

23.02.07

3 Deputy S.Y. Mézec of the Minister for the Environment regarding the licensing of rented dwellings (OQ.19/2023)

Will the Minister advise when he will be lodging regulations to introduce the licensing of rented dwellings, as he has previously stated is his intention, and what measures will be included in these regulations which are different from previous versions?

[10:00]

Deputy J. Renouf of St. Brelade (The Minister for the Environment):

Very happy to answer this question. As we know, we have a significant issue with the quality of some private rented dwellings in Jersey and I have agreed with officers a timeframe within which I will lodge regulations to implement a rented dwelling licensing scheme. Before lodging there needs to be time for policy development, law drafting instructions to be produced, and Scrutiny briefings. However, I can say today that my aim is to lodge the draft regulations in mid-April and therefore anticipate a States debate on or around mid-June. I am very aware, as Minister, that I have a legal duty to improve the standard of private rented dwellings. I have taken on board comments from previous debates and indeed feedback from relevant stakeholders and applied a conciliatory approach, which I hope will mean that these regulations attract widespread support both within this Chamber and with the public at large. To this end, I am looking at a slightly simplified and clearer scheme in comparison to previously debated propositions. As this is policy in development, it would not be appropriate to say more at this stage. But I do believe that through the proposed scheme I am confident officers will be better equipped to address and bring about real improvements in standards of accommodation for the benefit of Islanders.

4.3.1 Deputy S.Y. Mézec:

I do not think the Minister adequately answered the second part of my question. When he uses the term “simpler version” in my years I hear “a weaker version”. Can the Minister give his assurance that that will not be the case and that the version of licensing for rented dwellings that he will bring forward will have all of the strength it needs to tackle those poor quality homes in the rented sector and will not make concessions to those who previously have argued for no action whatsoever to be taken in this area?

Deputy J. Renouf:

As a general rule, I do not intend to bring legislation to this Assembly that is weak and ineffective. So, no, it will not be watered down. What I do detect, and certainly having regard the debates of the previous times that this has been brought, there was a lot of confusion about the details of the scheme, about who it would apply to, about the costs of the scheme, about whether it would lead to regulatory mission creep and issues like that. I intend to address all of those in a way which I hope provides clarity and simplicity but without sacrificing essential safeguards, which are the whole point of the regulation.

4.3.2 Deputy R.J. Ward:

Can the Minister confirm that this will be a licensing scheme and not simply a registration scheme?

Deputy J. Renouf:

Yes, I can.

4.3.3 Deputy S.Y. Mézec:

I guess to ask the Minister to clarify beyond any doubt whatsoever that the scheme he will be bringing to the Assembly for approval will be one that is compulsory for all rented dwellings and which provides the Environmental Health Department with a proactive ability to be able to unlicence homes when necessary and take proactive action against those who own those homes when they are not meeting minimum standards and that there will be no get-out clauses?

Deputy J. Renouf:

I can confirm that the regulations that will be brought will apply to all rented dwellings within the scope of the Public Health and Safety (Rented Dwellings) Law 2018. Yes, the purpose of the scheme is to have a licensing scheme which enables a greater flexibility in enforcing regulations than the current scheme, which is an all or nothing; prosecution or nothing. The point about a licensing scheme is it allows a more flexible response where landlords can be engaged with, improvement sought, and if those improvements are not forthcoming or if there is not a positive engagement with enforcement then the sanction of licence withdrawal is what sits behind these changes in regulations. That would be of course used in those circumstances, which I think would be relatively rare but would certainly be used where we had non-compliant landlords unable to or unwilling to achieve the standards that are required.