

**Submission by the Traveller Visibility Group (Cork)**  
**on the**  
**Draft Cork City Development Plan 2022 – 2028**  
***October 2021***

**Treatment of our previous Submission**

TVG very much welcomes the partial recognition by City Council of Traveller-specific requirements, relevant to Travellers and the development of a new City Development Plan.

We particularly welcome this recognition in terms of named commitments (e.g. stabling, paddocks, livestock, etc.).

We further welcome the named commitment that Traveller accommodation needs to be close to facilities/amenities like schools, shops, community centres.

**TVG's Suggestion to Zone Sufficient lands for Traveller Accommodation – Dismissed**

The CEO's Report on the Pre-Draft Consultation this responds on this matter by stating :*"In accordance with Section 11(4)(b)(ii) of the Planning and Development Act 2000 as amended, Cork City Council is prohibited from considering at this Pre-Draft stage of the review process, submissions or observations relating to zoning and/or rezoning of specific parcels of land."*

The quoted section in the Act, used for this dismissal, actually reads :*"summarise the issues raised in the submissions and during the consultations, where appropriate"*, and has nothing to do with any prohibitions regarding zoning. City Council's own dCDP `Process Overview` states :*"people cannot make submissions on land zonings for individual sites"* (at this stage)

For the record our previous submission read : *"Sufficient amounts of land need to be zoned for Traveller accommodation for both of those TAPs to ensure compliance with the Planning and Development Act, (2000) as amended, particularly in relation to the requirement around Traveller accommodation in Section 10.(2)(i) of the Act."* This was followed by reference to specific needs for Traveller accommodation in seven instances. While one of the seven suggestions could be considered as a proposal relating to the (re-)zoning of a *"specific parcel of land"* (Ellis Yard), the other six were certainly not. We assume the incorrect, casual dismissal of our suggestion was done knowingly, rather than inadvertently.

TVG`s Suggestion on the provision of Transient Sites to facilitate Traveller Nomadism – Ignored

The dCDP does not include any reference to transient sites or Traveller nomadism, and the CEO`s report makes no reference to our suggestion altogether. City Council entirely ignores the TVG`s suggestion, and acts as if it has not been made at all.

TVG`s Suggestion on having an Impact Assessment on Compliance of the dCDP with the Public Sector Equality & Human Rights Duty– Ignored

While the dCDP does include some welcome, general references to social inclusion, diversity, equality and inclusivity (similar to the previous plan), there is no evidence or reference to any specific impact assessment or `proofing` of PSEHRD compliance. Again the CEO`s report makes no reference to our suggestion on the matter altogether, and acts as if it has not been made at all.

**Specific Zoning for Traveller Accommodation**

Sufficient amounts of land need to be zoned for Traveller accommodation for both of those TAPs to ensure compliance with the Planning and Development Act, (2000) as amended, particularly in relation to the requirement around Traveller accommodation in Section 10.(2)(i) of the Act which states : “

*10.—(1) A development plan shall set out an overall strategy for the proper planning and sustainable development of the area of the development plan and **shall consist of a written statement and a plan or plans** indicating the development objectives for the area in question.*

*(2) Without prejudice to the generality of subsection (1), a development plan shall include objectives for—*

*... (i) the provision of accommodation for travellers, **and the use of particular areas for that purpose**”*

The Report of the Expert Group on Traveller Accommodation also specifically addressed this point recommending : “**Ensure that local authority Development Plans comply with provisions of the Planning and Development Act, (2000) as amended, particularly in relation to the requirement around Traveller accommodation [s10(2)(i)].**”

The government has committed itself to implementing the recommendations of the Expert Group in the recently published `Housing for All` which states in Action 8.3. *“Prioritise the implementation of Recommendations contained within the Traveller Accommodation Expert Group Report”*

The maps of the current, existing CDP clearly mark two areas, specifically for Traveller accommodation (part of Ellis Yard & the new St. Anthony`s Park), but this practice has been discontinued. The dCDP provides no explanation for this omission. Verbal communications with CCC Planning could only elicit, that specific designation for Traveller Accommodation is *“not a requirement”*. This clearly is no answer, as to why specific designation for Traveller accommodation has been removed.

