After the Boom: Social Housing Regeneration and Sustainability in Dublin

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Abstract

During the years of the Celtic Tiger boom many existing social housing neighbourhoods in central Dublin were set to be demolished and regenerated via Public Private Partnerships (PPP). Most of these estates were in areas where land values were high. Consequently, the local municipality sought bids from private developers to regenerate these neighbourhoods as mixed tenure estates. Using the value of the land as leverage, the developer would receive for free part of the site to develop private housing and in return would construct some social housing on the remainder of the site, with the regeneration costing the municipality nothing. This arrangement was predicated on strong demand for private housing and high house prices. In the end, because of the collapse of the property market in Ireland only one such neighbourhood was regenerated. Private developers who were about to regenerate a number of these estates withdrew and, with no prospect of significant state finance being made available, the hopes and expectations of these communities for regeneration vanished. Using a case study of Dolphin Estate in central Dublin, this paper examines the aftermath and consequences of the failure of these Public Private Partnerships to deliver regeneration. Following the initial anger and frustration at the end to any short-term prospect of regeneration, the paper traces the response of the community and community activists to the challenge of maintaining community confidence and stability in the future. Faced with no prospect of regeneration, significant anti-social behaviour and the possibility of deep cynicism on the part of residents, community activists focused on maintaining the social sustainability of the estate through continuous organising on the estate and through pressurising the municipality to continue engaging with the community on the prospect of long term regeneration.

Keywords: Social housing; regeneration; Dublin; public private partnership.

Introduction

Over the course of the property boom in Ireland, essentially the decade from 1997 to 2007, land values in the inner area of Dublin rose in an almost exponential manner. As part of a general shift in urban and housing policy towards entrepreneurial and neo-liberal approaches (McGuirk and MacLaran 2001;
MacLaran and Williams, 2003), central government decided to regenerate a number of inner city flat (apartment) complexes in Dublin using the leverage of increasing land values. These social housing estates were to be demolished and regenerated as mixed tenure estates with a land for social housing exchange being undertaken. Under the rubric of Public Private Partnerships (PPPs), a developer would receive part of a site for free, to develop and sell private market housing, and in return the municipality would develop new social housing on the remainder of the site. This exchange accomplished two goals of government. First, a problematic estate would be redeveloped as a mixed tenure estate at a higher density and with a modern design. Second, in theory, the new social housing was developed at no cost to government on the basis of the land swap. Developers entered these deals on the assumption of a continued buoyant housing market and high house prices. In the event of a fall in house prices the initial calculations would undermine the prospects of regeneration. What happened since 2007, however, was no mere fall in house prices but a catastrophic collapse of the property market which in turn has led to the failure of the Irish banking system and emergency funding from the IMF and the EU (Lane, 2011). All the assumptions of developers who had successfully bid to regenerate these estates were now void and they withdrew from the regeneration process. With no state funding available for regeneration, these social housing communities, who had been preparing and expecting regeneration, were left stranded.

This paper examines the challenges facing such communities given the collapse of regeneration and in particular the difficulties of maintaining community stability and cohesion in a deep recessionary period in Ireland. This paper is based on ongoing research by the authors on social housing regeneration, which started in 2007 (Redmond and Russell, 2008; Russell and Redmond, 2009; Hearne, 2009 and 2011 forthcoming). The work is based on multiple methods including documentary and plan analysis, interviews with key stakeholders, tenant surveys and participant observation and working with the community. Much of this current paper is based on Hearne’s research (Hearne, 2011 forthcoming). Section 2 outlines the need for regeneration of inner city estates while section 3 discusses the rise and subsequent collapse of market-led approaches to regeneration. Section 4 describes the challenges of sustaining communities with no prospect of regeneration and discusses in detail the experience of Dolphin social housing estate. Section 5 draws some preliminary conclusions.

