An Roinn Tithíochta,
Pleanála agus Rialtais Áitiúil
Department of Housing,
Planning and Local Government

Guidelines for Development of New Emergency Accommodation

September 2022

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1. Introduction

Housing for All – A new Housing Plan for Ireland, was adopted by Government and published in September 2021. It is the Government's national strategic policy and action plan on housing to 2030. *Housing for All* recognises that reducing and preventing homelessness is a priority for the Government and there is a particular focus on reducing the number of homeless families and individuals. Increasing the level of overall housing supply, particularly in terms of social housing, and ensuring stability in the rental sector are essential to addressing the challenging situation in relation to homelessness. *Housing for All* recognises this and sets out actions to address these issues.

However, *Housing for All* also recognises that there is a need to ensure appropriate emergency accommodation is provided to respond to the needs of those who find themselves in a situation of homelessness. To address this, *Housing for All* (Action 3.6) places an emphasis on the development of emergency accommodation through local authority or AHB owned facilities for those who are homeless. This includes the acquisition of properties for conversion or land for purpose-built facilities under the capital funding streams available. Looking to the future, such facilities in the ownership of local authorities and AHBs have the scope in time to be repurposed to support social housing delivery.

To meet the need of those presenting as homeless and to reduce reliance on commercial hotel and B&B accommodation, it is important that local authorities review capacity required and identify properties that can be acquired for conversion or land for purpose built facilities. *Housing for All* specifically commits under Action 3.6 to provide capital funding to develop further supported emergency accommodation for families and individuals experiencing homelessness. Furthermore, where local authorities have identified this need, *Housing for All* commits under Action 3.7 to prepare and publish guidelines to assist local authorities and AHBs when they are considering acquiring existing buildings for conversion for use as emergency accommodation. The guidelines will equally apply to specifically designed new built emergency accommodation. The purpose of these Guidelines is to meet this commitment under *Housing for All*. The Guidelines have been developed to ensure that there will be sufficient quality accommodation to meet the needs of those experiencing homelessness and that such accommodation affords those experiencing homelessness dignity and respect to minimize the trauma of homelessness.

Proposals being made by local authorities under the above policy priorities will require appraisal by the Department's Professional Advisers. The purpose of this guidance document is to brief local authorities as to the appraisal criteria, including general considerations, location, general accommodation standards, costs, value for money, procurement and statutory requirements. This guidance document will therefore have national applicability.

2. Assessment of Need

Circular 44/2021 sets out Guidance on the preparation of Homelessness Action Plans. The Guidance under this Circular gave details in relation to *Housing for All* policy actions and in particular to ensure that at the earliest available opportunity, Homelessness Action Plans incorporate and reflect the policy positions and actions contained in *Housing for All*.

In relation to provision of emergency accommodation, local authorities have been asked to ensure that Homeless Action Plans demonstrate a commitment to reduce reliance on commercial hotel and B&B accommodation for use as emergency accommodation, and to review capacity required. Local authorities have also been asked to ensure that they review the statutory requirement in relation to ascertaining the extent of need for services, as provided for in section 37(3)(a) of the 2009 Act.

In the first instance, therefore, local authorities should undertake an assessment of demand for temporary emergency accommodation in their administrative region, the basis of which would be informed by the homeless numbers and any other information available to the local authority, including whether there is currently an over reliance on private hotel and B&B accommodation.

Where an application is being made to the Department for capital funding, reference should be made in the capital appraisal to the assessment of need that has been undertaken. The application should also ensure that clear cost comparisons are made between the delivery of the proposal against alternatives available e.g. commercial hotel and B&B accommodation.

3. General Considerations

This guidance relates primarily to conversion of existing buildings that are being considered by local authorities and AHBs to be acquired to provide emergency accommodation. However, the space and other standards set out below should equally apply to specifically designed new built accommodation. However, in respect of new built facilities, it should be possible to generally avoid compromises which may be needed when adapting an existing building for emergency accommodation. In terms of the acquisition and conversion of existing buildings, selection of building should be informed by having a good location, ease/speed of conversion and value for money in delivery. Suitability for long-term use more likely in converting to social housing, should also inform selection.

It is assumed that the rental standards SI 534/08 and SI 462/09 (which set minimum standards for independent units of accommodation, i.e. fully self-contained dwellings) will not apply to shorter use for homelessness but may well apply to longer term use.

The necessity for Planning Permission and Building Regulation compliance are considered later in this document. No works should ordinarily be carried out to a building, which would cause a new or greater contravention of any provisions of the Building Regulations.

When considering new accommodation there should be separate facilities for families and for single persons. Should co-location be considered, its desirability and challenges should be carefully explored, and at the very least the facilities should be entirely independent, served by separate entrances, and preferably accessed from separate streets etc.

In the interest of rapid delivery, any required upgrade works should be minor in nature and where possible restricted to elements of fit out and services rather than significant structural interventions.

Location & Choice of Building for Conversion

For all types of emergency accommodation (families and singles), preference should be for locations with easy access to public transport as well as to facilities such as shops, recreation, and centres of employment. In addition, for family accommodation, easy access to schools is also important[1]. For ease of access to such amenities, a limit of 1km or at the very most 1.5kms in well built up areas, is considered preferable.

Provision of private open spaces in emergency temporary accommodation is not envisaged, but access to a shared open space or garden or convenience to a public park should be considered particularly for family type accommodation.

