



EQUALITY
CAN'T WAIT



Participation and the
Practice of Rights

THE RIGHT TO HOUSING

Accountability. Equality. Participation.



CAMPAIGN

“Any decision on housing in North Belfast has to evidence how it will concretely address the inequality experienced, in this case, by the Catholic community. Attempting to build good relations on the basis of denying the needs, frustrating the rights, and silencing the voices of the poorest is wrong in itself as it is destructive to the goal of building a shared future.”

**Inez McCormack,
PPR Founder and Advisor, May 2012**

“The Committee is concerned about the chronic shortage of housing, in particular social housing, for the most disadvantaged and marginalized individuals and groups, such as ...Catholic families in Northern Belfast, in spite of the financial resources provided, and other measures taken, by the State party in this regard.”

**Concluding Observations of the UN Committee on Economic, Social
and Cultural Rights, May 2009**

About Participation and the Practice of Rights (PPR)

The Participation and the Practice of Rights (PPR) organisation provides tools and support to marginalised groups actively asserting their right to participate in economic and social decisions which affect their lives. In 2012, the model developed and used by PPR groups to make change was cited as best practice by the United Nations Office of the High Commissioner for Human Rights.

Currently PPR supports groups campaigning on a wide range of issues including; mental health, unemployment, homelessness and social housing. Since 2006 we have worked to support social housing residents in the New Lodge area of North Belfast, on whom, given the high levels of need and unabated religious inequality, the impact of housing decisions are felt most acutely.

About Equality Can't Wait

In May 2012, North Belfast residents, supported by PPR launched a campaign calling for the Minister for Social Development to build new social housing on the basis of objective need and equality. The campaign was called "Equality Can't Wait" and it is from this initiative that this report takes its name.

Equality Can't Wait examines the range of failed strategies and missed opportunities to tackle housing inequality in North Belfast over the last decade. These failures are examined within the context of the 1998 Good Friday/Belfast Agreement, and the legislative powers created therein, which were designed to promote equality in precisely such areas.

PPR's support of North Belfast residents experiencing inequality has necessitated continuous examination of government policy proposals, consultations and

assessments of decisions made about housing in North Belfast which form the foundation of this report. From this base, Equality Can't Wait represents a culmination of over 13 months further research and analysis and documents the clear causal link between the failure of public bodies and government to safeguard the provisions of the Good Friday/Belfast Agreement, particularly as embodied in Section 75 (1) of the Northern Ireland Act (1998), and the persisting religious inequality in housing in North Belfast. The report also highlights several initiatives which negate the obligation to address inequality and which will have repercussions for social housing residents across Northern Ireland.

Data referred to in this report is from official government sources including the Northern Ireland Housing Executive (NIHE) Waiting List and the Northern Ireland Statistics and Research Agency (NISRA) Census and Multiple Deprivation data. Where the report refers to alternative data based methodologies to examine proposals, these have been explained.

PPR has also examined the minutes of meetings, briefings and correspondence of relevant decision making and accountability structures such as the NIHE Board and the Northern Ireland Assembly Social Development Committee, as well as the responses received from government Ministers and elected representatives to PPR's offer of briefings and requests for action.

In the preparation of this report PPR has sought access to relevant information held by public bodies with responsibility for housing. PPR has engaged in official consultation exercises, written to relevant authorities and has requested the provision of information under the terms of the Freedom of Information Act 2000. In many cases such requests have went unanswered, have been incomplete or have been subject to lengthy delays.

Executive Summary

Equality Can't Wait

Religious inequality in social housing in North Belfast continues to persist, despite millions of pounds of public investment and innovative equality legislation. On the fifteenth anniversary of the Good Friday/Belfast Agreement, the Participation and the Practice of Rights organisation, through their work with North Belfast residents has gathered robust evidence on the approach taken by public authorities to the housing crisis in North Belfast, the missed opportunities, and the failures in accountability which have allowed inequalities to endure.

The Equality Can't Wait report opens with an examination of the **policy and legal provisions designed to produce change** by placing obligations on public authorities to promote equality and tackle objective need in **Chapter 1**.

The remaining chapters chronicle the failure by public authorities to fulfil these obligations and the missed opportunities to tackle North Belfast's housing crisis.

Chapter 2 dissects the **failure of the £133 million North Belfast Housing Strategy to tackle religious inequality in housing despite being designed specifically for this purpose**.

The Strategy is discussed in the context of the publication of two reports issued within the Strategy's first five years which raised concerns about its effectiveness and which were ignored. Chapter 2 also documents the **repeated failure of the Equality Commission of Northern Ireland to name religious inequality in housing impacting Catholics in North Belfast as an issue despite the mounting statistical evidence base**.

Analysis of the North Belfast Housing Strategy is continued in **Chapter 3** with **evidence on the Northern Ireland Housing Executive (NIHE)'s two different methods of monitoring the religious composition of the North Belfast Housing Waiting List**. Evidence shows that the NIHE monitored using both the 'perceived' religious background method which records two categories (Catholic and Protestant) and a 'self-reported' religious background method which records four categories (Catholic,

Protestant, Other and Unknown). However, since 2009 only the 'self-reported' method has been used. Consideration of the data from 2009 (the last year for which both sets of figures are available) shows the impact on the religious breakdown of the waiting list from the use of each method. Under the 'perceived' monitoring method, the waiting list in North Belfast is shown to be 73% Catholic and 27% Protestant, while under 'self-reported' the figures alter to 57% Catholic and 20% Protestant.

PPR have calculated through the use of a proxy indicator that the current religious composition of the North Belfast Housing Waiting List in relation to people in housing stress is 76% Catholic and 22% Protestant.

The NIHE's plans for a separate social housing waiting list for Belfast City Centre which were announced in 2011 are discussed in **Chapter 4**. The **priority given to engineering a shared living space** in the City Centre, over meeting the chronic housing need in the Catholic areas involved, is a stark indication of how the NIHE and Belfast City Council failed to act on their equality obligations. The plans will fail those impacted by religious inequalities in the surrounding areas. The establishment of a Belfast City Centre Waiting List which excludes the surrounding single-identity communities seeks to allocate housing in accordance with the religious profile of the waiting list of Belfast as a whole – in an approach which will fail to target the most chronic localised pockets of inequality.

The NIHE state that this would mean 53 offers to Catholic households, 21 to Protestant and a further 26 to those others or undisclosed. Out of the areas excluded, the one most affected by religious inequality impacting Catholics is Carlisle New Lodge, the location of the Seven Towers high rise flats, where, as the consultation document identified there are 174 people in housing stress.

The NIHE have cited the **"wider Good Relations agenda"**, the need to regenerate the City Centre and enabling the choice of living in the City Centre as reasons for this proposal. Despite the adverse

impact on Catholics, no Equality Impact Assessment was carried out on this proposal. Despite the equality obligations, this decision was endorsed unreservedly by a cross political party committee in the Belfast City Council and the NIHE Board.

The Belfast Harbour area discussed in **Chapter 5** represents a land windfall site (20 acres) which is currently destined to do little to address housing inequality in North Belfast.

This chapter **evidences how despite innovative proposals from local housing groups, a series of Department for Social Development (DSD) and Department for Regional Development (DRD) government ministers and statutory agencies such as the Belfast Harbour Commission have failed to capitalise on this unique opportunity to address housing inequality.**

The £250 million City Quays proposals contain provision for 120 units of which approximately only 40 will be social housing. Furthermore, no Equality Impact Assessment was carried out on the City Quays Concept Masterplan, despite an Environmental Impact Assessment being carried out.

In a similar theme to Chapter 3, **Chapter 6** assesses **how the NIHE approach to the use of data serves to obscure, rather than highlight, levels of inequality.** The Chapter considers the NIHE's Social Housing Development Programme (SHDP) Strategic Guidelines which calculate where and how many new social homes to build.

PPR are on record as consistently highlighting both the failure of the NIHE's Strategic Guidelines to tackle inequality and the removal of the policy of ring fencing housing units for areas experiencing inequality. Chapter 6 evidences how the use of the 'median' average waiting time and not the 'mean' average, excludes those waiting longest from calculations about where to build new social housing. The revised NIHE method also resulted in a 29% drop in North Belfast new build targets despite the housing crisis.

The Strategic Guidelines chart how the NIHE have moved away from their legal duty to promote equality instead taking a policy approach to be 'equitable'. Chapter 6 also highlights the NIHE's view that the high level of need in Catholic areas in North Belfast is down to people's own 'choice' to live there. This chapter also documents PPR's interventions on this issue at the Northern Ireland Assembly Social Development Committee.

Girdwood Barracks is the subject of **Chapter 7**. Girdwood, like the Belfast Harbour also represents a sizeable opportunity for North Belfast with 27 acres available and a planned investment of £231 million.

This chapter **evidences how tackling housing inequality has consistently been presented as requiring cross-community agreement, rather than being mandated by law.** Despite the identification by the NIHE that projected social housing need in North Belfast would be 95% Catholic by 2012, the Department for Social Development's North Belfast Community Action Unit's preferred option has been for 'shared housing'. The Final EQIA, states that promoting equality as required by law would be 'divisive'.

The chapter assesses the decision taken by previous Social Development Ministers Ms Margaret Ritchie MP and Mr Alex Attwood MLA, to build 200 homes on the site and describes how it was superseded by an announcement in May 2012 by North Belfast political representatives that Girdwood plans would proceed. It assesses the political reaction to North Belfast residents' demands for equality and accountability and closes with an analysis of the detail of the current plans to build sixty homes on the site announced in June 2013.

Chapter 8 documents previously unpublished evidence that **recent NIHE and DSD policy decisions look set to redefine housing need** and jeopardise the fundamental principle upon which the NIHE was established. PPR assesses the DSD's Fundamental Review into Housing Allocation and the NIHE's Housing Led Regeneration Pilot Scheme.

Equality Can't Wait builds towards the following
recommendations:

1. The Minister for Social Development, with the support from the NI Executive, must launch a resourced strategy for North Belfast outlining time-bound commitments with targets to eradicate religious inequality on the social housing waiting list. This resourced strategy must maximise the use of all current vacant land in North Belfast. This strategy must be fully transparent and developed with the active and meaningful participation of those impacted by religious inequality in housing.
2. The Minister for Social Development must review key policies affecting social housing residents across Northern Ireland to ensure they comply with the statutory obligation to promote equality and meet the greatest objective housing need. Reviews should be undertaken into the following:
 - a. the 'Strategic Guidelines on the Social Housing Development Programme'
 - b. the emerging 'Review of the Housing Allocations System'
 - c. and the 'Housing Led Regeneration Pilot'
3. The Belfast City Council Strategic Policy and Resources Committee and the NIHE Board must immediately call for a review of the Belfast City Centre Waiting List on the grounds that it fails to evidence how the plans will tackle religious inequality in housing in North Belfast.
4. The NI Assembly Social Development Committee must consider the evidence presented in this report and take concrete actions to hold the Minister for Social Development and the Northern Ireland Housing Executive accountable to their statutory obligations to address religious inequality.
5. The Equality Commission of Northern Ireland (ECNI) must explicitly recognise the documented and evidenced religious inequality in housing impacting Catholics in North Belfast in its updated version of the Key Statement of Inequalities (committed to in the ECNI Corporate Plan 2012-2015). To ensure equality outcomes, the ECNI must effectively influence the equality monitoring, screening and Equality Impact Assessment processes being conducted by public authorities with responsibility for housing.

Foreword from the
Seven Towers' Residents: *Past and Present*

Seven Towers' Residents, with the support of PPR, have been monitoring human rights abuses and campaigning for decent housing in North Belfast for years.

Our work, and the work of other residents, has continuously exposed the failure of the Northern Ireland Housing Executive and the Department for Social Development to provide decent homes for people who need them most.

We have heard the stories of hundreds of residents over the years. We are the human face of the facts and figures contained in this report.

Some of us have been on the housing waiting list for years and are still waiting.

Some of us have been forgotten and left behind in hostels.

Some of us live in high rise homes that are falling apart, plagued by damp and mould, poor heating and no play areas for our children.

Some of us have been rehoused elsewhere and face the same problems there.

All of us, and the thousands like us, on the waiting list or living in terrible conditions have been let down by a housing system that doesn't work for those in most need.

We have been told our problems are not serious. We have been told that there is nothing that can be done. We have been blamed for problems that we did not create. Our rights have been, and continue to be, denied.

We live with the reality of the failure to listen to the people most affected, the failure to fix the inequalities of our past, and the failure to live up to the promises of the Good Friday Agreement.

We hope that our work and this report will continue to shine a light on the untold stories of the thousands of people out there waiting for a place to call home.

We hope that the Northern Ireland Executive will now start to listen, take action, and finally build homes for all those who need them.

*Seven Towers Residents:
Past and Present*

Foreword from

Mr. Thomas Hammarberg,

former Council of Europe Commissioner for Human Rights (2006 – 2012)

The economic crisis has victimized the most vulnerable amongst us. This is unacceptable. Governments have an obligation to take concrete and measurable steps to protect and promote human rights also in times of crisis.

When serving as Commissioner for Human Rights for the Council of Europe I met with PPR and residents from North Belfast. I was privileged to be invited into their homes, to witness the living conditions they are forced to endure, and hear their reports about positive and constructive campaigning for equality and housing rights.

Following that visit I noted with disappointment and concern that no effective action appears to have been taken. Patterns of inequality have persisted. This despite recommendations by the United Nations Committee for Economic Social and Cultural Rights to the UK government to address religious inequality in housing.

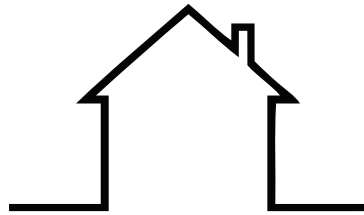
The publication of “Equality Can’t Wait” is therefore particularly relevant. It assesses successive failures by public authorities and government agencies to capitalise on opportunities, direct resources towards remedying housing rights abuses, and take steps to end housing inequality in North Belfast.

The Northern Ireland peace agreement was unique in how it created provisions which mainstreamed human rights and equality into the everyday operations of government. Promoting rights and equality was recognised as a bedrock for a sustainable peace process.

However, such provisions have to be translated into improved outcomes for the most vulnerable in our society, such as the residents I met in North Belfast. The people with responsibility for implementing and upholding human rights and equality have to be held accountable.

The “*Equality Can’t Wait*” report is important. Continuing to seek accountability for decisions made about how services are provided, where public money is spent, and how government is upholding the law or otherwise, is absolutely necessary to ensuring human rights are progressed. This research supports the essential work of the Seven Towers Residents’ Group and others in their campaign for the progressive realisation of the right to housing and I urge government to give serious consideration to its findings.

Thomas Hammarberg



Chapter 1: *Policy and Legal Provisions for Change*

The Northern Ireland **Housing Executive**

It is well documented that the socio-economic inequalities which permeated Northern Ireland society fuelled and compounded the era of civil disturbance which became known as ‘the Troubles’. Of these, religious discrimination and inequality in housing measured amongst the most prominent, with the official inquiry into the cause of the civil disorder which broke out in the 1960’s concluding that inadequate housing provision and unfair allocation contributed to *“a rising sense of continuing injustice and grievance”*.¹ The report also pointed to a *“misuse in certain areas of discretionary powers of allocation of houses in order to perpetuate Unionist control of the local authority.”*

It was against this backdrop, that the Northern Ireland Housing Executive was established some two years later in 1971. Designed to provide housing on the basis of ‘need’ with a points based allocation system, the popular expectation was that the new body would operate in such a fashion so as to put *“an end to allegations about sectarian discrimination in housing allocation.”*² The Housing Executive, which reports to the Department for Social Development was and remains charged with several core functions. Amongst these are; to regularly examine housing conditions and housing requirements; to draw up wide ranging programmes to meet these needs; to affect the closure, demolition and clearance of unfit houses; to affect the improvement of the condition of housing stock and; to encourage the provision of new houses.

The route into social housing in Northern Ireland is through application to the NIHE. Under the

Housing Selection Scheme an applicant is assessed and awarded points in accordance with the priority afforded her by the terms of the Housing Selection Scheme and based on housing need. Applicants are placed on the waiting list in order of points.³ An applicant with over 30 points is deemed to be in ‘*Housing Stress*’.

In this way, the NIHE are positioned to take decisions about where to build new social housing. This involves consideration of a number of factors including the numbers of applicants on the social housing waiting list in housing stress, and whether the existing housing stock can meet the projected need (either through re-lets or bringing existing void properties back into use).

The Equality **Duty**

Following 1998, a further direction was added to the Housing Executive’s role, and to that of all other designated public authorities operating within Northern Ireland. With the passing of the Northern Ireland Act (1998) the statutory duty to have due regard to the promotion of equality of opportunity amongst nine specified groups and to have regard to the desirability of promoting good relations in all its functions became an overriding legal obligation. This legal obligation became known as Section 75 or the equality duties.⁴

Section 75 of the NI Act (1998) was not an easy mechanism to establish⁵ as it represented the promotion of equality being mainstreamed through government decision making. It was, however, recognised as a key component of a meaningful and lasting peace in Northern Ireland, with former Secretary of State Mo Mowlam MP stating:

“Rights and equality issues were there at the beginning of the dispute we see today and I don’t believe that any lasting settlement can be achieved without those issues being addressed.”⁶

It was further recognised that successful implementation of Section 75, would require a considerable cultural change in public authorities if persisting patterns of inequality were to be addressed.

In full Section 75 states that;

(1) A public authority shall in carrying out its functions relating to Northern Ireland have due regard to the need to promote equality of opportunity

a) between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;

b) between men and women generally;

c) between persons with a disability and persons without; and

d) between persons with dependants and persons without.

(2) Without prejudice to its obligations under subsection (1), a public authority shall in carrying out its functions relating to Northern Ireland have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.⁷

The duties to have due regard to the promotion of equality of opportunity and to have regard to the desirability of promoting good relations, are specific in their target groups; the former specifying nine particular groupings and the latter three. The legal primacy of the first duty over the second is also clear in the language used with the emphasis of ‘due’ regard and the imposition in section 75(2) of the direction ‘without prejudice to its obligations under subsection (1)’. Both these considerations were deliberate and essential. As Mo Mowlam maintained in the Parliamentary Debate on the Northern Ireland Bill;

“...we regard equality of opportunity and good relations as complementary. There should be no conflict between the two objectives. Good relations cannot be based on inequality...”⁸

The practical translation of these legal duties was catered for with the requirement in Schedule 9 of the 1998 Act that designated public authorities in Northern Ireland, are to submit an Equality Scheme to the Equality Commission for Northern Ireland (ECNI) detailing how they plan to fulfil their duties, using tools such as Equality Impact Assessments (EQIAs). Detailed practical guidance was issued by the ECNI on how public authorities could fulfil their obligations using tools such as Equality Impact Assessments, which were designed to gauge the impact of government policies on the nine groups and ensure equality outcomes were achieved.

Objective Need

A further instruction was added to the manner in which public authorities operate in relation to the targeting of inequalities, housing related or other, with the reaffirming of the Northern Ireland Executive’s commitment to the targeting of objective need in the St Andrew’s Agreement in 2006.

This policy commitment was not new. It existed during the period of Direct Rule government, stretching as far back as the Targeting Social Need (TSN) policy from 1991. Targeting Social Need was initially launched as a public expenditure priority, primarily in response to research evidence showing significant differences in socio-economic profiles of the Catholic and Protestant communities adversely impacting on Catholics. Seven years later, in 1998 the government White Paper ‘Partnership for Equality’ set out proposals for a New TSN initiative “with its scope redefined and increased effectiveness and transparency.” The primary aim remained the same, with the purpose stated as;

“To target disadvantage by directing resources and efforts towards those individuals, groups and areas objectively defined as being in greatest need, irrespective of community background.”⁹

A commitment to targeting objective need has since had a place in successive NI Executive Programmes for Government.¹⁰

Post-1998 therefore, promoting equality and targeting need were not supposed to be measures subject to political bartering or quid-pro-quo politics anymore. They were intended to produce a ‘*culture change*’ which would form the new *modus operandi* of public policy in a post-conflict society.

International **Obligations**

It is significant to point out that any discussion of this nature must also be viewed through the prism of the obligations contained in International Covenants to which the United Kingdom is a signatory. Of particular relevance is the United Nations International Covenant on Economic, Social and Cultural Rights (ICESCR)¹¹ which places obligations on the government of the United Kingdom, and through it the Northern Ireland Executive and the Minister for Social Development in relation to the right to housing.

Article 11 of ICESCR outlines the obligations on the Northern Ireland Executive to recognise the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. To this end the Northern Ireland Executive must take appropriate steps to ensure the realisation of this right.

Article 2 of the ICESCR places an obligation on the Northern Ireland Executive and the Minister for Social Development to ensure that the government “*take steps to the maximum of its available resources*” to progressively realise the rights enunciated in the Covenant. With specific reference to this obligation, the United Nations Committee with responsibility for oversight of ICESCR has clarified that such steps must be “*deliberate, concrete and targeted*”¹² towards the realisation of rights.

Article 2 also provides that States Parties undertake to guarantee that the rights enunciated in the Covenant will be exercised without discrimination of any kind

as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

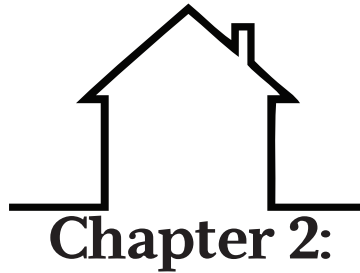
In a similar fashion to local legislative and policy provisions designed to tackle socio-economic inequalities and target objective need, the ICESCR has mandated that the Northern Ireland Executive must give due priority to those social groups living in unfavourable conditions by giving them particular consideration. Policies and legislation should correspondingly not be designed to benefit already advantaged social groups at the expense of others. Significantly, the Committee notes that the obligation to ensure the protection of the rights of vulnerable groups is relevant even in times of severe economic constraint or recession.¹³

This report evidences a series of instances where relevant government departments and other public bodies in Northern Ireland with policy commitments and legislative obligations, have failed to uphold these duties. Public authorities have failed to be guarantors of these fundamental provisions of our peace process. Whilst the actions and policies of the NIHE features heavily, the involvement of many other public bodies including the Department for Social Development, the Equality Commission, Belfast City Council and the Department for Regional Development are also examined.

The report also looks at the role played by political representatives, both at constituency level, and on the decision making structures within Belfast City Council, the Housing Executive and the NI Assembly. The evidence presented here demonstrates how the collective failure to act in accordance with the equality obligations, have perpetuated housing inequality in North Belfast.

