

STATES OF JERSEY



THE REFORM OF SOCIAL HOUSING (P.33/2013): AMENDMENT (P.33/2013 Amd.) – COMMENTS

**Presented to the States on 13th May 2013
by the Council of Ministers**

STATES GREFFE

COMMENTS

Amendment 1

This amendment is accepted by the Council of Ministers.

In particular, it is appreciated that “Housing our Community”, as one of our Strategic Priorities, is of the utmost importance, and that the retention of a dedicated Minister in the form of the Minister for Housing having responsibility for the Strategic Housing Unit, is consistent with this prioritisation.

At the same time, it remains the case that wherever responsibility for housing policy is assigned, it is a portfolio that is cross-cutting in nature.

In particular, many of the statutory instruments for its delivery are vested in other Ministers, including the Minister for Health and Social Services, the Minister for Social Security, the Minister for Treasury and Resources, and in particular, the Minister for Planning and Environment.

It was in recognising the corporate nature of the portfolio that it was proposed in P.33/2013 that responsibility be vested in the Chief Minister, as the Chair of the Council of Ministers, and having responsibility for the co-ordination of common functions, with those responsibilities in relation to housing delegated to an Assistant Chief Minister. This would vest in the position the authority of the Chief Minister.

Indeed, rather than crowding out housing policy, this would compliment and reinforce housing as a priority, placing it alongside migration policies, the administration of housing controls, the newly formed social policy and safeguarding groups, and the Economics and Statistics Units. This seems a sensible conglomeration of responsibilities.

At the same time, the Minister for Housing can work in concert with the Chief Minister and the Assistant Chief Minister, and be supported by their Officers, such that the synergies mentioned can be realised, while also having responsibility vested in a dedicated Minister who can champion housing.

Indeed, this issue illustrates the importance of enhancing our system of government, as recently highlighted by the Chief Minister and the Privileges and Procedures Committee, to secure this necessary co-ordination through successive Councils of Ministers.

Amendment 2

This element of the amendment outlines, in particular, that “a clear and convincing argument for the establishment of a regulator is lacking”.

However, it is difficult to conceive of a proposal whereby the provision of social housing, involving a very significant portfolio of assets, is placed at arms-length *without* an accompanying regulatory regime, which necessarily involves a regulator of some kind. Otherwise, the Assembly retains no substantive powers over the provision of social housing in Jersey, with reference to the efficiency and effectiveness of provision, notwithstanding current levels of operational performance, or with

reference as to whether its objectives are being pursued, for example, in relation to rent policies, performance standards, and levels of tenant engagement.

Any debate then is about the nature of regulation, for example, the powers vested in the Law, and the form of enforcement, for example, whether a regulator is independent, or “in-house”.

While the report and proposition does expand on these matters, in paragraphs 4.1 – 4.18 of P.33/2013, it is appreciated that the Panel would like a separate debate on detailed proposals, including a presentation of the various alternatives, prior to considering enabling legislation. As such, this amendment is accepted by the Council of Ministers.