Access to some level of private car parking should be considered for family type accommodation. This however will depend on location and parking may be considered unnecessary in town or city centre locations where good transport links are available. For single accommodation, limited parking would be required and in town centres a local authority may conclude private car parking is unnecessary.

The building chosen should also be generally in good repair, free from obvious structural defects, from damp (other than localised water penetration or leak), and from other obvious deficiencies which would be expensive to remediate and also likely to cause delay in delivery. However, suitably located buildings which require a larger extent of remedial work may be considered where the costs of such works are adequately reflected in the purchase cost.

Where available, a choice of building which avoids the necessity for a planning application with the ensuing extension of the delivery timeline, would be advantageous.

[1] For children experiencing homelessness, continuity by way of attendance at their existing school is likely to be considerably preferable, and accordingly easy access to reliant transport maybe of greater importance than access to a new school.

When considering location and choice of building the local authority should also ensure that they have considered the long term use of the building and in particular the feasibility of the future conversion of the building for use as social housing.

General Standards & Provisions

Accommodation should be light and tranquil, finished in appropriate colours and finishes and domestic in scale and character. The accommodation should be safe, well maintained and in a good state of repair.

Generally, all sleeping rooms, lounges and dining rooms should be properly ventilated preferably by natural means. In the event that artificial ventilation is necessary it should be designed and installed to the relevant standards. It would be expected that all habitable rooms should also be naturally lit.

Although there may be infrequent occasions where it may be appropriate in limited circumstances to depart from the natural light and ventilation recommendations, local authorities should carefully consider the practical implications for any such decision, provide justification for same, and again the necessity to provide this standard of accommodation even on a limited basis should be reflected in the purchase price.

There should also be adequate and appropriate artificial lighting and fixed radiators sufficient for heating of the space, and controllable in that space. Adequate provisions should be made in relation to fire safety e.g. compliance with a fire safety certificate or the obligations under the Fire Services Act, including evacuation plans and publicly displayed fire escape diagrams.

Provision needs to be made for management facilities to accommodate the number of staff likely to be on duty at any time. This needs to be considered with the service provider, however facilities usually include a meeting room, manager's office and staff toilet. In larger facilities, where the meeting room cannot be so used, separate rooms for individual consultation on medical or rehousing matters may be required. An extent of storage for furniture, bedding and linen should be included (unless provided off site) along with the provision of at least one cleaner's stores (depending on the size of the emergency accommodation) preferably with wash down facilities.

All service installations (fire alarm, CO2 alarm, electricity, gas, water and waste) should be mains wired, in safe working order and installed/maintained to current standards and legislation. All services should be appropriately certified. (RECI, etc.)

4. Accommodation for Single Households

Obviously apart from meeting the minimum standards, the size of personal accommodation will depend on the extent of communal facilities provided and the length of stay anticipated. It is appreciated that in converting an existing building, some compromises will be necessary, but the recommendations below should be regarded as generally recommended standards.

Where mixed gender accommodation is proposed, provision will need to be made for separate gender specific sleeping rooms and separate toilet and ablution facilities, with appropriate separate access as considered necessary. Normally, non-segregated dining rooms and lounges should be acceptable.

Sleeping Accommodation:

Careful consideration should be given to the maximum number of persons sharing bedrooms. Whilst the provision of individual or twin rooms (of a minimum 7.2 sqm or 11.4 sqm respectively) is considered the ideal, this may well not be possible, particularly in the conversion of an existing building and sharing with others should ordinarily be acceptable. Where bedrooms are shared, floor area per person for sleeping should be provided at not less than 5.0 sqm per person. In shared bedrooms, private lockable storage facilities of at least 0.7 cubic metres per person is recommended, either convenient to the entrance or in each sleeping room.

Where the existing building configuration allows, local authorities should consider measures to meet the needs of homeless individuals with impaired mobility. It is recommended that local authorities conduct an assessment to determine need for those with mobility impairments to ensure adequate provision is made. Alternatively, and again where the configuration of the existing building easily allows, a provision of 5% of the bedspaces could be allocated to disabled persons, consistent with current policy[2]. Where to be provided, this would be best by way of single rooms, each a minimum of 8.0 sqm, with an associated bathroom dimensioned to meet disability requirements.

Sanitary Provision:

Adequate toilets and showers should be provided, with appropriate heating, adequate ventilation and mechanical extract, located convenient to the bedrooms.

The ratio of WC provision to bedspaces should normally be at least 1 per every 7 bedspaces, with a minimum provision of 3 WCs. Wash hand basins with hot and cold water supply should be provided in the ratio of 1 per 7 bed spaces, again with a minimum provision of 3. In addition, urinals should be

[2] See page 60 of National Housing Strategy for Disabled People 2022-2027
https://www.gov.ie/en/publication/60d76-national-housing-strategy-for-disabled-people-2022-2027/

provided in male toilet facilities and in female toilet facilities, at least one WC additional to the provision derived from the above ratio.

Showers should be provided at the ratio of 1 per 10 bed spaces as individual cubicles with closable door or curtain, and provided with hot and cold water supply. Where possible showers should be located separate from shared toilet facilities.

Where the existing building configuration allows and need has been identified for those with mobility impairment an adapted WC, WHB and Shower should be provided, which may be best provided as en-suite bedroom for a person with significant movement impairment. Further provision in accordance with Part M of the TGD of the Building Regulations may be required, as appropriate.

