

*Comparative study of how utility provision is
administered and rents collected in Traveller-
specific accommodation in Fingal*

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Executive summary

This research investigated the system whereby rents and electricity were paid in Traveller-specific accommodation in Fingal County Council, set in a national context. The research was carried out by desk research, a survey of local authorities (19 replies), consultations with national and local stakeholders and with officials and residents in Fingal County Council area in spring 2017.

The research found that a system of combined pre-payment for rent and electricity operates in at least two local authority areas. Nevertheless, it is an unusual system. Within Fingal local authority, the scheme operates within eight sites hosting about 90 bays. Residents buy pre-paid €10 cards from visiting inspectors. Should cards expire out of hours, they must drive to the local authority offices (in Swords) to obtain cards from the cash desk which closes at 3pm. Cards are not available through retail outlets. Although a system of emergency credit is installed on meters, in practice it does not appear to be operational and there is no emergency call-out service of which residents are aware. Local residents go to some efforts to manage cards to ensure that credit does not expire over evenings or weekends, but this does happen, obliging them to use candles and fire-hazardous forms of light and energy. Residents do not know the proportion of prepayment cards attributed to electricity or rent; nor are receipts provided on site. Rent is charged, through the pre-payment cards, at €10 a week or €1.42 daily.

The system operated by Fingal County Council is (in the technical sense of the word), archaic, for it was devised before more modern systems of electrical delivery were introduced and is a function of the physical layout of powerbox supplies to bays. The county council does not favour the system currently in operation, as it is labour-expensive, pre-electronic and of no cost advantage. Its plan is to refurbish the sites and break the connection between electricity and rent, thereby ensuring that site residents can have a standard relationship with electricity suppliers and be free to choose their supplier and method. The speed of this transition will depend on the allocation of funding for this purpose from central government. The key issues with the current system of prepaid card provision in Fingal were identified as:

- The provision of emergency credit, which does not appear to work in practice and the limited availability of cards;
- Payment by meter is 20% more expensive than standard bill pay, which compounds the risk of fuel poverty for those living on halting sites;
- The present situation abridges rights set down for electricity customers under European law and regulatory and supplier codes; while the failure to provide receipts is contrary to Irish law. It may be open to Travellers to take a case under European law for compensation for the enforced payment of more expensive metered supplies.

The local consultative mechanisms do not appear to have addressed the issue, which may be an outcome of their system of functioning, lack of transparency and a lack of capacity on the part of Traveller organizations to use such fora to address key local issues. The research made the following recommendations:

Recommendations for Fingal County Council

Meters: Inspect meters to check that emergency credit is functioning; increase such credit to €10.

Information: Single-page leaflet for the 90 bays explaining the current system and the actual nature of the charge, a project that might be undertaken between the county council, NTMABS and the Fingal Traveller Organization.

Availability of cards. Increase options available for buying cards: keep the local authority cash office open later than 3pm; provide cards through local retail outlets; provide cards in denominations larger than €10; make the emergency number visible and include it in the proposed information leaflet.

Receipts. Provide receipts through a combination of cash book receipts; mobile receipt machine; and regular statements.

Transparency. Identify the membership of the Local Traveller Accommodation Consultative Committee (LTACC) and the Traveller Interagency Group (TIG); provide contact details, publish their minutes; consider their functioning.

Speed the transition to site upgrades. This must be done in a period much shorter than that scheduled (2-5 years), with Travellers to then choose their supplier.

5.2.2 Broader recommendations

Include Travellers as a vulnerable group. NTMABS take up this issue with the Commission for Energy Regulation so that Travellers, whose ethnicity has now been recognised by government, may be included as a vulnerable group; pursue, with other civil society groups, the broadening of vulnerability and measures taken in response (e.g. social tariffs) to bring Ireland up to European standard.

Address fuel poverty. Specific initiatives that:

1. Identify the costs for families (of different sizes and type) of running a caravan (including the percentage of the families' income spent on rent, light and heat);
2. Identify how caravans could be made more energy efficient (e.g. insulation with the application of green technologies (e.g. wind and solar)) undertaken with the Traveller economy and social enterprises.
3. Tests the use of district heating systems as well as the block buying of fuel for Traveller sites.

Table of contents

Executive summary	2
Terms of reference	6
Method	6
Acknowledgements	6
1 Context	7
1.1 Overall context	8
1.2 Research background and purpose	9
1.3 Accommodation	8
1.4 Electricity	11
1.5 In summary	13
2 Survey of utility provision and administration	14
2.1 Survey methodology	14
2.1 Survey findings	14
2.3 Dublin City Council practices in more depth	15
2.4 In summary	16
3 The situation in Fingal	17
3.1 Travellers in Fingal	17
3.2 Role of Fingal County Council	17
3.3 Rent and electricity provision in Fingal	18
3.4 In summary	23
4 Issues arising	24
4.1 Emergency credit, availability of cards	24
4.2 Conformity with European law	25
4.3 Fuel poverty and money management	27
4.4 Consultative systems	28
4.5 In summary	29
5 Conclusions and recommendations	30
5.1 Conclusions	30
5.2 Recommendations	31

Annexes

1	Local authorities participating in the survey	33
2	Systems used for the payment of rent	34
3	Systems used for the payment of electricity	35

Tables

4.1	Comparative prices of prepay and bill pay electricity	27
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Terms of reference

The National Traveller Money Advice and Budgeting Service has asked for research into how utility provision is administered and rents collected in Traveller-specific accommodation in the Fingal County Council area in co. Dublin. NTMABS has specifically asked the research to:

- Identify policy and procedures of local authorities nationally for the collection of rent and provision of electricity and to identify guidelines and policy by the Department of the Housing, Planning and Local Government;
- Identify the methods used by Fingal County Council to collect rent and provide electricity to residents of Traveller specific accommodation;
- Highlight if variance exists in how rent is collected and utilities provided, specifically electricity;
- Recommend changes that could be made to allow for a more uniform system of rent collection and provision for tenant choice in choosing a utility provider.

Method

This research was carried out by:

- Review of policies, guidelines and practices nationally and locally;
- Examination of Traveller-specific accommodation in Fingal to ascertain precisely how rental and electricity costs are determined and administered;
- Interview programme with residents, local authority officials responsible and other national and local representatives with useful knowledge.
- A survey of local authorities nationally to review practices and procedures.

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1 Context

This chapter provides an overall context for the Traveller community in Ireland and the work of the National Traveller Money Advice and Budgeting Service (NTMABS) (1.1). It provides details of the background and purpose of the research (1.2). This section also identifies and explores the national policies and procedures relevant to accommodation (1.3) and provision of electricity in Traveller-specific accommodation nationally (1.4). There is a summary (1.5).

1.1 Overall context

There are 30,987 Travellers in Ireland, according to the 2016 census, a figure believed to be an underestimate.¹ Travellers have a long history in Ireland, one that is now becoming better known. Travellers suffer from discrimination, poverty, social exclusion, limited educational opportunities, hardship in accommodation, unemployment and poor health, issues which have been well documented and will not be repeated here. Accommodation has been one of the most problematic areas, with long-standing issues of insufficient, unsuitable, inadequate, unsafe, over-crowded accommodation, with unequal power relationships between Travellers and providers. The performance of the Irish government and Irish local authorities in meeting their responsibilities to Travellers has been sharply criticized by the Council of Europe.²

The focus of this study is the 49% of Travellers who are local authority tenants and of specifically the 12% who live in caravans or mobile homes on sites provided by the local authority. The latter is the group at greatest disadvantage, with the lowest rates of water and sewerage connection (19% and 29% without) and most likely over-crowded (84%). Travellers living in these conditions are also at higher risk of fuel poverty, characterized by poor insulation; limited choice of energy supply; and diseconomies of scale, all combined with low incomes.³

The Money Advice and Budgeting Service (MABS) was formed as a pilot in 1992 to work with low-income groups on issues of debt, money management and financial exclusion, with fuel debt and rent already identified as important problem areas. The Traveller community was identified as a group at particular risk, with different and distinct features.⁴ MABS now comprises 51 local companies, funded and supported by the Citizens Information Board.

