



Environment, Housing and Infrastructure Scrutiny Panel

Minimum Standards for Rented Dwellings: Licensing Regulations

Witnesses: The Minister for the Environment and The Minister for Children and Housing

Tuesday, 3rd December 2019

Panel:

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

Deputy K.F. Morel of St. Lawrence

Connétable J.E. Le Maistre of Grouville

Deputy I. Gardiner of St. Helier

Witnesses:

Senator S.Y. Mézec, The Minister for Children and Housing

Mr. A. Scate, Group Director, Regulation, Growth, Housing and Environment

Deputy J.H. Young of St. Brelade, The Minister for the Environment

Mr. S. Petrie, Environmental Health Consultant

Ms. A. De Bourcier, Acting Director, Environmental Health and Trading Standards

Mr. J. Norris, Policy Principal, Strategic Policy, Performance and Population

Mr. B. Markwell-Sales, Personal Assistant

[14:04]

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

I would ask us to go around the table and just introduce ourselves for the record, please.

Deputy K.F. Morel of St. Lawrence:

Deputy Kirsten Morel, member of the panel.

The Connétable of St. Brelade:

Constable Mike Jackson, chairman of the panel.

Connétable J.E. Le Maistre of Grouville:

John Le Maistre, Constable of Grouville.

Deputy I. Gardiner of St. Helier:

Inna Gardiner, Deputy of St. Helier.

Acting Director, Environmental Health and Trading Standards:

Alison De Bourcier, Acting Director for Environmental Health and Trading Standards.

Environmental Health Consultant:

Stewart Petrie, Environmental Health Consultant.

The Minister for the Environment:

John Young, Deputy, Minister for the Environment.

The Minister for Children and Housing:

Senator Sam Mézec, Minister for Housing.

Group Director for Regulation, Growth, Housing and Environment:

Andy Scate, Group Director for Regulation.

The Connétable of St. Brelade:

At the back?

Policy Principal, Strategic Policy, Performance and Population:

Jack Norris, Policy Principal.

Personal Assistant:

Ben Markwell-Sales, Personal Assistant.

The Connétable of St. Brelade:

Lovely, thank you very much. Starting off, if I may, with the Minister for Children and Housing, a number of submissions have highlighted a view that if the general public were made more aware of existing legislation and the right of the tenant to complain, it would be simpler to inspect premises on a complaints basis and avoid the need for expensive annual inspections. What would your view be on that?

The Minister for Children and Housing:

I think that if our starting point was that people were more aware of the procedures that already exist and what rights tenants have, it would certainly be a much better starting point, but I do think it is the case that tenants are not aware of what rights they currently have under the law and what procedures, what complaints there are. Again, lots of people approach me directly, who I send straight to Environmental Health, who obviously do a great job of that. I would say though that there are undoubtedly people out there for whom the knowledge would probably not help them so much or maybe they already have that knowledge but still cannot complain because they find themselves in a vulnerable position and are worried about how they would be treated afterwards and having a reactive system will not necessarily reach those people.

Deputy K.F. Morel:

Do you have a sense of how many people that might be?

The Minister for Children and Housing:

I could not. I get anecdotally lots of people coming to me. I could not possibly put a number on it, but I suspect that for a greater number of people than I would be prepared to tolerate it is a problem for them.

The Connétable of Grouville:

Before the new law came in, I think we understood that you did not have the powers to deal with problems, but now if somebody does complain, you do have the powers to deal with them.

The Minister for Children and Housing:

That is it. Environmental Health have got powers to deal with that substantially better than was the case a few years ago. That is certainly a good thing and is improving things for people otherwise may not have had a course of action that should have been taken. So we are better than where we were a few years ago, but I am still of the view that there is more we can do and a proactive system is better than a reactive one.

Deputy I. Gardiner:

Just to make it clear that according to the law of 2018, the department does not need to wait to complain, that you can initiate a visit and you can visit and inspect the property. Is this correct?

Environmental Health Consultant:

We could, but we would not know why we needed to visit, unless it was blindingly obvious there was something wrong. We have seen an increasing number of complaints since the law was passed, but we do get ... I would guess maybe a fifth of the complaints we get, people say: "Can you not tell the landlord or can you find a way of visiting so the landlord does not know it was me that asked you?" because they are worried what would in the U.K. (United Kingdom) be called revenge evictions. Obviously we have no way of knowing what happens and the last thing we want to become is an eviction service.

Deputy K.F. Morel:

You mentioned that complaints have increased since the law was passed. How much have they increased by?

Environmental Health Consultant:

I think Alison has got the figures to hand.

Acting Director, Environmental Health and Trading Standards:

Looking back to 2015, we used to deal with about 130 complaints a year. This year to date we have dealt with over 215. The number might be more than that because quite often the people complain, it sits in lots of multiple categories - it is usually just not one issue - so we have seen a substantial increase, but I think that is maybe just the tip of the iceberg.

Deputy K.F. Morel:

You made the statement there it is the tip of iceberg. Why do you think that?

Acting Director, Environmental Health and Trading Standards:

Because we hear lots of people talking about the fact that they are afraid to make complaints. I think Citizens Advice Bureau also deal with complaints and they are concerned that people will get advice, but they are not prepared to make formal complaints.

The Connétable of St. Brelade:

On the basis of the risk of eviction, around eviction?

Acting Director, Environmental Health and Trading Standards:

Yes, the fear.

The Minister for Children and Housing:

I could answer that when people have approached me and I have listened to what they have said and I have said: “Okay, Environmental Health will be the path you have got to go down” and sometimes I can pass them directly to Environmental Health, but sometimes they will leave it down themselves to do that and I do not know if they have done that. When the process becomes formal, that can be a point at which people get scared off.

The Connétable of St. Brelade:

From your point of view, Minister, what do you consider to be the advantage or perhaps disadvantages of a rental licensing scheme?

The Minister for Children and Housing:

It enables us to be proactive. It provides us with certainty and more accurate information about what is happening on the ground and that will help inform what other actions we need to take. It strikes me as simply being more fool-proof. By enhancing the rights that tenants have and having a stronger system for being able to go in and fix things, you are inevitably going to reach the places that you otherwise would not. That will improve the quality of life for people who are otherwise living in properties of poor quality.

The Connétable of St. Brelade:

Do you think that will have a negative effect on the affordability of housing?

The Minister for Children and Housing:

I personally do not think so. I think that some of what is said by those who opposed this legislation to me comes across as scaremongering. I am not speaking for anyone else on this side of the table when I say it, but I think that tougher regulation, if that pushes out some of the landlords who are not capable or willing of dealing with that tougher regulation, I would think that would be a good thing because their properties will either be taken over by people who will buy them to live in them or be taken over by landlords who are more capable than them, so I feel it is win-win.

Deputy I. Gardiner:

Going back again to being proactive, I just want to understand, does it mean that the charge will allow to have more officers to inspect the property or what is changed? Because now you can inspect the property and be proactive. What will change? What will be different?

Environmental Health Consultant:

The main thing that will be different is we will know where the properties are. We do not know where the rented properties are; we do not know who owns them; we do not know what the occupancy is; we do not know if they are overcrowded or not. There is no way of gathering that information. It is suggested that that exists within the States, but it does not. We do not have a rate system. I do know if the Minister wants to ...

The Connétable of Grouville:

Well, I was waiting to be asked, but ...

The Connétable of St. Brelade:

Has there been any communication at parish level?

Environmental Health Consultant:

We know that information does not exist at parish level. The ownership particularly in terms of rented dwellings may well just give a business name and in some cases share transfer does not necessarily show what is going on with that business either.

The Minister for the Environment:

If I may come in here, I think that there is an overwhelming case here for a proper robust system, a centralised system, where we for the first time know what residential properties we have. We do not currently know. I think if you look at the Island trends, we are in a housing crisis, we have got desperate housing needs to meet. There is no question that the provision of private rental accommodation is a major component of that. I think all those indications are is that we now need to move to ensure and have an arrangement in place where we can feel much more confident in the minimum standards that we have already passed in the law that the States Assembly approved back in 2017, in December. Now, that was the former Assembly voted I think pretty well unanimously, followed up by putting it into place in September 2018. I said I had wanted more time to look very, very carefully at why we needed registration and a licensing system. I committed to the States, having done so, that we needed to do it and we have spent the time trying to make sure that the arrangements that we put in place are fit for purpose and as suitable for the current needs as possible and strike the right balance between achieving those standards and putting something in place which is overly bureaucratic. I am satisfied now we have come to the point where the arrangements are about right.

The Connétable of St. Brelade:

Can I just ask Sam, do you think rental prices will increase as a result of this legislation, as costs will inevitably be passed down to tenants, it is suggested?

The Minister for Children and Housing:

I do not think that that will be the case. If it has a disruptive effect on the market in one way or another, it will be down to myself and the rest of the Housing Policy Development Board to fix the parts of the market that allow that to happen. We know that compared to lots of other jurisdictions we do not have safeguards in our residential tenancy law on what rent increases can be applied and how they can be applied. So there are other things we have got to do outside of this law, but all of that is on our agenda.

Deputy K.F. Morel:

Given that it is perfectly normal in any business to pass increases costs on to the customer, how can you come to the conclusion that those costs will not be passed on to the customer?

The Minister for Children and Housing:

If you are asking me to provide you a piece of evidence that says it is not going to happen, I cannot do that.

Deputy K.F. Morel:

Why can you not do that?

The Minister for Children and Housing:

Because I do not have that evidence, but likewise I do not have ...

Deputy K.F. Morel:

Have you looked into it?

The Minister for Children and Housing:

I do not think it is possible to find evidence that goes one way or the other. We will not know until it happens. If rents go up in that time anyway, you will not necessarily be able to attribute it to this, it may be attributed to something totally different that is happening in the market, so it is not a clear science like that. I am just saying that I do not think it will happen. I am simply not convinced that what is, in the grand scheme of things, a very small cost certainly for the licensing will have that effect.

