



Environment, Housing and Infrastructure Scrutiny

Panel

Quarterly Hearing

Witness: The Minister for Housing and Communities

Wednesday, 26th January 2022

Panel:

Connétable M.K. Jackson of St. Brelade (Chair)
Connétable S.A. Le Sueur-Rennard of St. Saviour
Deputy S.G. Luce of St. Martin
Deputy G.J. Truscott of St. Brelade
Deputy I. Gardiner of St. Helier

Witnesses:

Deputy R. Labey of St. Helier, The Minister for Housing and Communities
Mr. T. Millar, Senior Policy Officer, Strategic Policy, Planning and Performance
Mr. S. Skelton, Group Director, Strategy and Innovation
Ms. S. Duhamel, Head of Policy, Strategic Policy, Planning and Performance
Mr. R. Bowditch, Regulation Standards Manager, Housing and Nuisance

[11:36]

Connétable M.K. Jackson of St. Brelade (Chair):

Good morning, Minister. This is a quarterly public hearing with the Environment, Housing and Infrastructure Scrutiny Panel. My name is Mike Jackson, Constable of St. Brelade, I am chair of the panel.

Deputy S.G. Luce of St. Martin:

Good morning. Deputy Steve Luce, member of the panel.

Deputy I. Gardiner of St. Helier:

Deputy Inna Gardiner, member of the panel.

Deputy G.J. Truscott of St. Brelade:

Yes, good morning, Deputy Graham Truscott, member of the panel.

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

Sadie Le Sueur-Rennard, Constable of St. Saviour, member of the panel.

The Connétable St. Brelade:

Over to you, Minister.

The Minister for Housing and Communities:

Yes, I am Deputy Russell Labey, the Minister for Housing and Communities. I have 4 of my team with me today; so could you just sign in, team, please?

Group Director, Strategy and Innovation:

Hi, good morning. I am Steve Skelton, group director of Strategy and Innovation.

Head of Policy, Strategic Policy, Planning and Performance:

Sue Duhamel. I am head of policy at Strategic Policy, Planning and Performance.

Senior Policy Officer, Strategic Policy, Planning and Performance:

Hello, Timothy Millar, senior policy officer in Strategic Policy, Planning and Performance.

Regulation Standards Manager, Housing and Nuisance:

Robert Bowditch, regulation standards manager for Housing and Nuisance.

The Minister for Housing and Communities:

Thank you very much. That was Sue Duhamel. We missed your name, Sue, but we all here know Sue.

The Connétable St. Brelade:

We all know Sue, but the volume was very quiet, Sue, at your end. Maybe you can turn a knob or such like. Minister, I am going to kick off with really referring to our Scrutiny review. In response to our recommendation A1 of our panel's Affordable Housing Supply and Delivery Report, it is

mentioned that an updated *Objective Assessment of Housing Need* will be informed in part by a review you commissioned on the current housing market. Could you explain further the aims and objectives of this review and when you hope to publish its findings?

The Minister for Housing and Communities:

The recommendation to extend the methodology of the *Objective Assessment of Housing Need* is accepted from your review, which is a substantial document, Chair, and thank you for it. I congratulate you for it and it is good to see that we are in many areas travelling in the same direction. It is absolutely essential that we get a better understanding of the housing need. As I have said before, the housing pipeline should stretch further into the future and we should manage the need in it better. That of course is exactly what the new housing strategic and regeneration function; that is its primary job to do that. To see what is coming down the pipeline and what is the need and whether the 2 are marrying successfully. So that is what we want to do. We want to gather the data to enable us to do that. It is very, very important. I see there is a question from Deputy Luce. I will take that now.

The Deputy of St. Martin:

Thank you. Minister, obviously it is in the title, *Objective Assessment of Housing Need*, and we know we are living in a very fast-changing market and things are happening very quickly and we know people are leaving the Island. Not so many people are arriving on the Island. Are you content that you are right on top of this? I say that only for this reason: anecdotally I am hearing of people who are now moving houses in the rental market and moving into places where they have more bedrooms and they are going to pay, considerably in some instances, less money than they were previously. I am wondering if the housing market is starting to change slowly or quickly and I just wondered, in your housing needs, are you confident that you are really getting an as-of-today picture of how things might be changing out there?

The Minister for Housing and Communities:

We are getting better at it and that is the need. I am just going to bring in Steve Skelton. Steve, can you just give us a clearer picture from your point of view of how we are getting on in that way?

Group Director, Strategy and Innovation:

Yes, thank you very much, Minister. The question was about the further work on the *Objective Assessment of Housing Need*; is that correct, or were you asking about the current housing market review and how that relates to the *Objective Assessment of Housing Need*?

The Deputy of St. Martin:

The 2 are inextricably linked, Steve, if you like. But the question was around our ability to have real as-of-today information as to what is happening out there in the housing market.

Group Director, Strategy and Innovation:

So if I give an answer that tries to pick up all of those and a couple of extra bits. You are absolutely right that Government's understanding of the type and the pace of change in the housing market needs to be improved and, as the Minister has stated, that is an important purpose for the Strategic Housing and Regeneration team. Within that team, which is new money and it is currently being recruited to, we will have additional resource, a technical analyst effectively, to improve the models that Government uses to understand the housing market's needs and development. So at the moment a lot of our housing market intelligence comes in the form of Statistics Jersey outputs and Island-wide population figures, so things like the affordability index or returns from the census or J.O.L.S. (Jersey Opinion and Lifestyle Survey), which are periodic and at population level. They are very helpful in many ways, but as you have suggested, they are not quarter-by-quarter intelligence about shifts in the market. We do get some of that data through about things like building completions, et cetera, from the Planning database. But there is a space that we can try to fill using this new team. When that is in place we will see much more up-to-date intelligence provided to the Minister and more broadly. In terms of the 2 reports we talked about, the housing market review, which was commissioned by Arup and should be published in early spring, is looking at moving on from the Housing Policy Development Board work, which established the structural challenges in Jersey around access to land, around an undersupply in homes in recent years, and a mismatch between supply and demand, to look in particular at what is driving some of the spikes in prices right now. So by looking across how this is happening in other places, by talking to estate agents, by talking to lenders, to understand what is driving that in Jersey at the moment, that will inform the Minister for Housing and Communities' policy in the coming months. Including, for example, how he chooses to make use of the resources, which are in the Government Plan, to support access to housing. The *Objective Assessment of Housing Need*, which your recommendation as a panel asked us to review, and as the Minister says we accept can be improved, is something that needs to happen, not right now, that is a more broad-based, more longer-term projection that will be updated to inform the strategic planning. So it will be needed to inform the next Island Plan, for example. It is timetabled accordingly.

The Deputy of St. Martin:

Thank you, Steve, for that.

Deputy I. Gardiner:

Would Steve or the Minister let us know what is the latest data on the housing need and how updated it is? I mean basically what is the housing that we need now and is this data going back a year, 2 years, what are we working around currently?

[11:45]

The Minister for Housing and Communities:

Steve, are you happy to take that?

Group Director, Strategy and Innovation:

Yes, I am. The basic assessment is still the *Objective Assessment of Housing Need* that was published in 2019. The projections there have informed the housing strategy that is set out in the Island Plan and in the Minister's action plan. There was work done, and you may have heard this expressed from colleagues in Andium, to review the Gateway role and they obviously produce statistics on a monthly basis around access to affordable homes. For a whole market, if you like, a whole Island position understanding of need it would be the *Objective Assessment of Housing Need*.

Deputy I. Gardiner:

Thank you.

The Connétable St. Brelade:

Minister, your response to the report notes that recommendation B8 of our report, which specifies the possibility of restricting the sale of existing share transfer properties is under consideration. However, it is unclear from your comments how this is under consideration and whether this will be considered in the timescale we recommended. Could you elaborate further on this?

The Minister for Housing and Communities:

First of all, Chair, we have stopped the creation of new share transfer properties. We did that months ago with an exchange of emails between myself and the Chief Minister by not issuing licences for the conveyance of property via share transfer. That is stopping the creation of new share transfer properties. The issue with existing share transfer properties and their continued conveyance via share transfer is a legal minefield. It is very, very tricky and that work has to be done if we want to end that practice too, which should be the ultimate aim. But I hear it is incredibly complex and difficult. What you would probably look to do is, when those existing share transfer properties were coming on the market again, were due to be sold again or transferred again, is to intervene then. But do you intervene on a single share transfer flat in a block of 10 and what does that mean to that arrangement? So it is tricky. I am not sure of the timescale on that work, if I am honest. I do not know if any of my team do. But I could not put a timescale on that.