The need for regeneration

Dublin City Council, the largest social landlord in Ireland, has approximately 25,000 social rented dwellings of which about 6,000 are flat complexes in the inner city (Murray and Norris, 2002). Mainly built in the 1950s, many of these complexes have become problematic, leading to tenant demand for either refurbishment or demolition and regeneration. There are basic design problems with the flats complexes that have meant they are not suitable for many aspects of modern living. For example, the apartments are smaller than modern minimum guidelines leading to problems of overcrowding. They have inadequate community facilities, insufficient parking spaces, accessibility problems (there being no elevators or fire escapes in any of the estates), no private open space, such as balconies or gardens and they tend to be isolated from surrounding neighbourhoods. In Dolphin House, the play and community facilities include a playground area with broken swings, a football pitch that is unplayable as it covered in broken glass and a community centre in a temporary structure. Most of the estates have only one drive-in entrance leading to an ‘island’ effect. The sewerage and drainage systems in some of the complexes also experience considerable problems, causing overflows and foul odours. The open plan design of the estates is a significant contributory factor to an increase in persistent anti-social behaviour, such as drug dealing (Sheridan Woods, 2009), which has also been exacerbated by the inadequate responses of the Gardaí (police) and Dublin City Council (DCC).

In addition to the physical and design issues, these communities suffered for decades as a result of the high levels of inequality in Irish society. Even during the economic boom, they continued to suffer from high unemployment, dependency on social welfare, lone parent poverty, child and elderly poverty and high rates of school drop-out and very low rates of third-level education (Bissett, 2009;
Social housing tenants in Ireland are overwhelmingly dependent on welfare payments for income and the sector has become a residualised welfare sector (Redmond and Norris, 2007; Norris and Redmond, 2005). For example, in St Theresa’s Gardens, it was estimated in 2006 that in excess of 80 per cent of the working-age population depended on social welfare as their primary source of income, 72 per cent of the overall population was at or below the age of 35 and less than 0.5 per cent of the population was in third-level education, compared to a third-level progression rate of over 80 per cent in wealthier areas of Dublin (Nurture, 2007). Similarly, Dolphin House had a very high economic dependency ratio of 48 per cent in 2007, with a high proportion of residents in receipt of social welfare income and a similar lack of achievement of third-level education, with only one person between the ages of eighteen and twenty-two years in full-time education in 2006. As a result of these factors, the demand for regeneration from communities has increased over the last decade. Surveys in Dolphin House (Sheridan Woods, 2008) and St Theresa’s Gardens (Nurture, 2007) indicated that a majority of residents on the estates desired complete demolition and regeneration. As one tenant declared:

We need regeneration badly. There are the dreadful repairs, dreadful maintenance and dreadful anti-social behaviour regarding drugs, and the sewage is crawling out of the flats – it’s reaching the second and third floors. There is a lot of structural poverty around here. (Dolphin House resident, interview, 2008)

Market-led regeneration of social housing: The rise and fall of public private partnerships

The emergence of public private partnership regeneration projects

However, the Celtic Tiger did not leave these areas completely untouched. The value of the land where the estates were located escalated considerably from 1997 onwards, as a result of the general rising value of land and a buoyant property market in Dublin’s inner city. These were high-value locations close to inner-city employment opportunities, on good transport systems, including the LUAS light rail. PPPs were implemented as a way of realising this land value for private developers and the government through radical ‘regeneration’ plans involving complete demolition of the flats complexes and the building of new public, private and affordable housing along with community facilities. This section provides an analysis of the outcomes of these partnership regeneration projects. The government and developers turned up at their doors, not to offer support, but to take the land upon which their homes were situated, which had become some of the most valuable real estate in Europe.

In 2001, central government issued a policy directive to all municipalities stating that any regeneration project had to consider PPP as the main means of implementing regeneration (Department of the Environment and Local Government, 2001). In effect central government issued an instruction to DCC to pursue the proposals it had for regenerating a number of inner-city flats complexes through this model. As the property market boomed, the number of projects being planned expanded rapidly. By May 2008, for example, DCC was engaged in, or planning, the regeneration of at least twelve large local authority estates in the inner city through this mechanism. Construction commenced in 2004 on Ireland’s first PPP in the housing sector, the Fatima Mansions project. The other estates were at various stages of the PPP procurement process.

This radical change in housing policy reflected the government’s strong support and rationale for PPPs in the delivery of public infrastructure and services at the time. The stated advantage of these projects was that they would provide additional funding and, therefore, greater value for money than traditional delivery mechanisms. This would be done by realising the market value of the land on the estates and would, therefore, according to the state, provide regeneration at ‘zero financial cost’ to the Exchequer: By transferring the market value of the land on the estates over to developers, the state would receive, for ‘free’, a negotiated amount of social housing, community and other facilities. As a representative of DCC stated:
The Partnership model is based upon Dublin City Council optimising the use of its existing land holdings to leverage private finance. The developer in turn provides the local authority with an agreed number of social and/or affordable housing units and community facilities and funds the overall development in whole or in part from the sale of private housing units. (DCC, 2008)