[14:15]

Deputy K.F. Morel:

But to be clear, you are basing it on the hope rather than anything else, because you have no evidence?

The Minister for Children and Housing:

It is based on what my understanding the economics of it is. People have different views about how economics works.

Deputy K.F. Morel:

So you do not think businesspeople or businesses pass on costs to customers? That is your understanding of it?

The Minister for Children and Housing:

No, that is not what I said at all. I think that that will certainly happen in some instances in the economy. I am not convinced that it will happen here.

The Connétable of St. Brelade:

I sort of hesitate to suggest that is probably a bit of a naïve view. I would have thought that most ...

The Minister for Children and Housing:

I would suggest the opposite view to a naïve view.

The Connétable of St. Brelade:

Just to develop that, there will be those tenants who are prepared to accept a lower-grade property on the basis that it will be cheaper and within their ability to pay. Do you think there is any mileage in accepting that?

The Minister for Children and Housing:

I would call that exploitation, to accept a property that falls below minimum standards. Even if it is cheaper, people should not be forced to make those sorts of choices.

The Minister for the Environment:

I remind the panel, the overwhelming evidence that we have had a situation - reluctantly, we have to admit it - there has been some very poor quality accommodation in the past and we have had children living in those premises and what we have got, our Government priority now is that what was acceptable in the past I believe is no longer acceptable in a modern civilised society. I think that brought in the question, yes, there will be people with lower-cost accommodation, but the standards we have set are minimum standards. It does not mean to say they are luxury standards; they are what is safe. It means that people's lives and health who are living in them are not threatened. We have had a situation, and I have heard cases where people have been living in unhealthy and dangerous properties. I think, from what I see, those cases that have come to us are

not the majority. If you take the figures so far, already we have seen - we believe the evidence is - already so far in this journey to achieving better standards, we have already achieved significant improvements. All the figures indicate that, but there is further work to be done. On the question of the economics of it, I understand the question that Deputy Morel raises, but of course I ask what is the range of rentals that people pay, what is the lowest? The sort of lowest I have been told that people are paying, around £150, £160 a week, which is around £7,500. What I struggle with is to believe that having a system whereby a registration fee of £50 could materially affect an annual rental yield of that, but I do, I have trouble with that.

Deputy K.F. Morel:

If I may stop you there, I think we should talk about the registration being at £200, because that is where the standard fee is. From there, discounts are applied, so I think you need to talk about it being a £200 registration fee.

The Minister for the Environment:

I would hope that that would not be the average case, because the evidence available is the overwhelming proportion of the properties that have been looked at so far in the non-lodging houses bracket are meeting decent standards and we would expect those to enjoy very substantial discounts, if not the highest level of discounts.

Group Director for Regulation, Growth, Housing and Environment:

If I may, Chairman, I would invite the panel to think about cost in a wider sense as well. Cost to tenants living in accommodation which does not meet standard is an economic cost to them. There is also a health cost to them in terms of lost days, lost productivity days, lost days at work, lost days to the employer. There is also an impact on children living in such properties in terms of their adverse childhood experiences longer term. There is a lot of evidence that shows that housing is one of the key determinants in your future success in life. So while we are talking about a relatively modest regulatory cost of this, I think the cost benefits to tenants and to society as a whole and to Government as a whole is much greater than the small modest cost of regulation. The costs to the health service of respiratory illness, for instance, is a big number. I would invite the panel just to think about cost in the wider sense really around what cost is incurred in Government and in society from poorer housing.

The Connétable of St. Brelade:

I suppose what we have looked at is the effects, that an additional burden could be on the income support scheme and therefore the taxpayer by the imposition of this fee, because at the lower end, where probably it is more important, that that will inevitably filter through. Have you had any thoughts

in those terms in that form of development, if you like, in terms of economic effect down the line?
Would you envisage ...

The Minister for the Environment:

What I would say is look, what will happen in this system, like all systems, will be monitored and we will see those effects. We have got the opportunity to change the licensing scheme. The scheme that we brought to the table I think has got the right elements in it, that it is low cost, it provides great incentives for people to achieve those high standards and it is unbureaucratic and does not impose high costs on the taxpayer. In fact, it does not impose any cost on the taxpayer, I would argue. It is about our journey to better standards, but if that is the result we find, that we find adverse effects, we will have to deal with it. These are being passed by regulations. We can change those regulations, subordinate legislation, and that is the way we do things. But I think if it is argued that because of the representations of one particular group ... I accept this is an important group, the landlords, but we are dealing with representations of a group where we do not currently know the number of members that the views represent.

The Connétable of St. Brelade:

Can I come in from the other side then? Do you think the proposals for inspection go far enough to protect tenants' rights?

The Minister for the Environment:

I think they are proportionate. I think I would ask Stewart to comment, if I may. I have been very clear that I did not want to have an excessive, bureaucratic, over the top regime. I wanted to have a proportionate one. Stewart, if you want to describe it. Maybe if you ask Stewart to describe the way in which he would plan to implement this.

The Connétable of St. Brelade:

Can I ask your views on that question? Do you think tenants' rights have been respected enough?

Environmental Health Consultant:

The tenants' rights? Certainly. We are not talking about an annual inspection. I know Mr. Weston regularly says there will be an annual inspection. In fact, I spoke to him this morning. I wished him good morning as I walked into work this morning. He keeps saying that there is an annual inspection. We are not talking about an annual inspection; we are talking about a targeted inspection where it is needed. One area that we have already got licensing in is the lodging houses and we took on responsibility for that, which was delegated from the Minister for Housing, so we had one visit rather than 2 visits, and because we now have the new legislation about minimum standards, we were able to apply them all. Now, 30 per cent of those inspections of already licensed places that we

know of have failed in terms of minimum standards, seriously enough for us to risk assess them and that we need to go back within the next 12 months.

Deputy K.F. Morel:

You talk about targeting and yet in the regulations it says that before issuing a new licence, the Minister must inspect the dwelling. How does that fit into targeting?

Environmental Health Consultant:

It depends what you are calling an inspection. We obviously need to inspect the paperwork to make sure that the tenancy laws are being ...

Deputy K.F. Morel:

It says: "inspect the dwelling."

Environmental Health Consultant:

Indeed. Dwellings such as if it was on Westmount would take maybe 5 minutes to inspect to make sure it still continued to meet the standard it was built to. Other ones will take longer.

Deputy K.F. Morel:

But my question was how do you call that targeting? You are talking about having a targeted inspection regime. I am saying that the regulations say that every dwelling must be inspected, so I am saying that there seems to be a tension between what you are saying and what the actual regulations demand.

Environmental Health Consultant:

I do not think so. I think what the regulation is saying is that if you do not have grandfather rights, so if you are already renting it out, you will be given a licence. Those are the ones that we will target post the licensing regime, so we pick up the ones that we think are the worst. The ones that apply after it comes in, so the first time a dwelling comes to be rented we will inspect, but that inspection will also include the very necessary things to make sure people are not being over-charged for electricity, which seems quite common. We have found charges of up to 70 pence a unit.

Deputy K.F. Morel:

I am confused, because you just seemed to be telling me you were inspecting all the dwellings and yet at the same time telling me they are targeted.

Environmental Health Consultant:

No, no, I am not saying that at all.

Deputy K.F. Morel:

How many inspections do you expect to be doing every year?

Environmental Health Consultant:

I cannot answer that. I do not know how many properties are out there.

Deputy K.F. Morel:

In which case, how can you set the price at £200, given it is a cost-recovery basis?

Environmental Health Consultant:

Because you work on what you think will be out there.

Deputy K.F. Morel:

So what do you think will be out there?

Environmental Health Consultant:

Let me explain.

Deputy K.F. Morel:

No. Look, could you answer my question, please? What do you think will be out there?

Environmental Health Consultant:

In terms of numbers of properties?

Deputy K.F. Morel:

That you will inspect every year.

Environmental Health Consultant:

I do not know how many we will inspect every year.

Deputy K.F. Morel:

Then I ask you again: how did you come up with the pricing regime?

The Minister for the Environment:

I was going to say, what we have at the moment is we have got the system we brought to the table, we have made a commitment that does not require more resource to run it than we have now. That is what I meant, where this is not a system that is going to impose excessive costs on the taxpayer,

I will argue any. Judgments would have been made based on the estimated volumes. I am informed that we think ...

Deputy K.F. Morel:

I have just been told there are no estimated volumes.

The Minister for the Environment:

We do not know for sure. The estimated volume that I had provided, we expect - and this is an expect, and I cannot give you the basis of how that estimate has been arrived at - is circa 9,000 properties, which excludes those properties which are run by the housing providers, the housing trusts and so on and Andium. Obviously those would be subject to a regime, but I have certainly been informed, as Minister, it is not the intention that every property will receive a physical inspection. It will be done on a risk base. Obviously if there are complaints, which goes back to your question, just is it satisfactory to rely on a system of complaints only, in my experience in my various roles in working in Government I found there are lots of reasons why people do not complain, they are intimidated or anxious to be complaining, especially in a small community, and therefore it is having this robust system where we get the judgment right about what the level of intervention is, that it is not excessive, targeted. All it is making sure is that the properties we have are up to a standard which does not threaten people's health and their lives. It is not a luxury.

The Connétable of St. Brelade:

One of the submissions referred to unnecessary burdensome inconvenience for tenants to provide access. What would be your comment to that?

The Minister for the Environment:

I think any access would be done with reasonable arrangements for due notice. Of course I think we have seen quite a growth in support from managing agents. Perhaps I should have declared at the start I have got a property of my own, a single property that I let out and I have a managing agent and I have found they are doing extremely well. They deal with all of that and things are not done ... there is no like charging out with the fire brigade. Things are done with proper arrangements through that managing agent and I think that this scheme has led already to a growth in the way such businesses operate and an improvement in the system.

The Connétable of St. Brelade:

Maybe this is just for Stewart to answer. Would you expect the process to be that the inspector would get in touch with the managing agent and target particular properties of his choice or would that be the way it would happen?

