Cathaoirleach and Each Member of Westmeath County Council

Date: 18 June 2019

RE: Affordable Housing, Scheme of Priority

Dear Cathaoirleach and Members,

I attach the Westmeath County Council draft Scheme of Priority for Affordable Dwelling for discussion and agreement.


Part V, Section 85 of the act provides that:

1. A housing authority shall, not later than one year after the coming into operation of this Part, in accordance with this section and regulations made thereunder, make a scheme (in this Part referred to as a “scheme of priority”) determining the order of priority to be accorded to eligible households in relation to—

   a) the sale of affordable dwellings referred to in section 82 (a), (b) and (c) where the demand for such dwellings exceeds the number of such dwellings available for the purposes of this Part, and

   b) the provision of financial assistance under section 81 to eligible households to purchase open market dwellings where the demand for such financial assistance exceeds the financial resources available to the housing authority to provide such assistance.

The Act requires the making of a Scheme of Priority even where, as in the case of Westmeath County Council, the Local Authority does not have any Affordable Housing Scheme in operation or planned.

The Minister made the Housing (Miscellaneous Provisions) Act 2009 (Part 5) Regulations 2019 (SI 81 of 2019) on 12 March 2019. These regulations prescribe the order of priority to be accorded to eligible households in relation to—

a) the sale of affordable dwellings, and

b) the provision of financial assistance to purchase open market dwellings.
The only discretion provided in the regulations is in relation to the following:

1. Class C Household - is a household any of whose members is registered as a full-time student with a school, university or other educational institution that is within a specified distance of that dwelling. The LA may specify the distance in question. The distance of 1.6km suggested in the draft Scheme of Priority is consistent with the distance that would normally be considered manageable for a child/student to walk to their place of education.

2. Class D Household – is household (other than a class C household) any of whose members is employed at a place that is within a specified distance of that dwelling. Again, the LA may specify the distance in question. The distance of 5km suggested in the draft Scheme of Priority is consistent with the distance that would normally be considered manageable for a person commuting to work by bicycle.

3. Class E Household – This is a Class C household where a member of the household also works within a specified distance of the affordable dwelling. The LA may specify the distance in question. The distance of 5km suggested in the draft Scheme of Priority is consistent with the provision for Class D households.

The legislation provides for the following sequence in the adoption of the Scheme of Priority:

1. Draft Scheme of Priority for discussion and agreement of the Members
2. Agreed Draft Scheme of Priority issued to the Minister for review. The Minister may direct amendments to be made within a specified timeframe.
3. The LA will seek to adopt the Scheme of Priority.

Note that once the Scheme of Priority is adopted, it may be amended at any time subject to the above procedure being followed.

Yours sincerely,

Pat Gallagher
Chief Executive