DCC was very attracted to the model due to the finance that the private sector could provide. Thus, the primary factor underlying DCC’s decision to adopt the PPP model was that it believed PPP would be the only method by which it could fund the regeneration of its existing housing stock within a reasonable period of time. The PPP model would, in theory, also address social exclusion and poverty by providing development gain to fund social regeneration and community facilities that traditional, state-funded, regeneration does not provide. It would achieve the government policy of a social mix of housing types and use (social, affordable, private and commercial development etc.) in areas of high concentration of local authority housing. The mix, however, prioritised attracting financially beneficial uses over the uses that could contribute to addressing the poverty issues affecting existing tenants. Table 1 shows the number of estates earmarked for regeneration via PPP.

Table 1. Local authority estates in Dublin’s inner city selected for Regeneration

<table>
<thead>
<tr>
<th>Estate</th>
<th>Year built</th>
<th>No. of original units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dolphin House</td>
<td>1956</td>
<td>436</td>
</tr>
<tr>
<td>Fatima Mansions</td>
<td>1949</td>
<td>394</td>
</tr>
<tr>
<td>St Michael’s Estate</td>
<td>1970s</td>
<td>346</td>
</tr>
<tr>
<td>St Theresa’s Gardens</td>
<td>1952</td>
<td>346</td>
</tr>
<tr>
<td>Charlemont St</td>
<td></td>
<td>181</td>
</tr>
<tr>
<td>Bridgefoot St</td>
<td>1964</td>
<td>143</td>
</tr>
<tr>
<td>Chamber St/ Weaver Court</td>
<td></td>
<td>60</td>
</tr>
<tr>
<td>O’Deveney Gardens</td>
<td>1950s</td>
<td>278</td>
</tr>
<tr>
<td>Dominick St</td>
<td>1961/70</td>
<td>198</td>
</tr>
<tr>
<td>Croke Villas</td>
<td>1961</td>
<td>87</td>
</tr>
</tbody>
</table>

Source: Hearne (2009 and 2011)

Overall, the PPP regeneration projects were planned to facilitate the transfer to private developers, for private and commercial use (privatisation), of over two-thirds of public land on the estates that had previously been used for social housing for low-income families (see Table 2). This again demonstrated that the requirement of the regeneration projects to be economically ‘self-financing’ resulted in the individual component outcomes of the regeneration projects being determined by their financial attractiveness to private developers. The scale of the planned privatisation of the estates suggested that the social mix composition was determined primarily by the extent of private development required to make the projects ‘economically viable’ rather than what would address the social exclusion and poverty of existing residents. Mix, in other words, was determined by an economic and financial calculus and not by any sophisticated views on what was meant by a balanced or mixed estate. Moreover, we cannot assume that these projects were good value for money for the taxpayers. Dublin City Council have never published any cost benefit analysis and the tender documents, which developers submitted in order to bid for the projects, remain confidential in the basis of commercial sensitivity.

Table 2 compares the original social housing numbers with the regeneration proposals. We see that, under the proposal, overall residential densities were doubled and that the total number of social rented units decreased quite significantly. These proposals were also in tune with other elements of central government housing policy. The most recent housing policy statement Delivering Homes
Sustaining Communities (DEHLG 2007a) outlines the Government’s vision for housing. Sustainable communities, according to the policy, ‘are places where people want to live and work, now and in the future. They meet the diverse needs of existing and future residents, are sensitive to their environment, and contribute to a high quality of life. They are safe and inclusive, well-planned, built and run, offer equality of opportunity and good services for all’ (2007a, p.21). In practice this translates into a policy which favours higher residential densities, integrated neighbourhoods of responsible citizens, and modern urban design (Department of the Environment, Heritage and Local Government, 2007a, 2007b, 2008a and 2008b). Elsewhere it has been argued that mixed tenure has been assumed to be the vehicle for achieving many of the social aims of this policy, although nowhere do the various policy documents prescribe how mixed tenure is to be achieved in terms of actual planning solutions (Redmond and Russell, 2008). This conflation of mixed tenure with socially virtuous outcomes, and the vagueness of policy prescription, is ideal for policy makers as it allows all manner of flexibility when it comes to specific estates. While there is a considerable critical literature with respect to mixed tenure, it is rarely taken into account by policy makers (Allen at al, 2005; Kearns and Mason, 2007; Raco, 2005, 2007). In real terms one of the key messages and outcomes of policy is that a significant presence of social rented housing is not conducive to sustainable communities. Nowhere, however, is there any discussion of what constitutes too much social housing.

