from opportunity loss from loss of footfall and loss of investment confidence. However, for us it is the community impacts, the loss of heritage, the community's reputation and the self-confidence in the area. That is research that has shown the wider effects, that actually compared two areas with the same socio-economic backgrounds and if one area has high levels of vacancy and dereliction, it has higher physical health problems and lower life expectancy. It actually affects wider areas besides just a lack of use of spaces.

Dr. Frank O'Connor: What message does it give? Ms Sherry mentioned antisocial behaviour. If the Irish Government - the State - is not willing to enforce the law, what message does that give the citizens? If it is okay to leave a property derelict, but it is not okay to dump on the street, then basically what we need to do is make sure the law is enforced. Then the antisocial behaviour would reduce significantly.

Ms Jude Sherry: Currently there are 94 children in Cork growing up in emergency accommodation. They are seeing people being allowed to leave homes empty and go derelict all around them. What message does that send to these children? It is that they are less important, that they are not deserving of a home but others can leave their spaces empty for as long as they want without any repercussions.

Deputy Thomas Gould: I completely agree with the points Ms Sherry made. I thank her for all her work. Can Professor Murphy respond to my question?

Ms Orla Murphy: Ahead of this meeting I went back and read the Derelict Sites Act 1990. It is an Act that confers extraordinarily broad powers on local authorities. It is possible, as we are hearing today, that properties are not being put on the derelict sites register for various reasons. This points to different approaches being applied in different ways in different places. What I see as necessary is that we have a strategic approach that decides nationally what is the correct way that, for example, this legislation and the policy need to be actioned on the ground so it provides high level support and ensures local authorities have support from policy on the top to carry out the clear actions that they are allowed to do under the legislation but also at the same time that supports communities on the ground to get these properties back into use. None of us disagree that this is a systemic, widespread, long-term problem. We need system-based thinking to try to come up with various solutions - and it is a complex problem - at the national scale, the regional scale and the local scale. I hope that answers the Deputy's question.

Deputy Thomas Gould: I thank the witness. People are coming to my office every week who cannot rent houses or get social housing. People are being given notices to quit, evictions and they look around their communities and look at vacant properties that could be turned into housing. It is a scandal. Local authorities are not being encouraged nor funded by the Government to do this.

I do not think it should be up to local authorities to feel or to give their impression. The law is the law and they should enforce the law. If a site is derelict they should apply the levies. There are 13 local authorities that do not apply any levies and 21 of them will not collect 1 cent. How are the Government and the Department allowing 21 local authorities not to collect any derelict sites levies while there are sites lying idle everywhere? It is a scandal.

Deputy Paul McAuliffe: I thank the witnesses for being with us for the last two hours.

With the number of hands still indicating, there is still an hour ahead of us. The points made by Anois on the impact of dereliction on the wider community, as opposed to a solution to the housing crisis, is very important because what we want to do is identify solutions to dereliction. That is not just to deliver more housing units. It is because of the lived experience all of us have of the problems it causes. I will take this opportunity to come back and clarify Dublin City Council's street survey because it is interesting and captures exactly the problem we have. Of the 213 vacant homes there were 49, almost one quarter, identified by neighbours as being non-occupied, and 16 of those were long term. Can Mr. Shakespeare explain the difference between those two figures for me? What is the difference between the 49 being non-occupied and the 16 being long-term non-occupied?

Mr. Richard Shakespeare: I will ask Mr. Dinnigan to come in on that.

Mr. Dave Dinnigan: Dr. Downey of Dublin City Council was involved in that particular inspection, and he will contribute now.

Dr. Dáithí Downey: The straightforward explanation is that the definition of long-term vacancy is what is eligible for our schemes for the purposes of social housing. That is the six-month rule. So 90 days is long-term vacancy. That reduces the figure of what was observed as being vacant and confirmed through a number of sources then being proposed through the schemes we have available to us.

Deputy Paul McAuliffe: There were 49 properties that were not occupied for less than six months and 16 that were unoccupied for longer than six months.

Dr. Dáithí Downey: Yes.

Deputy Paul McAuliffe: That is important because, obviously, those in the unoccupied properties can go beyond the six-month period. One would like to think the local authority would have a watching brief on those 49 properties to see how many will go into that long-term category. While those 49 properties are unoccupied, they have an impact on the community. Illegal dumping is the principal problem in my area. In unoccupied homes, the grass is overgrown, the back garden becomes overgrown and rats become an issue. Then there is the problem of illegal dumping. We are trying to arrive at solutions here. Is it the case that the local authorities have very few powers relating to those properties in the six-month category and longer?

Mr. Paul Clegg: The Deputy is highlighting dereliction and its impact. There could be dumping in a front garden. We receive lots of complaint on that and actively pursue the owners or occupiers to tidy up their gardens. They might have buddleia growing. We understand the impact that a dwelling like that can have on the whole street. That is how we are somewhat conflating vacancy and dereliction. However, we act on it. The Deputy will be aware that our area office will contact us to alert us to a particular dwelling which, say, has dumping in the front garden and we contact the owners. In the main we-----

Deputy Paul McAuliffe: One of the issues that I have constantly come up against is that when those properties are identified, something as simple as the property being secured, with all the windows and doors are intact, can come back as a reason from officials that they are not added to the derelict site register, even though they might have been unoccupied for much longer. Is that fair?