Environmental Health Consultant:

First of all, can I say we expect there to be nearly 9,000 of the estimated 15,000 that will already be in the Rent Safe scheme by then and will not require any inspection because that will have been done? The ones that come in, the ones that will be inspected are the ones that are new to the market because that is what we have committed, to make sure that any new rental properties coming on to the market will meet the minimum standards, both in terms of management in tenancy agreements, in deposits, and then we will work on the existing ones by targeting them. But it is not a question of dashing out and knocking on the door and demanding to come in. We would make appointments, we would do it when it was convenient for the tenants, because the whole ethos of the legislation is to protect the tenants. It is not something that we want to do, to go upset them.

Deputy I. Gardiner:

I want to follow. You mentioned that it will be not extra staff and not extra cost, so can you please let us know how the revenue raised through the scheme will be used? What is the plan?

Deputy K.F. Morel:

Starting with how much revenue.

The Minister for the Environment:

I will ask Mr. Scate to deal with the detail, but I inherited the situation where budgetary decisions had already been made well before I was elected as Minister in previous plans and whatever income was raised for this service would meet the costs of doing that inspection.

The Connétable of St. Brelade:

There is a suggestion that the fees received could be in excess of what is needed. What would ...

The Minister for the Environment:

We would adjust it back, because I do not think that would be acceptable. This is ...

Deputy K.F. Morel:

Can we ask for your estimates? How much income to you expect to generate from this scheme in its first year?

The Minister for the Environment:

I do not have the numbers. Could I ask Mr. Scate to ...

Group Director for Regulation, Growth, Housing and Environment:

First, there are a number of variables in there. First, the number of properties is one variable. We have made some estimates. In terms of Treasury estimates, the Medium Term Financial Plan, which covered to the end of this year, expected £600,000 to be brought in by the income. When our budgets were set, it is assumed an element of income was being brought in as a result of this scheme. That is how it ...

Deputy K.F. Morel:

So why did the Medium Term Financial Plan have this scheme on it?

Group Director for Regulation, Growth, Housing and Environment:

There was an assumption in the Medium Term Financial Plan that income will be coming into Environmental Health Service through this scheme.

[14:30]

As a result, the budgets were set accordingly, so that is how ...

Deputy K.F. Morel:

So it was expected that this scheme would be in before this year?

Group Director for Regulation, Growth, Housing and Environment:

It was expected that this would be in in 2019, yes.

The Connétable of Grouville:

But you are expecting the scheme to cost £600,000 a year to run?

Group Director for Regulation, Growth, Housing and Environment:

No, we expected £600,000 of income coming into the Environmental Health Service.

The Connétable of Grouville:

From this scheme?

Group Director for Regulation, Growth, Housing and Environment:

From this scheme, yes.

The Connétable of Grouville:

So the cost of it is not to run the scheme, it is a form of tax?

Group Director for Regulation, Growth, Housing and Environment:

No, I would say that the wider debate we have across all regulatory areas is who should pay for the regulatory cost. Most of our regulatory areas are effectively cost-neutral now to the general taxpayer. They are the person who benefits from the regulation. The private interests who benefit from that regulation pay for the service. So that is the same in our building industry, our planning permissions, whether it be waste licences, water licences and the like.

Deputy K.F. Morel:

But given that you are not hiring any more people to run this scheme, that suggests that those people are already employed as it stands.

Group Director for Regulation, Growth, Housing and Environment:

Correct, yes.

Deputy K.F. Morel:

So you are not hiring any more people, so essentially if someone, let us say, is on £50,000 a year now, they are still doing lots of their other work, so this scheme will be taking up, let us say, £5,000 of their annual salary that is paid by the States. How do you get to the £600,000 level for expenses? Because you are saying it is a cost-recovery basis ...

Group Director for Regulation, Growth, Housing and Environment:

That is correct, yes.

Deputy K.F. Morel:

... so £600,000 in, I am expecting to see £600,000 go out. I do not quite see how that is going to work, given you are not hiring anyone.

Group Director for Regulation, Growth, Housing and Environment:

It does not quite work like that with our regulatory income. As you have got regulatory income coming in, it is effectively costed against our regulatory budgets as a whole, so the ...

The Connétable of Grouville:

So this scheme is subsidising other schemes?

Group Director for Regulation, Growth, Housing and Environment:

Effectively housing a very big area of our work within Environmental Health. The other big area of work is food safety, and the other big area of work is related to housing and it is community nuisance, so we have a number of areas.

The Connétable of St. Brelade:

In terms of food safety, do restaurants pay anything towards the scheme?

Group Director for Regulation, Growth, Housing and Environment:

Not currently, but that is something that is in train.

Deputy K.F. Morel:

So is the plan to make the whole of Environmental Health regulation pay for itself?

Group Director for Regulation, Growth, Housing and Environment:

It is, yes.

Deputy K.F. Morel:

So you want it off the States books, basically?

Group Director for Regulation, Growth, Housing and Environment:

Again, it goes back to the principle of the private interests who benefit from regulation and pay for that regulation. Otherwise if we do not do that within Government, general taxpayers bear the cost of all regulation. An example of that would be a planning application fee. If I go back 15 years or so, planning applications were free. The cost of processing those applications were borne by the taxpayer even though it was private developers who were benefiting from the decision.

Deputy K.F. Morel:

In this case it is interesting that you point to private interests, because social housing providers are exempt from the fees in this scheme, so essentially you are then asking for private landlords, let us say, to be subsidising the public landlords, in this case Andium Homes being the largest and quite clearly owned by the States of Jersey. Given that they are not paying anything for this scheme but private landlords are, why do you think that is a fair move? Why has that been chosen as the route to go?

Group Director for Regulation, Growth, Housing and Environment:

We have chosen that route because we did not feel that it was fair to place that burden on social providers who are providing public benefit for persons in housing need.

Deputy K.F. Morel:

We noticed the Minister for Housing told us earlier he believes there is about £10 million spent by the States of Jersey to private landlords in order to house essentially social housing people, so why

is it that those private landlords ... again, what I am saying is where a landlord has a tenant who is being paid for by income support, basically the States will be paying that cost because it will be passed straight on to the States as the ultimate payer. The other side is why should private landlords subsidise the public side of it? Because you are just not removing the cost of Environmental Health and regulation, you are getting landlords to pay for the public side of it.

Group Director for Regulation, Growth, Housing and Environment:

I would argue that there is ... again, it follows the principle that private interests should pay for this, otherwise if we do not run that model, I think we need to segregate how it is paid for versus what the outcomes of the regulations are. The outcomes of the regulations I think are very clear in terms of people's outcomes in life and their health. How that is funded, we have come up with a funding model which does not spread the cost of that across the taxpayer as a whole.

Deputy K.F. Morel:

Yes, you are giving the taxpayer a free run here, are you not?

Group Director for Regulation, Growth, Housing and Environment:

No. We would be saying ... and I think that is fair, that the private interests, the predominant interests, it is the second-biggest area of G.V.A. (Gross Value Added) in the Island, property management, and if there are private interests I think that it is a fair cost for that industry to bear. It is a very minimal cost for that industry to bear. The industry of property management is worth around £600 million a year to the Jersey economy.

Deputy K.F. Morel:

Yes, for their own tenants, but why should they pick up other people's tenants, which is what you are doing? You are telling them to pick up Andium's tenants and pay the cost for Andium's tenants.

Group Director for Regulation, Growth, Housing and Environment:

Because arguably Andium are providing other social benefits into the system in terms of those people in housing need.

Deputy K.F. Morel:

So it is arguable.

Group Director for Regulation, Growth, Housing and Environment:

I think it was arguable from my perspective. I think it is right for private interests to pay for the regulation. If we do not follow that funding model and if we have a funding model whereby the

Treasury effectively gives the department more money, effectively it is ratepayers, it is taxpayers' money that is being used to then subsidise private interests. That is the perception.

Deputy K.F. Morel:

But that then speaks to what the Chairman said about this being a tax on private landlords, because it is being used to subsidise the public side of this.

Group Director for Regulation, Growth, Housing and Environment:

I think it is a charge on private landlords. I would not call it a tax.

Deputy K.F. Morel:

Well, it is still a charge.

Group Director for Regulation, Growth, Housing and Environment:

It is a charge, yes.

Deputy K.F. Morel:

It is absolutely being used to help general revenue within the Government because it takes the burden, the public burden, away from the public purse.

Group Director for Regulation, Growth, Housing and Environment:

It takes the burden away from the taxpayers. Yes, it does.

The Connétable of Grouville:

With this particular scheme, you are taking in £600,000, but you are not expecting to spend that on this scheme.

The Minister for the Environment:

We do not know yet.

The Connétable of Grouville:

So it is cross-subsidising ...

The Minister for the Environment:

The point I am trying to make, that is a good debate, but I do not think it is resolvable here. I will ...

Deputy K.F. Morel:

It is a Reform debate, because the lack of evidence is what is coming through here.

The Minister for the Environment:

I accept that. I accept that what you want to see is a high degree of evidence, but at the moment the policies that I have inherited, and certainly they are longstanding, is that all of the regulatory services that are operated under our umbrella are effectively self-financing and cost recover. Now, you could do an examination of every one of those and try and work out all the minutiae of which bits of it are for what service and how the cross-fertilisation or cross-subsidies occur. But that has been the parameters with which we had to work. It would be entirely open to Government of course to change to a different direction, but that certainly would have affected the bottom line on the Government Plan that we have just passed. In fact, it would probably more than double the Environment team's spend if we were to do that, but nonetheless ... so I think what we will do is I am assured - and this was the starting principle - I was not prepared to go into a system in which we had to recruit extra staff or incur extra costs. The challenge I set to the team is to do this within existing. It is accepted that they are doing other work. I think what we will do is monitor this as we go. We cannot make surpluses, absolutely not. We are certainly looking at the issue of the other services one by one as we come to them to see what fees we generate, but one thing is for sure: you cannot generate the fee structure until you have got proper, robust, sensible systems in process to do this. Now, in this case, the bigger picture for me is that at the moment we do not know the number of residential dwellings that we are relying on to meet our housing standards, our private rented. We do not.

