

# STATES OF JERSEY

## Heath, Social Security & Housing Panel Long Term Care of the Elderly

**TUESDAY, 2nd SEPTEMBER 2008**

**Panel:**

Deputy A. Breckon of St. Saviour (Chairman)

Deputy S. Power of St. Brelade

**Witnesses:**

Senator F.E. Cohen (The Minister for Planning and Environment)

Deputy A.E. Pryke of Trinity (Assistant Minister for Planning and Environment)

Mr. P. Thorne (Director for Planning)

Mr. A. Scate (Chief Executive Officer)

**Deputy A. Breckon of St. Saviour (Chairman):**

Welcome. Scrutiny, I do not know about your experience elsewhere, but it is part of a process and I will discuss some of that as we do the general introductions. First of all, can I give apologies? As you know, we are coming to the end of the holiday period and I do not think Judy's mum has been very well so she has been in the U.K. (United Kingdom) and is on her way back. As you know, we have quite a heavy agenda States-wise the next 3 weeks, and Roy is on his way back somewhere. We have not heard from him so we assume he is not back in the Island yet.

**Senator F.E. Cohen (The Minister for Planning and Environment):**

He was in Canada, I think.

**Deputy A. Breckon:**

He has been all over the place. We believe he has been calling on people in Scotland, the north of England and far away places, so anyway ... Thank you for coming to see us, anyway. I am sort of the vice-chair of this particular panel, Alan Breckon, and Sean Power, as you know. The officers are Malcolm and Charlie, and Fiona is doing the recording. We are quorate now, but one of the reasons we wanted to speak to you, as you know, is some planning issues that have developed because of the long-term care of the elderly. Recently, we went to visit Guernsey and we spoke there to the Chief Officer of Health and to Social Security. An interesting thing in Guernsey, they have a Director of Older People's Homes and it is a specific post that works across the departments and they are working as an authority and with developers on providing exactly that at various levels. So, we thought that was interesting and we can certainly provide you with some details. I do not want to sort of say they have everything right and we have not, but it just seemed an interesting concept because that person's role is about older people's housing and it is not linked to any particular

department, it is across departments. So because of that, really, we wanted to come back to some of the planning issues, really, and look at the provision that we already have, what we have done in the past, what we are doing at present and what the plans are for the future and what we are going to get as an Island out of the planning process for the benefit of elderly, especially living in the community, whether that is part of a group home with some support or some outreach or independent living. Minister, I know you have expressed things about space, size and facilities that people should have in there so that they can stay in their own home longer, but really it was just to explore some of this and perhaps if you could share some of that with us. Now, those sort of comments are not aimed at anyone in particular, but if there is anything, you know, if you want to share that and just perhaps give us as a background where you see that we are and how you see it in general terms developing and providing a much needed resource in the community.

**Senator F.E. Cohen:**

Alan, could I ask you, firstly, what do you consider the start of the term “elderly”?

**Deputy A. Breckon:**

Well, you said in similar things there has been a definition of 55, and I should declare an interest there because I am 55.

**Senator F.E. Cohen:**

We thought you were much younger.

**Deputy A. Breckon:**

Well, that is it, you see. I have been promised one in St. Ouen anyway, so my needs I think are catered for! But in general terms there has been various terminology used: lifelong, sheltered, retirement, over-55s, and we had somebody who came to see us last week who expressed the opinion that it should be 75 and we should all be just soldiering on and going on longer. Why 55, he said, that is far too young for you young things. It was somebody who is a bit older that expressed that opinion. But there has been a line drawn, if you like, at over-55s, although that might be conditional about some of the planning issues. It does not seem to be an issue for people like myself who are 55.

**Senator F.E. Cohen:**

I just find it quite odd that we are talking about the provision of what we all regard as retirement homes, which we translate into older people’s homes, but yet the definition is 55. I am 51 and I do not regard myself as coming up to old age. The reason for that is clearly the evidence that people make their move, their final move, at around 55. What we are doing is Anne is responsible entirely for this area and in relation to the 350 houses that have recently been rezoned, we are doing 2 things. The first is we are currently in the process of determining what legal wriggle room we have to ensure that the affordable element is truly affordable. Because we would like to see the affordable element delivered to the parish or the N.P.O. (non-profit organisation) or the housing trust at the very, very minimum cost, that this rezoning should not be seen as a licence for massive profit. Yes, people, landowners, should have a reasonable profit, but the benefit to the community should be driven out by driving down as much as practically possible the delivery cost of the affordable element. The second element is that Anne is preparing what will be a list of requirements for these houses.