Shared Facilities

For general planning purposes the following provisions should generally be adequate. Final provisions should be agreed with the service provider and may vary for instance where there is an element of off-site provision.

In respect of communal cooking and dining facilities for single individuals, as the majority of emergency accommodation services include provision of meals onsite, adequate dining areas appropriate to the size of the facility and the number of meal sittings should be considered, as with the exception of small facilities, more than one sitting will normally be required. In addition, kitchen stations at a ratio of 1 per 20 bedspaces might be considered to allow for self-catering, (sink, small fridge and microwave for teas, coffees and snacks).

In respect of kitchen sizes, it should be noted that there are other provisions (for instance appropriate Food Safety legislation and the HSE: Guide to the Health Safety and Welfare at Work Act 2007) which will apply, with requirements such as staff changing, locker and ablution facilities which may dictate requirements.

In addition, there should be adequate and appropriate provision for lounge/recreation areas separate to the sleeping accommodation.

Laundry/Storage: The space required will differ where provided on a self-service basis, and whether linen is laundered on site, but a commercially equipped laundry of 12sqm can handle a large volume of clothes washing and drying. The experience of the service provider should also be sought in determining final size and use.

5. Youth Accommodation

A Youth Homelessness Strategy is currently at an advanced stage of drafting and is due for publication in Q3 2022. This Strategy will recognise that the causes of youth homelessness, as well as the experiences of young people in the emergency accommodation system, are distinct to that of the older homeless population. Many young people may struggle in regular emergency accommodation due to sharing a space with people of different ages who may be long-term users of homeless services with complex mental health or addiction issues.

Local authorities should consider the number of young people (aged 18-24) assessed as homeless and identify whether there is a need to establish specific emergency accommodation for young single people in their area.

As well as meeting the standards for single accommodation, youth accommodation should have sufficient and appropriate designated spaces that allow for visits from family members of residents and can facilitate the holding of workshops and information sessions.

6. Accommodation for Families (Non single person Households)

General:

Apart from meeting the minimum standards, the nature and extent of individual family accommodation will depend on the extent of communal facilities provided, the length of stay anticipated and the number of families being accommodated. It is accepted that in the event of the conversion of an existing premises, some compromises may be necessary, but the following represents general recommended standards, though accommodation reasonably in excess of this can be provided, where it is feasible to do so. Living rooms and bedrooms should not be lit solely by roof lights and all habitable rooms should be naturally ventilated and lit.

Accommodation Standards:

Each family should have its own dedicated bathroom, with adequate space for a wc, whb, and a bath or shower, with hot and cold water supply. Where space allows a bath may be considered preferable as it offers greater flexibility for families with small children and babies.

In addition, each family unit should preferably have a separate living space or sufficient shared living spaces should be made available based on the overall size of the facility. Bedrooms accommodating

families should allow for a minimum of 5.0sqm per bed space[3] with double rooms preferably being a minimum of 11.4 sqm, with a further 1 – 1.5 sqm of storage.

Local authorities should ensure that requirements for those with restricted mobility are considered and an assessment should be conducted to determine overall need within overall emergency accommodation stock to ensure adequate provision is being provided. Alternatively, an allocation of 5% of the units should be made for households with a person with disability, consistent with previously quoted guidelines. Where such accommodation is provided, the bathroom should exceed part M requirements in respect of the access to the bath, and an increase in the size of one of the bedrooms should be provided (8.0 sqm for a single and 13.0 sqm for a double bedroom) as well as a 10% increase in living areas to cater for wheelchair movement.

As the majority of emergency accommodation services for families include provision of meals onsite, adequate dining areas appropriate to the size of the facility and to the number of meal sittings, should be provided.

In addition, kitchen facilities preferably with an associated dining area, shared between a number of families[4] should be considered[5], which should also provide for heating and preparation of food for small children and babies. The experience of the service provider should be sought in determining final size and number of kitchen facilities to be provided. Where shared, separate food storage including fridges are recommended.

For households comprising a couple without children, the bedroom should be a minimum of 11.4 sqm, though consideration could be given to a bed/sitting room of about 20sqm, including storage space but excluding the floor area of the bathroom or shared kitchen facilities where provided.

As a minimum a study desk should be provided within the bedroom, however consideration should also be given to provision of a dedicated homework or study space for children as part of (though potentially separated from) the communal area. Dedicated storage space for buggies is also recommended.

Appropriately sized shared self-service laundry facilities are recommended on site. The experience of the service provider should be sought in determining final size and number of washing machines and dryers to be provided.

[3] This represents a marginal rounding up of the absolute minimum effective floor area set out in the 1966 Housing Act of 4.65 sqm/person to avoid overcrowding

[4] In some facilities one kitchen (subdivided into separate stations) is provided for all residents, who book a slot with management. Management advised that families have different eating patterns so there is not a specific 'peak time' for access to the facilities.

[5] It should be noted that in consultation with residents, operators of family hubs have replaced shared lounges with shared kitchens as this is the most sought after use for residents rather than a living space.

A dedicated private open space may be difficult to provide, but where possible, there should be some provision of open space, shared but private to the residents, including a Children's play area. Where it may not be possible to provide such space on site, proximity to public parks and playgrounds should form part of the initial assessment of whether a facility may be appropriate to accommodate families.