¹ The census figures depends on self-identification by Travellers. The All-Ireland Traveller Health Study (2008), which relied on information collected by Travellers themselves, gives a figure of 36,224, so the current figure may be higher.

² Council of Europe, European Committee on Social Rights: *Decision on the merits, European Roma Rights Centre, complaint 100/2013, judgement published 16th May 2016*. Strasbourg, author.

³ Watson, Dorothy; Kenny, Oona & McGinnity, Frances: *A social portrait of Travellers in Ireland*. Dublin, Economic & Social Research Institute, 2017.

⁴ Quinn, Paul & McCann, Thomas: *Access to credit facilities for the Traveller community in the greater Dublin area*. Dublin, Exchange House MABS, 1997; *Hard to credit it - access to credit facilities for the Traveller community*. Dublin, Exchange House MABS, 2001; NTMABS: *Financial exclusion: failure to access financial services*. Dublin, NTMABS, 2006.

National Traveller Money Advice and Budgeting Service (NTMABS) was established in its present form in 2005. NTMABS is different from other MABS services insofar that it does not provide a local, walk-in service, but instead serves the entire Traveller community by promoting Traveller access to money advice and debt management services and affordable credit, whilst through its policy work raising broader issues of debt and financial exclusion. Research by NTMABS highlighted particular problems of accommodation-related debt such as the costs of caravans, insurance, utilities, disconnections, reconnection charges and rents.⁵ Research has been carried out into caravan loan schemes.

1.2 Research background and purpose

National Traveller MABS regularly partners with Traveller organizations to identify and explore issues of financial exclusion and financial difficulty that exist within the Traveller community. Fingal Travellers Organization has been aware of the difficulties that tenants of some halting sites in the Fingal area have experienced in the management and cost of rent and utilities and brought this to the attention of NTMABS.

Fingal Travellers Organization was particularly concerned about what it considered '*a lack of transparency in relation to the rental cost of bays in some halting sites in the Fingal area and the lack of choice for residents in electricity provider*'. Its concern was that these issues were causing particular financial hardship for some Traveller residents. Fingal Travellers Organization was also concerned by the fact that electricity was provided on some Traveller sites using a prepaid card, which may be bought only from Fingal County Council either on-site or from distant locations; and was not available outside office hours or on-line. The organization was particularly concerned that if supply runs out over the weekend and with no alternate provision available, residents may use alternative sources of energy which may pose a fire-hazard.⁶

NTMABS decided to work with Fingal Travellers Organization to ascertain how electricity was being supplied and rent charged in Traveller-specific accommodation in Fingal. Its plan was to use the findings from this study to develop recommendations on best practice to be shared with local authorities nationally.

1.3 Accommodation

The Department of Housing, Planning, Community and Local Government has a broad oversight role for Traveller issues, being responsible for primary and subordinate legislation, policy, funding, statistics and guidance. The legislative framework is the Housing (Traveller accommodation) Act, 1998, which requires the local authorities, in consultation with Travellers and the community as a whole, to prepare and adopt five-year accommodation plans, the current plan

⁵ Stamp, Stuart (ed): *Issues of personal finance within the Traveller community*. Dublin, NTMABS, 2010.

⁶ Information supplied in NTMABS: *Research tender*. Dublin, author, 2016.

being for the five full years of 2014-2018. The 1998 Act also requires the establishment of Local Traveller Accommodation Consultative Committees (LTACCs) comprising councillors, local authority officials and Traveller representatives, functioning under *Guidelines for the operation of local Traveller Accommodation Consultative Committees*. Other legislation is the Local government (planning and development) Act, 2000, which requires development plans to include provision for Traveller accommodation.

The department has issued four guides on accommodation options for Travellers, the provision of basic services, caravan parks and group housing.⁷ Electricity is referenced within these documents in the form of advice on standards, sockets and safety.

The undated *Guidelines for accommodating transient Traveller families* specifically state that *'the ESB should be consulted at an early stage in relation to metering, wiring, etc., necessary for the site generally and for each bay in particular in order to ensure proper safety standards and to minimize the risk of interference. Consideration should be given to providing each bay with its own separate supply'* (Section 2.5.9 P7).

No guidelines or policies have been issued by the Department of Housing, Planning, Community and Local Government as to how utility provision should be administered in Traveller-specific accommodation. The department, when contacted in relation to this matter as part of this research, reported that *'the matter of setting and collection of rents is a matter solely for local authorities and the department has no function in this. [The] provision and cost of utilities is a matter between the tenant and their local authority and the department has no involvement in this. We therefore have no guidelines or policies in these areas'*.⁸

The department hosts, following the 1998 Act, a National Traveller Accommodation Consultative Committee (NTACC), charged with monitoring the accommodation of Travellers nationally and required to publish an annual report, the first of which was issued in 2000.⁹ In the period since, issues of rent and utilities arose twice, in 2007 and 2008 and have not arisen since then. The 2007 annual report recorded that:

'The Committee discussed the problems concerning electricity supplies to halting sites. There are problems with electricity supply on many sites where inadequate and outdated electricity infrastructure and illegal tapping pose serious safety issues for residents. There are also problems with the lack of individual metering of halting site bays in some halting sites. This means some halting site residents are treated differently to all other ESB customers and do not have a direct relationship with ESB. The committee hopes to explore these issues with an ESB representative in 2008 which will allow recommendations on these problems to be made'.¹⁰

⁷ Department of the Environment and Local Government: *Accommodation options for Travellers; Basic services and facilities for caravans pending the provision of permanent accommodation; Residential caravan parks for Travellers; Group housing; Accommodating transient families*. Dublin, author, undated.

⁸ Brian Kenny, Department of Housing, Planning, Community and Local Government, 18th January 2017.

⁹ The Housing Agency is carrying out a review of Traveller Accommodation programmes which will shortly be presented to the NTACC.

¹⁰ National Traveller Accommodation Consultative Committee: *Annual report, 2007*. Dublin, author, p10.

In 2008, this discussion duly took place. This is the most substantial official documentation available on the issue, so is quoted in full:

'The problems concerning the electricity supply to halting sites had been raised at a number of meetings of the last and the current committee. The most contentious issue for most Traveller groups is the fact that on most halting sites residents do not have their own meter and therefore do not have a direct relationship with ESB. It is felt by many that this means Travellers living on halting sites are treated differently to all other customers and do not receive the same standard of service in terms of maintenance or restoration of supply in case of breakdown.

A presentation was given to the committee by ESB Networks on a number of issues, inter alia, the policy regarding new connections and metering, the differences between individual and centralised metering and safety issues related to tapping and overloading. ESB Networks said that before any residence was deemed to qualify for its own supply and meter, it must have permanent water and sewage connections and that this was the only reason that halting sites did not have individual meters. It was clearly stated that there was no plan to change this policy which applied to all residences without permanent water and sewage connections and not just Traveller halting sites. It may be the case that local authorities should provide the necessary permanent water and sewage connections for permanent halting sites. These sites are occupied for many years, and in some cases generations and should be provided with the appropriate facilities required for long term habitation.