So, for example, they will be a minimum of 650 square feet. She is requiring specific sizes of rooms and doorways to make sure that you can get in and out if you are disabled, appropriate showers and bathroom facilities, all the things we want to see. This would be a list that we hope to publish relatively soon that will be a non-negotiable list: you have to provide these if you are a developer on one of those rezoned homes. So that is basically the way we are doing it. In terms of the delivery of nursing home facilities and elderly care facilities, again Anne will be making sure that, for example, on the St. Saviour site that those are designed to the best standard using the most appropriate industry standards.

**Deputy S. Power of St. Brelade:**

Can I come in here? When you say, Minister, that wriggle room would allow you to build them at the most affordable cost possible and that by working with the landowner or by controlling what the landowner makes as a profit and by controlling what the developer makes as a profit, how would that apply to an obvious contradiction that we have on the Island with regard to States-owned property? We had a classic example at Bellevue where Treasury and Property Holdings were trying to get the maximum price possible for that site and the maximum yield possible on that site. How does that conflict with your overall ambition or objective?

**Senator F.E. Cohen:**

This is about the conditions that are applied to a specific group of rezoned sites. We all, as States Members, voted for those sites to be rezoned on the basis that they provided affordable housing, or the social element provided affordable housing, and it is now our objective and our obligation to find a mechanism to deliver affordability and not just to allow the market to charge any price that the developer thinks is appropriate. We did make it clear that the affordable element would be delivered to a body at an affordable price. It is now a question of buttoning that down. How that conflicts with other sites, well, the other sites were not rezoned at the same time. These are all being viewed as a package and in the same way as we do not know exactly how we are going to move forward with the delivery of affordable homes on future development sites - and we have a piece of work underway to try and guide us in that direction - that does not prevent us from delivering Homebuy on the 2 remaining H2 sites that are currently being developed. So I think whilst it is nice to have the idea of applying exactly the same rules to every single site, I do not think you will ever be able to do that and you will just do it in packages.

**Deputy A. Breckon:**

You said 650 square feet. There are 2 issues on that. How would that compare with existing planning permissions that are being given on, say, apartments or whatever, and does that give a minimum standard for a 2-bed? What would that be a minimum standard ...?

**Senator F.E. Cohen:**

This is for the rezoned sites, so they do not have planning consents at the moment anyway. So part of the planning application process will be to check the application complies with Anne's list.

**Deputy A. Breckon:**

You are going to insist on that? So there will not be a tussle over number of units as opposed to yield and ...?

**Mr. P. Thorne:**

They are in the consultation report, the list of those requirements, in a general sense anyway, and also in the report and proposition which went to the States. So they can apply specifically to the sites that were zoned back in July.

**Deputy A. Breckon:**

Could that also go then to other applications that were being received or not? I mean could you sort of say ...?

**Senator F.E. Cohen:**

Let me give you an example. One site - I will not name the site because presumably this is a public record - quite a large site we are looking at at the moment where there is an application currently in, it is not a rezoned site. It is a site in the built-up area. What we have done is we have split the process leading to determination into 2 parts. The first part is Anne making sure that she is happy with the size of the units, that it complies with the principles of design for homes that Sean was very involved with, that the units are not minimum size, that they are minimum size plus whatever Anne feels is appropriate, and then once she is satisfied with that and with amenity space and with car parking, with all the other things, her part of the work will then be finished and I will then deal with the determination of the application. So we are trying to make sure with important applications that the rooms are bigger than you can swing a cat in.

**Deputy A. Breckon:**

Could you clarify for us, then, in a planning permission you could insist on amenity space, say, for supervision on site so that people could be supported in independent living, that there could be, say, a caretaker unit and a facility where there could be Family Nursing or somebody like that could go in and use a facility which was available to the community as opposed to ...?

**Deputy A.E. Pryke of Trinity (Assistant Minister for Planning and Environment):**

Yes. Part of what our design brief will be doing is that we would like to put a room in for Family Nursing Services because we know that it is important for these lifelong homes that the family nurses have direct access to dressings, et cetera, so that is going to be included in all of the sites that are being rezoned.

**Deputy A. Breckon:**

I know the numbers required have been sort of bandied about, but you are using a basis for this of the survey that was done by the Statistics Unit. That is the basis for it, is it, or are you waiting for the next census? Because the Island Plan Review is underway as well, is it not, so what is your assessment on that?

**Senator F.E. Cohen:**

Well, at the moment we are responding to applications. Other than the rezoning proposition for retirement housing, which incorporated a bit of first time buyer, as you know, we are responding to applications. Until we get the Island Plan Review we do

not have an holistic piece of work that directs exactly how we are going to deal with future housing demand. That is a decision of the States, not us.

**Deputy A. Breckon:**

Regarding informing your decisions, how much are you in touch with Health and Social Services and what they are finding and needing in the community?

**Senator F.E. Cohen:**

Well, we were very in touch, of course, because our Acting Chief Officer was No. 2 at Health. Certainly we need to construct new arrangements now Andy has arrived, and he will be in close contact with Richard anyway so that will develop naturally.

