

# STATES OF JERSEY

## Environment, Housing and Infrastructure Scrutiny Panel

### Quarterly Hearing with the Minister for Housing

**THURSDAY, 7th SEPTEMBER 2017**

**Panel:**

Deputy D. Johnson of St. Mary (Chairman)

Deputy T.A. Vallois of St. John (Vice-Chairman)

Connétable S.A. Le Sueur-Rennard of St. Saviour

Deputy M. Tadier of St. Brelade

**Witnesses:**

Deputy A. Pryke, Minister for Housing

Mr R. Jouault, Assistant Director for Social Policy

Mr. J. Norris - Policy Principal, Strategic Housing Unit

Ms. T. Murphy - Policy Principal, Strategic Housing Unit

[14:02]

**Deputy D. Johnson of St. Mary (Chairman):**

Good afternoon, everyone. Welcome to this quarterly hearing of the Environment, Housing and Infrastructure Scrutiny Panel. Welcome, too, to the Minister and her colleagues, and to members of the public. Can I ask you to turn off your mobiles, as I am about to do? Thank you. For the record, can we go round the table introducing ourselves? I am David Johnson, Deputy of St. Mary, chairman of the panel.

**Deputy T.A. Vallois of St. John (Vice-Chairman):**

Tracey Vallois, Deputy of St. John, vice-chairman of the panel.

**Deputy M. Tadier of St. Brelade:**

I am Deputy Montfort Tadier, panel member.

**Connétable S.A. Le Sueur Rennard of St. Saviour**

Sadie Le Sueur Rennard, and I am also a member of the panel.

**The Minister for Housing:**

Deputy Anne Pryke, Minister for Housing.

**Assistant Director for Social Policy:**

Richard Jouault, Assistant Director for Social Policy.

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

Jack Norris, Policy Principal, Strategic Housing Unit.

**Ms. T. Murphy - Policy Principal, Strategic Housing Unit:**

Tara Murphy, Policy Principal, Strategic Housing Unit.

**The Minister for Housing:**

So I thought I would bring our new member on the staff.

**The Deputy of St. Mary:**

Thank you and welcome.

**The Minister for Housing:**

So you can put a face behind the name.

**The Deputy of St. Mary:**

Welcome. We have a reasonably lengthy agenda so perhaps we will get through it. I begin with social housing regulation which, I think, perhaps since the agenda was published there have been developments so could I begin by asking you where we are following the undertaking of the consultation on the regulatory framework? Your intention was to bring proposals in the form of that draft framework to the States in November this year. Could you confirm you are able to do so, the plan from now on?

**The Minister for Housing:**

Yes, I can say that, as you said, that we have had the consultation. It has taken a little while working with all the housing trusts to look at what type of regulation we need and how do we put it in. Very pleased the review ... the next step of the social housing regulation went to the Council of Ministers yesterday. They approved it so I can give you, as now, a copy, we can send you one. It was yesterday afternoon it went to the Council of Ministers.

**The Deputy of St. Mary:**

I received it this morning, thank you. I was not quite sure how public it was, so I did not want to reveal. I mean, not having time to read it, can you give a general outline as to where we are with it?

**The Minister for Housing:**

Yes, basically it goes through kind of 5, 6 different stages. First of all how we access the Gateway and review ... we are going to do a review of the Gateway, which is hopefully going to start within the next month and complete by December/January. So we are looking at doing that to see if we need to widen it. How do we widen this? Are people accessing it correctly? Are there any ways that we can improve that? That is one area. Another area is standard of service delivery; so we are looking at rates, quality of homes and how social housing trusts support all of its clients. Another area is making sure that the standards of financial management and governance, so looking at their boards. Are they financially sound, for want of a better financial word? The governance, how they are appointed and are the board remunerated or not. If so, how? Performance monitoring assessment and reporting requirements; so how many tenants, how many vulnerable clients, et cetera, and reporting that, and how they report it and report it back to the Strategic Housing Unit. Another area is intervention and enforcement powers. The last one, as you would expect, is appeals and complaints procedure. So all those are included in the social regulation. Since we have had the Care Inquiry we have added a section about ... because the Care Inquiry mentioned about vulnerable people, especially children, accessing a type of social rental. So there is a section there about the Care Inquiry in there. So the next step will be to lodge it in principle, probably with a view of being a voluntary code for the first 18 months, 2 years to get social housing trusts up to speed before making it regulation in statute.

**The Deputy of St. Mary:**

Thank you for that. You divided it into specific areas. Is there more work to be done on each area before it is formally brought to the States?

**The Minister for Housing:**

I do not think so ... I mean it is a continual work in progress really. Jack has had more to do with issues with the trusts; I do not know whether you want to mention anything?

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

So the proposals that the Minister will bring to the Assembly will set out a broad principle of regulation and how regulation might work in practice; setting up the post, infrastructure for regulation and, as the Minister has mentioned, how that might operate in terms of performance standards and financial management governance, et cetera, and also in terms of enforcement powers and monitoring performance, reporting requirements for social housing providers. The next step of that will be to flesh those standards out, for example, in terms of performance standards, around rents, around the quality of housing. They are in consultation with tenants, in consultation with social housing providers to look at what those standards look like in practice and to make sure that the requirements that we place on social housing and providers are ... they are fair, they are deliverable. I think that would be the next stage once we have in principle the route we are going down with regulation.

**The Deputy of St. Mary:**

Go back to basics: there will be an in principle proposal brought to the States first. When will that be? In November?

**The Minister for Housing:**

Probably November.

**The Deputy of St. Mary:**

Then it will be more work done on the individual regulations.

**The Minister for Housing:**

14th November.

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

I believe that was the requirement that Scrutiny, at the time, back in 2013 when P.33, the Reform of Social Housing, was being reviewed They wanted draft proposals to be brought forward before any actual regulation was introduced. So that is what we are doing. Obviously bringing to the States to make sure that they are content with our proposals.

**Deputy M. Tadier:**

It was originally the intention that regulation would be brought in before Andium was incorporated, I think, was it not?

**The Minister for Housing:**

In part of the P.33 it was part of it but I think after the Scrutiny report because I think the Scrutiny Panel at that time found the ... they had had evidence from the social housing trusts, they found it quite onerous and a bit heavy handed. So it was pulled. That is the reason why we are where we are.

**Deputy M. Tadier:**

But they are on time now, are they?

**The Minister for Housing:**

The Scrutiny Panel?

**Deputy M. Tadier:**

No, the social ...

**The Minister for Housing:**

You tell me.

**Deputy M. Tadier:**

The trusts?

**The Minister for Housing:**

The trusts, yes. It has taken a long time to get to this stage but, yes, they understand the purpose of regulation.

**Deputy M. Tadier:**

Can I just ask a question, which it makes the segue between social regulation and the private sector, because you have talked about, for example, restrictive or even discriminatory practices that occur to do with children not being allowed in certain properties, but that is not really an issue in social rental, as far as I know. That is an issue in the private sector. Is it something that you would look to ... to what extent is it a problem in the social sector? Presumably it is not really a problem.

**The Minister for Housing:**

Not that I am acutely aware of. But we need to make sure that it is not a problem.

**Deputy M. Tadier:**

But what about in the private sector because that is where people have difficulty, young families who are forced to rent, what is going on with that?

**The Minister for Housing:**

The minimum standards in the private sector is a different being. So therefore that comes under ... some of it comes under minimum standards of the Residential Tenancy Law, which we have replaced in 2015. It gives a right of tenure, a lease, a condition report, as well as a few other things as well.

**Deputy M. Tadier:**

I suppose what I am asking, I think I understand ... I think we all accept that regulation of social housing is needed but is that where the priority is given the fact that there is already an element of protection?

**The Minister for Housing:**

It is a priority because, as we know with Income Support, a lot of money goes into social housing trusts so therefore they need to ensure that it is looked after correctly, that the tenants are well looked after; the social housing trusts, the decent home standards, et cetera, so one part of it is right. But, as you said, the private sector needs to come up to standard but it is not ... this will not cover private sector.

**The Deputy of St. John:**

But we also pay a lot of money through Social Security to private landlords as well.

**The Minister for Housing:**

We do indeed, yes.