The Connétable St. Brelade:

You will no doubt have seen a response from the Minister for Treasury and Resources to a written question from Senator Mézec where data has been provided showing a rise in the number of non-residential landlords from 2012. In 2012 the figures were 400 non-resident and 4,070 resident taxpayers compared with 740 non-resident and 6,000 resident taxpayers declaring rental income in 2019. Would you agree that Government needs to collect more data and carry out further research in this area and, if so, how, as Minister for Housing and Communities, do you propose to address this?

The Minister for Housing and Communities:

In respect to the answers to Senator Mézec's question from the Minister for Treasury and Resources that came out on Monday, I have not analysed that - myself or my team - yet. But that is data that has been extracted from tax returns. One has to be very, very careful how one interprets that data. I had a note from Richard Summersgill about it. Take, for example, resident landlords will include people working in Jersey temporarily who are renting out their main residence overseas. Non-resident landlords will include "Jersey people" who are working overseas and temporarily renting out their property in Jersey. Also, non-resident landlords will also include Jersey people who have retired overseas but are still deriving income from their property in Jersey. There are many more different categories. So we have to be really careful how we interpret that data. Gathering that sort of data is what it is all about and across all departments, across Government, we have to get better at gathering more accurate data and building up. That is what we are determined to do.

The Connétable St. Brelade:

Yes, I would agree that there are many permutations to be considered. In your response, Minister, to our recommendation C4, which you accepted, you comment that the role of Housing enabling will be a key function of the Strategic Housing and Regeneration team and that the Strategic Housing Partnership is an example "of the steps that have been taken to develop the systems to work in this way." Can you update us on the recruitment of posts to the Strategic Housing and Regeneration team?

The Minister for Housing and Communities:

Steve will have more accurate information on recruitment currently than me, as he is in charge of that.

Group Director, Strategy and Innovation:

Yes, I can do that. You will be familiar that we have an interim head in post currently and we have had authorisation to extend that role through to later in the year. We have been able to redeploy

some of our existing resources on a part-time basis from within my wider function to support her work. We have also recruited at senior policy officer level somebody who is about to start imminently. I mentioned the analyst post before and some of the technical skills that go along with the work we have discussed. That is across Government a different skillset to hire for at the moment. Like all industries, we have seen a boom in the requirement for data skills and, although we have tried on a couple of occasions, we need to keep going and probably bring in a service contract initially to get ourselves moving in this space before we can employ a body. So the team is forming. The challenge is always meeting the immediate need for work where there is a backlog of strategic policy demand in this area versus the challenge of recruiting at the same time. But we should be set up in the coming months certainly.

The Connétable St. Brelade:

It may be one for you, Steve. Has the partnership met in this embryo stage and have there been any outcomes of the meetings to date?

Group Director, Strategy and Innovation:

Yes, the Minister may wish to speak to this because he chaired the first meeting last year. Do you want to or would you like me to discuss that?

The Minister for Housing and Communities:

It has been very warmly welcomed by the members of the partnership board. It is large. We have representatives from a lot of industry areas, the main players, the trusts, estate agents, and we held our first meeting. The second was due to be held this month but because of COVID we put it on to next month. So we will be meeting again. I am hoping to have some results from our market research so I can test those with the partnership board, the market review. This is all about co-operation, working together, taking the temperature of the industry, getting them having a direct line to the Minister and the Minister to them, and co-operation. It is really important; my style is always to try to co-operate as much as I possibly can because you generally get better results and more productivity if you are prepared to give ground here and there. In the specific case of the landlords, I am trying to change the temperature and atmosphere into one of collaboration rather than an edict. I am trying to issue and make plain reassurances in that area.

The Connétable St. Brelade:

That is helpful, thank you. Minister, you rejected recommendation D1 of our report, which recommended that an appraisal be undertaken on the impact on development economics, viability and affordability, of rebalancing the current housing subsidy system in Jersey to allow for a higher level of capital subsidy. Your rationale for rejecting this recommendation was that the current financing model, you say, has proved very successful with both a significant improvement in the

quality of the existing stock and an ambitious development programme of new builds in train. Now, while this might be the case for Andium Homes as a States-owned arm's-length organisation, other smaller housing providers have difficulty in acquiring and financing the development of sites without access to such capital grants. How do you propose to assist other housing providers with the financial viability of developing sites, given that these providers can also make their own contributions to the supply of affordable housing?

The Minister for Housing and Communities:

They can and that is an aim. In broad terms, Chair, we have 3 main trusts probably with around the 700 to 800 mark of units. I would like to get all 3 up to 1,000 units and for that, of course, they need the sites. So we can try to help by putting sites their way. On the notion of going to a capital funding model instead of the one that we currently use, that is going to take a lot of time. I know it is touched on also by the policy development board. I might bring Sue Duhamel in here on this one. Sue, could you pick up where I left off?

Head of Policy, Strategic Policy, Planning and Performance:

Of course, Minister. We are very keen to support all housing trusts as well as Andium, and that is all in our plans to do so. Changing the entire funding model for affordable housing would be a significant change to States policy overall and would require a lot of different things to happen at the same time. So we would say that the Minister's rejection of the recommendation is in that bigger context. That does not preclude of course supporting individual housing trusts with individual projects. I know that some smaller trusts have done some very successful projects in recent years and we continue to be very supportive of those efforts and we take cases on a case-by-case basis. That does not mean to say you have to change the entire funding structure for all affordable housing. It means to say that you need to have a flexible approach to individual projects.

The Connétable St. Brelade:

Thank you. Minister, you accepted recommendation F8 of our report, which suggested that Government should lead on research on the role of modern methods of construction to help ease capacity pressures in the medium to long term. You commented in your response that you had already commissioned work into the role modern methods of construction can play in assisting the pressures on construction sector capacity and process with regard to the Jersey housing construction sector. Could you tell us in a bit more detail what this commissioned work will explore and when you anticipate being able to share your findings?

The Minister for Housing and Communities:

Yes, of course. The initiative here on M.M.C. (modern methods of construction) from Government is also an example of active enablement. What we are trying to do is find out how feasible an

extensive use of modern methods of construction could be for Jersey and the benefits. As you know, I formed a subcommittee to look into that. But we thought it would be helpful as Arup have done a considerable amount of work on M.M.C. already. They were already engaged in a market review. We have extended the scope of that and asked Arup to take a look at how we should proceed with M.M.C. Those results will be with us in the end of February/early March. I would like to move to a position where we could see the land that is rezoned in the bridging Island Plan. Take a few examples of that. Once we have identified producers of M.M.C. that might fit with us, to put that out, take a selection of fields, put that out to them and ask for them to provide us with a quote and a vision and a design for what they would propose.

[12:00]

That is what I would like to see so that we can say to the Parishes: "Look, this is what we could do. It is going to cost this much. Do you like it? Do we want to give it a go?" M.M.C. is used already to an extent by Andium and S.o.J.D.C. (States of Jersey Development Company) in terms of Hadley light gauge steel framing, which is brought in. Normans converted a warehouse into an assembly factory for that. But if we are talking about even more modular work coming in, so effectively the house in flatpack or kit form, it is important that we get it right first time in that context. There are individual houses on the Island, there is one in St. Brelade on Mont Gras D'eau, which a Polish firm have done that one where it all came in kit form and was put together. So it is really important, because there is scepticism over M.M.C., because there is a lack of recognition that it has got more sophisticated now, and it is very much more successful and it is being used extensively throughout the U.K. (United Kingdom) and Europe, it is important that we get the best examples of it right. So I would like to prepare the groundwork for it. We are talking about increasing Government's active enablement. My job in promoting active enablement, when I think of active enablement, I think back to the post-war period in the U.K. where the Government was taking great tranches of land, which may have been contaminated, and detoxifying it and getting it ready and then passing it on to developers, to private developers or public developers, to do the development there. That was a classic few decades of post-war regeneration and active enablement. Then it changed, the attitude changed in the 1970s, 1980s, 1990s, to more market-driven, just let the market do it, Government does not need to intervene. It is changing, we are changing back slightly, and recognising that, especially on this Island, it is important for Government to enable. That is what I am trying to do here and fill that gap between the work that Steve does in S.P.P.P. (Strategic Policy, Planning and Performance) with all the planning, with all the design, the Planning Department, with all the bridging Island Plan, high-level policy and structure and ideas. Going from that to the developments themselves and houses, there is a chunk in the middle there that we need to fill with enabling. That is what I see it as. It is like the reverse of wallpapering where you look after the edges and the

middle will look after itself. With this, we need to look after the middle and the edges hopefully will then look after themselves.