7. Cost Consideration & Value for Money

Where a conversion, the extent of works should be not such that the overall cost makes the purchase of a completed dwelling deliver better value for money. Consequently, a building in reasonable repair with minimum deficiencies is preferred. The extent of the works should also be such as to allow earliest possible delivery.

It is anticipated that facilities will be delivered primarily via acquisition although new build construction projects will also be accepted.

Where an applicant brings forward an acquisition proposal, the purchase cost sought shall be supported by an independent market valuation (with details of comparable sales) prepared by a qualified property valuer.

A detailed building condition survey should be carried out, in advance of the close of sale, to establish the extent of upgrade works (if any). Where upgrade works costs are sought, a cost estimate prepared by a Quantity Surveyor is to be provided.

The combined cost of the upgrade works plus the purchase costs may not exceed the overall cost of a purpose built facility or a corresponding completed unit in the locality. In the interest of speed of delivery any required upgrade works should be minor in nature.

Where a property acquisition is proposed, demonstration of the premises suitability for adaptation at a later date to meet general social housing needs is required and an alternate business plan for such potential future use should be put forward by the local authority, as part of the funding approval application.

It is appreciated that varying types of accommodation are likely to be proposed with substantial cost variances, however applicants should be mindful of the need to maintain value for money objectives at all times. It is imperative therefore that expenditure is considered in terms of the likely life of the facility and comparative cost of alternate accommodation options.

Items considered as valid expenditure for which funding will be considered include acquisition costs, premises upgrade costs, set-up fit-out costs, associated professional fees and legal fees.

8. Approval Process

Applications for homeless facility delivery funding will ordinarily be considered by way of a **two stage**[6] approval process.

1 - Capital Appraisal / Preliminary Design Stage

Informal consultation with the Department at the earliest possible stage is recommended.

The initial capital appraisal/preliminary design formal approval stage will require a detailed and expanded capital appraisal submission as outlined below. Being cognisant that most applications for funding in this area will be for the conversion and upgrade of existing buildings, detailed information is required with regard to the condition of the existing buildings.

In summary the submission will include:

- Statement of Need, and review of possible available alternatives to meet need,
- Site location, access to facilities and public transport, proximity to other emergency facilities,
- Type of accommodation e.g. single persons, family units,
- No. of units delivered (persons accommodated),
- Anticipated life of facility,
- Outline drawings[7] and description adequate to confirm the nature and extent of the proposal and the general standard of accommodation proposed. This should include a schedule of floor areas of individual rooms with the application,
- Independent market valuation (with details of comparable sales) prepared by a qualified property valuer,
- Detailed building condition survey,
- Details of upgrade works envisaged,
- QS cost estimate for upgrade works,
- Planning, Building control and conservation status,
- Details of procurement of consultants,
- All-in Cost summary details.

[6] Subject to no significant cost (or time) overrun, projects can proceed directly from initial (Capital & Preliminary Design Stage) approval to Tender Approval Stage submission. If prior to tender, it is anticipated that the budget will deviate significantly from the prior approval, the local authority is required to submit a Pre-Tender approval application.

[7] For information on procurement requirements in relation to appointment of consultants and of tendering works construction contract, please refer to OGP guidance at https://constructionprocurement.gov.ie/

1a - Pre-Tender Stage

Prior to proceeding to tender for the works, a pre-tender cost check must be undertaken. If following this, the revised budget broadly aligns with the prior Department approved amount, there is no requirement to formally seek Department Pre-Tender Approval. If, however the updated budget deviates significantly from the prior approval, the local authority is required to submit a Pre-Tender approval application.

In summary the submission will include specifically:

- Updated drawings (where necessary),
- Updated budget details ,
- Details of procurement of consultants (where not provided previously),
- Specific responses to any conditions raised by the Department at the previous stage approval.

2 - Tender Approval Stage

Following receipt / evaluation of works tenders, a Tender Approval Stage application should be submitted.

In summary the submission will include specifically:

- Report on Tenders, with recommendations,
- Updated budget details,
- Details of procurement of consultants (where not provided previously),
- Specific responses to any conditions raised by the Department at the previous stage approval.

A full list of the submission requirements, together with further information on each item is set out in the Appendix.

It is anticipated that the above process will apply to the majority of emergency accommodation proposals. There may however be occasions where the Department determines it necessary to implement an alternative approval process. For example, where a proposal is larger / more complicated in nature, or a new build facility is proposed, it may be more appropriate to adopt a four stage approval process (in line with capital funded social housing construction projects). Conversely, where upgrade works are relatively straightforward / minor in nature, a single approval stage may suffice. This will be determined by the Department on a case by case basis and where an alternative approach is deemed necessary, this will be advised at the earliest

opportunity. To this end, pre-submission consultation is encouraged with the Department, including through the quarterly technical meetings.

Local authorities should be aware that where funding is approved, valid proof of expenditure and compliance with the CWMF requirements with respect of procurement[8] is imperative to facilitate drawdown of monies.

9. Statutory Procedures

A number of items of legislation will apply to development of emergency accommodation facilities, including the Safety Health & Welfare at Work Act 2005. It is the responsibility of the local authority and the Service Provider to satisfy themselves in term of compliance with these requirements. Below are considered the legislation most directly impacting on the building fabric and conversion works.