**Mr. P. Thorne:**

We have had reasonably close relationships with Health and Richard before he came to Planning anyway because off the back of the I.S.A.S. (Island-wide Strategy for an Ageing Society) work that was done in ... when was it? 2002? 2003? Certainly members of the department have been involved on a cross-departmental basis looking at these issues.

**Deputy A. Breckon:**

What about Housing, are they looking at their existing stock, seeing there has been a suggestion that their existing stock is not ideal for purpose at the moment and there would need to be some change there? For example, have they got any applications that you know of coming forward to modify their property?

**Mr. P. Thorne:**

Not specifically.

**The Deputy of Trinity:**

I think the only one that we have looked at recently is the development opposite Grand Marché, which is Salisbury Crescent.

**Deputy A. Breckon:**

But they do not have anything in to modify any existing property, only the one-offs?

**Mr. P. Thorne:**

I think Le Squez, obviously they have a long-term phased redevelopment of the whole estate and some of the units. Of course, they have been talking about Convent Court.

**Deputy S. Power:**

Reducing the density, yes.

**Deputy A. Breckon:**

The other thing that we ...

**The Deputy of Trinity:**

Sorry, I am sure some of the flats can be modified or whatever, but the most important thing with these lifelong homes is to have the access, like a lift, which is the most important thing, and the rooms being wider and the very simple thing of being able to get a wheelchair around the bed, which however hard you are going to try and modify

you will never achieve that, and access into the bathroom. So, you know, some flats I am sure can be modified, but some you cannot.

**Deputy S. Power:**

Can I just come in here? I took up an invitation from the Deputy of Trinity to visit your development in Trinity which was built how many years now, 4 years?

**The Deputy of Trinity:**

Five years.

**Deputy S. Power:**

Five years. It has all of the things you need, like good access to the front door, corridor access is wide, wide doors, and what impressed me more than anything else is the wet room, the fact that you can actually get washed. I know from bitter experience in the last 4 weeks trying to use a bath or a shower that a wet room makes it so much easier. You can sit in a chair or a plastic chair or whatever and do what you have to do. Those simple modifications make life so much easier.

**The Deputy of Trinity:**

You have hit on something that really is so important. Because it is so simple, but that simplicity of it makes the crutch of being able to stay in your own home.

**The Deputy of Trinity:**

I am just thinking now, because again I do not want to blow Guernsey's trumpet, but part of their assessment was you have a housing and a support need if you need 4 hours' support per day, and that was the assessment for allocation to some people. That would mean that, for example, people would be given a hand in the morning to get dressed and maybe get their breakfast and then the same ... so it was top and tail in the evening as well. Have you seen anything like that here?

**The Deputy of Trinity:**

Yes, which happens here. I know you have had Karen Huchet the other day and she was saying that that already happens. Backtracking, if you yourself can manage to walk into a shower and have a shower without help, then your 4 hours of need or whatever is not required. So, as you know from bitter experience, I think it is experience that makes you realise why do we all need shower trays when it is the simplicity of being able to walk in.

**Deputy A. Breckon:**

Is any other agency informing the planning process, saying: "You must do that"? Are Health or Family Nursing saying this is what is required?

**The Deputy of Trinity:**

We have been out to full consultation with Family Nursing Services, with Health and Social Services as well as other ... Age Concern ... whatever.

**Deputy A. Breckon:**

This has happened before because Iris' (?) group I know contributed to L'Hermitage and then when the development came out it was not quite what they thought, I do not think.

**The Deputy of Trinity:**

What we have also done is gone over to see Joseph Rowntree, which you know is highly respected on providing lifelong care.

**Senator F.E. Cohen:**

That is why I am very keen to get Anne's list completed as quickly as possible. The idea is that Anne's list will be the standard and all developments will have to meet it. You will not be able to say: "Well, because our development site does not quite fit it, can we vary it by 5 per cent?" Those will be the minimum and you will have to complete a box-ticking exercise that effectively says yes, you have the wet room, yes, your unit is 650 square feet, et cetera.

**Deputy A. Breckon:**

The other thing is one of the things that frustrated us - and it is not a planning issue - is New Directions is about nearly 2 years behind where it should be. It has never surfaced and the consultation has not taken place. There are issues there, for example, if people are going to live longer in the community because you create the places for them to live, then somebody has to support them. So, politically, is there joined-up government here? Have Health identified another £3 million? Are Family Nursing going to be given more money? Has anybody come back to you and said: "Okay, if you do this then we cannot support it" or: "We can"? Which way around is it?

**Senator F.E. Cohen:**

The consultation is not at that level. The consultation is at the level of consulting on our broad proposals but not looking at the big picture of how you are going to fund it, how you are going to deal with the dependency ratio, all those sort of things that are really the bigger picture. We do not have that going and I think that debate will occur when the States debates things like population and obviously New Directions. But we are not engaged in that process at the moment.

