



STATES OF JERSEY

Environment, Housing and Infrastructure Scrutiny Panel

Quarterly Hearing with the Minister for Housing

THURSDAY, 27th APRIL 2017

Panel:

Deputy D. Johnson of St. Mary (Chairman)

Deputy T.A. Vallois of St. John

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

Deputy M. Tadier of St. Brelade

Witnesses:

The Minister for Housing

Chief Officer, Community and Constitutional Affairs

Assistant Director, Social Policy, Strategic Housing Unit

Policy Officer, Strategic Housing Unit

[14:02]

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

Good afternoon, everyone. Welcome to this public hearing of the Environment, Housing and Infrastructure Scrutiny Panel. Welcome to the public and media as well. Welcome to the Minister

and officers and for the record can we go around the table introducing ourselves. I will start off. I am David Johnson, the Deputy of St. Mary, Chairman.

Deputy T.A. Vallois of St. John:

Tracey Vallois, Deputy of St. John, Vice Chairman

Deputy M. Tadier of St. Brelade:

I am Deputy Montfort Tadier, a member of the Panel.

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

Sadie Le Sueur-Rennard, the Constable of St. Saviour and a member of the Panel.

The Minister for Housing:

Deputy Anne Pryke, the Minister for Housing.

Chief Officer, Community and Constitutional Affairs:

Chief Officer.

Assistant Director, Social Policy, Strategic Housing Unit:

Assistant Director of Social Policy.

Policy Officer, Strategic Housing Unit:

Policy Officer for the Strategic Housing Unit.

The Deputy of St. Mary:

Thank you all. Thank you for coming. We will start off with a fairly general one from me, under the heading "Ministerial Realm". It is not a personal one, obviously there has been a change of roles since Andium was formed and I was wondering in relation to Andium itself there is a M.O.U. (Memorandum of Understanding) between the Minister for Treasury and Resources as shareholder and the company but with this reference to the role of the Minister for Housing. Can I ask generally what input does the Minister for Housing has in decisions and discussions which involve Andium?

The Minister for Housing:

Right, so as the Minister for Housing I have a small housing unit which has overall responsibility for the development of housing policy. So it includes supply, affordability and importantly standards across all housing sectors and with that aim, as you know, we published the housing strategy back in March last year with our aims looking into that and so I co-ordinate that with all the housing trusts of which Andium obviously is one the housing trusts.

The Deputy of St. Mary:

Thank you for that. On detailed discussion, do you get involved in that at all or is it purely a board decision?

The Minister for Housing:

The day-to-day running of Andium, obviously as they are company by themselves now, arm's length, is done by Andium but the reporting line is through Treasury and Resources. But where their policy goes forward about the supply, affordability, whatever, in the M.O.U. it is very clear that they have to consult the Minister for Housing. So that is one arm where I get involved but also I have regular meetings with Andium as I do with the other housing trusts. In fact, I have been out with Andium ... I was out with Andium this week, as I have been with the other housing trusts.

The Deputy of St. Mary:

All right. Yes, you mentioned the M.O.U. just now, the timely incorporation of Jersey Ports and Harbours, the Minister for Treasury and Resources conceded that M.O.U.s in respect of all States own companies should be reviewed. I think you yourself may have accepted that that might be appropriate in relation to Andium. Has a review yet been carried out or is in the course of being carried out?

The Minister for Housing:

I am not too sure if Treasury and Resources ... how far they have got with their review but I will have some ... when they do the review I will have some input in it. But also looking at part of the housing strategy how I work with the trusts - and I include Andium obviously as part of those trusts - how the relationship can work and also with social housing regulations.

The Deputy of St. Mary:

Going back to the M.O.U., the Minister for Treasury and Resources did say he would arrange for extra funds to help with the shareholder function.

The Minister for Housing:

He did, and that is in place.

The Deputy of St. Mary:

Yes, but on the revision of all M.O.U.s that is something you say I need to take up with the Minister for Treasury and Resources rather than yourself?

The Minister for Housing:

I think you would because that is ... I know I am passing the buck which I do not like always to do, I think that is something you have to take up with him because I have not asked that question, how far they have.

The Deputy of St. Mary:

There has been no discussion about that?

The Minister for Housing:

Not recently.

The Deputy of St. Mary:

Okay, thank you.

Deputy M. Tadier:

Do you accept the principle is right that the Memorandum of Understanding should be publicly available for transparency reasons?

The Minister for Housing:

I think most of it is. It was done through the transformation when it came to the States back in 2013. The M.O.U. was part of that proposition if I remember rightly.

The Deputy of St. Mary:

I am not sure that is right because on the incorporation of Ports and Harbours I do not think it was a matter of public record then so we will declare that to you.

The Minister for Housing:

I will have to look at that but I do not know if anybody can remember 2013? I would have thought it would have been as part of the appendix, if I remember rightly. But I stand to be corrected.

The Deputy of St. Mary:

Okay, just moving on then, on this area, what has come up in the States from time to time demonstrates that there is a tension between the need for additional housing on the one hand and planning and environment considerations on the other. Now, you have the additional role of Assistant Minister for Planning, do you see that as a conflict situation?

The Minister for Housing:

I was appointed Assistant Minister for Environment when the Minister for the Environment and his Assistant Minister at the time - and still is - was conflicted regarding a property ... an application

that came back to them after being seen by the inspector. So that was the reason why I got involved and I am still there if there is any issues regarding conflict of interest. But as for day-to-day or whatever I have no involvement other than perhaps I might appear at a Planning panel session supporting an application.

The Deputy of St. Mary:

So for clarification purposes then, your only role was to step in when the Minister himself or the other Assistant Minister is conflicted on that particular application?

The Minister for Housing:

Yes, and this particular one because both of them were conflicted and the inspector had made a recommendation.

The Deputy of St. Mary:

Okay, thanks.

The Minister for Housing:

Sorry, can I go on from that. With saying that, we have a good working relationship with the Minister for the Environment as I do with the Minister for Instructure and a good relationship across the board but especially with that we do talk to each other about housing supply and land, whatever. That is my role as the Minister for Housing.

The Deputy of St. Mary:

There have been questions in the Assembly which certain Members have not been happy with the decision taken because it seems to ignore the undertaking given by the Minister for Planning about this green and pleasant land and keeping spaces open. Again, you must generally argue with the Planning Department on that front?

The Minister for Housing:

Do I argue with them? No, I do not argue with the Minister for the Environment. We do discuss and he is a firm believer that the green zone is the green zone and national parks is important as I do but then also you have to weigh up both sides that we need housing and so it is areas like is there sites in States ownership that should be used for housing. How can we with the Future St. Helier, of which is one of the strategic plans of the Council of Ministers, how we can get better development within St. Helier. That is the important thing really. Also the States rezoned some sites back in the last Island Plan and is making sure that those sites are used, talking to the Minister for the Environment, and how those sites are used and making sure that they are used for the whole purpose of what they have been reserved for.

The Deputy of St. Mary:

Do the discussions often involve the Connétable of St. Helier, because he is often a promoter of the fact that not too many houses are being built at the expense of green zones?

The Minister for Housing:

He is part the Future St. Helier Group.

The Deputy of St. Mary:

So major decisions he will be involved in?

The Minister for Housing:

If he wishes to be, or he might sometimes find he is conflicted or whatever.

The Deputy of St. Mary:

I am about to say my final question in this area. Again, it the M.O.U., as you say, records that you will remain charged with the responsibility for housing policy. What interaction is there in that role with other departments? I am thinking primarily of Education and Health who I think the Health Scrutiny Panel at one time believed that the needs to provide housing for their employees should be paramount and is this something you keep a watching brief over.

The Minister for Housing:

Yes, because in the housing strategy one of the elements was key worker accommodation, because obviously we need key workers and they need to make sure that they are well accommodated because under the ... with my previous hat on, I know that Health and Social Services it is not their main priority because their main priority is looking after somebody's health but having good accommodation. So that is where we are going to work up a key accommodation policy. Yes, we have had discussions with Health about the key workers, how we can move forward with that and making sure that the accommodation that they are going into is good, decent and affordable.

The Deputy of St. Mary:

Is that an ongoing debate now or have ...

The Minister for Housing:

It is an ongoing debate because we have started that debate with the announcement that the Limes is going to be used for key worker accommodation is a good example of kind of joined up government.

The Deputy of St. Mary:

Well, I am pleased to hear that but have decisions been taken or a number of units allocated to Health ...

The Minister for Housing:

I cannot remember how many health properties that they needed but they did come with a business plan and whatever to work out how much accommodation they needed with Property Holdings so it is not just ... so it is joint government with Property Holdings, Health and Housing and how we can accommodate that.