Most Travellers on halting sites pay for electricity using prepaid cards. Queries were raised by the committee regarding the cost of electricity using this method of payment and the ESB again said that there was no discrimination. Electricity was charged at the same rate to all customers and extra charges, if any, were applied by local authorities and were a matter for them. The problems related to buying electricity cards outside of office hours and the number of outlets selling them were also said to be a matter for local authorities and outside the control of ESB. The committee may recommend some measures to alleviate problems caused by electricity card availability'.¹¹

The documentary record does not show if any such recommendations were made. A subsequent NTACC made a brief reference to the way in which electricity meters might run out. Fire danger was an issue that emerged in the preparatory phase of this project, for the reason that at a location where pre-paid meter payments had expired, residents might use alternative and more flammable means of light, notably candles. The tragedy at Carrickmines, Co Dublin in October 2015 led to a national review of fire safety by the department.¹² Although this identified electrical dangers (e.g. the use of adaptors), it did not raise issues in connection with expired meters or the use of candles. The issues addressed by this research has been largely invisible and has not featured in the many reviews of Traveller accommodation (e.g. Centre for Housing Research).¹³

¹¹ National Traveller Accommodation Consultative Committee: *Annual report, 2008*. Dublin, author, p11.

¹² National Directorate on Fire and Emergency Management: *Report on programme to review and enhance fire safety in local authority - provided Traveller accommodation*. Dublin, Department of Housing, Planning, Community and Local Government, 2016.

¹³ Coates, Dermot; Kane, Fiona & Treadwell Shine, Kasey: *Traveller accommodation in Ireland - review of policy and practice*. Dublin, Centre for Housing research, 2007.

1.4 Electricity

Section 1.3 examined the issue from the perspective of accommodation. Another important perspective is that of the electricity provider and regulator. The legislative framework is European directive 96/92/EU, subsequently repealed and replaced by Directive 2003/54/EU, which specifies in its preamble that network access must be '*non-discriminatory, transparent and fairly priced*' and that '*electricity customers should be able to choose their supplier freely...and ensure they have a real and effective right to choose their supplier*'. In the legislation itself:

- §3 specifies that all household customers enjoy universal service, that is the right to be supplied with electricity of a specified quality within their territory at reasonable, easily and clearly comparable and transparent prices. To ensure the provision of universal service, member states may appoint a supplier of last resort.
- §5 specifies that member states shall take appropriate measures to protect final customers, and shall in particular ensure that there are adequate safeguards to protect vulnerable customers, including measures to help them avoid disconnection. They shall ensure high levels of consumer protection, particularly with respect to transparency regarding contractual terms and conditions, general information and dispute settlement mechanisms. Member states shall ensure that the eligible customer is in fact able to switch to a new supplier.
- Annex A specifies that customers have a right to a contract with their electricity service provider that specifies the identity and address of the supplier; the services provided, the service quality levels offered, as well as the time for the initial connection; if offered, the types of maintenance service offered; the means by which up-to-date information on all applicable tariffs and maintenance charges may be obtained; receive transparent information on applicable prices and tariffs and on standard terms and conditions, in respect of access to and use of electricity services; and are offered a wide choice of payment methods.

The original directive was implemented in Ireland through the Electricity Regulation Act, 1999 whereby the electricity market was opened to competition, fully so from 2005 and the island subsequently became a Single Electricity Market (SEM) regulated in Belfast and Dublin, governed by the Commission for Energy Regulation (CER). The Commission for Energy Regulation states that:

'All customers are entitled to prompt and regular bills from their supplier. Included in the Commission's guidelines are the requirements for suppliers to ensure that bills are accurately calculated, state whether they are based on an estimated, customer or actual read, clearly indicate the period being charged for, include payment and tariff options, any VAT or levies and set out any free electricity entitlements. The code also sets the arrangements for how suppliers must engage with customers experiencing financial difficulties. Suppliers are required to assist customers in genuine financial difficulty in making a payment plan. Payment plans are a method of assisting customers who are experiencing financial difficulties in paying their bills. In addition, the code sets out the procedures that suppliers must follow before disconnecting a customer' (Consumer codes, at www.cer.ie)

The Commission for Energy Regulation states that pre-paid Pay-As-You-Go (PAYG) metering is governed by a code which applies to:

'All Pay As You Go metering and budget controller solutions, where they are installed by the electricity or natural gas distribution system operators on behalf of licensed suppliers or budget controller, solutions are installed directly by the supplier. Suppliers must provide a written explanation of what a prepayment meter budget controller is and how it operates to customers using this technology. It is the supplier's responsibility to assess the suitability of prepayment meters/ budget controllers for a given customer. It is important that customers are capable of using any technology that is provided safely and that they can access the budget controller and access a location to purchase top-up for their budget controller' (Consumer codes, at www.cer.ie)

The Commission for Energy Regulation supplier handbook is a substantial document of 64 pages.¹⁴ It sets down requirements for suppliers to establish systems for codes of practice and customer charters, which must be made readily available and in the case of PAYG customers explanatory statements on the operation of the system, prior consent, details of charges, annual statements of consumption, systems of emergency credit, the requirement for an emergency number (which must be publicized), details of the requirements for the protection for vulnerable customers against disconnection and a requirement that 'any difference in cost arising from this payment method reflects the actual cost to the supplier'.

Each individual supplier has a code or codes of practice which provides such an explanation. Airtricity, the electricity supplier for Traveller sites in Fingal local authority areas code specifies that:

- *'We will confirm what you have signed up for, along with a copy of your terms and conditions and access to your customer agreement form in a timely manner';*
- *'Where we install a prepaid meter, we will provide you with details of our electricity charges. We will also let you know of any additional charges in connection with your prepaid meter when you sign up. Customers with prepaid meter will receive an annual statement, and customers with an outstanding balance will also receive a statement three times a year';*
- *'We'll also let you know upfront of any additional charges in connection with your prepaid meter when you sign up';*
- *'If you run out of credit outside of the hours listed in friendly credit you will start to use the emergency credit. Emergency credit is set at €5 and gives you time to purchase credit from one of our authorized outlets'.*

Between them, they provide an extensive range of protections against which the situation in Fingal will be measured.

¹⁴ Commission for Energy Regulation: *Electricity and natural gas supplier handbook*. Dublin, author, 2012.

1.5 In summary

Traveller accommodation falls under the general remit of the Department of Housing, Planning, Community and Local Government, which is responsible for policy, legislation, oversight and implementation of programmes for the accommodation of Travellers and has issued guidance notes, which include electricity, accordingly. Issues of rent and electricity have been raised by the National Traveller Accommodation Consultative Committee which operates under the department. Despite this, the department takes the view that it has no function in the issues raised by this research.

Turning to issues of electricity supply, European directives set down the principles of choice of payment methods, transparency of information, right of supply, the right to switch and protection from disconnection. The Commission for Energy Regulation sets down principles for prompt and regular billing, accurate calculation and payment and tariff options. For PAYG customers, it sets down specific requirements for written explanations and the assessment of the suitability of prepayment meters or budget controllers for a given customer. The various codes of practice set down principles for retail outlets for cards and the prevention of out-of-hours disconnection.

2 Survey of utility provision and administration

The purpose of this section is to explore and identify the various practices and procedures used by different local authorities to collect rents and provide electricity in Traveller-specific accommodation. This sets down the methodology (2.1) and provides findings (2.2), following which there is a comparison with practice in Dublin city (2.3), before a summary is provided (2.4).

