

4. Questions to Ministers without notice - The Minister for Housing

4.1 Connétable J. Gallichan of St. Mary:

I am having a little problem with paragraph 9 of the Minister's statement. Perhaps he could clarify for me how this statement that this will not create more (j)s - fine - it will just spread the existing (j) cats. more evenly across the housing market. I am struggling how to understand how that cannot increase competition. That the people who are house hunters in Jersey ... home hunters, I should say, and who fit into that (a) to (h) category, now see more people looking for the same houses. That must increase competition. It is likely to increase prices rises, in my humble opinion, and I cannot see how ...

The Bailiff:

A brief question, Connétable. I think you have made that ...

The Connétable of St. Mary:

I have another bit to it please. He said this change does not affect the everyday lives of Islanders. I think this change is such a change that does that. The States, we are always told, are still the decision-making body and they are paramount, and I ask him to consider this.

Senator T.J. Le Main (The Minister for Housing):

Currently, on a recent policy change, we found that (j) cats. were tending to rent houses in a lot of cases and the policy change now includes lease only for short periods. The difficulty that we found that the lease-only... a lot of people were seeking to lease flats and it is flats and apartments that we recruited in some of these conditions. There is no question of extra (j) cats. flooding in the Island. They will just disseminate into a larger market.

The Connétable of St. Mary:

That was not my question. Does the Minister not understand that that means there are more people looking in that restricted market?

Senator T.J. Le Main:

No, the evidence that we have from all the evidence we got from the estate agents and everybody else says that is not the case. But, as I say, I am very, very happy to invite the Connétable of St. Mary and others who have got specific questions like this to come and meet with me and officers so we can go through all the evidence that has been provided to us.

4.2 Deputy G.P. Southern:

Following up from the previous set of questions, the Minister states clearly in his statement that P.25 clearly stated: "A single qualified property class was the aim." I have that proposition here. It consists of 3 parts. The middle part has 6 parts to it. Nowhere on that proposition does it say a single qualified property class was the aim. The Minister is surely misleading the House when he makes that statement, is he not?

Senator T.J. Le Main:

Not at all. It is quite clear that P.25 requested there was going to be 3 different types of issues in regard to licensed, registered and otherwise. It was quite clear in that proposition that the States in 2005 requested the Minister for Housing to go away to simplify the issue of classification and then eventually come back with the issue on the migration policy debate.

4.2.1 Deputy G.P. Southern:

Will the Minister undertake to return to the House with the wording that clearly says, as he states, to introduce a single qualified property class?

Senator T.J. Le Main:

No, I am not prepared at the moment. I have got the proposition before me but what I would like to do ...

Deputy G.P. Southern:

What does it say?

Senator T.J. Le Main:

I am not prepared to waste the time of the House on the say-so of one Member, but I am prepared to invite Members, please, to come and see us at Population so we can give a presentation. I cannot be fairer than that.

4.3 Deputy A.E. Jeune:

Given the extension now of the purchase area would the Minister consider it appropriate that (j) cats. should only be permitted to purchase a property if it is for that (j) cat. holder's occupation, and that purchase can be made on arrival in the Island?

[12:15]

Senator T.J. Le Main:

Those that want to go into flat accommodation... very few, compared to others, purchase. They can lease. Invariably most of them are leasing. It is a fallacy to think the average price of a (j) cat. purchase for the last 3 years have been over £600,000 and the majority do lease at the present time. In fact, we have given a concession for health and education that essential employees - key workers like nurses and teachers - are now able to access rental in the (a) to (h) market and that makes up a considerable amount of the 20 per cent that are the (j) cats.

4.3.1 Deputy A.E. Jeune:

If I can just ask to clarify: if the (j) cat. is purchasing that they should only be able to purchase if they are going to be the occupier?

Senator T.J. Le Main:

I think the Deputy is suggesting that a (j) cat. will purchase and not occupy, is that the ...

The Bailiff:

That seems to be the question, yes.

Senator T.J. Le Main:

We have no evidence about that. A (j) cat. is entitled to purchase and live in that property but they cannot go out and buy (j) cat. properties or other properties in the open market? They get one property for themselves.

4.4 Deputy M. Tadier:

I am coming to the conclusion that this is something for a full debate rather than for question time and hopefully the Minister will indulge us in due course. I have concerns about paragraph 6. The Minister seems to justify the fact of taking this individual decision on what is effectively a very significant change in the Housing Law on the basis that there is already a precedent. But first of all, does the Minister acknowledge that that does not necessarily make it the correct procedure and, moreover, does he realise that the previous decision to which he referred was taken by a Committee rather than by an individual, so it was taken by several States Members and there is a significant difference there?

Senator T.J. Le Main:

I do not disagree with that, but if may say so, that there has been consultation; there has been full opportunity for Members to come back. They are bringing up these issues now, why have they

not over the last period of consultation come back with some of these questions? They have not. I would like to clarify a point made by Deputy Jeune. Of course a (j) cat. or anybody can buy share transfer, apart from being able to buy the (j) cat. property in their own name, they can buy a share transfer, anybody can.

4.4.1 Deputy M. Tadier:

I accept the point about consultation, but the Minister will obviously know that Members are obviously busy with their own consultations with constituents and perhaps we can do with more resources ourselves. But the bottom line is, will the Minister bring this back for debate? There is clearly an appetite in the Assembly today to debate this and there will be questions left unanswered. Will the Minister, as was asked by Senator Shenton, bring this back so we can have a full and proper debate and present it in the form of a proposition?

Senator T.J. Le Main:

I do not think the Deputy has been listening to what I have been saying ...

The Bailiff:

I think it is either a yes or no answer to that?