Planning:
Local authorities will be aware that planning permission may be required for alterations to existing buildings or for a material change of use of a building and that a Chief Executive of a local authority may exercise emergency planning powers under Section 179 (6)(b) of the Planning and Development Act, 2000 as amended.

Building Regulations:
Local authorities will also be aware in the context of works to existing buildings, the Building Regulations apply to a wide range of works, including extensions, material alterations, changes of use etc.

Dispensation or relaxations:
A Building Control Authority may, if it considers it reasonable having regard to all the circumstances of the case, grant a dispensation from, or a relaxation of, any requirement of building regulations in respect of buildings or works which are situated within the functional area of the building control authority, as the local authority, taking all matters into consideration, sees fit.

Safety, Health and Welfare at Work Act:
As service provider personnel will be employed on the premises as mentioned in the preceding commentary, it is likely that the Safety, Health and Welfare at Work Act 2005 will be applicable, though as mainly a management provision, its specific application is outside the remit of this guidance, and local authorities will wish to make their own decisions in this regard.

[8] As previously noted please refer to OGP guidance at https://constructionprocurement.gov.ie/

Building Control Regulations:

Local authorities will be aware that in relation to works to an existing building a **Fire Certificate** is required for certain works to which the requirements of Part B apply[i].

Local authorities will also be aware that, **a Commencement Notice** is required for works to an existing building where the works are a material alteration, extension or change of use where a fire cert is required or where planning is required, and the works are subject to the Building Regulations. In relation to works to an existing building, **SI 9/2014** applies to extensions to dwellings greater than 40sqm (however, **SI 365/2015** facilitates an opt-out for extensions) and all works that require a fire certificate.

A valid 7-day notice effectively combines a fire certificate application and a commencement notice and facilitates work starting on site 7 days from the date of receipt by Building Control. However, if following this route, it would be important in order to deliver cost certainty, and to avoid delay that following consultation with the Fire Officer, there should be a good understanding of the scope of works necessary to achieve compliance with Part B requirements, which should be incorporated into the tender documentation.

A **Disability Access Certificate** is required for works, which require a Fire Certificate, with respect to the requirements under Part M.

Fire Services Act

Regardless of whether works are carried out on the existing building or not, Section 18 of the Fire Services Act 1981 & 2003 imposes obligations[ii] in relation to the fire safety on the persons having control of certain premises, particularly involving the provision of sleeping accommodation (but excluding a single dwelling).

Endnotes

[i] (a) works in connection with the material alteration of a day centre, a building containing a flat, a hotel, hostel or guest building or an institutional building, place of assembly or shopping centre. (Excluding minor works),

(b) Works in connection with the material alteration of a shop, office or industrial building where additional floor area is being provided within the existing building or the building is being sub-divided into a number of units for separate occupancy,

(c) Works in connection with the extension of a building by more than 25sqm,

(d) A building as regards which a material change of use takes place.

[ii] Including:

(a) take all reasonable measures to guard against the outbreak of fire on such premises,

(b) provide reasonable fire safety measures for such premises and prepare and provide appropriate fire safety procedures for ensuring the safety of persons on such premises,

(c) ensure that the fire safety measures and procedures referred to in paragraph (b) are applied at all times,

(d) ensure, as far as is reasonably practicable, the safety of persons on the premises in the event of an outbreak of fire whether such outbreak has occurred or not.

10. Appendix - Checklist for Submissions

Guidelines on Submissions for Temporary Emergency Type Accommodation for single persons and families

These guidelines set out the documentation to be submitted by the LA as well as guidance on such documents, for applications seeking Approval of funding for acquisition and redevelopment of existing properties towards delivery of temporary emergency accommodation for homeless persons. It also sets the criteria by which the Department will evaluate proposals to ensure design quality, value for money and the delivery of sustainable communities.

This cover page can be copied and used as a tick box to ensure all required information is submitted.

Pre –Submission

☐ **Preliminary Consultations** – Consult with Department's Technical Advisors and Homelessness Unit to confirm suitability of the property and location, design strategy, property location and internal layouts, and outline costs. Earliest consultation is encouraged, both in terms of appropriate property (or site) selection and at a stage before the proposal is too developed.

Stage 1 - Capital Appraisal & Preliminary Design Stage

☐ **1.1 Identify the Need, Assess Alternative Means of Meeting this Need and make Recommendation** - Refer to Homeless Reports, and numbers accessing emergency accommodation in the area. Advise what other delivery would be available (e.g. commercial hotel and B&B accommodation, or leasing of existing specialist facilities, such as B&Bs, or leasing of permanent accommodation), and make a recommendation as to the optimal, from a consideration of cost effectiveness and earliest delivery.

☐ **1.2 Project Brief - Number of persons to be accommodated (bedspaces) and type of facility** – e.g. 20 No. single persons in twin rooms with shared bathrooms and communal facilities / 30 No. single persons in twin en-suite rooms with shared communal facilities and 2 No. accessible en-suite single rooms for persons with a disability / family hub accommodating 8 No. families in self-contained units with dedicated sleeping and bathroom space and shared communal facilities / Accommodation for 10 No. couples in twin rooms with en suite bathrooms …etc.

☐ **1.3 Sustainable Community Proofing -** Site location drawing showing access to facilities + public transport within 1 km, (or 1.5 kms in a well built up urban area) and identifying proximity to other emergency accommodation facilities.