Table 2. Planned private and social units in selected PPP projects as of May 2008

<table>
<thead>
<tr>
<th>Estate</th>
<th>Original social rented units</th>
<th>New Mixed Tenure Estate-Total</th>
<th>New Private Units</th>
<th>New Social Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fatima Mansions*</td>
<td>394</td>
<td>765</td>
<td>615 (75%)</td>
<td>150 (38%)</td>
</tr>
<tr>
<td>St Michael’s Estate</td>
<td>346</td>
<td>885</td>
<td>720 (77%)</td>
<td>165 (48%)</td>
</tr>
<tr>
<td>St Theresa’s Gardens</td>
<td>346</td>
<td>600</td>
<td>450 (75%)</td>
<td>150 (43%)</td>
</tr>
<tr>
<td>O’Devaney Gardens</td>
<td>278</td>
<td>823</td>
<td>542 (65.8%)</td>
<td>281 (100%)</td>
</tr>
<tr>
<td>Dominick Street</td>
<td>198</td>
<td>360</td>
<td>240 (66.7%)</td>
<td>120 (60%)</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>1562</strong></td>
<td><strong>3433</strong></td>
<td><strong>2567 (75%)</strong></td>
<td><strong>866 (25%)</strong></td>
</tr>
</tbody>
</table>

*Fatima Mansions was the only estate where regeneration was completed

Source: Hearne (2009 and 2011)

The collapse of public private partnerships

In late 2007 and through into 2008, Irish property prices fell significantly as the overheated property market crashed due to domestic and international market factors. Between 2007 and 2010 residential property prices fell by 38% (Central Statistics Office, 2011). As a result, the estimated profit margins for developers, from the future sale of the private residential and commercial units, upon which the economic viability of the PPP regeneration projects was based, narrowed dramatically at first and as the scale of the collapse became clear, many developers went out of business. The regeneration projects that had reached contract award and signing stage in 2007 and early 2008 had, therefore, become very ‘high-risk’ investments for the private development consortia. The reality facing the affected communities, suffering some of the deepest social and economic inequalities in relation to income, health, education and well-being in Irish society, was that they were no longer living on high-value sites that had been the basis of the PPP model.

In late 2007, the private developers began to raise a number of problems with the financial composition of the projects. It appeared that they were looking for ways to transfer emerging costs (risk) in the projects on to the state. These included the cost of applying DCC’s increased apartment size guidelines, increased construction costs, increased interest charges on loan repayments to the bank and soil decontamination costs. However, DCC was restricted by the PPP process in the extent to which it could alter the financial make up of the projects. The procurement rules meant that, if DCC
‘Mixité’: an urban and housing issue?

contributed towards costs that were stipulated as belonging to the developer, it could leave DCC open to a legal challenge from the other short-listed developers who had failed in their bids for the original PPP project – it would constitute a substantial change to the terms originally laid out in the tender documents and could lead to other developers arguing unfair competition.

Through the first few months of 2008, residents were extremely anxious about the future of their projects as they realised that the fate of their estate’s regeneration had become intricately bound to conditions in the Irish property market and the global financial situation. It was very apparent that they were completely reliant on the developer for the survival of the project. In May 2008, despite attempts to achieve progress, DCC announced that negotiations with the developer McNamara & Co. in relation to the PPP regeneration projects of St Michael’s Estate and O’Devaney Gardens had collapsed. As a first reaction by communities, protests were held by the residents from the affected estates outside an emergency meeting of DCC, on 26 May 2008. At a subsequent meeting on June 9th, the residents walked from their estates into City Hall in a protest led by a black coffin to symbolise the death of their hopes and dreams. In September 2008, it was finally agreed that DCC and McNamara & Co. would mutually disengage from the three regeneration projects (St Michael’s, O’Devaney Gardens and Dominick Street) and that the developer would release the sites back to DCC (Kelly, 2008). On 1 December 2008, DCC announced that ‘the regeneration projects are no longer viable under the Public Private Partnership process that had been envisaged’ because of the economic downturn and the communities would have to wait for regeneration when there was an ‘upturn’ in the market and PPP became viable again (Dublin City Council, 2009). Of the 12 estates originally identified for regeneration only Fatimans was completed while the other estates have been left with an array of challenges to maintaining community stability. It was an unprecedented situation facing DCC and the Irish state. It revealed that neither DCC nor the Department of the Environment had contingency plans, nor had they considered what they would do in a situation where a developer withdrew from a project. It demonstrated the lack of safeguards built into the PPP model by the state to protect the interests of DCC and the communities.