**The Deputy of St. John:**

A private landlord, in terms of regulation of housing, is well behind the times in Jersey compared to elsewhere. So surely that would be higher up the list. I suppose my next question would be: what would this mean, for example, for Andium because there are already articles of association, memorandums of understanding, the agreements with regards to the bonds and all those types of things? Will that fall away with the regulation?

**The Minister for Housing:**

No, because the M.O.U. (memorandum of understanding) they have is with the Treasury Department.

**The Deputy of St. John:**

So they will have 2 types of regulations?

**The Minister for Housing:**

I would not say the M.O.U. is regulated but they have still got that M.O.U. with the Treasury and especially one director seeing the £250 million bond.

**The Deputy of St. Mary:**

I will comment about the M.O.U. later on but we will come to that later. Anything else on this area? Our next area relates to the Residential Tenancy (Jersey) Law. Through the Environment Department we see the Draft Public Health and Safety (Rented Dwellings) (Jersey) Law, which is to bring in standards, et cetera. Now the question really is: is that because the Residential Tenancy (Jersey) Law was never effective or not used or how many cases were brought under that law?

**The Minister for Housing:**

We have got a list of what kind of cases have been brought under that law. As you know, it sits with the Environment Department who monitor it on behalf of the Strategic Housing Unit because they are best placed to do that. It brings everything kind of under one roof, so to speak. They can only look at complaints if they have had a complaint about something or other. So they will therefore go out and visit the property and take it from there.

**The Deputy of St. Mary:**

The point is that tenants may be fearful of complaining in the first place, is that the point?

**The Minister for Housing:**

Complaining to what: the Strategic Housing Unit or to the Environment Department?

**The Deputy of St. Mary:**

I am going back to the Residential Tenancy (Jersey) Law, as is. That is how often have complaints been made under that?

**The Minister for Housing:**

Since 2016 there have been 22 complaints under that but, as we know, with Environmental Health, they are very much working with landlords. Not all the complaints have been on landlord ... the cause is the landlord, as you can understand. There have been a variety of kind of wishing to break the lease, threatened eviction, not using the deposit scheme, deposit disputes.

[14:15]

The most one is not using the deposit scheme, allegedly, and overcharging of electricity and water. But Environmental Health very much work with the tenant, with the landlord, to try and rectify these things rather than going straight to court.

**Deputy M. Tadier:**

Chairman, can I just clarify? The Residential Tenancy Law is administered by the Minister for Housing, not the Minister for Environment.

**The Minister for Housing:**

No, we have delegated that authority to Environmental Health.

**Deputy M. Tadier:**

For the Residential Tenancy Law?

**The Minister for Housing:**

Yes.

**Deputy M. Tadier:**

Okay. Can I just check more specifically the figures because obviously the Residential Tenancy Law has been in force since 2013, I think? Do you have the statistics, not just about the complaints that you could give us, but about how many cases have gone to court and been tested in court?

**The Minister for Housing:**

I can give you the answer now is none.

**Deputy M. Tadier:**

I do not think that is quite true. I certainly took one to court for a tenant to do with an eviction from Andium, where the law ... I think the first time that was tested ...

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

The Residential Tenancy Law, as a framework of rights and responsibilities, also provides the jurisdiction of the court in terms of eviction. So there would have been a number of ... obviously quite a substantial number of evictions which have gone forward to court. I think we are dealing with ... the Minister is talking about where the lease has been ... where the deposit has not been protected or where there are specific offences created under the law there has not been any cases brought forward in that respect.



**Deputy M. Tadier:**

Okay.

**The Deputy of St. Mary:**

That is probably because, of what you say, Environment would try and resolve it prior to going to court.

**The Minister for Housing:**

Or even threaten to go to court and they ... Did you want some figures on the number of evictions?

**Deputy M. Tadier:**

Any figures you can give us to do with just the complaints, any time the law has been invoked in all of the Articles and any cases that have come to court because it is interesting for us to find out to what extent there is duplication in the new regulations and to what extent the Residential Tenancy Law is working or been effective.

**The Connétable of St. Saviour:**

Sorry, did you say you had some evictions or you have not?

**The Minister for Housing:**

The number of evictions with the social housing trusts?

**The Connétable of St. Saviour:**

Yes.

**The Minister for Housing:**

There has been ... I have got one here that has threatened legal eviction but I can get you the numbers.

**The Connétable of St. Saviour:**

What happens to them when they are evicted?

**The Minister for Housing:**

It depends where they are evicted ...

**The Connétable of St. Saviour:**

Whose problem do they become?

**The Minister for Housing:**

They need to go to the Gateway ... it all depends if they meet the Gateway criteria. If they meet the Gateway criteria then they go through the Gateway.

**The Connétable of St. Saviour:**

So they just move from one States department to another?

**The Minister for Housing:**

Well, we need to ask the reasons why but they do ... if they are then homeless they need to go through the Gateway.

**The Deputy of St. John:**

Do you know if there is a difference between the evictions before they became Andium to now Andium, for example?

**The Minister for Housing:**

I do not know.

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

I do not think there has been a substantial change. We can ask for those figures.

**The Minister for Housing:**

Not that I am acutely aware of.

**Deputy M. Tadier:**

Can I just ask a question about Article 9 of the Residential Tenancy Law? It says that ... you will be aware of the premises being uninhabitable clause, which is presumably quite a high bar or certainly it is a bar that needs to be tested. But similarly, there is nothing to prevent a tenant or a landlord disputing that in court. So it is quite easy for a tenant to access the court if they have an allegation, but the test is quite high. Is that an issue and is that perhaps something which needs to be addressed in the new housing regulations?

**The Minister for Housing:**

The social housing regulations?

**Deputy M. Tadier:**

No, sorry, the minimum standards.

**The Minister for Housing:**

I would have that the Environment Department have already got some legal ... Environmental Health, rather, have got some ... because they do go in and they can insist that somebody does, as you say, for health and safety reasons and through an accident point of view if someone ... if it has got any floorboards, for argument's sake, they can do something about that.

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

It is perhaps useful I go to the distinction between the 2 laws. So the new law that is being brought by the Minister for Environment, the Public Health and Safety (Rented Dwellings) Law deals with the conditions of the property. Obviously now you have the Residential Tenancy Law as well which deals with your terms of the lease, your tenancy matters. The introduction of the new minimum standards law, that will provide an assessment process under the health and safety rating system which assesses hazards in the property. So you can make that distinction of what uninhabitable looks like under the Residential Tenancy Law. So provided that there is information, Environmental Health assesses properties as being uninhabitable for these following health and safety reasons it makes that process of distinguishing what is uninhabitable much clearer. Because I take that point, it is a very subjective term at the moment of what uninhabitable means and securing the end of a lease for that reason is probably quite difficult. Whereas if you have that objective assessment which has been brought forward for the new law, I think that will help the process. I also think in the Residential Tenancy Law there is a lot that can be done. Indeed the Minister was going to make recommendations, I believe, in the near future regarding the repair and responsibilities of a landlord. Currently the law is silent on what a landlord should be doing in terms of repairs and maintenance to join it up properly with the new minimum standards law. I think that there needs to be within the schedule of the Residential Tenancy Law what key terms a lease should include; there is something to be said about repair and maintenance responsibilities, wind and water type, those sort of aspects, to make sure that they are properly aligned.

**The Deputy of St. Mary:**

We have a hearing with the Minister for Environment in a couple of weeks and there is an overlap, as you say. Is it fair to say that the Public Health and Safety (Rented Dwellings) (Jersey) Law will effectively encompass most of the problems envisaged by the present Residential Tenancy (Jersey) Law, will it make that action under earlier law redundant? Or will it still be continued?

**The Minister for Housing:**

They will be working hand in hand.

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

The Residential Tenancy Law deals with tenancy matters. It deals with deposits, it deals with terms of leases, it deals with eviction, so you need both.

**The Deputy of St. Mary:**

Another consultation was the letting agents review. I think at our last hearing you advised that a consultation response on this review will be completed by May. Has that been done?

**The Minister for Housing:**

It is just about completed. We have only got a small team. So they have been working hard but it is being done, and it will be lodged as an "R" pretty soon. I have not got the timescales.

**The Deputy of St. Mary:**

Have you already decided on recommendations as a result of that or is there more work to be done?

