

Jersey housing shortages, supply, affordability and discrimination.

We are told that Jersey has a “housing shortage”- but this expression has never been accurately defined or quantified.

Since 1949 Jersey has had a Housing Law – the primary aim of which was to “prevent further aggravation of the housing shortage” by restricting the ability of residents to rent or buy property. The original Law sought to give preferences to so called “bona fide residents” over others.

Any post-war reasons for such a law have never really been critically examined subsequently so that the inevitable prejudice and discrimination towards “newcomers” or “immigrants” has become just a part of the semi-official “Jersey Way”.

The Housing Law and all the discrimination that goes with it has been reinforced over the years with Regulations (notably those of 1970) and by more recent legislation under housing and work laws and the creation of a Population Office.

Without a housing shortage, the Housing Law and its successors – which appear to give advantage to “locals” - cannot be justified.

Therefore, there is an inherent reluctance to end the shortage.

Andium Homes Ltd recently admitted (before the Scrutiny Panel) that there would never be an end to the shortage.

The Housing Law was never intended to promote the building of housing accommodation - it was designed to suppress demand for housing.

Yet, at the same time, government policies since 1949 have required an ever-expanding population coupled to “economic growth”.

The 11,500 or so working, adult “non quals” population of Jersey are still excluded from any housing need projections and there is no discussion about their ultimate fate so far as being housed is concerned. There is presumably just a forlorn hope that they might just “disappear”!

They are already out of sight and out of mind.

In 1949 there were about 56,000 residents, in 1960 about 60,000. There are now over 100,000.

There is no governmental obligation to house the homeless or inadequately housed in Jersey and the Housing Law and Regulations were discriminatory and unfair just like the current policies administered by the “Population Office” in accordance with the Housing and Work laws.

Such laws are used as a kind of surrogate Immigration control - in spite of the Judgment in *BBC v Housing Committee* where Bailiff Crill declared that the law should only be used for the purposes of housing and not as an immigration control, at all.

Other aspects of Jersey’s current and future population are also shrouded in obscurity too. Although the ageing population is a matter of great and increasing concern and “Care in your own home” is the Health Department mantra – nobody knows what the demand for adapted homes might be. Or, even how many existing homes are already suitable for use by persons with even the most minimal disabilities.

Nobody has accurate or up to date statistics on Jersey’s true housing needs. Estate Agents are frequently asked by government to advise on demand but their knowledge is haphazard and totally inadequate being usually based upon very limited polling of their members at best.

Jersey Estate Agents do business with a very narrow section of the population – usually those with housing quals and seeking to purchase. They have no means of knowing the true extent of unmet demand for those in the rental market and especially of those without “quals”.

The social housing providers similarly have traditionally had only a very minimal interest in housing need and demand since so many people – such as single people under 25 or married couples without children under 50 years of age – have been excluded from the housing “waiting list”. Now the common “Gateway” is an equally flawed and discriminatory device which the Parish Constables tend to ignore when allocating housing in their domains since they tend to operate yet another prejudice in favour of those with Parish links.

Inevitably, the missing 11,000 or so working residents without “quals” do not feature on anybody’s waiting lists and there are no plans ever to house them adequately or at all.

Similarly, there is no precise information about the condition of most habitable accommodation in Jersey where many tenants and lodgers have no control over such matters.

In fact, the laws don’t actually prevent immigration but just make it difficult for most “newcomers” to enjoy proper housing accommodation on an equitable basis. Other laws restrict their employment opportunities and limit their entitlement to some social security, health and other benefits.

This package of laws and policies operate in conjunction with those of other departments – such as those of the Planning Department and its absurd Island Plans – in order to deny proper housing accommodation to a substantial part of the Jersey resident, working population.

There have traditionally, since the 1970's, more than 10,000 working adult residents in Jersey without qualifications to rent or buy proper living accommodation – although they contribute local tax and social security payments and contribute a substantial amount in “rents” to somebody or other.

That number is probably now increased to about 11,500 or one fifth of the working population and many will have children - often Jersey born - but the various policies try to ensure that many do not stay to build up “housing quals”.

The system is designed to have a constantly changing but substantial and essential proportion of the Jersey population as mere second-class or transient workers.

In fact, similar systems have existed for centuries in the Channel Islands and the peoples of many countries have been encouraged to settle here briefly to work but not to become long term residents.

Inevitably, any intention to engineer a resident population of “local” origin only has been thwarted because Jersey is now a cosmopolitan community.

Yet, according to the Statistics Office, 20,000 people with Jersey housing “quals” do not actually live in Jersey at all.

There has been no attempt to discover why this might be or what might happen if they returned to Jersey.

Similarly, nobody has attempted to discover how many current residents will obtain their housing “quals” during the current Island Plan or how many new homes will actually be required before 2018 or any year in the medium-term future.

For a few years, the Housing Law included provisions to control prices of property and land. The maximum price of land sold for social housing was fixed at £1,400 per vergee. The intended purpose of these measures was supposed to be to ensure that affordable housing was available to “qualified” residents but the measures were scrapped as unworkable.

Contrarily, the Housing Law and Regulations encouraged higher property prices by the operation of inflationary policies favouring the most wealthy (11k and 11J categories), inflated rents through the payment of rent subsidies and rebates, a very high proportion of uncontrolled lettings of rooms and lodgings and a property market distorted by the discriminatory legislation.

Most notably, the exclusion of the 10,000 or so working adults from the “qualified” housing market has meant that from 30 to 40 million pounds is removed from the potential house building fund each year and paid into the pockets of lodging house owners and others who provide accommodation for non-qualified workers. The local “qualified” housing market is thereby starved of essential funding and the “housing shortage” is exaggerated and prices kept artificially high.

The Housing Law and its supportive Planning and Employment policies are all designed to ensure that the “housing shortage” is maintained and property prices kept high.

Lack of affordability and shortage of housing are not new problems or due to recent local or international events.

They are long term problems created and fuelled by deliberate policies of Jersey government since 1949.

Page 4 (end)

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July 2015