

**QUESTION TO BE ASKED OF THE PRESIDENT OF THE HOUSING COMMITTEE ON TUESDAY
24th JUNE 2003, BY DEPUTY G.P. SOUTHERN OF ST. HELIER**

Question

In the Housing Committee media release of 14th June 2003, the Committee proposes the withdrawal of rent subsidy for breaches of tenancy.

Can the President inform members –

- (a) under what circumstances such an action is envisaged? and
- (b) whether legal advice has been taken to confirm that such action is lawful, and, if not, the reasons why?

Answer

- (a) In the media release of 14th June 2003, the Committee expressed the intention to pursue a number of measures to tackle anti-social behaviour.

One measure proposed is the withdrawal of rent subsidy for tenants guilty of serious breaches of the Tenancy Agreement. In particular the Committee has in mind breaches of clauses 1 (a) (v) relating to damage to premises and clause 1 (a) (viii) relating to the orderly conduct of persons on any part of the premises.

In this respect the Committee has noted the statement in the recently issued U.K. White Paper entitled 'Respect and Responsibility- taking a Stand Against Anti-Social Behaviour' that 'those who behave anti-socially within their home and neighbourhood, making life miserable for the rest of the community, are abusing the support they receive from society through Housing Benefit.'

The Committee will shortly be considering the White Paper in greater detail, and will be following with interest any progress made by the U.K. authorities in this area.

- (b) The Committee has not taken legal advice to confirm that such action is lawful. The rent subsidy scheme is not enshrined in legislation but depends on policy. The Committee believes that it is within its rights to exercise discretion in this way but will consult the Law Officers Department before implementing this proposal.