It is the considered opinion of the TVG that proposed Traveller accommodation should be clearly marked in the maps of the new CDP. The legislation refers to ***“a written statement and a plan or plans”*** while the dCDP consists of a written statement and maps. Therefore the reference to `plan/s` in the legislation, refers to `map/s` in the dCDP. Both the written statement and the map/s should identify ***“use of particular areas for that purpose”*** (the purpose being the provision of Traveller accommodation). Logic dictates that this is most properly and unambiguously done via a clear marking on the map.

Objective 3.12 states *“Specific development locations are identified in Volume 2: Mapped Objectives and accommodation for Travellers will also be suitable on lands zoned for purposes that accommodate residential uses ...”* – no such development locations are identified on the maps of the dCDP.

In response to an email on the de-zoning of Ellis Yard, removing the specific Traveller designation, CCC claims : *“The Draft Plan includes a written objective (3.12) to develop those sites identified in the TAP. There is a typo in the written objective and it should refer to Table 3.6 (on page 81) and not Volume 2: Mapped Objectives, and this should be corrected”*, but if this `correction` is to be applied it would read *“Specific development locations are identified in Table 3.6. ...”*, but this is not the case either : Table 3.6 names four existing Traveller sites (both official and unofficial), plus Ellis Yard, but the other two (Carrigrohane Road & Nash`s Boreen) are replacements in different locations – no *“specific development locations”* are identified for either.

Objective 3.12 reads *“... accommodation for Travellers will also be suitable on lands zoned ...”*. If there is no dedicated Traveller zoning objective in the dCDP, the reference to *“also”* here seems somewhat unclear and circumspect.

City Council clearly understands that it is in breach of Section 10.(2)(i) of the Planning and Development Act, (2000), but pretends otherwise. Senior officials have also decided to remove any Traveller-specific zonings from the document, a decision which remains unexplained.

- **Given the practice in the current CDP to clearly mark Traveller sites (as required in the planning legislation), TVG considers the deliberate omission of clear Traveller**

accommodation designation in the dCDP to be a highly regressive action, which should be reversed to comply with both the planning legislation and government policy.

### **Deficient TAP & Need to Zone sufficient Lands for Traveller Accommodation to 2028 and beyond**

City Council's current Traveller Accommodation Programme (TAP ) is completely deficient, and City Council has been aware of this for a long time. It does not meet basic, legal, statutory requirements. An analysis by the Irish Traveller Movement for the National Traveller Accommodation Consultative Committee (of which CCC's CEO was a member until fairly recently) found Cork City Council to be the only LA to fail on all four statutory obligations analysed.

Since our submission on the pre-draft phase of the CDP, the Children's Ombudsman (OCO) published its 'No End in Site' Report in May 2021. While Cork City Council is not named in the report, it is widely known that the OCO investigation concerned City Council and Spring Lane Halting Site. OCO found the TAP to be "discriminatory" (6.16. "*The OCO finds that the Local Authority's failure to comply with the minimum requirements of the law in devising and most importantly, ensuring the implementation of its TAP 2014 - 2018 is both contrary to fair and sound administration and is improperly discriminatory.*"). In response CCC committed itself to review its TAP (7.11 "*As part of the statutory review of the TAP 2018 to 2022, will re-examine the plan as documented in detail in light of the finding and make appropriate changes where such are deemed necessary.*") This statutory review is due in 2022.

The Irish Human Rights & Equality Commission (IHREC) also published its findings on its statutory Equality Reviews of TAPs across Ireland in July 2021. This process was started in June 2019, and began with all local authorities initiating their own equality reviews of their TAPs.

Cork City Council's own Equality Review found :

- *That the assessment of need in future TAPs include an estimate of the number of Traveller families and households for whom accommodation will be required at the commencement and conclusion of the programme, and the need for sites as required in the legislation;*
- *Forward planning based on household formation rates and other demographic indicators should be undertaken to estimate future accommodation needs of Travellers within the jurisdiction of the Council and inform future TAPs;*
- *That the impact of targets within the TAPs be estimated in terms of the number of additional families housed within Traveller-specific housing or through other means;*

- *That further goals be set to extend Traveller-specific accommodation within Cork City, in particular to alleviate the overcrowding in halting sites;*
- *The process of identifying locations for smaller halting sites situated around the city should be progressed;*