Deputy M. Tadier:

Who is likely to deliver that? Will that be left to Andium to deliver or will it be done separately from the Andium stock?

The Minister for Housing:

At the moment the client is Health and Social Services, the deliverer at the moment is Property Holdings but we set the policy on how that property should be used. So I know Property Holdings have been in discussion with Andium over that site, of which we have been party to as well.

Deputy M. Tadier:

What are the policy implications then for your department?

The Minister for Housing:

Immediately you mean or long term?

Deputy M. Tadier:

Well, I mean what is your involvement, why can you not just let Health and Property Holdings deal with that?

The Minister for Housing:

Because we set the policy of what we see is key accommodation and it is important that it is not taken away from social housing stock because we know the need for social housing stock or affordable housing stock too because we know there is a need for affordable housing like the home buy scheme. So it is finding a way through that that can fit in within policy.

[14:15]

I think we have come up with a very good suggestion that the use of building and I give the Limes as a good example. Use of a building that is empty that does not need too much renovation for the Health staff because we know that to move on with the hospital and the use of Westaway Court as well as the Peter Crill House that we need to find good accommodation close to the hospital for the key workers. That long-term site, the Limes site, we have put in the strategic plan that that needs to be used for some sort of social housing, affordable housing.

The Deputy of St. John:

Can I just ask on the key worker accommodation, so your type of rental policy applies to key worker accommodation?

The Minister for Housing:

I will have to come back to you on that but I know there is a discrepancy on what is affordable and if it is 90 per cent rent or whatever there is going to be a gap and that gap is therefore what Health are looking at at present. So I am aware of that but I am not too sure what the figures are off the top of my head.

Deputy M. Tadier:

I suppose there is a question that there are not just key workers in Health, there are key people around the States, will you be looking to accommodate them in different departments? Will you be doing the same for key workers in Education and Home Affairs, at the prison, for example? Would you be involved with that?

The Minister for Housing:

Yes, I know I have had high level talks about key workers accommodation regarding Education but Education need to come forward and say: "Well, what do we need." Regarding the prison, I know there has been some discussion. I do not know if Tom with his other hat on can talk about prison accommodation, prison workers' accommodation, but they are accommodated at present behind the prison.

The Deputy of St. Mary:

Okay, moving on to a more general topic. Work programmes, to assist us in our work programmes, can you bring us up-to-date on your own for the current year or remainder of the year?

The Minister for Housing:

Let me think. We have got the letting agency review finishes ... the consultation period finishes tomorrow and so that will come back to you once we have sorted out the consultations and

whatever. Social housing regulation will be coming, it is the next big one in the next couple of months.

The Deputy of St. Mary:

Okay, nothing else we need to be aware of then?

The Minister for Housing:

I do not think so. Oh, the deposit loan scheme, that is right. The deposit loan scheme. That should be a new scheme coming forward ... I wanted to get it up and running by the end of last year but because we had difficulty finding a provider it has been delayed, but hopefully within the next couple of months ...

The Deputy of St. Mary:

So does that mean you have now found a provider?

The Minister for Housing:

Fingers crossed. A wing and prayer.

The Deputy of St. Mary:

Okay, so you say coming forward, is that in the form of a consultation document or ...

The Minister for Housing:

No, it needs to be ... no, it is a States proposition because when the last one came forward it said that any other future deposit loan would come back to the States.

The Deputy of St. Mary:

So you aim to bring it in in 2 months or bring it forward in 2 months?

The Minister for Housing:

I would like to think I can come to you with something.

The Deputy of St. Mary:

Okay.

The Minister for Housing:

I would not like to say we are ready to lodge in 2 months because I do not want to be proved wrong.

Deputy M. Tadier:

Will it largely be the same as the previous deposit scheme?

The Minister for Housing:

There will be a few tweaks but I hope so if the provider is amenable.

The Deputy of St. Mary:

Okay, we await that interest, thank you. Yes, you touched on the regulation for social housing.

We will steer clear of asking too detailed comments but are you able to give us a general flavour of the results of the consultation?

The Minister for Housing:

Yes, happy with the flavour that we are going. It was back in the States debates in 2013 with the transformation that there should be a social regulation regulator. The one proposed at that time the Scrutiny Panel at the time felt it was too onerous on the trusts so it was tasked to the Housing Committee at the time and the department was tasked at the time to go back and relook at it. So it has taken us quite a while because we have done a lot of consultation over this. In fact, Jack has done a lot of consultation, he has done a lot of good work with the housing trusts to try to get them to understand their needs as well as our needs. So we have something and we can give you a confidential briefing in the next couple of weeks or so.

The Deputy of St. Mary:

Yes, you kindly offered that. We have not had too much time to consider it ourselves so we will review it internally and then get back to you. Thank you for that. How near are you to concluding on an actual framework for that?

The Minister for Housing:

Very soon, hopefully if the feedback that we get with the final proposal is amenable - amenable but the trusts will still question it - then I think it is going to go to our social policy group, then it will go to Council of Ministers and then it will probably be lodged. So it could be in the next 2 or 3 months.

The Deputy of St. Mary:

Right, I think I saw reference to coming in towards the tail end of the year. It will be quite a bit earlier than that, will it?

The Minister for Housing:

I hope to be quite a bit earlier than that. That is something that we can discuss how you want to deal with it and then we can work around it and whatever. I am very open if you wish to scrutinise it.

The Deputy of St. Mary:

We will take advantage of your briefing, I am sure. Thank you.

Deputy M. Tadier:

Just one further question on that. There was talk in the past by your predecessors that there should maybe be a regulator for all housing. Is that something which you considered and when this is up and running would you consider applying that to the whole of the sector?

The Deputy of St. Mary:

It is something that we considered. I can say more about it in our confidential briefing.

Deputy M. Tadier:

Okay, and does it tie in to some extent with the minimum standards because presumably you will have to have a standard to work for the social housing providers.

The Minister for Housing:

Yes.

Deputy M. Tadier:

Does that currently exist, relating to best practice like the ... I forget the terminology exactly, but there is a decent home standard I think they apply in the U.K. (United Kingdom), do we have a decent home standard here?

The Minister for Housing:

Yes, we do. We have had it a long time. Yes.

Policy Officer, Strategic Housing Unit:

The decent home standard is being adopted voluntarily by Andium Homes at this stage. The decent home standard will be set out in the new minimum standards law which will be brought to this Panel, I believe, by the Minister for the Environment first.

Deputy M. Tadier:

So we do not have decent homes standard.

Policy Officer, Strategic Housing Unit:

Well, it is voluntary at the moment but the private sector we do not have a decent home standard and that is what the minimum standards law will set.

Deputy M. Tadier:

What about trusts at the moment, do they ...

Policy Officer, Strategic Housing Unit:

The trusts, they say that they adhere to the decent home standard and, again, regulation of all social housing providers is about making sure the trusts as well as Andium do meet the decent home standard. So that will be one of the standards we place upon the trusts as part of regulation. They seem quite happy with that. Because the decent homes standard is a set of minimum standards so they should be meeting that already.

The Deputy of St. John:

So if I wanted to go on to any one of the States websites that we have and look for decent homes standards in Jersey I would be able to get the document that tells me exactly what the decent homes standards are in Jersey?

The Minister for Housing:

Yes.

Policy Officer, Strategic Housing Unit:

I believe ... at the moment they use the U.K. ... well a comparison to the U.K. decent homes but when the draft legislation is brought forward that will set out what decent homes standard in Jersey is.

The Deputy of St. John:

So we are just basically copying and pasting from the U.K.?

Policy Officer, Strategic Housing Unit:

For the time being, yes. When the new law come forward there will be guidance around what the decent homes standard looks like in Jersey.

The Connétable of St. Saviour:

Until the new law comes in - have you any idea when it will come in? - everything is done on trust?

Policy Officer, Strategic Housing Unit:

There is old legislation, the public health legislation, which deals with conditions of properties, which environmental health will use, but at the moment, yes, in terms of social housing providers there is a commitment to meet the decent home standard with Andium and that is done and that has been agreed with their business plans, but otherwise it would be dealt with on trust, yes.

The Deputy of St. Mary:

So when you refer to the decent homes standards, are we talking about the rent safe scheme being introduced by Environment as well? Is that related?

Policy Officer, Strategic Housing Unit:

Rent safe, yes. Rent safe, again, is a voluntary accreditation scheme. It is one standard that the private landlords have to meet to achieve rent safe ...

The Deputy of St. Mary:

That is voluntary initially?