**The Minister for Housing:**

I think there is a little bit more work to be done because it was fair to say that it was 50/50. There was not one clear about the letting agency fees. So I think the first step that we are going to be looking at is putting a requirement around that all agents should display their fees clearly so they are open and transparent. So people know what they are getting themselves ... what the cost of this or the cost of that is.

**Deputy M. Tadier:**

It does not really help tenants though, does it, at a time when rents are already high?

**The Minister for Housing:**

It is a step. You have to work with the industry. I am one for going step by step and making sure it gets in. If you see a house displayed in there and you want ... you are going to go to that agent, you cannot ... if another agent has not got that house that you are looking at you will be stuck.

**The Deputy of St. John:**

How much competition is there within the market; the letting agents' market? I get the point about taking each step. I think that is what happens in the States but, surely, to take that step forward is a basic trading standard, is a basic consumer right, which I know we do not have consumer protection laws, but there surely needs to be some form of proper competition there to allow these individuals to choose the right letting agent so that they can reduce the fee.

**The Minister for Housing:**

I think you are right. How many agencies there are; about 50?

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

There is quite a large number. I think we have come to a figure of about 50. I am not sure they are all the High Street names that you know. Maybe that is about 20. I do not have exact figures to hand but there are a substantial number of letting agents. Mostly quite small agent who do not have any of the U.K. (United Kingdom) national ... you have one or 2, but they are very small businesses.

**Deputy M. Tadier:**

So, for example, you said there is roughly about 50, so out of those ...

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

That would encompass property managements as well, sorry.

**Deputy M. Tadier:**

Out of those how many, for example, might charge a finder's fee to the prospective tenants as a matter of course?

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

We do not know the exact number of how many charge a finder's fee. That is part of having better transparency requirements, and especially make it public what fees they charge.

**Deputy M. Tadier:**

Is there not kind of an inevitably, if you are primarily asking letting agencies: "We want to stop you potentially charging these fees, what do you think about that?" of course they are not going to come back universally and say: "Yes, by all means stop us charging and legislate." So what have you done to make sure that you get enough feedback from users of the agencies who might be adversely experiencing those fees?

**The Minister for Housing:**

Part of the consultation was with ... we just did not do the landlord.

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

No, it was not just landlords.

**The Minister for Housing:**

It was users.

**Deputy M. Tadier:**

What kind of split did you get back in terms of ...?

**The Minister for Housing:**

I think, as I said, about a 50/50 split.

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

There were about 400 responses to the online consultation response.

**The Deputy of St. Mary:**

Going back to the ultimate, the requirement that agents display their fees ...

**The Minister for Housing:**

I think the first step will ...

**The Deputy of St. Mary:**

What are the sanctions they are after? Will there be a sanction which stops them acting as agent if they breach this?

**The Minister for Housing:**

I think that is the next step that we would have to then go back and further consult with them and say: "This is what we are proposing to do."

**The Deputy of St. Mary:**

Because without that it is not worth it, is it?

**The Minister for Housing:**

No.

**The Deputy of St. Mary:**

There has previously been talk about bringing a new deposit loan scheme proposal, which I know you are very much in favour of, Minister. Is there something happening on that at the moment?

**The Minister for Housing:**

The deposit loan scheme?

**The Deputy of St. Mary:**

Yes, for buyers.

**The Minister for Housing:**

For buyers. Yes, we have been conducting a bit around the houses really trying to find ...

**The Deputy of St. Mary:**

An excuse.

**The Minister for Housing:**

... a scheme. Trying to find a scheme and find ... because since the last one back in 2015 - the deposit loan scheme in 2015 - obviously banking and lending mortgages, the way they are done has changed, and to find the bank ... if I can mention a bank. Can I mention a bank? Probably not. Skipton, who did the first one, we were hoping that they would do a similar one for this one but unfortunately they are doing Andium's Homebuy, so they are not interested. So it is finding another bank to work with. Tara has been busy working with another bank to try and ... it will be different. It will not be the same scheme but the principle will be the same.

**Deputy M. Tadier:**

Why do you need to do it through a bank? Have the States not got money?

**The Minister for Housing:**

It is the admin side of it. Because also the rest of the mortgage ... hopefully they will get the rest of the mortgage through that bank as well so it ties it in.

**The Deputy of St. Mary:**

Can you help us on a timetable on that?

**Ms. T. Murphy - Policy Principal, Strategic Housing Unit:**

Yes, we will probably bring to the States for consideration around December time, in terms of lodging and then look to go live with the scheme probably March next year.

**The Deputy of St. Mary:**

Are we able to say how big that scheme is, how much money is involved?

**The Minister for Housing:**

Approximately around about £2 million, so not an awful lot of money. But I think if we can use that £2 million to effectively leave in ... the last scheme helped about 50 families, if I remember rightly. Then if we can help a similar number this time, around about. I have kind of a procedure where

you say: "How many people would still be interested in some sort of scheme?" have some evidence so we can back it up, then we can go back to Treasury.

**The Deputy of St. Mary:**

I think you have had ... did you not have a workshop or a consultancy and a lot of people came forward saying they would be interested; feedback?

**The Minister for Housing:**

With the Andium Homebuy, yes. But it is the deposit bit of it, so therefore we can go and kind of ... it will be the next M.T.F.P. (Medium Term Financial Plan) bid for some more money in the housing development.

**The Deputy of St. Mary:**

I look forward to that.

**The Minister for Housing:**

Indeed.

**Deputy M. Tadier:**

What is the States involvement in it, if it is being administered by a bank? Are you underwriting the loan?

**Ms. T. Murphy - Policy Principal, Strategic Housing Unit:**

So we provide a sum of money to enable people to have a reduced mortgage, so that sum of money that we will use would be spread across the people that apply. It is not in effect a deposit but it is similar to the last scheme. We gave them an element of 15 per cent of the deposit of the house, which allowed them to then secure a reduced mortgage because the banks would not lend.

**Deputy M. Tadier:**

Is that then paid back, the 15 per cent?

[14:30]

**Ms. T. Murphy - Policy Principal, Strategic Housing Unit:**

In the last scheme it was an ongoing repayment alongside their mortgage payment and from the analysis of the last scheme, which is why this one would be slightly different, we are looking at the impact of that in terms of affordability and then what the banks will and will not do, so we are just



kind of finalising it at the moment. But we do not envisage that there will be an ongoing repayment of that sum for applicants. It will be a catch it on sale.

**The Deputy of St. John:**

Will this be based on means testing?

**Ms. T. Murphy - Policy Principal, Strategic Housing Unit:**

There will be income caps to access the scheme so that we ensure that we appropriately target the scheme for those who genuinely would not be able to buy without the help of the scheme.

**The Deputy of St. John:**

How will you determine that though?

**Ms. T. Murphy - Policy Principal, Strategic Housing Unit:**

We have been working with the lender around affordability elements and looking at the people currently on the Gateway as well, and the information that we capture from there.

**Deputy M. Tadier:**

Is this scheme ring-fenced in the sense that somebody who benefits from the deposit then sells the property at a profit, is that going to be possible or will you have to re-sell the property to the scheme?

**Ms. T. Murphy - Policy Principal, Strategic Housing Unit:**

It is an open market scheme. So it is different to Andium schemes or rather housing development schemes where that is kind of tied to the property. This is open market and what we are looking at is that we ... if the property is sold at a profit we will recapture some of that profit as well. Recycle back and then use for other future applicants.

**The Deputy of St. Mary:**

Will that be done on a proportionate basis? How would that work?

**The Minister for Housing:**

That will work on, I would have thought, a proportional ... rather like kind of the Andium and the Trinity, the house, the building is the self-perpetuating one. This is where it is the actual deposit, that bit that is self-perpetuating.

**Deputy M. Tadier:**

If the property is never sold then you presumably just write off that money, do you?

**The Minister for Housing:**

It has got to be eventually ...

**Ms. T. Murphy - Policy Principal, Strategic Housing Unit:**

It will be paid back after 25 years. When the mortgage is repaid then we will get back borrowing as well, so ...

**The Deputy of St. Mary:**

And are there any other schemes of that nature in the offing? St. Peter comes to mind. Is there something special there?