(p15, Section1, E)

The IHREC Review notes regarding CCC's own Equality Review of its TAP : *"The Equality Review found it **impossible to establish the extent to which the current provision committed to, by the Council, would go towards meeting Traveller accommodation needs, noting that the current level of overcrowding indicates that further Traveller-specific accommodation might be required.** The Equality Review notes the following in this regard: **there are no new sites planned under the current TAP; all planned development is for existing sites, to be filled by families already living on these sites;** the number of Traveller families living on unauthorised sites grew by 12 and the number of families sharing housing increased by nine between 2012 and 2017; the lack of quantitative targets for the developments proposed in the TAP; and the inability to know how many Travellers are currently in need of Traveller-specific accommodation and how many will need it in the near future as a result of new family formation."* (p20, Section2)

These findings have been incorporated into the IHREC's recommendations to City Council (p25)

One of the key failures of the current TAP, is that it contains no forward planning, not for now, not for 2024. The few actions there are, relate to meeting immediate needs and acute overcrowding (+ relocating the Carrigrohane Straight Road site out of a flood plain). The TAP is entirely silent on the needs of Travellers, who are not seeking Traveller-specific accommodation.

The dCDP names most of the actions from the current TAP (though omitting the commitment regarding Meelagh). The dCDP completely omits considering any Traveller accommodation needs beyond 2024, nor any needs arising during the 2019 -2024 period (due to its reliance on the completely deficient current TAP).

Taking account of the long-known legal deficiencies with City Council's TAP, its own equality review from 2019 & the subsequent findings of IHREC in 2021, the OCO investigation and recommendations in 2021 along with the commitments formally entered by CCC in response to OCO, TVG recommends the following :

- **That sufficient substantial parcels of land will get zoned and marked on the maps as designated lands for Traveller-specific accommodation to address current acute overcrowding and poor accommodation provision in both official and unofficial sites, meet current needs and meet projected, estimated needs until 2028 and beyond.**

## Dezoning of Ellis Yard & Spring Lane Halting Site

Part of Ellis` Yard was clearly zoned for Traveller accommodation in the current CDP, but this zoning has been removed in the dTAP. CCC Planning says : "*Residential, Local Services and Institutional Uses* zoned was rebranded as *Sustainable Residential Neighbourhood* in the Draft Plan". `Sustainable Residential Neighbourhood` Zoning (ZO1) is for "This zone covers large areas of Cork City's built-up area, including inner-city and outer suburban neighbourhoods" according to the dCDP, ie existing residential neighbourhoods. EY is not, and has not been, a residential neighbourhood. It has been a `brownfield site` wasteland for a long time. It is landlocked, surrounded by lands zoned for Light Industry (ZO10), Public Open Space (ZO16) and Sports Ground (ZO17) – none of which allow for the provision of Traveller accommodation. While the site comes close to the existing Spring Lane site entry road, it is well known that this road was too steep to comply with meagre planning requirements at the time of the opening of the site over 30 years ago. Ellis Yard requires a separate entrance clearly.

In public statements, and in communications with Spring Lane residents, there has been a constant message from City Council that "*Ellis Yard is zoned for Traveller Accommodation*", which is knowingly untrue. Only about half the yard is currently zoned for Traveller accommodation (and the zoning of the remaining areas does not allow for the provision of Traveller accommodation). The dCDP now proposes to remove this limited specific zoning designation.

Given the OCO investigation and CCC`s public, official commitments on the matter it is concerning that Traveller-specific designation has been removed from the zoning/maps.

- **Given the repeated public statements by senior CCC officials regarding the zoning of Ellis` Yard (not part of), and given the welcome recognition of the need to provide for livestock, stabling and paddocks, requiring a larger area, all of EY should be zoned for Traveller accommodation.**

(Should CCC be unwilling to consider this, it needs to allow for the provision of Traveller accommodation in all of the areas surrounding EY, zoned for other purposes, to allow for necessary flexibilities)

The TAP commits to a full refurbishment of the existing Spring Lane site to its original 10 bays, as a permanent Halting Site. Spring Lane was opened about 32 years ago as a temporary facility (the original residents were told they would be there for about 1.5 years until a proper site was built ... some of these residents are still living in this temporary facility 32+ years later).