Mr. Paul Clegg: I think there was a time a couple of years ago where if someone boarded

up a place, someone would say that it was no longer derelict. However, we look at photographs now and they speak for themselves. If someone has a boarded up house, that is derelict and we act on that. We contact the owner, and if there is no engagement, we will go to acquiring that dwelling compulsorily.

Deputy Paul McAuliffe: In all we have covered today, whether it is Waterford or elsewhere, it seems to involve active management of the sites. Can Mr. Dinnigan give an insight into some of the derelict garden sites in Finglas west that were identified, which may have been sold off to builders who went bankrupt and so on, and how they were turned around? There were a lot of solutions that delivered some of those sites back to the community.

Mr. Dave Dinnigan: It is a multi-strand approach. We go in the direction that works well. In some cases, there were very derelict homes and we engaged an approved housing body to go in and retrofit properties. In other cases, we have gone in with colleagues in the development department to compulsorily acquire a unit where it has been difficult. In other cases, we might do a simple acquisition and look for funding from the Department. We look at a range of things and hopefully do what is the most effective. Often we deal very closely with local elected representatives and the area office to do things. In other cases, there can be family circumstances that are a little bit sensitive and that must also be handled carefully. We take our read from the area offices and, obviously, our own investigations. Then if needs be, we engage with the development department to take more extreme action of a CPO because it is the only option available to us and it is the most expedient way of bringing the unit back into stock.

Deputy Paul McAuliffe: Will Mr. Clegg explain what he means by handled carefully or being sensitive?

Mr. Paul Clegg: It is just that there could be particular family circumstances attached to the house that we would need to be sensitive about. That is in some cases.

Chairman: I thank Deputy McAuliffe, and for sticking to time. As Senator Boyhan has not returned from the Seanad, we now move to Deputy Duffy.

Deputy Francis Noel Duffy: I thank the witnesses for sharing their knowledge and wisdom with the committee. The work of Professor Murphy and her colleagues, some of whom I know quite well, for more than a decade have found us where we are, endeavouring to recreate our historic centres that have ended up in their current position. It was not that people were not interested. Since the Act of Union, there has not been a lot of money in this country. It is only in the past 20 years that we went through a boom and we are back in that space now. We want to invest in these places. It is provided for in the programme for Government. I know from my experience as an architect and one working in the protected structures area that they are really expensive. It is not fair to say that they are cheaper than new builds. They are not. I know from working with clients that they are more expensive to repurpose. That is down to building regulations, which include fire, access, insurance, retrofitting and the planning process itself.

My questions have kind of been answered. They were around the Housing for All policy that is being implemented and the measures to rebuild our town centres, including the vacancy offices. Dublin City Council said that it has appointed somebody, which is great. The council has been quite quick, unless the person was already there. I heard that money was given to local authorities but it had been tagged on to someone working there. However, if there is a specific person, that is great. Is the vacancy officer mapping out the vacancies in Dublin? I would interested to hear, first, how long it was envisaged that would take, if they have had those meetings.

Second, what are the legal and constitutional impediments restricting CPOs? What legislative mechanisms can we put in place to make that an easier process? Is it something that we will learn as we go forward because we have not been here before? We have not compulsorily purchased large quantities of buildings across the State *en masse*. What has Dublin City Council's experience been? I am sorry that I am only going to the council. I know that Waterford has had good experience because it has done quite a bit of work that I have seen. How long is the council giving the vacancy office to map Dublin? I refer to vacancy, not dereliction, but the officials can include dereliction. Is there anything that we as legislators can do to speed up the CPO process?

Mr. Richard Shakespeare: I will ask Mr. Dinnegan to respond on the vacant homes officer.

Mr. Dave Dinnigan: Dublin City Council's vacant homes officer has been there since 2017. He works with all the different teams within housing and the law department. We rely on the data that comes from the census and the property tax assessment. The Deputy will have heard about *vacanthomes.ie* where people can report vacant homes in their area and we can go out and carry out inspections. We carry out 380 inspections a year based on information that comes in to us. We also have the advantage of the local area office in each of the five electoral areas. The managers at the senior level know their areas and work closely with communities and residents' associations and, indeed, elected members. We are not exclusive about where the information comes from in respect of what we go out and inspect. There is also a visual element that our guys on the ground can tackle. We are very happy that we have that person in place. They have gained huge experience in the past three or four years around what is realisable around the two schemes.

We think the building renewal scheme is very successful even if the numbers might look comparatively small. People have spoken about the material effect on the rest of the neighbourhood and the street when a derelict or ruinous house is brought back into commission and a family is living in it again. It is something we would be keen to pursue. Repair and lease has been less successful in the city and there are reasons for that. Nevertheless, it looks as though there is good practice for us to learn from. If that is shared with the rest of the local authority, we would be very happy to see whether there is anything we can implement in the city to let it grow and expand.