2.1 Survey methodology

A national survey of local authority practices and procedures in relation to electricity provision and associated rent collection was undertaken by NTMABS as part of this study. A short, paper-based questionnaire was developed by the research team and circulated by NTMABS to all local authorities (excluding Fingal County Council). The local authorities were asked to complete and return the questionnaire to NTMABS. NTMABS issued one postal reminder. Questionnaires were received from 19 of the 30 local authorities surveyed. NTMABS entered the data received from the local authorities and the study authors undertook the analysis of the data. Annex 1 lists the 19 local authorities participating.

2.2 Survey findings

2.2 *Survey findings*

2.2.1 *Systems used for the payment of rent*

The survey found that local authorities used multiple systems for the payment of rent and utilities (annex 2). All of the local authorities who participated in the survey used a system which enabled Travellers to pay their rent through a deduction at source from a social welfare payment. The majority of the local authorities who responded to the survey (84%) also had systems whereby Travellers could pay their rent to the local authority either in person or by direct debit. Seven had a system for payment of rent (only) using pre-paid card, while just two local authorities indicated that they used pre-paid cards for both rent and electricity payments (with one currently working to phase out the system).

Rents were generally paid weekly, with tenants advised of the rent that would be payable at the time they signed their tenancy. When rents go up, tenants are advised and some local authorities indicated that they automatically increased the deductions (from social welfare payments) at source, in order to prevent their tenants falling into arrears.

2.2.2 *Systems used for the payment of electricity*

Each of the local authorities that participated in the survey also had a range of systems in place to facilitate the provision and the payment of electricity by

Travellers living in local authority accommodation (annex 3). Different systems were often in place in different sites within a local authority area. For example, in one local authority area pre-paid cards were only used on one site, while in another local authority pre-paid cards were used across all sites.

The survey found that in fifteen local authorities (79%), Travellers living in local authority accommodation had a direct payment arrangement with their electricity supplier (i.e. the local authority had no involvement); in six local authorities (32%), Travellers used a pre-paid card for electricity only; in three local authorities (16%), Travellers used a pre-paid card from their chosen provider; and in two cases (11%) (Waterford and Donegal) a pre-paid card was used for electricity and rent (in Donegal this system was being phased out).

Quite a number of the local authorities surveyed commented that they were currently in the process of reviewing their current systems of provision of electricity at their Traveller-specific accommodation sites. Most of the local authorities surveyed appeared to aspire to *'installing separate meters with individual MPRN numbers allocated to tenants, thereby removing responsibility from the local authorities for the provision of electricity'*.

The overall findings emerging from the survey suggest therefore that in the practice of using pre-paid cards for the joint payment of electricity and rent in Fingal County Council appears to be an outlier. The only other local authorities where this practice operated were Waterford City and County Council and Donegal County Council (where the practice *'is being phased out'*).

2.2.3 Emergency provision if electricity provision runs out

Of the eight local authorities that used pre-paid cards for the payment of electricity, four indicated that there was an emergency provision. The credit available ranged from €2 to €20 and the average was €5. In the local authorities where there was no emergency provision (on the pre-paid card), some indicated that their tenants could access emergency provision from the site caretaker.

2.3 Dublin City Council practices in more depth

Dublin City Council provides an example of a local authority which has gone down the route of *'installing separate meters with individual MPRN numbers allocated to tenants, thereby removing responsibility from the local authority for the provision of electricity'*. Electricity provision in Traveller-specific accommodation sites has been an issue in Dublin City Council. The council has stated that *'the supply of electricity has been a problem in some sites over the years with outages taking place regularly for a variety of reasons. The city council is therefore committed to carrying out works to improve supply and to improve safety where such problems remain. Associated with the proposed improvement works, an application has been made to the ESB for the provision of individual meters to all units to facilitate residents in having a direct relationship with the utility provider'*.¹⁵

¹⁵ Dublin City Council: *Traveller Accommodation Programme, 2014-2018*. Dublin, author, undated.

The history is that traditionally, electricity was supplied by the ESB on a site-by-site basis, with Dublin City Council installing meters. Meter tampering was such that some supply flowed past the meters, leaving the city council bills as high as €60,000 per site per year. This problem was by no means unique to Traveller sites and by no means universal in individual sites, although it quickly attracted the highest negative publicity. Traveller organizations argued for individual metering and a direct relationship between the customer and the ESB. For its part, though, there was no incentive for the ESB to set up a system of individual billing, granted the preparedness of the city council to meet overdue site bills and other electricity companies were not interested to get involved of what was perceived as a problematic situation.

A system of individual metering was eventually introduced, with tamper-proof meters installed in a secure area. The city council paid installation costs, the digging of trenches, the putting in place of connection points and ensuring that electricity safety standards were met. Customers could opt for the standard bill pay through bi-monthly bills, the least expensive approach, or buy pre-paid cards from the ESB which were topped up through a slot and keypad in each bay. The Dublin City Council separates the rent function from the electricity function. Tenants have a direct relationship with the ESB and pay through bill pay or meters. According to NTMABS, tenants are charged a standard rental based on the differential rents scheme with a 30% discount.

2.4 In summary

All of the local authorities surveyed facilitate the payment of rent using the household budget system and the majority of Travellers are reported to pay their rent on a weekly basis using this system. The local authorities that participated in the survey had a range of systems in place to facilitate the provision and the payment of electricity by Travellers, with different systems in place in different sites within a single local authority area. The overall outcome of the survey is the the practice of electricity payment in Fingal appears to be an outlier, directly matched only by Waterford and phasing out in Donegal. The local authority's preference appeared to be for the tenants to have a direct relationship with their service provider. Making this happen was however a challenge as some electricity service providers were reluctant to provide pre-paid meters in some sites. Dublin City Council provides an example of a local authority that has invested in a system of individual metering, with tamper-proof meters installed in a secure area.

3. The Situation in Fingal

This chapter examines the situation in Fingal, starting with contextual information on the situation of Travellers (3.1). It provides details of the role of Fingal County Council in relation to the provision of Traveller-specific accommodation (3.2) before going on to examine rent and electricity provision there from the local authority and tenant perspective (3.3). Section 3.4 provides a summary of this section.

3.1 Travellers in Fingal

According to NTMABS, there are about 400 Traveller families living in Traveller-specific accommodation in Fingal, comprising 37 basic service units, 75 group housing units and 50 permanent halting site units.¹⁶ The 2015 local authority count of Travellers found that the number of families rose from 416 in 2013 to 443 in 2014, 469 in 2015 and 482 by 2016.¹⁷ Of the 2015 figure, 249 were accommodated by the local authority, 25 lived on unauthorized sites, 183 in private rented accommodation and 12 in shared housing.¹⁸ Of the first figure, the 249, 82 were in standard local authority accommodation, 60 in group housing, 13 in homes provided by voluntary bodies and 94 lived on halting sites.¹⁹ This last figure is the focus of this research.

Fingal Travellers Organization, based in Balbriggan, operates a drop-in service and runs a Primary Health Care Programme on site. It offers support to Travellers living in the east Fingal area, from Balbriggan in the north down to the M50 in the south, providing information and advocacy on health, accommodation, education and rights and entitlements.

3.2 Role of Fingal County Council

The principal document governing the accommodation of Travellers in Fingal presently is the *Traveller accommodation programme, 2014-2018* which outlines how the council intends to meet identified accommodation needs over this period.²⁰ Accommodation of Travellers is also referenced in the Fingal development plan.²¹ The council also has a Traveller Action Plan, but this is an internal document and has not yet been published.

¹⁶ Information supplied in Request for Tender.

¹⁷ Fingal County Council: *Annual report, 2015*. Dublin, author.

¹⁸ Department of the Environment, Community and Local Government: *Total number of Traveller families in all categories of accommodation, annual count 2015*. Dublin, author, undated.