Verbally CCC has committed itself to a complete re-development of the existing Spring Lane.

Whatever about commitments to a `full re-development` (as opposed to a mere `refurbishment`), departmental guidelines for permanent sites and fire safety requirements (following the tragedy in Carrickmines), it is the TVG`s considered view that a mere refurbishment of the existing 10 bays will be impossible, if it is to be compliant with planning and fire safety. On top of this the dCDP`s commitment regarding paddocks, stabling need to be taken account of. The existing Spring Lane, being a disused quarry, is faced by a cliff on two sides, but the area now zoned residential, needs to be increased on the other two sides to allow for the appropriate re-development of the Spring Lane Halting Site

- **Given the need to meet planning and fire safety standards, and to facilitate Travellers` distinctive needs ( the need to provide for livestock, stabling and paddocks, etc) requiring a larger area, the Spring Lane Halting site area currently zoned residential, needs to be increased and clearly zoned for Traveller accommodation, and marked on the maps accordingly.**

Following the OCO investigation and report, there is currently another needs assessment underway with Spring Lane families. What has been clear from previous needs assessments (Respond 2014, Cena 2019, CCC own needs assessments, etc) : The re-development of Spring Lane and the new development of Ellis Yard, along with the provision of standard housing will not fully meet the accommodation requirement for Spring Lane residents now, never mind until 2028. The current TAP is committed to another site(s) as required. City Council`s own Equality Review of 2019 noted : *“The process of identifying locations for smaller halting sites situated around the city should be progressed”*

- **Given the need for further Traveller-specific accommodation to meet current and future needs of Spring Lane Traveller families, the new CDB needs to be cognisant of the current assessment underway (following the OCO investigation) and needs to plan for another one or two sites to meet identifiable needs**
- **to meet planning and fire safety standards, and to facilitate Travellers` distinctive needs ( the need to provide for livestock, stabling and paddocks, etc) requiring a larger area, the Spring Lane Halting site area currently zoned residential, needs to be increased and clearly zoned for Traveller accommodation, and marked on the maps accordingly**

### **Nash`s Boreen**

City Council have long neglected their duty towards the small, extended Traveller family in Nash`s Boreen, the neglect which eventually led to proceedings in the High Court. These proceedings have now been settled, and City Council is at last actively pursuing the delivery of badly needed, permanent accommodation to this extended family on a specific parcel of

land, which is not being proposed to be zoned for Traveller accommodation or residential purposes

- **Given the commitments CCC made in the High Court, CCC needs to zone a particular parcel of land to allow for the delivery of Traveller-specific accommodation to the small, extended family currently occupying the semi-official site in Nash`s Boreen.**

### **Meelagh Traveller Group Housing Expansion**

City Council is currently pursuing the expansion of Meelagh GH, and this action is named in the current TAP. While TVG has no specific planning expertise, we believe that to allow for this expansion committed to, an enlarged zoning is required.

- **Given the stated commitments towards the Meelagh expansion additional adjoining lands needs to be zoned for Traveller accommodation**

### **Carrigrohane Straight Road Halting Site Replacement**

The Straight Road Site has been in a known flood zone, and has subsequently been flooded and needing to be evacuated a number of times over recent years. The threat of flooding is everpresent, with the entrance of the site pointing towards the River Lee, and the whole site surrounded by high, spiked metal fencing on all other sides.

City Council is committed (at last) to relocate the site to a more appropriate location. This provides an opportunity to actively engage with the residents, on whether the new site is to be a halting site, or group housing, or a hybrid of both. CCC also needs to learn from its past mistakes, and plan for future growth of this extended family (as recently as 2013/14 CCC would not countenance planning for this future growth, when developing another relocation site). Planning for this future growth could mean allowing for a future expansion of the new replacement site, or an additional site.