**Deputy A. Breckon:**

Because that is the other thing, you see, if, for example, in St. Saviour something is created that needs support from the agencies, then that is resource. So if it is ...

**Senator F.E. Cohen:**

Yes. As far as I am aware, no piece of work has been done that establishes what is the community cost of our current proposals, what is the cost next year, in 5 years, in 15 years. All we are looking at at the moment is there is a need for the accommodation and we are urgently trying to satisfy the need without looking at the further cost implications of providing it.

**Mr. P. Thorne:**

Predominantly what we are doing is addressing the numbers and making sure the accommodation is available, hence the proposition earlier in the year, and the standards that ... The other thing about the standards, it is not just Anne's list, the building by-laws last year were upgraded for accessibility into buildings and so on. So it is planning policy, it is building by-laws and raising those standards.

**Deputy S. Power:**

I think it is also important to acknowledge, I think, that the Planning Department here - and I think the Environment Panel here - have embraced a lot of the work that has been done by Joseph Rowntree and Peabody, and these simple issues of accessibility from a car to a front door, from a front door to an apartment or a flat, from the front door to the kitchen or to the bedroom or to the bathroom or to the wet room are now going to be implemented in Jersey. The days of building units of 45 square metres or 50 square metres for older people, where there are accessibility issues, are gone. I think that the question of retrospectively retrofitting older buildings is something that will have to be absolved in time. That is something that has to be integrated with Health, Planning and Housing and private developers. I think the important thing is that a position has been taken by a number of States departments that we are moving forward and that the less than satisfactory planning that took place is going to be permanently closed.

**Senator F.E. Cohen:**

We are going to now deliver 300-plus units in the next few years.

**Deputy S. Power:**

Yes, to these standards.

**Senator F.E. Cohen:**

To these standards, which is better than nothing.

**Mr. A. Scate:**

I was just going to come in on the cost issue. Certainly in providing these new dwellings with these standards leads to greater independence; therefore, it should lead to less cost on some other elements, such as adaptations and other ... So although it may generate cost implications for support in a different setting, that cost should be balanced by the saving which is achieved by greater independent living. So I think that has to be part of the equation. It cannot just be seen as a cost implication. It is bending the standard ...

**Deputy S. Power:**

Yes. Looking at some of the work that was done by Peabody where they did a detailed examination of the financial and construction costs of some of the better accessibility issues in the bigger units, they found in the long term getting the car closer to the front door and getting in and out of the front door made for marginally increased cost on the construction side but, as you say, the indirect cost savings were very significant.

**The Deputy of Trinity:**

It is like I mentioned before, Alan mentioned about needing 4 hours of care for people, you know, to help them wash, but if you give them easy accessibility to wash themselves it is going to be cheaper because they can do it themselves and also feel better by doing it themselves. I think that is an important issue to take on board, too. Because you can still maintain your independence, that makes you feel better and that makes you feel worth living, shall we say.

**Deputy A. Breckon:**



With the issue of, say, the longer term, people living longer in the community as part of their care, if you like, we have had a census in 2001 - we have another one in 2011 - how much is that an issue for you in planning terms that you will not have those figures when you review the Island Plan for 2009?

**Senator F.E. Cohen:**

I am not a statistician but I do understand that there are 2 arguments around censuses. One is that a census gives you the most accurate assessment of the population. The second is that a census can hide elements of the population. I have heard it argued from the Stats Unit that the current population assessments are as accurate as any census is ever likely to produce. You know, we all have this view that the population numbers are not quite right, but we cannot put our finger on exactly why. I am not sure that a census is going to make us feel any more comfortable. If we believe that there is a hidden element of population, I think we are still going to believe there is a hidden element of population.

**Deputy A. Breckon:**

What about the profile of it, sort of male, female and age grouping? Because that would be an issue to you on this.

**Senator F.E. Cohen:**

I am sure that will be advanced by any census, but I do not think that we are sitting here on the verge of an Island Plan Review saying: "If only we had this census information we could produce a more accurate document." I am sure it would be helpful, but I do not think we are missing anything. I think we have enough information.

**Mr. P. Thorne:**

I think it is more about validation, actually. Sort of every 10 years or whatever, there is a check to confirm the assumptions that have been made in the meantime. All the evidence is that the projection that the Stats Unit has been doing is pretty accurate.

**Senator F.E. Cohen:**

The matrix of variables in relation to bringing forward an Island Plan Review is so deep and has so many dimensions that I do not think it is going to be made fundamentally more accurate by having a census result today rather than 2011.

**Deputy A. Breckon:**

What about the ability of people to live longer in the community? In planning terms, do you think you can get this attached to other applications that you receive as an element of a development to include something that has, you know, provisions for people to live there for the rest of their life?