Deputy Francis Noel Duffy: Given we do not CPO very often because there is a process involved and we have to get lawyers in, who have to drink a lot of tea thinking about what they are doing or whatever it is they are at, how do our guests foresee that going forward? My understanding is the push the Government wants is to ensure we find these units and, if they are not being used after six months, CPO them. Do our guests see an issue with our current legislative space or can we do that easily, in their experience?

Mr. Paul Clegg: I think I can help answer that. The powers of CPO are clearly laid out in a number of items of legislation. Before a local authority can acquire land, there has to be a clear purpose for the CPO. All going well, a CPO can be achieved in about 18 months, but there are complications. What delays a CPO can be its size, the rental and reference process, where all the interests have to be determined and the question of whether there are objections, which can go to an oral hearing. In the main, it can take quite a long time for the oral hearing to happen. After that, there could be a judicial review of the process.

CPOs are expensive and the market value has to be paid. In addition, there could be a disturbance or a commercial property could experience a loss of profit or good will, and there could

also be professional fees. As a process, however, there are no inhibitions in the legislation that is in place. It is more about identifying, in the first instance, the clear purpose for the CPO.

If we identify a vacant home, we do not just say we will purchase it. In the first instance, for all CPOs, we want to acquire by agreement with the owner. In the main, however, regarding the residential element, our compulsory purchases have targeted derelict homes to bring them back into social housing. If, following surveys that are carried out, there are clear data and statistics on vacant homes that will arise next year, that is something we can then consider in the context of acquiring homes. As part of our social housing programme, Dublin City Council acquires homes throughout the city that are for sale and that go back into housing stock, although I appreciate we are talking about vacancy in particular.

Chairman: I have a follow-up question but I do not have time to allow a response right now. Is a housing crisis, where there is a shortage of housing and long waiting lists, not a good enough reason to enter a CPO process? Is that not the critical question we need to ask here?

Senator Mary Fitzpatrick: I would like to hear an answer to the question the Chairman just asked, which is pertinent. In the context of our severe housing crisis at the moment, why is it that local authorities in general do not proactively pursue vacant properties and derelict sites as a significant potential part of the solution to our housing crisis?

Mr. Paul Clegg: The Senator mentioned both dereliction and vacancy, and I have clearly outlined that we do compulsorily acquire derelict properties. A reference is done on a CPO and the property we are going to acquire is clearly defined. Perhaps, in future when we have data, a CPO could be done of a particular area whereby we would identify four or five vacant properties, but we have not clearly defined vacancy or identified what vacant properties we should acquire. Somebody with a vacant property can also sell it on the open market, so the question then is why the property has not been sold. There may be issues with probate or the title. When we clearly define what a vacant property is, we can look to acquiring property for residential purposes. The property that is available has to be clearly defined. As I said earlier, CPOs have to have a clear purpose-----

Senator Mary Fitzpatrick: I thank Mr. Clegg for the response. I do not think CPO is the solution here. The CPO process, in my experience on the city council, can take ten years from when a property has been identified, and still properties are not being returned to the housing stock. This is not just Dublin City Council; it relates to all the local authorities.

My question is a broader, more strategic one. Why are the local authorities not actively targeting, in a co-ordinated way, these vacant, unused properties to bring them into active housing use? Is it just too complicated or too expensive?

Mr. John O'Hara: I might come in there. I think it boils down to what is called the Pareto principle. More energy and effort is needed to get a relatively few number of vacant properties occupied than is the case to select larger sites or to rezone land for greenfield development, which is still a priority in some areas throughout the country. The latter is easier to do and can be done with far fewer time and resource implications. We should be doing both in parallel. Pursuing vacant properties alone will not be the solution to the housing crisis.

Senator Mary Fitzpatrick: If only it were that simple. I thank Mr. O'Hara.

Deputy Paul McAuliffe: The other area is vacant sites and we have not developed much conversation in that regard. A number of them that are listed as being under Dublin City Coun-

cil's ownership are being removed because they are being developed under the new Housing for All strategy, such as in Shanganagh or Ballymun, where a further 100 units were proposed today. I welcome that, and we could hold a full meeting on the issue of holding local authorities to account to ensure they deliver on that.

My concern relates to commercial units, which are found in every village. Ballymun shopping centre is one of them. For those derelict sites that are in either public or private ownership, is there a method for the local authorities to turn them around, given that owning commercial properties does not come within their role? Another committee member mentioned a pub earlier and we know the controversy around that. My instinct suggests there is no policy tool that assists the council to develop commercial properties because it is a housing authority rather than a commercial development authority.

Mr. Paul Clegg: The Deputy mentioned Ballymun shopping centre, which we acquired and demolished and for which we are now looking for plans. Dublin City Council does not have derelict sites on its register. The Deputy asked about acquiring commercial properties-----

Deputy Paul McAuliffe: I do not want to name properties, but the Drake Inn in Finglas village has been empty for the best part of ten years, with very little activity on the site. There is a perception the developer might do something, and a bad planning application has been lodged. I do not want our guests to respond to any individual case. My point is it does not appear the local authority has the policy tools to deal with those sorts of commercial sites.

