

Submission 9 - Edward Trevor

When the Scrutiny Panel is considering Retail particularly in St Helier it should be aware of the fact that at the present the main streets, King and Queen Streets (High Streets) are better occupied than most in the UK. What is causing a problem currently and stopping the reletting of such places as the old Next or Thomas Cook is that the rents being asked are well above what can be afforded today and it appears agents or lessors have long memories and are quoting what was and not current figures.

Retail is struggling throughout the British Isles and companies such as Amazon and others using the web have virtually no property costs and therefore no shop assistants. Warehousing is considerably cheaper than High Street shops. If our "High Streets" are to prosper and not fall into decline then landlords should accept the fact that for the good of the Town and themselves that rents should be moderated.

A major difference between the law on renewing leases for commercial property between Jersey and the UK is that here there is no legislation similar to the Landlord and Tenant Act. This gives a tenant the right to renew its lease subject to limited conditions. Should the rent not be agreed there is provision to go to Court, an Arbitrator or independent surveyor. This allows a tenant some form of security of tenure which is completely absent in Jersey.

Unfortunately it appears to me that the secondary retail positions are not in such a happy situation. Colomberie is virtually dead, Bath Street is suffering and the tertiary are in no better state.

As some members may be aware I have been a Rates Assessor in St Helier since January 2006 and for 11 of these years was Chairman of the Association of Jersey Rates Assessors. What became obvious to me and was confirmed by those I met at the Heads of Commonwealth Valuation Agencies in 2016 was that not to review assessments on a regular basis is nonsense. The UK is going from quinquennial to triennial and some countries are doing it annually. I have suggested every 10 years for here. Our last revaluation was based on the rental values in 2001/3 and since that time the relativity of rents has changed. Good offices have increased, farm land has increased, prime retail has decreased, secondary retail has decreased even more. Due to the fact that the Constables and the Assessors, other than in St Helier don't want to revalue as they say we use Attributes not values it is proving difficult to correct the unfairness of the present situation. The public don't understand Attributes nor quarters and this even covers some of the Estate Agents! Generally shops are paying too much in rates and warehousing, farms and offices too little. Taxes should be fair to all and currently they are not.

As a result of the decisions made by the States in December 2016 a working party has been set up by the Treasury to see if a revaluation would be worthwhile. In spite of the working party originally being "officers" only with no political members the Constables appointed John Refault whilst he was still Constable of St Peter as their representative. The Working Party is totally unbalanced with the Secretary to the Constables and my successor as chairman of the AJRA with John Refault all against a revaluation on any grounds not withstanding the current unfairness. If Jersey adopted a revaluation every 10 years then what is known as "Tone of List" would be followed until the next revaluation came into being. The problem is that Assessors are elected from those on the electoral roll of the appropriate Parish and they need absolutely no knowledge of property or any qualification other than being on the electoral roll. With domestic properties where there are grids it may not be too much of a disaster but in the case of the numerous types of commercial, non-domestic, property it is much more complicated. Unfortunately there are no current assessors outside St Helier capable of valuing property which is one of the reasons, I suspect, why the Constables and non-St Helier Assessors are against a revaluation.

When reporting Scrutiny should give serious consideration to additional security to tenants, ie Landlord and Tenant Act, and a revaluation for rating at least every 10 years.

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Edward Trevor, MBE FRICS IRRV (Hons)