The Connétable St. Brelade:

Before we go to Deputy Luce, just to follow up on that, are you in discussion with the Minister for the Environment who obviously has the umbrella over building control and those regulations, which might affect this?

The Minister for Housing and Communities:

Yes, Chair. He is on my political oversight group of course. Members will have seen Senator Moore's initiative with the Zed Homes. I have had a chat with them. We really welcome all ideas and all initiatives. We know we have work to do and units to get here. So that is quite advanced. They have an idea. They need the sites. But my direction to them was: "Go to Planning, talk to Planning, see how the law would allow what you plan. If it does or if it needs to be changed." There are other questions with that scheme but we should not say no, we should be openminded and see if we can make things work.

The Deputy of St. Martin:

The first one is just an observation. The second thing I want to say is a question. The first one would be, Minister, if we had, for example, a site that was suitable for 30 affordable homes, would it be an idea, in order to, as you suggest, get things right first time, what about potentially putting that out to half a dozen different M.M.C. producers and saying: "You have 5 each, you all start on a set date and we are going to monitor you very closely to see how you perform and how happy we are with the outcome at the end." In that way we could see whether the M.M.C.s produced in Jersey could perform better or otherwise from those produced outside of the Island. But the other thing I just wanted to say, and I am sure you are on it already, but it is fine coming to a company who can produce, let us say, for example 5 frames a week and we can say: "Right, their output is 5 frames a week." But if you do not have the infrastructure and the trades ready to put the gutters on and connect to the drains and do the plumbing and the small details at the end, which are the final sign-offs before you get the final go-ahead from Building Control, the speed that you can produce these houses is irrelevant in a way if you cannot get all the other bits and pieces lined up. I just want to point out that there is a great opportunity here, but at the same time the possibility of failing at the last hurdle, because we get these houses 95 per cent finished, and we find there is a particular trade, which is so overheated there is nobody available to do that work and we lose all that good work that we have done previously.

The Minister for Housing and Communities:

Yes. I agree on both counts with the Deputy. I think that is a very, very interesting idea for a tender. The idea to get some quotes on master plans on, say, 3 or 4 selected fields, the bigger the order will be the less individual price of each unit will be because of the economies of scale. If on paper as a desktop exercise we like the look of it, I think it might be easier, Deputy, if we went to examples of that wherever they were potentially. But that is also a very interesting idea on the tendering and that; we are on the same direction of travel. I take your points about the infrastructure, absolutely, and that is why I want to crack on with it now because if we are going to get these fields rezoned, some of them obviously will falter in the debate I am sure but we are bound to end up with some. They strike me as being probably the first and easiest opportunity to test this and that they go up in 3 days, as you say, provided all the infrastructure is there. Currently the home that I was talking about in Mont Mado, that the company that built it also brought over the labour for 3 days to put it up and it is incredibly less labour intensive than building the whole thing on site, which is a good thing for us. But we might need to reskill local labour in it too.

The Deputy of St. Martin:

Minister, thank you for that. Can I just sort of press on with a couple of questions that have come to mind while you were speaking to do with the Island Plan? Are you fearful that the draft bridging Island Plan will deliver or will not deliver enough houses or housing sites for you?

The Minister for Housing and Communities:

I am not taking it for granted and that is why I was so keen to get Government sites released. I have got to be honest, there was a time towards the end of the year, having promised that I would get sites named for housing development, Government-owned ones, I was fearful that I was not going to be able to fulfil that promise and it was worrying me. But I think we are working together better in Government and I have to say the officers, who get a hard time, in the estate management work really hard. Politicians do not always make their life easy in Property Holdings. I think we have got to acknowledge that; not just Ministers but in the Assembly we often put obstacles in their way that are not necessarily all that helpful. They are being pulled in various directions and it is a credit to them that they are not pulled apart. I am grateful to them; we are making progress there. It is impossible to second-guess the debate on the bridging Island Plan. It feels to me that the Assembly is aware of the need, I think now everybody is acutely aware of our housing crisis and what we have to do. But I think nobody comes into the Assembly saying: "I want to build on greenfields." We have a collective conscience about the need to do that as a last resort. We live in interesting times. It is going to be an interesting debate. I think there will be some sites but it is going to be difficult for us. My mantra was always, even before I became a Minister, if we are going to take fields we should take the ones that are agriculturally of least value, and that has not always happened. I have got difficult decisions myself to make as well.

The Deputy of St. Martin:

Okay, thank you, Minister. If I might just have one last question while I am on the topic. You are the Minister for Housing and Communities and that does not mean just housing for affordable housing, that also means housing for retirement or for sheltered accommodation as well. Do you share my disappointment that the Minister for the Environment did not make more emphasis on the need for additional retirement homes, sheltered homes and homes for more elderly people to downsize into in this Island Plan?

The Minister for Housing and Communities:

We are engaged on a big body of work to enable right-sizing, as we would prefer to call it these days. I was not aware that the Minister for Housing and Communities is ... are you saying he is under-ambitious in this area?

The Deputy of St. Martin:

Yes, I am going to say he is under-ambitious, inasmuch as when I have asked where the sites are for retirement homes I am referred to parts of the Island Plan that says retirement homes will be built in the built-up area. I am conscious in my own Parish that we have still a large number of people who are getting on in age and looking to right-size, if that is the way you want to call it and a long list that is ever growing of parishioners who want to stay in the Parish, stay close to their family, help out with grandchildren and do all sorts of things that you do as you retire. But yet the sites for those types of homes are not being promoted in the way that the affordable housing is. I make the point only to say that people who can right-size, free up, as we know, larger homes generally, and those larger homes could be used by people who are on the list for affordable housing. It is not just about creating new affordable housing, it is about creating homes for people who are on that list that may not be new affordable houses, they may be older properties which are being vacated by others who want to right-size.

The Minister for Housing and Communities:

You get 2 bites of the cherry and that helps the transition in the churn in the market. I know what each Parish wants in terms of accommodation for the over-55s because I have been to see every Constable and we have sat down and it is very interesting. Some of them want a mix of first time and right-sizing, others want just right-sizing. I did that work ages ago, so I know what Parishes want. Sue and Steve are champing at the bit to just contribute here, Deputy Luce. If I can just bring in Steve first and then Sue.

Group Director, Strategy and Innovation:

I think it has perhaps been covered in conversation but I think, just for the record, the position, as taken in the Island Plan, is not that there is not necessarily the need in some area but right-sizing

can meet the need of over-55s and perhaps better than traditional over-55s developments have with a restricted remit for the population and can also perhaps provide a bit more of a mixed community that connects people better as they start to age on the retirement side and more traditional kind of residential care homes. I think the Minister for the Environment was influenced by the emerging sort of clinical models that are being developed in health and care services that promote the benefits of people again being cared for within mixed communities and at home, rather than in more institutional settings.

[12:15]

I do not think it is a disagreement around whether or not there is a demand there but more of the right way to use the planning system to provide that.

The Minister for Housing and Communities:

Sue, did you have anything to add there?

Head of Policy, Strategic Policy, Performance and Population:

Thank you very much but I think Steve has covered the points I was going to make. That is fine, thank you.

The Deputy of St. Martin:

Could I just come back on that and just say that I accept what Steve has just said, Minister? But we know the ageing population situation that we have coming down the line and if we add, let us just say for example, 16,000 retired people to the Island population in 10 years' time and only 5 per cent of those need a nursing home, that is 800 places. I know that a nursing home of 30 or 40 beds is not an inconsiderable-sized building, and you will know that as well, but surely we have got to be considering the housing of everybody as we move forward and nursing homes alone must feature surely in somebody's plans for the future.