Endnotes for Chapter 1

1. Cameron, Lord (1969). Disturbances in Northern Ireland: Report of the Commission appointed by the Governor of Northern Ireland. Belfast: Her Majesty's Stationery Office
 2. Singleton, D. (1985) Housing Allocation Policy and Practice in Northern Ireland, in, Singleton, D. (Ed.) (1986) Aspects of Housing Policy and Practice in Northern Ireland 1984-1986. Belfast: Department of Town and Country Planning, QUB.
 3. Rule 15 of the NIHE Scheme
 4. It has been argued that Section 75 has constitutional effect - In *Robinson v Secretary of State for Northern Ireland & others* [2002] UKHL 32, Lord Hoffmann discussed the effect of the Agreement in relation to the Northern Ireland Act 1998, and stated that: "The 1998 Act is a constitution for Northern Ireland, framed to create a continuing form of government against the background of the history of the territory and the principles agreed in Belfast."
 5. For further see McCrudden, C. (1999) "Mainstreaming Equality in the Governance of Northern Ireland" *Fordham International Law Journal*. Vol 22 No 4
 6. As cited in Coates, C. Et al (2000) *New Labour in Power* p.103
 7. Section 75 of the Northern Ireland Act 1998. Schedule 9 of this act sets out the provisions for the enforcement of the duties and gives details of designated public authorities.
 8. Parliamentary Debates, House of Commons, 27 July 1998, col. 109
 9. HMSO (1998) *Partnership for Equality White Paper*, CM 3890, 1998: 28.
 10. For example the 2008-2011 Programme for Government lists as one commitment as one of the two cross-cutting themes of Building a Better Future by stating; *"This is the challenge for all of us today — to develop new and innovative measures that will address existing patterns of socio-economic disadvantage and target resources and efforts towards those in greatest objective need."*
- The current consultation document for the 2011-2015 Programme for Government also repeats this commitment by stating that in terms of the approach by the Executive;
- "The primary objective of these efforts remains the effective targeting of resources towards those in greatest objective need."*
11. The International Covenant on Economic, Social and Cultural Rights ("ICESCR"), adopted and opened for signature, ratification, and accession by General Assembly resolution 2200A (XXI) of 16 December 1966, was signed by the United Kingdom on 16th September 1968 and ratified on 20th May 1976
 12. UNCTESCR, General Comment 3, 'The Nature of the States Parties Obligations (Art.2, para.1)' (Fifth session, 1990)
 13. UNCTESCR, General Comment 3, 'The Nature of the States Parties Obligations (Art.2, para.1)' (Fifth session, 1990) paragraph 12



Chapter 2: *Tackling Religious Inequality:* **The North Belfast Housing Strategy**

In 2000, the Northern Ireland Housing Executive launched a seven year £133 million plan to tackle housing inequality in North Belfast. It was, as Sid McDowell, NIHE Chairman at the time said, “...a blueprint for tackling housing need in North Belfast”¹. The Executive’s approach to doing so, he said, would be “aggressive”².

The plan was dual pronged; to meet housing need by building 1,750 new homes, acquiring land and homes from the open market and bringing long term vacant stock back into use, and secondly to improve housing conditions; through urban renewal programmes and major programmes of work to target unfitness.

The religious inequalities in terms of housing need were clear from the outset as the core issue to be tackled. The NIHE were sensitive to public criticisms of inactivity in terms of addressing religious inequality, with Mr McDowell stating in the opening preface to the strategy;

“We realise that some may rush to accuse the Housing Executive of failing to tackle the core problem. They may seek to present this as a sign of a lack of commitment to addressing the housing needs of the people of North Belfast. This is simply not the case. As the strategic housing authority it is our duty to put forward realistic solutions. Put at its simplest there is no value in having a Strategy that cannot be delivered.”³

The efforts of the Housing Executive to tackle the problem were applauded four years later by the House of Commons Northern Ireland Affairs Committee’s report into Social Housing in Northern Ireland. The forty four page report, which covers

issues such as social housing supply and demand, planning models for meeting housing need, the new build programme and quality of housing, dedicates only one paragraph to housing inequality and suggests that it is mostly a North Belfast issue. The report states;

“It was suggested to us that there were distinct housing needs in different communities. The University of Ulster told us that “Catholic housing need” manifests itself “in housing shortage in particular locations”; while “Protestant housing need...takes the form of need for house and area rehabilitation and modernisation.” This could be dismissed as a gross generalisation, and the University recognised that to categorise all housing in this way would be wrong. However, there is a recognition that, particularly in North Belfast, there is intense pressure for more housing on the Catholic side; while on the Protestant side there are vacant properties and “the need is for improvement to the condition of the housing stock”. We saw some evidence of this during our visits to Belfast, and we applaud the efforts of NIHE and others to tackle the issue through the North Belfast Housing Strategy.”⁴

During this time, evidence on how the NIHE was tackling housing inequality emerged which disputed the success of the Strategy. Two separate reports were published which examined housing inequality in North Belfast and evaluated the efforts of the NIHE to address it.

Warnings Ignored

In 2005 and 2006 two reports were published which identified the persisting patterns of religious inequality across Northern Ireland, and in North Belfast in particular: the Committee on the Administration of Justice (CAJ)'s 2006 *'Rhetoric and Reality'* report, and social researcher Eóin Rooney's investigation into the North Belfast Waiting List, *'Waiting For Equality'* of the previous year.

'Waiting For Equality' called for a "new approach to North Belfast...one which is solely concerned with housing need and is not influenced or determined by sectarian political sensitivities"⁵

Rooney concluded that;

*"...it has become abundantly clear that the Strategy is failing to address the waiting list and the community differential."*⁶

Data from the NIHE's 3rd Annual North Belfast Housing Strategy Progress Report as shown in **Table 2.1**, is included within Rooney's analysis which clearly identifies the failure to address increasing Catholic housing need.

Rooney pointed to a 10% overall increase in the total number of people on the waiting list and a rise in 8% of those in housing stress. Significantly the data showed an increasing trend in Catholic representation of the total numbers in housing stress with the proportion of Catholics rising from 81% to 83%.⁷

The report provided strong evidence that the North Belfast Housing Strategy had been far from a success. CAJ's *Rhetoric and Reality* examined the religious inequality evident in, amongst other issues, the

waiting times experienced by both the Catholic and Protestant communities on the social housing waiting list. With specific regards to North Belfast, the report noted that despite Catholics making up 74% of those on the waiting list there, they represented only 36% of those awarded accommodation. For Protestants, the reverse pattern was noted, i.e. in the same time period, despite representing 26% of those on the waiting list, Protestants represented 64% of those awarded accommodation.⁸

CAJ's report called for concerted action by the NIHE and the DSD to tackle religious inequality in housing by publishing all existing data, establishing targets and a program of action as well as examining how EQIAs can address community differentials.⁹

None of the recommendations identified in either of these reports have been actioned.

The Equality Commission's Statement of Key Inequalities

The warnings contained in both reports that the North Belfast Housing Strategy was failing Catholics in North Belfast went unheeded. Both reports were publicly launched, attracted media attention, and in the case of the *Rhetoric and the Reality*, were followed up with a series of meetings with government departments and statutory bodies, including with the Equality Commission. In 2007 the ECNI published a document entitled *"Statement on Key Inequalities in Northern Ireland"*¹⁰ which purported to;

*"...convey a fuller extent of what equality means and to identify those areas where so many people encounter real inequality in their daily lives."*¹¹

TABLE 2.1
Table showing NIHE Housing Stress figures in North Belfast between 2000-2004

| | March 2000 | September 2001 | March 2002 | March 2003 | March 2004 |
|--------------------------------------|------------|----------------|------------|------------|------------|
| Catholics in Housing Stress | 716 | 754 | 761 | 797 | 793 |
| Protestants in Housing Stress | 164 | 182 | 181 | 171 | 158 |
| Total Housing Stress | 880 | 936 | 942 | 968 | 951 |
| Total Waiting List | 1640 | 1698 | 1748 | 1783 | 1802 |

Despite the growing evidence base and analysis on religious inequality in housing provided by these reports, the issue was not captured by the Equality Commission. In the year that the ECNI's *Key Statement on Inequalities* was published, NIHE figures showed that 74% of those in housing stress in North Belfast were Catholic and 26% Protestant.¹² In spite of this, no mention is made of religious inequality in housing anywhere in the 42 page document.

Instead the chapter dedicated to discussing issues relating to *'Inequalities in Housing and Communities'* limits its analysis in terms of religion to issues connected with segregation in housing, pointing out that research showed that;

*"...the aspirations of the general population for a move back to less segregated living are revealed by the NILT [Northern Ireland Life and Times] survey which indicated that 79% of those surveyed "would prefer to live in a mixed-religion neighbourhood"*¹³

The picture painted by the Equality Commission in this document bore little resemblance to the persisting and well documented religious inequality facing Catholics in North Belfast. Two years later in 2009 a more detailed report was published by the ECNI, this time specific to the issue of equality in housing.¹⁴ The chapter on *"Community Background in Housing"* in the 72 page report does acknowledge that there is *"a differential between Protestants and Roman Catholics in housing allocations at a regional and local level [and] in waiting times for housing"*.¹⁵

However, again, the bulk of the chapter and of the research referred to discusses the issue of segregation in housing.

The Outcome of the North Belfast Housing Strategy

The NIHE annual report on the Strategy in 2007 evidenced this failure to tackle religious inequality in housing need in North Belfast. The NIHE Housing Stress figures presented in the report which are reproduced in **Table 2.2** show that Catholics continued to disproportionately make up the majority of those in housing stress.¹⁶

The failure of the North Belfast Housing Strategy to tackle the housing inequality adversely impacting on Catholics in North Belfast is evidenced. This is the context within which PPR began to work in early 2007 with residents of the Seven Towers - a high rise social housing development in New Lodge, North Belfast. In June 2007, PPR and the Seven Towers Residents Group held an 'Evidence Hearing on the Right to Housing' in North Belfast, during which the residents publicly launched their campaign for their right to adequate housing to be realised in accordance with human rights law, and with the support of a range of international and domestic human rights experts.

This work has attracted international attention and acclaim, with Mary Robinson, former President of Ireland and former UN High Commissioner for Human Rights describing it as 'groundbreaking' and the UN Committee on Economic, Social and Cultural Rights expressing concern in 2009 about the chronic shortage of social housing for among others, Catholic families in North Belfast.¹⁷

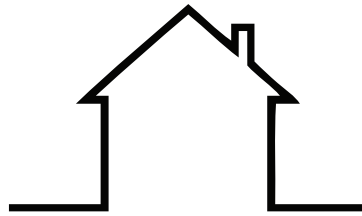
The following chapters identify the lost opportunities that have presented in the course of this work to address housing inequality in North Belfast.

TABLE 2.2
Table showing NIHE Housing Stress figures for North Belfast between 2000-2007

| | Mar-00 | Mar-01 | Mar-02 | Mar-03 | Mar-04 | Mar-05 | Mar-06 | Mar-07 |
|--|--------|--------|--------|--------|--------|--------|--------|--------|
| Numbers Housing Stress Protestant | 164 | 172 | 181 | 179 | 184 | 191 | 276 | 358 |
| Numbers Housing Stress Catholic | 716 | 764 | 761 | 789 | 767 | 900 | 936 | 1001 |
| Numbers Housing Stress Total | 880 | 936 | 942 | 968 | 951 | 1091 | 1212 | 1359 |

Endnotes for Chapter 2

1. NIHE (2000) 'Tackling Social Need', The North Belfast Housing Strategy, p.3
2. Ibid.
3. Ibid.
4. House of Commons Northern Ireland Affairs Committee, (2004), "Social Housing in Northern Ireland" Sixth Report of 2003-04 Session, Volume 1, HC 493-1, para 21
5. Rooney, Eóin (2005) Waiting for Equality: the North Belfast Waiting List – an Analysis of the Housing Executive's Strategy, Belfast: St. Patrick's and St. Joseph's Housing Committee; p.4
6. Ibid., p.3
7. Ibid., p.3
8. CAJ (2006) Equality in Northern Ireland: the rhetoric and the reality, p.82
9. Ibid., p.170-171
10. ECNI (2007) Statement on Key Inequalities in Northern Ireland. ECNI: Belfast.
11. Ibid., p.iii
12. According to the NIHE North Belfast Strategy Progress Report (Year 6) dated 30th May 2007, of the total 1359 in housing stress in north Belfast, 1001 (74%) were Catholic and 358 (26%) Protestant.
13. ECNI (2007) Statement on Key Inequalities in Northern Ireland. ECNI: Belfast p.21-22. Reference to NILT survey is cited as ARK (2006) Northern Ireland Life and Times Survey 2006
14. ECNI (2009) Equality Issues in Housing (Research Report) – A Review by the Equality Commission's Knowledge Management and evaluation Team.
15. Ibid., p.33
16. Figures presented in the NIHE's 2007 Annual Report on the North Belfast Housing Strategy (quoted in Figure 2.2) regarding numbers of Catholics and Protestants in Housing Stress in both March 2003 and March 2004 differ from those presented for the same period in the NIHE's 2004 Annual Report (quoted in Figure 2.2). Total numbers in Housing Stress for both periods match in each report. No explanation is given for the discrepancy and the trend of Catholics in Housing Stress exceeding Protestants in Housing Stress is not altered.
17. E/C.12/GBR/CO/5 Concluding Observations of the Committee on Economic, Social and Cultural Rights, United Kingdom of Great Britain and Northern Ireland, the Crown Dependencies and the Overseas Dependent Territories, paragraph 29



Chapter 3: *Measuring Religious Inequality:* **The North Belfast Housing Strategy**

While the NIHE's North Belfast Housing Strategy, which commenced in 2000, was publicly billed as a seven year £133 million initiative, PPR uncovered information in 2012 that the NIHE continued to fund and report internally on the progress of the Strategy up to five years later. PPR found that Progress Reports were presented to the NIHE Board on the strategy as recently as 2011 and on two occasions in 2011 the NIHE detailed the progress the strategy had made in terms of creating social housing to both the Northern Ireland Housing Council ¹ and the Northern Ireland Assembly. The latter stated:

“The North Belfast Strategy is now entering its tenth year of operation. Almost 2,200 new homes have been constructed, not only to address the housing shortage, but also to improve the quality of housing through redevelopment and renewal. Over the last three years, the waiting list for housing stress has been reducing, and in particular the number of families registered on the list has reduced significantly. There does, however, continue to be ongoing need.” ²

On both these occasions only a brief reference is made to the continued housing need and none is made to the religious inequality. Significantly, the NIHE Progress Reports themselves cease to present information about the religious composition of the North Belfast social housing waiting list from 2010 onwards, despite the tackling of religious inequality being a clear goal of the strategy.

In 2012 PPR requested data from the NIHE in relation to the religious composition of the social housing waiting list in North Belfast. The data indicated a significant drop in the numbers of Catholics experiencing housing stress (the NIHE define

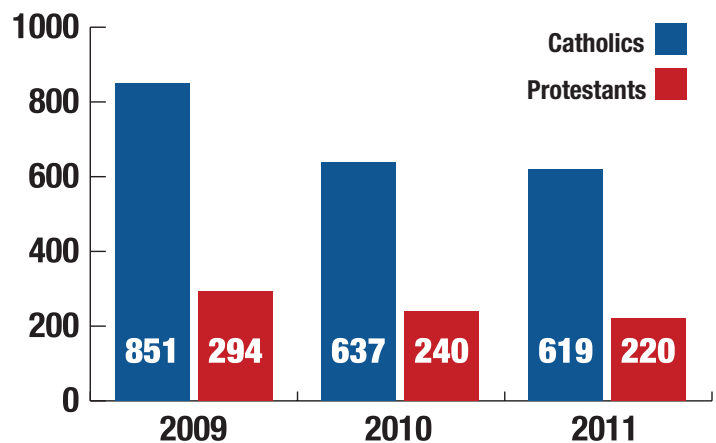


Figure 3.A: Graph showing the apparent significant drop in numbers of Catholics in housing stress in North Belfast according to NIHE figures between 2009 and 2011.

applicants in housing stress as those with 30+ points) in comparison with previous figures. Specifically, they showed that between 2009 – 2010 there had been a fall of approximately 200 in the number of Catholics, from 851 in 2009 to 637 in 2010. The reduction was maintained into 2011 when 619 Catholics were listed as in housing stress in North Belfast as **Figure 3.A** highlights.

Changes made to how **religious background is reported**

PPR then uncovered evidence which highlights inconsistencies with the NIHE approach to monitoring the religious background of people on the waiting list.

In 2010 PPR received figures from the NIHE through a Freedom of Information request which showed housing stress between 2003-2009 with **four** categories; Catholic, Protestant, Other and Unknown/Undisclosed.

In February 2012, PPR uncovered figures relating to housing stress in North Belfast for the 2000-2002

TABLE 3.1

Table showing NIHE Housing Stress figures for North Belfast by religious background (self reported figures)⁵

| | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 |
|---------------------|------------------------------|------|------|------|------|------|------|------|------|------|------|------|
| Catholic | UNABLE TO PROVIDE | | | 689 | 681 | 803 | 831 | 885 | 879 | 851 | 637 | 619 |
| Other | | | | 34 | 27 | 33 | 46 | 58 | 75 | 80 | 73 | 119 |
| Protestant | | | | 166 | 164 | 170 | 253 | 316 | 319 | 294 | 240 | 220 |
| Undisclosed/Unknown | | | | 79 | 79 | 85 | 82 | 100 | 201 | 258 | 472 | 377 |
| Total | | | | 968 | 951 | 1091 | 1212 | 1359 | 1474 | 1483 | 1422 | 1335 |

period in a copy of the 3rd North Belfast Housing Strategy Progress Reports. The data contained the breakdown of housing stress by only **two** categories; Catholic and Protestant.

Separately, through the media, PPR obtained NIHE figures relating to housing stress in 2011 which were broken down into four categories: Catholic, Protestant, Other and Unknown/Undisclosed.

In total, PPR had three sets of NIHE data relating to three time periods between 2000 – 2011 which, owing to differing categories captured, did not correlate.

For the purposes of accuracy, PPR then requested through the Freedom of Information Act that the NIHE provide housing stress figures for North Belfast across the entire period 2000-2011 broken down by the four categories of Catholic, Protestant, Other and Unknown/Undisclosed.

In response to this request, the NIHE stated in March 2012 that they:

*“had set up monitoring systems and were recording information from 2003 onwards”*³

They continued:

*“[We] could not therefore provide information for the period between 2000-2002.”*⁴

According to the NIHE, the waiting list data from 2003-2011, which was broken down into the four categories, was based on ‘self-reporting’ by the individual when the application for social housing was made i.e. the applicant identifies their own religious background.

PPR also requested copies of *all* of the annual North Belfast Strategy Progress Reports, the contents of which raised further concerns.

Between 2003-2009 the Progress Reports detail the total housing stress in North Belfast broken down by Catholic and Protestant only. The housing stress figures contained in the Progress Reports to the NIHE Board are based on ‘perceived’ religious community background either Catholic or Protestant, and as such no information is included on the categories of ‘other’ or ‘unknown/undisclosed’.

TABLE 3.2

Table showing NIHE Housing Stress figures for North Belfast by religious background (*perceived figures*)⁶

| | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 |
|-------------------|------|------|------|------|------|------|------|------|------|------|--|------|
| Catholic | 716 | 764 | 761 | 789 | 767 | 900 | 936 | 1001 | 1053 | 1081 | NO RELIGIOUS BACKGROUND GIVEN | |
| Protestant | 164 | 172 | 181 | 179 | 184 | 191 | 276 | 358 | 421 | 403 | | |
| Total | 880 | 936 | 942 | 968 | 951 | 1091 | 1212 | 1359 | 1474 | 1484 | 1422 | 1335 |

TABLE 3.3

Table comparing NIHE figures of Catholic (C) and Protestant (P) applicants in housing stress in North Belfast between 2003 and 2009.

| | 2003 | | 2004 | | 2005 | | 2006 | | 2007 | | 2008 | | 2009 | |
|--|------|-----|------|------|------|------|------|-----|------|------|------|-----|------|------|
| | C | P | C | P | C | P | C | P | C | P | C | P | C | P |
| Perceived Religious Community Background | 789 | 179 | 767 | 184 | 900 | 191 | 936 | 276 | 1001 | 358 | 1053 | 421 | 1081 | 403 |
| Self Reported Religious Community Background | 689 | 166 | 681 | 164 | 803 | 170 | 831 | 253 | 885 | 316 | 879 | 319 | 851 | 294 |
| Reduction of | 100 | 13 | 86 | 20 | 97 | 21 | 105 | 23 | 116 | 42 | 174 | 102 | 230 | 109 |
| % reduction of | 12.7 | 7.3 | 11.2 | 10.9 | 13.0 | 11.0 | 11.2 | 8.3 | 11.6 | 11.7 | 16.5 | 3.9 | 21.3 | 27.0 |

Tables 3.1 and **3.2** show that ‘self reported’ figures and ‘perceived’ figures are available for the period 2003-2009. Closer examination of these figures (**in Table 3.3**) indicates *matching* total numbers in housing stress but *differing* levels of housing stress in the Catholic and Protestant communities, despite both having been compiled by the NIHE.

Why are the self-reporting and perceived methods of reporting so significant?

While people have a right to self-identify themselves as a particular religion (or none), it is important to consider the purpose for which this data is collected. As the ECNI state, in their 2007 publication ‘*Section 75 of the Northern Ireland Act 1998, Monitoring Guidance for Use by Public Authorities*’

“Monitoring is more than data collection, it is also about analysing information that is relevant to, and necessary for, promoting equality of opportunity.”⁷

The collection of data relating to religious group of those on the housing waiting list, is done in order to identify inequalities that may exist between groups. There is a recognised and longstanding inequality in housing provision which disproportionately impacts the Catholic community in North Belfast, which was borne out by the statistics collected by the NIHE between 2003 and 2009. While fewer people may as a whole self-identify as one religion or another, the fact that they are members of a community that has historically suffered disadvantage remains, and continues to impact on the opportunities and outcomes they experience. For that disadvantage to be addressed, it is necessary to go further to identify community background, as indeed the NIHE did until 2009.

In Northern Ireland there has been until recently a similar longstanding inequality in employment which also existed throughout the conflict and also disadvantaged Catholics. When applying for a job in Northern Ireland legislation now requires potential employees to state in writing whether they belong to the Catholic community, Protestant community or neither (self-reporting). However, when an applicant fails to ‘self report’, employers use a ‘residuary method’. The residuary method is based on the fact that there are a number of pieces of information about an individual which, if known, can give a reasonable indication of community background.⁸ Postcodes are one piece of information that can be considered, due to the degree of residential segregation that exists between Catholics and Protestants in social housing, particularly in North Belfast.⁹ Use of residuary methods or ‘proxy’ indicators in this way, does not classify individuals who have opted not to be seen as Catholic or Protestant, but serve to indicate the treatment of a group of persons.

Where a historical inequality persists therefore, the NIHE’s reasons for ceasing to monitor it as stringently as before must be examined.

How the method of reporting alters the levels of housing stress

Whilst the general trend of Catholic housing stress exceeding Protestant housing stress is not altered by the difference in the statistics, there is quite a significant percentage drop in the numbers of both communities who are in housing stress from the self-reported figures - as **Table 3.3** evidences.

Generally, the annual reduction averages around an 11% drop in Catholic representation and 7% drop for Protestants.

In 2009 however, the self reported method shows that over 20% of Catholics in housing stress disappeared from the figures. Similarly, one quarter of Protestants in housing stress also disappeared. In real terms, the change meant that over 230 fewer Catholic applicants and over 100 fewer Protestant applicants appeared on the list of those in housing stress in North Belfast. The same year, there was also a significant increase in the number of applicants whose religion was classified as 'Unknown/Undisclosed'. The self reported figures in the previous table show a jump in the numbers whose religion is unknown or undisclosed from 258 in 2009 to 472 in 2010, an increase of 55%.

PPR asked the NIHE how the sudden increase in applicants whose religious background is reported as 'Unknown/Undisclosed' could be explained. In an email to PPR, the NIHE stated that they were 'undecided' as to the cause of this.¹⁰

From 2010 onwards, the only available figures for those in housing stress broken down by religious background in North Belfast are figures which have been 'self reported'. It is unclear if the NIHE still collect information relating to the perceived religious background of social housing waiting list applicants in North Belfast or not, since figures relating to religious inequality are no longer published in the annual North Belfast Housing Strategy Progress Reports.