**The Minister for Housing:**

St. Peter, yes. Well, as you know, the Trinity one that is more of a bond and it has worked extremely well and we have 41 units up there. So the bond will be paid back when they sell the house. St. Peter is, I think, going to be on a similar scheme and there is College Gardens, which is on a similar scheme, 40 one-bedroomed properties.

**The Deputy of St. Mary:**

So just when you say on a bond scheme, the money is advanced to them and they do not pay anything at all until sale, is that right?

**The Minister for Housing:**

No, they purchase the property, whatever proportion of the property, if it is two-thirds of the property they purchase that bit of the property.

**The Deputy of St. Mary:**

Okay, but the balance?

**The Minister for Housing:**

The balance is held and only paid back when they sell the property.

**The Deputy of St. Mary:**

Okay, and it is purely the balance, so there is, unlike the other schemes, no proportion of profit as well?

**The Minister for Housing:**

The Trinity scheme there is if it is sold at market value. When it is sold, it is sold at market price, so if there has been some uplift then they will pay back the proportion of the uplift. I have not explained myself very clearly here. So, if it is sold, say, for £400,000 and they have paid £300,000 for it, the extra £100,000 is held in the bond, but when they sell it, if they sell it for £420,000, therefore they pay £100,000 back plus a percentage, 25, or a third of the 25 per cent.

**The Deputy of St. Mary:**

You say something similar is about to operate in St. Peter on that development?

**The Minister for Housing:**

As I understand it, yes, if they go through planning permission.

**The Deputy of St. Mary:**

Those are the only ones you know about?

**The Minister for Housing:**

I think St. Martin has a similar scheme in the pipeline, which is good.

**The Deputy of St. Mary:**

Anyone else? Affordable housing, can you update us on the current numbers, current use of available affordable housing?

**The Minister for Housing:**

Of purchase or social housing, I want to be specific?

**The Deputy of St. Mary:**

Well we are aware of Andium's recent purchase of various sites, we have some information about those ones. Can you give us a composite overview of that, it would be helpful?

**The Minister for Housing:**

First of all I will start with out east: Jersey Homes Trust are in the process of building their social housing and 5 homes for purchase on the Grouville site, which should be completed next year. Samarès, as you know, Andium have purchased the Samarès site and there are 200 homes there and 40 of which are going to be sold to first-time buyers.

**The Deputy of St. Mary:**

Only 40?

**The Minister for Housing:**

Out of the 200. The rest are mostly one-bedroomed and 2-bedroomed homes.

**The Connétable of St. Saviour:**

Homes or flats?

**The Minister for Housing:**

Flats.

**The Connétable of St. Saviour:**

That is not the same thing as a house, a flat.

**Deputy M. Tadier:**

I know it is completely laudable obviously to offer young families affordable homes to own, but is it wise for Andium to be venturing into that side when there is still a big list of social housing need for rental?

**The Minister for Housing:**

I think, yes, it is right, because these are affordable. These will be under their Homebuy scheme. They held a workshop about 2 or 3 months ago where they invited anybody who wanted to purchase a home under the Homebuy scheme and they were there, obviously the lawyers were there, and a bank, and I went up for a couple of hours and I was amazed and they were amazed by the number of families who wanted to purchase their own property but could not purchase it out in the open market.

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

You are getting to the point where the waiting list for affordable purchase and social rents are relatively similar. The build programme up to 2020 meets the needs of social rental that were identified and obviously sites such as Le Squez, La Collette low-rise, will deliver that social rental. But affordable housing is more than just social rent, it is for people who cannot afford to either purchase or rent in the open market, so there is a need out there for affordable purchase and obviously Andium are delivering those homes in sites such as Samarès. So it is an identified gateway need and Andium are responding to that gateway need.

**Deputy M. Tadier:**

Do you agree that if the States, via Income Support, can afford to pay people's rents for them, in some cases their entire rents, the States could also afford to pay their mortgages for them entirely if it wished to?

**The Minister for Housing:**

That is a deep question. I would have to give that one some thought, but the money would need to come from somewhere.

**Deputy M. Tadier:**

Well it comes from Income Support, does it not? I mean Income Support already pay that money to private landlords in many cases.

**Assistant Director for Social Policy:**

At the end of the day, the property remains the property of Andium if it is a rental. If it is the property of an individual ...

**Deputy M. Tadier:**

But if it is a private rental, which Andium does not own, we are giving money to private landlords, would it not be better to help people buy their own houses, keep it in a ring-fenced scheme, so it reverts to the States or to a States-owned body and then therefore you get more properties and in a roundabout way you can purchase properties that way rather than having all this money going to wealthy landlords. Is that something you might give consideration to?

**The Minister for Housing:**

Yes, I will certainly give it some thought.

**The Deputy of St. Mary:**

Generally, how does the policy evolve between those that are going to be for sale and a rent, which you mentioned you react to the workshops you had, it is an ongoing process of evaluating how much?

**The Minister for Housing:**

It is an ongoing process and also the Gateway numbers go on downside of the Gateway. We have not particularly advertised that Gateway very much, but then Andium did that workshop, so there was that lead. Because we had not been able to build the houses, so it was sort of raising people's expectations when you know they are never going to be in that.

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

The Gateway list a couple of years ago, going back to 2014, was no more than say 150 applicants for affordable purchase. As the knowledge of Andium's Homebuy scheme has increased, the deposit loan scheme that was operated a couple of years ago, there is much more knowledge out

there among first-time buyers who want to purchase their own homes, so obviously the list has increased significantly in that time and is responding to those needs. Sites such as Samarès are split because of the Island Plan in an 80:20 proportion, so 80 per cent for social rental, 20 per cent for affordable purchase, and that is why there is only 40 being sold on that site. I am sure the Minister will say there are additional sites where there is a need to deliver affordable homes to purchase as well, meeting that need, which is now identified by the gateway. That is where schemes, such as St. Peter, are extremely important.

**The Deputy of St. Mary:**

Again, the mix of these things, are they mainly one-bedroom, 2-bedroom, generally at the low end, or are they the younger end or the social end? The new units being built, what is the overall ...

**The Minister for Housing:**

They are 3-bedroom.

**The Deputy of St. Mary:**

That is the most popular demand, is it?

**The Minister for Housing:**

In the Housing Needs Survey a couple of years ago, it showed that it was people's expectations was a 3-bedroomed or 2-bedroomed apartment. But that section of 2-bedrooms has been well sourced by private development such as Westmount and College Gardens.

**The Deputy of St. Mary:**

Anyone else on affordable housing? Moving on.

**The Minister for Housing:**

Do you want me to carry on with the list? I stopped at Samarès.

**The Deputy of St. Mary:**

Yes, if you quickly could, sorry, yes.

**The Minister for Housing:**

First of all is Le Squez, we are on site there, are 151 units of accommodation there. That should be completed in 2019. La Collette is on site, we are on site now, they are doing some excavation work, and hopefully, all being well, completion 2020. Then there is St. Peter's village, there is a very small, which is the Parish one. There is a very small Andium development at Robin Hood on

the corner there, they are in the planning process if I remember rightly. Then Andium have just acquired the brewery and the boiler house site North of Town.

**The Deputy of St. Mary:**

Yes, I have a note of that.

**The Minister for Housing:**

The other housing trusts, we mentioned about the College Gardens, Jersey Homes Trust are buying 40 units there and that is next year. The Troy Court is being refurbished, knocked down and refurbished, but there will not be any particular increase in numbers there but when they have finished it is bringing them up to decent home standards.

**Deputy M. Tadier:**

Is the brewery site listed, the façade?

**The Minister for Housing:**

The brewery site I think is listed, one of them is listed if I remember rightly.

**Deputy M. Tadier:**

Will you make sure that some kind of party is organised there before it is demolished? You do not have to do it yourselves but ...

**The Minister for Housing:**

You could do one if you wanted to, Deputy.

**The Deputy of St. Mary:**

So in general terms you have these objectives, are you on course to meet your ...?

**The Minister for Housing:**

1,000 by 2020, yes, we are, and to meet another 1,000 hopefully by 2025.

**The Deputy of St. Mary:**

So that your original target is being increased, pushed all the time, is it not, because of ...

**The Minister for Housing:**

Well, as identified during the Island Plan, the target in 2012 was to meet 1,000 affordable homes by 2020 and with Andium and the other social housing trusts we will do that.