**Senator F.E. Cohen:**

Well, we have commissioned an expert to look at the delivery of affordable housing and social housing. Elderly housing, of course, is part of social housing. That work will be completed relatively soon and I hope that will enable us, that will inform us, to deliver a framework for all schemes. I have made this point before. I would like to see in all large schemes an element of affordable housing provided. The Housing Minister certainly is keen to see that. So, for example, if you take one of the large

developments at Havre des Pas, there are a number of them pending at the moment that really we should be including an affordable element in those schemes. You do not have to significantly reduce developer profit by doing it because there are all sorts of things you can trade. The units at the back of a seaside development are hugely less valuable than the units at the front, so it is not a big problem to deliver some affordable at the back.

**Deputy S. Power:**

Can I ask a question on developments in the pipeline? Two questions, really. When Peter referred to up-rated regulations that incorporate the things that we have been talking about, the accessibility issues and sockets at this level and all of that kind of stuff, will they be applied to new developments, the new developments coming out of the ground such as Westmount? When we retrospectively convert some commercial accommodation into residential, you and I saw a scheme in Vienna where we had people in their 60s and 70s living with people in their 20s in the same building and the building worked. Are we going to incorporate that? Are you hoping to incorporate that kind of stuff?

**Senator F.E. Cohen:**

Certainly. Firstly, as far as building regulations are concerned, I have already conditioned a couple of consents requiring them to be built to the new building regulations that have not yet been implemented. Certainly a scheme of the scale of Westmount would have to be built to the new draft building regulations, but Westmount is one of those that needs to go through the process we discussed earlier where Anne will look at the size of units, make sure that the units are of appropriate size and all the other things and make sure that adequate amenity space is provided, and until that work is carried out the application will not be determined anyway. But certainly an application of that scale will have to meet the new building regulations.

**Mr. P. Thorne:**

That is the way building regulations work. The accessibility things came in in July or August last year, I think - I forget exactly what the date was - but any application that has come in since that date has had to meet those things. Talking about conversions, I think there has to be some sensibility on conversion jobs because clearly you are not building new so you cannot build to a spec, there has to be some adjustment. But we aim to get as close to that as we possibly can in assessing the applications.

**Senator F.E. Cohen:**

The point I was making is that the new building regulations that are related to reducing the carbon of new buildings, which have not yet come into force, will be expected to be applied to new schemes like Westmount. So even though they may not be fully in place yet, they will be expected to comply with them.

**Deputy S. Power:**

Because I think that the sub-panel will obviously be very interested in the regeneration of existing St. Helier, the sub-panel that carries on into the future, and one of the things that I think works - you have been to more places than I have - is mixed age group living in certain developments. We have seen commercial buildings that have been successfully adapted and converted and have different age groups. I think it is good if you can make it work. I do not mean perhaps social rented housing,

but perhaps co-operative living which is not a phenomenon so much here but it is a phenomenon in Continental Europe.

**Senator F.E. Cohen:**

There is an issue there that I think you and I are agreed that communal amenity space in many ways is better than private amenity space.

**Deputy S. Power:**

Yes.

**Senator F.E. Cohen:**

But there are other people who hold the view that communal amenity space is not used by Anglo-Saxons and they are naturally not comfortable spending their leisure time mixing with the other residents of their building and that you need to provide private amenity space where everybody does their own thing in their own limited private amenity space. With a large block of apartments in my view that is just unachievable and you end up with tiny, little balconies where children are supposed to play. It is completely illogical.

**Deputy S. Power:**

A flower-pot balcony, yes.

**Senator F.E. Cohen:**

Yes. Whereas if you have a large public amenity space, providing people can get round the social inhibitions, you end up, as we have seen in Vienna, with co-operative living and it works extremely well. We even saw buildings in Vienna where they have a co-operatively used entertainment area where you can go and hold a villa party if you want or a kids' party and you have your own cupboard with your own stuff and it may be you that is using this space today and someone else using it tomorrow.

**Deputy A. Breckon:**

Peter, you might be able to help us here. In general terms, how are we with statistics in what we have built and what we have knocked down and what beds have come from tourism and what has been used? Do we have a general picture where we say: "This has been the trend over the last 5 or 10 years" and maybe if we have a population profile where we want to get to?

**Senator F.E. Cohen:**

Loss of beds from tourism in my view is increasing.

**Deputy A. Breckon:**

Yes, again.

**Senator F.E. Cohen:**

Yes, and I think what has happened is that because we have such high values per square foot for residential accommodation in Jersey, we now have this range of £350 a foot to about £1,100 a foot. The values you can generate out of inefficiently run, old-fashioned hotels are so significant now that we are seeing a rush of applications and there is no policy to stop it.

**Deputy A. Breckon:**

Yes.