Mr. Paul Clegg: Let us say we did acquire a site similar to that. We would basically be acquiring a derelict site. When it comes to developing the site, the whole disposal process, as it is set at the moment, would be that this site could only be used for social housing. Even though a site like that might be best used for some sort of mixed-use development, in the main, any public sites that we have are used for public housing. Basically, in that instance, we would be acquiring a developed site that we could not, in effect, develop for its best use. That could be mixed use or it could be entirely commercial. It is best left to the private sector to acquire and develop that site.

Deputy Paul McAuliffe: It is clear the private sector is not doing that in key areas.

Chairman: Senator Cummins will take the third Fine Gael slot.

Senator John Cummins: We have heard a lot of excuses today. Anybody looking in on this meeting will be tearing their hair out. I am certainly tearing out what little hair I have left on my head. It seems to be excuse after excuse. The Government can only come up with policy interventions. We cannot do this on our own. We need local authorities to deliver under the schemes that are in place.

To paraphrase Mr. O'Hara's response, he said essentially that we should be dealing with greenfield sites as well as pursuing this mechanism to deliver housing. Nobody is suggesting we should only go through this mechanism. It has to be both. However, it seems from the responses that witnesses are saying that this area is not worth the effort and it is much easier to deliver units on greenfield sites. I just do not accept that. It takes a lot of work but we can unlock developments. We need to utilise best practice. Louth County Council has utilised CPOs to great effect and Waterford City and County Council has utilised the repair and leasing scheme to great effect. We need to take best practice from those areas and apply it across all local authorities without exception.

What targets do Dublin City Council and Waterford City and County Council have for the repair and lease scheme for 2022, 2023 and 2024? Will the witnesses comment on the commercial aspect, on which Deputy McAuliffe touched? Regulations are in place which exempt, in the case of a certain number of classes of buildings, proposals to change from commercial to residential use from planning requirements. That does not include pubs and restaurants. Mr. Grimes mentioned that a number of derelict former pubs had been brought back into productive use. I have seen this personally. People are living in such units as we speak. Do the councils agree that we should extend that exemption to include former pubs and restaurants that have been derelict and vacant for a number of years?

Mr. Richard Shakespeare: I will ask Mr. Dinnigan to respond on the numbers the Senator requested and Mr. O'Hara to respond on the exempted development side.

Mr. Dave Dinnigan: As I said, despite much effort on advertising and promoting the repair and lease scheme, the appetite from the market was not as expected. This changed slightly in the last two weeks when some developers came in to the scheme with multiple units. That looks promising but I do not want to talk about something that has not come to fruition yet. However, there seems to be a bit of a change there. We saw that the buy and renew scheme seemed to be the most successful pathway for us. For this reason, significant resources were directed at that scheme, which is where the viable projects came through, and that continues to be the case. We referred to 99 units under that scheme over the next couple of years.

Senator John Cummins: I apologise to Mr. Dinnigan but that is for the buy and renew scheme. Does the council have targets for 2022, 2023 and 2024 under the repair and lease scheme?

Mr. Dave Dinnigan: No, because the scheme is largely market driven.

Senator John Cummins: Does Waterford City and County Council have targets for that scheme? That emphasises the need to have targets for local authorities because targets are the only things that are responded to.

Mr. Ivan Grimes: I will let Mr. Johnston respond on targets. On the other point, extending the current exemption would certainly be helpful. I mentioned that we have had a number of developments. Unfortunately, some closed pubs have come in under the repair and lease scheme, while others have come in under our social housing programme. I will let Mr. Johnston answer on targets.

Mr. Paul Johnston: I just answered that question. We have specifically targeted vacant properties through both schemes as part of our social housing delivery. Approximately 30% of our delivery has been through the return to use of vacant properties. We have done that deliberately because of the benefits it provides. Some 25% of our applicants want to live in Waterford city centre and this approach is a clear and obvious way of delivering that.

To answer the Senator's question, we do have targets. Going forward, we have approximately 50 units per annum under the repair and lease scheme. As Mr. Grimes mentioned, the planning exemptions have been beneficial. Again, much of this is about value and how things are valued. The value of public houses has changed. One has to look at the value in property and the use in property. Much of this relative. It goes back to the value of the information, which was mentioned, how it is used and how that value is brought to bear to get all of these properties back into use. As the Senator mentioned, the exemption does not currently extend to

licensed premises. I believe that was because the licence on a premises was a way of controlling that. A further change would be required to get those premises into use.

Senator John Cummins: Would Mr. Johnston support such a change?

Mr. Paul Johnston: We have nothing against public houses or anything, but we would support it, yes.

Senator John Cummins: Would Mr. O'Hara support it also, from Dublin City Council's point of view?

Mr. John O'Hara: Of course we would support the extension of the exempted development to pubs. In the three years since the regulation came in, we have had 78 notifications. This has a potential for just over 200 homes or apartments. Every home and conversion is good and will improve the poor image of dereliction from some of these shops and public houses. However, it is not a solution to the housing crisis. It is a part solution but we need housing at volume to deal with the housing crisis.

Senator John Cummins: I agree with Mr. O'Hara that it is part of the solution. That is the point. However, if we do not have targets across our local authorities, we cannot meet them. It is an issue that there are no targets specifically for one of the main pillars and schemes of the Government.