What is clear, however, is that the monitoring of the perceived religious background of applicants consistently showed a significant and persistent religious inequality for the Catholic community; whilst monitoring which relies solely on self reported religious background suggests at first glance, that the differential, and thus the inequality, is less significant as **Tables 3.4** and **3.5** demonstrate.

TABLE 3.4
Table showing NIHE Housing stress figures for North Belfast in 2009 by 'perceived' religious background

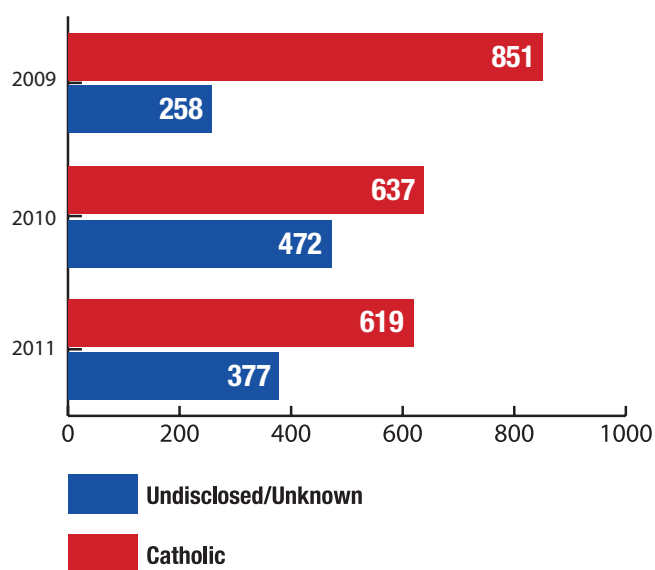
| | Applicants in Housing Stress (HS) 2009 | % share of the total |
|------------------------|---|-----------------------------|
| 'Perceived' Catholic | 1081 | 73% |
| 'Perceived' Protestant | 403 | 27% |
| Total | 1484 | |

TABLE 3.5
Table showing NIHE Housing stress figures for North Belfast in 2009 by 'self-reported' religious background

| | Applicants in Housing Stress (HS) 2009 | % share of the total |
|----------------------------|---|-----------------------------|
| 'Self reported' Catholic | 851 | 57% |
| 'Self reported' Protestant | 294 | 20% |
| Total | 1483 | |

On closer examination it is also clear from the 'self reported' figures that the increase in the 'Unknown/Undisclosed' applicants corresponds roughly with the fall in applicants reporting their background as Catholic between 2009-2010 as **Figure 3.B** shows.

FIGURE 3.B: Graph showing Catholics and 'Unknowns /Undiscloseds' in housing stress in North Belfast in 2009



Looking for answers

PPR submitted a Freedom of Information request to both the NIHE and the Department for Social Development in August 2012 to seek further clarity on the issues discussed in this section. The Department for Social Development's response stated that they did not hold any information relating to the request.

The NIHE stated that with regard to their policy on monitoring the religious background of social housing applicants that:

“self classification has always been a core element of the policy. This has never changed.”¹¹

This position was further emphasised in the response to PPR’s request for all written information relevant to when the decision to change religious monitoring methods was taken, why, and by whom. The NIHE’s response was that:

“there is no written information relating to this change because there was no significant change”.¹²

The response does however state that;

“...some localised approaches can often be used to analyse local strategies or issues, I must confirm that these do not reflect our formal policy on monitoring.”¹³

The response continues;

“In North Belfast, due to the annual monitoring of the North Belfast Strategy, it has been practice for the Belfast Area Office to compile waiting list figures which detail applicants who apply for areas perceived to have a Roman Catholic or Protestant community background. I must reiterate that this practice is a localised approach and not the formal policy.”¹⁴

Filling

in the gaps –

Charting the religious breakdown of social housing applicants in North Belfast

Due to the NIHE ceasing to use the perception measure to monitor religious breakdown of those in housing stress in North Belfast, PPR have attempted to draw up an estimate of the current religious breakdown of the North Belfast social housing waiting list by using a proxy indicator based on perceived religious background of the area the applicant lives.

Use of a proxy indicator based on the area the applicant lives, or the postcode proxy as it sometimes referred to, is legitimate practice employed by public authorities.¹⁵ It should be noted too that a similar approach is used in the monitoring of workforce community background. In this case employers are required to determine the community background of their employees via the ‘Direct Question’, requiring an individual to state in writing whether they belong to the ‘Protestant’ or ‘Roman Catholic’ community or neither.

As stated previously, when the individual fails to ‘self report’, their religious/community background is assessed using a ‘residuary method’, which is based on there being a number of pieces of information about an individual, which if known, can give a reasonable indication of community background.

Presenting an estimate of perceived religious background of social housing applicants in housing stress in North Belfast, without the personal postcode of each applicant is a complicated task. North Belfast is currently divided into over 30 geographical areas by the NIHE, which are known as Common Landlord Areas (CLAs). The NIHE is the only public authority to use this geographical unit. The vast majority of other government statistics are measured using units such as administrative area or electoral ward.

The closest unit of comparable size is the Super Output Area (SOA). As such, as PPR have previously communicated to the NIHE, externally determining the religious background of each of these areas is not straightforward.

PPR first mapped out in which of the more widely used government geographical units (Super Output Areas/SOAs) each CLA would fall. In some cases the CLAs were a mixture of one or more SOA. From this, a deduction on the religious demographic was based on NINIS (Northern Ireland Neighbourhood Information Services) 2001 Census statistics on Community Background broken down by Super Output Area. In cases where the SOA(s) revealed 90% + representation of a religious background that background was noted as predominant.

In all other cases a percentage breakdown of religious demographic was worked out based on the breakdown given by NINIS for this SOA. In cases where more than one SOA is listed for the NIHE CLA, an average is taken of representation of each background in each SOA and the result was noted as the breakdown for the CLA.

To determine the estimated perceived number of social housing applicants in housing stress in each CLA, PPR calculated the number of Catholics and Protestants using the % breakdown in each CLA and the total numbers in housing stress in each CLA. So if a CLA had an 80% Catholic population, a 17% Protestant population and 3% who were other and 100 people in housing stress then PPR have estimated that 80 of those 100 are Catholic, 17 Protestant and 3% other. Where the predominant religion of the CLA

is Protestant, all those in housing stress are estimated to be Protestant etc. The religious breakdown for North Belfast was then calculated by combining the individual CLA results.

Based on PPR’s estimations Catholics in housing stress in North Belfast represent 76% of all those in housing stress;

TABLE 3.6

Table showing PPR estimation of ‘perceived’ religious background of those in housing stress in North Belfast in 2011 (total figure may contain slight inaccuracies because of rounding)

| PPR Estimated Perceived Religious Background | Housing Stress March 2011 | % of those in Housing Stress in March 2011 |
|--|---------------------------|--|
| Catholics in Housing Stress | 1013 | 76% |
| Protestants in Housing Stress | 293 | 22% |
| ‘Other’ in Housing Stress | 26 | 2% |
| Total in Housing Stress | 1332 | |

NIHE figures which contain self reported religious background present a different analysis, presenting Catholics as representing 46% of total housing stress.

TABLE 3.7

Table showing NIHE ‘self reported’ religious background of those in housing stress in North Belfast in 2011

| NIHE Self Reported Religious Background | Housing Stress March 2011 | % of those in Housing Stress in March 2011 |
|--|---------------------------|--|
| Catholics in Housing Stress | 619 | 46% |
| Protestants in Housing Stress | 220 | 17% |
| ‘Other’ in Housing Stress | 119 | 9% |
| ‘Unknown’/‘Undisclosed’ in Housing Stress | 377 | 28% |
| Total in Housing Stress | 1335 | |

Figures 3C and 3D show the religious breakdown of Social Housing Applicants in Housing Stress in 2011. They contrast the NIHE’s self reported data with PPR’s estimation based on the perceived religious background of applicants.

FIGURE 3C: Chart showing NIHE data relating to numbers in housing stress in North Belfast by ‘self reported religious background

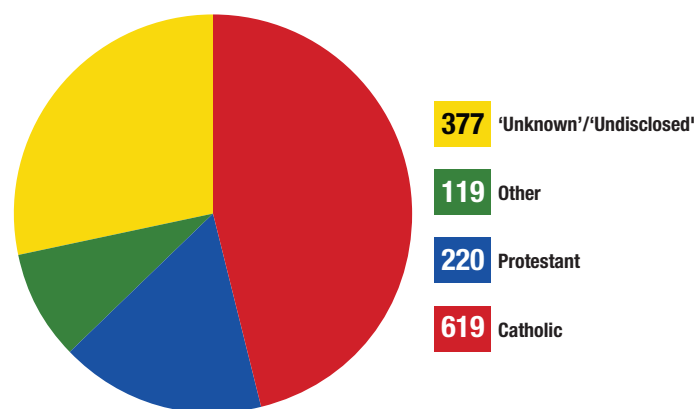
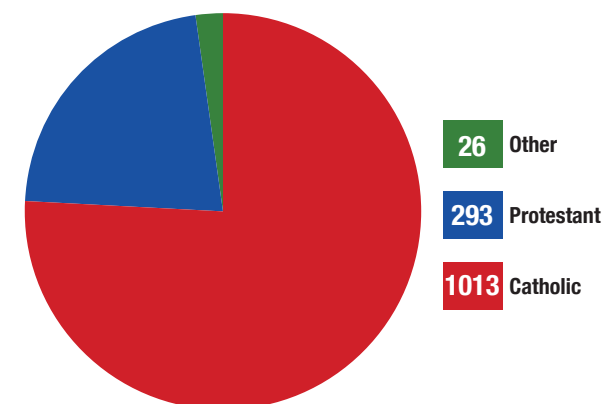


FIGURE 3D: Chart showing PPR’s estimation of numbers in housing stress in North Belfast by ‘perceived’ religious background



Crucially by comparing this estimation of perceived religious background with the self reported religious background figures now used by the NIHE, as shown in **Table 3.8**, there is a significant reduction in the level of housing stress in each community – with Catholic housing stress down 39% and Protestant housing stress down 25%.

Questions Raised

The response of the NIHE raises questions as to why, if the current monitoring system based on self-reporting has been in place since 2003, was a separate monitoring system based on perceived community background used to report on the North Belfast Housing Strategy? What is the justification for this monitoring system being used in North Belfast, and then ceasing in 2010? What are the reasons that lie behind the significant increase in the numbers of unknowns on the waiting list in 2009 onwards?

The fact that different sets of figures have existed in relation to the waiting list in North Belfast is a source of confusion. This was highlighted by Newton Emerson on 11th August 2012 in his *Irish News* column¹⁶, and subsequently quoted by the Minister for Social Development Nelson McCausland MLA in his personal blog on 20th August.¹⁷

Mr. Emerson’s column cited PPR as the source of confusion around the numbers of Catholics and Protestants on the waiting list in North Belfast, and stated that the waiting list figures were:

*“970 Catholics, 295 Protestants, 283 of other religions and 779 religion undisclosed”*¹⁸

PPR’s figures in this Chapter relate to those in Housing Stress (30 points or over) and these are the figures for all waiting list applicants for the year 2011. However,

the reporting of these figures, broken down into four categories and clearly reached using the self-reporting methodology, serve to further highlight the confusion which two sets of figures relating to housing inequality can cause.

Both Newton Emerson’s column and Minister McCausland’s blog named PPR as the source of erroneous figures stating:

*“The Participation and the Practice of Rights (PPR) project, a group established by veteran trade unionist Inez McCormack, has launched yet another campaign claiming the entire 2,400 north Belfast housing waiting list is “95 per cent Catholic”*¹⁹

However, in our publication ‘Background Briefing on Housing Inequality in North Belfast’ PPR had in fact stated:

*“In 2008 the Northern Ireland Housing Executive projected that by 2012, 95% of the need for new build social housing in north Belfast would be required to address need in the Catholic community.”*²⁰

The above does not say that the waiting list is 95% Catholic. Instead it reports a figure reached from an assessment of projected need by analysing figures from the waiting list against levels of housing stock available to meet need. Rather than PPR being “the principle (sic) source of this divisive and now widely quoted claim”, the statement that 95% of new build social housing in North Belfast is needed by the Catholic community comes from the NIHE themselves. It first appeared in a DSD publication, the 2008 Draft EQIA on the Regeneration of Girdwood Barracks and Crumlin Road Gaol.²¹

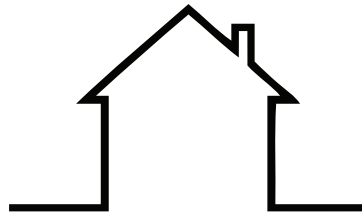
TABLE 3.8

Table comparing PPR’s estimation of the ‘perceived’ religious background with the NIHE ‘self reported’ religious background of those in housing stress in North Belfast in 2011

| | Catholic | Protestant |
|---|------------|------------|
| PPR estimated perceived religious community background of those in housing stress in March 2011 | 1013 | 293 |
| NIHE figures detailing self reported community background of those in housing stress in March 2011 | 619 | 220 |
| Reduction of | 394 | 73 |
| % reduction of | 39% | 25% |

Endnotes for Chapter 3

1. NIHE (2011) Executive Briefing to the Northern Ireland Housing Council, presented as a summary of the Northern Ireland Housing Executive Board meeting on 27th July 2011 <http://www.nihousingcouncil.org/CMSPages/GetFile.aspx?guid=0269098f-bad2-4472-86ce-2dcc3f6c3382> (last accessed on 23rd April 2013)
2. NIHE (2011) 40th Annual Report to the Northern Ireland Assembly p.29
3. NIHE response to PPR Freedom of Information request, correspondence dated 15th March 2012
4. Ibid
5. Released to PPR by the NIHE through a Freedom of Information request dated 15th March 2012
6. Figures taken from Annual NIHE Progress Reports on the North Belfast Housing Strategy, released to PPR through a Freedom of Information request dated 15th March 2012.
7. ECNI (2007) Section 75 of the Northern Ireland Act 1998, Monitoring Guidance for Use by Public Authorities, iii
8. <http://www.equalityni.org/archive/pdf/MonitoringReport>
9. See for example, DFP (2005) The Northern Ireland Community Support Framework: Research Project to Examine Ways of Assessing the Impact of the EU Programmes on the Section 75 Groups p.98 which states 'The postcodes approach is reasonable to consider because there is a degree of residential segregation between Catholics and Protestants in Northern Ireland.'
10. NIHE email to PPR 22nd February 2012
11. NIHE response to PPR Freedom of Information request, dated 26th September 2012
12. Ibid
13. Ibid
14. Ibid
15. Supra n.9
16. (2012) Irish News newspaper article dated 11th August 2012
17. (2012) Nelson's View, "PPR and North Belfast (1)", 20 August 2012 <http://theministerspen.blogspot.co.uk/2012/08/ppr-and-north-belfast-1.html> (last accessed on 23rd April 2013)
18. (2012) Irish News newspaper article dated 11th August 2012
19. Ibid
20. To view PPR Background Briefing on Inequality in North Belfast, see <http://www.pprproject.org/sites/default/files/Background%20on%20Housing%20Inequality%20in%20North%20Belfast.pdf>
21. Please see Tables 7.1 and 7.2



Chapter 4: *The creation of a Belfast City Centre waiting list*



Figure 4.A: Forum for Alternative Belfast (FAB)'s Missing City Map charts the vacant spaces in central Belfast. FAB's 2009 study demonstrated Belfast's shrinking city centre population; from 470,000 in 1950 to 270,000 in 2009

In 2010, a group of architects and planners from the Forum for Alternative Belfast (FAB), a not for profit urban think tank, launched "*The Missing City*" which charted undeveloped sites in Belfast City Centre. The map, shown in **Figure 4.A**, is significant for the issue of social housing provision

because it disproves the argument frequently cited by the NIHE that there isn't enough land to build much needed social homes to address existing inequality. Speaking at the Seven Towers' Residents' Group and PPR's *People's Inquiry – The Right to Housing* event in June 2010, FAB co-Founder and award-winning

Architect, Mark Hackett said;

“Belfast is the least dense city in Europe in its centre, it has massive amounts of land. This land represents enough space to house, and we have calculated this accurately in the Summer School with architects checking the figures and being conservative about what we build on so we are only building on roughly half of this land to achieve 60,000 new people living on this map. So 60,000 extra people can live on this map and still allow for schools and commercial activity.”

FAB’s research demonstrated that the available land in Belfast’s City Centre not only offered the potential to significantly enhance Belfast’s City Centre, but to do so in a way which could foreseeably eradicate the persistent religious inequality in housing in areas like North Belfast.

Therefore the opportunity was, and still is, massive.

Belfast City Centre

During the conflict, there was limited and restricted public access to Belfast City Centre, which prevented the construction of a significant amount of social housing there. Nevertheless, there is some social housing within the City Centre currently, and to manage allocations the NIHE has divided the City Centre up into 8 areas which extend into different inner city areas: Cromac/Markets, Carlisle New Lodge,

Carrick Hill, Brown Square, Hamill/John Street, Bridge End, Sandy Row and Donegall Pass.

In July 2011, the NIHE website advertised the launch of a consultation into the establishment of a new Belfast City Centre Common Landlord Area (CLA) which would be used to manage a waiting list of applicants specifically seeking housing in a new and defined Belfast City Centre area.

The consultation document is conspicuous in the primacy given to ‘good relations’ over equality outcomes, with the promotion of equality not even listed in the objectives:

*“To take advantage of development opportunities for social housing to address housing need.
To contribute to Planning Service and DSD policies and strategies aimed at regenerating the city centre.
To support the wider Good Relations agenda. To ensure that city centre living is an option for everyone in the wider Belfast area.”¹*

Before proceeding to discuss the consultation proposals, it is important to note that there are significant differentials in the existing numbers of applicants in housing stress from the areas currently covering Belfast City Centre. One current Common Landlord Area (the predominately Catholic Carlisle New Lodge in North Belfast) alone comprised 45% of the total number experiencing housing stress:

TABLE 4.1
NIHE Social Housing Applicants and Applicants in Housing Stress in
NIHE Common Landlord Areas bordering Belfast City Centre

| NIHE Common Landlord Area | Total Applicants at Dec 2010 ² | Total Applicants in Housing Stress at Dec 2010 | Demography |
|--------------------------------------|---|--|-----------------|
| Cromac (South Belfast) | 92 | 74 | Catholic |
| Sandy Row (South Belfast) | 84 | 48 | Protestant |
| Donegal Pass (South Belfast) | 61 | 33 | Protestant |
| Carlisle New Lodge (North Belfast) | 284 | 174 | Catholic |
| Carrick Hill (North Belfast) [UNITY] | 41 | 32 | Catholic |
| Brown Square (Shankill) | 11 | 5 | Protestant |
| Hamill/ John Street (West Belfast) | 24 | 18 | Catholic |
| Bridge End (East Belfast) | 5 | 1 | Protestant |
| TOTAL | 602 | 385 | |

The Consultation outlined how the new Common Landlord Area would carve out a newly defined and singular City Centre Common Landlord Area from the existing 8 areas; and this new area would not incorporate existing applicants from the existing 8 areas 'single identity' social housing estates outlined in **TABLE 4.1**.

One section of the report discusses the needs, experiences and priorities of each Section 75 group in relation to the decision. It states:

*"The city centre is currently divided into administrative zones, each associated with the 8 bordering social housing Common Landlord areas. These CLAs are single identity areas (4 Protestant and 4 Catholic). Each of these areas perceives a territorial claim on the city centre zones linked with their CLA. If this current system remains then any new social housing allocations will be made to applicants who select the current single identity areas. This will maintain these areas as single identity within the city centre."*³

*Conversely, this equality screening is conducted on the basis that the city centre CLA should be an area independent of other social housing areas, making it a unique choice for people who express a desire for living in the city centre."*⁴

The NIHE determined, through assessing a series of options, that using the opportunity to straightforwardly address need as expressed on the social housing waiting list in these areas would not be appropriate. They stated:

"the waiting list has a significantly higher number of Catholic households (276) when compared to Protestant households (144). The likely profile of offers based on 100 units becoming immediately available showed that 63 would go to Catholic households and only 4 to Protestant households (with 25 undisclosed).

Option 2 [a Belfast City Centre Common Landlord Area including existing single identity communities] implies that the city centre is the preserve of only those areas that immediately abound it and is a barrier to other city dwellers from the choice of city centre living. Also with Option 2, any relets of existing accommodation and newbuild opportunities that arise in the existing housing estates that abound the city centre would be offered almost exclusively to Catholic households which includes

*traditional Protestant/Unionist areas like Sandy Row and Donegal Pass."*⁵

The NIHE contended that this option would fail to promote equality:

*"This option would also fail to promote equality of opportunity for both Catholics and Protestants in the wider city as the unnatural merger of single identity areas with the new city centre dilutes the appeal of a new unassociated area."*⁶

Instead of utilising any potential development opportunities offered by Belfast City Centre to take concrete steps towards promoting equality for those experiencing inequality in the immediate vicinity, the NIHE proposed that this new Common Landlord Area would then be 'opened up' and considered an "optional choice for everyone who has made an application to the Common Waiting List for the wider Belfast Area" (Option 3).⁷

According to this option:

*"In this context, and particularly with Option 3, an assumption could be made that the profile of those who would switch housing choice to the city centre CLA would mirror the general profile of the total Belfast city waiting list."*⁸

This was calculated as:

*"...53 offers to Catholic households, 21 to Protestant and a further 26 to those others or undisclosed. Option 3 which defines a city centre exclusive of existing single identity housing estates also means that any new build will not be viewed as territorially owned by one single identity area or the other. This approach is clearly favoured."*⁹

The NIHE equality screening exercise on the proposal indicates an adverse impact for Catholics in the 8 CLAs:

*"At the local CLA level, the single identity areas could argue that they are losing out on opportunities that they perceive as belonging territorially to them. In equality terminology this would represent an adverse impact for Catholics, but only those in the CLAs. This should be mitigated by the fact that so many more people, including Catholics, would benefit from the new city centre choice."*¹⁰

However, rather than merely constituting *'equality terminology'*, this represents an actual adverse impact under ECNI Guidance. As previously shown, the law requires that social housing is allocated to those on the waiting list in relation to their need, as measured by the number of points they are awarded. **Table 4.1** shows that out of the areas affected by this proposal, a Catholic area in North Belfast (Carlisle, New Lodge) has the most applicants with 30+ points, i.e. recognised as being in Housing Stress by the NIHE. It is these applicants currently on the waiting list for this area, who will be adversely impacted as the number of social housing units available to them will fall.

It is also concerning that despite the evidence above, the proposal for a new Belfast City Centre CLA was not subjected to a full EQIA as the impact was assessed to be *'minor'*. Under the most recent Equality Commission Guidelines for Public Authorities, a minor impact does not automatically trigger an EQIA.¹¹

PPR believes that taking the evidence into account, the impact of the proposal would be *'major'* according to the ECNI's *'Section 75: A Guide for Public Authorities'* publication in that the impacts are *'likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged.'*¹²

The Belfast City Centre Waiting List represented another lost opportunity to address religious inequality experienced by the Catholic community in North Belfast in the alleged interests of promoting *'good relations'* and *'shared space'*.

Charting **Accountability**

The history of the discriminatory basis on which housing decisions were previously made in Northern Ireland means that the accountability mechanisms to which the NIHE are now answerable are especially important. PPR sought to inform both political representatives and parties of the implications of this important policy proposal by offering written and verbal briefings on the issue.