**Mr. P. Thorne:**

But in terms of your general question, though, we have a certain degree of statistical information held with applications and the means in our software of recovering it so we can write reports and it will extract the information. What we do not have at the moment is sufficient information that is put into the system when applications come in and so on - sizes, types of accommodation, category of accommodation, all that sort of thing - that if you ask me how many elderly persons' social rented houses have been produced or permitted in the last 12 months I cannot give you an accurate figure. We can give you a total number of residential units, we can give you by size, but we cannot deal with all those other things that people tend to ask for. We are working on that. We are redesigning the application form so that more information is required, which puts a burden on the front end of the process, both for the applicant and for the department in entering the information into the system, but we feel it is worthwhile, certainly for long-term planning through the Island Plan process and reviews and so on but also in responding to the sort of questions we get in the States on a fortnightly basis, often which we cannot provide the answer immediately.

**Deputy A. Breckon:**

Yes.

**Deputy S. Power:**

One of the *bête noires* of the Planning Department seems to be the amendments, the applications to amend an approval, whereby you in good faith, the officers or the Minister or the Assistant Minister or the panel, approve something and then it comes back within, say, 6 months or a year and it is amended and it is either approved under delegated powers or it is refused or it goes to the panel or it goes to the Minister, but eventually the developer twists it or changes it, I should say - 'twist' is an unfair word - so that a significant part of the building or even an insignificant part of the building is changed which makes it a building that is less successful than what the Planning Department originally wanted.

**Senator F.E. Cohen:**

We are pretty much back to our discussions on incremental development which you were so involved with, and interestingly, coincidentally, we had a meeting with the National Trust and we discussed this with them. The reality is there are an awful lot of applications where if you take the result of all the incremental applications, if they had come in with that to start with they would not have had a chance of getting a consent, but they get it by basically erosion, they just erode your resistance. Now, Peter made the very good point in the discussion with the National Trust that there is not very much you can do about it because everyone is entitled to have an application considered and determined for whatever they wish and you cannot simply say: "Because you had one last year we are not even going to look at your application this year." We need to have more regard to incremental development consent and we are working up a way that will probably be some sort of guidance note to officers to say: "Look, be a bit careful with this."

**Mr. P. Thorne:**

One of the things that does happen, though - and it is excusable, if you like - is that we will grant permission to a developer who starts the development and he will be looking to sell off plan and he may be offering options to the purchaser: "Do you want a room in the attic?" being the usual one. Often people will go for that because it is relatively inexpensive, the cut roof can be put in, and so we have had a number of occasions - we had it at La Moye, Sean, as you know and also we had it similarly down at St. Clement on a site down there - where development had started and we got a rash of applications came in because they had started marketing the properties for loft conversions. The biggest issue there is it is not necessarily a problem unless it increases the occupation which has implications for car parking space and that sort of thing, or it creates overlooking of adjoining properties which were not things that were taken into account with the original scheme, but there is a rationale of why it happens and it is not necessarily anything sinister. It is simply the people who are buying the properties taking choices that are being offered to them.

**Deputy A. Breckon:**

Another thing that we discussed in Guernsey as well was their group homes and the provision and we have also spoken to people here. We just wondered really what sort of criteria would you apply to that if somebody made an application, say, for a conversion of a hotel or a new build? Where would you look for the specification? Would it be the U.K. or is there something here that we have?

**Mr. P. Thorne:**

I think in the absence of anything specifically prepared locally we probably would look to best practice here, the U.K. or Europe.

**Deputy S. Power:**

I think there is a precedent for that, is there not, with the conversion?

**Senator F.E. Cohen:**

There is one area of caution: lodging houses. An application for a conversion of a hotel as a lodging house does not require the same standards. I refuse to deal with an application for just that simply on the basis that I was not prepared to agree to anything below the minimum standards even though strictly lodging houses do not require adherence to minimum standards. Actually, we were probably lucky to get away with it, but the applicant has now come back and has produced quite a good plan for the conversion of the hotel and its improvement. They all meet minimum standards plus ... I set minimum standards plus 5 per cent and they have met that.

**Deputy A. Breckon:**

You mentioned the links with Anne, but if you are talking about some of the creation of these things for independent living and space, what generally would be the authority that you use? What would it be? Is there a sort of industry guideline that you fall back on?

**Senator F.E. Cohen:**

It is really Anne. Anne's area is the delivery of social housing. Because of her background in nursing, she is interested in the area, she knows a lot about it, and she pulls bits from here and bits from there. So she will go to the Jersey Rowntree ...

**Mr. P. Thorne:**

I think that is the point, she goes to the Jersey Rowntree Foundation to find out from the experts, if you like.

**Senator F.E. Cohen:**

But then she is raising it further. Just one thing, for example, she is going to insist that all the retirement houses have internet access so they will all be wired for L.A.N. (local area network) because older people now are spending more and more time on the internet.