¹⁹ Department of the Environment, Community and Local Government: *Total number of Traveller families in local authority and local authority assisted accommodation and unauthorized halting sites, annual count 2015*. Dublin, author, undated.

²⁰ Fingal County Council: *Traveller Accommodation Programme, 2014-2018*. Dublin, author, undated.

²¹ Fingal County Council: *Your Fingal - Fingal development plan, 2011-2017*. Dublin, author, undated.

The principal monitoring body for the programme is the Local Traveller Accommodation Consultative Committee (LTACC) which meets six times a year and comprises three Traveller representatives, three councillors and council officials. This meets every two months and is a potential forum where issues of rents and utilities might be addressed.²² Fingal County Council hosts, leads and chairs a Traveller Interagency Group (TIG), which meets quarterly designed to bring together Travellers, statutory bodies concerned with the Traveller Community. This is another potential forum where issues of utilities and rents might be discussed.²³

Staff responsibility for Travellers in Fingal County Council follows a chain of command from the Chief Executive through the Director of Housing and Community Development to the Manager of estate management, maintenance and housing support, under whom is the Traveller Accommodation Unit, which is responsible for the implementation of the five-year Traveller Accommodation Programme and for the Local Traveller Accommodation Committee. The county council also has a facility for reporting illegal encampments: travcomplaint@fingalcoco.ie. A local authority official is also identified as contact point for the Traveller Interagency Group and Traveller Action Plan.

Dealing with financial aspects, it was important to identify what figures were available. According Fingal County Council, there was a rental income in 2015 of €191,875 from the 84 Traveller homes and 96 halting site bays.²⁴ The cost attributed by the council to the maintenance and management of Traveller accommodation in 2016 was €1,624,500.²⁵ There are no separate published figures for the critical issues being examined here, namely electricity income nor payments in respect of the Traveller sites.

3.3 Rent and electricity provision in Fingal

Historically, issues of rent and electricity have been problematic locally. In 2008, tampering with meters led to 200 residents in St. Mary's site in Finglas having their supply cut off for two weeks. Those affected objected to what they considered to be a collective punishment for the *'bad behaviour of the few'*.²⁶

²² Its members are, based on minutes supplied, councillors Lorna Nolan, Ted Leddy and Eugene Coppinger; from the Council Tom Nolan, Liam Burke, Ashley McGowan and Paul LeBlanc; from the Traveller community Siobhan Nochter, Winnie McDonnell and Geraldine McDonnell. Also attending meetings in the past two years have been Ann Egan, Aoife Sheridan, Rebecca Burke, Catherine Joyce and Geraldine Whelan. Nick Murphy was also listed as a member.

²³ Membership comprises the Department of Social Protection; Health Service Executive; An Garda Síochána; and Traveller organizations. It is understood that the department is the current secretariat and enquiries were set in train to obtain further information, but did not lead to an outcome.

²⁴ Fingal County Council: *Annual report, 2015*. Dublin, author.

²⁵ Fingal County Council: *Annual budget, 2016*. Dublin, author.

²⁶ *Travellers have electricity cut off*. *Irish Times*, 8th August 2006.

3.3.1 *The system from Fingal County Council perspective*

Fingal County Council has ten halting sites, eight of which (with about 90 bays) use a system of pre-paid meters.²⁷ As part of the site installation, the council provides electrical access to suppliers which comes in at a central point, a power box, when is then distributed in ducts to the individual bays. Each bay has its own meter. We can expect the number of bays to tally with the number of meters. Following a competitive tendering process Fingal County council now receives all its electrical supplies from Airtricity, some of which are then provided for the Traveller sites (i.e. they pay Airtricity and charge the tenants), one of the reasons being the reluctance of previous electricity providers to supply individual Travellers. The council charges tenants for the electricity use through the provision of pre-paid tickets on site twice a week. Rent is deducted, through the meter, at a rate of €10 a week or €1.42 daily.



Left: pre-payments cards, with meter box in background.

The council plans to move away from the current metering system, adopting the approach of Dublin City Council whereby each tenant has a direct relationship with the electricity supplier. From its point of view, the current system is uneconomic, for several reasons.

- 1) In several sites, the metering has been bypassed, leading to uncollected revenue, which is a substantial loss to the council, about €60,000 a year.
- 2) Where there is a metering system in place, the council must provide three inspectors and occasionally an electrical inspector.
- 3) Cash collected on sites must be logged by ticket, transported, lodged and banked.
- 4) The inspectors must read the meters every month or two months, the figures called in to Airtricity and the county council subsequently so billed.

²⁷ Fingal County Council cooperated with this research through provision of an interview. The text outlining its position was sent to the council, inviting comment, but no response was received.

For the sites where metering is operating in the manner intended, the operation is cost neutral, insofar as it generates a revenue of about €40,000, which is the approximate value paid to Airtricity. Keeping down the costs of this manual system means that receipts are not issued on site. The making available of prepaid cards at retail outlets has not been considered, but it is likely that the shops concerned would seek a retailing fee.

The metering system operates €5 of emergency credit for evenings or weekends.

According to Fingal County Council, all meters are operating emergency credit and

the county council has not received complaints or weekend call-outs to indicate otherwise. The council does operate an emergency number at weekends, but this is not widely advertised for fear of generating unnecessary calls on staff time at weekends, but call-outs for non-operational meters are not known in recent times. If it transpires, though, that emergency credit is not operational, as has been indicated by Travellers on sites, then the council gave an assurance that the matter would be rectified.

The council proposes, under the current Traveller Action Plan, to upgrade all the existing halting sites, the most relevant upgrade of which is to ensure a direct supply between the bay and the electricity supplier, thus breaking the link between rent and electricity. From this point on, the council will only collect rent, which it will do through the household budget scheme, which involves rent deduction at source. This will move the council out of manual and into paperless transactions. The plan to refurbish the bays should, in theory, take place over the next two to three years, but slowness in the provision of central government funding may delay this to four to five. This should have been done many years ago, were it not for the radical reductions in funding for Traveller accommodation from 2008. At present, following the Carrickmines tragedy, a set of improvements is under way in cooperation with the fire service to improve fire safety.



Above: meter boxes

The solution intended is that when the sites are upgraded, residents will be invited to make a choice over their electricity supplier, which they do not have at present and the method of supply (billpay or meter) and will be given assistance in doing so. Such a choice is not available at present, because of the practical circumstances whereby power comes to a single power box.



Left: Secure area, with meter boxes to right

3.3.2 The system from a tenant/resident perspective²⁸

Residents use electricity for light, the dishwasher, clothes washing machine, fridge, television, phone charger, heaters and other appliances. Some bays have bottled gas for heaters and a small number have oil-fired heating (these systems require electricity for pumping purposes).

Residents buy €10 tickets or cards from county council staff who come Tuesday and Thursday lunchtimes from 1-2 pm, evident when their vehicle can be seen on site. Typically, residents buy two, three, four to five cards at a time, having first checked their credit levels to ascertain current credit. These are not receipted. Some buy as few as one or two, some as many as six, depending on household usage and size. There are also seasonal variations, with more electricity used and needed at Christmas time for example. Residents report going to some effort to avoid the card running down, generally buying new cards when credit reaches the €10 mark in order to make sure that there is at least €10 credit in the system before the weekend. Residents will also 'borrow' a

²⁸ The information used to compile this section was collected through on-site visits as well as consultations with local residents.

spare card from other families if they are close to running out of power and buy them a replacement card the following week.