- **Given the commitment to relocate the existing site out of a flood plain, Cork City Council needs to zone one or two parcels of land for Traveller accommodation to allow for this relocation within reasonable proximity of the existing site. The site/s need to be sufficiently large to allow for the provision of Traveller accommodation, including projected family growth.**

### **St Anthony`s Park**

Poor planning and lack of foresight led to St. Anthony`s Park, Cork City Council`s newest Traveller site, to be overcrowded from the outset. The current TAP recognises the acute



overcrowding, and this recognition goes back to the early drafting of the TAP, approximately three years after its opening. The extended family in St Anthony's Park are also horse owners, and sought to engage with City Council and others around the provision of horse stabling at the time of the planned relocation (2012-14). While there was some stated interest by the gardai to engage on the matter, City Council refused to even consider this issue. City Council unilaterally withdrew from a Health Impact Assessment (it had agreed to), due to its unwillingness to consider future family growth and horse ownership.

The St Anthony's horse owners had sought to pursue horse stabling on the three sides adjoining the new St. Anthony's Park (excepting the road frontage). While the land at the back, continues to be zoned for open space, the lands on either side of the site are proposed to be zoned for light industry. If private, commercial developments would be allowed to develop here, the open land at the back would become 'landlocked'.

While the current TAP states : " *As this scheme was only opened in June, 2015, the Council will not be able to consider any expansion of this scheme under this Programme.*", it does also state "*There is again emerging evidence of overcrowding on this site due mainly to children of tenants setting up their own family units*" and "*The Council will put proposals forward to the Department of Housing, Planning, & Local Government for an extension to the current properties to address the overcrowding issues of the identified families*" regarding St. Anthony's. While there was a financial-political decision made by City Council to de-prioritise the accommodation needs of St. Anthony Park residents in this (deficient) TAP, there is a clear indication it will have to be addressed in the new TAP, or following the statutory review of the current TAP in 2022. Either way it needs to happen within the period covered by the new CDP up to 2028.

- **Given the acute overcrowding in St Antony's, the reality that the new CDP needs to plan until 2028, and the formal recognition of Traveller horse ownership in the draft CDP, the lands surrounding St. Anthony's Park should be zoned for Traveller accommodation (and not re-zoned for light industry)**

### **General Zoning for Residential & Other Uses**

TVG strongly argues for dedicated zoning for Traveller accommodation (in sufficient numbers) in the new CDP, as an indication, that there has been a genuine re-think of policy regarding the provision of Traveller accommodation, a genuine commitment overcoming years of neglect and disinterest having led to a very acute overcrowding and homelessness crisis among Travellers in Cork City.

At the same time, we also welcome the commitments regarding diversity and inclusivity, which in practice should mean that Traveller accommodation will also be provided in areas generally zoned for residential use (+ zoning for 'Hinterland'). This could be either standard housing allocated to Travellers, or small residential Traveller-specific accommodation.

Objective 3.12 reads “... accommodation for Travellers will also be suitable on lands zoned for purposes that accommodate residential uses, including the ZO 1: Sustainable Residential Neighbourhoods and ZO 21 City Hinterland land use zoning objectives.” This wording is highly ambiguous, it says Traveller accommodation can be developed on lands zoned for residential use. It does not say on all lands zoned residential, and it names only one (ZO1) of nine residential zonings. Section 12.16 names ten different zonings as possible areas for residential development. It actually states : “For the avoidance of doubt, the following zoning objectives facilitate residential uses in principle, either as a primary objective or as uses open for consideration”. Given the jaundiced history of poor Traveller accommodation provision by City Council over decades, the `for avoidance of doubt` principle should also be applied to Traveller accommodation, unambiguously stating that Traveller accommodation can be developed in principle on any lands zoned for residential uses (given that 12.15 states that only “In exceptional circumstances there may be uses that are not referenced in this Plan” will be considered). Clearly ZO 2 & ZO 3 are both about developing new neighbourhoods. Clearly good practice would suggest the inclusion of Traveller accommodation in new neighbourhoods from the outset. 3.92 `Social Inclusion` states : “... inclusive neighbourhoods that cater for all people ...”, 3.95 Cultural Diversity states : “Diversity adds to the wealth of the tapestry of heritage and culture that makes up Cork City”. The dCDP commits itself repeatedly to inclusivity, equality and diversity, and TVG contends that Objective 3.2 obliges City Council to be open to consider Traveller accommodation in all areas zoned residential (“...consciously considering specific people groups in the design of neighbourhoods, places, ...”)