Sustaining communities after the collapse of regeneration

Since 2008 Ireland has been in a deep economic recession where unemployment has risen from 3% to 14%, economic growth as measured by GDP has fallen by 12%, where most of the Irish banking system has been taken into state ownership and where government finances are in massive deficit. As a consequence, in late 2010 the Irish state agreed to a ‘bailout’ from the International Monetary Fund and the European Union (Lane, 2011). The terms of this bailout severely curtail government spending and one of the consequences is that there is no finance to regenerate social housing estates. This has left these estates trying to cope with dashed expectations and keeping communities together.

De-tenanting estates and community cohesion

Once an estate became designated as an official regeneration project, DCC actively de-tenanted it. This involved encouraging existing tenants to transfer off the estate by offering them better-quality dwellings elsewhere, and not re-allocating the vacant flat. This very process of de-tenanting has been one of the key obstacles to sustaining communities. While de-tenanting is necessary in order for regeneration to occur, the end of the regeneration process has meant that several estates were left with significant vacancy rates as the process of de-tenanting had commenced before it became clear that there would be no regeneration. Once high vacancy rates are established, estates become more difficult to live on and this can lead to a spiral effect where the remaining tenants become disillusioned and want to leave. Through 2007, 2008 and 2009, there was an intensification of the process of community break-up and dispersal on many estates as conditions deteriorated further on the estates and residents were de-tenanted by DCC. Once de-tenanting commenced on an estate DCC significantly reduced levels of management and maintenance and, as a consequence, increasing numbers of residents became disillusioned with the conditions and ever-lengthening time-scale for regeneration and they sought to transfer off the estates. In St Michael’s estate, for example, there was
a reduction from 270 occupied units in 1998 to 40 in 2004 and by August 2008 there were only 14 occupied (a mere 4 per cent of the original units). The living conditions for residents became extremely difficult as explained here by a resident:

If you were living in an eight-storey block of 57 flats and you end up with maybe 15 flats left after de-tenanting, imagine what it was like to live in the block like that. It was very difficult. As soon as someone transferred out off your landing or your neighbour or someone you had a good relationship with left, it impacted on the people around. The less that lived in a block the tougher and tougher it got to look after it. If you are the only one on the landing, then anti-social people go into the landing and hang out as they know no-one is going to throw them off. It breaks the backs of the people who are willing to stick it out and so every tenant that leaves impacts on people. (St Michael’s estate community worker, interview, 2008)

The outcomes of this process suggested that DCC was too heavily focused on reducing the number of public units, and sustaining a healthy and vibrant community was not given the priority it should have been. Table 3 shows the extent of de-tenanting on some estates. This was done, at least in part, in order to ensure the regeneration projects were financially attractive for redevelopment and reflected DCC’s desire to obtain a much-reduced size of social housing in the estates. The process is resulting in the removal and dispersal of existing working-class communities, thus irreversibly dismantling the original communities. The residents that remain are left waiting in poor conditions and are, generally, those suffering the most intense social and economic inequalities, such as levels of vulnerability, poverty and disadvantage (the elderly, lone parents, single men), and thus the cycle of decline and decay intensifies.

Table 3. Occupancy rates on PPP estates, June 2010

<table>
<thead>
<tr>
<th>Estate</th>
<th>Original Units</th>
<th>Units Occupied June 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Croke Villas</td>
<td>87</td>
<td>30 (35)</td>
</tr>
<tr>
<td>St Michael’s Estate</td>
<td>346</td>
<td>4 (1%)</td>
</tr>
<tr>
<td>St Theresa’s gardens</td>
<td>346</td>
<td>180 (52%)</td>
</tr>
<tr>
<td>Charlemont Street</td>
<td>181</td>
<td>100 (55%)</td>
</tr>
<tr>
<td>Bridgefoot Street</td>
<td>143</td>
<td>0 (0%)</td>
</tr>
<tr>
<td>Chamber Street/weaver court</td>
<td>60</td>
<td>0</td>
</tr>
<tr>
<td>O’Devaney Gardens</td>
<td>278</td>
<td>98 (35%)</td>
</tr>
<tr>
<td>Dominick Street</td>
<td>198</td>
<td>78 (40%)</td>
</tr>
</tbody>
</table>

Source: Hearne (2011)

Community representatives felt that DCC was promoting the greatest de-tenanting possible on the basis that it would reduce the requirement for new social units and increase the chances of a developer undertaking the project and, therefore, de-prioritised the impact of the de-tenanting process on the existing communities. De-tenanting had the impact of making conditions worse on the estates, in particular due to anti-social behaviour, which reduced community morale, and the break-up of family and neighbour support networks, which further de-stabilised the communities and led to a decline in the level of community activities and of participation in the regeneration processes.