Policy Officer, Strategic Housing Unit:

Initially but that is in place before the law and there will be an expectation once the law is in place that all residential rental accommodation should meet minimum standards, i.e. the decent homes standard.

The Connétable of St. Saviour:

Do you know when the law will come through?

Policy Officer, Strategic Housing Unit:

I understand that it is currently imminent. It is with the law officers for human rights checks at the moment and it should be brought to this Panel. The Environmental Health and the Minister for the Environment will bring to this Panel first before lodging.

The Connétable of St. Saviour:

But is there a time? It is open-ended at the moment?

Policy Officer, Strategic Housing Unit:

Again, I hope it is imminent. I have seen drafts.

The Connétable of St. Saviour:

But you cannot give us a time?

Policy Officer, Strategic Housing Unit:

I cannot give you a timeframe.

The Deputy of St. Mary:

Is Environment bringing it forward?

The Minister for Housing:

Yes.

The Deputy of St. Mary:

Yes.

The Minister for Housing:

Yes, because it sits within Environment. Environmental Health sit in Environment.

The Deputy of St. Mary:

We have asked them for their work programmes as well so maybe it will come hot on the heels of this meeting.

Deputy M. Tadier:

Chairman, I know we are going to talk about minimum standards later but it seems that there is a segue in the sense that you mention there is going to be a decent homes standard for social housing which is the bar, if you like, the threshold and is that going to be the same as the minimum standards that can be applied in the private sector or are they 2 different measures?

Policy Officer, Strategic Housing Unit:

I think they are very similar. There will be things which Andium and the trusts are doing, investing in properties which maybe a private landlord will not choose to do, so in terms of adaptations, et cetera, so they are very closely related, yes. Certainly in terms of decent homes standards, private and social rental.

Deputy M. Tadier:

Also for non-qualified?

Policy Officer, Strategic Housing Unit:

Also for non-qualified.

Assistant Director, Social Policy, Strategic Housing Unit:

Andium propose to meet decent homes standards in 100 per cent of their stock by 2020. That is in their business plan, and is 4 years ahead of schedule and is a significant commitment.

The Minister for Housing:

With regard to standards, all the refurbishment that Andium have done I would encourage you to go out and do a site visit to see what they are refurbishing and how they are refurbishing and the standards that they are meeting because they are doing a very good job.

Deputy M. Tadier:

Without flooring. They look lovely but they get concrete floors, which is a shame because it could look really nice if they put decent flooring in as well. Perhaps you could pass that on to them.

The Minister for Housing:

Right, I think the tenants put whatever flooring that they like in it.

The Deputy of St. Mary:

You mentioned the letting agents review and that consultation is due to finish tomorrow.

The Minister for Housing:

Consultation has finished.

The Deputy of St. Mary:

Have you considered what responses have come in so far and where we are going with it?

The Minister for Housing:

Yes, there has been a good response. There has been about 180 people responding, so that is quite good, across the range from agents as well as members of the public. So I shall in the next couple of weeks or so be reviewing it and taking advice on where to take it forward.

The Deputy of St. Mary:

I do not want to pre-empt the review, but are there any sort of major concerns which come forward?

The Minister for Housing:

I will pass it on to Jack because I know he has looked at the details on the consultation reviews. I have not seen them, I am going to wait until they are all finished and all in. So I do not know if Jack has seen some things?

Policy Officer, Strategic Housing Unit:

Yes, certainly we looked at ... we started out by just looking at fees but then we got a whole range of issues around letting agents that you cannot consider one without the other so there is a whole range of issues around standards and practice. There is transparency of fees as well, that is one issue, not just the fees which are being charged. One of the major issues that seems to have come across in this consultant is the lack of redress for people who ... potential tenants and landlords who have complaints about letting agents or management agents, where can they take their complaints or disputes if they cannot settle it with the agents and I think that is one of the angles that we will be looking at, a redress scheme. Certainly a number of agents already are members of associations such as A.R.L.A. (the Association of Residential Letting Agents).

[14:30]

So there is already a voluntary redress for a number of agents but across the board it seems like one of the comments or themes coming across is that there should be redress mechanisms for all letting agents. So, again, that is one of the angles that we are looking at.

The Deputy of St. Mary:

You mentioned transparency as one of the sort of 6 items you specified. Is this a prelude to licensing of letting agents that you have to have some form of licence from Economic Development or whoever before you can enter that trade?

The Minister for Housing:

I think I would wait and reserve my judgment on that.

The Deputy of St. Mary:

Right, okay.

The Minister for Housing:

I think we need to look through everything in the round but if we can get away with less regulation as possible then ...

The Deputy of St. Mary:

Just building on what was said here, I mean if there are already letting agents who are members of a particular association there seems to be a foundation to build on that.

The Minister for Housing:

Yes, but whether we can do that by a different ... if it does come out with something needed in that area whether we can do it around a different way of saying if you want to set up a business you have to be part of a recognised group or whatever. A recognised association.

The Deputy of St. Mary:

Just regulations applying to letting agents, so you cannot get your licence to be a letting agent unless you have these in place, like lawyers, accountants or whatever.

The Minister for Housing:

Yes, but we might be able to do it around a different way. I mean, that is something that we would have to look at.

Deputy M. Tadier:

Can I just ask if there are any easy wins? Because something I have asked you about in the States on several occasions is that part 6 of the Residential Tenancy (Jersey) Law, Article 19 says that the landlord basically has to provide the tenant with an agreement, so the lease, but then somewhere else it says that the landlord can charge for that lease. It seems to be a contradiction on the one hand to say you have a right as a tenant and obviously a landlord to have an agreement and to provide a copy of that agreement, which you have to do under the law, but then say you can charge for it. Is that an issue which could be easily resolved? It seems that in some cases there are letting agencies which automatically charge for renewal of a contract when I suspect there is no real work to be done for it, it is just a case of printing another copy, getting it signed, and they might charge £100 or £200 for the privilege of doing that. Is that something which you have been made aware of?

Policy Officer, Strategic Housing Unit:

I think that the Residential Tenancy Law does include provision for the Minister to ban or set maximum levels for fees and the indication that we have had from the Law Officers is that we could seek to, for all tenancy fees at the beginning of a tenancy, at the start, and then at the end you can effectively seek to prohibit these for tenants through that mechanism. So, the R.T.L. (Residential Tenancy Law) would give us the powers to ban letting agencies for tenancies if the Minister was minded to go down that route. So, that gives us confidence that if that was what we wanted to do then there would be a route to do that quite quickly and effectively. So, that is as far as we are with considering it at the moment. It depends on the response, but I think that there is an issue generally regarding ... certainly the issue for the Minister to consider is that there is going to be a legitimate cost which letting agents are going to face. Now, arguably do some of those fees that are being charged to tenants, do they actually reflect legitimate business costs? From the results that I have seen so far, there is a wide range of fees which are being charged. One

letting agent, for example, may charge a tenant £800 to leave a tenancy early, whereas another might charge no more than £100. It seems quite strange that there is this gap, this large variation between fees, and I think that that is something that the Minister in response ... that there be recommendations around that going forward, how we deal with it.

The Minister for Housing:

It has been a good piece of work. A lot of things have been highlighted, as Jack has said. It is how we are going to take the next step forward, the next bit.

Deputy M. Tadier:

How many responses have there been and roughly from whom?

The Minister for Housing:

About 180, and from agents and members of the public. I know when we went to the Landlords Association they were very vocal.

Deputy M. Tadier:

I am sure he did have a lot to say.

The Minister for Housing:

He did.

The Deputy of St. Mary:

Just to wind this area up then, the recurring question. The consultation is about to finish. What is the timeline from now on then?

The Minister for Housing:

I think the timeline from now, Jack has some work to do - he is always busy - and hopefully bring a response to the consultation by the end of May.

The Deputy of St. Mary:

Okay.

The Minister for Housing:

Then we will decide how and where and what we are going to take forward.

The Deputy of St. Mary:

Obviously, scrutiny will have the opportunity to look at that?

The Minister for Housing:

Yes.

The Deputy of St. Mary:

Good, thank you for that. Right, we are on to a different topic, affordable homes.

The Connétable of St. Saviour:

Yes. With the current requirements in new builds, how many of them are for social housing? Do you say: "Well, you can build X amount but X amount also have to be for social and affordable"?

The Minister for Housing:

Yes, that is done through the Island Plan policy and that was put down through the Island Plan. A lot of sites now are 80/20, so that 80/20 split, as it was with Samarès, which they are just about to start building. They are all affordable, but some are for sale and some are social housing so that there can be that split. Each site is slightly different.

