

**HOUSING (JERSEY) LAW 1949 - PROPOSED
AMENDMENTS (P.171/98): AMENDMENTS**

**Lodged au Greffe on 27th October 1998
by Senator L. Norman**



STATES OF JERSEY

STATES GREFFE

175

1998

P.216

Price code : A

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In paragraph (2) -

- (a) in sub-paragraph (a) for the words 17th March, 1998 substitute the words 28th July, 1998;*
- (b) after sub-paragraph (b) insert the following sub-paragraph -*
 - (c) shall be lawfully constructed subsequent to 28th July, 1998 on land in respect of which the Planning and Environment Committee had granted permission prior to that date for the development of the land for the construction of dwelling accommodation.

SENATOR L. NORMAN

Report

This is a subtle and minor amendment to the Housing Committee's proposition which will correct what I very much hope is an oversight by that Committee, because if unamended, a serious injustice would be done.

The Committee's proposition has the effect of allowing the development of Park Heights, Old St. John's Road and Bay View, St. Aubin's Road, each of which could be totally occupied by persons with no connections with the Island whatsoever, but, perversely and retrospectively remove the previously agreed entitlement of a local family to develop the Kensington Gate site exclusively for persons who have a substantial connection with the Island, with at least 50 per cent having residential qualifications.

Members will recall that the Kensington Gate development has -

- (a) been approved by the Planning and Environment Committee for the construction of 38 flats, associated basement car parking and landscaping;
- (b) been approved by the Finance and Economics Committee under the Regulation of Undertakings and Development Law; and
- (c) received the ringing endorsement of the States in the debate which took place on 17th March, 1998, when the States rejected a proposition (P.11/98) of Senator Syvret requesting the Finance and Economics Committee not to grant a licence under the above Law for the proposed development.

This is why I state in the opening paragraph of this report that this must be an oversight by the Housing Committee. The alternative is not worthy of being contemplated. I will not believe that any Committee of the States would deliberately attempt to overturn a democratic decision of the Assembly by bringing a proposition which would have exactly that effect and not even mention that fact in the report.

Members will further recall that the Finance and Economics Committee, prior to the States debate on 17th March, had indicated to the intending developers that it would be prepared to grant a licence for the development only on the basis that at least 50 per cent of the dwellings to be constructed on the Kensington Place and Lewis Street sites would be subject to the Housing Regulations and that binding legal agreements will be drawn up to ensure that these dwellings are constructed within two years and subject to a penalty for non-performance.

Of the remaining 50 per cent (at least 25 units) the Finance and Economics Committee has decreed that these shall "only be owned either by established financial institutions in the island and occupied by their staff or by persons with residential qualifications for their own occupation".

For the sake of clarity, 38 apartments will be built on the Kensington Place site and further minimum of 12 will be constructed in Lewis Street.

It is worth remembering that the Kensington Place site on which the first 38 flats are to be constructed is currently totally in commercial use, and therefore this development represents a 100 per cent housing gain. Also, it is consistent with the States policies of providing housing as much as possible in the urban area and regenerating those parts of town which are in need of revitalisation.

I am convinced that this landmark development could be the catalyst for a wave of housing developments in the immediate vicinity, in terms of perhaps 200 homes, all for residentially qualified people, all provided by the private sector at no cost to the taxpayer, and at the same time restore the whole locale to its previous glory.

I believe this amendment to be just, honest and fair. It will guarantee an absolute minimum of 25 homes for residentially qualified families with the likelihood of many more to come and it will kick-start the redevelopment of a very neglected part of town.