Political accountability

The NIHE is a statutory body, accountable to political structures which play a critical oversight role in ensuring there is promotion of equality. Political representation is currently provided through membership of the NIHE Board which approves policy decisions, Belfast City Council's Strategic Policy and Resource Committee which oversees issues connected to the promotion of equality and the Northern Ireland Assembly's Social Development Committee which scrutinises issues connected to housing.

Belfast City Council

On the 23rd September 2011, the Strategic Policy and Resource Committee¹³ of Belfast City Council was made aware of the proposals in a report summarising the NIHE consultation.¹⁴ The Committee is comprised of cross party political representation from local councillors from the Belfast area (Alliance Party, Democratic Unionist Party, Sinn Fein, Social Democratic & Labour Party, Ulster Unionist Party), including those areas set to be affected by the proposals. Following this briefing, an offer was made by the NIHE to individually meet all political parties on the proposal. Sinn Fein were briefed on 3rd November 2011 and the Ulster Unionist Party on the 31st October 2011.

It is not clear from the minutes of the Committee's 4th November 2011 meeting if other parties accepted the offer of a briefing or not. According to the minutes of the November meeting, the Committee, (which has as its remit the *"promotion of equality, good relations and diversity"*) agreed a draft consultation response which strongly welcomes the proposals. According to the minutes, none of the political representatives present raised any concerns about the impact of this new policy on housing inequalities. In fact the Committee strongly welcomed the NIHE's deprioritisation of those in most need to engineer a *'shared space'*:

“We support the option of a Common Landlord Area in the city centre, which does not preclude the choice of those citizens wishing to reside in single identity areas. We welcome this new proposal to be an additional choice designed to meet the needs of those people who have expressed a preference to reside in a shared housing area.”¹⁵

Notwithstanding the clear failure to scrutinise the proposals adequately here, it should be noted that the NIHE briefing to the Committee failed to alert them to the significant equality implications this proposal will have. Minutes of the 4th November meeting state that the NIHE had equality screened the document and that according to the NIHE;

“The Equality Screening concluded that there were some minor impacts identified but that they were addressed in option 3. On that basis it was decided that an Equality Impact Assessment was not required.”¹⁶

NIHE Board

PPR’s communication with the NIHE on this matter revealed that the proposal was put to the NIHE Board at the end of January 2012 along with a detailed summary of the consultation responses.

The Board minutes show that the proposal was presented and approved without objection. The minutes state that *“broad support had been given for the proposal through public consultation”* and that *“one negative response had been received from PPR”*.¹⁷ The consultation summary document indicates that nine responses were received; the Alliance Party, Belfast City Council, Clanmill Housing Association, Disability Action, Fold Housing Association, the NI Federation of Housing Associations, the NI Housing Council and PPR.

Social Development Committee

At the Assembly level, however, the opportunity to scrutinise the policy has not yet been afforded to the Committee for Social Development. On 20th February 2012, Committee staff confirmed with PPR, that although the Committee are aware of the proposals, they have not been briefed on them. The Committee confirmed that they would notify PPR if the Committee was to be briefed on the proposal.

It is unclear if any of the political representatives on the Social Development Committee have raised the issue at Committee level or requested a briefing despite the serious equality implications of the policy.

Accountability to the Equality Duties

That the proposal was not subject to a full Equality Impact Assessment is of very real concern. The screening document concludes that although some minor impacts are identified, these are addressed in the proposed way forward. PPR contested this assessment in our consultation response and contended that lack of information presented about potential impacts was being used as an alibi not to carry out an EQIA. PPR recommended that the policy be subject to a full EQIA since based on an analysis of the information presented and the ECNI Revised Guidelines, the impact is not *‘minor’* but *‘major’*. A *‘major’* impact is defined as *‘likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged.’*¹⁸

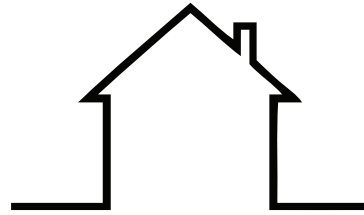
In our response PPR raised, on no less than fifteen occasions, concerns about the equality duties’ misapplication. The NIHE’s consultation summary document which was presented to their Board prior to the proposal being passed, dismisses thirteen of PPR’s fifteen concerns out of hand as *‘not accepted’*. The remaining two are categorised as outside of the remits of the proposal. The summary document repeatedly states that equality of opportunity is being promoted but fails to evidence *how*.

PPR contacted the Equality Commission (ECNI) in February 2012 to seek advice on the concerns outlined above in relation to this policy proposal. ECNI confirmed that they had not responded to the consultation, nor had they entered into any correspondence with the NIHE over the proposal. PPR asked if it was likely that upon assessing our concerns in relation to this policy if the ECNI would seek to take action. The ECNI stated that they would not.

The drawing of new boundaries which sacrifice opportunities to tackle significant inequalities has happened elsewhere in North Belfast. The Docks area of the city, for example, has failed to benefit from the North Belfast Strategy and the City Quays regeneration. It is the focus of the next chapter.

Endnotes for Chapter 4

1. NIHE (2011) Consultation on the establishment of a Belfast city centre waiting list p.1
2. Statistics taken from Belfast District Housing Plan and Local Housing Strategy 2011/2012, (NIHE 2011) p.64-65, 70, 75, 82, 87
3. NIHE (2011) Consultation on the establishment of a Belfast city centre waiting list, p.11
4. Ibid., p.11
5. Consultation on the establishment of a Belfast city centre waiting list (NIHE 2011),,p.17
6. Ibid., p.17
7. Ibid., p.17
8. Ibid., p.17
9. Ibid., p.18
10. Ibid., p.19
11. ECNI (2010) Section 75 of the Northern Ireland Act: A Guide for Public Authorities p. 53
12. Ibid., p. 64
13. For more on the Belfast City Council's Strategic Policy and Resources Committee, please see Appendix 2.
14. BCC, (2011) Minutes from meeting dated 23rd September 2011, of the Belfast City Council Strategic Policy and Resources Committee
15. Belfast City Council Strategic Policy and Resources Committee response to NIHE Consultation on the Establishment of a Belfast City Centre Waiting List as referenced in BCC (2011) Minutes from meeting dated 3rd November 2011 of the Belfast City Council Strategic Policy and Resources Committee
16. BCC (2011) Minutes from meeting dated 3rd November 2011 of the Belfast City Council Strategic Policy and Resources Committee
17. NIHE (2012) Minutes from NIHE Board meeting dated 25th January 2012
18. The current Equality Commission's guidance states that
"If the public authority's conclusion is none in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the public authority may decide to screen the policy out."
"If the public authority's conclusion is major in respect of one or more of the Section 75 equality of opportunity and/or good relations categories, then consideration should be given to subjecting the policy to the equality impact assessment procedure".
"If the public authority's conclusion is minor in respect of one or more of the Section 75 equality categories and/or good relations categories, then consideration should still be given to proceeding with an equality impact assessment, or to: measures to mitigate the adverse impact; or the introduction of an alternative policy to better promote equality of opportunity and/or good relations."



Chapter 5: *The Belfast Harbour*



FIGURE 5.A: Map of Belfast Harbour identifying City Quays, Sydenham Business Park and the Titanic Quarter. Map taken from Belfast Harbour website.

The Belfast Harbour area comprises Belfast Port and an area of some 91 hectares on the site of the former Harland and Wolff shipyard lands on Queen's Island - now referred to as 'Titanic Quarter', and also Belfast City Airport.¹ Belfast Harbour Commission owns 1955 acres of land in the Port area of Belfast. 377 acres of the land is being used or is available for regeneration activity.²

The Belfast Port area zoned for urban regeneration in North Belfast consists of 20 acres. The potential for housing at this site is greatly more than that existing at the highly publicised Girdwood site, of which 13 of the 27 acres is taken up by existing listed structures. An urban regeneration plan for the area was announced in 2010, involving an estimated £250

million investment into North Belfast.³

In May 2004, St Patrick's and St Joseph's Housing Committee launched substantial proposals for an urban village development in the city's docklands area. The plan was based on the award-winning urban village of Eldonian in Liverpool's docklands. According to a BBC report at the time:

"A statement issued by the Housing Executive said it awaited the launch of the document and was looking forward to hearing the community's proposals for the area."

*'We meet regularly with the housing committee and will continue to work closely with them to meet housing demand in inner North Belfast,' it said.'*⁴

The opportunity provided by the available land in the Belfast Port area, locally known as Sailortown, to address the North Belfast housing crisis was articulated by local housing campaigner, Frank Dempsey who said:

“The new Sailortown, with its mix of social and private housing, will slash those lists dramatically and provide homes worthy of the name”⁵

Once again, the opportunity was missed.

Belfast Harbour Commissioners and the City Quays Regeneration

The Board of the Belfast Harbour Commissioners⁶ operate, maintain and act to improve the Belfast Port. The Department for Regional Development (DRD) are the responsible government department with the Minister for Regional Development appointing Harbour Commissioners following a public competition, and ensuring the Department;

“...exercises a stewardship role over the trust ports to ensure that in undertaking their fiduciary duties, they adhere to good practice and probity in accordance with statutory public accountability measures.”⁷

One of these statutory public accountability measures is Section 75. The Belfast Harbour Commission is designated under Section 75 as a public authority with statutory equality obligations.

Homes for Sailortown?

The current City Quays regeneration plans emerged following a catalogue of failed opportunities by public authorities to use the land available in Sailortown to tackle the North Belfast housing crisis.

In October of 2005, following the St. Patrick’s and St. Joseph’s Housing Committee proposals, a new social housing scheme of 64 homes for Sailortown (to be delivered by Clanmil Housing Association) was announced and seemed to offer hope that steps were finally being taken to maximise available land in North Belfast to address the acknowledged housing crisis.

By 2009 however, it was apparent that any hopes that the initial limited social housing development would be a catalyst for further social housing development were to be dashed. The minutes of the North Belfast Housing & Environmental Forum⁸, show Pat Benson of Sailortown Regeneration Group questioning the NIHE following a presentation on housing. Mr Benson questioned why Sailortown had not been part of the multimillion pound NIHE North Belfast Housing Strategy discussed previously in this report:

“Why was Sailortown not highlighted as an area for development /social housing in the North Belfast Strategy?”⁹

The NIHE response indicated that there was some confusion as to whether Sailortown was located in the Belfast City Centre or the North Belfast area.

Engaging on regeneration proposals

In 2008 PPR met with Minister for Regional Development, Mr Conor Murphy MLA, to brief him on PPR’s report ‘*Changing the Patterns of the Past: Putting People First in the Regeneration of North Belfast*’. The report highlighted the failure to either mainstream equality into regeneration plans or co-ordinate varying plans to ensure maximum social and economic outputs.

On 28th July 2009, as part of a North Belfast Housing Action Forum delegation, PPR again met with the Minister for Regional Development, and requested information on how the upcoming regeneration Masterplan proposed to mainstream the promotion of equality, specifically in relation to addressing housing inequality affecting the Catholic community in North Belfast.¹⁰

The North Belfast Housing Action Forum also wrote to the CEO of the Port of Belfast citing statistics relating to religious inequality in housing in North Belfast. The letter asked:

“The North Belfast Housing Action Forum would like to know how the Belfast Harbour Commission, as a public authority, has given due regard to the need to promote equality outlined in Section 75 (1) of the Northern Ireland Act (1998), specifically in relation, but not limited, to your proposals for housing.”¹¹

The Minister for Regional Development, Mr Conor Murphy MLA, also received a copy of this letter, and separate correspondence (on same date) from the North Belfast Housing Action Forum stating:

“At our meeting, we were concerned to hear that the Belfast Harbour Commission had commenced developmental plans, including housing proposals, without seeming to consider their statutory duties to promote equality, particularly in relation to housing given the chronic inequalities which [sic] on the social housing waiting list in North Belfast.

As expressed to you at our meeting, the Belfast Harbour represents an invaluable opportunity to significantly address housing problems in North Belfast. As Minister with responsibility for the Harbour, we hope that you will assist residents of North Belfast in ensuring that any plans for this site both tackle existing need and inequalities.”

In response to this correspondence, the Harbour Commission met with the North Belfast Housing Action Forum, delivered a presentation on the regeneration plans and stated their intention to engage in a public consultation exercise.

Ministerial and Departmental Accountability

Over the course of the autumn of 2009 and the spring of 2010, the Minister for Regional Development Conor Murphy MLA received and answered various Assembly Questions on the proposed regeneration from North Belfast MLA Carál Ní Chuilín.¹²

Minister Murphy’s responses identified the crucial governance and accountability arrangements between his Department and the Belfast Harbour:

“As Minister for Regional Development, I appoint the Belfast Harbour Commissioners under Article 9 of the Belfast Harbour Order (NI) 2002. The Commissioners are responsible for corporate management and operations, although in doing so, they are required to take into account guidance on governance and accountability issued by DRD to trust ports under Article 6 of the Harbours (NI) Order 2002. I hold twice yearly business review meetings with the Commissioners.

“Decisions by the Commissioners regarding the disposal or change of use of port land are subject to a Memorandum of Understanding with DRD developed in accordance with Article 4 of the Belfast Harbour Order (NI) 2002.”¹³

The Memorandum of Understanding referred to identifies the principal role the Minister and Department have in the sale and development of port land for regeneration activity, and the subsequent ability to maximise the sale and development of port land to promote equality. Section 5.5 states:

“The Commissioners shall not, without the prior written consent of the Department (such consent not to be unreasonably withheld or unreasonably delayed) effect any change of use, or grant any consent to the change of use of premises, or alteration, or waiver with regard to such terms of any lease of any part of the Non-Port Land...”

Section 5.6 goes on:

“Where the Commissioners are proposing a scheme of development which may result in (i) the disposal of a number of separate interests to that scheme or (ii) a number of different uses being comprised within the scheme, then the Commissioners may make a single application for the consent of the Department to that scheme of development.”

In short, it appears that the Harbour Commissioners would require Ministerial consent for the City Quays masterplan/development.

However the second part of the Minister’s answer to Ms Ní Chuilín’s question of 22nd February 2010

(which asked for the outcomes of 2009 masterplan commissioned by Belfast Harbour) seems to indicate that the Minister was viewing the plan as an ‘operational’ concern for the Commissioners, and not one requiring specific oversight by the Department to ensure statutory obligations regarding equality were being fulfilled:

*“I assume the masterplan to which you refer is Belfast Harbour Commissioners’ development of a masterplan for the City Quays area. This is an operational matter for the Belfast Harbour Commissioners. However, I understand that the outcome of the stakeholder consultation is currently being considered by the Harbour Commissioners with a view to providing input, as appropriate, to the developing masterplan. **It is Belfast Harbour Commissioners’ intention to provide feedback to key stakeholders over the coming months. They would hope to commence this before the end of March 2010.**” (emphasis added)*

Despite the positive assertion by the Minister of actions to be commenced by the Belfast Harbour Commission, no feedback on how the statutory duty to promote equality would be fulfilled was ever provided to groups like the North Belfast Housing Action Forum who met with them on this particular issue.

The Minister for Social Development, with responsibility for social housing, was also questioned in the Northern Ireland Assembly about the DSD’s role in maximising housing opportunities through the City Quays masterplan. The Minister at the time Margaret Ritchie MLA, indicated that DSD and NIHE officials had met with the Harbour Commission to discuss the plan and propose mixed tenure housing.¹⁴ The context and details of these meetings have not been disclosed.¹⁵ There is therefore no indication of whether the DSD or NIHE made the case that social housing was desperately needed to tackle religious inequality in North Belfast.

Housing in the **City Quays Masterplan**

In July 2010 the City Quays Concept Masterplan was released by Grimshaw Turley Associates, a planning and urban design consultancy firm who also led on the Titanic Quarter regeneration.

Despite equality concerns, obligations, and powers being raised with both the Minister for Regional Development and the Belfast Harbour Commission on a number of occasions during meetings and through correspondence, the promotion of equality is not mentioned at all in the Objectives and Development Principles for the site.

The proposals themselves contain provision for 120 residential units across four separate parts of the site¹⁶ with mixed tenure (social housing and private housing) to be included in the plan.¹⁷ The plan states that there will be 120 units which by 2021 will accommodate 234 people including 162 economically active residents (presumably private and non social housing tenants).

It is important to note that plans for these mixed tenure units were announced almost two years after the Department for Social Development acknowledged the chronic need for social housing among Catholics in North Belfast, in the Draft EQIA on the Regeneration of Girdwood Barracks and Crumlin Road Gaol, published in October 2008. The Draft EQIA set out figures showing that based on figures from NIHE, 95% of the projected housing need for new social homes in North Belfast would be among the Catholic community. From the figures in the plan, it is likely that there will be around 40 units in the regeneration available for social housing. In the context of an area impacted by long-standing religious inequality in housing, this appears a limited response.¹⁸

The North Belfast Housing Action Forum are listed as ‘consultees’ in the City Quays Concept Masterplan but the issues they raised in correspondence were not dealt with. There is no mention of equality or Equality Impact Assessments in the Concept Masterplan, despite the correspondence from the North Belfast

Housing Action Forum in September 2009 which drew attention to the issue, including statistical breakdowns of religious inequality in housing.

The Concept Masterplan does refer to the consultation process and lists housing groups as being ‘consulted’.¹⁹ One change which was made to the Concept Masterplan, and attributed to the consultation process, was on the issue of density of housing:

“A market review of the residential offer together with feedback from Northern Ireland Housing Executive and local housing action groups and interested parties concluded in a redesign of the residential proposition from high rise, high density apartments to lower rise terrace type housing providing private external garden/ open space directly associated with each dwelling.”

In July 2010 an Environmental Impact Statement (EIA) for City Quays²⁰ was carried out by Grimshaw Turley Associates. No Equality Impact Assessment (EQIA) was carried out. Similarly to an EQIA, an EIA provides an assessment of the likely environmental impacts of the proposals and their significance, and describes mitigating measures which will be put in place to address any potentially adverse impacts of the proposal. The EIA included a brief socio-economic section which focused upon *“an assessment... of the proposed development in terms of its impact on the economy, population and skills balance of the immediate locality (the Duncairn Ward), Belfast and the wider context of Northern Ireland.”*²¹

The EIA concludes that;

“The redevelopment of the site will act as a catalyst for further development in the Duncairn Ward.”

No evidence is provided to support or explain how this will be achieved or why there was a focus on one particular electoral ward.

Impact on Social Housing **Inequality in North Belfast**

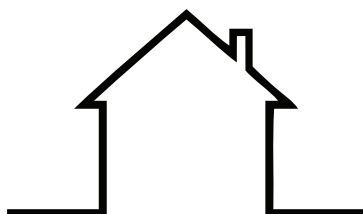
With the City Quay’s plans for minimal social housing provision failing to meaningfully tackle housing inequality, and with no meaningful involvement of the community, PPR sought information in March 2012 regarding the level of discussion that had taken place between the two major Departments concerned (DSD and DRD) and the Harbour Commission on the issue of social housing provision in the City Quays plan.

The Department for Regional Development indicated that they had no record of social housing being discussed in any of their regular meetings with the Port of Belfast since 2008. The Department for Social Development stated that they were unable to respond to our Freedom of Information request without PPR providing payment, as to do so would incur excessive charges.²²

The issue of housing inequality had been raised in meetings and through correspondence with the Minister and agency who have direct responsibility for the regeneration plan. Local housing groups had even displayed considerable creativity and imagination in developing urban village proposals for the areas. Housing inequality continued to grow in North Belfast with windfall opportunities to make significant inroads into addressing inequality diminishing. Yet, despite the efforts of local residents the DRD stated in their FOI response *“the issue of social housing has not featured on the agenda... consequently there are no records.”*

Endnotes for Chapter 5

1. DOE (last accessed on 23rd April 2013) http://www.planningni.gov.uk/index/policy/dev_plans/devplans_az/bmap_2015/bmap_district_proposals/bmap_belfast/bmap_belfast_city/bmap_belfast_harbour/bmap_belfast_harbour_background.htm
2. Northern Ireland Assembly Questions, AQW 572/10
3. (2010) Belfast Telegraph newspaper dated 25th October 2010 "Belfast Harbour outlines £250m City Quays plan" <http://www.belfasttelegraph.co.uk/business/business-news/belfast-harbour-outlines-250m-city-quays-plan-14986116.html> (last accessed 23rd April 2013)
4. BBC News 'Urban Village to inject new life' dated 6th May 2004 http://news.bbc.co.uk/1/hi/northern_ireland/3688203.stm (last accessed 23rd April 2013)
5. Ibid.
6. For more on the Belfast Harbour Commissioners, please see Appendix 2.
7. http://www.drdni.gov.uk/index/air_and_sea_ports/aands-sea_ports.htm (last accessed 23rd April 2013)
8. The North Belfast Housing and Environmental Forum is a body established by the North Belfast Partnership Board to facilitate community, statutory and private sector co-operation. Details can be viewed at <http://www.nthbp.org/index.cfm/area/information/page/HandEForum.html>
9. http://www.nthbp.org/userfiles/file/NB%20Housing%20%20Environmental%20Forum%20Minutes%2015%201%2009_v1.pdf
10. It should be noted also that Belfast Harbour Commissioner's 2008 Annual Report & Accounts statement shows that the City Quays Masterplanning process began in August 2008. p.17
11. Letter dated 11th September 2009
12. This included one on 17th September (AQW 572/10) asking the following questions:
"to detail (i) how much land it has; (ii) if any land has been transferred or sold to other companies, if so, (a) will any land be used for regeneration; and (b) what type of regeneration will be developed."
The Minister's response was:
"The total area of land owned by Belfast Harbour Commissioners is 1955 acres. Since 1847 the Belfast Harbour Commissioners have granted a total of 1438 acres on various leases. Of this figure, 377 acres may be described as regeneration land on which commercial office, warehousing, local service retail, leisure and residential development has either taken place, is being developed, or is proposed."
13. NI Assembly Questions, AQW 5038/10 22nd February 2010
14. On 9th March 2010 Ms Carál Ni Chuilín MLA submitted a written question to Minister for Social Development Ms Margaret Ritchie MLA (AQW 5534/10) asking the following questions: "what discussions she has had with the Belfast Harbour Commission regarding (i) plans to provide social housing; and (ii) her Department's draft Masterplan for the harbour area."
The Minister's response was: "Officials from my Department and the Housing Executive have met with Belfast Harbour Commission to discuss both the issue of social housing and the draft masterplan for the Harbour area. In September 2009, Housing Executive staff met with representatives of the consultancy team commissioned by Belfast Harbour Commission to undertake the City Quays Master Planning exercise. It is the Housing Executive's view that mixed tenure housing as indicated on the concept layout could be supported as an integral part of the mixed use draft development plan.
Officials from my Department have also met with the Chief Executive and Commercial Director of Belfast Harbour Commission to discuss the emerging draft masterplan for the Greater Clarendon (Sailortown) area."
15. On 1st March 2012 PPR submitted the following Freedom of Information request to Belfast Harbour Commission: "[Please provide] Records (including, but not limited to , notes and minutes) of any meetings between the Belfast Harbour Commission staff (and/or consultants commissioned by Belfast Harbour Commission), and the Northern Ireland Housing Executive, Department for Social Development or Equality Commission for Northern Ireland since 2008, on the subject of the redevelopment/regeneration of the Port of Belfast."
The Belfast Harbour Commission responded as follows: "BHC does not maintain a central repository of these records. Section 12 of the Freedom of Information Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for BHC is set at £450. Applying the allowed rate of £25 per person per hour, this represents the estimated cost of one person spending 18 hours in determining whether the requested information is held, and then locating, retrieving and extracting that information. On receipt of your request, we undertook a sampling exercise to assess how long it would take to locate, retrieve and extract the requested information for [one year] only. This exercise alone took approximately 4 working hours to complete. On this basis, we estimate that it will take us in excess of 18 hours to locate, retrieve and extract the requested information for the period covered by your request (2008 - present). Therefore, your request cannot be progressed further at this juncture."
16. Grimshaw Turley Associates (2010) City Quays Concept Masterplan p.76 and p.83
17. Ibid., p.125
18. Although no specific numbers on the social/private housing split is provided, based on the projected figures provided on the economically active/inactive residences (162/72), it is reasonable to estimate that they plans propose an approximate 70% private and 30% social. This translates, roughly, into 36 new social residences.
19. Grimshaw Turley Associates (2010) City Quays Concept Masterplan p.66-67
20. Grimshaw Turley Associates (2010) 'Environmental Statement for City Quays: Non-Technical Summary', available at <https://docs.google.com/viewer?a=v&q=cache:V-eTskbLVNAJ:dev.iema.net/system/files/city20quays20nts20july202010.pdf+city+quays+concept+masterplan+belfast&hl=en&gl=uk&pid=bl&srcid=ADGEESh0qMgx7lehPe7QDJL9UOfmHE3l07mJYrqTuaDdJfSnVR2Uvxhelkd14Epxs6ct3BJpWzLIAvu67ajauN4q7vCo39ee4HHMdCXl0I3Taz1ZGJMN-c1I4zGqTtxlQlJeiD-pB7L&sig=AHIEtbTrQydeZyHIRQmXbi1lFQv-kjAl4g> (last accessed 23rd April 2013)
21. Ibid., p.11
22. The DSD response stated that at a cost of £25 per hour, for approx 18 hours would be required which is more than is provided for within the terms of the legislation.