Chairman: It could be part of the solution. We have to sweat every single asset we have to get the most of it to deliver housing. I apologise to Deputy McNamara for keeping him for so long. Members of the committee may contribute first before I can bring in non-members.

Deputy Michael McNamara: The use of the Derelict Sites Act varies hugely across the local authorities in the State. I have a question for the local authority representatives, in particular those from Waterford, because according to the statistics, it seems to be one of the more reluctant local authorities to utilise the Derelict Sites Act. Is the problem legislative deficiencies in the Act itself? Is it a lack of resources, either human resources or financial resources, required to use the Act? Anybody can answer any question but I would specifically like to hear from the local authorities on this one.

Regarding legislative deficiencies, Ms Sherry and Dr. O'Connor from Anois pointed to Scotland as having strengths and mentioned compulsory sales orders as one example of the comparative strengths of the Scottish regime. Are there others? I ask the witnesses to be succinct when replying.

Going back to the local authorities, would they find compulsory sales orders more attractive than compulsory purchase orders? This would mean they could get an order stating something had to be sold on the open market, presumably by public auction, and let the market decide its value and what would be done with it. Inevitably most people would agree there could be commercial opportunities for some derelict sites.

I am not an architect and I do not have Deputy Duffy's level of expertise. He mentioned the difficulty with bringing old buildings back and the expense. My understanding is that an old building is not subject to new build regulations if it is maintained but there is a bit of a grey area if substantial construction work is required. If something is being brought back from dereliction, there may be an argument that it involves substantial construction work and then it may be subject to the building regulations. Perhaps this is a question particularly for Professor Murphy

to answer. Is this the case? Nobody is suggesting they should be turned into hovels or substandard accommodation, but account needs to be taken of the fact they are very old buildings and it will be very difficult to achieve A status insulation. Is there a case to be made for a specific project or regime covering old buildings being brought back into use so they may not have to meet the very highest standards? I do not suggest that substandard accommodation should be acceptable but there should be something lower. It is something that Shelley McNamara, and notwithstanding that she is my namesake and is from Clare, I have never met her, has proposed by way of trying to bring our towns and town centres back from dereliction.

Mr. Ivan Grimes: I will answer Deputy McNamara's question on derelict sites in Waterford. It is not that we are reluctant to use the Act. It is more that we believe we can use alternative means to bring vacant and derelict property back into use. As I outlined in our opening statement, we have been relatively successful at that in Waterford in recent years. It would be very interesting to flesh out the Deputy's comment on compulsory sales orders. Whatever about challenges to compulsory purchase orders, I would expect significant legal challenges to compulsory sales orders. It is an interesting thought.

Mr. Paul Clegg: While the Derelict Sites Act does have some deficiency, it contains many positive provisions. It is something we use quite extensively. There are some changes we would like on interest payments. We have 76 sites on the register and we are looking at approximately 400 active sites from a dereliction point of view. The Act is positive from our point of view.

Ms Jude Sherry: With regard to interest payments, my reading of the Derelict Sites Act is that there is a monthly interest payment of 1.25% on unpaid fines. Perhaps some clarity could be provided afterwards as to whether it is a legal possibility. The reason we have proposed a three-pronged approach to tackling dereliction and vacancy is because no one approach or no one piece of legislation will tackle it on its own. For instance, France has shown that a vacancy tax, which we urgently need, would bring approximately 13% of vacant units back into use. We can see it is effective and it does work but on its own it is not enough.

We see vacancy as the gateway to dereliction. Long-term vacancy in a building will lead to dereliction. Dereliction relates more to impact on the community. A home that has been vacant for five years has an impact on the community as we lose out on neighbours and the area is made less safe from having fewer people in it. Amsterdam takes a proactive approach. As it has already tackled the dereliction problem, there is only a 2% vacancy rate. Amsterdam takes a very proactive approach to tackling vacancy through compulsory rental orders. Instead of trying to change ownership of the building, the authorities want to make sure all homes are used. If a home has been empty for longer than six months, it is the owner's responsibility to report it. If the owners do not report it within six months, they are fined €2,500. If they do not pay this fine, they can be fined up to €15,000. If they do not bring the home back into use within a year, the council can put a tenant into the building to make sure it is used. The owners have no say about this but they do maintain ownership.

Likewise in Barcelona, new laws have been introduced. If a building is empty for longer than a year, the council can put someone into it but the owners receive only half the market rate of the rental. We can see that rental orders-----

Chairman: I thank Ms Sherry. I am very tight on time and a number of people wish to speak. A question was asked on older buildings, regulations and substantial renovation and a question was asked on compulsory sales. I might have time at the end to come back to them

but I must move on.

Deputy Michael McNamara: Is it possible to get an answer on the building regulations from Professor Murphy?

Chairman: Will someone give a 30 second answer on the question on building regulations?

Ms Orla Murphy: There are concessions. A protected structure does not need to meet the nearly zero energy building standard. There are exemptions in the building regulations. However, it is perceived as an obstacle because the combination of part B on fire regulations and part M on universal access and conservation status can mean that, collectively, it can be challenging to bring these buildings back into use. A one-stop shop that builds support from the local authorities to help owners use the building is what is needed in this case.