Dolphin dreaming\(^1\) or dolphin nightmare

The social housing complex of Dolphin House, which is located in the south of Dublin’s inner city, provides a focus for examining the impact on communities of the collapse of regeneration and in particular the attempts of the local community to maintain community solidarity and cohesion. While

\(^{\dagger}\) Dolphin Dreaming is taken from a community festival which emphasised hope for the future.
Dolphin estate was earmarked for regeneration. The community, through its local development association, demanded that there be no de-tenanting until such time as a full master plan was agreed. This decision was taken given the experience of other estates in the PPP process and, given the collapse of PPP, it was clearly a correct decision. While wholesale de-tenanting was not an issue, the estate has and still suffers from other challenges. As far back as 2002 residents’ surveys revealed serious maintenance problems as 145 out of 165 surveyed flats had complaints covering sewerage, plumbing and dampness. Four years later, in 2006, consultation with residents again found that there were significant problems with DCC’s slow response to maintenance complaints from residents, particularly issues with sewerage clogging up baths, sinks and causing foul odours inside their homes (Dolphin House Community Development Association, 2010). In order to proactively address the problems on a partnership basis, the community, in 2007, set up a formal ‘maintenance’ group with DCC to develop solutions. They also set up a community maintenance initiative where two workers, from the Dolphin House Community Employment scheme, supported residents in reporting their issues to DCC and documented whether they were addressed or not. DCC then used this information to follow up on complaints that had not been addressed. In 2008, a DCC engineer’s report accepted that ‘the waste-water flowing back into baths (in Dolphin House) can have a disgusting odour. These types of problem usually happen where there is a choke or blockage in the system....’

The maintenance group was working well at this time, with DCC improving its response time and carrying out repairs. However, in June 2009, DCC wrote to all residents stating it was no longer carrying out repairs that were the responsibility of tenants and any tenant over six weeks in rent arrears would no longer have routine repairs carried out unless an agreement on repayment was made with DCC. In that same month, the Dolphine House Community Development Association (DHCDA) wrote to DCC stating that ‘there is considerable evidence that proves that there is a serious waste/wastewater/drainage/plumbing problem in a very substantial number of flats in Dolphin House ... These are a violation of national environmental health and safety regulations and need to be rectified on a satisfactory basis immediately.’ It identified fifty-seven flats with some form of sewerage problem and stated, in response to DCC’s comments on the level of attendance of the choke car (term for machine that clears sewage blockages), that: ‘The residents of Dolphin House are not accepting the current situation as “normal” living conditions.’ DCC’s own figures reveal that in 2009 there were almost 1,000 maintenance repair requests logged for Dolphin House, and the choke car came out 115 times, which means that once every three days a resident in Dolphin suffered from serious sewerage problems in their flat. This illustrates a conflict between the community and the municipality over very basic quality of life issues.

The history of the regeneration consultation process in Dolphin House also provides a clear example of this conflict. In 2003, consultation revealed that residents’ principal concerns were the maintenance of the flats and dealing with anti-social behaviour, and they were strongly against demolition and redevelopment. Reflecting this, a company brought in by DCC to design regeneration options recommended refurbishment. However, these proposals were dismissed by DCC, apparently because they did not suit the PPP regeneration policy that necessitated complete demolition and the rebuilding of private and public units in order for the project to be financially viable. The community also took a cautious approach toward PPP because of the negative effects on social housing numbers, insufficient guarantees that the local community would benefit from the resources generated out of the deal and private-sector profit rules that would inevitably mean higher density (Dolphin House Community Development Association, 2006). Nonetheless, DCC officially informed the community in September 2006 of its intention to commission a PPP feasibility study and stated that, if residents opposed the PPP, there would not be a major regeneration project for Dolphin as PPP was ‘the only game in town’ and Dolphin would ‘miss the boat’ in terms of opportunities for regeneration because of the lack of finance for any other model. The community was also told that, if it did not agree to a PPP, there would be no funding available to enable the residents to participate adequately within the process or for community requirements, such as social regeneration.