Chapter 6:

Deciding where to build;

the Social Housing Development Programme Strategic Guidelines

The NIHE plans to spend £93.1 million building 1,325 new social homes across Northern Ireland in the year 2012/2013.¹ Decisions taken by the NIHE on where and for whom these homes are built goes right to the heart of the NIHE's approach to targeting need, tackling inequality and making best use of public resources. The Strategic Guidelines for the Social Housing Development Programme (hereafter referred to as '*Strategic Guidelines*') are the tool by which the NIHE make decisions about where and for whom these new homes should be built.

The persistent religious inequality in housing in North Belfast impacting the Catholic community has resulted in a chronic need for new homes. This was previously recognised by the NIHE's policy of '*ring-fencing*' new build allocations to try and address particular issues. For example, new build allocations were ring-fenced in North Belfast, West Belfast and Derry, as they were the areas suffering from the greatest religious inequality with respect to housing.² This policy aimed to ensure that North Belfast received a guaranteed 250 new build units per annum – which amounted to the 1,750 housing units allocated to North Belfast under the North Belfast Housing Strategy.³ Other categories receiving ring-fencing protection included Travellers (who received 10 units) and Rural Housing who received a guaranteed 10% of the programme.

It is important to note that as this report has shown, the NIHE's own figures demonstrate that despite the ring-fencing of housing units, religious inequality in housing disproportionately impacting Catholics did

not abate. The figures outlined above were targets, which in many cases were not met. Despite this, the policy of '*ring-fencing*' social housing units to target groups who were disadvantaged in terms of housing, represented an important recognition by the NIHE of prevailing inequalities and a policy imperative to tackle them.

In 2008, however, plans were announced to bring the policy of '*ring-fencing*' to an end. This chapter outlines evidence of the NIHE's use of data which had the effect of obscuring inequality and justifying the removal of a policy aimed at tackling it.

The Strategic Guidelines **Draft EQIA**

In 2008 the NIHE issued a Draft Equality Impact Assessment (EQIA) for consultation regarding proposed changes to how they decide where to build new homes throughout Northern Ireland.

The proposed changes were part of the NIHE's Strategic Guidelines, which according to the Draft EQIA aims to:

“Direct the development of the social new build programme based on an objective assessment of social housing need and housing conditions in accordance with existing strategies and commitments”

In line with the rationale underpinning the policy of '*ring-fencing*', the Draft EQIA clearly identified⁴ that an equality differential existed with regard to

housing which had an adverse impact on Catholics. By setting out the comparative differentials (shown in **TABLE 6.1**), the Draft EQIA showed that Catholics received proportionately fewer allocations than their representation on the waiting list required:⁵

TABLE 6.1
Table from Draft EQIA on the NIHE’s Social Housing Development Programme Strategic Guidelines showing the Northern Ireland wide comparative differentials in terms of proportion of waiting list and proportion of allocations in social housing by religious group.

| Religious Group | Catholic | Protestant |
|----------------------------|----------|------------|
| Proportion of waiting list | 39.7% | 43.8% |
| Proportions of allocations | 36.4% | 51.1% |

This inequality was also expressed in terms of the difference in waiting times experienced by both communities with data presented evidencing that the Catholic community were waiting longer.⁶ The general conclusion put forward in the Draft EQIA in terms of religious inequality based on the data presented was that;

*“...there is a differential impact in relation to religion and that this differential is adverse in relation to its impact on Catholics on the basis of regional variation. The analysis also shows a differential between Catholics and Protestants in terms of waiting times for allocation but there is no differential at Northern Ireland level in terms of time spent on the waiting list. There were differentials however at local level”.*⁷

It is notable that once more, the NIHE’s statistics demonstrate that inequality exists in housing, and that this inequality adversely impacted on Catholics. However close examination of the methodology used to draw these conclusions raised real concern that the actual extent of inequality was not being disclosed, but was actually being masked by the NIHE’s approach. This was to have a negative effect on people from the Catholic community experiencing housing inequality in North Belfast.

Ring-Fencing Removed

Despite this acknowledgement of religious inequality, the Draft EQIA proposed a method of calculating the building of new social housing over the next five years that would later be revealed as amounting to a 25% reduction of the number of units of social housing being built in the Belfast area.

Despite the widely acknowledged failure of the North Belfast Housing Strategy to impact religious inequality, the Draft EQIA stated:

“...ring-fencing...has proved successful in that the number of applicants registered in housing stress in North and West Belfast and in Derry has risen less rapidly than in other parts of Northern Ireland”

It went on to state that the policy of ‘ring-fencing’ was proving detrimental to other areas in Northern Ireland:

“...due to insufficient funding to meet the total annual housing need for the whole of Northern Ireland, the Housing Executive is re-examining this policy as part of the EQIA, as emerging evidence suggests it is having a detrimental effect on meeting social housing needs elsewhere in the Province.”

Consequently, the Draft EQIA proposed that ‘ring-fencing’ be replaced with a method of calculating the build of new social housing called ‘Housing Needs Assessment, Weighted by Waiting Time’. No information was contained in the document as to what impact the new method would have on areas like North Belfast, suffering the greatest religious inequality in housing. This was to be a recurring theme throughout the next number of years as PPR sought to establish the impact these changes would have on those waiting for homes in North Belfast.

Masking inequality?

Questions around the Evidence

Throughout the Draft EQIA, insufficient statistics and evidence are presented to illustrate a) how the previous policy of *'ring-fencing'* has affected inequality in areas like North Belfast, and b) how the proposed policy for calculating new social housing build on the basis of *'Housing Needs Assessment, Weighted by Waiting Time'* will impact on the inequality. This evidence – which is basically about assessing the performance of a previous policy and the implications of a new one – is vital for any proposed policy change. A number of examples of such omissions are laid out below.

1. Area Level Figures hide inequality? Statistics related to Waiting Time

The Draft EQIA contained tables relating to the time spent on the waiting list by both Catholics and Protestants.⁸ It is important to note however, that both tables only consider the social housing waiting list at *Area Level*. For example, instead of analysing the individual, smaller District Levels where religious inequalities are extremely high, for example in North Belfast, the entirety of Belfast is analysed and thus areas experiencing acute need (and which were the targets for the previous policy of *'ring-fencing'*) are left unexamined.

At Area Level, the tables demonstrate that the religious differential is greatest in Belfast with Catholics spending twice as long on average on the waiting list. This analysis is not taken down to District Level which would reveal whether in North Belfast (one of the areas with the worst inequalities) the differential in waiting time identified has been affected by the policy of *'ring-fencing'* and, critically, whether a proposal to cut social housing supply in North Belfast could be justified. This failure to drill down further into specific areas masks the real extent of the housing inequality.

2. A snapshot and a cumulative view: Statistics relating to allocations and numbers on Waiting List:

In contrast, District Level figures are presented for allocations and waiting times by religion.⁹ Yet neither of these succeeds in uncovering the impact *'ring-fencing'* has had on the acknowledged religious differential in areas including North Belfast, and therefore providing an evidence base to justify its removal.

Waiting List by District and Religion

The waiting list analysis presents only a *snapshot* of the number of applicants on the social housing waiting list on 31st March 2008 and their religion.¹⁰ It does not show the number of applicants on the waiting list each year by religion for the period of the ring-fencing (2000-2008). This method of presenting the data effectively prevents an assessment as to whether the policy of *'ring-fencing'* successfully or unsuccessfully reduced religious inequality, thereby warranting the development of a new policy.

Allocations

Similarly, only the *cumulative* number and proportion of allocations made to Catholic and Protestants on the social housing waiting list in the five years between 2003-2008 is shown¹¹. This needs to be broken down by year and then compared with the numbers on the waiting list for the same period, in order to assess the number of Catholic and Protestant applicants who have been allocated housing. These are the figures which would give a more complete picture of the true nature of housing inequality in North Belfast.

PPR submitted a Freedom of Information Request on the 10th December 2008 to try and obtain a clear picture of how the proposals in the Draft EQIA would impact on North Belfast and the nine groups named in Section 75. Unfortunately the response from the NIHE¹² stated that this information in the format we requested, would only be provided to us at a cost of £33,000. PPR subsequently received some of the information, free of charge, following local media coverage of the NIHE's response.

Table 6.2: Table showing how waiting time statistics are dramatically altered for both Catholic and Protestant communities by moving to a median system of averages from a mean system. Data supplied by the NIHE.

| Religious/Community Background | Previous Method Amount of time someone on housing stress spends on the waiting list using 'mean average' | New Method Amount of time someone on housing stress spends on the waiting list using 'median average' |
|--------------------------------|---|--|
| Catholic | 23.4 months | 16 months |
| Protestant | 12.5 months | 7 months |

3. Use of 'Median average' in the method of assessing Housing Need

The new method of assessing housing need proposed in the Draft EQIA involves a calculation which looks at the median waiting time of those in housing stress (i.e. the middle point of all those on the waiting list lined up in order) rather than the mean average.¹³ In effect this means that those who have been waiting the longest for a house, such as people looking for a house in Catholic areas of North Belfast, will be hidden from view.

This move signalled an important shift in the way NIHE measured housing need. For example using the established 'mean' average, the NIHE data showed that in North Belfast, Catholics in housing stress waited an average of 23.4 months on the waiting list before being housed, and Protestants waited 12.5 months, as of March 2008. The new way of calculating, which moves from 'mean' to 'median' average, will change the data for March 2008 to show figures of 16 months for Catholics and 7 months for Protestants, which is a significant reduction as shown in **TABLE 6.2**. The actual experience of waiting for a home would not be shortened; the statistics would just make it look like it had been.

The NIHE confirmed in the Draft EQIA that they intend to use the median waiting time in the new calculation of housing need, 'Housing Needs Assessment, Weighted by Waiting Time'.

"The team formed a consensus that the median waiting time of people on the waiting list was much more inclusive of people in housing need compared to using housing allocation waiting times which only reflected those successful in getting a house. On that basis this option used median waiting times of those on the waiting list (in Housing Stress) as the weighting factor"¹⁴

This decision meant that with no indication of the numbers affected, those waiting the longest for a house would no longer be figured in the official calculation of housing need for the purpose of deciding where new social homes should be built.

So was ring-fencing a success?

Following the conclusion of the consultation on the Draft EQIA, the NIHE issued a document containing summaries of the points made by consultees and their responses. It stated:

*"...the percentage of overall housing stress has decreased in the Policy Areas of West Belfast, North Belfast and West Bank. **Clearly ring fencing has been a success for these communities"** [emphasis added]*

It is critical to note that no statistics or further information are supplied by the NIHE to support or evidence this statement.

Actual consideration of the **numbers** on the social housing waiting list supplied by the NIHE reveals that ring fencing has not been a success for West Belfast, North Belfast and Derry. From 2003-2009 each of these areas has seen a rise in the social housing waiting list total of around 700 applicants each.¹⁵

Secondly according to figures supplied by the NIHE, the numbers of those in *housing stress* in North Belfast, West Belfast and Derry has also increased year on year.¹⁶ Whilst there is a slight lessening of housing inequalities between Catholics and Protestants in North Belfast, it cannot be attributed to a proactive effort on the part of the NIHE.

Examination of the statistics showed that things did not improve for the Catholic community, rather, the number in housing stress rose steadily year on year. The differential narrowed because there was an increase in numbers of Protestants in housing stress. Between 2003-2009 the numbers of Catholics in housing stress increased by 37% while the numbers of Protestants in housing stress increased by 125%.¹⁷

In real terms therefore, it is evident that *'ring-fencing'* did not lead to a decrease of housing stress in the areas most impacted by religious inequality in Northern Ireland.

However, the NIHE statement above regarding the success of *'ring-fencing'* relates to the **percentage** of housing stress experienced in the above locations, from Northern Ireland as a whole. This is alongside NIHE's statement in the Consultation Response document that:

"The Equality Impact Assessment (EQIA) on the Strategic Guidelines confirmed the changing pattern of housing need across the province and the disproportionate share of the new build going to the ring fenced areas. This meant that other areas did not get a proportionate share of the programme and the revised approach will ensure a more equitable sharing of the limited new build programme. Housing need in North Belfast, West Belfast and Derry will determine the levels of new build required, proportionate to the Regional requirements"

The focus given here by the NIHE to percentages marks a new approach to housing need which focuses on percentages and *'proportionate need'* rather than *'objective need'* which is referred to as the aim of the Strategic Guidelines.

Focus shifts from **equality to equity**

This approach represents a shift in the NIHE's position from focusing on inequality, to acting *'equitably'* which in practice amounts to a more *'even'* spread of resources, without meaningful consideration of where the greatest inequality is. The statutory purpose of an EQIA is to tackle inequality, where

it is found, among nine named groups of religion, political belief, age, gender, disability status, sexual orientation, race, dependent status and marital status. Figures relating to North Belfast, show that housing inequality has reduced only slightly, due to a increase in housing need in the Protestant community, not a reduction in need in the Catholic community.

The NIHE's requirement that housing need is assessed in a manner that is *'proportionate to the Regional requirements'* contains a condition, arbitrarily imposed by the NIHE on the long-standing policy requirement to target objective need, which is also contained in the St. Andrew's Agreement (2006) and consecutive NI Executive Programmes for Government.

Apart from being firmly outside of NI Executive policy and statutory duty, the NIHE's focus on acting *'equitably'* in place of promoting *equality* is fraught with difficulties. For example, the Housing Districts and Areas used by the NIHE differ widely in geographical size and in numbers of inhabitants. As such, any analysis of proportionate need requires the use of units which are directly comparable with each other, and with the widest possible range of housing statistics. The NIHE did not provide information in such a way, making direct comparisons by consultees impossible. Accordingly, the Social Development Committee asked for the figures used by the NIHE to be broken down in this way after PPR's evidence session on the 22nd April 2012. This was never supplied by the NIHE.

Flaws in the **Decision Making Process**

PPR uncovered information in late 2009 that raised serious concerns about the NIHE and DSD's decision making process on the Strategic Guidelines.

Despite the EQIA and Strategic Guidelines being in draft form, the Chief Executive of the NIHE stated to the Social Development Committee on 10th December 2009, that the proposals contained in these documents were, in fact, currently being implemented. Yet no final EQIA had been published

to signal the end of the consultation process to stakeholders.

PPR raised concerns in writing that this was outside of established consultation guidelines with the Chair of the NIHE on 14th December 2009. Paddy McIntyre, Chief Executive of the NIHE responded on 22nd December stating:

“The Board took the decision to implement the proposals following a preliminary equality impact assessment and a pre-consultation exercise which indicated that the new Guidelines were robust, fair and equitable”

No denial was issued that consultation guidelines had been breached, and the NIHE reiterated its position that their approach was ‘equitable’. The term ‘equitable’ was subsequently used many times by the NIHE to describe their criteria with regard to new build social housing, signalling a departure from a Section 75 equality approach.

In this letter to PPR, Mr McIntyre also stated that the ‘ring-fencing’ protection was actually removed by the NIHE Board on the 16th December 2009, six days after he had told the Social Development Committee that the protections had already been scrapped.

Impact on North Belfast **identified**

In a letter to the Social Development Committee on 15th December 2009, the Minister for Social Development, Margaret Ritchie MLA, outlined that the NIHE’s new calculation of housing need would reduce North Belfast social housing targets by 29%.

The Second **EQIA**

The NIHE subsequently issued a second Draft EQIA in April 2010 with further changes made to the Social Housing Development Programme Strategic Guidelines, in addition to those set out in the original 2008 consultation. The notable change was that the new method of calculating location of social housing new builds had been refined and was now entitled:

“Housing Need Assessment at 30 points, Intensified by Waiting Time and Median Points Levels for Applicants at 70 points and above, at District Level”.

As with the 2008 Draft EQIA, a large amount of appendices were attached to the 2010 Draft EQIA. Despite this, once again no evidence or data was provided on the impacts of the new Housing Needs Assessment calculation, in terms of how it will translate into a number of social housing units for the areas suffering the greatest housing need and inequality.

Engaging **with Government**

On the basis of our concerns about the Strategic Guidelines, PPR were invited to attend three evidence sessions with the Northern Ireland Assembly’s Social Development Committee. After each session the Social Development Committee wrote to the DSD asking for more information on the impact of the new housing need calculation and at the request of the Committee, PPR commented on the data provided.

In August 2010, PPR and the Seven Towers Residents Group met with newly appointed Social Development Minister, Alex Attwood MLA. During the meeting the Minister was briefed on the Strategic Guidelines and the negative impact it would have on housing inequality in areas like North Belfast. Upon his request, a written brief was provided after the meeting.¹⁸ No response was ever received by PPR.

In December 2010, PPR submitted a response to the new consultation for the Second Draft EQIA. On 17th February 2011, PPR were invited to provide a third briefing to the Social Development Committee on the Strategic Guidelines. The following week, on the 24th February 2011 the NIHE briefed the Committee on the same topic. On 15th March 2011, the Social Development Committee forwarded to PPR correspondence from the Department for Social Development. It cited the NIHE stating the benefits of the revised Strategic Guidelines, and ends:

“This clearly shows Option 5 [revised ‘intensified’ Strategic Guidelines] is a more equitable approach”¹⁹

Once again, the NIHE described their approach to tackling housing inequality, to be ‘equitable’.

On 11th March 2011, PPR wrote to Brian Rowntree, Chair of the NIHE Board upon becoming aware that the new Strategic Guidelines were to be presented for approval to the NIHE Board meeting that month. The letter, copied to the Minister Alex Attwood MLA, and the Chair of the Social Development Committee, Simon Hamilton MLA, stated that there had still been no clear indication from the NIHE as to what the projected outcomes of these proposals would be, i.e. the exact number of social housing units which would be allocated to each district in Northern Ireland, including areas impacted by religious inequality. In light of this, and PPR’s ongoing concerns with how figures and statistics had been used and the number of social housing applicants excluded from calculations as a result, PPR asked that the Board request clear information on the above before any decision is taken.

PPR attached a briefing, alongside one from Dr. Mark Dynarski of Pemberton Research, formerly Director of the Center for Improving Research Evidence at Mathematica Policy Research, USA. Dr. Dynarski concurred with a number of the methodological concerns raised by PPR, in particular the ‘trimming’ of data by dropping households that had been waiting longer than 60 months from the figures saying:

“The guidelines state (page 29) that trimming yields “a more realistic profile of waiting times.” In fact I would argue the result is the opposite, and the reported “trimmed” numbers reflect an “unrealistic” view of waiting times because the full distribution of waiting times is not used”

Brian Rowntree responded on the 6th April with an 8 page letter which reiterated many of the NIHE’s previously made points.

PPR wrote finally to Brian Rowntree on 21st April 2011 stating:

“Throughout correspondence with the NIHE stretching back to 2009, the question of how the NIHE’s Strategic Guidelines for the Social Housing Development Programme will address these [North Belfast] figures remains unanswered. PPR has asked for figures which would begin to evidence whether or not these inequalities will be addressed through the new method of allocating housing need. To date, these have not been provided. Indeed, the figures that have been provided by the NIHE show that North Belfast housing provision will fall by a quarter under the new calculation.”

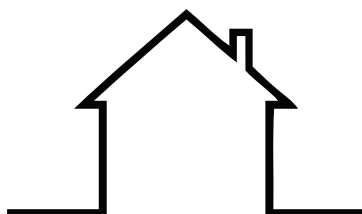
On 2nd June 2011, Brian Rowntree replied stating that the information requested could be found in the final EQIA report and Consultation Report of the Strategic Guidelines for the Social Housing Development Programme. The information requested was not contained there. He confirmed that the report was approved by the Board of the Housing Executive in April 2011.

In January 2013, Minister McCausland MLA, in a briefing to the Northern Ireland Assembly Social Development Committee, indicated that the calculation used in the Strategic Guidelines would be reviewed in the future. PPR wrote to the Minister requesting further information and given the history of PPR’s engagement on the issue, offered a briefing. This offer was declined.

To date, detailed information on how religious inequality in housing in North Belfast would be impacted by the removal of ring-fencing has never been made available.

Endnotes for Chapter 6

1. 2012/2013 proposed funding of Social Housing Development Programme is £93.1 million and will enable the delivery of 1,325 new social housing starts (1,000 general needs housing and 325 supported homes) according to the NIHE 2012/2013 District Housing Plan & Local Housing Strategy, Belfast, p.12
2. NIHE (2008) Draft EQIA Social Housing Development Programme, Strategic Guidelines, p.7
3. These figures were targets. According to data released by the NIHE under the Freedom of Information Act, only 926 completions were achieved over the 2001-2008 period of the North Belfast Housing Strategy.
4. NIHE (2008) Draft EQIA Social Housing Development Programme, Strategic Guidelines p.19
5. Ibid., Presented as Table 6 on p.19 of the Draft EQIA
6. Ibid., p.26 states that "Table 8(a) demonstrates the longer waiting times for Catholics compared to Protestants and the significant differential in Belfast"
7. Ibid., p.30
8. Ibid., Table 8 (a) and (b) of the Draft EQIA illustrate the time spent by Catholics and Protestants on the Waiting List for Social Housing - Table 8 (a) at the date of housing, and Table (b) looking only at those who had been on the social housing waiting list for 5 years or less as of March 2008.
9. Ibid., Appendix 5 and Appendix 6 of the Draft EQIA details Allocations by District and Religion, and Waiting List by District and Religion respectively (Appendix 3).
10. Ibid., Appendix 5
11. Ibid., Appendix 6
12. Response received from NIHE on 23rd December 2008
13. Method known as 'Housing Needs Assessment, Weighted by Waiting Time'
14. Ibid., p.40
15. See Appendix 3 for NIHE Social Housing Waiting List figures for North Belfast, West Belfast and Derry between 2003-2009
16. See Appendix 3 for NIHE Applicants in Housing Stress figures for North Belfast, West Belfast and Derry between 2003-2009
17. Calculations made from figures on Housing Stress by Perceived Religious Community Background in 2003 and 2009 as contained within NIHE North Belfast Housing Strategy Progress Reports, 27th May 2009. In 2003, in North Belfast, 179 Protestants and 789 Catholics were in housing stress. In 2009, 403 Protestants and 1081 Catholics were in housing stress.
18. Written Briefing on the Social Development Programme Strategic Guidelines to Minister Attwood, 12th September 2010
19. Correspondence from DSD to SD Committee, dated 24 February 2011, Annex, 'Housing Executive Response to Social Development Committee queries – letter dated 17th February 2011'. Forwarded to PPR by SD Committee on 15th March 2011



Chapter 7:

The Regeneration of Girdwood Barracks

The land on which the Girdwood Barracks site stands has been widely recognised by political representatives, housing campaigners and residents as a ‘windfall’ site with significant potential for North Belfast. Girdwood Barracks is a former British Military base, acquired by the Department for Social Development from the Ministry of Defence in 2006. Together with the adjacent Crumlin Road Gaol, which was transferred to the ownership of the Office of the First Minister and Deputy First Minister (OFMDFM) in 2003, the site lies across 27 acres and has been earmarked for regeneration at an estimated cost of £231 million. In a densely populated urban environment, the opportunity to make serious inroads into addressing housing inequality cannot be underestimated.

