

3. Questions to Ministers Without Notice - The Minister for Housing

3.1 The Connétable of St. John:

Given the Minister's enthusiasm in pursuing the early rezoning of a number of greenfields to accommodate over 55s and first-time buyers, can the Minister advise Members of the progress being made requiring Planning Consent for these sites because it is my understanding that the only sites at the moment in front of the Planning Department are the Parish driven site at Trinity?

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

I am the Minister for Housing, I am not the Minister for Planning and Environment. That is a question that should be directed to the Minister for Planning and Environment.

3.2 The Deputy of Grouville:

On the same subject, the Minister confirmed in answers to my questions earlier that many of the rezoned sites are either owned by or will be developed by the same person or his company, in fact 6 of the 8 are. Could he also confirm that same person is a friend of his to the point of going on holiday with him and his family, and does he not consider this to be a breach of States of Jersey Law?

Senator T.J. Le Main:

No, that is totally incorrect. I have never been on holiday with anyone that is a developer.

3.3 Connétable G.F. Butcher of St. John:

Given that the number of rezoned sites are in the ownership of one developer, does the Minister consider it appropriate to be attending planning meetings and supporting the rezoning of yet another greenfield site when no action is being taken on the ones that already have been rezoned?

Senator T.J. Le Main:

The Connétable knows very well that I have written to the Minister for Planning and Environment and that, as Minister for Housing, I am approached by people that want either housing, need to be re-housed or in fact have sites that are in the rezoning proposals. I have expressed my view that as Minister for Housing I will do everything with every developer or land owner that has rezoned sites approved by this Assembly for development. I will give my assistance and support in seeing these sites come forward, whoever the developer, the land owner or otherwise will be.

3.4 Deputy T.M. Pitman:

As I understand it, the marriage breakdown policy under (a) to (h) qualification rules was put in place at a time when the standard period for qualifying was much longer than it is at present. Does the Minister perhaps then consider whether the period of residency required under the marriage breakdown policy should be reduced proportionately as well?

Senator T.J. Le Main:

The marriage breakdown policy has been a well defined and well understood policy and, of course, I would always consider every case on its merits, but at this present time I am not prepared to vary that well defined and well understood policy, but if any cases come forward on a breakdown policy where there is real medical or other social hardship, then I will consider them.

3.5 Senator A. Breckon:

The Minister for Housing said this morning that the Whitehead review was with him and would be possibly signed off by the end of the week; in answer to a written question he said it would be

available in mid July. Can he say when it will be available and what the delay has been which has taken it nearly a year to be prepared?

Senator T.J. Le Main:

I have explained the reasons why the delay; the delay has been because of the economic circumstances and the difficulties in the housing market within the credit crunch. As I explained this morning, the issue is that I need to sign off this review in co-operation and working together with my Assistant Minister and officers, and the moment that we have done that it will go out to Members for consultation.

3.6 The Deputy of St. John:

In response to the Minister's first response to the Deputy of Grouville; could the Minister tell us what, in his mind, the definition of a developer is and would he wish to review the comments he made because if he has never been on holiday with a builder - in fact builders or developers - would he care to review the answer he gave to the Deputy of Grouville?

Senator T.J. Le Main:

I do not understand what the Deputy means. I go on a holiday regularly. I was on the boat to France on Saturday with a group of pals from the rugby club and there were 2 or 3 builders/developers on the boat. If you are saying I am going on holiday with developers and builders, well, I see them all the time, so I really do not understand what the question is. The issue is that I travel quite frequently, particularly through France, and I see all sorts of people, so does that mean to say that I am in cahoots with a bank manager, with the civil servants?

3.7 The Deputy of St. Mary:

I want to pursue this matter of the 7 sites under the control of one developer. I think I heard it was 7 sites under the control of one developer. There surely will be public concern about this, it is almost a monopoly. Can the Minister explain the exact process by which this came about and when these sites, each of them, were acquired and by whom?