The Connétable of St. Saviour:

If new people have applied and they are building a large ... or they are altering their farm or doing bits and pieces, are they then asked to provide social housing or first time buyers, you know, affordable?

The Minister for Housing:

Not ...

The Connétable of St. Saviour:

Or can they just have a large complex but they do not have to accommodate ...?

The Minister for Housing:

As I understand through the planning process, they do not because that is the issue that we need to bring back with the ... when we do the ... the States did not throughout the H3 policy in the Island Plan.

The Connétable of St. Saviour:

So there is nothing at the moment to say to people: "You can build 50 houses but you cannot ..."?

The Minister for Housing:

No, and this is per site. I think, if I remember rightly, it is per site.

The Deputy of St. John:

The Island Plan identified that there was a need for a further 1,000 homes by 2020. How are we going with that at this precise moment in time?

The Minister for Housing:

Yes, we are hopefully on track to provide that. I know we have provided a list of different sites and things to you.

The Deputy of St. Mary:

Yes, we have that.

The Deputy of St. John:

That is the housing supply table that you provided us, is it?

The Minister for Housing:

Yes.

The Deputy of St. John:

2015 to 2020?

The Minister for Housing:

Yes.

The Deputy of St. John:

Because the numbers on there show that only in the last 2 years that there has been 215 built but there is due to be a loss of 84. It works out at approximately 131 homes over 2 years. Is it realistic that we can get another 1,000, an actual 1,000 homes, by 2020?

The Minister for Housing:

Yes.

The Deputy of St. John:

Why?

The Minister for Housing:

Because I think, like everything else, it takes a long time to actual delivery because you have these ... by the end of 2018, 2019 and 2020 that is where you will get the most delivery of the

homes because it takes such a long time to secure the site from whoever, draw up the plans and then go through the planning process. As you know, the planning process now with third party appeals, that can take you off track for another 6 or 9 months.

The Deputy of St. John:

What consideration have you given to exceeding that by quite a limit due to population policies or the increase in the population?

The Minister for Housing:

If we can exceed that then that is a good thing, obviously, because we do need the homes. But we are on track to meet and I met with the trusts and with Andium. They feel they are very much on track for meeting that.

Deputy M. Tadier:

With respect, you do not really know whether they are on track. I mean, they have been so heavily loaded towards 2020 on this table that 776 out of the 1,100-odd homes are going to be built in 2020 or come online in 2020, and that is not accounting for any delays that take place. So, how do you know that you are on track?

The Minister for Housing:

Well, shall I talk you through some of the sites? Okay, the Andium report, Langtry Gardens, that is starting now. The De Quetteville was a refurbishment. The St. Clement one has been done. Langtry Gardens has been done. The Le Coin, I cannot think which site that is. It has gone straight out of my head. The phase 3 of Le Squez is just about to start. Or was it phase 4?

Policy Officer, Strategic Housing Unit:

It is phase 4.

The Minister for Housing:

Phase 3 Le Squez is done, and Ernest Briard, as you know, being your one in your parish, has been done. The big ones that are coming up are the Le Squez phase 4 and hopefully those plans are being approved tomorrow. Thursday, yes, tomorrow, and that is in the region of 140 or 160. I cannot see the sites.

Policy Officer, Strategic Housing Unit:

It is 151.

The Minister for Housing:

151. The other one is obviously the low rise at La Collette. That is another big one but, as you may be aware - that is 147 - that has been subject to States propositions, third party hearings, but they have decanted ... that is an awful word to use. They have relocated most of their tenants from the low rise, which is quite right because the whole site there was in terrible condition. Samarès Nurseries, the scope one is out of third party appeal. That has been approved, so they should be beginning on site hopefully fairly soon. Summerland, those plans are back into planning for reserved matters and so they hope to start demolition of Summerland in the summer. So, they will be starting there. The Troy Court - that is a rebuild one - is the first building of the Troy Court. They have removed all the tenants and I think they should be starting fairly soon. Have I missed any of the big ones?

Policy Officer, Strategic Housing Unit:

Ann Court.

The Minister for Housing:

Oh, Ann Court. Fancy missing Ann Court. At Ann Court that is another 160. Ann Court, they have been out to consultation with the various residents and they had an open day last week regarding anybody that was interested to raise any questions with a view of putting the plans in in the next couple of weeks.

The Connétable of St. Saviour:

Is Ann Court going to have the Age Concern section there as well?

The Minister for Housing:

No, that is Windsor Court, the one opposite the refurbishing block that they are doing now, and Andium are making some extra care facilities with that block as well.

Deputy M. Tadier:

Do you take into account Deputy Vallois' point that even if you are building and you meet this target of 1,100 households, as part of the Council of Ministers and under the new dawn of collective responsibility you are signed up to their population policy, which is not even meeting its targets, it is surpassing them? We have had about 1,500 people coming in for net immigration a year and that population increase, so out of those 1,100 homes we simply cannot build the homes quickly enough. If we see that kind of population growth over a 5 or 6-year period, we are looking at 7,500 to 10,000 more people in the Island and we have perhaps 1,100 more homes. Is that not a housing crisis?

The Minister for Housing:

No, I think it is not a housing crisis because we know we can build these here. What I have not also talked about is other sites in town like Comprop and the warehouse site, too, that have been passed as well as Castle Quay that is going to be starting in the next 6 months or so. But saying that, I am not complacent either and that is something that we are working through with the Population Office to understand what it means going forward 5, 10, 15 years hence.

Deputy M. Tadier:

But do you ever raise those concerns at Council of Ministers' meetings saying: "Look, my job is difficult enough already to meet the supply that already exists without you surpassing this population threshold"? Do you raise that with the Council of Ministers?

[14:45]

The Minister for Housing:

Yes, I do, and sitting with another hat, sitting on H.A.W.A.G. (Housing and Work Advisory Group), I can tell you that we do refuse I would have thought 90-odd per cent if not higher licences, businesses that come and sit in front of us who are asking for extra licences. We do refuse that and we know that our policy of refusing licences and looking at big businesses who have a lot of licensed staff ... of looking, going through each one and reducing the numbers, that work is being done and that work has been successful so far.

Deputy M. Tadier:

But why is the population increasing so much?

The Minister for Housing:

We are an Island that needs ... we know that, but the amount of businesses that come and sit in front of us asking for extra staff is amazing, each couple of weeks, and we are saying no. We are looking at that.

The Connétable of St. Saviour:

Well, somebody is succeeding.

The Minister for Housing:

We have taken away ... I cannot remember the exact figure of licences that we have taken away. We can get you that figure. But we have taken away a lot of licences from companies, but you cannot just turn the tap off just like that.

The Deputy of St. John:

What conversations are you having with the private market in terms of their ability to deliver more quickly and more efficiently to assist in terms of supply and demand?

The Minister for Housing:

That is a very good question. Not much, unfortunately.

The Deputy of St. John:

Do you know whether there is any particular barriers that they find stopping them and do you think this change by the Minister for Planning for building limit from 5 to 3 years will help?

The Minister for Housing:

Well, I certainly hope so because I know some private developers, because they have a timeline, just sit on it. As we know, they need to build, so we discussed that at Future St. Helier I think it was about reducing that timeline from 5 to 3 and fully supportive of it.

Deputy M. Tadier:

Have you looked at schemes about unlocking the potential that already exists with built housing? So, I think we have all known through constituency work that we have slightly older residents who wish to downsize and that they are sitting perhaps on a 2 or 4-bedroom property. They would like to move into perhaps a one or 2-bedroom but the 2-bedroom is more expensive than the 4-bedroom house they have. What schemes and what work could be done around that to incentivise that kind of move to free up homes for perhaps younger families which might be more affordable?

The Minister for Housing:

I think it is both sectors. It is trying to find schemes within social housing providers for families who have moved into a 3 or 4-bedroomed house because their family were growing up and now the family have left home and finding incentives to get that family moved to one-bedroomed or 2-bedroomed. I know Andium are now looking at leases, looking at how they can encourage people to downsize.

Deputy M. Tadier:

I think we are talking specifically about for purchase, though, so people who own their own home and who might want to downsize.

The Minister for Housing:

Right, as you say, but that is one area because we need to make sure that those with bigger families with social housing ... but in the private sector if you wish to downsize you have to have somewhere to downsize to.

Deputy M. Tadier:

Well, yes, and ...

The Minister for Housing:

It goes back to the basic stuff of supply.

Deputy M. Tadier:

So should we be looking to build affordable housing for people who perhaps can ... who already have homes to be able to buy affordable over-55s or over-65s housing to free up supply further down the chain?