**Deputy S. Power:**

They will all be on Facebook.

**Senator F.E. Cohen:**

They will.

**Deputy A. Breckon:**

Do you see it as part of the planning process if you actually provide some of these definitions because it has been bandied about, about over-50s, lifetime homes, sheltered housing? In planning terms, is there any guideline that says: "This is what it is" or is it just a case of interpretation?

**Mr. P. Thorne:**

There are not specific definitions. There are for certain things and similarly there are in the U.K., but there are 2 things you are talking about there. One is the nature of the occupant, whether it is age or infirmity or whatever it might be; the other is the nature of the way the accommodation is managed, might be privately owned at the one extreme, might be a sheltered home with a warden and so on at the other extreme. There are definitions but I would not get hung up about that, quite honestly. As Freddie said earlier, the reason for the 55 is it is that 55 to 60 age band that people are likely to downsize. Get older than that and they cannot be bothered or they do not have the interest. So that is why we have set the bar at 55 for the elderly persons' housing because people will take advantage of downsizing at that age and they will not later on. The different categories of provision will depend in part on the providers, and one of the differences we have in Jersey, say, with Guernsey where I suspect most of the elderly persons' accommodation is provided by the states over there - hence them having a Director of Elderly Persons Accommodation within the states - is that for here it tends to be the parishes or private homes. The parishes themselves will have their own requirements. We saw St. John, for example, the other day in the paper getting rid of its bed sits and deciding to up-rate them into one-bedroom accommodation. You know, so there are lots of different managers in there who will take a view on what they see the needs are for their market and build or adapt to meet it. What we call it I do not think matters too much.

**Deputy A. Breckon:**

I am just thinking this 55 watershed, I only have a few months of it left and then I sort of move on, you know, so I will move off this benchmark.

**Mr. P. Thorne:**

I would not worry about that, I am past it already.

**Deputy A. Breckon:**

I just wonder if there is any evidence from anybody, like McCarthy and Stone, you know, who are one of the longest providing groups in the U.K., is that their experience that people sort of say: “55 to 60, the kids have moved on, before they decide to come back we are going to downsize so that they cannot”? Is this their experience where people are transacting to downsize?

**Senator F.E. Cohen:**

Remember, not only is this empirically supported from organisations who were consulted, but this is also supported by the results of a consultation. There was an extensive consultation on this and I am quite surprised. I cannot understand that this decision is taken at 55, particularly as people, particularly professionals, are now tending to have their children later. So at 55 they have not got rid of their children, but that is the evidence, surprising as it may be.

**Mr. P. Thorne:**

Came through the housing needs survey as well.

**Senator F.E. Cohen:**

Yes. I would have thought that elderly homes, retirement homes, whatever you want to call them, start at 65, but that does not seem to be the case.

**Deputy A. Breckon:**

We had a view expressed last week that if we want people to work longer then we should not sort of lock them in gated communities, we should leave them in the community until they are 75.

**Senator F.E. Cohen:**

Well, the thing is the communities that we are talking about creating are very attractive communities, and I do not think people are going to feel negative about living there. The problem is we only at the moment have 300-odd new ones. We want the 300-odd new ones to go to the people who will benefit the most from them. If you end up that there is a demand for 600 and you could contract that by raising the age limit, I would have thought you would have been better off to do so, but that was not the result of the consultation.

**Deputy S. Power:**

One of the, I suppose, risks of the proposition we approved is that low density schemes such as the ones we have approved in the parishes tend to be land hungry. I go back to one of your interests, Minister, which is good architecture and good design. There is absolutely no reason why good architecture and good design cannot deliver the same type of accommodation for the over-55s in a higher density development.

**Senator F.E. Cohen:**

Absolutely.

**Deputy S. Power:**

There is one coming out of the pipe at the moment, as you are aware, in Property Holdings which is, in my view, a very attractive scheme. It is going to produce 100 ...

**Mr. P. Thorne:**

Bellevue.

**Deputy S. Power:**

Bellevue. It is in the west of the Island. It is going to produce 2-bedroom flats meeting all of these criteria, including all the latest insulation standards and everything else that is needed, and I think when it does get finally to the Planning Department it will be hard to, I think, critique it. I think it is looking at 139 to 142 habitable rooms per acre.

**Senator F.E. Cohen:**

I think there is room for both. I think it depends on the context. In the countryside, it is very difficult to successfully deliver very high density, and in the town it is much easier. In the other urban areas it is between the 2. You could not imagine the Westmount scheme in St. Mary, for example.

**Deputy S. Power:**

No, because it is going up 4 or 5 floors.

**Senator F.E. Cohen:**

Yes, 13. But you could imagine it in Westmount.

**Deputy S. Power:**

That is because it is in a quarry.