The Minister for Housing and Communities:

Okay, well noted.

The Connétable of St. Brelade:

Thank you, Minister. Moving on, our Scrutiny report made a number of recommendations in relation to key worker accommodation, all of which we note are under consideration, in particular recommendation H(5), which recommended that: "A rent-to-buy option should be developed by the end of 2022 to enable key workers to establish long-term roots in Jersey." We note from your response that this recommendation requires further consideration as part of the ongoing

development of key worker policy and homes. Minister, it is unclear from your response the timescale that this is under consideration for. Could you elaborate on that?

The Minister for Housing and Communities:

I think, Chair, I mean I am on record, both in my conversations with this committee and on the floor of the Assembly on this issue, in terms of we have to import people to do jobs that we need done; important jobs. At the moment, until we improve our local skillset, we have to do that. We have in some areas a problem retaining these workers. It is probably a safe assumption that housing has an issue to play there. If you have a lot of young professionals who want to get on that housing ladder as soon as they can, if coming to work in Jersey means that you have to halt or put on hold your plans to get on the housing ladder, that is probably a reason why in some areas we cannot hold on to people and then we have expensive re-recruitment and round we go. It is especially acute in Children's Services with social workers. It seems to me if we can find a way with right-to-buy or rent-to-buy, again, the particular individual might not want to stay in Jersey for the rest of their lives but while they are here they are investing, that might be more attractive. It might help us hold on to people. Sue is carrying out work in this area and I will bring her in now.

Head of Policy, Strategic Policy, Performance and Population:

I am so sorry, Minister, I was distracted by something else.

The Minister for Housing and Communities:

We are just talking about the timelines in terms of schemes for our essential workers and whether the opportunities for a right-to-buy or buy-to-rent ...

Head of Policy, Strategic Policy, Performance and Population:

Absolutely. This is part of our current work plan, it is being undertaken mainly by Debbie Reeve rather than myself. But we have identified this is an absolute priority, which Debbie, who is the senior interim leader of the strategy and has been brought in is to do that directly. I am not sure if Steve has got anything on timeline but I cannot help on that, I am sorry.

Group Director, Strategy and Innovation:

Only to add that the Minister's response indicated this issue would remain under consideration until around the end of the year, which provides time for both the current immediate work, which is looking at the pressing need to house key workers in the coming months to then move into wider consideration about future key worker housing approaches, both in terms of schemes and in terms of access, for example, to rent-to-buy.

The Connétable of St. Brelade:

Picking up from that, there will be a much-needed development of clear policy guidelines in the area, I presume.

The Minister for Housing and Communities:

Yes, and understanding that ...

Group Director, Strategy and Innovation:

If I am right, Minister, yes, I would expect the combination of the work would be published as some sort of housing policy guidance document, yes.

The Connétable of St. Brelade:

Can I just add into the mix, picking up the comments of the Children's Commissioner in the last couple of days who suggested that to invite people to work over here we need to accommodate their families as well? What are your thoughts on that, Minister?

The Minister for Housing and Communities:

I think that is morally and ethically correct, is it not?

The Connétable of St. Brelade:

Do you think we have sufficient space to be able to do that without detriment to local people looking for accommodation?

The Minister for Housing and Communities:

Obviously there is a competing tension there and balance has to be struck but I think the aspiration is the right direction to go in, if we can.

The Connétable of St. Brelade:

Indeed. Minister, overall we note from the Ministerial response to our report that in many instances it has been commented that delivering our recommendations will require an extended timeframe, with comments made such as: "It is not possible to develop this work in the timescale suggested, given existing priorities and available resources." While we accept that Jersey's affordable housing challenges are not likely to be solved overnight and will require appropriate prioritisation, research and policy development, nevertheless do you not consider that additional resources could be sought in order to expedite various policy workstreams in a more timely fashion?

The Minister for Housing and Communities:

It would be difficult to argue against that, Chair. Steve, do you want to take this one?

Group Director, Strategy and Innovation:

Yes, it is a difficult question, I guess, to come to a conclusive answer on. The Government has just passed the Government Plan that was approved by the Assembly that makes provision. It does make additional provision for housing policy work and, as we are seeing, is not always the most straightforward to turn that into a sustainable team; that takes time as well. I think it is a recognition probably of the fact that the Minister, when he took office, set a very full programme of activity. That plan was calibrated to the available resources that he inherited, including the additional resources that we are putting into place. The Scrutiny Panel have brought a sizeable set of recommendations and policy proposals and it is natural, given that resources are already largely fully allocated, that that work cannot be absorbed on top of what is already planned. With additional resources eventually more could be handled but, equally, that requires time taken to recruit further. As the Minister says, it is not possible to disagree with the proposal but, equally, there is a lot of work being done already that the Minister set out on taking office and where that can be accommodated with the panel's recommendations. That is exactly, I think, what the Minister's response seeks to do and in other areas where the Minister agreed to the panel but is just saying it will take slightly longer to get to it than the proposals that were put to us.

The Connétable of St. Brelade:

Thank you. Moving to social rents policy and the 80 per cent cap, we are aware that in line with the States adoption of the Government Plan 2022, and both yours and Senator Mézec's amendments to this, that social rents will now be capped at 80 per cent of market rent, instead of 90 per cent. We also understand that a review was undertaken by Government to set out options for future social rent policy, as well as broader actions to support low-income tenants, what, Minister, were the findings of the social rents review and when do you intend to publish those findings?

The Minister for Housing and Communities:

Sue, do you have an update on that?

Head of Policy, Strategic Policy, Performance and Population:

This is an internal review which helps the Minister come to the conclusions which led to the Government Plan actions at the end of last year. There is now currently a plan to publish that review and there are undoubtedly some additional areas to consider in terms of social renting and the general support that is provided by Government to low-income tenants, both in social rental and in the private sectors as well.

The Connétable of St. Brelade:

Can I ask, Minister, whether you would be prepared to share the review's findings with the panel on a confidential basis?

The Minister for Housing and Communities:

Yes, I will talk to Sue about that but I cannot see that would be a problem.

The Connétable of St. Brelade:

Thank you. It stated, Minister, in the fair rents plan that: "The means of assessing market value will also be reviewed to identify improvements and ensure it remains robust." Could you elaborate further on this and specifically how these calculations are made and by whom?

The Minister for Housing and Communities:

I will get one of my officers to take that.

Head of Policy, Strategic Policy, Performance and Population:

The main area where this applies is with Andium and they use letting estate agents to set market values and then they will take the rent from that. The point at that stage was to say that that whole process will be subject to some more review to make sure it is fair to everybody and it is a robust process.

The Connétable of St. Brelade:

Do you consider the means of assessment are applied consistently across all housing providers?

Head of Policy, Strategic Policy, Performance and Population:

We have got nothing that suggests they are not being applied consistently but you are right, it is an area that we are going to be investigating to make sure these deductions are spot on, yes.

The Connétable of St. Brelade:

Thank you. Moving on with the fair rents plan, it has been criticised by some for not going far enough to widen the Affordable Housing Gateway eligibility criteria. Could you talk us through the rationale for not extending the eligibility criteria quicker than is outlined in the fair rents plan?

The Minister for Housing and Communities:

First of all, we had this thoroughly explored and reviewed, and I received the recommendation to take it stage by stage; lowering the age limit to 40-plus first with the aim to go to 25-plus by 2025. The tricky thing with widening the Gateway is that you do not know the impact of that until you have done it. You can use statistics from Statistics Jersey in terms of how many people there are in that age group. You can use figures from Social Security in terms of how many in that age group are currently in receipt of income support in private sector rentals. There probably is your target market that would be inviting to move to Andium. We have estimated in the low hundreds for this first

tranche and let us see how we go with that. I just feel that it was a good recommendation. We have said we will get that down to 25 by 2025 if we can; that is our aim. It seems sensible to do it in tranches. I think doing it in one go you would have ended up with an even bigger waiting list, which it just seems more sensible to try to make it achievable. It might be that we could do another stage, say, at the end of 2023 when more stuff will have come online, a little bit easier. We could perhaps go down to 30 and see how we go. But I think it is a sensible way forward. We have got people who are on the waiting list we know and they are obviously priority. The next tranche will come in behind them. Some people have already been waiting 3 or 4 years. This seemed right to me, I thought it was a good suggestion and I went with it.