ZO21 City Hinterland inclusion for Traveller accommodation. TVG`s favours a flexible approach in the provision of Traveller accommodation via zoning. We do strongly advocate for clear Traveller accommodation designation in the maps, while also allowing for the development of Traveller accommodation in other areas, and we therefore welcome the inclusion of the `City Hinterland`, as it might suit some Traveller families. However we also note that the dCDP makes a clear distinction between three tiers : Tier 1 (lands ready for development), Tier 2 (lands which could be ready by 2028) and Tier 3 (long term planning infrastructure beyond 2028). While the `City Hinterland` is not even designated any tier, as all of the Hinterland is neither Tier 1, 2 or 3 (as can be seen in Figure 2.21). This includes the `Hinterland Settlements` of Kerry Pike, Killeens & Upper Glanmire (marked in figure 2.10). These three settlements are on the Northside – there are no `Hinterland Settlements` on the Southside. Figure 2.8 outlines the `concept` and identifies `growth areas` for the City. Given the commitments regarding inclusivity and equality, Traveller accommodation should be pursued in the identified `City Regeneration and Expansion Areas` or the `Long term Growth Areas`, where there might be the existing infrastructure to facilitate developments in a reasonable time. Let`s not forget : the five Traveller accommodation developments identified in the current plan, are current needs, identified since 2019, and earlier – there are no named future need plans concerning Travellers in the dCDP.

Apart from the need to have a considerable number of lands zoned for Traveller accommodation, zoning should not be overly prescriptive in our view. Given the points made in 12.9 and 12.5 in the dCDP, Traveller accommodation should also be permitted in green belt and public amenities

The CDP needs to be flexible enough to allow for changing circumstances. **Therefore the provision of Traveller accommodation has to be a permitted use in all other areas, zoned for residential use** too. This view has also been communicated in the departmental guidelines, which state : *“To support the identification of additional locations for such projects, zoning policies should also be drawn up in a flexible manner to reflect the urgent need to secure additional Traveller accommodation over the lifetime of the plan.”* ( Section 4.56 of Development Plans: Planning Guidelines for Planning Authorities, 2007)

Given the points made in 12.9 and 12.5 of the dCDP, and our comments regarding Ellis Yard, Traveller accommodation should also be permitted in green belt and public amenities (as the proposed Waterford CDP does), as well as light industry (as relevant to Ellis Yard)

### **Traveller Nomadism & the Provision of Transient Sites**

We repeat our previous submission :

Cork City Council has been legally deficient for years in its non-provision of transient sites to facilitate Traveller nomadism. It is unsustainable for this casual dismissal of statutory obligations to continue in the new CDP.

Its own Equality Review of its TAP found : *“The Equality Review identifies that no transient site targets are included in the TAP, and notes that the Council states that no need for a transient site was found under the assessment of need. The TAP identifies, however, that 32% of respondents in the narrow survey conducted, indicated there was a need for transient sites.”*(p20), leading to IHREC recommending : *“establishing and developing a response to the needs of Travellers who are nomadic within and through the city functional area, through the provision of transient halting site bays”* (Sec3.2. p25). Accepting this recommendation, would make CCC merely legally compliant.

Even the National Planning Framework `Project Ireland 2040` states in Chapter 6.2. (p84): *“The Travelling Community : Travellers are recognised as an ethnic minority. It is estimated that there are approximately 30,000 Irish people who identify themselves as travellers. While not all traveller lifestyles are the same, some travellers have particular housing needs, related to economic activity and kinship. **There is also a requirement to accommodate nomadism**, for at least part of the year in some cases. Local authorities working with the travelling community will continue to address the specific needs of travellers, ensuring that*

*targeted provision is achieved in line with those needs and that this is also incorporated into housing and traveller accommodation strategies, city and county development plans and local area plans.*”, and the dCDP claims to be developed in line with the NPF.