Senator T.J. Le Main:

The answer is no at the moment, as I have responded to Senator Shenton, but I will be working and speaking with Senator Shenton on all these points later.

4.5 Deputy D.J. De Sousa:

Does the Minister not consider that regardless of what he is saying, if you open up a market to a wider group of people that it is going to have an effect on price? The fact that you are going to have more people going for the same properties is going to inflate the price. The overall problem we have in Jersey with house prices is supply and demand. If you are going to increase that demand the supply is not going to be there, it is going to push up the price.

Senator T.J. Le Main:

No, that is not the case. The evidence we have got does not show that at all. The (j) cat. market is only a very small percentage of the market. It is a very small percentage and what it means is that there are some very essential workers in the market place at the moment and I can think of involvement with the church; I can think of sports clubs; I can think of charities.

The Bailiff:

That is not quite the question. The question was ...

Senator T.J. Le Main:

They need to be able to access into a market where it is affordable, the same with nurses. It will not affect it from the information we have got. I invite the Deputy and others, again - I am going to keep repeating this - to come and see us so we can give a full explanation to allay their fears.

4.6 The Deputy of St. Martin:

The Minister makes great play about the housing shortages and bases it very much on the fact he has a waiting list for States properties. He has mentioned this morning about having evidence from estate agents about there are ample houses. Will the Minister inform Members what statistics and information he has regarding the number of vacant houses which are in the public market and will he come back to the House with those figures?

Senator T.J. Le Main:

I am very happy to come back with that, which is publicly-owned. I know that Health are sitting on quite a few empty properties at the moment. As I say, the discussions are taking place between Housing and Health to see whether we can work together on this. But the issue is that Housing have very few... some around Ann Court, but generally it is not in the Housing stock. But I will come back to the Deputy and try and give him that information.

4.7 Deputy S. Pitman:

In relation to a recent case I took to the States Complaints Board regarding a Mrs. X and her 2 children, accompanying report 123, would the Minister inform Members whether or not he is an acquaintance of Mrs. X's former husband?

Senator T.J. Le Main:

No. I knew Mrs. X's former husband as the first wife was one of our tea ladies here, so I knew the lady very well until her tragic death. She was a tea lady in an enormous place, so I know of him and I know that he sent me several emails. Certainly not an acquaintance and I would not know him if I saw him in the street.

4.7.1 Deputy S. Pitman:

During the complaints hearing the Minister read out part of an email that was sent to him by Mrs. X's former husband which casts falsehoods over Mrs. X. Would the Minister indulge me with this email so I can be assured that he has not intentionally influenced the Minister's decision not to grant Mrs. X and her children with housing qualifications because it was my understanding that he has done his utmost to stop Mrs. X from getting her qualifications?

Senator T.J. Le Main:

What a ... absolutely erroneous and I reject that. If I give the email address that I received from this gentleman in Thailand I will give it to the Deputy and if she gets the consent of the person that sent me the email then I am very happy to pass it on. But until such time as I get the consent of the sender, the Deputy seems to think that I am prepared to break the Data Protection Law. [Laughter]

4.7.2 Deputy S. Pitman:

Will he seek the consent of the gentleman because I would like some reassurance that there is no influence on the Minister's decision?

Senator T.J. Le Main:

I will give the email address willingly of the person who contacted me from Thailand, and I will give it to the Deputy and I will leave it to her then to seek permission of the sender of that email and if he is prepared to do that, then I am happy. Otherwise the answer is a categorical no.

4.8 The Deputy of St. John:

Does the Minister really believe that he is stumped on first-time buyers (a) to (j) where first-time buyer homes are in the region of £450,000? Does he really believe that his answers this morning are adequate and will he... and I am asking will he please bring this back to the House so we can debate it and if not would he consider standing down?

Senator T.J. Le Main:

I am sitting down, I am just going to get up. The issue is, I just cannot work out from the Deputy of St. John where first-time buyers comes in all of this because this policy change does not affect first-time buyer homes, it does not affect sheltered housing, or over 55s, it is specifically in the (a) to (h) market.

4.8.1 The Deputy of St. John:

Will the Minister accept that it affects the price of property at the lowest levels where the first-time buyers come into the market? That being the case, and everything he has told us this morning about the advice he has taken, is it not a fact that he is friends with a developer - big friends with a developer - who probably gives him advice at where the markets are at any one time?

Senator T.J. Le Main:

I would like to know who this developer is, but I am friends with all the developers because at one stage or another they all contact me, and I am sure they do the same with the Minister for Planning and Environment. **[Laughter]** We have contacts with the developers and whenever the developers want to meet with my Assistant Minister and myself, we meet with officers with the developers. The issue is that ... sorry, I forgot the second ... **[Laughter]**

The Bailiff:

Would you stand down if you do not bring it back to the House?

Senator T.J. Le Main:

I could not stand down, you need me so much. **[Laughter]**

The Bailiff:

That brings questions to the Minister for Housing to an end. We move on to ...

Deputy P.V.F. Le Claire:

May I beg your indulgence? This has caused a lot of questions in the States, it is probably going to cause a lot of time of the States in possibly a proposition, as I understand from Senator Shenton. I wonder if it would be in order to ask a question of Her Majesty's Attorney General on this basis that when I put my work permit proposition, the advice, although I am not allowed to re-issue it, was that I could not introduce a system that would take away somebody's established rights. The Law Officers' opinion was that once somebody had established rights it would be wrongful under the Human Rights Law to withdraw those and I am wondering now that the Minister has announced that these people have established rights if we now stray into the area of removing them, if it would be contradicting the Human Rights Law in that respect?

The Bailiff:

I think that is a question you should ask at a future time. There is at the moment no proposition to remove these rights. Obviously you can pose a question to the Attorney General at the next sitting or during any such debate.