The Minister for Housing:

Yes, exactly, and that is what part of Langtry Gardens achieved, but we do need more of that, undoubtedly.

The Deputy of St. Mary:

Just building on what Monty said, the house price index for the quarter of 2016 did highlight the fact that it is the 4-bedroomed houses which appear to have gone up considerably over the last year or so. I presume that is due to a shortage of those, so that is where the incentive needs to be to somehow persuade or incentivise them to move out. There needs to be good quality housing ...

The Minister for Housing:

At a good price.

The Deputy of St. Mary:

Yes, that is right. Again, are there ways you can think of incentivising that?

The Minister for Housing:

The private sector I think is very ... personally I think it is very difficult, I do not know, but it is areas that we should be looking at, but you have to make sure that if you want to release a property back on to the open market and you want to downsize into a 2-bedroomed, you want to release some of your equity as well to be able to use as you are getting older. So you need to have the right size property and at the right price so it will encourage people to downsize. So it is back to supply. I know I am a bit like a broken record. It is supply, supply, supply.

The Deputy of St. Mary:

Okay. Going back to Andium, can you remind me how much of the original £250 million bond is left for utilisation?

The Minister for Housing:

Yes, I have that figure if you give me a moment, unless someone else can find it for me. £86 million has been spent.

Deputy M. Tadier:

How much has been earmarked for spending?

The Minister for Housing:

The bond was for £250 million.

Deputy M. Tadier:

But how much of that has been accounted for? How much will be spent? How much of that can be used?

The Minister for Housing:

I do not have that figure but I can get you that figure, but also aware that some of the trusts can access the bond as well, which is a good move.

The Deputy of St. Mary:

I think in a previous public hearing we discussed future financing and Andium were quite rightly saying they kept all their options open. That will presumably include further funding along the lines of the present bond. Now, do you have concerns that the recent hospital funding mechanism might deprive Andium of further finance by the same method?

The Minister for Housing:

No.

The Deputy of St. Mary:

So you are saying whatever happens for the future hospital that will not impact on Andium in any way in terms of ...?

The Minister for Housing:

Well, the bond is secure, the £250 million.

The Deputy of St. Mary:

This bond I mean to add further funding.

The Minister for Housing:

Yes, further bonds, but I think they will be able to recycle some of that £250 million because I cannot remember how many years it was, 40 years, so it is all earmarked for that.

Policy Officer, Strategic Housing Unit:

Then also they have the ability to go out the private market for financing and they are in discussion with banks, et cetera, all the time, but the bond has to be used first before they even look at private options. Certainly, the trusts, they go out to private financing and, again, as the Minister says, we are looking at options to open up the bond to the trusts for developments which they are considering taking on so that ensures a level playing field across all providers.

The Deputy of St. Mary:

Right, so they would fund using their own resources rather than using the muscle of the States per se, which they did before?

Policy Officer, Strategic Housing Unit:

Yes.

The Deputy of St. Mary:

Okay.

The Minister for Housing:

But they have to use the bond first.

The Deputy of St. Mary:

Yes, okay, thank you.

Deputy M. Tadier:

Can I just ask a further question if we have moved away from Andium, just generally on social housing? Because obviously there is finite space as well as options, I suppose, have you given any consideration to using private landlords as social providers? So, under a type of scheme where they could sign up to the same kind of regulation and they would obviously be guaranteed perhaps tenants on a long-term basis but in return for abiding by a 90 per cent rate, for example, and other conditions? Is that something which you have or might investigate?

The Minister for Housing:

Yes, it is something that we have had high-level discussions about and I am keen to look at that further, perhaps later on in the year. But I think we need to make sure they have the social housing regulations in place first of all and also the minimum standards. I know that it is slightly different but I think all that needs to be in place and also, if I remember rightly, it is a States decision. I think it is the Social Security Law but it has to come to the States for approval. So it is important that all these social regulations are put in place first.

Policy Officer, Strategic Housing Unit:

Shall I just add a bit on to that?

The Minister for Housing:

Yes.

Policy Officer, Strategic Housing Unit:

It is a discussion we have had with Social Security in terms of ... because social housing is a lot more than just a home. It is also about security of tenure. It is about various things and consultation and communication with the tenants and having a repair service which is responsive. So, private landlords are not necessarily going to be able to offer that type of service, but there is potential to use, say, the Rent Safe scheme. If a landlord is accredited and we know that it meets certain standards, then to say: "Right, you can have access to tenants on Gateway." Again, you want all tenants to have a consistent level of service across all providers, so while it sounds good in principle and we are looking at it, again you would want to think about how long could a tenant live in the property. Some landlords might only want a 3-year tenancy, whereas they would have a continuous rolling tenancy with some of the social housing providers. There are all those types of issues but in principle to reduce waiting lists it does sound like a good idea and certainly we are looking at it.

The Deputy of St. John:

P.33/2013 adopted the 90 per cent rent policy. Do we know how many tenants are currently at 90 per cent rent?

The Minister for Housing:

I had an update the other day. With Andium - and they are the ones that have, what, 1,500 households - the rate there is 27 per cent.

The Deputy of St. John:

Twenty-seven per cent of their residents are paying 90 per cent? Was their target not 74 per cent by now?

The Minister for Housing:

Was the target, sorry?

The Deputy of St. John:

The target for the number of tenancies.

Policy Officer, Strategic Housing Unit:

I am not sure. That might have been the percentage of market rates that tenants generally were paying. There is a figure in their business plan. That is not to be confused with the number actually paying. That is the percentage paying the 90 per cent of market as a ... yes, it is a bit confusing but that is not the actual number. It is 27 per cent as the last check that we had.

The Deputy of St. John:

So it is 27 per cent of the 4,500 roughly tenants?

The Minister for Housing:

Yes.

The Deputy of St. John:

So what is roughly ... do you know roughly the average rent they are paying then at the moment?

The Minister for Housing:

Yes, I can tell you here. I have the figures. Which one ... sorry. Oh, that is the housing component. Sorry, that is the housing component. No, I do not have the figures. We can get you the figures.

The Deputy of St. John:

We would appreciate that. If we could get a rough idea of what the remainder are paying in terms of market rent that would be great.

The Minister for Housing:

Yes. But as their homes are being brought up to decent home standard, obviously the rent goes up accordingly.

The Deputy of St. John:

That is the way I read the business plan, you see. The business plan stated there was a target of 74 per cent, I think, and they have exceeded that, but clearly there is some miscommunication.

Policy Officer, Strategic Housing Unit:

Yes, no, I get confused with that figure as well. I nearly put ...

The Deputy of St. John:

Maybe you want to tell Andium to clear it up.

Policy Officer, Strategic Housing Unit:

I will, yes. [Laughter]

The Connétable of St. Saviour:

So everybody that you reallocate because you are going to refurbish their premises, when they are put back in their premises their rent has gone up? That still stands?

The Minister for Housing:

Yes, if their places have been refurbished, yes.

The Connétable of St. Saviour:

Yes.

The Deputy of St. John:

There was a ministerial response to the Health scrutiny report on the living on low income with regards to undertaking a full review on the actual rental policy, the 90 per cent rental policy. Are you able to confirm when this review would be completed?

The Minister for Housing:

No.

The Deputy of St. John:

Has it been started?

The Minister for Housing:

I do not think ... no, we are only a small unit, but it is on the agenda. But then I think when you hear that only 27 per cent are on 90 per cent ...

The Deputy of St. John:

I am not going to rely on the 27 per cent at the moment until we clear it up.

The Minister for Housing:

Yes, whatever, but that is the figure that we have from Andium. We need to think do we need ... ask the question: do we need a little bit more time to get more people on the 90 per cent so you get a better result from your view on that.

Deputy M. Tadier:

But how many people does that represent, 27 per cent out of ...?

The Minister for Housing:

Well, it is 27 per cent of ... presumably of 4,500 households.

Policy Officer, Strategic Housing Unit:

You are asking of the 27 per cent of households how many people live in each of those households?

Deputy M. Tadier:

No, sorry, I am just saying how many does the 27 per cent represent? Is it about 1,000?

The Minister for Housing:

A quarter approximately.

Deputy M. Tadier:

It is?

The Minister for Housing:

Yes, if I have done my maths correctly.

Deputy M. Tadier:

Is that across the piece, not just Andium, it is also the ...?

The Minister for Housing:

That is Andium.

Deputy M. Tadier:

Okay, but the 90 per cent rent applies to the trusts as well, does it not?

The Minister for Housing:

Yes, and the Andium ... yes, it does. Not all the trusts, even though their homes, some of them, are at decent standard, do charge 90 per cent.