**Senator F.E. Cohen:**

Yes, because it is in a quarry. So I think it is set by context, but whichever route you go, the key is to produce highly accomplished buildings.

**Deputy S. Power:**

And good design.

**Senator F.E. Cohen:**

And that is good design.

**Mr. P. Thorne:**

The other point is it is important to have a choice, you know, different types of accommodation, but certainly for the market element of elderly persons' housing. You know, if you want the small bungalow with a garden, then it is available; if you want to live in town in a flat for elderly people you can do that as well. You have choices in the market.

**Deputy A. Breckon:**

Can you just confirm for the benefit ... I know the answer but you can categorise things into various bits but you have no control whatsoever over price?

**Senator F.E. Cohen:**



We have no control over price other than through planning obligation agreements. So that is what I am trying to do in relation to the social element, the affordable element, of the rezoning proposition. While there will not be price control, formal price control, I want to do whatever we can to deliver those properties to the housing trusts or the N.P.O. or whatever it is at the most affordable price. We do have that already. The price at which social rented accommodation on rezoned H1/H2 sites was delivered to housing trusts and housing associations was effectively set by the rental model that Property Services developed. We are also having some element of price control in relation to Homebuy, subject to the work of scrutiny, that we are saying: "You cannot sell it for 100 per cent of its value, you can only sell it for 65 per cent of its value." So there is some element of price control, but what we cannot do is say that in the open market that this unit is going to be delivered at £150,000 when we know the market value is £250,000.

**Deputy A. Breckon:**

I just have one final question, and that is in reference to New Directions. You mentioned the officer sort of link, but in what they are proposing to do, which obviously encompasses more than Health, it sort of spreads out into the community, but has there been officer co-operation in working some of these issues up, like living space, support in the community and things like that which have linked in with Planning for some of their preparation? Or does it come after the general agreement?

**Mr. P. Thorne:**

Not really. I think certainly in terms of building requirements, base amenities provided in homes and so on, we have tended to look to places where they develop these things elsewhere. I have not been personally involved so I am not sure where that has come up and it would have come up in the I.S.A.S. work 3 or 4 years ago.

**Deputy A. Breckon:**

Yes, that was Harris(?) Group, was it not?

**Mr. P. Thorne:**

Yes, that is right. But generally speaking and as we have said already, we will not reinvent the wheel. We will go to the market leaders, if you like, in terms of what is best to be done and adopt best standards.

**Deputy A. Breckon:**

But obviously you would recognise that they are saying that people's health needs are this, they need to live in the community, and you would take that into consideration from a planning point of view on delivery if that is the case?

**Senator F.E. Cohen:**

Yes.

**Deputy A. Breckon:**

So that is a piece of work that is coming and has not yet happened, although you are aware of their concerns?

**Senator F.E. Cohen:**

I have not read the new version of New Directions.

**Deputy A. Breckon:**

We have had about 17 versions so ...

**Senator F.E. Cohen:**

Since Ben has been appointed as Minister, I have not seen his ...

**Deputy A. Breckon:**

There was some, but things were not priced or there was a thing that if you support people in the community but there was no numbers to it. So it was who does it? You know, it is a good idea but somebody has to do it. So that is why the consultation came in and then had to go out again to say: "If we deliver that, what does that mean to, say, Family Nursing? What do you need to do that? People and money." Sean, have you anything else?

**Deputy S. Power:**

No. I am just mentally calculating here that if in the next 3 years the 350 that have just been approved are built and you do a mental survey of what is in the pipe around the Island at the moment, including one of the bigger ones in town, in value we are probably looking at somewhere in the region, I would think, of between 500 and 550.

**Senator F.E. Cohen:**

But remember, of the 350 that we recently rezoned, only half are social.

**Deputy S. Power:**

Yes.

**Senator F.E. Cohen:**

It is quite easy to drive out open market because the numbers work. It is the social element that is difficult to deliver. So that is why this new piece of work is so important because I am keen to see that we deliver affordable housing out of every large scheme. I do not know the number that we will set, but let us say we set it that over 10 housing units, the creation of over 10 housing units, there has to be an affordable element, then we can really start delivering numbers.

**Deputy S. Power:**

Right.

**Deputy A. Breckon:**

Well, thanks for that. What I forgot to say at the start is if there is anything that you would like to say in conclusion that we might have missed, and the other thing arising from that is we might have one or 2 questions which we would come back to you at officer level. So anything that you would like to add?

**Senator F.E. Cohen:**

No.

**Deputy A. Breckon:**

Welcome, Andrew, to Jersey. I do not know how long you have been here. I do not know if you have enjoyed the weather, but we have probably had good and pretty bad for a few days.

**Mr. A. Scate:**

It has been good up until today.

**Deputy A. Breckon:**

So anyway, thanks very much for your time. Thanks, indeed.

**Senator F.E. Cohen:**

Thank you very much.