The Girdwood site is located at the heart of five of the most deprived Electoral Wards in Northern Ireland – Crumlin, New Lodge, Water Works, Shankill and Ardoyne. Government’s own statistics indicate that these areas are worst affected by health, housing, education and employment problems. Though this report’s remit is to examine issues relating largely to failure to tackle housing inequality, the regeneration of Girdwood Barracks has the potential to address a range of equality issues.¹

Since 2006, the future of the Girdwood site has been a matter of public debate as responsibility for the site has passed through the hands of successive Ministers of the Department for Social Development. Indeed, Girdwood was most recently propelled back into the media headlines with the June 2013 announcement that sixty new homes will be built on the Girdwood site following the withdrawal of a legal challenge.² The announcement was the latest in a catalogue of decisions made about housing at the site and follows

the 21st May 2012 statement by Social Development Minister Nelson McCausland MLA that, along with other local North Belfast political representatives, he had brokered a deal for an “ambitious renewal agenda for North Belfast with my Department’s concept plan for the regeneration of Girdwood at the heart of this.”³

As this chapter will reveal however, tackling the predicament of those experiencing housing inequality has not been part of this agenda.

Publication of the 2007 Draft Masterplan

In July 2007 the Draft Masterplan for Crumlin Road Gaol and Girdwood Barracks was published by the North Belfast Community Action Unit (NBCAU) – the combined DSD/OFMDFM unit in charge of the regeneration. This was the culmination of a process which took place throughout 2006. This involved the establishment of an advisory panel composed of political and community representatives of the surrounding areas, and statutory bodies with the purpose of making recommendations on a draft Masterplan for the site by December 2006. The Mission Statement of the Advisory Panel was:

*“To create a regeneration project of international significance which will bring **maximum economic, social and environmental benefits to the local and wider community** and in doing so creates a vibrant, inclusive and diverse environment which attracts present and future generations of people to live, work and visit [emphasis added]”⁴*

Despite the clear emphasis on delivering economic and social benefits to the local community, the

notes of the meetings in 2006, at which Laganside Development Corporation and Belfast City Council were represented, show that much attention was paid to the redevelopment of the Gasworks site in South Belfast as a best practice model. This was despite a post-project evaluation of the Gasworks site that did not measure or evaluate socio-economic impact on the local community⁵ and the numbers of jobs secured for unemployed people in the area being estimated as minimal.⁶

Despite the well documented inequalities experienced by the communities adjacent to Girdwood and the government's obligations to promote equality, less than one page of the ninety page Draft Masterplan refers to social and economic deprivation and inequality. The Masterplan also stated that there was no need for an Equality Impact Assessment (EQIA) at this stage as the plans were 'conceptual'.⁷

With specific regard to housing, the "significant and demonstrable need for social and affordable housing in North Belfast" is made reference to as a "major concern for Nationalists"⁸ rather than as documented fact. Alongside this it is stated that a "major concern of the Unionist community is that the site would cease to be regarded as 'neutral' if housing were to be included."⁹ The issue of housing on the site was described in the Draft Masterplan as; "extremely contentious"¹⁰ and it was stated that:

*"it has not proved possible to reach agreement on this issue within the Advisory Panel"*¹¹

Failure to clearly articulate housing inequality as a chronic and longstanding issue with a clear statistical evidence base, and to meaningfully assess the legal obligations with regards to it, meant that tackling housing inequality through the Girdwood site was positioned as an issue subject to cross community support in the Draft Masterplan:

*"The Panel recognises that the situation in North Belfast is an exceptional one and that cross community support will be vital to successful development of the site, particularly with regard to housing."*¹²

Calling for equality

Six months later, in January 2008 a report published by PPR 'Unlocking the Potential' analysed the Girdwood process to date, outlined the scale of the inequalities affecting the five wards immediately surrounding the Girdwood site (New Lodge, Oldpark, Crumlin, Waterworks and Ardoyne) and concluded that the process had not fulfilled the statutory obligations under Section 75 (1) to promote equality. Had the Department set out to address housing inequalities, the Draft Masterplan would have an explicit identification of inequalities, proposals developed to tackle them, and quantifiable outcomes which enable targets to be set.¹³ 'Unlocking the Potential' documented how the Draft Masterplan contained none of these. Instead much of the information relating to plans for housing focused vaguely on 'mixed tenure housing' in order to make 'living and vibrant zones' and 'create the critical mass and the profit to pay for the costly infrastructure needed to develop this site.'¹⁴

Both the DSD and OFMDFM's own Equality Schemes noted that there was a legal requirement to screen proposed policies for potential impacts on the promotion of equality, and where necessary conduct an EQIA. Furthermore, despite the statement in the Draft Masterplan that no EQIA was needed as the plans were merely 'conceptual' Equality Commission Guidance made clear that an EQIA should be done early on in the process, in order to properly shape emerging plans;

*"...mainstreaming is the process of ensuring that equality considerations are built into the policy development process from the beginning, rather than being bolted on at the end"*¹⁵

The DSD and OFMDFM's position that the current plans were 'conceptual' did not stand up to scrutiny. As 'Unlocking the Potential' noted, the Draft Masterplan already contained detailed proposals, zoned areas and projected budgets. The proposals focused on redevelopment of the Gaol, tourism, new facilities for the Mater Hospital, and the redevelopment of grammar school St. Malachy's College.

Data Collected **...and Ignored**

Following pressure from PPR, the Committee on the Administration of Justice (CAJ) and a wide range of community organisations, the Minister for Social Development Margaret Ritchie MLA reversed her position and announced in April 2008 that she intended on carrying out an Equality Impact Assessment on the proposals.

PPR both met with, and wrote to the NBCAU advising that there needed to be an understanding of the inequalities impacting the communities surrounding the site throughout the Masterplan. This included housing inequality.

According to the Equality Commission's guidelines and the DSD and OFMDFM's Equality Schemes, one of the first stages of an EQIA is a focus on data collection. During this stage, PPR worked with a wide range of community organisations and residents' groups across North Belfast to collect both quantitative and qualitative data¹⁶ and also made a number of written submissions to the NBCAU for consideration. These included:

- a. Unlocking the Potential: Human Rights, Equality and the Draft Masterplan for Crumlin Road Gaol and Girdwood Barracks (January 2008)*
- b. Transcript from 'Residents Jury on Regenerating Crumlin Road Gaol and Girdwood Barracks: A Human Rights Based Approach' (May 2008)*
- c. Changing the Patterns of the Past: Putting People First in the Regeneration of North Belfast' (August 2008)*
- d. 'Regeneration and the Race Equality Duty' by the Commission for Racial Equality (September 2007)*
- e. Olympic Delivery Authority – Equality and Diversity Strategy (July 2007)*
- f. Lower Shankill Community Audit (2006) submitted on behalf of the Lower Shankill Community Association*
- g. Submission from Residents Groups who took part in EQIA focus groups.*

This information was submitted on the 30th September, the closing date of the data collection stage of the EQIA.

However, PPR were alarmed to discover that an 'early draft' of the Equality Impact Assessment was provided to the Equality Commission by the NBCAU on the 3rd October 2008 for comment. It appeared that the NBCAU had taken only a total of 3 days to consider a large volume of information submitted to them from PPR and other groups, including residents' own testimonies, official and community based statistics on inequalities, and reports from international experts on how regeneration processes have successfully tackled deprivation and inequality in other contexts.

The NBCAU released for consultation a Draft EQIA on the Regeneration of Girdwood Barracks and Crumlin Road Gaol on the 29th October 2008. Very little of the information on inequality submitted by PPR and other groups was reflected in the NBCAU's Draft EQIA document. The Draft EQIA was 58 pages long but statistics on health, employment and education were scarce and did not present the experiences of the named Section 75 groups. With regard to housing however, the situation was different.

Housing inequality **acknowledged**

The statistics on housing in North Belfast included in the Draft EQIA were comprehensive and included data on a number of Section 75 groups, including age, religion, marital status and dependents. The range of statistics (which included an assessment of those in social housing stress, projected housing supply, re-lets and redevelopment requirements) identified a clear inequality in housing impacting the Catholic community, as illustrated by the calculation below which is contained in the Draft EQIA;

NIHE Projected housing need assessment from 2007 to 2012¹⁷

TABLE 7.1

Table showing projected housing need in 'perceived' Catholic North Belfast

| | |
|--|--------------|
| Projected number of applicants in Housing Stress | 2671 |
| Less projected housing supply (re-lets & voids) | -1306 |
| Less 1 year's average annual re-lets | -242 |
| Projected social housing need | 1123 |
| Redevelopment requirements | 168 |
| Adjusted projected social housing need | 1291 |

TABLE 7.2

Table showing projected housing need in 'perceived' Protestant North Belfast

| | |
|--|--------------|
| Projected number of applicants in Housing Stress | 1618 |
| Less projected housing supply (re-lets & voids) | -1619 |
| Less 1 year's average annual re-lets | -287 |
| Projected social housing need | Nil |
| Redevelopment overspill requirements | 71 |
| Projected social housing need | 71 |

The NIHE's figures for projected housing need in North Belfast from 2007-2012 totalled 1362 with 1291 units required in Catholic areas compared with 71 units in Protestant areas. In essence, the Draft EQIA had recognised that based on the NIHE's figures, 95% of the total future need for new social homes in North Belfast would be Catholic.

The Draft EQIA also acknowledged:

*"Catholic housing need is characterised by lengthy waiting lists which can only be met through the provision of additional social housing. Protestant housing need is largely being met through the turnover in existing social housing"*¹⁸

Housing inequality ignored

However despite having clearly presented the inequality through government statistics, the DSD made the decision not to tackle it, instead stating;

*"The preferred option of the Department is shared housing"*¹⁹

This is explained further:

*"The data provided by the NIHE underlines that the level of housing stress in the Catholic community cannot be catered for within current and projected housing provision. New residential developments on the site will not have an adverse impact on the housing requirements of the Protestant community in this area. Housing stress within Protestant areas in North Belfast can be accommodated within existing plans. Provision of housing has created concerns within that community and the Department must take account of the objective of creating a sustainable, vibrant community on the site and the areas adjoining the site."*²⁰

Building social homes to address Catholic need and inequality in North Belfast, according to the DSD's Draft EQIA, apparently represents a threat to the stated intention of *"creating a sustainable, vibrant community on the site and the areas adjoining the site."*

This position essentially involves a prioritisation by the DSD of the good relations duty over the equality duty, which directly conflicts with the wording of Section 75 and thus the legal obligations both public authorities are under. In real terms, it means that the religious inequality impacting Catholics on the social housing waiting list in North Belfast will continue.

A Final EQIA **is published**

The report on the final EQIA was published in March 2010. The numerous issues and objections to the plans which had been raised in the consultation included the lack of targets; the failure to use a baseline equality analysis to develop proposals, the need for more information on all Section 75 groups and any inequalities they experience in relation to housing, education or employment. Moreover, also mentioned was the fact that the mitigating measures proposed were vague and undefined and that no analysis of the potential impact of proposals on promotion of equality.

The report assessed that;

*“in light of responses to the EQIA, the preferred way forward is to advance the Masterplan in a staged or incremental manner.”*²¹

Whilst to date it is clear that the Masterplan has been advanced incrementally, with proposals for the Hub and housing at the site being progressed separately, PPR is unaware of any further equality analysis being carried out on proposals.

Once more, the commitment to shared housing was reinforced despite the identified housing inequality impacting the Catholic community:

“The provision of housing, particularly social housing will have an impact in addressing local housing need although the provision of such housing must reflect the needs of all communities living in the area”

*“The development of the site should seek to address the concerns and needs of all the communities living in the area. In an attempt to challenge the sectarianism of the past, the preference is to provide shared space on the site”*²²

In fact, the very notion of carrying out an equality analysis was questioned by the NBCAU in the Final EQIA, on the basis that identifying inequalities

impacting one community would cause further debate and disagreement:

*“A number of the respondents were disappointed that the EQIA had not presented a definitive ‘equality analysis’ of perceived local need in relation to one or more of housing, education, employment and training, leisure and health. Given the unique location of the site and the various perspectives held by those from adjacent communities it is perhaps overly optimistic to assume that such an analysis could hope to provide an objective, valid and definitive conclusion as to local needs that would be agreed on by all local communities. Instead at the present time the outcome of such an analysis may simply fuel further debate and disagreement and in particular where the needs, perceptions and priorities of each community remain so far apart”.*²³

The above quotation is notable as it illustrates a government body in charge of regeneration appearing to take the view that giving due regard to the promotion of equality as required by the law is a divisive action. It seems to suggest that the naming of inequalities should be avoided in places like North Belfast where in fact, the differentials are the most stark, and where communities have suffered longest.

A new **announcement**

In 2009 and again in 2010, two Ministers for Social Development (Ms Margaret Ritchie MP and Mr Alex Attwood MLA respectively) announced approximately 200 new social homes for the Girdwood site, with the latter then proceeding to commence the procurement and design processes including appointing a design team and Housing Association.

However, in July 2011, the current Minister for Social Development, Mr Nelson McCausland MLA instructed the NIHE to remove the proposed 200 social homes planned for Girdwood from their Social Housing Development Programme. Minister McCausland, echoing the recommendations of the North Belfast Community Action Unit in the Final EQIA, stated that cross community agreement was required for these proposals to move forward. Sinn Féin and the SDLP



Figure 7.A: Photograph released on the 21st May by North Belfast's political representatives who announced a cross party deal had been done on Girdwood. L-R Nigel Dodds MP, William Humphrey MLA, Carál Ní Chuilín MLA, Gerry Kelly MLA, Minister Nelson McCausland MLA and Alban Maginness MLA.

attacked the Minister's decision calling it "*sectarian*"²⁴ and "*disturbing*"²⁵. Sinn Féin described Girdwood as "*a unique opportunity to make some sort of dent on the waiting list*".²⁶ In sentiments echoing this the SDLP noted that "*Girdwood presents the only opportunity, the only serious and substantial space in North Belfast for housing development and there is no reason why the first phase of the development at Girdwood should not be housing as there is a proven objective need.*"²⁷

In May 2012, Minister McCausland MLA announced that a cross-party political deal had been reached which involved the construction of social homes on the Girdwood site.²⁸ The concept drawing of the proposals emerging from the political deal, released after the announcement, showed two areas of proposed social housing planned at each end of the Girdwood site; one area adjacent to existing homes in a predominately Catholic community and the other adjacent to existing homes in the Protestant community.

Despite the significant lack of detail being provided to the public about the nature of the deal, it seemed apparent that houses located close to the Catholic community would be occupied by Catholics, and the homes near the Protestant community by Protestants. No figures on the numbers of social

homes to be built were released, although the footprint, and subsequent news reports, suggested a potential 70/30 Catholic/Protestant split.

Disturbingly, it also emerged that the NIHE had produced leaflets and disseminated them among members of the Protestant community in Belfast and elsewhere attempting to encourage them to apply to live in the predominately Protestant area beside Girdwood where housing need is currently lower than in the adjacent Catholic areas²⁹ - thereby effectively engineering housing need. On the one hand, PPR's work in North Belfast has shown that the NIHE and the Minister for Social Development were operating a policy of advising Catholics on the waiting list that they had to become 'more mobile' and widen their area of choice - i.e. move out of North Belfast.³⁰ On the other hand, they were building new social housing in an area with negligible need of additional social homes, and attempting to attract members of the Protestant community to live in North Belfast.

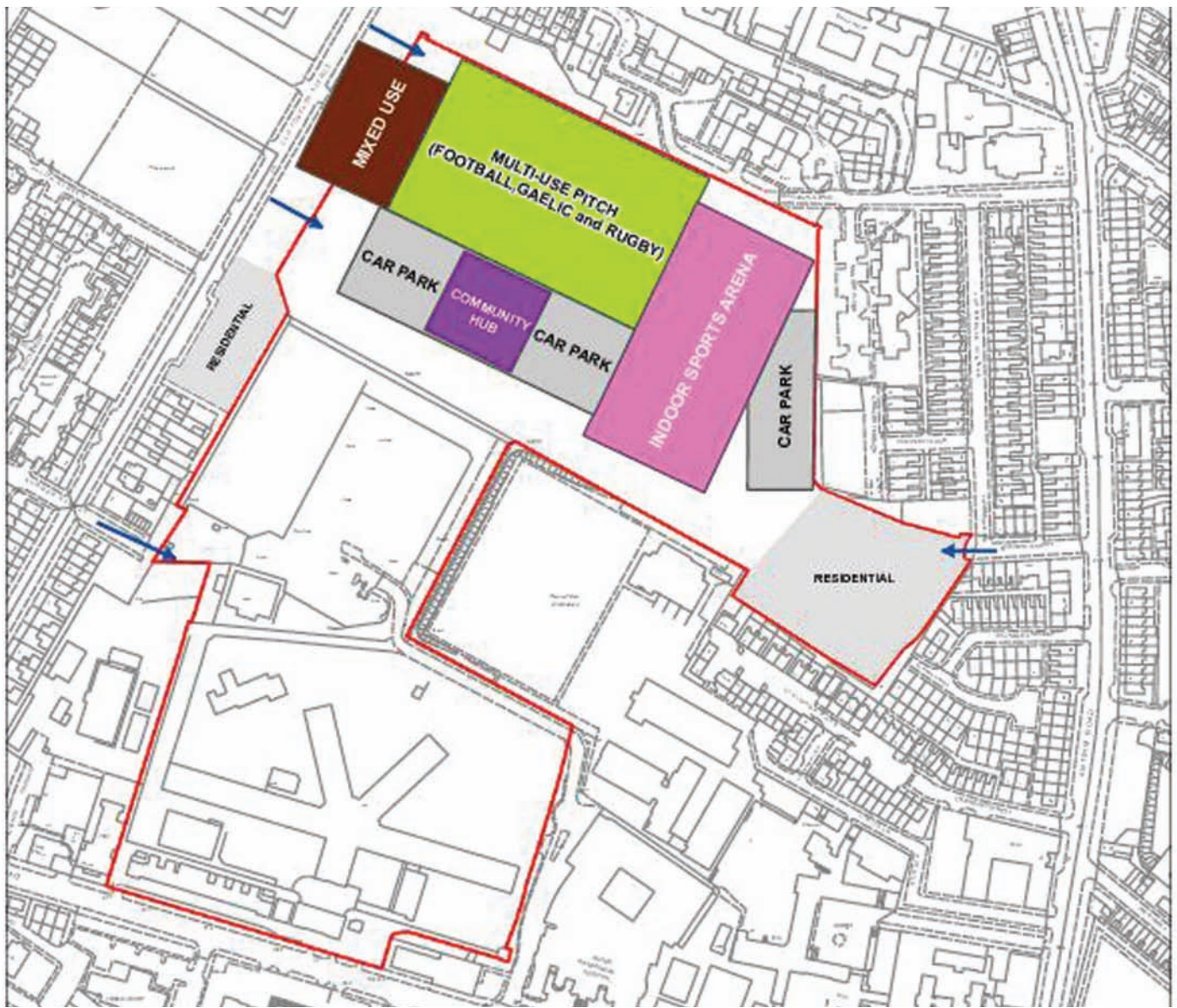


Figure 7.B: Map from the Girdwood proposed Masterplan Conceptual Framework May 2012 [note the location and indicative sizes of the two residential areas located at either sides of the former Barracks site.]

The Equality Can't Wait **Campaign**

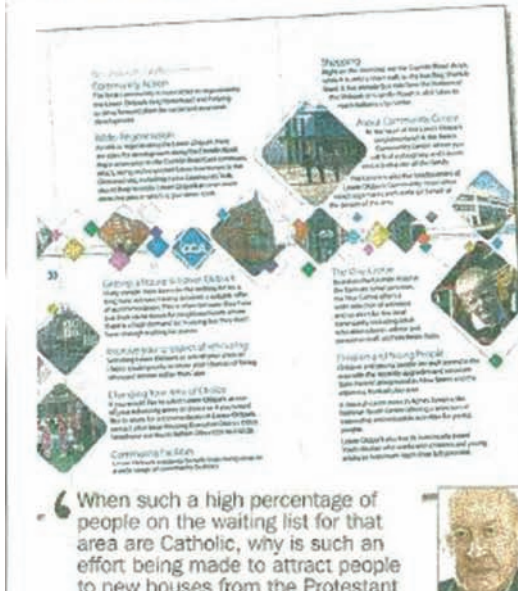
In the week following the Ministerial announcement, North Belfast residents supported by PPR began organising a petition which recognised the decision on Girdwood as the latest in a long line of decisions by the DSD and NIHE which had denied equality to the people on the social housing waiting list in North Belfast. The petition, which was supplemented by an online petition, simply called on the Minister to build new social housing on the basis of objective need and equality.

In June 2012 the Alliance Party proposed a motion for debate in the NI Assembly which expressed concern at the “current segregated housing proposals in the Girdwood Conceptual Masterplan”. The motion called on the Minister to conduct a review into segregation in housing, promote a strategy of shared housing and

direct the NIHE to “promote and protect all housing as mixed.”³¹ The motion was defeated. The motion did not mention the duty to promote equality. On 5th July 2012, the North Belfast residents delivered an open letter to the offices of each of the North Belfast MLAs and the North Belfast MP who had been party to the Girdwood decision, asking for a response in writing to the following questions;

- a) How you and your party plan to ensure the current housing inequality in North Belfast is tackled?
- b) How the decision taken on the Girdwood site will go towards addressing the existing housing inequality in North Belfast, in accordance with the law?

Leaflet aimed at Protestants may be illegal



Diana Rusk
Political Correspondent
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LEAFLETS targeted at Protestants in an appeal for them to "put down roots" in an area around the former Girdwood barracks have been described as potentially illegal.

Despite the waiting list for social housing in north Belfast being dominated by Catholics, the two-page Housing Executive flyers were sent out only to Protestant areas.

They detailed schools, clubs and social groups that are typically attended by Protestants and promoted the Girdwood redevelopment which has been at the centre of renewed controversy.

A fresh plan for the site revealed this week prompted criticism that new social homes will be allocated on the basis of maintaining religious balance instead of addressing housing need.

Issued to homes in the Shankill area, the leaflets have been promoting the benefits of living in the lower Oldpark area, which is near the old army site.

The Housing Executive has defended its move and claimed it was "common practice" among housing bodies across the UK.