On one site, residents report that there have been occasions when the council staff do not attend, though not on the other, where they always came. Where the council staff do not attend and residents are close to no credit, they must drive to the council offices in Swords, which is about 15-20 mins distant and buy tickets at the cash office, which closes at 3pm. Some residents had a memory of a 24hr emergency office in Swords where one could buy cards many years ago, but it might have closed after the financial crisis. Receipts are reportedly not normally provided for rent or electricity paid. Apart from the frequency with which they must buy cards, residents have no information on the rate at which they are consuming electricity. Lack of such information creates a sense of powerlessness and lack of control (see *Illustrative example*, below).

The residents interviewed reported being uncertain about the levels of rent charged with a belief that the household rent charge is €1.75 daily (as noted earlier, the council gives a figure of €1.42). Residents, when asked their rent level by Department of Social Protection officials, have explained that they do not know and have no means of knowing, an explanation which has been accepted.

Despite trying to avoid running out of power, it does happen and when it happens residents report that it has presented them with serious problems.

'It is impossible to stay warm and candles must be lit for light. There is no operating system for emergency credit'.

One of the researchers who examined a meter as part of this study found that while there was an 'emergency credit' shutter on the meter, it did not appear to be working and no instances were recorded of emergency credit operating.

A particular cause of friction reported by residents was the fact that the meter continued to be deducted for rent even when the electricity was turned off - *'you are still paying, even when you are away'*. Thus it is theoretically possible to have €1 credit on Friday afternoon, with the electricity turned off, but to find oneself in debt by Friday evening, because the rent has been deducted meantime. In effect, rent debts, however small, have to be cleared before the power is turned back on again.

Lack of receipts - an illustrative example

Lack of receipts with information on consumption is reported by residents as a distinct problem. The case of one resident was cited, living on her own, who used power very sparingly (TV, electrical kettle, two washing machine washes a week) and who did not cook for herself (she was brought meals-on-wheels), but was spending €30 or more weekly on electricity, but had no idea how the money added up, did not know the proportion of rent and electricity and had no knowledge that would help her better understand usage or how costs could be controlled.

The general preference by the residents interviewed was for a metered system, which was felt to give the best level of control on consumption both by the payer

and other members of the family. The two principal problems identified with the current system were the lack of a credit facility and inflexibility in the ticketing system. Residents would like tickets to be available at retail outlets and at rates other than €10 (other systems offer cards in numerous denominations).

3.4 In summary

This section has outlined the situation of the Traveller community in Fingal and detailed the framework guiding the operation of the county council. The principal problem area appears to be the lack of an emergency credit system after hours, where there is a difference of information between the residents and the system that the county council believes to be in operation, but which it states that it is prepared to investigate and rectify. The system, though, does lead to a number of related issues, such as the limited availability of outlets to obtain cards. Other important issues were identified, such as the absence of information, receipts and control. The county council report that that it intends to move away from the prepaid system within the next five years, so that the system for Traveller-specific accommodation tenants will be the same as it is for other electricity customers.

4 Issues arising

A number of issues arise from this research. These are emergency credit and the availability of cards; conformity with Energy Commission and European law; issues of fuel poverty and money management; and consultative systems (4.1-4.4) with a summary provided in the final section (4.5).

4.1 Emergency credit and the availability of cards

The principal problems emerging from this study are the issues of emergency credit and the availability of pre-paid cards. As may be seen from the earlier discussion, although a system of emergency credit is theoretically in place, in practice residents report that this system is not working, leaving them without electricity. The council does not seem to be aware that this is the case and it has not been reported to them. There appears to be an acceptance on sites that emergency credit is simply not available. Positively, the council has agreed to investigate and remedy the situation.

The lack of availability of cards (outside of office hours) is a related issue. It is apparent that payment by meter is the preferred choice of residents, though they may not be aware of the higher cost of metered electricity. They are dependent on council staff calling twice a week and have to be alert to the arrival of their vehicle, but can be left without cards if the staff do not call (which does sometimes happen) or if they miss them.

Residents are aware that other meter customers can buy cards in various denominations from a range of retail outlets that are open long hours, to which they contrast their situation. Their opportunities to buy tickets from the cash office require 15-20 mins travel and must be done by 3pm each day. They are unaware of any emergency service being available over weekends.

While it is clear how the current situation arose, it nevertheless puts Traveller halting site residents in a relatively restricted situation compared to other customers, echoing the view that poverty is, more than anything else, about 'lack of choice'.²⁹ A final issue related is the lack of provision of receipts for monies paid. Irish law sets down the principle that, as a matter of course, '*all tenants be provided with receipts for rents paid*' and whilst the reasons for the council avoiding paperwork is understandable, this cannot be at the expense of legal principle or practice.³⁰

²⁹ Ferragina, Emanuele; Tomlinson, Mike & Walker, Robert: *Poverty, participation and choice*. York, Joseph Rowntree Foundation, 2013.

³⁰ Housing (miscellaneous provisions) Act, 1992, §17 and SI §146/1993, Housing (rent book) regulations, 1993.

4.2 Conformity with European law and with the Commission for Energy Regulation requirements

European law (2003/54/EU) states that:

- Customers have the right to be supplied with electricity at reasonable, easily and clearly comparable and transparent prices;
- Member states shall take appropriate measures to protect final customers and shall in particular ensure that there are adequate safeguards to protect vulnerable customers, including measures to help them avoid disconnection. They shall ensure high levels of consumer protection, particularly with respect to transparency regarding contractual terms and conditions, general information and dispute settlement mechanisms. Member states shall ensure that the eligible customer is in fact able to switch to a new supplier.
- Customers have a right to a contract with their electricity service provider that specifies the identity and address of the supplier; the services provided, the service quality levels offered, as well as the time for the initial connection; if offered, the types of maintenance service offered; the means by which up-to-date information on all applicable tariffs and maintenance charges may be obtained; receive transparent information on applicable prices and tariffs and on standard terms and conditions, in respect of access to and use of electricity services; and are offered a wide choice of payment methods.

These sentiments are echoed in the statements of the Commission for Energy Regulation, customer charters and the supplier handbook, including those of Airtricity which is the supplier in this case. It is evident from this report that the terms of the European directive are not currently observed in Fingal:

- Residents have no information on the price that they are paying for their electricity, except insofar as their cards are an indirect indicator of an undefined rate of consumption inseparable from rent payment;
- There is no protection against disconnection and the resulting hazards of cold and fire;
- There is no transparency on terms and conditions, neither is their information available on terms and conditions;
- Residents also have no right to switch and indeed it is currently not physically possible given the manner in which supply is currently provided;
- Residents have no choice of payment method.

In effect, the current arrangements breach almost all of the provisions set down in European law, CER requirements and the Airtricity code (>1.4). Although one might make the legal argument - a perverse one - that the 'customer' is the county council, since it holds the contract for bringing electricity to the halting site - the Commission for Energy Regulation is clear that:

The account holder is the person who is responsible for paying the bill and has been registered against the meter installed. The retail market has been developed so that an account holder can freely switch within the deregulated market (where suppliers set their own prices; for example the largest discounts have emerged for customer paying by direct debit and receiving ebills).³¹

A further issue arising from the European legislation is that protection against disconnection is provided for vulnerable groups. The directive (§3.5) states that:

Member states shall take appropriate measures to protect final customers and shall in particular ensure that there are adequate safeguards to protect vulnerable customers, including measures to help them avoid disconnection.

The CER *Supplier handbook* and Airtricity definition of a vulnerable customer as someone who is:

a. critically dependent on electrically powered equipment, which shall include but is not limited to life protecting devices, assistive technologies to support independent living and medical equipment, or b. particularly vulnerable to disconnection during winter months (1st November to the 31st March) for reasons of advanced age or physical, sensory, intellectual or mental health

but does not currently consider the social situation and vulnerability of Travellers within the definition of 'vulnerable customers'.