**The Deputy of St. Mary:**

You will do that, subject to population increase, et cetera.

**The Minister for Housing:**

You can hold me to account in 2020.

**The Connétable of St. Saviour:**

While the car park is being renovated, you are losing that ...

**The Minister for Housing:**

The Minden car park?

**The Connétable of St. Saviour:**

Yes, Minden Place. So where you were going to build, it is going to remain as a car park by the Arts Centre?

**The Minister for Housing:**

A car park, yes.

**The Connétable of St. Saviour:**

So how long will that be tied up, the cars, while they are doing Minden Place?

**The Minister for Housing:**

Minden Place, if I remember, is a 14-week works.

**The Deputy of St. Mary:**

Moving on, I have another area, I will bracket 2 together, the use of the Limes and key worker accommodation. Now the Limes has been decimated for medical staff on a permanent basis or just while hospital plans are in place?

**The Minister for Housing:**

I think I would say a semi-permanent basis because they have to demolish Westaway Court to begin that whole process of the new hospital development, so it is important that obviously the doctors and locum doctors go somewhere.

[14:45]

**The Deputy of St. Mary:**



So that is to replace existing stock use for those key workers?

**The Minister for Housing:**

That is, yes.

**The Deputy of St. Mary:**

But you say semi-permanent?

**The Minister for Housing:**

Well it is, as these things develop, at the moment hopefully we can sort out key worker accommodation overall because there is the St. Saviour's site of key workers accommodation, we know that we need to have key workers accommodation, so we need to work with Andium to come up with some sort of permanent plan and looking at other places perhaps in town. Well it will be in town because it has to be near the hospital, which could be used as a proper permanent key worker accommodation.

**The Deputy of St. Mary:**

On a more general topic of key workers, I mean it is not just medical staff, we need these people. How many units do you think you need to accommodate these people, which are essential for our infrastructure?

**The Minister for Housing:**

I do not know how many we are accommodating into the Limes ...

**The Deputy of St. Mary:**

I mean just generally when you consider housing stock, you are going to need to set aside some of these.

**The Minister for Housing:**

Yes, and that work is in the process of being worked out with Andium and Property Holdings.

**The Deputy of St. John:**

Is there any intention, whether it is by yourself or whether it is by the Council of Ministers, to bring in a key worker accommodation policy for across the States, so for teachers, for nurses, for doctors, so that we can encourage more of these specialisms into the Island if we need to?

**The Minister for Housing:**

Yes, that is something that the Strategic Housing Unit is going to be working on.

**The Deputy of St. Mary:**

So when might this work materialise into something we can look at?

**Assistant Director for Social Policy:**

There will be elements of it, which will come back as part of the report in relation to the Care Inquiry, because it is an issue that is raised in the Care Inquiry, the difficulty of recruiting and retaining key workers because of the difficulty of accommodation. So it will be in that report, which is probably the first opportunity that the States will have to look at that.

**The Deputy of St. Mary:**

So the suggestion is that we are looking at more key workers accommodation units than previously because we have identified certain problems that arise from the lack of key workers?

**Assistant Director for Social Policy:**

Yes, there has been difficulty recruiting and retaining key workers, residential care officers, social workers, nurses. As you say, there are broader categories, but in this context we are focusing on those issues.

**The Connétable of St. Saviour:**

It does not seem to be just us that has problems recruiting the social workers, it seems to be in the U.K. as well, so are we trying to say, if we have better accommodation from here, we are going to be able to lure them to the Island because they will have a better job? As I say, the social worker problem seems to be, whenever you hear about problems in the U.K. it seems to be the lack of social workers. So we are not alone in that sort of thing. Because I do not mean to be disrespectful here, but I seem to think that you are saying that, if we get good accommodation, we are going to get social workers. But there seems to be a shortage of social workers full stop, not just here because we cannot give them anything decent, they do not have them in the U.K. either.

**Assistant Director for Social Policy:**

There is a global shortage of nurses, absolutely, so it is about the offer that Jersey has in that competitive marketplace to attract them, so it is not just about remuneration and many other aspects, but when the departments have spoken to their staff they have raised accommodation time and time again. There are other issues, but accommodation is certainly in there.

**The Minister for Housing:**

At least when they know they can come here hopefully they will have good key workers accommodation, so it is a plus factor.

**The Deputy of St. John:**

So this policy that is going to come forward about accommodation for key workers, will it be dealt with centrally rather than departmentally, as it has been in the past?

**The Minister for Housing:**

Probably under the auspice of the Strategic Housing Unit.

**The Deputy of St. Mary:**

So under your control basically, yes. Sorry, I think we are just concerned about it being shared out between departments, but it was the overall ...

**The Minister for Housing:**

Yes, we have to bring all that together under one.

**The Deputy of St. Mary:**

Okay, so we are right to ask you then. If we can return to one we have raised several times before: vacant homes. Are there plans to encourage vacant homes not to be vacant? A number of them must ...

**The Minister for Housing:**

I wish. Trying to identify vacant homes has been quite a challenge because where are they? Nobody holds a record of saying: "My house is vacant." We tried, with the Rates Law, the Constables for many different reasons were not keen to change because it would need a change in the Rates Law. We have talked to the electricity company and telephones, J.T. (Jersey Telecom), so see in their data, houses not using either a phone or electricity, so you can surmise that they would be empty. It is finding a mechanism to identify vacant homes.

**Deputy M. Tadier:**

Can you not say to your civil servants: "Do not tell me why I cannot do it, but give me 5 ways I can do it"? We have them here so surely they can.

**The Minister for Housing:**

Well they have been looking, have they not?

**Assistant Director for Social Policy:**

We came up with 2 ways to do it, but the important thing is that if the figures from our census are correct, then there are a significant number of homes out there that are vacant. If we were to bring

15 per cent of that number back into stock we would save the Island's construction for an entire year, so it is a prize worth ...

**The Deputy of St. Mary:**

That is the point, I think.

**Assistant Director for Social Policy:**

It is a prize worth chasing down. So then you get to the question of how and how do we identify those homes, which are vacant, and can be brought back into use, because not all of them can be. And how do you incentivise those owners to do so? So we have some conversations that we need to have with a variety of parties to come up with mechanisms to incentivise people to bring those houses back into stock.

**Deputy M. Tadier:**

I was just going to say to you, so obviously the first thing to do is to identify the vacant properties. How do you do that?

**Assistant Director for Social Policy:**

The thing is that ...

**Deputy M. Tadier:**

Presumably you do not want us to give you suggestions yet. We will let you have the first go.

**Assistant Director for Social Policy:**

We are very open to suggestions by all means. We have looked at several different jurisdictions at how they have gone about it and have seen how not to do it, so now we are working on a way that we think will be a carrot rather than a stick.

**The Deputy of St. Mary:**

What I have heard, you talk about ways of identifying it yourself, is the starting point to assume that the owner of the house, in completing his rate return, will say ... just ask him the question: "How long is it occupied for?" The enforcement can come later. We need to give them the opportunity to tell us.

**The Minister for Housing:**

That is what we, when we went to the Comité des Connétables, looked at the suggestion. But it would need a change in the Rates Law because that is a question that needs to be asked on the rates.

**The Deputy of St. Mary:**

Well I am not sure you have to change the Rates Law itself, I mean a new law ...

**The Minister for Housing:**

Well as an amendment to the Rates Law so you can put a ...

**Assistant Director for Social Policy:**

You would do, because it is not within the *vires* of the law at this time to ask for information, which is not necessary, and you cannot do that within what the law is at this time.

**The Deputy of St. John:**

Same as the Tax Law, you cannot just ask anything on a tax form.

**Deputy M. Tadier:**

But do you not have some kind of property register so you know which properties there are in Jersey, then you know which ones are occupied and which ones are not?

**Assistant Director for Social Policy:**

It is more important because, let us just say that today we know where every single property was that is vacant at this point in time, recognising that it will change over time. That is not as important as recognising that it is a proportion of those properties where the owner may be willing to bring them back into circulation for use.