Senator T.J. Le Main:

Can I explain? I am the Minister for Housing and my role does not go into the issues of land development. I cannot build one house. I cannot put any pressure apart from being a normal Member of this Assembly like I did, and upset the Constable of St. John quite rightly I suppose, last Thursday at the Planning Applications Panel. If I am going to make any representations on behalf of anyone, whether they be a land owner who has sites rezoned for social housing for which the Housing Department would like to buy the 45 per cent, and that is why I am pursuing many of the sites that have been rezoned is because the Housing Department desperately want to purchase homes to house elderly people in particular. I have no role and I have no say in the issue from the Planning Department.

3.7.1 The Deputy of St. Mary:

Can I ask a supplementary to that? But on the other hand the Minister does have a role in bringing propositions to the House which refer to the urgent need for developing these sites, so there is clearly a connection. I wanted him to comment on that.

Senator T.J. Le Main:

That is not correct. The last rezoning ... any rezoning has never been brought by the Minister for Housing and the Deputy of St. Mary is quite wrong, the last rezoning was brought forward on behalf of the Connétables by the Minister for Planning and Environment.

3.8 The Deputy of Grouville:

A change of tack. When Housing delegate parking controls on their estates to third parties, do they accept responsibility for their actions?

Senator T.J. Le Main:

The issue of permits in certain estates is issued on the basis that a payment is made, and the Housing Department do not bear responsibility of anyone that parks on the estates.

3.9 The Connétable of St. John:

I think the general public, and I think some of the Members of the Assembly are getting rather confused with the Minister for Housing. One minute he gets involved and then the next minute he does not get involved. I would suggest that maybe he decides which side of the fence he is going to be.

Senator T.J. Le Main:

This is underhand. That is an underhand comment which unfortunately the Constable of St. John really does not understand planning matters at all, it seems to me. [Laughter] At a Panel meeting last week he had already made up his mind before the applicant even had a chance to put a case. Saying that, the issue is - I have made it quite clear - I have written to the Minister for Planning and Environment and I have sent a copy of my letters to the Chief Minister explaining my position that I will be pursuing on behalf of the people that I represent who need homes, particularly elderly people. I will pursue every site that this Assembly have approved for development for sheltered housing and first-time buyers to try to get these sites approved by the planning process, no question about it and if anyone cares to see a copy of the letter that I have passed on to the Minister for Planning and Environment or the Chief Minister then I am happy for them to do so, and I will continue to do so whether the Constable of St. John likes it or not.

3.10 Deputy R.G. Le Hérissier:

Would the Minister comment, given that the new Tenants Law is only going to apply, as I understand it, to the qualified section of the new Tenants Law, has he checked out whether that Law will therefore be human rights compatible?

Senator T.J. Le Main:

Any issues bringing up the new Tenancy Law that will be coming to the Assembly will be compliant to human rights.

3.10.1 Deputy R.G. Le Hérissier:

Would the Minister, on the grounds of fairness, does he think it is fair that rights are given to one section and not another?

Senator T.J. Le Main:

This is only the first part of what is going to be a fair system. The issue is quite clear that until the migration policy legislation is approved by this Assembly we can only deal with the qualified sector, but the moment this Assembly approves a migration of the new migration policy arrangements and agreements and legislation, then it is really hopeful that we will be able to deal with the unqualified at the same time.

3.11 Senator A. Breckon:

The Minister for Housing said, on a couple of occasions, that he is not responsible for the planning issues but can he confirm that the numbers and the pressure came from him on the Minister for Planning and Environment to re-zone green zone land and fields ahead of the Island Plan review?

Senator T.J. Le Main:

Absolutely; only on the basis that of the exact need that we know we have, and also the need that has been identified by various reports and issues that have been provided for the States by the Statistics Unit, Planning and otherwise. So, it was all done on good, firm information and not on the hearsay or the say-so of the Minister for Housing.

