

2015.06.23

**5.3 Deputy R. Labey of St. Helier of the Minister for Treasury and Resources regarding parking spaces assigned to Andium residents:**

What efforts, if any, are being made by Andium Homes to ensure that parking spaces assigned to Andium residents are not being occupied by unauthorised vehicles; does Andium have the same legal authority to tow such vehicles away as was the case, I believe, with the former Housing Department, and, if not, what action, if any, will the Minister take?

**Senator A.J.H. Maclean (The Minister for Treasury and Resources):**

Andium Homes advised me that they continue to closely monitor their car parks, the majority of which require a permit. In many cases either a key or electronic swipe card is necessary in order to access parking.

[10:00]

They monitor parking actively in close collaboration with tenants and their representative groups and have a contract for patrolling car parks, particularly those in town. Vehicles parked without authority are issued with warning notices and owners pursued to remove their vehicles. On 1st July 2014 when ownership of the State social housing stock transferred to Andium Homes, their powers under the Road Traffic (Removal of Vehicles) (Jersey) Order 1963 as amended ceased in respect of all land specified in the transfer regulations. That put Andium Homes in the same position as any other private land owner, including all other affordable housing providers.

**5.3.1 Deputy R. Labey:**

It seems odd to be having this conversation with the Minister for Treasury and Resources when we have a perfectly good Minister for Housing sitting over there but there we are. I do not get the system. **[Interruption]** I do not think it is being closely monitored enough because we are talking about places in town and I have had people complain to me that working shifts, they come back at all hours of the night after working and regularly their spaces are taken up. Obviously this is not places with a barrier because the cars are parking there.

**The Deputy Bailiff:**

Could we have a question, please, Deputy? This is question time.

**Deputy R. Labey:**

Yes. Let me think of one immediately on my feet. **[Laughter]** Would the Minister ask Andium to monitor this even closer?

**Senator A.J.H. Maclean:**

I thoroughly agree with the Deputy about the very fine Minister for Housing and I do, in many respects, wish she were answering this question. Perhaps I can help in one area. An example in St. Helier or in town, La Collette, there are in fact 77 spaces but there are not any for visitors. That is 0.67 spaces per unit. But as the site is developed, which is the intention, that is going to create 193 spaces and importantly 29 for visitors, which moves it up to 1.1 space per unit. That clearly, as a result of development, is going to improve the position. But to answer specifically the question of the Deputy, of course we will continue to ask Andium to closely monitor, even more closely monitor, the parking situation with regard to housing.

**Deputy R. Labey:**

Just for clarity, I was not referring to La Collette.

**The Deputy Bailiff:**

You have a final supplementary as usual, Deputy.

**Deputy R. Labey:**

I am so sorry.

**5.3.2 Deputy G.P. Southern:**

Is it still the practice of Andium Homes, as the Housing Department previously, to let spaces out to members of the public rather than residents, in certain cases reducing the supply of parking spaces for those residents?

**Senator A.J.H. Maclean:**

Indeed. A small number of paid parking permits are indeed let to individuals and that is the case. But as far as parking and the availability of adequate parking for residents, that is a matter that is being monitored very closely by Andium Homes. What I should point out perhaps, the issue about the statutory powers of Andium Homes to be able to deal with parking infringements is, in my opinion, the crux of this matter. I can tell Members that the Home Affairs Department is looking at this issue because of course it does not just apply now to Andium Homes but all those private landlords and housing associations that have similar problems. Home Affairs Department are looking at ways in which powers can be put in place to ensure that infringements of parking can be properly monitored. I think that is an appropriate step forward. I can also add that the State Strategic Housing Unit is also raising these matters with the other social housing associations to assess exactly the scope and level of the problem that exists and that will be fed into the work that the Home Affairs Department is doing to find a solution.

**5.3.3 Deputy G.P. Southern:**

A supplementary? Would the Minister collate and circulate figures for those private lets, including staff members of Andium who may have parking spaces as well?

**Senator A.J.H. Maclean:**

Yes, I am very happy to do that and I am happy to circulate that detail for Members as well. I should point out there are something in the region of 4,600 homes and a significant number of different sites that are monitored but nevertheless I am sure the data can be collated relatively quickly and circulated to Members.

**5.3.4 Deputy M. Tadier:**

I am presuming that the Minister and Andium are using Car Parking and More or CPARK, a patrol company which has a contract for monitoring private car parks. But even if it is not that particular company, can the Minister for Treasury and Resources explain that there is no legal basis for such companies to pursue any notices that they put on an individual's car? On that basis, given the fact that there will never be any possibility until the law is changed of a successful claim in the Petty Debts Court, why are Andium wasting money on a contractor who is little more, under the current setup, than bogus?

**Senator A.J.H. Maclean:**

I do not agree with the final point the Deputy made although he is correct that there are no statutory powers, as I pointed out, for Andium. They do in fact have a company that monitors the car parks. It is important that there is a presence seen around the various sites and indeed that acts as a deterrent. I have no doubt the fact that there is a company in place monitoring what is going on and, I might add, issuing notices, helps from a deterrent perspective. It is not ideal and I know, as I have already pointed out to Members, that the Home Affairs Department is looking at this matter and indeed that would, in my view, require a change to legislation and I would hope that can be progressed quickly.

**5.3.5 Deputy M. Tadier:**

A supplementary? Is it really good practice for a quasi-government body to be employing a company which has no legal basis for the tickets which they issue? It does not seem to make sense to me. Certainly, when anyone comes and asks me, hopefully the Minister for Treasury and Resources, in his constituent capacity, would advise constituents definitely not to pay these fines because they cannot be pursued in the Petty Debts Court. That is the point at which we are at; why is Andium Homes engaged in a process that is costly to themselves and to their tenants which cannot be enforced by law?

**Senator A.J.H. Maclean:**

Well it may not be enforceable by law but, as I have pointed out, it is a matter of deterrence. Where you have monitoring of the various sites by this particular firm it does deter individuals from abusing the parking arrangements that are in place specifically for tenants. I think that is the only sensible position that Andium can take at this moment and I think it is absolutely right that they so do.

### **5.3.6 Connétable M.P.S. Le Troquer of St. Martin:**

Listening to the first answer from the Minister, does the Minister foresee problems with parking on land owned by the Ports of Jersey following the incorporation?

**Senator A.J.H. Maclean:**

No, that matter is being addressed as a separate issue and that will be dealt with as part of the Regulations when they come before the States in due course.

### **5.3.7 Deputy R. Labey:**

My apologies for jumping the gun earlier. Just to clarify that I am not talking about La Collette here where parking is the least of the residents' problems at the moment. Clearly the deterrent is not working and I have heard nothing from the Minister today, unless he can correct this now, that the situation I am talking about with residents not being able to park their cars in the middle of the night because other people are there, is going to get no better, is it?

**The Deputy Bailiff:**

Is there a question, Deputy?

**Senator A.J.H. Maclean:**

I think the Deputy was asking whether it is going to get any better. I would first of all perhaps put into context the level of the problem. The level of the problem is approximately 17 notices per week being issued. That is across a total of 200 sites and, as I have said, this involves 4,600 homes so there is a significant number and 10,000 spaces in total. So this is a very low level issue that we have to address but nevertheless it does need to be addressed. Finally, on the point of La Collette, I used that as an example whereby redevelopment is going to improve the parking situation and Andium are continuously looking at ways in which they can improve it, not just through changing the legislation to be able to enforce a situation where certain people are infringing the rights of tenants and that does need to be stopped.