**Deputy M. Tadier:**

But if you then impose a financial incentive, which says that we will deem rent on this after a period of time, and they will make representations to you on appeal if there is a good reason why they cannot do that. But the presumption is you have a property, if it is empty after a given period you will be deemed rent on that property and charged tax at 20 per cent on your deemed rent, and if you want to dispute it with us then come and see us. That will flush them out pretty quickly I would suggest.

**Assistant Director for Social Policy:**

So that is the stick rather than the carrot approach.

**Deputy M. Tadier:**

It is both, it is double-edged, is it not, so it is ...

**Assistant Director for Social Policy:**

At risk of discussing policy under development, if we could think of a mechanism whereby we can come up with a scheme that enables property owners to have their properties refurbished so that they are available for rental and that rental can then be shared between the body that has refurbished it and the owner of the property and that could be used for social housing that could be a very attractive scheme, for example, to bring some stock back into use.

**The Deputy of St. John:**

That would equally apply surely to business premises, so like the category of business and all those types of things that are now apparently moving down to the finance quarter. But have you seen any movement or change or have you identified anything through the process? I mean the numbers that we have are from 6 years ago. But with the changes in planning and building laws and all those types of things, are you seeing or hearing anything where there is more encouragement from those changes to refurbish or build further homes on their land or within their properties? Are you seeing any of that coming forward?

**The Minister for Housing:**

No, I cannot say I am, unless you have heard anything? The building industry is very buoyant at the moment.

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

There are examples of where you mentioned office accommodation being brought back into use. There are a number of examples of that as part of the regeneration of St. Helier and that is really positive. More widely, we do not have any evidence to say that more homes are being brought back to use and refurbished for that reason. We can certainly have some dialogue with planning to see what their impression is, but from us we have not come across that.

**The Deputy of St. John:**

It would be just interesting to hear from the Minister for Housing's point of view, when you have the Minister for Planning saying we are going to change this to make it easier for people to do this, it is just interesting to know whether you have any discussions with people, whether they have done that on that basis or measuring performance and standards and all those types of things.

**The Minister for Housing:**

I think redeveloping North of Town, I think that will come over 8, 10, 15 years or whatever, because, as we know, there has been 2 or 3 developments North of Town converted, a bank has been converted into accommodation and a shop has been converted into social accommodation. Another one I think further up David Place, I am trying to think, but I think that will come, especially

with what Andium are doing in North of Town with their social housing, it makes it a nice place now, not that it was not before, but it is brand new houses around brand new ... with the refurbishment of the De Quetteville Court and Convent Court and Windsor Court, it has brought the standard up, so I think that might all help, but we do not have any evidence to say this has happened because of this.

**The Deputy of St. Mary:**

It just concludes the vacant homes bit, I mean you are working on it.

**Assistant Director for Social Policy:**

Work in progress. Keep asking us.

**The Deputy of St. Mary:**

We will do.

**The Minister for Housing:**

Yes, because, as Richard said, it is a good win at the end of it.

**The Deputy of St. Mary:**

I understand that. The thought occurs to me, if someone owns a home and does not pay Jersey tax, I think there should be ways of working it out. Okay.

**Deputy M. Tadier:**

Can we get a timeline on that? Do you have a timeline just so we know?

**Assistant Director for Social Policy:**

We have not.

**The Deputy of St. Mary:**

Okay, we will bring it up again.

**The Connétable of St. Saviour:**

Can I just ask you: would you have to bring legislation in to make the landowners rent it out or are you still relying on their goodness to say: "You have a property, we will help you revamp it if you rent it out", if they say: "No", you still have an empty home, so are you thinking of putting some legislation in saying: "We demand", for want of a better word?

**The Minister for Housing:**

Not at this moment in time.

**The Deputy of St. Mary:**

I think Montfort's idea was simply that if you do not rent it out then you, after a certain period, pay tax on a deemed rent.

**Deputy M. Tadier:**

I do not want to labour the point, but Social Security already operate under the long-term scheme a deemed rent, so they require people obviously to maximise their assets, so it might be worth, if you have not done it already, speaking to them.

**The Deputy of St. Mary:**

A question on Gateway, I think we have already covered that. States Members had a presentation not long ago on youth facilities.

**The Minister for Housing:**

It was very good.

**The Deputy of St. Mary:**

Yes, indeed it was. I cannot recall that you were there, you probably were, I mean the comment was made that developments are going up and apparently without reference to the further youth facilities being made available. Is that something that comes within your sphere of influence? Should we allow big developments if there is no youth services and facilities available to the youth that are going to occupy them?

[15:00]

**The Minister for Housing:**

Well on the back of that I know that Andium have met with Mark Capern to look at how, especially with the North of Town building developments, to look at how they can include youth facilities in the project, we aware of youth facilities. So it is early days but dialogue has started. Education do talk to Andium about demographics, what age groups are going in there, whatever, for their school numbers.

**The Deputy of St. Mary:**

Okay, so early work, but it is something. Andium have taken the point, have they?

**The Minister for Housing:**



Indeed.

**The Connétable of St. Saviour:**

Will this be one of the considerations when they implement the gas works, because we wanted it as a park and it is not going to be a park it is going to be? So are they going to consider the youngsters?

**The Minister for Housing:**

Well the gas works is a private development.

**The Connétable of St. Saviour:**

Yes, but it still has to come to planning, is there going to be a consideration?

**The Minister for Housing:**

Gas works have gone through all the planning process.

**The Connétable of St. Saviour:**

These 200 homes?

**The Minister for Housing:**

Yes, they have been through the planning process and the inspector.

**The Connétable of St. Saviour:**

So there will be no revised plan? The only reason I mention it is that at the back of St. Saviour's Parish Hall there were revised plans, it was not housing, it was revised plans, and we were supposed to have a nursing home, we were supposed to have all sorts, and then we have now a revised plan and we do not have anything like that whatsoever. So I keep looking when they put revised plans because what was promised in the first place does not always materialise and that is annoying me, I have to be honest.

**The Minister for Housing:**

It annoys me too because I took that field to be rezoned. That is not what the States have said.

**The Connétable of St. Saviour:**

Yes, and we have not got what we wanted. Well I was not there; I was not involved at that time.

**The Minister for Housing:**

The nursing home did not come because there was a change in circumstances.

**The Connétable of St. Saviour:**

So they say, so they say, so now we have a lot of middle-aged people and onwards with nothing to care about, which is a facility that was promised, but anyway that is neither here nor there. So we just look out now for revised plans for the gas works and see what happens.

**The Minister for Housing:**

It has gone through all the planning process and it has gone through the specification.

**The Connétable of St. Saviour:**

Yes. So had the back of the Parish Halls and then we had revised plans.

**The Minister for Housing:**

I do not know if there are any more revised plans at this present moment in time.

**The Connétable of St. Saviour:**

All right. Thank you.

**The Minister for Housing:**

But, I know it has all been signed off by the inspector.

**The Connétable of St. Saviour:**

So we do not know if there is anything for youngsters there?

**The Minister for Housing:**

Not that I can remember offhand.

**The Connétable of St. Saviour:**

I have not seen anything in the plans.

**The Minister for Housing:**

No, not that I can recall.

**The Connétable of St. Saviour:**

No, okay. Thank you.

**The Minister for Housing:**

So, perhaps that is somewhere where we need to perhaps be more upstream is when the plans first go in; be very minded of private developers that they do, especially if there are young families who are aiming to go in, that there is some sort of youth facility. I know that Andium are quite good at putting community rooms in place. That is for the community rather than a dedicated youth space, but we should be more upstream at the earlier bid.

**The Connétable of St. Saviour:**

Yes. Okay, thanks.

**The Deputy of St. Mary:**

Can we move on? We have had a representation regarding the My Deposit Scheme. Monty, do you want to take that on board?

**Deputy M. Tadier:**

Yes, I think the Minister may have seen this, just to jog your memory. It is just to say that somebody contacted us from a management company that deals with property and they were saying they had difficulty getting in touch with My Deposits and they were being slow turning around some of the tenants' deposits, which was causing a problem when they wanted to move. So, I did not know if you had been made aware of that or if you had looked into that.