Deputy I. Gardiner:

Minister, if I will ask for the register, okay, pay one-off fee, everybody have to register, but do not have to pay annual fees. You are registered, you are inspecting as you planned and you do not need to pay annual fee. If you decided to go out from the rental market, you stop being registered.

The Minister for the Environment:

Absolutely. I think what you said is sense, but that was my ... when I came to this, because I inherited the decision of the States to introduce this law, that was my initial thought. What I have done is that I have looked at it carefully with all the evidence that I have seen, the work so far, and I realised that if we are going to have new standards, we need to make sure that they are properly enforced. What we have seen in other areas of Government - I can tell you now - where enforcement is really very lax, in my view, things have fallen apart. We passed laws and we have not been able to put them into practice and enforce those standards, a subject for another debate at another day of where that is. This should not go this way because people's homes are pretty well number one in people's lives and there is no question, we have had very bad standards in some places. We have excellent landlords in others, so I am not sitting here knocking landlords.

The Connétable of St. Brelade:

I think one of the points there, if I just may draw to your attention a submission we received from Jersey Homes Trust, and it may be the public perception is confused at the moment, which I think it is, they suggested that: "Enrolment in Rent Safe by J.H.T. (Jersey Homes Trust) resulted in needless inspection of social housing homes by the department, a duplication of effort and a waste of resource and needless intrusion into our tenants' homes." What would be your comment on that?

The Minister for the Environment:

I was very disappointed to hear about that. Obviously there are longstanding issues there. Andium I am told are positive; Les Vaux Housing Trust are positive. I think it is the only one of the registered providers - and maybe I should ask Sam to comment on that - but I am very disappointed in that, because that illustrates a very negative view of: "Everything is all right. We do not need to do anything." I am sure that the J.H.T. does their best to meet a decent homes standard. I am not personally aware of anywhere that they have not done so. Maybe I can pass that question on.

Environmental Health Consultant:

I would just say we continue to get complaints from their tenants and we should deal with it on a level playing field. Further on in the letter they tell us they are model landlords. Well, we have issues with that that we have talked to them about. We went and made a presentation to them, which did not end particularly well, but we get complaints from them. We have asked them to do works to bring things up to what we consider a minimum standard. I think it is important that it is not for the J.H.T. to say how wonderful they are, I think it is for an external body, albeit the Government body, to say in those occasions that they get it wrong that they have got it wrong and they need to put it right. That is what we did.

Deputy K.F. Morel:

Have you had complaints about Andium?

Environmental Health Consultant:

Yes.

Deputy K.F. Morel:

Yes. I just wanted to make the point that you are not singling out one housing provider.

Environmental Health Consultant:

No, we get complaints from all of them. The one place that we do have a lot of evidence, because of having taken over, is the lodging house area, which is already licensed and which is subject to

inspection. There we have found around 30 per cent with severe problems in terms of minimum standards.

The Connétable of St. Brelade:

Would you suggest that the lodging house industry is more targeted at the lower income level?

Environmental Health Consultant:

I think it provides for people who have lower incomes, who live more chaotic lives, who are often more desperate to rent somewhere, people that maybe do not have English as a first language, people that do not understand how to complain, they do not feel they can complain, so they will not know what their right charging level is for electricity. We have seen it up to 70 pence a unit, which is illegal, of course, it is against the regulations. For every unit that they are paying, the money that goes to J.E.C. (Jersey Electricity Company), 4 times that is going to the landlord.

The Connétable of St. Brelade:

Yes, that is not reasonable. Can I just take us into private landlords? Do you consider the increase in regulation and requirement for a licensing scheme will maybe discourage landlords from further investment in the property market or worse still, cause them to sell their property and put their money elsewhere? Will the attraction disappear?

The Minister for the Environment:

I have certainly had conversations with people that I have known for a very long time in Jersey, I have been here 40 years, longstanding landlords who have spoken to me. In fact, one in particular - I do not want to over-exaggerate - who I deeply respect, who told me they thought this would act as a disincentive. But I do know there is a considerable number of new properties are hitting the market, because we have got an enormous amount of buy-to-let properties coming through the system. These are new landlords and I think it is important that we have systems in place, that we first of all register those and make sure they all come up to standard. People are now - in the current situation of poor interest rates - definitely looking to property to meet housing ...

Deputy K.F. Morel:

I am sorry, Minister, I am curious ...

The Minister for the Environment:

So new ones will come on. I think we will lose ...

Deputy K.F. Morel:

... about this new homes aspect to it. It does strike me as interesting, because I assume if I buy a new home out of a new developer's block of flats that that home is pretty much bang up to standard and beyond standard because I have just spent £250,000 on a brand-new just built flat. So why are you so keen to inspect those?

The Minister for the Environment:

Obviously with new, I mean new to the private rental market, I do not mean physically new. Surely if you got a purpose-built unit, then they should meet ... I would be amazed if any property could be found not to meet the building regulations. The building regulations would certainly be well in excess of, I believe, safety standards. But what I mean, new - I apologise - I meant properties that are coming into the rental market. Those flats, all sorts of people buy housing in multiple occupation. One of the problems we have got, I am told, for example, we have got 4 different legal definitions in different laws of what is a multiple occupation property. You have got housing, so you have got fire safety, you have planning and so on and the reality is people buy all sorts of units in all sorts of dwellings in all sorts of buildings and then make personal decisions to let them out. So I think that that is such a prevalent feature in our economy now that, yes, we will potentially, I believe, lose some more. It is sad, this, but I think they are clear that they do not want to have the overhead. We may lose some, but I think that will be more than compensated by those that come in and establish a better standard.

[14:45]

I do think in time, if the scheme is successful and it settles down, then landlords will see that the benefit of being registered in the scheme and having a high rating will mean that they suffer from less voids on change of tenancy, may well get a better quality of tenant and so there will be real advantages to them in coming on board.

The Connétable of St. Brelade:

So you would not see that there will be an increase in demand for social housing on the back of this?

The Minister for the Environment:

Absolutely not. I would be very disappointed.

Group Director for Regulation, Growth, Housing and Environment:

Yes, I think we have seen examples of where some properties, the landlord has not wished to invest in that property to meet the minimum standards which have now been in just over a year, but we have also seen those properties being taken on by others who have then invested in that property

and put tenants back in there. So I would argue this is starting to professionalise the entire housing industry and this is change, this is the first time the Island has had minimum standards. We have had them in for a year. We are seeing some ripples in the housing market. We certainly expected to see that. Whenever we bring in new regulation on anything, it changes the market, it changes behaviour. So we have seen some landlords come out of the industry and remove properties, but they have been picked up by others who have then invested in those properties and put tenants back in, in some cases the same tenants who were in previously, but then living in better properties. So the state of housing market, we know it is under stress. We do not envisage a lack of housing supply. I think housing is a profitable area of our economy and we have got a lot of demand for it, so if some people are unwilling to invest ... and some landlords, I will be quite blunt about it, have taken income from their properties for a long consistent time and have not invested in their properties; some do not do that and some do reinvest back in their properties. So we are, I think, unashamed about that. We want to see standards improve.

The Connétable of St. Brelade:

In terms of the pressure or demand for social housing, clearly rising rental costs will stimulate that. Do you have any feel for the way that is going? Is it increasing or on a level playing field?

Group Director for Regulation, Growth, Housing and Environment:

I think invariably it is increasing. This is about the minimum standards, but what we are seeing in other policy areas and other strategies is the fact that we need to ensure greater supply of housing into the market. We are seeing greater housing pressure, rising costs, a lot greater demand for persons coming into the Housing Gateway, and there is the debate we had had at a previous meeting around how that gateway works, who gets access to it and so on. I think all of the evidence shows that we need more housing. I think there is a big debate for the Island Plan coming up and we have got coming through the next sort of 12, 18 months, so housing supply is, as always, one of the most critical issues the Island faces.

The Connétable of St. Brelade:

Is there any research being done into the potential for increases in that particular demand, in the demand for social housing?

Group Director for Regulation, Growth, Housing and Environment:

As a result of these regulations?

The Connétable of St. Brelade:

Yes.

Group Director for Regulation, Growth, Housing and Environment:

We have not done anything specific on that. We would expect ... as I have said previously, I think these are minimum standards. We are not taking properties up into a 4 or 5-star hotel standard. These are minimum safety standards to meet. What is disappointing is some of the properties we have seen already do not even meet those minimum standards, standards on electrical safety, on ventilation. In regard to some properties, they are being kept well-ventilated in the sense that there is no insulation in them, forcing tenants to spend more money on heating and electricity than they need to. We have seen so many examples just to date that we know that we need to act in this area.

Environmental Health Consultant:

Can I just come back to Deputy Morel's question about a new build? Yes, indeed, it would more than exceed minimum standards and we would all be depressed if it did not. The other thing that we need to make sure is that any tenancy is done within the law. We found a lot of non-compliant tenancy agreements which are in breach of the law, so if somebody was letting out, you want to make sure that they were letting it out legally in terms of tenancy agreements, in terms of condition surveys and everything that are in the area of tenancy protection that comes under the Minister for Housing.

Deputy K.F. Morel:

Briefly, will you be inspecting when a landlord changes? So the property stays the same, but it changes hands.

Environmental Health Consultant:

We would need to do that to make sure that the tenancy agreement was still compliant with the law.

Deputy K.F. Morel:

So if a property is bought by a new owner, you would take that as a trigger for an inspection?

Environmental Health Consultant:

Yes.

The Minister for the Environment:

What, a physical inspection, could I ask?

Deputy K.F. Morel:

Yes, that is what I am asking, a physical inspection.

Environmental Health Consultant:

It would depend on where the property was and when it was recently inspected.

Deputy K.F. Morel:

What do you mean, it would depend where the property was?