The Deputy of St. John:

That was one of the successful landlords.

[15:00]

Deputy M. Tadier:

Just to clarify, though, it is not just if the homes meet a decent standard, it is any new tenant will be charged the 90 per cent of what the property is worth in the market? So it does not have to be renovated and if you move to an unrenovated property which is below the decent homes standards you still pay the 90 per cent? That is how I understand it.

Policy Officer, Strategic Housing Unit:

Yes, it is when a new tenancy is created.

The Minister for Housing:

Yes.

The Deputy of St. John:

Can I ask then in terms of ... are you able to state whether you have had any evidence with regards to problems with downsizing within social housing due to the rental policy at all?

The Minister for Housing:

Have I had any problems?

The Deputy of St. John:

Are you aware of any evidence that suggests there are problems with downsizing due to the rental policy?

The Minister for Housing:

Not personally, only the ones that perhaps you have brought ... Deputy Tadier has brought or Deputy Southern has brought to me, but not really, no.

Deputy M. Tadier:

Do you think there is ...

The Minister for Housing:

I do not know whether you have ... you tend to get more of the complaints than I do. It is not high anyhow, but it is just the odd one.

The Deputy of St. John:

Just based on the quarter of tenancies that are being charged 90 per cent rents. I mean, I am assuming that there is a right to refuse to downsize. If they can still meet the rent, then they do not have to downsize, do they?

The Minister for Housing:

No.

Deputy M. Tadier:

Do you accept that that may well be a reason why people are reluctant to downsize? You have people over-occupying potentially and conversely there will be people who are under-occupying ... sorry, who need a bigger property who cannot have it. Is this perhaps an argument to say that Andium should say to these people: "Look, if you move now then we will keep you on the same percentage of rent so that you are not paying more rent for a smaller property" just to free up ...?

The Minister for Housing:

Yes, and I think that Andium are looking at that within their tenancies.

Deputy M. Tadier:

Okay. Albeit for maybe a limited period of time just to ...

The Minister for Housing:

Yes, you could give them that same rate for a year. There are a few little incentives that could be used.

Deputy M. Tadier:

Are we likely to see that? Is that something ...?

The Minister for Housing:

I am sure if you ask Andium I am sure they were happy. I can ask Andium if you want me to.

The Deputy of St. Mary:

Could you do that, please?

The Minister for Housing:

Yes.

The Deputy of St. Mary:

Thank you.

The Minister for Housing:

But also you have to bear in mind that those who move to a refurbished property, they will be paying less in heating bills, especially in heating bills, because ...

Deputy M. Tadier:

Yes, but obviously the larger property could then be freed up to charge 90 per cent to a new person who moves in, so I am sure they will do the maths.

The Minister for Housing:

Yes.

The Deputy of St. Mary:

Right, we have done the minimum standards. Housing qualification?

Deputy M. Tadier:

Yes. So the next section is to do with housing qualifications and I seem to recall at one point you were considering either consulting on or just changing the qualification so that we would abolish non-quals and just have one system for rentals. Can you explain why ... whether that is still your aim or why you have moved away from that?

The Minister for Housing:

It is something that we have looked into. As we go through the housing strategy, that will be one thing to do, but at the moment, at this present moment in time, I am not minded to. I think at the moment there are perhaps more important things to look at like social regulation.

Deputy M. Tadier:

Without being ...

The Minister for Housing:

Not ruling it in.

Deputy M. Tadier:

But you know that I am frank anyway, but is that a political consideration? Is it a political hot potato?

The Minister for Housing:

No.

Deputy M. Tadier:

Have you looked at what the consequences might be either side of abolishing the housing qualifications for rentals?

The Minister for Housing:

No, as I say, we have not done much work on that yet.

Deputy M. Tadier:

Okay. Would you be supportive of that?

The Minister for Housing:

Oh, want to put words in my mouth?

Deputy M. Tadier:

I know we have spoken about it before and ... well, let me ask it a different way. What does having 2 types of qualifications achieve in real terms and who does it benefit and is there a harm?

The Minister for Housing:

It allows the market, those who are licensed or entitled, to go ... they have to go into a specialised ... into one area rather than another area, yes. So I understand the concept but I have not looked particularly in-depth at all. I do not want to put my words on record, as I say, because I am sure you will find them in time to come.

The Deputy of St. Mary:

Sorry, just following on Monty's point, is there any enthusiasm for following that up, looking into it, or is it not on the agenda at all?

The Minister for Housing:

It is in the housing strategy so that is something that we will do.

The Deputy of St. Mary:

Within the course of this Parliament?

The Minister for Housing:

It depends on how we get on with social housing regulation because I see that as far more important.

Deputy M. Tadier:

Thank you. Can I ask similarly about the 5-year and 10-year ... or, sorry, the 10-year rule to purchase? Have you given any consideration to either ... to reducing that, bringing it in line with the 5 year for work and, if so, what would the consequences of that be?

The Minister for Housing:

No.

Deputy M. Tadier:

No. Is it of any interest to you?

The Minister for Housing:

Not at the moment, no.

Deputy M. Tadier:

All right.

The Deputy of St. John:

What work have you done or your department done in terms of looking at the effect of moving ... when we moved from 20 years down to 10 years? Has there been any analysis done of that?

The Minister for Housing:

I am sure there was some done at the ... well, there was some done at the time because when it came to the States quite a few years ago I think ... I cannot remember the last time it came to the States, but you mean as a follow-on or kind of 10, 15 years later you mean?

The Deputy of St. John:

Well, I am just assuming that if you were to consider moving from a 10 down to a 5 you would look at that data to see what kind of impact that had in order to inform any decision that may be made whether to take it down to 5 or keep it at 10.

The Minister for Housing:

When we do that obviously that is something that we will look at, and when it went from 20 to 15 to 10, so at least we have a period of time to ... a period of data.

The Deputy of St. Mary:

That data is available I think you said?

The Minister for Housing:

Well, that is another question. I do not know.

The Deputy of St. Mary:

Okay.

Deputy M. Tadier:

Can I just ask another question? Do you support and want to encourage home ownership in Jersey?

The Minister for Housing:

Yes.

Deputy M. Tadier:

Does it concern you then that there are people out there who have been here less than 10 years but who are qualified to work who might have sufficient money to buy their own home but are having to pay dead money in rent to a landlord when they could just own their own home and perhaps free that home up for rental for somebody else who perhaps cannot buy?

The Minister for Housing:

Yes, and I can tell you the feedback ... I do not know whether you have picked up that Andium had an open presentation on Friday and Saturday on their home-buy scheme. They were there Friday and Saturday at the main hall at St. Paul's. Also it was a bit like a one-stop-shop. They had lawyers there and bankers and they were inundated with couples, single people and families interested in the home-buy scheme, so much so when I went to have a look there was a queue halfway down the stairs of people interested. I think over the last 2 days there were 600 people who came.

The Deputy of St. Mary:

Which bears out Monty's point.

The Minister for Housing:

Exactly.

The Deputy of St. Mary:

There are people out there who want to stay but might have to think otherwise.

The Minister for Housing:

Exactly, and I think one of the main points that came out with it - obviously the banks were pleased because they were part of that day - is that those young families could afford the mortgage. The home-buy scheme, I think the 3-bedroom is 375, in that region. So, obviously there is a need. There is a big need.

The Deputy of St. Mary:

Yes.

The Deputy of St. John:

With the significant demand that you are seeing in terms of people wanting to purchase, is the green zone policy sustainable?

The Minister for Housing:

That is a big question, but I think first of all we need to look as the States of Jersey at what property we can release within our own portfolio to help these families.

The Deputy of St. John:

But what work do you do with, say, the Constables or the Comité des Connétables? Because there is also pressure, I know for a fact there is pressure, in certain parishes where there are families that are wanting to stay in a particular parish and have asked about first-time buyers. So are you working with the Constables or is it someone else?

The Minister for Housing:

I have worked with a couple of Constables. There is one Constable at St. Peter that wants to bring a site forward ... well, is bringing a site forward, and that is going to be part of the home-buy scheme in St. Peter. The Constable of St. Martin brought forward a scheme and that was refused at planning panel. So, sometimes it feels like 2 steps forward and one back.

The Deputy of St. John:

This is why I asked about the green zone policy because there is demand in parishes, as you will see.

The Minister for Housing:

As I know in Trinity, you know, we were ...

The Deputy of St. John:

So is it really a plausible policy to move forward with?