Deputy Eoin Ó Broin: I take a slightly different view to Senator Cummins on the problems. I do not think it is the case that one local authority is doing really well and others are not. In fact all of the figures for local authorities are poor. It is just that some are much poorer than others. This is no criticism of the staff in local authorities. I do not envy the job they have. When we see just 8% of the repair and lease target met across all local authorities over five years, we begin to see Professor Murphy's point about a systemic problem and this is the more important point to raise.

We have spoken about data and some of the structures. My specific questions are for Mr. Grimes and Mr. Shakespeare and to Professor Murphy and Anois. Looking ahead, if we want to ramp up bringing back into use vacant and derelict properties, what do we need to change with regard to the financing and types of schemes we are running to ensure any local authority that wants to ramp up its bringing back into use of vacant units, especially for mixed use for social, affordable and non-residential, can do so? From the experience of Mr. Shakespeare and Mr. Grimes, what would be helpful in terms of flexibility in the schemes? Do Professor Murphy and Anois have lessons from other jurisdictions, perhaps Scotland or elsewhere, on what else they are doing on the financing and structure of the schemes to tackle this issue?

Mr. Ivan Grimes: Flexibility on the existing schemes is good. As Mr. Clegg alluded to, we need to develop an affordable rental model that could go side by side with the repair and lease scheme, which would give mixed tenure. One would also bring in more properties because some property owners are resistant to going down the social route.

Mr. Richard Shakespeare: Perhaps Mr. Dinnigan will comment on forward-thinking ideas.

Mr. Dave Dinnigan: A lot of what has been said, certainly on the affordable side, would be a good idea for Dublin as well.

On the repair and lease scheme, we will probably have to listen to the proposals that will come into us and then sense what that reluctance is about. It is about whether we want to further subsidise those schemes to make them so attractive that they grow or whether resources would be better spent elsewhere. That is always the key decision.

We want to develop every strand given the crisis we are in and the waiting list. Earlier Dr. Dáithí Downey made a point about resource intensification into a particular strand. That does not give me the quantum of houses that would really start to address the housing list. It is about getting the calibration right. It does not help if a scheme is not attractive to the market. It might be welcome to make an urban adjustment to the repair and lease scheme to reflect the different

circumstances in different construction markets.

The buy and renew aspect is particularly strong and there is another element. We do not want to get into competition with first-time buyers in a lot of areas. That issue needs to be carefully managed. The buy and renew scheme is the more attractive strand to us, so continued funding, support and approval from that end would certainly be worthwhile.

It is critical to define a vacancy because it would mean that all of the different data gatherers can work off the same definition. The figures that are coming at us include everything from 30,000 down to single thousands.

Chairman: I am sorry to interrupt Mr. Dinnigan but I must move the debate on. The next people to speak, as part of the third round and in the following order, are: Senators Cummins and Moynihan, Deputy McAuliffe, myself and Deputy Higgins. Senator Cummins has four minutes.

Senator John Cummins: I will be fair to the rest of the committee members. I have spoken twice so I concede my time to Deputy Higgins.

Chairman: I am taking speakers in order so Senator Moynihan has four minutes.

Senator Rebecca Moynihan: Dublin City Council is one of the only local authorities to abolish the rebate for commercial property rates. Did that bring many vacant commercial properties back into use? What has been the experience?

I have questions for both councils in Waterford and Dublin. How many section 11 notices have they issued in the previous three years? The officials may not have the figures with them so I would appreciate if they could send them to us after the meeting.

For both local authorities, how many vacant sites do they own? What potential housing units have they put on their own vacant sites? Again, I appreciate that the information might not be available now so I would appreciate if the officials can forward the information.

Mr. Richard Shakespeare: In terms of the rates waiver, I do not have empirical data. The anecdotal data indicates that the property probably changes hands and gets developed. I can talk to our head of finance and see because that is the best way to ascertain information on whether they come into the rates net. I will get back to the Senator on the section 11 notices.

In terms of the potential yield from the city council's own sites, we have 17 sites at various stages that have a potential to yield north of 3,500. One might say that is O'Devaney Gardens and Oscar Traynor Road, so that is the scale. Mr. Clegg has the number for section 11s.

Mr. Paul Clegg: It is 201.

Senator Rebecca Moynihan: Was that last year?

Mr. Paul Clegg: No. It is 201 since the start of the scheme.

Senator Rebecca Moynihan: Was that in 1990?

Mr. Paul Clegg: No.

Senator Rebecca Moynihan: I mean the derelict sites.

Mr. Paul Clegg: No, section 11. I thought the Senator meant section 11, which is under the vacant sites as well.

Senator Rebecca Moynihan: No.

Mr. Paul Clegg: Sorry, I will get back to the Senator. I have the figure for vacant sites but not for derelict sites.

Senator Rebecca Moynihan: That is no problem. I understand that the officials might not have the figure with them.

Mr. Ivan Grimes: I will come back to the Senator with the information for both questions.

Chairman: Is Senator Moynihan okay with that?

Senator Rebecca Moynihan: Perfect.