The recently published `Housing for All` government policy document has five Traveller-specific actions, one of which relates to the provision of transient sites to facilitate Traveller nomadism

- **Given the commitment to the NDP, the findings of IHREC, the need for statutory compliance, and to address decades of neglect and anti-Traveller discrimination, we repeat our suggestion (already made in our previous submission) : the new CDP needs to zone two parcels of suitable lands in close proximity to the city (one on the Northside, one on the Southside) for two transient sites.**

### **Private Sites & Backyards**

We repeat our previous submission :

Over the last number of years a number of Traveller families have acquired their own, private sites, but have found huge obstacles in the planning system in developing their sites as Traveller-specific accommodation (as there have been no models of such planning in the past, due to the state`s denial of Traveller ethnicity and widespread discrimination). Following the state`s reversal of this position, and the formal recognition of Traveller ethnicity, the recognition of Travellers` *“particular housing needs”* in `Project Ireland 2040`, **the development of such private sites needs to be facilitated and named in the new CDP and in the planning approaches of Cork City Council.** Anti-Traveller discrimination in the planning system prevented the development of approved, small private Traveller sites in the past, and therefore it has been impossible for such private Traveller sites to comply with `traditional building patterns`. As discrimination barred Traveller sites from becoming part of the `traditional pattern` in the past, any continuation of such requirements is incompatible with the formal recognition of Traveller ethnicity, as well as the spirit of the Irish Human Rights and Equality Commission Act, 2014.

### **Standard Housing & Homelessness**

The dCDP makes disappointing little reference to the provision of standard (social) housing, never mind the provision of standard housing to Travellers by City Council. CCC`s TAP unilaterally ignored its statutory requirements to set numerical targets for Traveller accommodation provision, including standard housing, but this defiance of statutory obligations cannot be simply carried on in the new CDP.

We note the IHREC Review of the Cork City TAP responding : *“responding to the practical implications of Traveller ethnicity, in the provision of standard housing, in particular for supporting and sustaining integrated diverse communities”* (p25, sec 3.2.).

Numerical targets need to be set for the allocation of housing to Travellers. This could include minimum quotas for allocations to Travellers (as positive discrimination/affirmative action is not prohibited under the Equal Status Act). In TVG`s experience CCC seems to operate a covert maximum quota in allocations instead, which is in clear breach of the Equal Status Act.

- In view of the above, the final CDP should name Travellers as a target group in relation to creating inclusive, diverse communities. It also needs to set ambitious targets for the delivery of housing to Travellers

The dCDP is also disappointingly short on the issue of homelessness, including Traveller homelessness. The IHREC Review of the TAP notes : *“There is no reference to any action to establish the specificities of Travellers’ experience of homelessness or to address specific needs of Travellers in a manner to secure positive outcomes from homelessness services.”* and goes on with a recommendation to : *“developing culturally specific responses to the needs of Travellers experiencing homelessness”*

A joint report by IHREC & the ESRI only last months (‘Monitoring Adequate Housing In Ireland’) noted ; *“There is also considerable mismatch between Travellers’ preferred accommodation and their actual accommodation. Combined with evidence of Travellers being overrepresented in homelessness figures and over-crowded accommodation, this highlights significant disadvantage in terms of adequate housing for this group.”*

- **In view of the above, the final CDP should set clear targets for housing allocations to Travellers, and clear targets to move Travellers out of homelessness.**

## **Numerical Targets**

We note a number of targets in the dCDP (e.g. growth targets in Figure 2.18, Tables 2.2, 2.3, 2.4, etc), but no **targets for net new units of Traveller accommodation to be provided**, or numerical **targets for social housing allocations to Travellers**. These should be included in the final CDP.

## **Climate Change & Transport**

In line with Cork City Council’s Climate Change Adaptation Strategy 2019-2024, and its stated objective of *“facilitating a radical increase in more sustainable forms of transport that significantly reduce carbon emissions levels in the city”*, **the new CDP should name**

**horses and sulkies as one alternative mode of transport**, reducing the dependency on fossil fuels in transport.

### **Human Rights & Equality Impact Assessment**

We repeat our previous submission in this regard. (Though there are general statements regarding Diversity and Equality and Inclusivity, it appears no impact assessment regarding compliance with the PSEHRD has been undertaken. There have been various impact assessments regarding retail, traffic, visual, flooding etc, yet none are named regarding the PSEHRD, or poverty-proofing for that matter.) :

The Irish Human Rights and Equality Commission Act, 2014 imposed a `positive duty` on the public sector, regarding its compliance with human rights and equality obligations. Cork City Council was part of a pilot scheme with the Irish Human Rights & Equality Commission on this public sector duty. Following the pilot, there has been an unfortunate near invisibility of the public sector duty in the published policies of Cork City Council.