Only state schools are named in a section of the brochure that points out the importance of education when "making a choice on where to live".



IN NEW USE: People in Protestant areas have been encouraged to put down roots at the Girdwood site in Belfast.

10-minute walk while the boys and girls model schools are easily reached by bus from Oldpark and Crumlin Roads.

"Belfast Royal Academy is only round the corner on the Cliftonville Road."

On another section, labelled "churches", groups associated with the Protestant community, such as the Girls' Brigade and Boys' Brigade, are listed.

Later the regeneration of the Girdwood site is mentioned, which "should help make the lower Oldpark area an even more attractive area in which to put down roots".

The SDLP's Oldpark councillor Nicola Mallon criticised the fact that the brochures were targeted at one community.

"When information is going out about a housing issue or potential demand for housing in a particular area, especially in contested pieces, it should go out to everyone," she said.

"If it doesn't, it is seen as being partial, selective and an attempt to

breach equality legislation.

"When such a high percentage of people on the waiting list for that area are Catholic, why is such an effort being made to attract people to new houses from the Protestant community?" he said.

"There is clearly a breach of section 75 of the Northern Ireland Act. It is not fully compliant with equality where housing should be made on the basis of need and not for political considerations or the geography of the area."

A spokesman for the Housing Executive defended the leaflet.

"The brochure was distributed to applicants on the waiting list for housing in the mid-Shankill area, which is located close to the lower Oldpark," he said.

"Information is also included on our website and in our annual magazine which was sent out to all tenants in north Belfast.

"This approach is not new and has been used in other areas - for example, in Ligoniel - as well as in

Figure 7.C: NIHE leaflet encouraging members of the Protestant community to consider living in the area around Girdwood is reproduced in the Irish News newspaper on 25th May 2012.

The replies from DUP representatives Nigel Dodds MP and William Humphrey MLA stated that their party colleague, the Social Development Minister Nelson McCausland would be dealing with the matter and that Mr McCausland would respond "to avoid duplication".³²

The SDLP's Alban Maginness MLA responded on the 10th July by referring to the Northern Ireland Assembly debates on the issue and by stating that he had also "sponsored a number of Adjournment Debates on the issues of the redevelopment of the site, the most recent being on Tuesday 12th June." His response included the web link to the debate and a copy of his remarks during the debate.³³

On the 18th July, the most detailed response was received from the office of Sinn Féin's Carál Ní Chuilín MLA and Gerry Kelly MLA. The reply congratulated residents on their campaign and outlined Sinn Féin's history in challenging housing inequality in North Belfast. With specific reference to Girdwood, the response downplays the significance of Girdwood maintaining that "Sinn Féin have never suggested that Girdwood was the answer to housing need in this constituency" and that this was something which Mr Kelly's public statements have also pointed to.³⁴ This seems to contradict the statement made by Sinn Féin in July 2011 in response to the removal of the 200 social homes that Girdwood represented a "unique opportunity".³⁵ The response also states that:

"In relation to your questions on Girdwood, any homes built on Girdwood will be allocated on the basis of objective need. This is the position of Sinn Féin and has been confirmed publicly by leading members of the DUP whose party currently hold the Social Development Ministry."

A similar position was also set out by the SDLP's Alban Maginness who stated:

*"Clearly there are very serious questions emerging that need to be answered, especially around the principle of housing allocated on the basis of objective proven need. While I acted in good faith in trying to open up opportunities for regeneration in Girdwood, neither my party nor I will be gagged when it comes to protecting the allocation of housing based on the principle of evidenced objective need - whether that be nationalist need or unionist need."*³⁶

However the issue of allocation of homes according to need was a side issue. The Northern Ireland Housing Executive's Common Selection Scheme used in allocating homes currently functions by awarding points and homes on the basis of need. It is the *building and supply* of homes on the basis of need, which is the key issue to tackling the housing inequality in North Belfast which impacts the Catholic community.



Figure 7.D: Photograph of New Lodge Families outside the DSD offices on 6th August 2012 after delivering a petition to Minister McCausland asking him to outline his plans to tackle inequality.

The Minister, Nelson McCausland, who is also an MLA for North Belfast, responded on 6th July 2012, and stated that since the residents' letter dealt with both the regeneration of Girdwood and housing in North Belfast, he would respond with "a formal ministerial response" since both issues lie "within my remit as Minister for Social Development."³⁷ The Minister's response to the issues raised in the residents' letter is still outstanding at the time of this report's publication.

The day following the residents' action, the NI Assembly Committee for Social Development was briefed by the Department for Social Development on the plans for Girdwood Barracks. PPR sent a written briefing to all eleven members of the cross party scrutiny committee. The briefing contained information on inequality in housing in North Belfast as well as a request for each MLA to ask the DSD for specific questions on how the current plans would impact the inequality in housing experienced by the Catholic community in North Belfast.

PPR received a response from three Committee members from Sinn Fein, the SDLP and the UUP; all three of whom questioned the DSD in relation to some of the issues raised in PPR's briefing. We further

received answers to written questions submitted to the Minister from the UUP representative on the Committee based on issues raised in our briefing. No response was received from the Alliance, the DUP or the independent representatives on the Committee. One DUP MLA, representing North Belfast spoke positively about the plans for Girdwood describing a "real buzz" about North Belfast in relation to the Girdwood announcement.

Exactly one month later, on 6th August, a group of New Lodge families handed over one thousand petition signatures to Minister Nelson McCausland. The accompanying letter asked Minister McCausland to outline what his plans were to tackle the longstanding religious inequality in social housing in North Belfast.

On 21st August, a brief response was received from the office of the Minister for Social Development. It stated that a key objective of the NI Executive was to increase the supply of social and affordable homes across Northern Ireland. It also indicated that;

"In areas of high demand, such as North Belfast,

those applicants who are willing to broaden their area of choice are more likely to be provided with accommodation which meets their needs more quickly.”³⁸

The letter’s request for details of a plan to target religious inequality in housing in North Belfast went unanswered.

A done deal

Exactly 10 months after the New Lodge families had petitioned the Minister to outline his plans to tackle religious inequality in housing in North Belfast, lawyers for the Department for Social Development announced that sixty homes were to be built on the Girdwood site.³⁹ The statement was released as a ‘clarification’ upon the withdrawal of a legal challenge brought by a Catholic single mother who has been on the housing waiting list for nearly 13 years.⁴⁰ The statement also referred to these homes as being part of a wider initiative, with plans for a further 671 homes programmed across North Belfast.

PPR publicly expressed concern with this announcement for a number of reasons.⁴¹ Any new build homes that would address the chronic housing inequality in North Belfast are to be welcomed. However, it is clear that these units will fail to make a significant impact, when the scale of the need for new homes in Catholic North Belfast is taken into account.

In order to obtain a clearer picture of the proposals for housing at Girdwood, PPR made requests for further information.

Homes at Girdwood

According to the NIHE response to a Freedom of Information request, received on the 11th July 2013, 60 new homes are to be built on the former Girdwood Barracks site with a further 21 built in Kinnaird Place, adjacent to the site. In the Apex Housing Association Proposed Site Layout drawing, supplied as part of the request, the plans for housing will create across both sites, the following;

- 20 5-Person, 3 bedroom housing units
- 17 3-Person, 2 bedroom housing units
- 4 3-Person, 2 bedroom apartment units
- 20 2-Person, 1 bedroom apartment units
- 20 3-Person, 2 bedroom duplex units

For the Girdwood site the plan states only that there

will be 14 apartments and 46 houses.

The response also contained a copy of the NIHE Housing Needs Assessment for Girdwood Park 2011 to 2016. The previous NIHE Housing Needs Assessment for 2007 to 2012 as referenced in **Tables 7.1** and **7.2** demonstrated that 95% of projected housing need for North Belfast by 2012 would be in the Catholic community. Despite this, the 2011-2016 Housing Needs Assessment projected social housing need calculation below neglects to disaggregate need by religion.

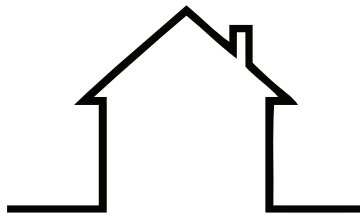
TABLE 7.3 Projected Social Housing Need in North Belfast 2011-2016⁴²

| Projected number of applicants in Housing Stress | 4588 |
|--|-------|
| Less projected housing supply (relets and voids) | -2692 |
| Less 1 year’s average annual relets | -514 |
| Projected social housing need | 1382 |
| Less newbuild currently on site | -254 |
| Add redevelopment requirements | 155 |
| Adjusted projected social housing need | 1283 |

Nowhere in the assessment is the religious inequality in housing in North Belfast mentioned. Failure to disaggregate applicants in housing stress by religion when calculating housing need for Girdwood is consistent with the NIHE ceasing to report on the levels of housing stress by religious background in the Progress Reports to the North Belfast Housing Strategy post 2009. Given the documented inequality in accessing housing facing Catholic residents living in the areas around Girdwood, it is difficult to foresee how the current proposals will tackle it.

Endnotes for Chapter 7

1. PPR (2008) Unlocking the Potential, available at www.pprproject.org
2. BBC (6th June 2013) 'Girdwood site: sixty new homes to be built on site', see <http://www.bbc.co.uk/news/uk-northern-ireland-22797984> (last accessed 23rd July 2013)
3. DSD (2012) Press Release dated 21st May 2012 'Transformation Plan for Girdwood' www.northernireland.gov.uk/index/media-centre/news-departments/news-dsd/news-dsd-210512-transformation-plan-for.htm
4. BDP (2007) 'Crumlin Road Gaol & Girdwood Barracks Draft Masterplan', July 2007 p.4
5. Grant Thornton (2007) Laganside Corporation Post-Project Evaluation: Gasworks
6. Evidence given to the Residents Jury from Ken Humphries of the Church and Community Work Alliance, who worked for the Mornington Project (Lower Ormeau) on the Gasworks regeneration. He stated that according to his own research 18 local people were trained and interviewed for the jobs in Halifax but only one was employed. He also stated that out of 4500 people currently employed in the Gasworks, only 12 came from the local community.
7. DSD (2008) 'Crumlin Road Gaol & Girdwood Barracks: We Want Your Views: Equality Statement' p.2. www.dsdni.gov.uk/consultation-crg-views.doc (last accessed 23rd April 2013)
8. BDP (2007) 'Crumlin Road Gaol & Girdwood Barracks Draft Masterplan', July 2007 p.6
9. Ibid
10. Ibid
11. Ibid
12. Ibid
13. This was supported by the Practical Guidance on Equality Impact Assessments for Public Authorities available at the time (issued February 2005) from the Equality Commission which stated:
"Assessing the adverse impact of public policy across all nine categories cannot be effectively undertaken unless qualitative and quantitative data relevant to all the Section 75 categories are available and accessible." (p.2)
14. Ibid
15. ECNI (2005) Section 75 of the NI Act 1998: Guide to Statutory Duties, p.82
16. North Belfast groups who PPR worked with include Women United, Brucevale Residents, Manor Street Residents, Ardoyne Residents, Cavehill/Antrim Road CEP Youth Group, New Lodge Residents, Silver Thread. Those who made their own submissions in addition to this were Brucevale Residents, Cliftonville Community Regeneration Forum, Ashton Centre, Lower Shankill Community Association, North Belfast Interface Network, Cavehill/Antrim Road Regeneration and the Girdwood Residents Jury.
17. DSD (2008) Draft EQIA on the Crumlin Road Gaol and Girdwood Barracks Masterplan based on Information provided by NIHE 2008
18. Public Consultation Document on the Draft EQIA of Crumlin Road Gaol and Girdwood Park Draft Masterplan, cited as from Northern Ireland Housing Executive, p.37 (2008)
19. Ibid., p.41
20. Ibid.
21. DSD (2010) Final EQIA Report which has informed a revised layout for the Crumlin Road Gaol And Girdwood Park Draft Masterplan March 2010, p.1
22. Ibid., p. 4
23. Ibid., p. 13
24. BBC News (2011) Sinn Féin Cllr Conor Maskey as quoted in BBC News article Nelson "McCausland vetoes social homes" 29th July 2011 <http://www.bbc.co.uk/news/uk-northern-ireland-14338142> (last accessed 23rd April 2013)
25. BBC News (2011) SDLP MLA Alban Maginness as quoted in BBC News article Nelson "McCausland vetoes social homes" 29th July 2011 <http://www.bbc.co.uk/news/uk-northern-ireland-14338142> (last accessed 23rd April 2013)
26. BBC News (2011) Sinn Féin Cllr Conor Maskey as quoted in BBC News article Nelson "McCausland vetoes social homes" 29th July 2011 <http://www.bbc.co.uk/news/uk-northern-ireland-14338142> (last accessed 23rd April 2013)
27. BBC News (2011) SDLP MLA Alban Maginness as quoted in BBC News article Nelson "McCausland vetoes social homes" 29th July 2011 <http://www.bbc.co.uk/news/uk-northern-ireland-14338142> (last accessed 23rd April 2013)
28. In the days following the announcement, the SDLP stated on record that they were considering withdrawing their support for the agreement BBC (2012) SDLP may remove support for Girdwood barracks development <http://www.bbc.co.uk/news/uk-northern-ireland-18226294> (last accessed on 23rd April 2013)
29. Housing Executive figures in relation to social housing applicants and social housing applicants in housing stress for March 2011, for example reveal that the predominantly Protestant Lower Oldpark had 31 people on the waiting list with 15 in Housing Stress. Neighbouring Catholic area, the New Lodge, however had 289 people on the waiting list with 165 in Housing Stress.
30. Reference to the need for those in areas impacted by religious inequality/areas of 'high demand' to be more mobile is also made by the NIHE in the Draft EQIA on the Strategic Guidelines on the Social Housing Development Programme 2008
31. NI Assembly Private Members Business Motion: Mixed Housing <http://www.niassembly.gov.uk/Assembly-Business/Order-Papers/12-June-2012/> (last accessed 23rd April 2013)
32. Letter from William Humphrey MLA, dated 6th July 2012, letter from Nigel Dodds MP dated 18th July 2012.
33. Letter from Alban Maginness MLA dated 10th July 2012.
34. North Belfast News newspaper (2012) article dated 25th May 2012 includes a public statement from Mr Gerry Kelly MLA following the Girdwood announcement which states; "Girdwood was never going to resolve all the inequalities in housing need that nationalists face in North Belfast, the space isn't unlimited..." <http://belfastmediagroup.com/site-was-never-going-to-solve-north-issues/> (last accessed 23rd April 2013)
35. BBC News (2011) Sinn Féin Cllr Conor Maskey as quoted in BBC News article Nelson "McCausland vetoes social homes" 29th July 2011 <http://www.bbc.co.uk/news/uk-northern-ireland-14338142> (last accessed 23rd April 2013)
36. (24th May 2012) SDLP Press Release, "Maginness committed to pursuing need-based housing at Girdwood"
37. Letter from Nelson McCausland MLA dated 6th July 2012.
38. Letter from the Office of the Private Secretary to the Minister for Social Development to the New Lodge Families dated 21st August 2012.
39. BBC (6th June 2013) 'Girdwood site: sixty new homes to be built on site', see <http://www.bbc.co.uk/news/uk-northern-ireland-22797984> (last accessed 23rd July 2013)
40. Ibid
41. See PPR statement on the announcement that sixty homes are to be built on the former Girdwood Barracks site at <http://www.pprproject.org/content/ppr-response-announcement-60-homes-are-be-built-former-girdwood-barracks-site-north-belfast>
42. As detailed in the NIHE Housing Needs Assessment 2011/2016 received from the NIHE through Freedom of Information request on 11th July 2013.



Chapter 8: *Housing Need*

The official narrative of the manifestation of housing need in Northern Ireland has generally been that it presents differently in each of Northern Ireland's two main communities. For example, in both the 2000 *North Belfast Housing Strategy* and the 2004 *House of Commons Northern Ireland Affairs Committee's report into Social Housing in Northern Ireland*, housing need in the Catholic community is articulated in terms of high presence on the social housing waiting list and increased need for new build social housing. In the Protestant community, the need is stated as refurbishment of housing stock in disrepair and regeneration.¹

This report's final chapter charts PPR's concerns about recent policy decisions by the NIHE and DSD to redefine the principle of 'objective need', wherein high levels of housing stress and inadequate supply of housing stock are no longer the main factors in deciding where to provide new social housing.

Redefining **Housing Need**

In 2012 the Minister for Social Development announced Northern Ireland's first housing strategy with the publication of *'Facing the Future: Housing Strategy for Northern Ireland'* 2012-2017 document, a consultation which closed on 7th December 2012. The document contained significant proposals which would affect the way housing need is defined and targeted. Amongst these were the announcement of a "fundamental review of the social housing allocations policy". A further initiative to take a "housing-led approach to regenerating communities experiencing blight, dereliction or decline" was also included within the proposals.² In the months following the publication of these proposals, PPR has identified potential impacts of both proposals which are concerning.

Review of the Social Housing Allocations Policy

'Facing the Future' states that;

*"We aim to lead a fundamental review on the whole issue of the social housing waiting list and allocations and work with stakeholders to develop appropriate policies and systems which ensure that scarce public resources are used as effectively as possible to support the achievement of a range of the strategic priorities set out in the Northern Ireland Executive's Programme for Government and meet housing need."*³

The document notes that the current system provides for the allocation of social housing based purely on objective need via the awarding of points in the Common Selection Scheme. The Fundamental Review however, would examine how the allocation of social housing can contribute to strategic priorities such as;

- "• economic development and job creation;*
- social and economic regeneration;*
- social mobility; and*
- creating a shared future."*⁴

In a consultation response, PPR argued strongly against any moves to dilute the concept of housing need with other political priorities, especially those as undefined as 'social mobility'. It is also questionable that public money allocated for new build social housing should be diverted to prioritise factors such as 'economic development and job creation', over addressing objective housing need, which is its core function. PPR's response also requested a copy of the terms of reference for the Review which we understood was already underway, despite consultation on the proposals still being ongoing.⁵

The terms of reference of this Review, referred to by the DSD as the Specification Schedule, which PPR received following our request, note that it was to consider, among other priorities;

“access to the social housing waiting list for those applicants with little or no demonstrated housing need”

and

“wider factors (other than individual need) such as social, economic and policy issues and factors which support good housing management.”⁶

PPR’s concern was deepened by a briefing received by the NI Assembly Social Development Committee from the DSD on the Housing Strategy in May 2013. With reference firstly to the Department’s obligation to ensure the allocation of housing on the basis of objective need, a DSD official stated that a process to ‘define’ what objective need is, was underway;

“One of the things that the fundamental review is very actively considering is what objective need is and how we define that. We will want to get a consensus on that and everybody’s views of what they consider housing need or housing stress to be.”⁷

Information from the DSD accompanying the Review Specification Schedule stipulated that the Review should be completed by February 2013 and that it should be comprised of the following reports:

1. *“A report which sets out a description and analysis of current approaches to accessing and allocating social housing in Northern Ireland [report 1];*
2. *A report which describes best practice approaches in Great Britain and the Republic of Ireland to accessing and allocating social housing [report 2]; and*
3. *A final report (including executive summary) which synthesises the main issues from the first two reports and makes recommendations on further improvements to current systems and approaches in Northern Ireland in the context of wider policy and strategic priorities.”*

In June 2013, PPR submitted a Freedom of Information request to the DSD requesting both copies of the reports produced in the Review and a copy of all relevant correspondence including emails relating to these reports and the Review.⁸

On 9th July, four months after the deadline for the completion of the Review reports, PPR received the Freedom of Information response from the DSD which stated the Department’s decision to decline

to release the reports on the grounds that they were incomplete and thus exempt from disclosure under Section 35 of the Act.⁹ The Department stated that the release of incomplete reports would not be in the public interest. Correspondence pertaining to the reports and the Review was also withheld on the grounds that to release such information would *“be likely to impair frankness of discussion between the commercial providers and the Department”*.¹⁰

PPR are concerned that full and transparent access to the Review reports, which provide the basis for proposals to review the allocation of housing in Northern Ireland, and which is being financed to a total of £35,000¹¹ of public money, is being unnecessarily restricted. In May 2013, Professor Paddy Gray of the University of Ulster, who was involved in the University of Ulster/University of Cambridge team carrying out the Review detailed significant information relating to the Review in his presentation to the Institute for Public Administration’s Housing Practitioner Conference, in Limerick. Delegates at the conference, for which the registration fee was €250,¹² viewed information directly relevant to the contents of the review reports and according to the presentation slides, now available online,¹³ the final report had been completed and submitted to the Department by May 2013, one month before PPR submitted our request.

Housing Led Regeneration and the Housing Need Working Group

In tandem with moves to redefine housing need, the Housing Strategy consultation document indicates that a separate initiative, referred to as ‘housing led regeneration’, is being piloted by the DSD. ‘Housing led regeneration’ is defined as a means of regenerating communities experiencing a low demand for social housing by trying to make them more attractive through measures including new housing provision. The strategy states;

“We will work collaboratively across government, with the Housing Executive and housing associations and with communities to improve housing and infrastructure within communities which are experiencing blight, decline or dereliction.”¹⁴

The Housing Strategy consultation document states that four areas would be selected as part of a pilot initiative. However it seems that, despite what was

being said publicly, pilot areas had already been selected. Minutes from a Housing Executive Board meeting in February 2012, eight months before the consultation on the Housing Strategy was launched, noted findings from a Joint DSD/NIHE Housing Need Working Group which had selected the 4 regeneration pilot areas and approved the proposed course of action. The Executive Briefing Board Minutes state:

*“...the Working Group considered ‘selection criteria’ for areas where housing-led regeneration might be applicable based on blighted estates, little apparent Housing Need; and high levels of voids
The following four estates have been identified as pilots:*

*Lower Oldpark, Belfast
Ballysillan, Belfast
Dunclug, Ballymena
Rathenraw Antrim”¹⁵*

Minutes from the NIHE Executive Briefing in August 2012 give further detail of the pilot housing led regeneration scheme. In the minutes, the NIHE caution that although the areas have been chosen and included within the Social Housing Development Programme plans, they are provisional until the policy has been finalised.

“The NIHE Board reaffirmed its view that a needs based approach to new housing provision must be maintained pending finalisation of the housing led regeneration policy. The Board also reaffirmed its position that the housing-led regeneration schemes included in the current SHDP are simply “marker” schemes until such time as the policy approach has been approved. As such, they are not to be progressed.”¹⁶

It is significant that the NIHE have stated that the housing led regeneration scheme differs from a needs based approach. In this context, the May 2013 briefing to the Social Development Committee quoted previously takes on even greater consequence. A senior DSD official stated that:

“One of the things that the fundamental review is very actively considering is what objective need is and how we define that. We will want to get a consensus on that and everybody’s views of what they consider housing need or housing stress to be.”¹⁷

Housing Need and **Housing Led Regeneration**

The ‘Facing the Future’ consultation document outlined potential characteristics for selecting the four pilot areas:

“Characteristics of areas which will be suitable for housing-led regeneration programmes are:

- significant levels of empty properties;
- available undeveloped land;
- areas which, despite being in close proximity to economic activity, have experienced a decline in housing demand;
- blight;
- stigma attached to the area;
- high levels of vandalism and anti-social behaviour;
- areas of deprivation such as Neighbourhood Renewal Areas and Areas at Risk; and
- proximity to places where there is housing need.”¹⁸

The development and potential use of these characteristics raises serious concerns about a move away from the provision of housing on the basis of need. In the context of this obligation, it is difficult to comprehend the suggestion that areas which:

*“have experienced a decline in housing demand”
and
“are in proximity to places where there is housing need”*

should be prioritised for new housing provision while there are areas with proven current demand.