The Connétable of St. Brelade:

Looking forward, if there are issues of demand outstripping the supply of homes by widening the criteria too much too soon, how would you propose to utilise a strategic housing partnership to work with the construction industry, developers and housing providers, to address this in as short a timescale as possible and to ensure that moving forward supply keeps pace with demand?

The Minister for Housing and Communities:

Yes, Chair, and that is what it is all about. You will see my efforts in terms of what we can do with the Government sites. I think securing St. Saviour was really good. Now I need to get that assigned to the lead developer. In the Assembly I have championed Andium for that. As I always say when I mention that development, it is very, very much housing but also community. I know the Deputy of that La Hougue district is dying to get cracking on that and we want her input and the Parish's input so that we can get an exciting scheme.

[12:30]

The south side will be available probably in about 12 months. I would really like us to get ahead of the game and have plans in sight. Even if we cannot put a spade in the ground in 12 months we can shortly after that, not too long after that. It is about driving that and keeping up the pressure. There are more sites that are identified for housing, so as soon as we can get those released that is what we want to do. S.o.J.D.C. have their hands full now, what do they next want to go to? How can we use the trusts? Could they come in? That is principally what my job is and that is the name of the game. I am doing all that with as much energy as I can, and making a nuisance of myself where I have to, but trying to work with people. For the first time ever once again the Minister for Housing and Communities will have dedicated ... all the staff that work for me are dedicated, they are fantastic. But what is a better word than "dedicated" because they are all dedicated? But a unit there, a team, a function of working directly and specifically to the Minister for Housing and Communities. They are overloaded already. Debbie Reeve, we are getting her for a little bit longer,

which I am delighted about, until we make a full-time appointment, so that we can get this team up. They, of course, are already organising the whole housing partnership, it fell to Debbie; we are using her an awful lot because there is an awful lot to do. I was a bit overambitious in the list of priorities I wanted to do. I think I said before I want to do them all but we are getting there.

The Connétable of St. Saviour:

Yes, I thought you might ask me. I am a little bit disappointed that all this has been going on about St. Saviour without the parishioners or a Parish Assembly being called. Once again, St. Saviour is being roughly treated, I am afraid.

The Minister for Housing and Communities:

No, it is not.

The Connétable of St. Saviour:

No, you can shake your head as much as you like, Deputy. Sorry, I am just so angry because all around Five Oaks area we are now having to have homes but we are going to fight them. Then I have the safe routes to school and you want to have 2 lots of housing put on those safe routes to school; we are going to fight those. Now people listening to this are being told that St. Saviour's Hospital thing and the Deputy is thrilled about it; it is not on. You have to ask the parishioners around here. Senator Mézec did speak to me a long time ago about this and I said: "If you want to develop St. Saviour you have to put facilities there, you have to have shops, you have to have a primary school." We cannot have people careering over St. Saviour like they are having to do at the moment. I just think it was such a shame. You did come and you did speak to me and you said about St. Saviour and I said yes, but the parishioners have to be involved. They are the ratepayers, they are the ones who suffer with all the traffic or all the bicycles and everything going through their properties and through their roads. Before you got really excited about the site and we know you are going to develop it, and I would like to know how you feel about putting high rise there, which is what one of the groups would like to put,. Ridiculous, absolutely ridiculous. The children and youngsters need somewhere to play. Old people who live there need somewhere to go and to sit and relax. You are going to concrete over everything and, in particular, this Parish. I have only got another few months but I will fight it and I am seriously thinking of standing again and not relinquishing my position but fighting again for it because this is ridiculous. All yours.

The Minister for Housing and Communities:

Constable, as soon as we got the designation through the Council of Ministers, as you have said, as soon as the designation for housing plus community use was made by the Council of Ministers, the next day I went straight to your office and you are the first person I spoke to.

The Connétable of St. Saviour:

Yes.

The Minister for Housing and Communities:

I wanted to reassure you that this was housing and community amenities and facilities, a little village if you like, self-contained, with things that the community wanted there. Since that time, Constable, nothing has happened. Nothing has happened ...

The Connétable of St. Saviour:

We have not heard from the Deputy either to see what they have in mind for the ...

The Minister for Housing and Communities:

I just bumped into the Deputy in the corridor here. I just want to reassure you, the only thing that is happening now on a high level is who gets the contract to develop it. Okay, so that has to be decided; who is the lead developer on that and everything will flow from that. Nothing will be finalised until there has been a meaningful consultation with yourself, with the Deputy, with the people of St. Saviour and perhaps St. Martin and Grouville too because it is one of those places that will be the absolute apex of 3 Parishes. But, principally, the consultation has to be a meaningful one and properly engaging, nothing will happen or be decided upon until that process has happened and that ...

The Connétable of St. Saviour:

Can you say hand on heart that that will not because, as I say, if I fight an election and I lose, then I lose? Then whoever the next Constable is, the Deputy may not get back in so you are going to be dealing with some new people. I would just like to put it on record now that St. Saviour has really had enough and what has to go there - and we know things have to go there - will have to be really dynamic and something special. No high-rise. Things that make people's lives so much better. Sorry to interrupt this Scrutiny. I was not going to say anything and I have railroaded the Scrutiny but I was just so disappointed in that remark.

The Minister for Housing and Communities:

I know. I just cannot be more equivocal¹¹ in the reassurance I am giving you that nothing has been sorted out and planned for that site, nor will it, and once we have the lead developer for it, then the consultation starts, so it is a blank page. If anybody proposes a high-rise block for the St. Saviour hospital site, I will be with you, Constable Le Sueur-Rennard, holding your hand in front of the bulldozers to stop it.

¹¹ [Post-hearing note: the Minister advised that 'unequivocal' was the intended terminology for this response](#)

The Connétable of St. Saviour:

Even if we are not re-elected, we will stand there, young man. I will hold you to that. I will hold you to that, I promise you.

The Minister for Housing and Communities:

High-rise is ...

The Connétable of St. Saviour:

Ridiculous.

The Minister for Housing and Communities:

Can I go on this tangent about high-rise, Chair, or do you want me to be ...

The Connétable of St. Brelade:

Can we just try and get back on to the programme, if we may?

The Connétable of St. Saviour:

Get back on to where we were. I am sorry, Chair.

The Connétable of St. Brelade:

Of course there will be a little bit of a room for that later. I just want to go back to the eligibility criteria on the Affordable Housing Gateway and just to conclude: could you elaborate a little bit further on how the new income limits have been determined and, in particular, how the figures have been arrived at? We have a £23,000 parameter for a single applicant with no children and up to £64,000 per annum for joint applicants with 3 children particularly. Can you comment on that please?

The Minister for Housing and Communities:

Well, only to the extent it is certainly better than the figure which was the all-encompassing £40,000 whatever the circumstances. Sue, you are probably better placed to explain the rationale more than me.

Head of Policy, Strategic Policy, Planning and Performance:

Thank you, Minister. Yes, so as the Minister has explained, the new limits reflect the size and the composition of the household so that it can be much fairer in particular to families because the single limit of £40,000 was quite generous perhaps for a single person but not at all generous for a couple with 2 kids. So the new rules are based on some of the rules inside the income support calculator, which takes into account the number of adults and children in the family and the size of the accommodation. So those are your basic kind of building blocks. Then calculating has been done

to make sure that the increase in income fairly reflects the way that some household costs increase as size increases.

The Connétable of St. Brelade:

Thank you. Moving on to the protections provided by the Residential Tenancy Law, Minister, could you update us on where you currently are with reviewing what legal changes to the Residential Tenancy Law will be proposed to enable additional protection to tenants? What potential amendments to the current law have you identified so far to date?