**A Human Rights & Equality Impact Assessment should be undertaken for the new CDP, and an outline of the assessment should be included in the published CDP.** Representative groups of affected minority groups should be pro-actively included in this impact assessment.

We note the `Deprivation Map` on page 42 in the `Our City, Our Future` Discussion Document on the new CDP. We also note that the areas of the worst deprivation, overlap with many existing Traveller sites : Knocknaheeny/Farranferris (St. Anthony`s Park, Nash`s Boreen), Blackpool (Spring Lane, Corkerans Quay) & Mahon (Meelagh). There is a need to have the **Human Rights & Equality Impact Assessment linked to a Poverty Impact Assessment.**

The lack of a PSEHRD has also been noted by IHREC in their review of the TAP (*“There is no reference in the Equality Review or in the TAP to the requirements of the Public Sector Equality and Human Rights Duty and no evidence that these have been met.”*)

### **Eliminating Energy Poverty in Traveller Specific Accommodation**

Providing clean affordable energy, and energy efficient homes in Traveller specific accommodation.

- A recent study by National Traveller MABS found that Travellers living in mobile homes and trailers experience high levels of energy poverty. The study found that on average, families spend 26% of their income on energy compared with a 4.6% spend

in the general population. This study also found that Travellers use a wide variety of fuels to heat their homes while simultaneously experiencing damp, condensation in their homes which gives rise to numerous related health issues. The problem of energy poverty among Travellers arises out of a combination of factors, including the means by which energy is provided as well as the energy efficiency of both the mobile and the day unit/house provided on site. Household income is also a factor in energy poverty.

- In light of this, the Council should plan to review existing Traveller specific accommodation with a view to bringing it up to the current regulatory standards in terms of energy efficiency of the dwellings and in terms of access to sustainable energy sources. It should be ensured that there is access to the competitive energy provision market for Travellers living in Traveller-specific accommodation and that Travellers in Traveller specific accommodation have access to accurate, individual energy bills in order to monitor and control their own energy costs.
- All planned Traveller specific accommodation should seek to ensure that homes built have the highest level of building airtightness combined with effective ventilation systems. In addition, the Council must meet near zero energy building (NZEB) requirements under current regulatory requirements and demonstrate that energy used by the NZEB must be from renewable sources "to a very significant extent", including energy from renewable sources produced on site or nearby. Under current regulations all planned new residential dwellings are expected to be 70% more energy efficient when compared to 2005 performance requirements.

### **Different City Council Directorates**

In communications with CCC Planning, where TVG highlighted various oversights regarding Traveller accommodation provision, we were told that we needed to raise these issues with the Housing Directorate, not Planning.

TVG has raised these issues with Housing for over two decades – mostly to very little avail. We will continue to do so. However if Planning have the responsibility for the dCDP, then Planning has the responsibility to ensure the appropriate inclusion of Travellers and Traveller accommodation with the Housing Directorate. We respectfully suggest that Planning communicates with Housing on the matters raised.

The new CDP needs to be future-proofed regarding evolving accommodation/housing needs of Traveller families. While a projected needs assessment is a legal, statutory requirement under the Housing (Traveller Accommodation) Act 1998, Cork City Council has been negligent in this matter.

- **The new CDP needs to correct this statutory failure, and needs to zone additional suitable lands for Traveller accommodation to meet the needs of new Traveller families being formed.**

### **Drafting Errors**

We welcome the capitalisation of the term `Traveller` (when used in reference to the Irish Traveller Community in the dCDP, to give effect to the formal recognition of Traveller ethnicity by the Irish state in 2017. The capitalisation has been missed in a few sections (e.g. in 3.91, 11.127)

The dCDP refers to the Traveller Accommodation Programme 2020 – 25 (11.127). The TAP runs from 2019 to 2024, the next one is due to run from 2025 to 2030, covering most of the period of the next CDP.

Table 3.6 lists Spring Lane, and the `Development Type` as “existing”, it then lists the `Area of Cork City` as `North-East City/Hinterland`. While there is clearly a need for further site(s) in addition to the Spring Lane re-development and Ellis Yard, and this additional need may, or may not be met in the City Hinterland, the existing Spring Lane Site is in the North-East City.