Environmental Health Consultant:

Well, if it was Westmount ...

Deputy K.F. Morel:

It is in Jersey, I imagine. It is a pretty small area.

Environmental Health Consultant:

Well, there you go, yes. If it was in Westmount and it had been inspected physically recently, clearly there will not be a need to physically inspect. The main point of the change is we have a new landlord, which he may have a new management regime and we would need to make sure that all the elements are in place in terms of the tenancy agreement as well, because it is about protecting the tenant. It is a person-based policy really; it is not about the property per se. We want the property to be at the right standard to make sure the person, the people in there can have a home and are not going to be made ill.

The Connétable of St. Brelade:

I suppose you are relying quite heavily on the agent to a large extent, because the agent is the go-between between the property owner and the tenant, so if you were to be developing a good relationship with the agents, would you see that being as a catalyst to reduce the necessity to inspect?

Environmental Health Consultant:

Indeed, and we have great relationships with quite a lot of the agents. Some of them have become accredited under Rent Safe as well and when we set out with the consultation, the first 2 organisations we always invite for a private session are the Jersey Estate Agents Association and the Jersey Landlords Association.

Deputy K.F. Morel:

Just quickly, Minister, because I know you have to leave early ...

The Minister for Children and Housing:

Yes, I have to go in a couple of minutes.

Deputy K.F. Morel:

... I just wanted to ask, one thing that has been nagging away at me is the housing qualifications system in Jersey, which creates a 2-tier system. As Minister responsible for policy, and given that one of the outcomes you want from these regulations is an increase in the quality of housing, why have you not looked to change the housing qualification system to give everyone the right to rent in Jersey and then buy? Because we know that one of the problems is the non-qualified sector tends to have the worst quality of housing at the highest prices. Why did you not do that first and let market forces help create a balance and help market forces deal with the issue of poor accommodation? I am not saying it would solve the issue and you might want to bring in the regulations afterwards, I am intrigued as to why this first and not the other way around.

The Minister for Children and Housing:

As John has mentioned, it is a legacy issue that was happening irrespective of what either of us as Ministers may have decided on day one of becoming Ministers. The issue of qualifications is obviously complex and what either intended or unintended consequence may there be of changing parts of it, I am on record saying I am morally uncomfortable with the qualifications system. I do not like the principle of a 2-tier system, but how we move forward on that does depend on what the Migration Policy Development Board and the Housing Policy Development Board look at as well. It has come up at the Housing Policy Development Board. We are not in a position at the moment to say what the solution to that may be, but it is a consideration in what we will propose for where we move forward on what standards we put on tenancies in the future.

Group Director for Regulation, Growth, Housing and Environment:

All I would say, just to add I do not think the removal of qualification or non-qualified would guarantee that minimum standards would be set. In other jurisdictions that do not have our housing tiering, so to speak, you still see minimum standards not being met, even if you have just got an even playing field with housing.

Deputy K.F. Morel:

I would say there would not be 100 per cent.

The Minister for the Environment:

But there are a lot of issues involved.

Deputy K.F. Morel:

It would be cheaper than bringing in these regulations for a starting point.

The Minister for the Environment:

I mean, there are a lot of issues involved in that change.

The Connétable of St. Brelade:

Minister for Housing, I know you have to escape. Please do.

The Minister for Children and Housing:

Yes, thank you very much.

The Connétable of Grouville:

Chairman, can I just go back to the point about the costing? We did not quite get to the bottom of it. Would the Minister furnish us with your estimates?

The Minister for the Environment:

I am sure we will give you the ...

The Connétable of Grouville:

What the manpower is for the ...

The Minister for the Environment:

I think what I am hearing is that you want to see a more detailed breakdown of the cost to the Environmental Health team.

Deputy K.F. Morel:

I was going to ask on this.

The Connétable of Grouville:

Specific to this subject is what we are looking at.

The Minister for the Environment:

Obviously estimates of what the current workload mix is and so on. The only point I would make, I am sure we can make that available to you. To put it in context, I think I would also like you to see the whole structure of the department, because this is fundamental. What we have got is cross-subsidies going on because we have got a multipurpose environmental team, a multipurpose regulatory team and what we have to do is to try and make sure the books balance overall. It is inevitable that I think that some services are going to cross-fertilise, centralise others. But we will provide you those detailed figures.

Deputy K.F. Morel:

How many inspection staff do you have?

Acting Director, Environmental Health and Trading Standards:

All staff can carry out inspections, so we have got approximately 13.

Deputy K.F. Morel:

Thirteen inspection staff?

Acting Director, Environmental Health and Trading Standards:

Yes.

The Connétable of St. Brelade:

Going to P.106, it has been suggested that they still continue to uncover properties in poor condition and that you think there will be lots more. Some of the stakeholders have questioned this, asking for statistics to be provided as to how many there are in poor condition and how many you have found since the introduction of the 2018 minimum standards.

Environmental Health Consultant:

We have found lots. These are photographs from the last couple of weeks.

Deputy K.F. Morel:

We have seen them.

Environmental Health Consultant:

Well, you were asking for evidence.

Deputy K.F. Morel:

The trouble is and the problem I have with photos is we have no sense of how that big that is, the sample of the housing population in Jersey, and it is very easy always to pick up on one or 2 or 3 and say: "This is the state of housing in Jersey" and generalise from that. That is the problem.

Environmental Health Consultant:

We are not saying that, but obviously we have not seen it all. These are the ones that we are picking up. These are the ones we want to put right. These are the ones from the lodging house sector, which has been licensed and claims to be professionally managed. These are the ones where many of the stakeholders say there is not a problem.

The Connétable of St. Brelade:

Sorry, Stewart, do we know which are lodging houses and which are not? Because that is I think quite important, because we are looking at ...

Acting Director, Environmental Health and Trading Standards:

Both of those are lodging houses, yes.

The Connétable of St. Brelade:

Are they?

Acting Director, Environmental Health and Trading Standards:

Yes.

The Connétable of St. Brelade:

So really that is ...

Acting Director, Environmental Health and Trading Standards:

So those would be from ... do you remember we talked about ... I think it was about 30 per cent of them not meeting the minimum standards, so those are the photos that have been taken.

The Connétable of St. Brelade:

But this law is really not targeted at the lodging house ...

Environmental Health Consultant:

It is targeted at all dwellings, so we will inspect lodging houses.

The Minister for the Environment:

It is the same standards, Chairman. It is absolutely the same. There is no difference between whether somebody is in premises provided by their employer or lodging houses or people on kind of an open market rent. The law, the proposal we put in place here apply identically to them all. It is common minimum standard.

The Connétable of St. Brelade:

So the difference is in the inspection regime, am I understanding that correctly?

Group Director for Regulation, Growth, Housing and Environment:

Yes, the Minister is correct. The law applies to effectively anything that is not owned, so if it is an owned owner-occupier property, these regulations do not apply. If it is not owned and it is rented to

you in one form or another, whether it be by your employer or you rent it personally, then these minimum standards apply.

Deputy K.F. Morel:

With that in mind, will you be inspecting key worker accommodation provided by the States of Jersey?

Environmental Health Consultant:

Yes, and we have already started that now.

The Minister for the Environment:

Of course.

Deputy K.F. Morel:

Will the States of Jersey be paying their £200 fee? Because they are not a social housing provider.

Group Director for Regulation, Growth, Housing and Environment:

They may well need to, yes, depending on how they sit in the charging regime, but certainly employers who provide accommodation for their tenants, their workers, it depends who is paying for it and who owns it, but yes, the fees will apply.

The Minister for the Environment:

Bear in mind that those employees that get accommodation provided to them by their employer, nearly always registered people, many of those will pay no rent and therefore what they are doing is part of their employment, but the minimum standards apply. That is really important, because I think in some of those, one is certainly aware of complaints that people have been required, as part of their employment, to live in some really gross, bad accommodation. So I think it is important in terms of equity and fairness to bring everybody up to standard. One extra thing I would add, you asked about some stats. The stats that I was given before this meeting, I asked about the Rent Safe. What do we know so far, the journey so far in that I think there is 2,703 dwellings, is there not ...

Acting Director, Environmental Health and Trading Standards:

Yes.

The Minister for the Environment:

... we have already got under the voluntary Rent Safe scheme, which has been running now for almost 2 years, is it, and of that now, the latest figures - and these have been updated - show that

66 per cent are now reaching the 4-star standard and 32 per cent the 5-star standard. That is really a good improvement over previous ones and it shows that we are already seeing movements so far. But of course it is quite clear that there are a lot of dwellings that are not there. That is quite a small number compared with 9,000.

Deputy K.F. Morel:

Minister, when we go back to social housing not paying for this, obviously social housing providers I imagine are going to provide a range of accommodation. Some of it may be 2-star on the Rent Safe scheme, some of it may be 5-star on the Rent Safe scheme. Why are you not applying a similar kind of scale discount scheme to social housing, because you are basically providing them with ...

The Minister for the Environment:

To social housing. I am going to put my hands up here, I thought we were. I thought ...

Deputy K.F. Morel:

Sorry, Minister. You are basically providing them with no incentive to improve their standard of accommodation.

Environmental Health Consultant:

No, they have to meet the minimum standards.

Deputy K.F. Morel:

I accept they have to meet minimum standards, but given that for private landlords you say this 4, 3, 2, 1-star situation and you get discounts accordingly, by exempting social housing providers from any costs, you are not providing any incentives to improve ...

Group Director for Regulation, Growth, Housing and Environment:

I see what you mean.

Deputy K.F. Morel:

... the standard of their housing, whereas you are providing that to private landlords through the discounting scheme, so why are you not providing it to social housing landlords?

The Minister for the Environment:

I think the underlying question is can we be satisfied that the housing trusts are driving to improve standards. I do not think I can ...

Deputy K.F. Morel:

They are not going to be looking to improve those standards if they meet the minimum.

[15:00]

The Minister for the Environment:

I do not think I am the right Minister to answer that. The Minister for Housing would be able to answer that.