The Minister for Housing:

I think if the parishes and the Constables themselves can come forward with a scheme which has been part of the parish life, part of the community, then I think any sites that have to be rezoned has to go through the States or part of the Island Plan, and then we need to give consideration to that. But also we as the States of Jersey need to look at our own portfolio and see what properties, what sites, we can and we should release.

The Deputy of St. Mary:

Just again feeding off Tracey's comment, obviously, yes, if Jersey Property Holdings has excess property in its portfolio, yes, it is obviously good to release it, but I think the other point, of course, is that the present policy could be accused of bringing an absence of thriving to the parishes in the sense that they are becoming fairly dormant areas. The young cannot afford to live there, et cetera. Should there be an incentive from on high rather than just in the parishes to compel them to look at that situation?

The Minister for Housing:

You are talking to the converted. In 2008 when I was Assistant Minister for Planning, I brought forward 8 sites specifically. All of them were within the parishes, obviously within the parishes, but all outside town for first-time buyers or for over-55s. Those 8 sites went through with some difficulty, but I am pleased to say that they have all ... the last site was completed I think about 9 months or a year ago. So they have delivered for first-time buyers and over-55s and they were good, but we need to do more.

The Deputy of St. Mary:

Okay, and the message is there with the Constables to try and ...?

The Minister for Housing:

Well, I think it has to come from the Constables because we know that it is very controversial. People do not want to build in the backyard and we do not want to build on green zones, but there could be sites around the parish to build up the parish because otherwise you are quite right. I give an example of Trinity. Everything in Trinity is green zone, but this site has rejuvenated the parish, the parish life. It has kept the school busy and growing, which is good, but also you have

another younger generation who help with Battle of Flowers, help with parish life, and are very much part of the community and that must be a good thing.

The Deputy of St. Mary:

We do not disagree, yes.

The Minister for Housing:

Yes, I am very proud.

Deputy M. Tadier:

Can I ask about something else which is controversial? If we are aspiring to encourage home ownership, then obviously supply is one thing but supply is no good if one or a few people own all of the supply. So have you thought about what arguments there are in favour of limiting how many properties any one person can own and the link that would have with freeing up homes for home ownership?

The Minister for Housing:

That is a very thoughtful question.

Deputy M. Tadier:

It is one I have put several times.

The Minister for Housing:

There will always be people who will buy property as an investment and that is part of business and that is part of ... which is quite a good thing because it allows people who will never be able to afford to buy to be renting.

Deputy M. Tadier:

That is fine if we consider houses just as an asset, but they are, of course, more than that. There is a presumption that Government has to provide sufficient and affordable housing for people and it is something that can be rationed during a crisis. We clearly have quite a critical situation with housing affordability and availability in a small Island. Is it time that we talk about radical policies and that if somebody wants to own 10 properties that is fine, but the tax might go up exponentially when it comes to their third or fourth property?

The Minister for Housing:

That is very radical. I have to give some thought on that one.

Assistant Director, Social Policy, Strategic Housing Unit:

On a point of ... clearly, the answer is not just building houses. We have to look at efficient use of the housing stock and that means looking at those houses which are vacant and, as you have already pointed out, the issue about under-occupancy. We are doing some work at the moment looking at those numbers and what we have in relation to vacancy as opposed to under-occupancy. It does not appear to be a huge issue in Jersey, so there are not a lot of properties that are vacant at any one time.

[15:15]

Under-occupancy, on the other hand, in the owner-occupied, that is a significant issue as you point out and that really possibly is an area worth investigating.

The Minister for Housing:

Spending more time looking at that.

The Deputy of St. Mary:

Yes, on the under-occupancy with the previous panel we brought this up in our review and I think a very large proportion of properties are unoccupied at any one time. I appreciate that those were between tenancies or what have you, but again it goes back to this word incentivisation that can be done to persuade them to relet, whether it is by putting some sort of penalty on them if they are not let ...

Assistant Director, Social Policy, Strategic Housing Unit:

Carrot and stick, perhaps.

The Deputy of St. Mary:

Is that being further developed?

Assistant Director, Social Policy, Strategic Housing Unit:

We are looking at some of those issues at this moment, yes.

Deputy M. Tadier:

It always comes back to the point that everyone in Jersey is living somewhere, whether they own the property or not, whether ... and I am sure there are instances where some are crammed into small properties, but by and large people live where people live. They either pay rent or they pay a mortgage or they own outright, so I guess it is a case of working out what the right balance is across those sectors.

The Deputy of St. Mary:

Sorry, just picking up on your point, going back to incentivisation, are we talking about ... obviously you have not come to any conclusions presumably, but are you thinking more in terms of a tax or would it be in the way of increase in rates? Because I do not think rates is the answer, personally.

The Minister for Housing:

No, we could not do rates. We looked at doing ... is this the vacant properties?

The Deputy of St. Mary:

Vacant properties, yes, some ...

The Minister for Housing:

Yes, we had discussions with the Comité des Connétables, as you know, and they were not keen, and understandably, that we would have to change the Rates Law to be able to put a question to see whether a place was unoccupied and the reason why.

The Deputy of St. Mary:

But it could be done by direct taxation, could it not, rather than just rates?

Deputy M. Tadier:

It could be done by deemed rent, presumably.

The Deputy of St. Mary:

Or charged a notional tax, a tax on notional amount.

The Minister for Housing:

I do not know. I would not like to say one way or the other, I am afraid. I do not know.

The Deputy of St. Mary:

It is still being pursued, even though the Connétables have put a resistance up to the rates situation.

Assistant Director, Social Policy, Strategic Housing Unit:

What we are looking at is speaking to other departments about how we incentivise people to downsize. We have lots of policies to assist first-time buyers, this issue is about last-time buyers about how we will assist people to live in right sized accommodation, so ...

Deputy M. Tadier:

Are we talking about a bedroom tax?

The Deputy of St. John:

We have got a bedroom tax, it is in social security.

Deputy M. Tadier:

It is difficult to know what the options are if you are wanting to incentivise people to downsize, you either do it with a carrot or a stick, so presumably the stick is bedroom tax or a variation thereof and I am not sure what the carrot is.

The Minister for Housing:

I think it is finding the right ... understanding what there is, how much under-occupancy there is in the private sector.

Deputy M. Tadier:

But it is not the easiest starting point to look at vacant properties. Our report previously identified that even if you tapped into ... put some of those vacant properties back on the market that would have a significant impact on ...

The Deputy of St. Mary:

Yes, there are so many of them, yes, yes.

The Minister for Housing:

Yes, I think we are talking about 2 different things here. The vacant properties, we have looked at with the Electricity Company to see that those who are not paying or using very little electricity but that will only give you a certain amount of information and it will not tell you ...

Deputy M. Tadier:

But you know who is the ratepayer, you know whether that property is occupied or not; after a year then it will be subject to rates.

Assistant Director, Social Policy, Strategic Housing Unit:

The issue I was trying to make was that the vacant properties is not a large prize, as opposed to under-occupancy which is a large prize in terms of numbers of stock. In terms of maximum gain and efficient use of stock it is not. Incentivising downsizing appropriate occupation of property, that is the prize, not necessarily ...

Deputy M. Tadier:

Okay, we might need to come back to that because I think our report previously had a difference of opinion. We thought that if you tackle vacant properties, rather than under-occupied ones, it would still have a massive impact.

Assistant Director, Social Policy, Strategic Housing Unit:

It would have a positive effect but it would have the difference in numbers to a magnitude of 10.

Deputy M. Tadier:

But it might be easier to work from a policy point of view. It is easy to get a policy to apply to vacant properties, arguably, than to under-occupied properties.

Assistant Director, Social Policy, Strategic Housing Unit:

I am not sure that was the experience with the Connétables, was it?

The Minister for Housing:

The Constables were very clear minded.

The Deputy of St. John:

Can I just ask, just out of curiosity, what support or incentives would you give to families that are willing to live as a multi-generational household that will support each other, whether it is in terms of long-term care types of situations or just the family supporting each other in a larger household? What incentive or assistance can you give them instead of everyone moving out into lots of 2-bedroom flats, creating more of a burden on the supply?

The Minister for Housing:

We have not really given that much consideration.

The Deputy of St. John:

Would you encourage it though, if people wanted to do it?

The Minister for Housing:

Absolutely, if you can find the appropriate house that everybody can ... if people want to do that, yes, of course. I would encourage anything that would help free up homes for other people, especially if they are under-occupancy and with an ageing population now with long-term care in, when you have somebody, a family member on site, well that can only benefit everybody.