Despite this pressure, the community requested the resources from 2006 onwards for independent expertise (architectural, planning and financial) from DCC to identify community regeneration options which would not necessarily be PPPs. Eventually, in 2008, DCC showed vision and commitment to
the principal of genuine resident participation by granting the resources to the community to undertake an independent, innovative, consultation process to develop a number of community regeneration options. A Regeneration Board was set up in November 2007 to oversee a process of consultation with the residents and then plan the regeneration. The consultation process in 2008 and 2009 was uniquely community-led and organised, and as a result of the innovative methods of resident participation and design of regeneration options (Dolphin House Community Development Association, 2010) it won the Participatory Planning Award from the Irish Planning Institute in 2010. The clear demand from the consultation was for significant regeneration, and residents worked with independent architects to develop an exciting vision for a new Dolphin House that was underpinned by a social, economic and environmental vision statement for:

A safe, inclusive and active Dolphin community, with a broad range of local recreational facilities and activities designed for all ages. A Dolphin estate that allows for the evolution and growth of an integrated, healthy, and vibrant community. A diverse and buoyant local economy sustained by a locally educated and trained workforce and a regenerated Dolphin estate that is safe, attractive, well maintained and environmentally friendly. A Dolphin estate that provides high-quality housing and community facilities for the residents that they serve. (Sheridan Woods, 2009, 3)

Both the time and effort taken clearly demonstrate the extent to which it was a struggle for the communities to assert their perspectives within the negotiations process. Overall then, while DCC did resource participation, it persistently made the case for the minimisation of the other aspects of community gain (number of social housing units, social regeneration fund and community facilities) in order to ensure the regeneration projects would be economically viable enough for a developer to undertake them. In the case of St Michaels Estate, Bissett (2008) has provided a detailed documentation and analysis of the PPP process. He shows that the negotiations process organised by DCC minimised real community influence as they were excluded from the principal arena of contract negotiations. His evidence also demonstrated that various community demands were excluded from realisation because they were not ‘financially viable’. It revealed clearly how the PPP model enforced a minimisation of community gain and social housing within the regeneration redevelopments and how the Irish state planned and ensured on behalf of private developers such outcomes.

Social sustainability: Dolphin House and a human-rights-based approach

The collapse of the PPP model in 2009 left the community devastated. The hope and determination that drove the participation in the consultation process evaporated and the conditions deteriorated, with drug dealing and anti-social behaviour worsening considerably. As a result, some of the stronger residents and community leaders sought to transfer out. However, the community did not surrender to despair. Given the collapse of the PPP regeneration model, local communities have had to examine innovative ways to bring about improvements to their estates. From the research it is clear that a striking characteristic of Dolphin House is the solidarity and support amongst residents for each other (not replicated in other estates for complex reasons). They are proud of their community, many love their flats, and they want to remain living on the estate with their neighbours as there are often third or fourth generations of the same families living there. Those who were committed to the community gathered and decided they were not going to give in and give up hope. They were provided key support from the workers of the Community Development Project on the estate (the Dolphin House Community Development Association) and a decision by the Barnardos Charity to fund the community regeneration co-ordinator on the estate to keep up the momentum on the important issues. One of the more interesting and innovative responses by the community, however, was the adoption of a human rights approach. In May 2009, Community Action Network (a community development organisation) came on to the estate to work with residents in addressing the serious sewerage and dampness problems, using a human-rights-based approach. The human-rights-based approach (HRBA) is based on trying to realise the rights to a decent standard of housing and health that the
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The government has signed up to provide in international human rights treaties. Because governments have signed up to such human rights treaties, they are obliged, in the communities view, to respect, protect and fulfil these rights. The HRBA turns government and, therefore, public authorities/service providers into duty-bearers; that is, they are obligated to demonstrate how they are working towards realising people's rights. The human-rights-based approach works to make powerful those most affected by human rights issues, enabling them to demand from the state adequate standards of housing and health.