The Minister for Housing and Communities:

Pretty much all of it. We have done fantastically well in the time. It is a massive piece of work. There will be at least 23 provisions in the new Residential Tenancy Law so the plan, Chair, is this. Very shortly, I will be instructing the law drafters to take the work that my team have done and to turn it into a law and draft the law in how it will look. Once that is done, we will go to consultation over the plan. So everybody involved will have the opportunity - landlord associations, tenant associations, individual landlords, individual tenants and anybody else - to voice their ideas and hopefully, after that proper consultation, we will do any redrafting that needs to be done and then it will go before the Assembly. I do not want to start going into the specifics now because that will preempt the consultation and start the hares running before we have the proper full picture. I am sure you understand. I am very happy to meet with Scrutiny at a suitable time to put you in the picture further. Unless you have another quick question for me, if you want to know a little bit more about the scope of it, Rob can run through that.

The Connétable of St. Brelade:

Well, we are happy, if it is still under development, perhaps if you can just précis the outline of where you have got to. That would be helpful. Thank you.

Regulation Standards Manager, Housing and Nuisance:

Yes, obviously we have done a review based on feedback we have received from landlords and tenants. One of the focuses we had was to make sure it is for tenants and landlords as well so we are talking, from my officer experience, of dealing with different tenancy-related matters. We have taken that into consideration when reviewing the law. Basically, we went through the law and how it fits in the laws that have come in with minimum standards trying to make the laws work together, almost updating the terminology and interpretations and things like that. So it is about making it easier for people to understand as well. So where we are just now, we have done that review and we have created what we think are the main areas which need to be addressed. It includes quite a lot of what is already in the Residential Tenancy Law. Some of it is slightly amended with a few new provisions put in as well so it covers a variety of areas that we think needs to be addressed. So

where we are just now, we are just finalising the main areas we think should be included within those law drafting functions.

The Connétable of St. Brelade:

The important thing is to get buy-in from all the parties. Moving on to protection from excessive rent rises, we note that you intend to reinstate the Rent Tribunal already provisioned under the law to offer better protection for tenants from excessive rent rises. Given that the previous tribunal was dissolved due to little uptake in its services, how do you propose to promote and encourage tenants to apply to the tribunal in cases of excessive rent rises?

The Minister for Housing and Communities:

We will certainly do our best to do that. The rationale here is that we have so much work, we are at capacity. I thought it was sensible to use existing legislation to speed up the process of putting the Rent Tribunal back in place under the existing legislation so that there is somewhere to go to to appeal. So we are going to do this by putting the Rent Tribunal in place. They are going to be recruited imminently. There will be a recruitment process run properly by the Jersey Appointments Commission with a representative panel in the tribunal. Now they will also be charged with looking at the existing legislation and they will have a full-time officer with them, a new post, and they will go through the law. They will look at what has happened in the past. They will look at how they are being used, if at all, right now as soon as they are constituted, and work out whether the scope of the old Rent Tribunal needs to be extended to encompass more tenancies and more types of property, a bit like the Residential Tenancy Law itself, so I thought that was the best way to get something done.

[12:45]

We know that we wanted a function to replace the old Rent Tribunal so this was like a chrysalis stage to get to where we want to get to but have it up and running.

The Connétable of St. Brelade:

Picking out of it, how would you seek to prevent the potential for revenge evictions as a result of tenants taking their landlords to the tribunal? Would you propose any amendments to the Residential Tenancy Law to prevent potential revenge evictions from happening, for example?

The Minister for Housing and Communities:

Yes, absolutely, Chair. Spot on.

The Connétable of St. Brelade:

You suggest you would appoint through the Appointments Commission. Have you an idea of what the membership and composition of the tribunal might be?

The Minister for Housing and Communities:

It is 4 and we have set that out. Tim, do you want to come in on that?

Senior Policy Officer, Strategic Policy, Planning and Performance:

Yes, sure, Minister. So, yes, by law, we are mandated to have a 4-strong tribunal that would include a chairperson, and we have thought very carefully at this early stage that we would like the tribunal to be as representative as possible in terms of people that are aware of landlord issues, tenant issues and have some expertise in the local housing market. The process will of course be free and fair to all. We will advertise for it and we have reached out to the Jersey Employment Commission just to make sure that they know that we are planning to do this. So we hope to have a very good representative tribunal recruited, and we will be taking that process forward in the coming days.

The Connétable of St. Brelade:

I am intrigued that it is 4. Four is always a funny number because you will have difficulty in sometimes getting agreements and would an odd number not be better?

Senior Policy Officer, Strategic Policy, Planning and Performance:

That is a good consideration and there is a minimum amount that we require to be quorate on the commission but I think we are almost doing this, as the Minister says, in an interim stage and we are trying to have people that can be likeminded, civic-minded and reach agreement on some of the changes that will be needed. So we thought maybe in the early stage: "Let us not have the maximum of 5 and maybe 4 makes sense initially" but it is a good point and we can take that into consideration.

The Connétable of St. Brelade:

Thank you. Moving to the tenancy notice period, Minister, you will be aware of the proposition lodged earlier this month by Senator Mézec in relation to increasing tenancy notice periods for longstanding tenants. What are your views on this? Will you be supporting the proposition?

Scrutiny Officer:

Sorry, Chair, the Minister has just popped out for a toilet break.

The Connétable of St. Brelade:

That is all right.

Scrutiny Officer:

He will be back in a moment, sorry.

The Connétable of St. Brelade:

Well, it will not be a direct question but I just wonder if, Sue, perhaps you have any observations regarding the increasing of tenancy notice periods.

Head of Policy, Strategic Policy, Planning and Performance:

The Minister will be publishing his response to the proposition in the very near future. I think we have just discussed the significant amendments to the Residential Tenancy Law and that is where the notice period sits at the minute and so the Minister has very clear plans, as Rob explained, to approve the rights of tenants and also to balance the rights of tenants and landlords. So the question of notice periods is an absolutely important part of the overall review of the Residential Tenancy Law but, as I say, the Minister will be publishing his actual position. I do not want to speak in his absence as to whether he wants to set that out today or whether he will wait until the papers are published later this week.

The Connétable of St. Brelade:

Yes, I suppose what we are wondering is if the current notice period of 3 months set out in the current legislation is sufficient or comparable with other jurisdictions. I do not know if you have experience of other places and if we are picking up from that.

Head of Policy, Strategic Policy, Planning and Performance:

So without speaking specifically whether the 3 months is right, one of the principles that we want to really embed with the new law is the balance between the landlord and the tenant. So at the minute, as such, the landlord can give notice of 3 months and the tenant can give notice of one month. So if you were to say for tenancies that have been in place for a longer period of time, you wanted the landlord to give more notice, it might also be sensible to say the tenant should also give more notice. So, for example, the landlord might be a retired person whose sole income was from the rent of the property and they had a longstanding tenant, and it would be very disruptive to the owner to lose a tenant and for him to then find a new person, so the tenant perhaps should also give the landlord more notice. All these things are the things that have been discussed and developed in the new law and would then be subject to full consultation. I will hand you back to the Minister now.

The Connétable of St. Brelade:

Thank you. Well, I think that has answered that, thank you, Sue. Just moving on to the Rent Safe scheme, although strictly within the Minister for the Environment's remit, you will no doubt be aware of the proposition lodged by Senator Moore in respect of making the current Rent Safe scheme

mandatory. As Minister for Housing and Communities, what are your views on this and are you supportive of that proposition?

The Minister for Housing and Communities:

No, I am worried about it and I will tell you why. Much as I think it is well-intentioned and, on the part of Senator Moore, she has given us a lot to think about, on the face of it, when I first saw that, I thought: "That could work" but then exploring the unintended consequences, the thing about the Rent Safe scheme being mandatory is that it demonstrates to potential tenants that a landlord is interested in being a part of best practice. They have volunteered to have their property rated on the tenancy agreement that is going to be had, the energy efficiency of it, the safety of it, had their star rating and they have gone through that process. Now that is an indication to a potential tenant that that is a good landlord, that is best practice and safe, clean and green with a fair tenancy and so that is the standard that we want. It does not matter whether they are 3, 4 or 5 stars. If they have their 3 stars, they pass the tests and that is good. It is a qualification. Of course we would like everybody to do it but I think doing it in their own time would be better. If it is mandatory, there is no distinction between those landlords who have gone of their own volition to do that and those who have not. So I think it is a badge to wear with pride, the Rent Safe badge, and I think that will be diminished.