The Deputy of St. Mary:

Yes, while we are on this general theme and I will move on in the agenda and it might not seem to be logical in the first instance but the new Tourism (Jersey) Law, that it might seem strange to bring it in but there are proposals that relaxation might apply to people renting part or even all their homes out to would-be tourists for a maximum of 90 days. Does the Minister review that, given that there is a housing shortage?

The Minister for Housing:

We have contributed to the tourism consultation paper. I think, generally, we are minded to support the concept if it is well regulated but only for short-term use.

The Deputy of St. Mary:

Yes, but the short term is ...

The Minister for Housing:

Ninety days.

The Deputy of St. Mary:

Ninety days will encourage tourists but not discourage sort of ...

The Minister for Housing:

Yes, long-term stay.

The Deputy of St. Mary:

Okay. But reading through that I came across information that I was not aware of, which is that people who rent out their property already have some exemption for tax. I think it is 25 per cent for just accommodation and 50 per cent if you had students and providing meals. Is that an area one could extend in the form of incentivisation, under-occupied houses you take in people who do not pay full tax on the amount?

The Minister for Housing:

Yes, anything is worth looking at, the way to incentivise people who have vacant properties to look at them being used but ...

The Deputy of St. Mary:

Is there an Incentivisation Department within your department to cover all these angles? What I am saying is ... **[Laughter]**

Chief Officer, Community and Constitutional Affairs:

I do like the sound of an Incentivisation Department; that sounds great.

The Deputy of St. Mary:

Okay, well we will look forward to its progress.

Deputy M. Tadier:

It sounds Orwellian.

Chief Officer, Community and Constitutional Affairs:

It does, does it not?

The Deputy of St. Mary:

On the tourism side you are minded to support the move, which appears to be ...

The Minister for Housing:

For 90 days, make it clear for 90 days.

The Deputy of St. Mary:

Ninety days' support that which ...

The Minister for Housing:

Yes, so that it cannot be abused.

The Deputy of St. Mary:

That is 90 days total in a year, yes.

The Minister for Housing:

Yes, so it cannot be abused.

The Deputy of St. Mary:

Yes, okay.

Policy Officer, Strategic Housing Unit:

I have been directly involved with that and it is a balance because obviously you have new products like Airbnb coming forward and ...

The Deputy of St. Mary:

That is a good point, yes.

Policy Officer, Strategic Housing Unit:

They are innovative products, they are part of the share economy, they have potential to open new tourism markets, so we do not want to discourage that. But, equally, there is a balance to be had and you look at other jurisdictions, other cities such as London and Amsterdam, which have set limits of 90 days and we feel that is appropriate for Jersey as well.

Deputy M. Tadier:

Will that apply to residences where they are hosting within their domestic households if they have a spare room?

Policy Officer, Strategic Housing Unit:

But I think it is only ... I would not like to say but it is ...

Deputy M. Tadier:

It would not make sense to do that, I would not have thought.

Policy Officer, Strategic Housing Unit:

It would not, no, no.

Deputy M. Tadier:

No.

Policy Officer, Strategic Housing Unit:

There are examples of people who are letting out bedrooms and whatever and I think it is where people are trying to circumvent the Control of Housing and Work (Jersey) Law and letting out types of accommodation which could be privately rented because they are going to make more from tourists. That is the kind of examples that we do not want to see because that is taking residential accommodation out of the market and clearly that is not right ...

The Deputy of St. Mary:

Yes, that was the point of that other question now, okay, all right.

Deputy M. Tadier:

We have not asked 13, I do not think, about ...

The Deputy of St. Mary:

No, no, do you want to do that?

Deputy M. Tadier:

Yes. It is a fairly straightforward one and it is about restrictions on children and pets, I guess, in the private sector. We have asked in the context of advertising and that obviously means also about whether or not people should be allowed to prescribe in regard to children and pets.

The Minister for Housing:

The private sector we are talking about.

Deputy M. Tadier:

Yes. I know the 2 are different but I would not necessarily put pets on the same level as the child because some pets can be quite ... I might pull up, this is being recorded.

The Minister for Housing:

That is a very difficult area to control because obviously it is the landlord's decision at the end of the day.

Deputy M. Tadier:

That is the problem, is it not? Shall we just take the example of children, apart from the pets necessarily but we could apply the same logic? It seems to me, especially in the unqualified sector, that you have people who they might have had a marriage breakdown and they have to look for somewhere with their children and then they are finding that a lot of unqualified ... well not unqualified accommodation, there is no children. Of course, there is already a scarce amount of properties out there that might fit the bill for them. Is it not really a human rights issue to say that we can discriminate against families, rather than individuals?

The Minister for Housing:

But I think some of the properties might not be suitable for children to have children in it, yes.

Deputy M. Tadier:

Yes, so you can have a dispensation for those properties.

The Minister for Housing:

Anyhow that means looking at all the properties. I think you went on the website, did you not, Richard?

Assistant Director, Social Policy, Strategic Housing Unit:

I certainly looked just in response to your question and you are right that properties, they will say whether they take pets, children or smoking-friendly and smoking was the one which no property I could find that would allow you to rent where you could smoke. But pets were, as you point out, less likely to be accepted than children. About half of the cases that I looked at welcomed children and the other half did not. As the Minister says, there must be consideration that the landlord must give to his other tenants, whether they be elderly or to the property, whether there is safety issues in relation to children. It may be that the landlord is best placed to make those decisions about what their property suits.

Deputy M. Tadier:

Yes, but it seems to me there is a governmental responsibility. The governments are responsible for human rights and we have just brought in an age discrimination law which deliberately carve out for property; I suspect partly to cover this kind of eventuality. It seems to me that any government should have regard for family life and the enjoyment of one's property and if you have children ... you could have a single person and a couple living in a property, they have a child and then they are forced to move out of the property. That does not seem satisfactory from a social policy point of view to have that continuing. I would argue this might need political will to put it through and then obviously if a property is not suitable for children, then you figure that into the law. Are we not on the same page with that?

The Minister for Housing:

In some ways perhaps but I just wonder how you would work that through because if you have children and the landlord is trying to think of ... if he has got a block of flats, how do the human rights of the other tenants feature in this?

Deputy M. Tadier:

The human right not to be woken up by a baby; that is the tenets of human rights.

The Minister for Housing:

Yes, I know where you are coming from but I just need to give that more thought, I think.

Assistant Director, Social Policy, Strategic Housing Unit:

Protection of tenants' rights, the minimum standards or regulations is going to be the priority in relation to that. But I do not believe we receive many calls about people not being able to find accommodation that take children... am I right? We receive calls from people about finding accommodation per se but whether many of those calls include, the issue of children, I am not aware of that.

The Minister for Housing:

No, I have not had any ...

Policy Officer, Strategic Housing Unit:

I have not, no. It is not an issue that has come up much. No, it has not come up at all, to be honest. I deal with a lot of operational type things and calls from tenants and, it is not one that comes up. I can ...

[15:30]

Deputy M. Tadier:

But on social media I can assure you it has come up.

Policy Officer, Strategic Housing Unit:

I am sure, yes. I would say that if the landlord is renting out a 3-bedroom property and he is not allowing children, then he is preventing himself from ... it is the part of the markets to say it is a business decision but I can understand the ...

Deputy M. Tadier:

I just think from a governmental point of view we are just trying to put forward family-friendly legislation across the piece. This is something that stands out like a sore thumb, which is why I think questions are asked time and time again in the States and at scrutiny level. Perhaps maybe leave it at that for now.

The Deputy of St. John:

Can I just ask, really short, the Andium Homes Business Plan recognised that there is 1,100 households waiting for a rental home?

The Minister for Housing:

Waiting for ...

The Deputy of St. John:

Waiting for a rental home, so a home to rent.

The Minister for Housing:

Right, you mean on the Gateway.

The Deputy of St. John:

I am assuming so. It says in the Andium Homes Business Plan.

The Minister for Housing:

Right, okay.

The Deputy of St. John:

Are you aware of the reasons why those people, for example, are on the waiting list and is it mainly because of financial or is it because they cannot get a property because there are none that are allowing children? Those kinds of reasons, is there anything like that within those waiting lists?

The Minister for Housing:

On the Gateway, the number of people waiting on the Gateway has reduced. I think in band 1 is moving ... the issues there are moving from, say, a 2-bedroomed or down to one bedroom or for medical mobility needs; they need a lift or a ground floor flat. That is the biggest issue of people needing a lift or a ground floor flat, no steps.

The Deputy of St. Mary:

I think Monty said that he did have a question, but I think we better leave it there. I think we ought to apply that to the meeting generally because it is past our time. Thank you, Minister. Thank you, officers, for your time and I declare the meeting closed.

The Minister for Housing:

Thank you.

[15:32]