The Money Advice and Budgeting Service (MABS) made known its view on vulnerability several years ago when it wrote that the CER definition was too narrow in focus, allowed many consumers in vulnerable situations to be deprived and took the view that the definition should be revised.³² It should consider people from, for example, an ethnic background, having a mental or physical disability, having literacy or numeracy difficulties; those on low incomes and consumers highly dependent on the supply of energy (e.g. older people, people with a disability or illness; or people who housed in sub-standard accommodation). MABS also proposed a reduced, social tariff for people on social welfare. It does not appear that much, if any, attention was paid to these proposals or that of a social tariff.

³¹ Communication from the CER, 16th March 2017.

³² Money Advice and Budgeting Service: *Submission to the Commission on Energy Regulation on proposals on a roadmap for deregulation*. Dublin, author, 2010.

A more recent European report noted that Ireland has one of the most limited definitions of vulnerable customers, other countries considering as vulnerable those in receipt of social welfare, low incomes and belonging to particular socio-economic groups. Five countries offer social tariffs - reduced rates for vulnerable customers - while others have a range of other supports in place, such as negotiated tariffs, subsidies, energy efficiency systems, the prevention of disconnection, complaint systems, helplines, reduced but minimum supply levels and reporting on vulnerability.³³ Ireland emerges poorly from this international comparison.

4.3 Fuel poverty and money management

This research found that Travellers on the sites concerned were obliged to pay by meter, so it would be important to compare metered costs with other forms of payment. Table 4.1 compares the standard prepayment rate against the range of bill pay charges, which varied principally according to payment method (post, electronic).

<i>Provider</i>	<i>Least expensive</i>	<i>Most expensive</i>
Prepay Electric Ireland		17.17
Prepay Pinergy		17.17
Prepay Power		17.02
Billpay Airtricity	14.21	17.76
Billpay BGE	12.96	17.05
Billpay Electric Ireland	16.23	17.17
Billpay Energiya	12.67	15.88
Billpay Panda	15.47	15.99

Source: www.bonkers.ie on 16th February 2017. These figures exclude additional standing charges.

As may be seen, all pre-pay rates are more expensive than the lowest standard bill pay charge (and in all but three cases more expensive than the most expensive billpay systems). The compulsory metering system in the halting sites has the effect of putting tenants on the highest electricity pay rates. The gap between the Airtricity 'least expensive' rate of 14.21 and the prepay rate (17.02 and 17.17) is between 19.77% and 20.8%, making pre-paid electricity about 20% more expensive.

³³ Pye, Steven & Dobbins, Audrey: *Energy poverty and vulnerable customers in the energy sector across the European Union - analysis of policies and measures*. Insight, 2015.

This contributes to a classic fuel poverty situation in which residents live in poorly insulated homes, dependent on expensive energy systems (electricity) at the most expensive rate. The consequences of the lack of choice of supply, highlighted in 4.1 here, is no more apparent than here. A second MABS report has already drawn attention to the higher costs of meter payments.³⁴

It may be open to individual Travellers to take a case under European law seeking remedy for the abridgement of their rights. The Free Legal Advice Centres (FLAC) set a precedent in 1985 (*Cotter & McDermott*) that the abridgement of such rights (in this case that of equal social welfare payments for women under directive 79/7) had led to significant financial loss and won compensation of €350m accordingly. Granted Fingal County Council's declared interest in ending the current system, this might seem redundant. At the same time, such a public interest action could speed the process and offer the prospect of compensation for many years of over-payment as a result of enforced reliance on higher meter charges. The merits of such a case should be investigated.

4.4 Consultative systems

Two consultative systems are in place whereby issues concerning Travellers in Fingal county council area can be raised: the Local Traveller Accommodation Consultative Committee (LTACC) and the Traveller Interagency Group (TIG). LTACCs are considered important by Travellers in holding local authorities to account. No evidence has been located indicating that the issue of metering has been raised at either, yet to an independent observer it would appear that this is exactly the kind of issue that could be appropriately raised in either fora. This raises serious questions about the functioning of both groups.

The reasons why these fora might not have been used may have something to do with the fact that very limited public information is available on either group. Their existence is reported on the county council website, but no information was readily available about membership nor a functioning contact point for further information. There is no identifiable secretary for either. Minutes of previous LTACC meetings were kindly provided by the county council, following a request from one of the researchers undertaking this study, but the minute-holder for the TIG could not be identified and a similar request made thereto. Given that Fingal County Council regularly posts minutes of both county council and strategic policy committee meetings, the question must be raised as to why the principle of transparency should not be equally applied to the LTAC and TIG with minutes of their meetings made available on line. This would have the effect of making the work more visible and better known, ultimately increasing the likelihood that they could be used as a mechanism where concerns could be raised.

³⁴ Stamp, Stuart; McMahon, Annette; McLoughlin, Caitriona: *Profile of the clients of Dublin 10 and 20 NMABS and the extent and nature of their financial difficulties with a focus on utility debt*. Dublin, MABS and CIS, 2013.

Another related issue is the resourcing of the Traveller community to enable it to raise issues of concern at such forums. Following the financial crisis of 2008, state resourcing of voluntary and community organizations was reduced by between -35% and -45% and these reductions were especially severe in the case of Traveller organizations.³⁵ This had a significant effect in reducing the capacity of Traveller groups to play an effective part in consultative mechanisms, a capacity which should now be rebuilt.

4.5 In summary

This chapter explored four issues arising from the research:

- The identification of the core issue of emergency credit and the related issue of the system for the availability of cards;
- The legal context, where the current system is not in line with the European directive; nor CER regulation nor Airtricity codes. Failure to routinely provide rent receipts is also in breach of Irish law. Protection for vulnerable categories in Ireland falls far short of the European standard;
- The fact that payment by meter is 20% more expensive, which compounds the risk of fuel poverty of those living on halting sites;
- The apparent failure of local consultative mechanisms to address the issue, which may be a function of their lack of transparency and lack of capacity on the part of Traveller organizations.

³⁵ Pavee Point: *Travelling with austerity*. Dublin, author, 2014.

5 Conclusions and recommendations

This chapter is divided into conclusions (5.1) and recommendations (5.2).

5.1 Conclusions

This research found that the system of prepaid rent-and-electricity meters applies on eight sites in the Fingal County Council area, which host about 90 bays. This system is also in place in at least one other local authority area (Waterford), but it is an outlier in the overall local authority context.

The Fingal situation sees residents pay for electricity and rent together on prepaid cards which are bought for €10 at a time from inspectors visiting sites typically twice a week. Should cards expire out of hours, residents must drive to Swords and obtain cards from the cash desk before 3pm. These cards are not available through standard retail outlets. Although a system of emergency credit is installed on meters, in practice it does not appear to be operational and there is no emergency call-out service of which residents are aware. Residents go to some efforts to manage their cards to ensure that their credit does not expire over evenings or weekends, but this does happen, as often as monthly, obliging them to use candles and fire-hazardous forms of light and energy. Residents do not know the proportion of prepayment cards attributed to electricity or rent and do not receive receipts. Information from the council is that rental is charged at €10 a week, or €1.42 a day.

The system operated by Fingal County Council is, in the technical sense of the word, archaic, for it was devised before more modern systems of electrical supply and the full force of the Single Electricity Market came into effect. The physical layout of powerbox supplies to bays, installed many years ago, does not make possible the freedom of choice that the directives envisage.