The Connétable of St. Brelade:

Indeed. Minister, the bridging Island Plan. The inspector's report following the examination in public on the bridging Island Plan is anticipated to be published this week on Friday, I believe. In respect of the examination-in-public session, which took place at the end of last year on housing supply and demand, was there anything raised in particular that you gleaned from that?

The Minister for Housing and Communities:

Yes, I am sorry. I am just unclear on the question.

The Connétable of St. Brelade:

Well, the report is due to be published but I do not know if you attended the examination-in-public session, but are you anticipating any comment in it with regard to housing supply and demand? There was much questioning by various Members on that.

The Minister for Housing and Communities:

I did attend it in person and remotely so I watched quite a lot of it. It was very fast at times for such a big document but these inspectors are experienced, obviously qualified and know what they are doing, but I think the speed might have frustrated some people. We are all waiting for that report to be published, as we are the Sue Gray report, which cannot be too soon and, as I understand, it is

now with the department and that it will be published in days. I think I will just keep my powder dry until I see that. Obviously, the Minister for Housing and Communities has not been involved in the process of the bridging Island Plan and the putting it together. I was given a briefing and I guess asked for my thoughts but I come into action when the sites are rezoned.

The Connétable of St. Brelade:

Well, it was raised in one of the examination sessions that removing certainty on the proportion of affordable rent and affordable purchase homes on each proposed housing site could make negotiations on land sales problematic. So, as Minister, how do you propose to work with the Minister for the Environment to ensure that sites allocated for affordable housing have the right mix of tenure, size and type of homes including those suitable for right-sizing options while also balancing the expectations of land owners on the sale of the land?

The Minister for Housing and Communities:

Well, absolutely we are not going to be able to build the homes that we want on these fields if the plots are £50,000 a plot. I am afraid we should not be going there. That is absolutely wrong. What I think would be helpful for us to know before we rezone these fields is an indication of how willing the seller is and the understanding of what is going on there in terms of a non-market strictly commercial product, so we have to be realistic there. Yes, I will work very closely with the parish, the Minister for the Environment and myself on what goes on the land that is rezoned.

The Deputy of St. Martin:

Minister, I could not agree more. The rezoning and the difficulties in rezoning sites for housing are immense but are we not shooting ourselves in the foot? We have a proposal from Andium now to not build any houses on the Gas Place site and the gas work site. Do you think it is right that, where we have a site that has been zoned, we have to make the best of every opportunity surely? I know you were on the Planning Committee previous to me and I am on it now. I know there were discussions about how we move forward on this site but surely if we have sites that have got over the hurdle of being zoned for housing, we have to try our best to make use of it. Is the compromise position of extending the park and building some houses on that site not the right one?

The Minister for Housing and Communities:

I think this. If you asked any town planner to look at that site and that map of St. Helier and where we are with open green space in St. Helier, I reckon they would all go: "This is ideal for extending that park." I think there is a balance. I think, ideally, we could extend the park plus have some housing next to the road but I think it is such an important amenity. If you look at that park as it is now, on some hot days in the summer, you can hardly see a blade of grass for people sitting there on their towels. It is packed. This is before the Play.com development was built, the brewery and

Ann Court is built and Le Masurier's on Bath Street. That park was full before those developments were completed, and people value parks so much. Obviously, Andium came to the conclusion that it was easier for them to make that facility and to make up the lost units. Do not forget the planning application was turned down but there is existing planning permission on it because they can make up the lost units elsewhere on the Le Bas Centre or the brewery site. It was them who came to me and said: "Well, what do you think about this? How about we just make this an amenity for all the people that live around there and have green corridors to it and from it?" So, on paper, that would be such a wonderful gift to that area of St. Helier. Now there are competing tensions of the school, et cetera, so it is difficult.

The Deputy of St. Martin:

If I could challenge you on that then, Minister. I do not agree that we need more open green amenities based in St. Helier, and that is absolutely right. I could not agree with you more but why not, in that case, turn the Mayfair Hotel site into a green area for those who are a bit closer to Grosvenor Street, for example?

[13:00]

I also listened to what you just said within the context of what the Constable of St. Saviour mentioned a few minutes ago. We have to build houses somewhere. I appreciate we need green and open space in town, and I do not envy you your job one little bit but it is difficult enough getting fields rezoned and where we have zoning for housing, I am just saying surely we must be trying to make better use of it.

The Minister for Housing and Communities:

But is also about building communities and having the right amenities, and we do not want to be town cramming. Some fields are going to go. By the end of March, we will have rezoned some agricultural fields for the purpose of housing and that is going to happen and we must, as you say, exploit them to their full potential, especially in terms of affordability.

The Connétable of St. Brelade:

Minister, it was raised in a further examination in public session that, while the inspector understood the theoretical basis for the right-sizing policy within the Island Plan, there was uncertainty as to how the right-sizing policy would operate in practice. The inspector was advised by government officials present that detail on the operational aspect of this policy was still being worked on and would be forthcoming from yourself as Minister for Housing and Communities in due course. Are you able to update us today on where you currently are with the detail on the operational aspect of this policy?

The Minister for Housing and Communities:

Well, yes, that is being worked on and it is quite interesting because if we look at the S.o.J.D.C. plans for right-sizing on the waterfront development and South Hill, they have devised their scheme and obviously the property being released has to fall into 20 per cent I think of that development, where they are targeting the empty nesters in the right-sizing. The property they are leaving has to be in a certain bracket pricewise. They have to guarantee that they are selling to a Jersey family. They will get assistance up to a level with their stamp duty. So that is an interesting model to start with but, Sue, how is our work progressing on the right-sizing element?

Head of Policy, Strategic Policy, Planning and Performance:

Minister, you will get a paper on Friday, so 2 days' time. So the current plan is that we need to understand what people's needs are for right-sizing. So we talked about it in general but what we need to do is design a scheme that works for Jersey residents and so we are planning on having a simple survey to go out to people to say: "Is this something you are thinking about doing? What would attract you to this development scheme? What kind of property would you like to be moving into?" We talked earlier about retirement homes so: "What kind of retirement home would you be looking for? What kind of facilities?" So the aim is to launch a small survey probably next week, subject to the Minister's agreement on Friday, and then, following that, we will be able to finish off the details of the scheme and that will then be fully incorporated into the new Island Plan policies.

The Connétable of St. Brelade:

That is very helpful. Thank you. I expect that you will be engaging mostly with older people to understand these particular aspirations. Minister, do you consider there was sufficient time afforded to assess and consult on the proposed plan B housing sites?

The Minister for Housing and Communities:

That is a difficult question.

The Connétable of St. Brelade:

Are you confident that these plan B sites will be able to accommodate plans which may take into account suitable property types for right-sizing, in particular?

The Minister for Housing and Communities:

I think I have to have confidence in that.

The Connétable of St. Brelade:

Now what about self-catering accommodation and Airbnb and the impact on housing? You will be aware of the various new housing developments which are to be built on sites previously occupied

by hotels. What are your views on the loss of tourist accommodation to make way for these housing developments? Have any concerns been raised to you directly that you have discussed at Ministerial level with the Minister for Economic Development, Tourism, Sport and Culture or with the wider Council of Ministers?

The Minister for Housing and Communities:

Yes, we talk about it all the time because it is so important to our connectivity. That airport we have is the envy of jurisdictions our size the world over. I think there are more flights going in and out of Jersey Airport per week than probably the Bahamas, the Isle of Man and Guernsey put together. That is my assumption. It might be factually incorrect but I have a feeling somebody once told me that. So that connectivity is so vital to our finance industry, for example. It is so important to it as well as being good for all of us, but that sort of connectivity cannot be maintained by the finance industry alone. It also requires the tourism trade. They are all symbiotic. They rely on one another - the airport, the finance industry and the tourism industry - so we cannot put a lack of beds on the backburner. I think I said once that I would like to see a hotel on the South Hill site with accommodation behind it or around it for the staff and for others because when was the last time we built a new 4 or 5-star hotel in Jersey? People want that for an Island break, perhaps there is a market, but who is building those hotels at the moment? None of the Hyatts, the Hiltons, the Malmaison, the Mandarin Oriental; I do not think any of them in the current climate, because of COVID, are investing money in a new product. But we have to keep an eye on this because it is absolutely vital to our connectivity. I would have liked to have seen another hotel on the waterfront, but we will see as we go down. It is something we cannot put on the backburner. With Ports of Jersey coming along in their plans I think they have something in mind too for that, which is good, as well as accommodation for the development of the old harbours and the pier.