Deputy K.F. Morel:

We are not going to be using that as an excuse. I am sorry we let him go early, precisely because we need to carry on with it.

The Minister for the Environment:

I will be honest, my starting point is if when you have got groups of people who set up to become registered social landlords that they are committed to decent standards. Now, the one thing I know in my short term in the States is that Andium Homes is one that has improved very significantly. I mean, that understates it, I think, in the standards of housing. When I first got elected in 2011, I remember visiting a housing estate and being very disappointed, to put it lightly, and the people complaining to me, people who would not come forward and complain, people living on pensions and so on who had been living in these neglected dwellings for years who really were very upset to tell me about this. I am delighted to see ... and one of the first things I did was asked Andium: "Have you improved those dwellings now?" and they said: "Yes."

Deputy I. Gardiner:

When did they register on the Safe scheme?

Acting Director, Environmental Health and Trading Standards:

I think it was in July, was it not?

Deputy K.F. Morel:

It was July this year.

Deputy I. Gardiner:

Why did it take them so long, when the scheme ran for 2 years, to register on the scheme?

Environmental Health Consultant:

They were under the misapprehension that they would be charged and they were unwilling at that stage. We also had some quite interesting discussions with them about other things that we wanted them to improve before we would ...

Deputy I. Gardiner:

For example?

Environmental Health Consultant:

For example, the terms and conditions in their standard rental agreement, their lease agreement. We thought it could be made clearer to the tenants. There were some bits in there that we would like to have seen tweaked and I understand they are being tweaked now. I was asking the team earlier on and they are hoping to start inspecting on 9th December, is it?

Acting Director, Environmental Health and Trading Standards:

Yes. We have got all the property details now.

Deputy K.F. Morel:

They said they would be 100 per cent compliant by December.

Acting Director, Environmental Health and Trading Standards:

Yes.

Deputy K.F. Morel:

Will they be 100 per cent compliant in December?

Environmental Health Consultant:

I very much doubt it. I very much doubt that any portfolio of property will at any time be 100 per cent compliant. Things slip.

Deputy K.F. Morel:

That is Andium's own claim. I know you do not have to answer for them, do not get me wrong, but ...

Environmental Health Consultant:

No. I think that is 100 per cent compliant with ...

Deputy K.F. Morel:

With the Rent Safe scheme?

Environmental Health Consultant:

Yes.

Deputy K.F. Morel:

So 100 per cent of their households on the Rent Safe scheme is how I read that.

Environmental Health Consultant:

I would be astonished, but I would not be surprised if it was not 98 per cent, 99 per cent. I think in any property portfolio you are going to miss things, things are going to slip through the net and I do not think anybody can claim that level of perfection in life.

The Connétable of St. Brelade:

In your summary of the consultation responses the department received earlier this year, you stated that some of the social landlords made helpful comments about the over-prescriptive nature of the proposed licensing conditions.

Environmental Health Consultant:

Indeed.

The Connétable of St. Brelade:

Can you advise how you have taken this on board and whether or not you revised the proposals?

Environmental Health Consultant:

We have revised the proposals. The main things were really about it being over-prescriptive, about saying "that shall" rather than "it is recommended" so we recommended that landlords should ... well, we said that they should visit their properties annually. We now say we recommend, because there are different business plans. I mean, I think it is crazy if landlords do not visit annually, but that is not my role, I am not a landlord. So we took that out. The necessity to provide a paper copy of the licence is onerous if you have got 6,000 properties, so we said "on request" so if somebody wants to request their licence, they have to do it. We also built into that protection for the landlord, because you could have a vexatious tenant ...

Acting Director, Environmental Health and Trading Standards:

They could be asking for a copy of a licence once a month just to be difficult, so we have reduced that down. They can only ask for 2 in a year.

The Connétable of St. Brelade:

What about any other changes to the draft regulations following feedback? Has there been anything else?

Environmental Health Consultant:

There have not been any changes to the draft regulations, which are very short. It is about a page and half.

Acting Director, Environmental Health and Trading Standards:

It is about a page and a half, yes.

Environmental Health Consultant:

Most of them were in that area of licence conditions.

The Minister for the Environment:

I suppose that illustrates another principle. What we have here is the regulations, which are short, and a scheme. That is what I meant, that we can revise the scheme, in practice. You have got the law, then the regulations and then a scheme, and I think it can respond as we go through because we are on this journey of improvement. We have already earlier on in response to your questions, Chairman, and Deputy Morel's really good questions about what if the housing law changes in the future, then there is no question the scheme will need adapting and adjusting to that. As a member of the migration group, I am quite clear that is, because I have heard exactly ... what is interesting is that in all of the groups I am on, the same messages are coming. In this case, there are problem groups that are experiencing real qualities of bad housing standards. Some are being exploited money-wise; some are not. Nonetheless, what we are trying to do is to improve things step by step within the structures we have got.

The Connétable of St. Brelade:

The Medical Officer of Health alluded to the fact that there is a link between the standard of housing and people's health. What I think I would like to explore on that is where the evidence comes from that this is the right vehicle to be doing that and how we can measure it. Is there any way ...

The Minister for the Environment:

I have relied on advice, because I am not a housing expert. The States made the decision that they wanted to set minimum standards and passed the law before I came into office. My job has been to put it into practice. I have relied on advice. My information available to me is that we are not alone in this task, other places have had the same problems and therefore the work ... I am very fortunate in that I now have on my wing an experienced quality team of Environmental Health professionals. This is what this team does and they have incredibly good links all over the U.K. with

other such bodies and they are able to draw upon expert advice in their field. Once upon a time their team was in Health, so I think that when they come forward and talk about the link between health and housing, I tend to rely on that.

The Connétable of St. Brelade:

What experience have we ... have you got anything from the U.K. where this has been applied?

Environmental Health Consultant:

Certainly. I think you have had a copy of the Chartered Institute of Environmental Health joint report with the Chartered Institute of Housing about licensing schemes, which the evidence on it driving up the standard of rented dwellings is clear. The evidence on the effect on antisocial behaviour is less clear, but clearly in Jersey we are talking about driving up the standards. As far as back as Michael Marmot's report, that makes very clear and well-evidenced links on ill health. I think you have all seen ...

Deputy K.F. Morel:

What is Michael Marmot's report?

Environmental Health Consultant:

Michael Marmot's report was about social inclusion and exclusion and it was ...

Deputy K.F. Morel:

About Jersey or ...

Environmental Health Consultant:

No, no, this was general, in the U.K., Sir Michael Marmot.

Deputy K.F. Morel:

Never heard of him.

Environmental Health Consultant:

Previous to coming here, I was working on a project in Liverpool to improve housing standards throughout and we had a cost-benefit analysis to show that the savings made to the health service in the U.K. was much greater than the amount involved in bringing up the standards.

Deputy K.F. Morel:

So how many other inspection regimes like this exist in the U.K.?

Environmental Health Consultant:

Probably one in maybe 200 of the different local authorities. The nearest one is the Welsh one, which is ...

Deputy K.F. Morel:

So you have you copied this one then?

Environmental Health Consultant:

We have not copied, we have adapted and referenced. We have taken what we have seen to be the best bits. For instance, in a lot of the places they will have a fit and proper person test, which we did not feel was necessary. I remember discussing this at a previous panel meeting where they will insist on, for instance, in Wales, there is a police check on landlords to make sure they are fit and proper people, driven I believe in the first instance because people were entering other people's homes at inappropriate moments, but it was felt that that was not yet necessary. We do get complaints of that, we do get complaints of landlords coming in at all sorts of times, but it is very few and far between.

The Connétable of St. Brelade:

Was that under the umbrella of Rent Smart Wales?

Environmental Health Consultant:

Yes. They also have landlord training. Now, we are going to have some of that. We are going to train ... again offer to landlords to show we enforce, because I think it is important not only if we have an enforcement regime that they understand how we come about it and that it is evidence-based. All the statistics of our health and safety rating system are based on evidential figures of what causes illness, the most likely causes of illness.

The Connétable of St. Brelade:

I suppose the question has to be asked, how are you going to communicate this to the landlords and the general public, because it is not easy?

Environmental Health Consultant:

We had 2 sessions about the licensing scheme as part of the consultation and we wrote to every residential address through the ...

Acting Director, Environmental Health and Trading Standards:

The Consumer Council newsletter, yes, at the time of the consultation.

Environmental Health Consultant:

The Consumer Council. We have had sessions with some legal companies because they need to get their heads around what would happen further down the line should we serve notices. We have served one notice so far, and we are not about serving notices, we are about encouraging landlords and generally they have done that, generally when we have pointed out problems.

The Connétable of St. Brelade:

Just to pick up on the detail, say when of your inspectors goes into a property which is in poor condition, what would the next process be after that?

Environmental Health Consultant:

The next step would be talk to the landlord and hopefully have a joint visit with them to point out where the problems were and how they could be put right.

The Connétable of St. Brelade:

What would be the sort of timescale you would envisage?

Acting Director, Environmental Health and Trading Standards:

Usually within days they would get communication, which is a schedule of all the areas that we think need improvement to bring it up to minimum standards and where we see the priorities sit and work with those landlords to see if they are putting timescales in place, where they need to focus their energy first.

Environmental Health Consultant:

Generally, our approach is it ... unless there is something imminently dangerous, which of course we need to sort out, if there is threat to life and limb, but beyond that we work with them, we agree a timescale, because clearly this is not, for instance, the time of year that you want to be putting a roof on, but if there was water pouring through, we would want you to patch it and do that. So we agree a timescale and providing that timescale is agreed and is worked through, that is an end to it. There are occasions where they frankly tell us to swing our hook and the tenant is still in some peril of ill health, and in those cases - one so far - we have had to serve notice and that notice again said: "Carry out the emergency repair and agree with a timescale with us to put in place the permanent repair."

Deputy K.F. Morel:

Talking about notice, I think it was one of the issues - but correct me, Chairman - you potentially, as a department, have the potential to say: "This is unsafe, no one can live here anymore."