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

Just before this meeting I met with the chief executive of My Deposits. They are over today. They are aware of this. We discussed this with them. They have provided us with a response and they are very sorry for what happened in this case. There are occasions when deposits do not get released in time. That is normally where incorrect bank details have been provided. But, as far as we are aware of the K.P.I.s (Key Performance Indicators), they have been meeting their requirements to release deposits within 5 working days. They are employing about 3 to 5 additional members of staff, because they recognise that there has been, across all schemes, difficulty with staffing. So, they are employing additional staff and they have also just recently appointed a dedicated accounts manager for Jersey, who will be coming over on a monthly basis. So I think that we responded quite strongly to that. Also there is the additional support provided by the Citizens Advice Bureau. They have dedicated officers over here for My Deposits and there has been a good response of people going in and meeting with the staff who are trained to use the scheme. So, again, that is a point of access, face-to-face, forward scheme. We have discussed this and, yes, they have spoken with the individual and I believe it has hopefully been dealt with.

**The Minister for Housing:**

If it has not been dealt with, will you let us know?

**Deputy M. Tadier:**

Yes, thank you. In addition to that, there were general concerns raised, I think, by more than one individual suggesting that the scheme could and should in future be administered locally. Could I ask: when is the contract with My Deposits up for renewal or will it go out for tender?

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

It is a 3-year contract with the option to extend to 5. I would just say on that point, that it is very easy to say that it should be administered by a local company. The difficulty is that there is a lot of administration behind the system, costly computer systems. If you want a process which works effectively and is easy and simple for people to understand then it cannot all be paper based, it has to be an online system. That costs money and there is a limited pool of deposits on the Island to make a scheme viable. This was all discussed during the tender process. We have spent many months going through the tender process, acknowledging that there was pressure to potentially appoint a Jersey-based organisation. That may have been a preference, but you just could not deliver an effective scheme that worked well by appointing a Jersey company. The infrastructure would just cost too much. It would have taken too long to set up. My Deposits presented a very locally tailored scheme for Jersey with representation through, as we say, Citizens Advice and members of staff coming down regularly. I think that that is the balance that we had to take on that. So, while I can understand why people say it should be administered locally, in reality as a business in making the scheme viable it is very difficult to do other than appoint a provider who has the expertise off Island.

**Deputy M. Tadier:**

Okay. Thank you for that.

**The Deputy of St. Mary:**

Thank you again. Going back to your point about My Deposits taking on additional staff to cater for it, is that meant to lead to increase in fees or during the 3-year period that is it, they cannot increase fees?

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

I have just come from a meeting with My Deposits and they are very happy with the scheme. They are honoured to be operating it. They feel like they are in it for the long run. They are very happy how it is operated. There are one or 2 things about terms of compliance that we need to look at and I totally agree with that. That is why we are working closer with Environmental Health to improve compliance and knowledge among landlords and tenants of that scheme. Ultimately, the scheme works because it is pooled with the other schemes in the United Kingdom. Scotland,

Northern Ireland and England all have their own custodial schemes. Pooling resources like that helps to make our scheme viable. So, they are quite happy with the performance. We have a really good working relationship with them, so if there are any problems like these, just let me know and we can sort them out.

**The Deputy of St. Mary:**

That is an isolated problem, is what you are saying, effectively.

**The Minister for Housing:**

Yes. I personally have had 2 or 3 complaints, but not many more.

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

It is a big change for landlords. There is obviously going to be controversy about taking deposits from landlords and putting them into an independent scheme. That was always going to be one of the problems. You have to overcome that to say this provides a service for tenants, which protects their money. It provides them with a fair process at the end, in terms of dispute resolutions. So, deductions that are made from their deposits are for actual things; for damage which they have caused. It is not just the landlord saying: "I am not going to hand your deposit back" for a small bit of wear and tear. It tempers bad behaviour on both sides. I think that has been the real benefit of it. Certainly we have seen improvements in how ends of tenancies are managed. There seems to be a more professional relationship coming forward. There are always going to be rogue landlords, but at least for most tenants out there there is a much greater professionalism and protection.

**The Deputy of St. John:**

Can I just quickly ask on that, sorry: you mentioned K.P.I.s, how do you manage K.P.I.s if you are not getting any complaints or anything like that? Just say, if nobody is complaining to you, how are you managing the K.P.I.s to ensure that they are meeting their commitments?

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

My Deposits provide monthly reports to us. They obviously do it on an annual basis against the K.P.I.s. There are a set of K.P.I.s in the contract which are related to the requirements of the law. There are various things about repayments of the deposits within 5 working days or 20 working days where there has been a dispute. I do not know the exact times, but there are various K.P.I.s which have been put in place there. We have also put additional K.P.I.s around the time it takes to answer phone calls and the time it takes for various other correspondences to be dealt with. That mirrors what they have done in other jurisdictions in terms of their contracts, so we monitor that regularly. I do not have any cause for concern. We also carry out customer surveys and, again,

there are always: "This could be done better." "We do not agree with this", but more or less generally the response has been good.

**The Deputy of St. Mary:**

Okay. Next item, general question which was raised in the Assembly, regarding the importance of the environment generally in the context of housing developments. It has been suggested that the board of Andium does not necessary take heed of the policy in improving St. Helier insofar that St. Helier also needs its own green spaces. Would you care to comment on that and how averse of the board of Andium in what appears to be the States requirement that want to make St. Helier green as well as built up?

**The Minister for Housing:**

I think the board of Andium is very conscious of that. They are doing a very good job. I think we just have to look around at the refurbishments that they have done. I hope as a panel that you have been to see some of the refurbishments at De Quetteville Court, Windsor Court and Convent Court. They have brought them back to decent home standards. That has made a tremendous difference. They have to go through a planning process like anyone else has to go through a planning process. Part of the policy is the amount of green space that is around. If you are talking about La Collette ...

**The Deputy of St. Mary:**

That was an example raised, yes.

**The Minister for Housing:**

The amount of green space around the low rise has in fact increased. They have increased it, especially for the residents. There is now usable green space.

**The Deputy of St. Mary:**

The point there was that the disagreement was not the green space for residents as opposed to the green space being for the public as a whole. That is where certain people are coming from. The States as a body may want to see more green spaces.

**The Minister for Housing:**

I think we all do.

**The Deputy of St. Mary:**

Yes, I know. I am not for one moment criticising Andium for the work they are doing in refurbishment, but I think there is concern that they do not necessarily take full account of the

commitment by the Assembly as a whole to improve St. Helier's openness and green spaces. They have to strike a balance, I know, but there is concern, as I say, that it is not just a question of okaying planning, it is a question of whether Andium, being owned by the States, take due note of the environment considerations.

**The Minister for Housing:**

I think they very much do do that where they can do it. They have to follow, as I said, due planning process. Part of the policy in the process is about not only usable space, but making sure they have an environmental plan that goes along with any builds, like any developer needs to do. That is part of their remit as well, otherwise they would not get planning permission.

**The Deputy of St. Mary:**

Yes, but to flog the point, there is a distinction between what is allowable in the planning permission and what the public as a whole might want themselves.

**The Minister for Housing:**

If you are talking about La Collette ...

**The Deputy of St. Mary:**

No, just generally speaking. Any one application could get through planning, but it might not ...

**The Minister for Housing:**

No, any planning application may not necessarily get in.

**The Deputy of St. Mary:**

No, okay. It might be requirements of planning, but the requirement of the public might be greater in green terms than planning.

**The Minister for Housing:**

Part of their work that they do now, and they are getting very good at it, is consultation with the residents who are not only going to be using their refurbishing work, whatever, but they do a lot of consultation with residents around the area. That is all good, because it includes the residents, making them understand what they are going to build and vice-versa, listening to the residents' needs as well.

**The Deputy of St. Mary:**

Is that consultation with yourself or your officers, when it comes to any development?

[15:15]

**The Minister for Housing:**

Yes, the officers meet at Andium once a month. I meet them every 2 to 3 months.

**The Deputy of St. Mary:**

They are reminded of the environment issue, are they?

**The Minister for Housing:**

I will bring it up for them again, to remind them, as a request from you.

**The Deputy of St. Mary:**

Thank you for that. Leading on from that, a hobby horse of mine, the M.O.U. that was done at the time, I have been involved with the M.O.U.s since, and the Minister for Treasury and Resources agreed that the M.O.U.s were not up to scratch. Where are we on revised M.O.U. for Andium?

**The Minister for Housing:**

Not particularly far, I am afraid to say. That is still a work in progress.