The Connétable of St. Brelade:

In a similar vein, given that self-catering accommodation can serve many purposes other than tourist accommodation - such as temporary accommodation for renovation works or bridging accommodation following the sale of a property, or emergency housing or indeed accommodation for visiting workers or consultants - do you consider that a lack of self-catering accommodation is having a detrimental impact on the housing situation in some cases, and have you come across any concerns in this regard?

The Minister for Housing and Communities:

Only anecdotally, but I think clearly we have seen the way it has gone in terms of people that might have used to stay in hotels or B. and B.s (bed and breakfasts) wanting to stay with their family in a self-catering unit. That market has grown, has it not? I think I am slightly disappointed with the bridging Island Plan that it does not relax the rules slightly on allowing existing structures in the

green zone or the Coastal National Park to be redeveloped. I think maintaining the presumption against that development on existing buildings is not right. We should be using them for accommodation for both people living here and for tourist accommodation. I think that is a mistake and I might amend the Island Plan myself or others might. It is a missed opportunity. The biggest argument against doing that seems to be a worry about increasing trips, and that worries me because to solve the problem of an increase in trips put the bus more regularly on that road. It seems the tail is wagging the dog here and so it is ... I think you hear what I am saying.

The Connétable of St. Brelade:

Indeed. We recently met, Minister, as a panel with Freedom Holidays who highlighted one of the current issues they face is that under current housing legislation individuals are required to be residentially qualified to rent a short-term holiday let; also that change of use is a problematic barrier for property owners being able to register and let a property as a self-catering unit resulting in very few larger family homes registered within the self-catering market. We understand this has resulted in a surge of properties being listed as Airbnb holiday rentals illegally, which is considered as not being duly investigated and policed by Government. Have these issues been brought to your attention? Will you undertake to liaise with the Minister for the Environment and the Minister for Economic Development, Tourism, Sport and Culture to investigate the matter further and address what changes to current legislation might be required to combat the issue?

The Minister for Housing and Communities:

We are not aware of a massive increase in it. It is something that we need to monitor. I am not even sure if Airbnb even features in any statute anywhere. I do not know if the law recognises it yet. If you wanted to control Airbnb that is something you could do; that would be another provision in the Residential Tenancy Law. In short I think we probably need to gather more data and information collectively on that.

The Connétable of St. Brelade:

It seems to be a burgeoning industry and obviously there is much demand for it. As we approach, Minister, the end of this term of Government - and accepting that you have been in your post as Minister for only a short period of time - what do you consider to be your main achievement to date?

The Minister for Housing and Communities:

I think that continues; I mean I am not winding down. I will be working up until we effectively start the next election because there are so many workstreams that I want to get progressed and finished. The sort of unsexy side of the job, if you like, the stuff that does not grab the headlines, is the restructuring, the redefining of the role of a Minister for Housing and Communities and what is going on to support that. That is going to be useful for my successor and I am really pleased that we have

unlocked some more Government-owned sites. I am very pleased that we have finally got that 80 per cent cap. That has been talked about since 2014; it was not an issue that was going to go away, we had to do it. It was difficult but we have accomplished that and so that is good. I have not really stopped to think about that too much, my legacy.

The Connétable of St. Brelade:

But going forward what are the most important priorities for the next successive Minister for Housing and Communities to carry forward once imposed? What would you say those are?

The Minister for Housing and Communities:

Everything to facilitate appropriate supply; that is our biggest problem. It is happening. It is going to get slightly easier but I think the common population policy is perhaps not headline grabbing but it is a very sophisticated piece of work on the part of Deputy Huelin and his officers because it represents a vision for the future. It is the building blocks to getting somewhere we want to be, to ensure that we have got the right data so that we do not get into a situation where we are out of control again and into a housing crisis. It is about better management of who is coming into the Island so that we do not end up with another big problem down the line with no short-term fix because there are no short-term fixes when we are talking about bricks and mortar; it takes time. So I think the common population policy is going to start the process and be helpful.

The Connétable of St. Saviour:

Do you think that if we had have had an immigration policy your life would be somewhat easier?

The Minister for Housing and Communities:

Possibly. I think why my life is difficult at the moment, Connétable, is because of the shortfall.

[13:15]

For some reason in the decade from 2010 to 2020 we are about 2,000 units short of what we should have been doing. History is history but now we are going to keep an eye on it, a better eye I think, and that can only help.

The Deputy of St. Martin:

Minister, you mentioned the word "crisis". Do you accept there is a housing crisis?

The Minister for Housing and Communities:

I have always done, but I think it was slightly unfair to take the Minister for Treasury and Resources' words out of ... what she was trying to say was that in a crisis you think of people running around

like headless chickens. We are not; we are organised and we are working on it and we are determined.

The Deputy of St. Martin:

Well I beg to differ with you on that one, Minister. The definition of crisis is a situation that needs a decision taking, but I might be wrong as well. That is certainly my understanding but there we are. I know we are getting to the end but can I take you back to your plan B housing sites? You said it was a difficult question that the chairman posed to you but surely if we are going to accept plan B housing sites those sites will have to go through the same process as the plan A sites went through. Certainly my parishioners have been hugely disappointed to find very, very, very late in the day that sites had been put forward by private individuals where nobody outside of those individuals knew they were coming forward.

The Minister for Housing and Communities:

That is for the Minister for Planning, but I hear you.

The Connétable of St. Brelade:

Minister, do you feel the level of resourcing and manpower within Government departments is now sufficient to progress the timely development and implementation of joined-up housing policy moving forward?

The Minister for Housing and Communities:

Yes. It has been very, very interesting for me. I have got to say it has been a real challenge and I have been really worried during this term as a Minister for Housing and Communities. It was at times overwhelming but I think we have ... once we got a plan together - it helps to have a plan - and then working from that I have begun to be much more hopeful. I always say it is going to take time, there is no overnight solution, but we seem to have a plan and on the right track and good, achievable targets. There are difficult decisions. The debate of P.96 was difficult, but I just could not contemplate any delay in the building of units of accommodation. We just cannot do it. No plan is ever going to come before the Assembly and get 49 votes pour but we just have to make progress.

The Connétable of St. Brelade:

Thank you. Before I close I am just going to ask if there are any further questions from the panel.

Deputy G.J. Truscott:

Just to finish up from my perspective. Both you and I, Minister, served a really good 6-plus years on the Planning Committee together, defending greenfields, defending green zone policy, et cetera. What is your view - as mooted recently in the *J.E.P.* - about building higher?

The Minister for Housing and Communities:

I think that is easier said than done. Where are these high-rise going? On the case of the S.o.J.D.C. development on the waterfront, just taking the waterfront development on its own, the height of those buildings has been worked out to within an inch almost. There are 1,000 units of accommodation there and it has been worked out at those heights, and they gradually step down towards the north to south following the whole trajectory that it does with horizon down to the Castle Quay, or whichever the ones are down there. So they have got that sort of sweep. It has been worked out that the optimum height for ensuring that no area of the parks or apartments is without at some stage direct natural sunlight. I applaud Lee Henry, the C.E.O. (chief executive officer) for this. He came to this arrangement with his consultation and he stuck to it because it is better for everybody down there; it has reached its optimum height. The most successful high rises in Jersey probably are the Cedars and La Collette high rise because they have got something behind them, they have got the Mont de la Ville, the big rock behind them. It is easier to build high in a way if you have got something as a backdrop to it. In Manhattan it is other skyscrapers that are a backdrop to skyscrapers and they look fantastic. While it is wonderful there it is not right for Jersey. So it is easier said than done. It is a question of where you can go higher. If we can comfortably do it, of course we should. We do not want to be in a situation in 20 years' time where our successor is going: "Why did they not build higher when they had the opportunity?" But high rise here is going to be really tricky.

The Connétable of St. Brelade:

Minister, and your team, I do not think there is anything else from panel members. Thank you very much for presenting this morning, it is much appreciated and we look forward to talking to you further in due course.

[13:21]