Environmental Health Consultant:

We do.

Deputy K.F. Morel:

That could be instant effectively, you could do that today. The question asked is you are basically making people homeless in the event that that happens, you would be making people homeless. What, in your head, is saying that being homeless is better than living ...

Environmental Health Consultant:

Being electrocuted.

Deputy K.F. Morel:

No, effectively what I am trying to say is what do you do to make sure those people get rehoused that same day in a safe place, obviously?

Environmental Health Consultant:

For there to be a prohibition order, which is our notice, there would have to be imminent danger.

Deputy K.F. Morel:

That is what I am talking about, so let us get to the point. What do you do to make sure they are housed that same ...

Environmental Health Consultant::

So we have got somebody in imminent danger of electrocution. In that case, we would probably get an electrician in because the Minister has powers to put that right. But if a place, for instance, was in an imminent state of collapse, we would want them out of there so the house did not collapse on them.

Deputy K.F. Morel:

What will you do to house those people?

Environmental Health Consultant::

What has happened so far, because we have contacts within the letting industry, we have never yet managed not to place somebody. There is usually somebody. We will ring up and say: "This is the situation. Can we find somebody?" We also have access to the gateway and in the end it might come down to Andium.

Deputy K.F. Morel:

Do you see it - because it does not mention it in the regulations - that you have a duty of care to those people, given that you effectively make the ...

Environmental Health Consultant:

I think the whole regulations are about a duty of care, to make sure people live in safe homes.

Deputy K.F. Morel:

But I feel the regulations do not talk about that one situation, where you make somebody homeless that day.

The Minister for the Environment:

If I can just come in here, my understanding of those regulations is when you get to the powers, what I call in extremis, they are exercised by the Minister. Those that control it here, whether it is me or any other Minister, you are not going to see any actions being taken without a proper look at the circumstances and being able to justify what is being done, and indeed emergency arrangements. I think Stewart has mentioned the fact that there is not only the power to act negatively to prevent that property being used to rent, but there is powers to step in and intervene and make emergency repair arrangements. That is a safeguard. I think having that separation I think is a good ...

Deputy K.F. Morel:

That is fine, but there is nothing in these regulations about ...

The Minister for the Environment:

I think it is possible ...

Deputy K.F. Morel:

... to put the onus on the Minister, to put the responsibility on the Minister to make sure that they do sort them out with ...

The Minister for the Environment:

I think the Ministers all carried out that sort of ... I do not think if it needs to be said in a law. The fact that the Minister is responsible for any legal power carries with it a whole host of responsibilities in law, which one is very careful in one exercises ...

Group Director, Regulation, Growth, Housing and Environment:

Yes. I think the Government has a responsibility as a whole if there is a homeless family, is a homeless person, in terms of how it is dealing with that. There is a lot of work in other areas of our

work at the moment, working with the Minister for Children and Housing and the Homelessness Board around what is our response to homelessness. We envisage very few cases whereby these regulations will create homelessness. If it did create homelessness because there was an imminent danger of life, then of course we would have to work with the current agencies around how that family or that person is housed.

[15:15]

One of the big challenges we have got is the co-ordination of those resources currently within the Island. There is a lot of agencies working in this space. There are some obvious places for people to go if they are in immediate need, in crisis, but there is also a lot of areas where there are not currently and Andium pick up quite a bit of ...

Deputy K.F. Morel:

But would you guarantee that no individual would ever be left at night without accommodation because of a decision made by your department?

Group Director, Regulation, Growth, Housing and Environment:

I think we can do that. I think we have seen in the number of cases where there is vacant housing somewhere in the system for someone to have a roof over their head. I think one of the biggest challenges we have got is how we maximise access to that. But I think that is a better scenario than someone losing their life because of immediate housing ...

Deputy K.F. Morel:

I appreciate that, because our indications ...

Environmental Health Consultant:

Of course it is not exactly licensing, that is the previous law that was passed, the Minimum Standards Law. But in many cases the landlord will also have a responsibility to rehouse. Some landlords do rehouse, yes.

Deputy K.F. Morel:

No, no, but if they have a legal responsibility to rehouse ...

Environmental Health Consultant:

It depends on the basis of the agreement they have with their tenant.

Deputy K.F. Morel:

So, no, they do not have a legal responsibility to rehouse, so it will fall on the Government to do it.

The Minister for the Environment:

If the power is only exercisable by the Minister, we are in a corporate structure and it will behave whoever sits in the ministerial office to work with their colleagues to make sure nobody is homeless. I would hope that we got it right. We are not saying it is standards which are excessive, we are talking about very few occasions happening where all other methods of persuasion and working co-operatively with people have failed. I certainly believe that we have still got a very strong community in Jersey, despite the pressures on it and I would expect that it would only be the very minority of cases where that would happen, but we have to have those powers.

Environmental Health Consultant:

Previously the Fire Service had those powers and they still do, but theirs is stoppage or not ...

The Connétable of Grouville:

Yes, I understand that. John ...

The Minister for the Environment:

Yes, I have just been trying to get in.

The Connétable of Grouville:

You declared an interest.

The Minister for the Environment:

Yes.

The Connétable of Grouville:

So should I because I have got some accommodation and particularly agricultural accommodation. There are still some portacabins used in the agricultural industry. Where will they fit in in the scheme?

Acting Director, Environmental Health and Trading Standards:

They are covered under the scheme. In fact, I spoke to one of our inspectors just before I came out and he said what good condition they were in and in fact they did meet the minimum standards, some of the better property.

Group Director, Regulation, Growth, Housing and Environment:

I think we have got a bit of a mixture, if I am being really honest, around agricultural workers' dwellings. Some will definitely meet the standards; some definitely will not meet the standards. I think we have already seen some I will just call it activity from some owners of those type of properties in terms of updating them or looking afresh as to how they are re-provided in the future. It is a live debate. I think we have got in the Island Plan as to how that policy regime is supplied for agricultural workers' dwellings at the moment. For instance, that policy seeks to direct agricultural workers' dwellings to the built-up area or is expecting agricultural workers to be housed in the existing housing stock. That is quite difficult for the industry to do that with short-term tenancies and seasonal labour. I think first we need staff with the right policy regime in the Island Plan as to what we are expecting to be built where, but needless to say, they still have to meet the standards. We would expect some poorer quality agricultural dwellings to come out or be replaced with better standards. We are seeing some applications recently through planning to improve agricultural workers' dwellings. We have just got to make sure they are in the right locations. I would expect some investment in that area to replace some of the poorer quality ...

The Connétable of Grouville:

The other thing in agriculture, the accommodation goes with the job.

Group Director, Regulation, Growth, Housing and Environment:

Yes.

The Connétable of Grouville:

There is not really a letting agreement, such as ...

Environmental Health Consultant:

It is still defined in the primary law as a rented dwelling.

The Connétable of Grouville:

Yes, but have you seen ...

The Minister for the Environment:

This is remarkable, you are asking the same questions I asked about an hour ago and I said: "Well what about if there is no tenancy agreement?"

The Connétable of Grouville:

It is in the job description, I should imagine.

The Minister for the Environment:

They should be, they should be.

Environmental Health Consultant:

Is it part of the employment agreement?

The Minister for the Environment:

Yes, they should be.

The Connétable of Grouville:

Yes.

The Minister for the Environment:

That should provide for minimum periods of notice.

Deputy I. Gardiner:

What consultation did you have with the farming community?

Environmental Health Consultant:

We had a separate meeting with the Jersey Farmers' Union at their offices and they had somebody also come down to one of the sessions at the town hall. We have again offered with them to go talk to their members but that offer has not yet been taken up. It may well be.

Deputy I. Gardiner:

What was the feedback?

Environmental Health Consultant:

Stunned silence I would say was the first part of the feedback and then we talked about the ramifications and the fact that at first glance they thought it sounded fairly poor for them. But then when we started talking about the accommodation they have, a lot of it is perfectly within minimum standards. People seem to think that minimum standards refer to luxury, refer to Jacuzzis, to saunas; these are very bare minimum standards to protect the life and the health of people living in them. When we started going through examples most of their places comply.

Deputy I. Gardiner:

I am looking at the submission that we have from Jersey Royals and it does raise concerns. They are saying: "We provide 120 units, 60 rooms" and suggest that the condition would currently meet a good general standard. Because it has been inspected by third-party organisations through their retail customers and under ethical trading initiative rules and they are already paying for third party.

What they raised is that it will be an additional £25,000 to £30,000 in a year for them to pay for being registered on the scheme. I can see how it can come. I was also surprised, but when I looked to your replies, I am not sure who replied to the farmers, every unit should be registered, so you need to pay per unit and it is if you are relating this £30,000, it is high accommodation. Basically they are asking maybe it will be part of social housing type or it will be free, maybe it will be a different charge, maybe it will be different to register it with a third-party organisation. There is a consultation because it is pretty high ...

Environmental Health Consultant:

I think we would need to know what they were calling a unit, whether there was, if you like, dormitory accommodation, whether there was shared facilities and things, all of which would be a different charge.

The Connétable of Grouville:

Most of them, I think, will have a ... except some will have a kitchen, bathroom, shower, a kitchen obviously and typically that is where you could get a row of 6 of those, usually modern now. Well, it is not very old, but most of the old accommodation which ...

The Minister for the Environment:

Those figures sound excessive. I would be very concerned if the scheme results in accommodation like that and being charged that sort of figure.

Deputy I. Gardiner:

This was the question, do you have a consideration and maybe ...

The Minister for the Environment:

What I understand is that we have got a scale that applies to sort of the standard properties, but when we come to these individual properties, which are nearly always kind of I suppose what you might call hostel or shared type accommodation by employers, you have got every shape and size of those and it is going to be difficult. But I think the principle is that we certainly do not want to be imposing excessive costs on those; that is not the intention. I would hope we have got enough flexibility in this scheme to be able to adapt that and your report, we ...