**The Deputy of St. Mary:**

Has it started?

**The Minister for Housing:**

Has it started? It might have at officer level, but that is ...

**The Deputy of St. Mary:**

Who is responsible, you or the Minister for Treasury and Resources?

**The Minister for Housing:**

The Minister for Treasury and Resources has the M.O.U. for Andium.

**The Deputy of St. Mary:**

So, this panel, if it wished, could approach him, could they?

**The Minister for Housing:**

They could indeed.

**The Deputy of St. Mary:**



Okay. Thank you for that. In the same area again, city item, Warwick Farm?

**The Minister for Housing:**

Warwick Farm, yes.

**The Deputy of St. Mary:**

I know there is something going on at the moment. Again, was the renewal of lease in that area discussed with you? I think the Constable would like it to be a park extension, would he not?

**The Minister for Housing:**

He would indeed. I have had no consultation with the Constable at all over the park. It is green-zoned at this present moment in time. So, anything further forward would have to come back to the States and put in the Island Plan for 2020.

**The Connétable of St. Saviour:**

The lease has been signed.

**The Minister for Housing:**

Yes, the lease is a 9-year ... but it is green-zoned. So, it would have to be rezoned and that obviously takes time.

**The Connétable of St. Saviour:**

What I am trying to say is they have signed a lease, so at the moment it does have to stay. So, there is no point in signing a lease if we then come back and say: "We would like to change it and take it out of the green zone."

**The Minister for Housing:**

There is a 5-year break clause. But to get to that stage could take 5 years, because it has to go through due process.

**The Connétable of St. Saviour:**

So, at this point in time it will stay in the green zone?

**The Minister for Housing:**

At this present moment in time it will stay in the green zone.

**The Deputy of St. Mary:**

You have not discussed with the Constable the idea of the park?

**The Minister for Housing:**

The green park, no. The Minister for Infrastructure is keen to put whatever ends up being there to put a footpath or cycle link from Fern Valley up and coming down to La Vallee Des Vaux, so that there will be a link through, which is good. As for the country park ...

**The Deputy of St. Mary:**

That is broadening the question out a bit, that both you and he are members of the Future St. Helier. How often does that meet? Are *ad idem* on certain issues?

**The Minister for Housing:**

That meets every 3 months.

**The Deputy of St. Mary:**

Is that often enough? I am just concerned about, again, trying to get a consensus with all relevant personal as to what St. Helier needs, et cetera.

**The Minister for Housing:**

Yes, it is a big round table agenda that we have for Future St. Helier. He is there, as well as his officers.

**The Minister for Housing:**

Does anything productive come out of that or is it just an exchange of aspirations?

**The Minister for Housing:**

Yes, productive things do come out of it, but it is more kind of information giving as well as sharing. As you know, it is one of the strategic aims that there is not any money attached to it. So, the D.f.I. (Department for Infrastructure) have used their money for broadening Broad Street and making Charing Cross a pedestrian only area, looking at making Midvale Road more pedestrian-friendly. So, small bits are happening, but there is no great movement, because there are no funds attached to it. Going back to Warwick Farm, my own personal view is that it should be rezoned, whether it is used for some sort of mental health facility, key workers' accommodation, something like that.

**The Deputy of St. Mary:**

Even a new hospital?

**The Minister for Housing:**

I would not go for a new hospital, no.

**The Deputy of St. John:**

Would you not consider maybe a type of land swap with the problems with not enough green space in central St. Helier? I am just thinking off the top of my head, port area, you could do a swap and have a park at Ann Court and have housing at Warwick Farm. I am just thinking outside of the box.

**The Minister for Housing:**

Yes. We do need more green area in town.

**The Deputy of St. Mary:**

Okay. You will probably say it is not your area, but the Grenfell Tower ... obviously there is a focus on tall buildings ... expressions were given at the time when fire services were up there that you are involved in that to make sure that safety considerations are carried out.

**The Minister for Housing:**

Are you asking the question: is that cladding used here?

**The Deputy of St. Mary:**

Yes, that has been asked by your department or ...

**The Minister for Housing:**

That has been asked by the fire service as well as Andium and, no, there is not.

**The Deputy of St. Mary:**

There is no problem?

**The Minister for Housing:**

There are higher safety precautions that have been put into place. They are independently done over here, to ensure that the highest safety is given.

**The Connétable of St. Saviour:**

Do they have a sprinkler system, because that was lacking in the Grenfell Tower.

**The Minister for Housing:**

Andium do not have sprinkler systems in their older ones. It is now, if I remember rightly, a policy under Environment that all new buildings over a certain ... 80 metres, have to have a sprinkler system in place.

**The Deputy of St. Mary:**

Right, so a final thing, again I know you will probably say it is not your specific area and I know it is not, but the proposed infrastructure levy, how is Housing involved in that? Does it impact on your thinking or plans?

**The Minister for Housing:**

The infrastructure of the regeneration has been discussed, obviously. The levy when it is hopefully approved will not include social housing; they are going to be exempt, which is obviously a good thing. But with my old Planning hat on, anything that gives developers clarity right from the word go on different planning obligations and different levies put into place right upfront, rather than waiting until the end must surely be a good thing.

**The Deputy of St. Mary:**

Wearing your hat as overall responsibility for Minister for Housing, are you not concerned that any levy will increase the price of houses and therefore create problems?

**The Minister for Housing:**

No, there is little evidence that it would increase the price. Hopefully it will reduce the price of land, because developers upfront will know that a certain proportion will be used for the infrastructure levy. More importantly, from the public point of view, the money that can be raised through that means that if you are building a multi-million pound property somewhere else in the Island and there is no public gain from that, because at the moment you can only get planning obligations to use in the facility for the public round good. Whereas if that money was put into a pot and used for Future St. Helier to improve say cycle tracks or other public round good that must be a good thing.

**The Deputy of St. Mary:**

It might be a good thing to raise money from development, but there is the obvious question as to: is it better than taxing the vendor of the land in the first place? That might be simpler.

**The Minister for Housing:**

A land tax?

**The Deputy of St. Mary:**

Yes. So, you are saying that you are supportive of the ... in a sense you think it will bring certainty and ...

**The Minister for Housing:**

It will bring certainty right upfront for developers, right at the word go before they begin a development.

**The Deputy of St. Mary:**

You do not think it will have an on-cost to development and therefore prices, which will make a big difference?

**The Minister for Housing:**

I do not think so, because I know a lot of work has been done on that, to look at that pricing. Developers will know immediately upfront what the extra infrastructure is needed, how much the cost will be, how much they have to put into that cost and ...

**The Deputy of St. Mary:**

Yes, I understand that.

**The Minister for Housing:**

But also the public good from that development can be used for the public good where some developers do not have any planning obligations attached to it at all.

**The Deputy of St. Mary:**

Again, your basic point is that Housing are not overly involved with that, it is down to Environment.

**The Minister for Housing:**

It is down to Environment.

**The Deputy of St. Mary:**

You have no input in that.

**Mr. J. Norris - Policy Principal, Strategic Housing Unit:**

The Jersey infrastructure levy is a part of the housing strategy. It is one of the key areas of work that was identified about improving communities, so we have had discussions going back a number of years now with Environment about the introduction of the Community Infrastructure Levy and we have been involved in that process. The Minister has made his submissions to the consultation around the potential impact on housing raising some of the concerns that you have.

Obviously there has been the viability reports, which Environment carries out and that does not identify any negative impacts on housing. As the Minister says, it is likely that it will reduce the price that developers will pay for land in the first place. Ultimately the market will only pay what the market is going to pay with people purchasing homes, so we do not foresee it having an impact on the delivery of housing or the cost of housing. The benefits that it will bring about the regeneration of St. Helier, having the benefits and off-setting some of the negative aspects of development for public ground improvement. I think as long as it does not impact on housing, Ministers are quite content for the levy to be introduced.

**The Deputy of St. Mary:**

It is those mainly involved in construction who take an opposing view. That is not for now. Okay. Right, that finishes my questions on that and on anything else. Do any other Members have anything else. Okay. Thank you, Minister and officers for your time.

**The Minister for Housing:**

Thank you.

**The Deputy of St. Mary:**

We look forward to see you again whenever.

[15:28]