The application of the HRBA to Dolphin House aimed to affect lasting change in the relationships between DCC and the Department of the Environment (the duty bearers, that is state bodies responsible for housing) and the tenants (rights holders). A group of residents, local community workers and Community Action Network identified the duty bearers, gathered evidence, set indicators and organised a unique and ground-breaking human rights hearing on the housing conditions in Dolphin House in May 2010. The process of mapping the duty bearers led to the development of a 'ladder of power' that identified the state institutions that actually had the power and resources to change the housing conditions. This led the residents to focus on the ultimate duty bearer responsible for housing provision and conditions, the Minister for the Environment. Up to that point they had been focused on working with, and trying to exert influence on DCC officials, who, on analysis, were attempting to find solutions, but in reality had little power or resources to provide fundamental change. It also revealed the extent to which DCC was underfunded and disempowered by central government.

For example, DCC's funding, which in part comes from the Department of the Environment, has been reduced and as a result, DCC had to cut back its budget for housing maintenance by 12 per cent in 2009.

Residents also discovered that there were minimum standards for rental accommodation prescribed in Irish law in the Irish Housing (Standards for Rented Houses) Regulations, 2008 and 2009 (DOEHLG, 2009). These apply to local authority and voluntary housing units, as well as private rented accommodation. The Housing Acts state that all landlords have a legal obligation to ensure that their rented properties comply with the regulations, including that the property should have proper drainage, that the house will be kept by the landlord during the tenancy, in all respects reasonably fit for human habitation and ‘shall be maintained in a proper state of structural repair which means sound, internally and externally ... and not defective due to dampness or otherwise’ (DOEHLG, 2009). At the Housing Hearing, the Irish Human Rights Commission (a government body) condemned the deplorable substandard living conditions and asserted that these conditions clearly contravened the rights of residents under the United Nations Convention on Economic Social and Cultural Rights, to which Ireland is a signatory. This approach received significant attention in the media.

The residents continue to monitor indicators of what progress takes place in improving the issues of damp and sewerage towards the Human Rights Standards. The Minister for the Environment under the Housing Act 1966 could provide the resources to DCC and instruct them to take action as the Act states that ‘whenever the Minister is of the opinion that a housing authority have failed to perform any of their functions under this Act, or have failed to perform any such function in a satisfactory manner, he may by order require the authority to perform the function’. In Dolphin House some of the serious problems associated with crime, anti-social behaviour and drug dealing began to improve towards the latter half of 2009 due to pressure from the community for an increased Garda presence and DCC building walls to secure the estate, making it easier to police, and providing CCTV. Through the human-rights-based approach, the residents have asserted their rights for housing conditions to be improved while waiting for regeneration so that the community can be sustained. Otherwise, it must be asked, who will the regeneration be for? They are aware that the community will not survive if the physical environment remains the same and there is no progress on social and physical regeneration. It is too early to assess what the outcomes of this approach are or might be. What can be said, however, is that this innovative approach by the community has increased pressure on central and local government to, at the very least, maintain the estate and community.
Conclusions

Given that these projects were pioneer test sites for what is a radical departure in public housing policy and urban development, close attention and detailed analysis from a community and public interest perspective is needed (Bissett, 2005; Dillon, 2004; Tenants First, 2005). Some of the literature has pointed to the experience of the Fatima Mansions estate and identified a number of positive changes for communities brought about by PPP regeneration (Fatima Groups United, 2006; Norris, 2005). There has been, however, a growing body of literature that details from a community perspective the impacts and outcomes of PPP regeneration. The Real Guide to Regeneration for Communities: Making the Right Decision about Urban Regeneration (Tenants First, 2005), a community-produced document, identified significant conflict, stress, disruption and fear with many aspects of ‘community’ being lost in the process of de-tenanting, demolition and redevelopment that was being experienced as part of other regeneration projects. Work by Hearne (2009, 2011), Redmond and Russell (2008) Russell and Redmond (2009) has added another critical voice to this debate.

With regard to the future, the prospects for comprehensive and integrated regeneration of the estates that had been scheduled for regeneration are, in the short to medium term, slim to non-existent. Left behind by the Celtic Tiger, and now the victims of a property market induced recession, these communities face very difficult times. The combination of low incomes, high unemployment, poor housing and environmental conditions, alongside anti-social behaviour, make the task of sustaining the community arduous. Nonetheless, in the case of the Dolphin estate, the community have not succumbed and have driven a process of challenging the local municipality through a human rights agenda and an insistence on preparing a master plan for the future. At this stage, however, the fate of the community is in the balance. It needs an integrated strategy from central government, the municipality, the police and other state agencies to maintain and sustain the community.
References


Workshop 10: Social Sustainability