Chairman: Does Deputy McAuliffe wish to comment?

Senator Mary Fitzpatrick: Deputy McAuliffe sends his apologies for having to leave and has allowed me to ask a question. I want to mention a subject that has not been touched on much but was alluded to in a city council submission. I refer to the €170 million that has been given for urban regeneration in the north and south of the city. When will work commence on the fruit and vegetable market in Dublin 7, the city library, Parnell Square and Moore Street?

Mr. Richard Shakespeare: We have preliminary approval for, I think, €174 million over two concept areas that are north and south of the River Liffey. Due to the combined value of the projects north of the River Liffey being in excess of €100 million, we must go through a completely new process with the Department of Public Expenditure and Reform. The situation is less complicated on the southside. We have established a project team to deliver on the overall URDF scheme but there are individual project managers who are working, say, on Parnell Square at the moment. We are about to go to tender on the Victorian fruit and vegetable market. We are on site for a couple of pieces on the southside in term of the public realm. We are making progress but one of the biggies is to get over the hurdle of putting together a business case for the Department of Public Expenditure and Reform because the combined value of the projects is in excess of €100 million for the concept area on the north side of the Liffey. I hope that I have answered the question.

Senator Mary Fitzpatrick: It does.

Chairman: The members have been very quick and there may be time left over. It is my turn to ask questions and I will start with Professor Murphy. Is it her experience that to bring a derelict or commercial building back into residential use, the regulations are cumbersome, awkward and difficult for somebody who wishes to carry out that work?

Ms Orla Murphy: Does the Chairman mean a layperson?

Chairman: I mean somebody who wants to convert or refurbish a commercial building or residential derelict building in a town centre. It is an awkward process and one must jump through a number of hoops such as comply with the fire and building regulations. Is there something that we can do to keep the standards as high as they should be but make the process a little bit easier?

Ms Orla Murphy: Yes, I think so. At the moment it feels as if we have built a system that is barrier-based when, if we think about the problem, what we want is to flip that situation completely so that the system is support-based. This afternoon we have heard about local authorities engaging with people in their towns and city districts to help them with derelict properties but I do not think that is happening in a co-ordinated way, and in a way that can be a softer approach and is also supported by more streamlined legislation. It is a complicated process and there are financial barriers. We have had many reports to try to understand those barriers and opportunities.

This links to a point I wanted to make in response to Deputy Ó Broin's question. We should not forget that we need to have confidence in our urban areas being beautiful, attractive places to live and that people will then want to move into them. When we do that, we should make sure that any property that has been vacant for a long time is released back to the market. There needs to be some kind of taxation strategy to disincentivise active hoarding. At the same time, we have to build confidence to make the procedure as easy as possible and to be supportive in everything we do, so that we do not see legislation as being barrier-led but enabling-led.

Mr. John O'Hagan: Our experience of the living city initiative in the city here is that it is complex for people and there needs to be a one-stop shop. We have developed that in the city to help people. We need to streamline the processes to get rid of the barriers. Our experience of the living city initiative is that there is a comparatively low uptake. We are veering towards recommending that a grant system be introduced, as in Amsterdam. One gives a person a grant of up to €25,000 and that person has to comply with certain measures. Rather than "Bungalow Bliss" or apartment bliss, we can get on with a certain typology.

Ms Jude Sherry: We bought a long-term vacant property in Cork city that is 200 years old. It needs everything done to it, including work on the roof, ceiling, electrics and plumbing. It is way more cost effective and cheaper for us to buy or do a new build or turnkey on the same street as us. It is one third of the price. If we are just renovating an old home, we have to do many things and build many things. There is a great guide from the Department of Housing, Local Government and Heritage about building regulations for old homes. It is called Bringing Back Homes - Manual for the Reuse of Existing Buildings. It was extremely helpful. It demystified those building regulations and showed that they were not a barrier for bringing homes back into use. Half of the properties that we identified in Cork city centre are homes and none of these building regulations prevents homes being brought back into use.

Deputy Emer Higgins: I am going to shift the conversation a little, if that is okay, to the vacant site levy. In his opening statement, Mr. Shakespeare identified a couple of challenges with that. One is that no interest is payable. He pointed to the appeals mechanism being there at every stage and being cumbersome and difficult for local authorities to overcome. As we move to the new zoned land tax, are there particular lessons that we can take from the experience of local authorities to see how we can build those into the guidelines? One of the practicalities is that local authorities will be tasked with mapping out the areas that will come under that. Are local authorities adequately resourced to do that? Can that update be done quickly every year? There are exclusions from that. Do the witnesses have any advice about how we tackle the appeals issue? That would be valuable because it is important that this works.

Mr. Richard Shakespeare: I thank the Deputy. A key lesson from the vacant site levy is that, whatever levy has to attach to the land, it cannot attach to the individual. If you dispose of a site, it is zeroed down again. To avoid anything like that, any levy or tax has to apply to the site. Regarding resourcing implications, I would be lying to the Deputy if I said I knew. We

need to see what will come at us. We will assess that and deploy whatever resources we need to try to get it done as efficiently as we can.