☐ **1.4 Site Constraints & Site Abnormalities** – Any reasons additional costs may be admissible and therefore whether the property is suitable. Confirm all services are currently available.

☐ **1.5 Outline Design Drawings –** Proposed and Existing Site layout and internal layouts, where atypical, sections and elevations of the property. Proposals for the likely long term use of the property after the use for temporary emergency accommodation has lapsed should be included. A report from the technical officers in the LA's housing delivery section should be included.

☐ **1.6 Risk Identification / Management** – Identify individual risks that are likely to impact on the project; analysis / assessment of risks; management strategy for each risk identified.

☐ **1.7 Cost Details** – Details of estimated project costs, including:
Property acquisition costs, supported by an independent market valuation (with details of comparable sales) prepared by a qualified property valuer.
Upgrade works costs (if any), supported by outline cost estimate, based on the outline drawings / scope of upgrade works envisaged, supported by a detailed building condition survey.
Details of any other associated costs together with supporting documentation.

☐ **1.8 Programme, Project Management & Delivery** – Main milestones, e.g. Planning approval, tendering, start on site and estimated completion. Traditional or Design & Build. CWMF compliant procurement.

☐ **1.9 Confirmations** – Consultations, compliance with Planning and Building Regulations, Public Procurement, H&S.

☐ **1.10 Confirmation of Procurement of Consultants** – Tender reports to show compliance with National or EU requirements (if available).

Stage 1A - Pre-Tender Stage

Prior to proceeding to tender for the works, a pre-tender cost check must be undertaken. If following this, the revised budget broadly aligns with the prior Department approved amount, there **is no requirement** to seek Department Pre-Tender Approval. If however the updated budget deviates significantly from the prior approval, the Local Authority is required to submit a Pre-Tender approval application.

☐ **1A.1 Updated Drawings** – Only required if changes to design since prior approval,

☐ **1A.2 Updated Budget Breakdown** – Explanations for any increase and proposals for reductions,

☐ **1A.3 Confirmation of Procurement of Consultants** – Tender reports to show compliance with National or EU requirements (only where not provided previously),

☐ **1A.4 Responses -** Responses on an individual basis to any conditions raised by the Department in the previous Stage Approval.

Stage 2 - Tender Approval Stage

☐ **2.1 Tender Report** - Schedule of tenders received, procurement details, method of evaluation and clear recommendation by Local Authority,

☐ **2.2 Budget Report** – Respond to any previous conditions of approval, tender process and costs compared to approval, and what opportunities are available to deliver cost reductions,

☐ **2.3 Revised Budget Breakdown** – Updated all-in budget details,

☐ **2.4 Confirmation of Procurement of Consultants** – Tender reports to show compliance with National or EU requirements (where not provided previously),

☐ **2.5 Responses** - Responses on an individual basis to any conditions raised by the Department in the previous Stage Approval.

0.0 Explanatory Notes

0.1 The Department of Public Expenditure & Reform in December 2019 issued the latest edition of the mandatory 'Public Spending Code', (PSC) designed to ensure that the State gets the best possible value for all public expenditure. The Code explains the requirements for the Preliminary Business Case (formerly referred to as the Capital Appraisal) which it identifies as Gate 1 of four approval gates, and how after a project has been approved 'in principle', it still needs to be periodically reviewed throughout its lifecycle, to ensure it continues to deliver value for money.

0.2 Construction projects are more specialised as the actual cost of the project only emerges as the proposals are advanced. The Local Authority can usually use their own resources to prepare the initial Capital Appraisal. Additional resources may then become necessary to prepare an initial design and advance this for Planning Approval (if applicable), tender, etc. Within the terms of the PSC, this means that as the project incurs more expenditure, there is a requirement for continuing quality and cost control towards maintaining value for money.

0.3 To specifically address construction projects, the Department of Public Expenditure & Reform (DPER) developed the Capital Works Management Framework (CWMF), to provide guidance and ensure quality

and cost control, procurement, value for money and public accountability requirements are met. The CWMF normally commences after the initial Business Case (Capital Appraisal) has been approved.

0.4 The CWMF comprises an integrated suite of guidance material, technical templates, procedures and the forms of Public Contracts. It covers all aspects of the delivery process of a public works project, from inception to final project delivery and review. The CWMF identifies two participants: The Contracting Authority (or Sponsoring Agency) - in this case, this is the LA or AHB, which proposes and manages the delivery of the works, and the Approving (or Sanctioning) Authority, which is the Department, which provides the funding. As Approving Authority, the Department is publicly accountable for the expenditure, cost control, achieving value for money and meeting public procurement requirements, all of which is subject to audit (by the C&AG).

0.5 After approval of the Capital Appraisal (Preliminary Business Case), the CWMF sets out 7 main Stages, called Project Reviews, where the Sponsoring Agency reports to the Sanctioning Authority. Together with the two Appraisal stages on larger projects, this makes a potential of nine stages when the Sponsoring Agency reports to the Sanctioning Authority before work can start on site. In consultation with the CCMA, this had previously been streamlined by the Department into a four stage approval process, corresponding to CWMF Stages, PR1, 4, 6 and 7.

0.6 The initial Capital Appraisal & Preliminary Design Stage application approximates to a combined Stage 1 and 2 under the Department's Four Stage process (i.e. CWMF PR Stages 1 & 4) and the Pre-Tender Stage and Tender Approval Stage applications respectively equate to CWMF PR Stages 6 & 7.