The Connétable of St. Brelade:

The same comes to lodging houses, does the charge mean per unit within the lodging house?

Environmental Health Consultant:

If the lodging houses split into separate self-contained units, yes, except, as it stands, lodging houses are exempt anyway because they are still charged within the Lodging House Law, so lodging houses' costs will not change as a result of this.

The Connétable of St. Brelade:

Yes, so it is under the inspection regime but not being charged.

Environmental Health Consultant:

We are inspecting instead of what used to be the lodging house inspector, so we are still inspecting to minimum standards. We are still trying to bring them into compliance with the law. We are still trying to make sure we are charging the right ...

The Connétable of St. Brelade:

Are the fees paid through the lodging house?

Environmental Health Consultant:

Yes, so these fees would not apply to lodging houses.

The Minister for the Environment:

Also it comes out of a different Minister. Sorry about that technicality, but I do not have responsibility for that law.

The Connétable of Grouville:

A 4-bedroom rented property will pay the same as a small bedsit at the same standard.

Environmental Health Consultant:

Yes, yes.

The Connétable of Grouville:

That does not seem very fair.

The Minister for the Environment:

You are suggesting the scale should take account of the size of the accommodation.

Deputy K.F. Morel:

It will take longer to inspect a larger property for a start.

The Minister for the Environment:

I think what I was looking for is simple and fair, as it were.

The Connétable of Grouville:

But it is not fair, is it?

Deputy K.F. Morel:

It is always the not being fair though, is it not?

The Minister for the Environment:

It is always a debate you have about taxation. If you remember the debates, we have had in the States ...

Deputy K.F. Morel:

Perhaps the question is simple or fair, rather than simple and fair.

The Connétable of Grouville:

I think where the farming community are coming from ...

The Minister for the Environment:

I accept it is a very simple scale and I would hope it is low cost because it is meant to be.

The Connétable of Grouville:

It is not according to Jersey law if they are going to spend 20 ...

Environmental Health Consultant:

I think we need to look at that one and we are quite happy to look at that one. They have not been in touch directly, but we ...

The Connétable of Grouville:

Farms, big farms and that is a lot of money.

Environmental Health Consultant:

Yes, absolutely.

The Connétable of Grouville:

But 10 per cent of that, still going to be paying £2,500.

The Minister for the Environment:

Yes, the sort of issues that are raised to me, are they (the accommodation) all in one place? I doubt it, there are different chunks of accommodation in different places. How many blocks are there?

Group Director, Regulation, Growth, Housing and Environment:

I think we could look at how we charge our fees. For instance, in planning we used to charge for a new dwelling, it used to be the same price, whether it be a 5,000 square foot dwelling or a 150 square foot dwelling, if you can get them that small. But now it is done per square metre so effectively the bigger properties, the bigger the scheme, the more you pay. We could look at a graduation of fees.

The Connétable of Grouville:

Yes, we can adjust that.

Group Director, Regulation, Growth, Housing and Environment:

The regulations allow fees to be brought in, so what those fees look like and how they are charged, that there will be still flexibility around it.

The Connétable of St. Brelade:

A couple of quick questions, if I may. Will there be a written guide and sort of code of practice to be issued to assist landlords with understanding their obligations in terms of what is required as among the law and the process ...

Acting Director, Environmental Health and Trading Standards:

Yes, we are looking to improve lots of the information that is on gov.je. As they apply for their licence there will be various links as well to information.

Deputy K.F. Morel:

How much time will you give them to apply for the licence? Because the regulations say 31st March. This is not going to ...

The Minister for the Environment:

No, no, no, we are going to change ...

Environmental Health Consultant:

We have certainly got a grace period within the regulations, yes.

The Minister for the Environment:

We have had to bring forward an amendment because of the change of ... have we got copies of that somewhere?

Deputy K.F. Morel:

I was going to say I have not seen the amendment, if they were to be published ...

The Minister for the Environment:

No, the end of June is the grandfather period. I do not know, the team will tell me what the ... the debate would move until 4th February, which is what you have requested of us. No, no, no, that is agreed.

Environmental Health Consultant:

The regulations come in on 1st March, licensing begins on 1st April, which is perhaps an unfortunate date, and grandfather rights run to 30th June.

Acting Director, Environmental Health and Trading Standards:

Until 30th June.

The Connétable of St. Brelade:

Likewise, going on to the tenants' side, publicising tenants' rights and their right to complain.

Acting Director, Environmental Health and Trading Standards:

Absolutely, yes.

The Connétable of St. Brelade:

Once again that will be on gov.je ...

Acting Director, Environmental Health and Trading Standards:

Yes, we have already got into information on gov.je.

Group Director, Regulation, Growth, Housing and Environment:

Yes, and I think it ties in with your previous earlier questioning around tenants' rights as a whole around deposits, around standards, around tenancy agreements we are already seeing in this area. Because we are starting to consolidate a team doing housing regulation, we are very much soon spinning off into other areas of housing regulations, deposit checking, tenant agreement checking, those sort of things.

Deputy K.F. Morel:

Talk about spinning off, did you ever think of outsourcing the inspection regime aspect of this, rather than doing it in-house?

Group Director, Regulation, Growth, Housing and Environment:

We have not, no. The quick answer to that, I guess, would be it is a new market, so I think at some point Government needs to set the market going and set the sort of system going.

Deputy K.F. Morel:

Yes, governments and markets.

Group Director, Regulation, Growth, Housing and Environment:

Whether at some point in the future we arms-length or outsource inspections, we could do. I think we may see organisations being set up or companies being set up that sort of self-certify. To respond, if you have got a big property portfolio it may well be, as a landlord, that they have their own inspectors. They buy in some inspection to talk to the regulator and we do see that in other jurisdictions as well. It is possible, I think. At this point it is a brand-new bit of regulation, so my advice to the Ministers would be we need to do this ourselves for a period of time to get it bedded in. Where we take it thereafter, I think it is possible.

The Connétable of Grouville:

The Farmers' Union claim that they are being inspected at the moment and the inspection that they pay for, if that is accredited they could be left outside the scheme.

The Minister for the Environment:

I think what we would have to find out is what criteria and standards they are applying to. Because obviously if you have got commonality of standards that would make sense, but we do not know yet. Is that the J.F.U. (Jersey Farmers' Union) or is this the supermarkets that are receiving ...

The Connétable of Grouville:

The supermarkets certainly, except I do not know whether it is part of relief ...

Environmental Health Consultant:

Yes, I think what ...

The Connétable of Grouville:

But with Jersey Royal it is the same, so they do get their properties inspected to make sure there are ...

The Minister for the Environment:

My mind is open to that, if they are common regimes with common criteria that meet the standards. But I still think Mr. Scate is right. I think what we want to do is to consolidate this. It has been a long time coming. The States debated it ad nauseam and passed it at the end of the last States. I certainly wanted to be satisfied in bringing this forward right the way through that we got it right. I feel we have got to the point we have to now go with it. I feel confident. But I am certainly not sitting here and saying this is it for ever and a day. We can adapt the scheme, we will learn from experience and if there are changes to be made ... for example, another area that may happen, none of us know what is going to come from the Migration Steering Group or the Housing Group in front of the Council of Ministers. I think that will potentially change policies, but it is not going to change overnight. Then I think that will be potentially a year, 2 years down the road, we will then adjust the scheme at that point.

The Connétable of Grouville:

Thank you, Minister.

Deputy K.F. Morel:

Just very quickly I will ask one more very quick question: how many inspections a year do you expect to undertake?

The Minister for the Environment:

I do not know. I understand that you have got 6 inspectors. Have you got the number there?

Deputy K.F. Morel:

I thought we were just told 13 inspectors ...

The Minister for the Environment:

No, no, no, we have got 13 ...

Acting Director, Environmental Health and Trading Standards:

There are 13 inspectors in total, so that would include food safety.

Deputy K.F. Morel:

I wanted to know ...

The Minister for the Environment:

Yes, we are going to give you the numbers on this.

Deputy K.F. Morel:

Sorry.

The Minister for the Environment:

But 13 is the team, the whole Environmental Health team.

Deputy K.F. Morel:

I wanted to know how many inspectors on this; that is what my question was.

Acting Director, Environmental Health and Trading Standards:

We have got 6 at the moment but they are all cross-trained, the 13, so we could obviously react to increasing demands and then downsize it.

Deputy K.F. Morel:

How many inspections a year do you expect?

Environmental Health Consultant:

I think what we would like to do is to come back to you with what we think there will be in the initial need for inspections and then the ongoing. Because once we get over the peak of people into the scheme, there will be need for fewer licensing inspections. If you ...

[15:30]

The Connétable of St. Brelade:

If I can just sort of feed you the information we had from the Landlords Association, which suggested that there may be 11,000 private rental units in Jersey housing some 25,300 people, with an average licence fee of £150 per annum, it would generate £1,650,000. That is what they are suggesting.

Deputy K.F. Morel:

Very good for your department.

The Connétable of St. Brelade:

With that, can I leave that with you to digest and contemplate, because I know that ...

The Minister for the Environment:

I want to check all sorts of things about that. I mean, it is 25 per cent of the Island's population that are being housed by the Jersey Landlords Association; that is some issue.

The Connétable of St. Brelade:

If you do not mind, we would like to sort of throw a few more questions to you because we have run out of time. I am conscious that ...

The Minister for the Environment:

It would be good to know how many members the Jersey Landlords Association represent because that is the issue we have got here.

The Connétable of St. Brelade:

It is one of the stakeholders and we are expecting other stakeholders. We will be meeting them, as with others.

The Minister for the Environment:

Yes, all right. Okay, good. Maybe you might ask them.

The Connétable of St. Brelade:

We will feed back what they ...

The Minister for the Environment:

Thank you, Chair.

The Connétable of St. Brelade:

Thank you very much for your attendance this afternoon.

The Minister for the Environment:

Thank you.

The Connétable of St. Brelade:

Thank you to the members of the public for turning up. Thank you.

[15:31]