Mr. Paul Johnston: Regarding resources, the vacant site levy process has been quite resource-intensive for us, with the involvement of planners, surveyors, people involved in mapping and administrative staff. The Deputy mentioned the appeals process. We have identified that there are four appeals avenues. One is when we propose putting a site on the vacant site register, after which people can make a submission to us. If we decide to continue, people can appeal to the board. When we put a value on it, they can appeal to the Valuation Tribunal. When we send out the demand, they can appeal the demand to the board too. It is cumbersome, with the submission and the three appeals processes. Waiting for the result of an appeal puts the case in abeyance. That is the point that we would make.

Deputy Emer Higgins: I suppose that value appeal will be an issue for us again.

Mr. Paul Clegg: Yes. After the submission is made, I would ask why there is the potential for another appeal. When the demand is sent out, it has to be clarified by the Valuation Tribunal. The board has to decide that it should be subject to the vacant site levy. It is hard to understand the rationale behind that final appeal process.

Deputy Emer Higgins: That is helpful. I thank the witnesses.

Senator John Cummins: It is helpful to cite the Department guidance on the building regulations. It demystifies much of the misinformation which indicates that you cannot do anything with a derelict or vacant property, when you can. I have seen perfect examples of it in my own county, Waterford. I would like this meeting to lead to workshops being held across local authorities, where best practice can hopefully be replicated. If the speakers have some time in their concluding remarks, could they address the living city initiative and what they would like to see in the continuation or otherwise of that scheme? Would they support an increase in the age limit of the property and extending it over a longer period? What specifics would they like to see implemented?

Chairman: I will give each group of witnesses the opportunity to sum up. This is one of a series of three meetings. The living city initiative is part of the second meeting at the start of January.

Deputy Thomas Gould: Why has Waterford City and County Council never issued any derelict site levies ever? According to the figures I have, Dublin City Council has €3.5 million of derelict site levies outstanding and it has only collected €142,000. Over €1 million of derelict site levies have not been collected. Will someone explain those figures? The derelict site levy should be issued and collected.

Chairman: Do the councils have those figures to hand?

Mr. Paul Clegg: In our view, going on the derelict site register is about income generation. However, every derelict site charge is attached to a property. They are always payable. As Mr. Shakespeare said, they travel with the land, so we will ensure that a charge is put on each property for any outstanding levies. The interest rate is quite punitive as well. The 7% and the interest rate can be inhibitors to development for people who cannot afford it so there is a balance to be struck. The charge follows the property and it is always collectable.

Chairman: We are almost out of time on this, but we could get a written response from

Waterford City and County Council if necessary? As I said at the outset, this is a series of three meetings the committee agreed to because we want to look at all the issues around vacancy, dereliction, urban regeneration and all the different schemes and objectives there are. I would like to give each of the four groups a minute each to mention the salient points they would like us to do something about as legislators. I will start with Anois.

Dr. Frank O'Connor: We have normalised dereliction and vacancy and we have a culture that accepts that is the way things are. We need to prioritise the needs of citizens over “the poor owners”. We need to proactively target the law and bring in new measures. Other countries have done this so why can we not do so in Ireland? There are no more excuses; this needs to happen immediately. We should not have people on the street in Ireland at any time of the year and it is particularly heartbreaking coming up to Christmas. The social contract has to be fixed and now is the time to do it. We can have no more excuses.

Ms Orla Murphy: We all agree that the system is broken because of the persistence of this vacancy and dereliction issue and its negative impact on our towns and cities. We need a different approach and that approach has to be collaborative, system-led and supportive. We have legislation and policy and we need to make them happen and be deliverable on the ground. We need evidence and data to prove what is working and what is not working and have long-term plans to deliver. We do not necessarily need more solutions but we need to think more collectively, collaboratively and effectively about the solutions we have and how we implement them with better effect.

Mr. Ivan Grimes: One of the previous speakers mentioned having targeted delivery in vacant stock and that is critical. The existing schemes provide timely delivery and they are prompt and cost effective. They are delivering one- and two-bed units in urban areas where they are critically needed, so from our perspective, they are ticking a lot of boxes. There is also the point of regeneration, which we should not forget.

Mr. Richard Shakespeare: I thank the Chairman. I will not say today was an enjoyable experience but it was informative and I hope we helped in that regard. If the Chairman is asking me for a wish list I would say that if we could truncate some of the processes, it would be helpful. Sometimes the one-size-fits-all approach does not really help. There need to be local exceptions as both Mr. Grimes and Mr. Dinnigan have said about their different experiences of the two schemes. We must get clarity on the data and how we use it to deliver better outcomes for everybody.

Chairman: I thank Mr. Shakespeare, Mr. Clegg, Mr. Dinnigan and Mr. O'Hara and the members for their contributions. I am sorry if I had to cut members off but they can see the level of interest; members still have their hands up, so we could go on for another few hours. We have another two meetings in this series and we will produce a report. If anything occurs to the witnesses in the meantime and they wish to make written submissions or to add further to questions they were asked then we would be happy to take those written submissions and try to include them in the report, which we hope to produce early next year.

The joint committee adjourned at 6.05 p.m. until 3 p.m. on Tuesday, 18 January 2022.