3.11.1 Senator A. Breckon:

Could the Minister for Housing confirm that some of those statistics appeared after the report proposition had been lodged?

Senator T.J. Le Main:

That may be the case but we have been having information on a yearly basis for the last 7 or 8 years and the situation has not changed. The issue is that we are in serious difficulty in being able to house real people. When I say real people; it could be parents, families, senior Members of this Assembly, it could be their parents, it could be their grandparents, and we have a real difficulty and I am going to pursue vigorously, on behalf of those people, the planning process to get some of these sites achieved so we can house the people that I represent and you represent and I hope you support me.

3.12 Deputy J.A. Martin:

Yes, it is a bit of a follow-on from Senator Breckon. I think many of the House were convinced to re-zone land before the debate on the Island Plan or the review of the Island Plan because of the pressure put on by Housing. Can the Minister for Housing confirm that the pressure... and he has just alluded to the elderly, and he has 306 urgent cases, but is there not a trade-off that a lot of this re-zoned land will not just be for the elderly; it will be for category A and B housing as well in all the country Parishes?

Senator T.J. Le Main:

I have got to reiterate I am the Minister for Housing and, you know, the onus is on the ... the land that was re-zoned in July ahead of the Island Plan was land predominantly wanted for sheltered lifetime homes. It is up to... apart from I think Trinity and maybe another site... but the issue is quite clear that it was for people of a certain age and if the Minister for Planning and Environment diverts away from what this House agreed, well, that is the Minister for Planning and Environment, but I need all these sites that were approved by this Assembly last year. I need all those sites to not even reach the demand that I have got with me at the moment, so I need those sites.

3.13 Deputy S. Pitman of St. Helier:

As the Senator knows, Housing's marriage breakdown policy is an issue of policy rather than law. Could he explain to the House when was the last time this policy was reviewed and could he also tell us when next he intends to review it?

Senator T.J. Le Main:

All the policies that are administered under the Housing Law are reviewed on a yearly basis and my Assistant Minister and myself currently, with the officers, meet on a monthly basis - and sometimes more than a monthly basis - on policy meetings and we review marriage breakdown and every other policy on a regular basis.

3.13.1 Deputy S. Pitman:

Could he say when the last time was that he reviewed this policy and when will he review it again, to be specific?

Senator T.J. Le Main:

Well, it is very difficult. I have got a job to remember last week, let alone when I reviewed something else sometimes, but I cannot remember the last time, possibly 18 months ago, but at the moment, under the existing policy, I am not prepared to review it because I think it works well, as I explained a minute ago to Deputy Trevor Pitman. I say that it is working well at the moment and it is consistent and it is well understood and it is fair to everybody.

Deputy S. Pitman:

Would the Minister endeavour to provide me with the ...

The Deputy Bailiff:

Sorry, you have already asked 2 questions.

3.13.2 Deputy S. Pitman:

Sorry, the Minister has said that he thinks he reviewed it about 18 months ago. Could he endeavour to find out for me when it was reviewed and could he give me the actual review?

Senator T.J. Le Main:

No, because I probably could not remember it and I do not suppose the officers remember it either.

3.14 Deputy M. Tadier:

Would the Minister consider issuing a permit system for letting in the private sector so that they might be subject to comparable checks and standards as are in place in the public sector?

Senator T.J. Le Main:

No, that is the role of the Planning Department, to update their building standards and what have you and it should be outside the remit of the Housing Department.

3.14.1 Deputy M. Tadier:

I believe the Minister has misunderstood my question. I am talking about issuing permits so that landlords can be allowed to lease their property. In order to do that, so we will know exactly who is renting out property... and that they may be subject to certain standards.

Senator T.J. Le Main:

Every property is conditioned (a) to (h), (a) to (j) or (a) to (k) and no one can lease a property until they have applied to the department. They have to meet the criteria of the policy of who can be occupying.

The Deputy Bailiff:

Very well. I am afraid that brings questions on the Minister for Housing to an end.