0.7 The following pages describe in more detail the material to be submitted by the LA at each of the above stages. It also sets out guidance on the evaluation the Department will carry out to ensure design quality, value for money, acceptable public procurement and the delivery of sustainable communities.

0.8 In order to avoid subsequent delay, it is a requirement that the LA or AHB consults with the Department's Technical Advisors, at the earliest stages of a project, firstly when a property is being considered, to confirm suitability, and then to ensure consistency of design with guidelines and policy and to confirm acceptability of initial outline costs.

1.0 Capital Appraisal & Preliminary Design Stage

The Preliminary Business Case or Capital Appraisal should be proportionate to the scale of the project. A small scale project below €6 million should not need to extend beyond three or four pages of text, with accompanying documents, maps and drawings. The purpose of this submission is both to make the Preliminary Business Case for the proposal, and to demonstrate consistency with the Department's policy and design guidelines, demonstrate value for money, and obtain Departmental approval for same, including funding commitment for the entire project.

The Capital Appraisal comprises three parts:

☐ Firstly identifying the need, evaluating alternatives and making a recommendation.

☐ The second part is the project brief, which gives details of the proposal.

☐ The third part is the outline design proposal, the costs, and justification of the value for money of the proposal.

For the Approval Submission, the following are required:

1.1 Identifying the Need, Assess Alternative Means of Meeting this Need and Make a Recommendation

Justify the need set out in the application by reference to the latest homeless figures. This should inform the Project Brief on an approximate proportional basis as to the number of persons or families. It should also provide numbers of households eligible as Special Needs applicants.
All options available for meeting the need should be explored and compared objectively. For example, if there is a variety of vacant accommodation in the area, which could best meet the needs requirements more economically and in a faster time-frame, and be best for long term housing use?

1.2 Project Brief - Number of persons to be accommodated (bedspaces) and type of facility

State the existing floor area and capacity; set out the proposed allocation of rooms in terms of number of occupants and use.

1.3 Sustainable Community Proofing

The intention is to deliver balanced, integrated, mixed tenure sustainable communities and to ensure that persons who may not have use of private transport, (as will frequently be the case with individuals or households presenting as homeless) can have easy access to the widest range of services and facilities. To demonstrate this, submit a Site Location Map indicating the site or property in relation to neighbourhood facilities, shops, schools, recreation, employment and public transport. A radius of 1km is normally regarded as an acceptable walking distance though in well built up areas, 1.5 kms may on occasions be permissible. This map should also indicate existing and proposed emergency accommodation in the area, and where this is extensive, please provide an explanation of how tenure diversification is being achieved and why the development would not constitute an over-concentration in this regard, and why other locations have not been explored.

1.4 Site Constraints & Site Abnormalities

The purpose is to avoid acquisition of properties where development is unreasonably expensive. The LA should consult with the Department's Architect Advisor before purchasing the property, otherwise the LA should make the Department's approval of funding, as well as Part 8 approval, a condition of purchase.

A detailed building condition survey, will need to have been carried out in advance of the acquisition to assess any potential issues, including review of existing Fire Safety provisions, accompanied by an estimate of costs for works required to bring the property up to an acceptable standard.

Planning status – A brief planning history of the property should be included as well as an indication of the need or exemption from a requirement to seek planning permission.
If the property under consideration is on the record of protected structures, a review of the suitability of the property for conversion to the proposed use by the LA Planning Department and Conservation officer should accompany the application.

Any reasons additional costs may be admissible and therefore whether the property is suitable for redevelopment.

The LA should confirm it has satisfied itself as to the availability of services to the site / property.
All professional services appointments must be in line with CWMF / Public Procurement Procedures. Refer to OGP General Procurement Guidance.

1.5 Outline Design Drawings –

The design proposal must be discussed at an early stage and signed off by the Department's Architect Advisor as consistent with design guidelines and policy generally. Drawings to be submitted should include the site layout and the floor plans, plus where atypical, sections and elevations of the proposal. A schedule of floor areas of individual rooms should be included, or clearly indicated on the drawings to indicate consistency with minimum requirements and thus to avoid overcrowding. Proposals for long term use of the property should be included, when a need for emergency homeless accommodation no longer exists. A technical report undertaken by the LA assessing the suitability of the proposal for its intended use should be included. This should include an architectural, planning and building control evaluation.

1.6 Risk Identification / Management

Identify individual risks that are likely to impact on the project. Assess each risk in terms of the likelihood of it occurring and the impact on project objectives and provide a risk management / mitigation plan.

1.7 Cost Details

Submit cost details. Where an applicant brings forward an acquisition proposal, the purchase cost sought shall be supported by an independent market valuation (with details of comparable sales) prepared by a qualified property valuer. An outline construction cost estimate should be submitted, based on the outline drawings and details of upgrade works envisaged, including a detailed building condition survey. All known costs (purchase costs, consultants fixed price fees etc.) should be stated accurately. Both the actual acquisition cost and upgrade works costs can significantly affect the cost per bedspace and the value for money. Where costs appear to be significant, earliest discussion with the Department's QS Advisor is required, to confirm the acceptability of the costs. Confirmation of this should be submitted as part of 1.8 below.

1.8 Programme, Project Management & Delivery

Please advise the main Milestones including the following dates:

(a) the final projected date for the Part 8 Approval;
(b) projected tender advertisement date;
(c) projected date to start on site;
(d) projected date for completion.