This system is labour-expensive, pre-electronic and of no cost advantage. The county council has plans to refurbish the sites in such a way as to break the connection between electricity and rent and thereby ensure that site residents have a standard relationship with electricity suppliers and be free to choose their supplier and method. The speed of this transition will depend on the provision of funding from the Department of Housing, Planning, Community and Local Government, but could take up to five years depending on when the funding is made available.

The research established that the key issues with the current systems were first, the availability of emergency credit and second, the related issue of the system for the availability of cards. The research has also found that the European directives have not been applied in Ireland in a such as manner as to provide for these customers their rights under these directives, suggesting the possibility of the need to seek a legal remedy. There is a breach of Irish regulatory and customer codes. Failure to provide receipts is also contrary to Irish law. Payment by meter is 20% more expensive than bill pay, which compounds the risk of fuel poverty of those living on halting sites. The definition of ‘vulnerable’

customer in Ireland falls far short of the European average. The consultative mechanisms in place that might be expected to have identified and explored these issues have not done so, which raises questions about their functioning and may in turn be linked to their lack of transparency, as well as a lack of capacity on the part of Traveller organizations to use such fora as a means of raising local issues.

5.2 Recommendations

Several recommendations arise from this report.

5.2.1 Recommendations for Fingal County Council

Meters. First, it is important that the system of emergency credit be made to work. The county council is agreeable to inspect meters to check their operation and this is something that should be done speedily. It would also be useful if the amount of emergency credit available could be increased to a minimum of €10, to provide sufficient credit in the energy-demanding winter months.

Information. It is evident that residents on sites have little information about how their electricity supply and rent collection system works, which is contrary to European and Irish requirements on transparency. This could and should be remedied speedily and it is recommended that a single-page leaflet be provided for the 90 days explaining the current system and the actual nature of the rental charge (€10 weekly or €1.42 daily). This is a project that might be undertaken between the county council, NTMABS and Fingal Traveller organization.

Availability of cards. Increase the options available for buying cards. This could be done in a number of ways, as follows: 1) Keep the local authority cash office open later than 3pm; 2) Make an arrangement with a small number of retail outlets adjacent to sites to make cards available there (this could have a modest cost to the council); 3) Provide cards in denominations larger than €10, which might in turn reduce pressure on outlets; and 4) Make the emergency number visible and include it in the proposed information leaflet (calls to an emergency number are preferable to exposing residents to fire risks).

Receipts. Receipts are not currently provided on site and the council's preference for moving away from paper-based transactions is understandable. Nevertheless, the non-provision of receipts for electricity is in breach of the European directives and for rent in breach of Irish law and practice. There are several ways of addressing this that are not mutually exclusive, such as providing cash book receipts at the point of transaction, the use of a mobile receipt machine such as traditionally used on buses or railways and the issuing of monthly, quarterly or annual statements detailing electricity consumption and rent paid. The information provided should and must be in line with the European directives and the customer charters in effect.

Transparency. This research raised questions about the operation and visibility of the two local consultative systems in operation (Local Traveller Accommodation Consultative Committee (LTACC) and the Traveller Interagency Group (TIG).

We propose that Fingal County Council's website identify the membership of these committees, provide contact details for members and publish their minutes and the products and outcomes of their work as a matter of course. A reflection of the functioning of these groups is in order, granted that it appears that they did not discuss or progress this important issue.

Speed the transition to site upgrades. The solution lies in the approach outlined by Fingal County Council, which is the upgrade of the sites and the transition to a direct relationship between residents and electricity customers. Fingal hopes to do this over a period of two to five years, dependent on the funding from the Department of Housing, Planning, Community and Government, but the seriousness of the issues researched here suggests that there is a strong case for this work to be prioritized and undertaken sooner. The completion of this transition would give Traveller residents the opportunity to choose both supplier and method of supply, which could reduce dependence on expensive PAYG metering.

5.2.2 Broader recommendations

Include Travellers as a vulnerable group. The research outlined the limited interpretation in Ireland of 'vulnerable group', which is medically focused and takes no account of social realities. The Traveller community is one of the most socially vulnerable and excluded groups in Ireland and it is important that this group be included in the definitions issued by the Commission for Energy Regulation. Traveller ethnicity was finally recognised by the Irish government in 2017. It is recommended that NTMABS take up this issue with the Commission as a matter of priority ensuring protection from unwarranted disconnection and the reducing the risk of fire hazards. There is scope for a number of civil society groups to pursue issues of vulnerability with the Commission and ask for explanations as to why (1) notice was not taken of the earlier MABS representations cited above and (2) why Ireland has not been brought into line with the European norm, which includes a wide definition of vulnerability with such measures as a social tariff.

Address fuel poverty. The potential vulnerability of site residents to fuel poverty was highlighted by this research. Specific initiatives that could be undertaken to respond to the problem of fuel poverty on Traveller sites include:

1. A study that identifies the costs for families (of different sizes and type) of running a caravan (including the percentage of the families' income spent on rent, light and heat);
2. A study that identifies how caravans could be made more energy efficient (e.g. insulation and the application of green technologies (e.g. wind and solar)). In particular, green technologies for more fuel-efficient systems offers scope for the development of the Traveller economy and social enterprises. NTMABS could open a discussion on such an initiative with Sustainable Energy Ireland.

3. A study that looks at the use of district heating systems as well as the block buying of fuel for Traveller sites.

Annex 1: List of local authorities participating in the survey

Annex 1: Local authorities participating in the NTMABS Utility Survey
1. Carlow County Council
2. Cavan County Council
3. Cork County Council
4. Donegal County Council
5. Dublin City Council
6. Galway County Council
7. Laois County Council
8. Leitrim County Council
9. Limerick City and County Council
10. Longford County Council
11. Louth County Council
12. Mayo County Council
13. Monaghan County Council
14. Roscommon County Council
15. Sligo County Council
16. Tipperary County Council
17. Waterford City and County Council
18. Westmeath County Council
19. Wicklow County Council

Annex 2: Systems used for payment of rent

Annex 2: Systems used in relation to the payment of rent by Travellers living in local authority Traveller-specific accommodation		
<i>Systems</i>	<i>% question respondents</i>	<i>No of local authorities</i>
Travellers pay rent through a deduction at source from a social welfare payment.	100%	19
Travellers pay rent to the local authority either in person or by direct debit	84%	16
Travellers pay rent using a pre-paid card provided by the local authority (exclusively used to pay rent)	37%	7
Travellers pay rent using a pre-paid card provided by the local authority (used to pay rent and utility bills)	5%	1

Annex 3: Systems used for payment of electricity

Annex 3 Systems used in relation to the payment of electricity by Travellers living in local authority Traveller-specific accommodation		
<i>Systems</i>	<i>% question respondents</i>	<i>No of local authorities</i>
Travellers make their own arrangement with suppliers, the local authority has no involvement	79%	15
Electricity is provided exclusively on the site by the local authority and Travellers pay for this using a pre-paid card provided by the local authority (exclusively used to pay for electricity)	32%	6
The local authority supply meters and Travellers buy pre-paid cards from their chosen utility provider	16%	3
Electricity is provided by the local authority on the site and Travellers pay for this weekly using a pre-paid card provided by the local authority (used to pay rent and electricity bills)	11%	2
<p>Other systems</p> <ul style="list-style-type: none"> - Service providers provide pre-pay meters with the consent of the local authority (2) - The local authority pays for the electricity pending an electrical upgrade/ pending getting an energy supplier to install pre-pay meters (2) - Local authority provides electricity and Travellers pay for this using cash on site to the caretaker (1) <p>The local authority pays for electricity on the site and incorporates this charge in the weekly rent week. (1)</p>	32%	6