In light of this, PPR have sought further information from both the DSD and the NIHE in order to establish the purpose, the policy framework and the statutory basis of the initiative. In June 2013, PPR submitted a Freedom of Information request for papers relevant to both the initiative and the DSD/NIHE Housing Need Working Group from which the initiative originated. PPR requested information relating to the following;

“The Terms of Reference for the Joint DSD/NIHE Housing Need Working Group, including information relating to its membership and planned budget.

Agenda and Minutes of all meetings which have taken place in relation to this Group from November 2011 to the present date, including copies of any Progress Reports, Evaluations and/or briefings provided to the Minister for Social Development

and/or the DSD Permanent Secretary

Information relating to all areas considered for the Housing Led Regeneration Pilot Scheme and the criteria used to select the four Pilot Schemes areas

A list of consultees involved in the Pilot Scheme, both community and political and any minutes/ notes arising from meetings with same.”¹⁹

Both the DSD and the NIHE in their initial response indicated that they held information relevant to the request but required an extension to examine whether such information could be withheld in the public interest.²⁰

Despite this, on 7th August 2013 the Minister for Social Development publicly launched the Housing Led Regeneration scheme as a plan to “*regenerate blighted communities*”. The official Department press release which accompanied the launch noted that the launch of the actual pilot programme was planned for late September and that work was still:

“ongoing to select those areas which meet the criteria set out in the Housing Strategy”²¹

The press release noted that to date four areas had been selected as meeting the initial selection criteria. These areas differed from those referred to in NIHE Board minutes. The press release stated;

“To date four areas have been selected as meeting the initial selection criteria. These are at Belfast’s Lower Oldpark/Hillview, Tiger’s Bay/Mountcollyer and Divis/Albert Street and Doury Road in Ballymena”

The selection criteria, as well as further information about how the scheme would meet housing need, was not included in the press release. Information from the Department and the NIHE, as requested by PPR has not been released at the time of publication of this report.

Endnotes for Chapter 8

1. See NIHE (2000) 'Tackling Social Need', The North Belfast Housing Strategy, p.3 and House of Commons Northern Ireland Affairs Committee, (2004), "Social Housing in Northern Ireland" Sixth Report of 2003-04 Session, Volume 1, HC 493-1, para 21
2. See DSD (2012) "Facing the Future: A Housing Strategy for Northern Ireland" <http://www.dsdni.gov.uk/housing-strategy-consultation.pdf>
3. Ibid., p.22
4. Ibid., p.25
5. Terms of Reference for the review, DSD (2012) Specification Schedule – DSD Fundamental review of allocations policy Project Ref: 9440 indicated that the review was well underway, with two of the three reports to be produced, due before the Housing Strategy consultation closed on 7th December 2012.
6. DSD (2012) Specification Schedule – DSD Fundamental review of allocations policy Project Ref: 9440 Released to PPR by email on 20th December 2012
7. NI Assembly Social Development Committee, (9th May 2013) Official Report http://www.niassembly.gov.uk/Documents/Official-Reports/Social-Dev/2012-2013/130509_HousingStrategyActionPlanDSDBriefing.pdf (last accessed 3rd June 2013)
8. Freedom of Information request submitted to the DSD on 4th June 2013
9. Correspondence from the DSD dated 9th July 2013 ref DSD/2013-0093
10. Ibid
11. DSD (2012) Specification Schedule – DSD Fundamental review of allocations policy Project Ref: 9440 Released to PPR by email on 20th December 2012
12. <http://www.ipa.ie/pdf/Housing-Practitioners-Conference-Brochure.pdf> (last accessed 19th July 2013)
13. <http://www.ipa.ie/pdf/Paddy%20Gray%20Presentation.pdf> (last accessed 19th July 2013)
14. Ibid, p. 40
15. NIHE Executive Briefing Minutes, February 2012 http://www.nihe.gov.uk/executive_briefing_february_2012.pdf (last accessed 19th July 2013)
16. NIHE Executive Briefing Minutes, August 2012 http://www.nihe.gov.uk/executive_briefing_august_2012.pdf (last accessed 19th July 2013)
17. DSD briefing to the NI Assembly Social Development Committee on the Housing Strategy Action Plan, 9th May 2013 <http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Committee-Minutes-of-Evidence/Session-2012-2013/May-2013/Housing-Strategy-Action-Plan-DSD-Briefing/> (last accessed 19th July 2013)
18. DSD (2012) "Facing the Future: A Housing Strategy for Northern Ireland" p.41 <http://www.dsdni.gov.uk/housing-strategy-consultation.pdf>
19. PPR Freedom of Information request submitted to both the DSD and the NIHE on 12th June 2013
20. Correspondence from DSD dated 10th July 2013 and Correspondence from the NIHE also dated 10th July 2013
21. DSD (7th August 2013) Press Release from the Department for Social Development <http://www.northernireland.gov.uk/news-dsd-070813-minister-launches-plans> (last accessed 12th August 2013)

Conclusion

“We are the human face of the facts and figures contained in this report”

Seven Towers Residents, Past and Present

Each of the decisions made and opportunities missed in this report impacts the lives of Seven Towers Residents and the many others like them that are forced to live and raise their families in unsuitable housing with little prospect of being appropriately rehoused.

For things to change and for lives to improve, the evidence presented in this report must be acted on.

Specifically, this report calls for the following;

- 1. The Minister for Social Development, with the support from the NI Executive, must launch a resourced strategy for North Belfast outlining time-bound commitments with targets to eradicate religious inequality on the social housing waiting list. This resourced strategy must maximise the use of all current vacant land in North Belfast. This strategy must be fully transparent and developed with the active and meaningful participation of those impacted by religious inequality in housing.*
- 2. The Minister for Social Development must review key policies affecting social housing residents across Northern Ireland to ensure they comply with the statutory obligation to promote equality and meet the greatest objective housing need. Reviews should be undertaken into the following:*
 - a. the ‘Strategic Guidelines on the Social Housing Development Programme’*
 - b. the emerging ‘Review of the Housing Allocations System’*
 - c. and the ‘Housing Led Regeneration Pilot’*
- 3. The Belfast City Council Strategic Policy and Resources Committee and the NIHE Board must immediately call for a review of the Belfast City Centre Waiting List on the grounds that it fails to evidence how the plans will tackle religious inequality in housing in North Belfast.*
- 4. The NI Assembly Social Development Committee must consider the evidence presented in this report and take concrete actions to hold the Minister for Social Development and the Northern Ireland Housing Executive accountable to their statutory obligations to address religious inequality.*
- 5. The Equality Commission of Northern Ireland (ECNI) must explicitly recognise the documented and evidenced religious inequality in housing impacting Catholics in North Belfast in its updated version of the Key Statement of Inequalities (committed to in the ECNI Corporate Plan 2012-2015). To ensure equality outcomes, the ECNI must effectively influence the equality monitoring, screening and Equality Impact Assessment processes being conducted by public authorities with responsibility for housing.*

This report has been published at a time of rapid change for social housing in Northern Ireland. In January 2013, the Minister for Social Development announced that the NIHE was to be dismantled.¹The Department will retain responsibility for housing strategy and policy, whilst a new regional housing body will be established with many social homes being transferred to housing association ownership.

When the first ever housing strategy for Northern Ireland was released for consultation², no Equality Impact Assessment was carried out despite the extensive nature of the proposals and the potential impact on people experiencing inequality. In fact the Strategy fails to identify housing inequalities as an issue to be tackled.

Of key concern to PPR is the proposal to review the housing allocations policy which is currently premised upon allocation on the basis of need and instead to examine the potential to address other priorities such as *“social mobility and creating a shared future”*.

All the signs indicate that a housing agenda that circumvents religious equality issues is progressing rapidly.

These recent developments reinforce the clear shift away from targeting need and tackling inequality which is evidenced by the successive decision making outlined in this report.

Lessons must be learned from the Northern Ireland Housing Executive failures documented in this report and carried forward into the body which replaces it. As this report evidences, responsibility for these

failures does not stop there; the Department for Social Development, the Department for Regional Development, Belfast Harbour Commissioners, the Equality Commission and political representatives also have lessons to learn.

The focus of this report has been North Belfast, where PPR is engaged in rights based organising work with residents of poor social housing who feel the impact of these failures daily. Yet some of the policies discussed here, for example, the Strategic Guidelines and the Fundamental Review of Housing Allocations as well as the Housing Led Regeneration pilot initiative will have impact across Northern Ireland.

In the final analysis, the equality provisions contained in the Good Friday/Belfast Agreement were intended to build transparency, accountability, and participation into the decision-making of public authorities in Northern Ireland in order to bring about positive outcomes on the ground. The predicament of people like the Seven Towers’ Residents and many others like them show that it is past time to deliver on that commitment.

Endnotes for **Conclusion**

- 1.DSD (2013) Press Release from the Department for Social Development <http://www.northernireland.gov.uk/index/media-centre/news-departments/news-dsd/news-dsd-090113-written-statement-to.htm> (last accessed 25th April 2013)
- 2.DSD (2012) “Facing the Future: A Housing Strategy for Northern Ireland” <http://www.dsdni.gov.uk/housing-strategy-consultation.pdf> (last accessed 25th April 2013)

Appendix 1:

LIST OF TABLES

Chapter 2: *Tackling Religious Inequality: The North Belfast Housing Strategy*

TABLE 2.1: Table showing NIHE Housing Stress figures in North Belfast between 2000-2004

TABLE 2.2: Table showing NIHE Housing Stress figures for North Belfast between 2000-2007

Chapter 3: *Measuring Religious Inequality: The North Belfast Housing Strategy*

TABLE 3.1: Table showing NIHE Housing Stress figures for North Belfast by religious background (self reported figures)

TABLE 3.2: Table showing NIHE Housing Stress figures for North Belfast by religious background (perceived figures)

TABLE 3.3: Table comparing NIHE figures of Catholic (C) and Protestant (P) applicants in housing stress in North Belfast between 2003 and 2009

TABLE 3.4: Table showing NIHE Housing stress figures for North Belfast in 2009 by 'perceived' religious background

TABLE 3.5: Table showing NIHE Housing stress figures for North Belfast in 2009 by 'self-reported' religious background

TABLE 3.6: Table showing PPR estimation of 'perceived' religious background of those in housing stress in North Belfast in 2011

TABLE 3.7: Table showing NIHE 'self reported' religious background of those in housing stress in North Belfast in 2011

TABLE 3.8: Table comparing PPR's estimation of the 'perceived' religious background with the NIHE 'self reported' religious background of those in housing stress in North Belfast in 2011

Chapter 4: *The creation of a Belfast City Centre waiting list*

TABLE 4.1: NIHE Social Housing Applicants and Applicants in Housing Stress in NIHE Common Landlord Areas bordering Belfast City Centre

TABLE 4.2: Table showing Household composition of applicants in Housing Stress by NIHE Common Landlord Area in December 2010 according to NIHE Belfast District Housing Plan and Local Housing Strategy 2011/2012

Chapter 6: *Deciding where to build; the Social Housing Development Programme Strategic Guidelines*

TABLE 6.1: Table from Draft EQIA on the NIHE's Social Housing Development Programme Strategic Guidelines showing the Northern Ireland wide comparative differentials in terms of proportion of waiting list and proportion of allocations in social housing by religious group.

TABLE 6.2: Table showing how waiting time statistics are dramatically altered for both Catholic and Protestant communities by moving to a median system of averages from a mean system. Data supplied by the NIHE.

Chapter 7: *The Regeneration of Girdwood Barracks*

TABLE 7.1: Table showing projected housing need in 'perceived' Catholic North Belfast

TABLE 7.2: Table showing projected housing need in 'perceived' Protestant North Belfast

TABLE 7.3: Table showing projected social housing need in North Belfast

Chapter 8: *Housing Need*

TABLE 8.1: Waiting list and housing stock levels, including voids in each of the four pilot areas

TABLE 8.2: Waiting list and housing stock levels, including voids in other areas, which have not been selected for the pilot scheme

LIST OF CHARTS, IMAGES AND MAPS

Chapter 3: *Measuring Religious Inequality: The North Belfast Housing Strategy*

Figure 3.A: Graph showing the apparent significant drop in numbers of Catholics in housing stress in North Belfast according to NIHE figures between 2009 and 2011.

Figure 3.B: Graph showing Catholics and 'Unknowns / Undisclosed' in housing stress in North Belfast in 2009

Figure 3.C: Chart showing NIHE data relating to numbers in housing stress in North Belfast by 'self reported religious background

Figure 3.D: Chart showing PPR's estimation of numbers

in housing stress in North Belfast by 'perceived' religious background

Chapter 4: The creation of a Belfast City Centre waiting list

Figure 4.A: Forum for Alternative Belfast (FAB)'s Missing City Map charts the vacant spaces in central Belfast. FAB's 2009 study demonstrated Belfast's shrinking city centre population; from 470,000 in 1950 to 270,000 in 2009.

Figure 4.B: Map showing option 3 from the NIHE Consultation on the proposals for a Belfast City Centre Waiting List.

Chapter 5: The Belfast Harbour

Figure 5.A: Map of Belfast Harbour identifying City Quays, Sydenham Business Park and the Titanic Quarter. Map Courtesy of Belfast Harbour website.

Chapter 7: The Regeneration of Girdwood Barracks

Figure 7.A: Photograph released on the 21st May by North Belfast's political representatives who announced a cross party deal had been done on Girdwood. L-R Nigel Dodds MP, William Humphrey MLA, Carál Ní Chuilín MLA, Gerry Kelly MLA, Minister Nelson McCausland MLA and Alban Maginness MLA.

Figure 7.B: Map from the Girdwood proposed Masterplan Conceptual Framework May 2012 [note the location and indicative sizes of the two residential areas located at either sides of the former Barracks site.

Figure 7.C: NIHE leaflet encouraging members of the Protestant community to consider living in the area around Girdwood is reproduced in the Irish News newspaper on 25th May 2012.

Figure 7.D: Photograph of North Belfast residents delivering letters to the offices of elected representatives on 5th July 2012

Appendix 2:

DECISION MAKERS AND ACCOUNTABILITY MECHANISMS:

The Northern Ireland Housing Executive Board

<http://www.nihe.gov.uk/board>

The NIHE Board is responsible for the general management, policy development and operation of the Housing Executive. There are ten board members including the Chairman.

They meet once a month to decide on issues including expenditure and new or revised policies. Seven members of the Board are appointed by the Minister for Social Development and the remaining three are nominated by the Northern Ireland Housing Council.

PPR have contacted the Boards to express concerns about the Strategic Guidelines (Chapter 6) and the proposals for Belfast City Centre Waiting List (Chapter 4).

The membership of the Board is;

| |
|--|
| NIHE Board (April 2013) |
| Chairman Donald Hoodles [Former Chair: Brian Rowntree] |
| Vice Chair Professor Peter Roberts |
| Jenny Palmer |
| Eamonn O'Neill* (SDLP) |
| Angela Coffey |
| Jim Speers* (UUP) |
| Sean Begley* (Sinn Fein) |
| Edna Dunbar |
| Kenneth Millar |
| Gregory Lomax |
| *Political Representative |

Belfast City Council Strategic Policy and Resources Committee

<http://minutes.belfastcity.gov.uk/mgCommitteeDetails.aspx?ID=113>

The Strategic Policy and Resources Committee is responsible for setting the Council's overall strategic policy, direction and priorities through the development of the Corporate Plan. It is responsible also for allocating the Council's resources (financial, employees and assets) and performance management.

The Committee is responsible for the promotion of equality, diversity and good relations.

The Strategic Policy and Resources Committee were briefed by the Housing Executive on the proposals for a Belfast City Centre Waiting List. In their consultation response, the Committee welcomed the proposals. The response raised no concerns about the promotion of equality.

The Belfast City Council's Strategic Policy and Resources Committee is comprised, by political party, of the following Councillors:

| Belfast City Council Strategic Policy and Resources Committee (April 2013) |
|---|
| Deirdre Hargey (Sinn Fein) - Chair, |
| Steven Corr (Sinn Fein), |
| Danny Lavery (Sinn Fein) |
| Conor Maskey (Sinn Fein) |
| Jim McVeigh (Sinn Fein) |
| Caomhín Mac Giolla Mhín (Sinn Fein) |
| Máirtín Ó Muilleoir (Sinn Fein) |
| Alderman May Campbell (DUP) |
| Alderman Robin Newton (DUP) |
| Tom Haire (DUP) |
| Lee Reynolds (DUP) Vice Chair |
| John Hussey (DUP) |
| Adam Newton (DUP) |
| Tim Attwood (SDLP) |
| Patrick Convery (SDLP) |
| Claire Hanna (SDLP) |
| Patrick McCarthy (SDLP) |
| Alderman Máire Hendron (Alliance) |
| Mervyn Jones (Alliance) |
| David Browne (UUP) |

The Northern Ireland Assembly Social Development Committee

<http://www.niassembly.gov.uk/Assembly-Business/Committees/Social-Development/>

The Social Development Committee was established to advise and assist the Minister, currently, Mr Nelson McCausland MLA, on matters within his responsibility. The Committee undertakes a scrutiny, policy development and consultation role with respect to the Department for Social Development and plays a key role in the consideration and development of legislation.

PPR has contacted the Committee with concerns around the proposals for Belfast City Centre Waiting List (Chapter 4) sent written briefings and offered meetings on Girdwood (Chapter 7) and sent written briefings as well as appearing before the Committee on three occasions on the Strategic Guidelines (Chapter 6).

The current membership of the Social Development Committee, by political party is:

Northern Ireland Assembly Social Development Committee (April 2013)

Judith Cochrane (Alliance)

Paula Bradley (DUP)

Sydney Anderson (DUP)

Gregory Campbell (DUP)

Pam Brown (DUP)

David McClarty (Independent)

Alex Maskey (Sinn Fein) Chair

Mickey Brady (Sinn Fein) Deputy Chair

Fra McCann (Sinn Fein)

Mark H Durkan (SDLP)

Michael Copeland (UUP)

Belfast Harbour Commission

<https://www.belfast-harbour.co.uk/corporate/the-board>

The management of the Port of Belfast is independent of Government and falls to the Board and the management team. The duties of Board Members are akin to those of a company director, in particular to be accountable for the proper exercise of the statutory and administrative requirements placed upon them. In addition Board Members are required to:

- Ensure high standards of corporate governance.
- Establish the overall strategic direction of the Port having regard to the best interests of the Port and the local economy following consultation with key stakeholders.
- Ensure that, in reaching decisions, Government policy and relevant guidance provided by the sponsor Department are taken into account.

Current Membership of the Board:

| Belfast Harbour Commissioners (April 2013) |
|---|
| Dr Leonard J. P. O'Hagan (Chair) |
| Roy Adair |
| Noel Brady |
| Cllr David Browne (UUP) |
| Dr Trefor Campbell |
| Peter Dixon |
| Cllr Patrick Convery (SDLP) |
| Dr David Dobbin |
| Cllr Thomas Haire (DUP) |
| Rotha Johnston |
| Stephen Kingon |
| Dr Gerard O'Hare |
| Ed Vernon |
| Christine Hayes |
| Cllr Matt Garrett (Sinn Fein) |

Equality Commission of Northern Ireland

<http://www.equalityni.org/sections/default.asp?secid=0>

The Equality Commission for Northern Ireland is an independent public body established under the Northern Ireland Act 1998. The Equality Commission has responsibility for keeping under review the effectiveness of the duties imposed by Section 75 through the provision of advice, monitoring and reporting on compliance and by investigating alleged breaches of equality schemes.

| Equality Commission Commissioners (April 2013) |
|---|
| Michael Wardlow (Chief Commissioner) |
| Jane Morrice (Deputy Chief Commissioner) |
| Stella Burnside |
| Fidelma Carolan |
| Anna Carragher |
| Kit Chivers CBE |
| Patricia Feeney |
| Milton Kerr |
| Charo Lanao-Madden |
| Liam Maskey |
| Lyn McBriar |
| Stephen McIlveen |
| Dermott Nesbitt |
| Peter Sheridan |
| Norman Trotter |
| Murray Watt |

North Belfast Political representatives

The Westminster MP for North Belfast is Nigel Dodds (DUP)

| Current North Belfast MLAs (April 2013) |
|--|
| Carál Ní Chuilín (Sinn Féin) |
| Paula Bradley (DUP) |
| William Humphrey (DUP) |
| Gerry Kelly (Sinn Féin) |
| Alban Maginness (SDLP) |
| Nelson McCausland (DUP) |

Between 2007-2011 the following six MLAs represented North Belfast:

| North Belfast MLAs between 2007-2011 |
|---|
| Carál Ní Chuilín (Sinn Féin) |
| Fred Cobain (UUP) |
| Nigel Dodds (DUP) |
| Gerry Kelly (Sinn Féin) |
| Alban Maginness (SDLP) |
| Nelson McCausland (DUP) |

Between 2003-2007 the following six MLAs represented North Belfast:

| North Belfast MLAs between 2003-2007 |
|---|
| Fred Cobain (UUP) |
| Nigel Dodds (DUP) |
| Gerry Kelly (Sinn Féin) |
| Alban Maginness (SDLP) |
| Nelson McCausland (DUP) |
| Kathy Stanton (Sinn Féin) |

Between 1998-2003, the following six MLAs represented North Belfast

| North Belfast MLAs between 1998-2003 |
|---|
| Fraser Agnew (Independent Unionist) |
| Fred Cobain (UUP) |
| Nigel Dodds (DUP) |
| Billy Hutchinson (PUP) |
| Gerry Kelly (Sinn Féin) |
| Alban Maginness (SDLP) |

Appendix 3

North Belfast Waiting List Total

| | | | | | | | |
|---------------------------|------|------|------|------|------|------|------|
| Year | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
| Waiting List Total | 1783 | 1802 | 2029 | 2024 | 2354 | 2501 | 2477 |

West Belfast Waiting List Total

| | | | | | | | |
|---------------------------|------|------|------|------|------|------|------|
| Year | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
| Waiting List Total | 1664 | 1761 | 1931 | 2060 | 2188 | 2273 | 2363 |

Derry Waiting List Total

| | | | | | | | |
|---------------------------|------|------|------|------|------|------|------|
| Year | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
| Waiting List Total | 1563 | 1607 | 1811 | 1990 | 2157 | 2417 | 2418 |

North Belfast Applicants in Housing Stress*

| | | | | | | | |
|-------------------------------------|------|------|------|------|------|------|------|
| Year | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
| Applicants in Housing Stress | 968 | 951 | 1091 | 1212 | 1359 | 1471 | 1483 |

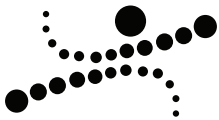
West Belfast Applicants in Housing Stress*

| | | | | | | | |
|-------------------------------------|------|------|------|------|------|------|------|
| Year | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
| Applicants in Housing Stress | 1203 | 1279 | 1369 | 1457 | 1567 | 1667 | 1702 |

Derry Applicants in Housing Stress*

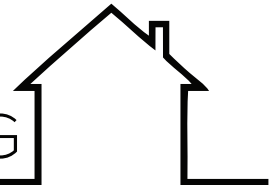
| | | | | | | | |
|-------------------------------------|------|------|------|------|------|------|------|
| Year | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
| Applicants in Housing Stress | 912 | 917 | 1066 | 1123 | 1219 | 1383 | 1439 |

*Applicants in Housing Stress are those with 30+ points



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