The proposed design team should be listed and whether design is to be provided in-house or on a consultancy basis. It is anticipated that some, if not all of the members of any external design scheme may already have been procured, in which case the procurement method used should be stated, to demonstrate compliance with the CWMF. Intended Procurement method for any remaining external Consultants should be stated. Procurement from a Framework can be more efficient when consultants are required for a number of projects.

In delivering budgetary oversight, local authorities will appreciate that it may be appropriate for the Department to limit the time for which the budget approval will remain in place, so that funding is not withheld from other Emergency Accommodation or social housing projects. It may be a condition of the approval that this will cease if the construction contract is not signed by a specified date. This will not in itself preclude a further application.

1.9 Confirmations

To streamline and facilitate Department evaluation and to avoid delays later on seeking confirmations the LA should submit:

- Confirmation of Sign off in principle by the Department's Architect Advisor
- Where refurbishment Costs are anticipated to be significant, confirmation of sign off in principle by Department's QS Advisor
- Confirmation that all public procurement requirements have and will be met.

1.10 Confirmation of Procurement of Consultants

Confirm that all consultant appointments have been carried out in accordance with Public Procurement Requirements, by way of tender report. Note where combined fees of all Consultants exceeds a certain threshold, currently €215,000 (excl. VAT), then E.U. Procurement rules apply.

1A.0 Pre-tender Stage

The purpose of this submission, which arises after the detailed design development and prior to going to tender, is to ensure the project costs are still in line with the approved budget, prior to going out to tender for the works contract. To this end, prior to proceeding to tender for the works, a pre-tender cost check must be undertaken. Subject to no significant cost (or time) overrun, there is no need to seek Pre-Tender Approval and projects can proceed directly from initial (Capital & Preliminary Design Stage) approval to Tender Approval Stage submission.

If however the revised budget deviates significantly from the prior approval, the Local Authority is required to submit a Pre-Tender approval application

For a Pre-Tender Approval Submission, the following is required:

1A.1 Updated Drawings

No further drawings are required unless there have been changes to the design since the prior application.

1A.2 Updated Budget

Where this does not approximate to the budget set at the Capital & Preliminary Design Stage approval then an explanation and justification for the budget increase should be provided. Significant cost overruns may necessitate efforts to identify potential cost savings.

1A.3 Confirmation of Procurement of Consultants

Refer to 1.10 above – not required if provided previously

1A.4 Responses on an individual basis to any conditions raised by the Department in the previous Stage Approval

2.0 Tender Approval Stage
The purpose of this submission is to demonstrate the robustness of the tender process and to verify that costs are still in line with the approved budget in advance of awarding the contract.

For a Tender Approval Submission, the following is required:

2.1 Tender Report

The Tender Report should include the amount and construction period of each tender received, an evaluation of the lowest / most economically advantageous tender and a comparison with the approved budget. It should also include a clear recommendation as to the award of the tender. The Tender Report should be compiled by the design team Quantity Surveyor and should be a comprehensive assessment of the tender process. The report should explain (a) how tenders have been invited; (b) provide a list of all tenders with costs; (c) explain Method of evaluation e.g. Cost only or Most Economic Advantageous Tender (MEAT) and (d) make a Recommendation for tender award. Whatever the process, there should be a clear recommendation as to the preferred tenderer and the construction period should be stated.

2.2 Budget Report

If there is any increase in the budget since the prior approval, then with the support of the design team, an explanation should be provided. For a significant cost increase, mechanisms to bring the project back in line with the approved budget should be explored and identified.

The report should specifically explain how it has met any conditions set by the Department in the prior approval.

2.3 Revised Budget Breakdown – Submit updated all-in budget details.

The report should confirm project costs are in line with approval and where not, an explanation should be given along with proposals for reducing costs.

2.4 Confirmation of Procurement of Consultants

Tender reports to show compliance with National or EU requirements (where not provided previously).

2.5 Responses on an individual basis to any conditions raised by the Department in the previous Stage Approval

3.0 Construction (Implementation) & Review Stages

There are no formal review stages once works commence on site, but appropriate cost control should be exercised, as set out in both the CWMF and Circular SHIP 2010/12.

Should costs be anticipated to exceed a pre-determined contingency amount (usually 2.5% of the pre-VAT contract sum), then compensatory cost reduction measures should be taken. Even after such measures, if the additional cost is projected to exceed the contingency amount, then specific approval should be sought from the Department for a revised budget. Full requirements for Cost control at Implementation stage of a project are set out in Department Circular SHIP 2010/12 'Management of Project Budgets & Cost control procedures at the Implementation stage of a project, up to and including Final Accounts and Post Project Review'.

Drawdown

1. Drawdown for initial tranche of consultant's fees (external and/or in house) may be made on issue of the approval. Further tranches of consultant's fees may be drawn down on issue of Part 8 approval (if required), at issue of tender documents and on receipt of tender report.
2. Drawdown for purchase costs of the property may be made on issue of a letter of acceptance of contractor's tender/or proof of purchase.
3. Drawdown for construction costs (and remaining consultant's fees) may be made on a monthly basis during the construction period on the basis of the ER's interim payment certificates, up to the limit of 97.5% of the approved budget.
4. The remaining 2.5% may be drawn down on confirmation that the submitted Post Project Review and Final Account is acceptable to the Department.