

23.05.02

16 Deputy S.Y. Mézec of the Minister for the Environment regarding the licensing of rented dwellings (OQ.79/2023)

Will the Minister provide an update on his plans to lodge regulations to introduce a system for the licencing of rental dwellings?

Deputy J. Renouf of St. Brelade (The Minister for the Environment):

I thank the Deputy for his question and the opportunity to update the Assembly on this important subject. In February I answered a question on this matter and informed the Assembly that I intended to lodge regulations regarding the licensing of private rental dwellings in mid-April, with the intention that they be debated in mid-June. Clearly I have missed those dates. It has taken longer than I would have liked to work through the various stages and we have had to make a few tweaks of a technical nature to the draft regulations. However, I am pleased to say the delay is only a short one and I intend to publish the regulations very shortly, with the intention that they be debated in the sitting in the first week of July, in other words one session later than originally suggested. If approved, the aim is that the regulations should come into force at the start of 2024.

4.16.1 Deputy S.Y. Mézec:

The Minister referred to tweaks of a technical nature. Can he elaborate as to exactly what those are and whether they have a material impact on the form that the regulations will take and the level of protection that will be offered to tenants as a result of them?

Deputy J. Renouf:

Slightly difficult to answer since we are talking about regulations which have not yet been published in draft form, but I can offer some reassurance. The changes that we were making, which were partly in consultation with law officers, were not of any significant nature that would change the policy intent. The policy intent is clear. The outlines of the scheme will become clear very shortly. I am having a meeting tomorrow with the Landlords Association. I will also be meeting with the social housing providers as well to make sure that everyone is kept in the loop. I look forward very much to the chance to bring those regulations, which will offer the kind of protections that the Deputy has long campaigned for.

4.16.2 Deputy R.J. Ward:

Given that the principles on landlord licensing have been voted for in this Assembly and then the regulations were voted against by a significant number of the current Council of Ministers with which the Minister works, is the Minister concerned that the regulations he brings may not be successful for the same reasons?

Deputy J. Renouf:

I know the history of this subject. I have worked very hard to form these regulations in a way that means they meet some of the objections that people have raised in the past. In particular, I have tried to make them simple, I have tried to make them as clear to understand as possible, and I have tried to respond also to some of the problems that were raised by the Landlords Association. I do not think I will meet every single objection to these regulations, but I am reasonably confident that I have put together a package which will command the support of this Assembly. I certainly hope so.

4.16.3 Deputy R.J. Ward:

What I am hearing is perhaps what we are going to see is a watered-down version of the landlord licensing system. Is the Minister happy that it is watered down enough or does he think he may need to add a little bit more H₂O?

Deputy J. Renouf:

I do not think I mentioned the phrase “watered down” at any point and I would not use that phrase to describe what I have done. What I hope I have done is provide some clarity, some simplicity and also a degree of consultation, which means that everyone involved will hopefully feel that they have been at least listened to and respectfully listened to, so that they may not necessarily get everything they want, but at least understand that their point of view has been considered.

4.16.4 Deputy M. Tadier:

In hearing all those objections has the Minister heard any spurious objections? Can he tell us what those spurious objections might be? Can he tell us whether he has made concessions to those spurious objections in order to get this Bill passed?

Deputy J. Renouf:

I do not think there have been spurious objections. I try and listen carefully to whatever point of view people bring to the matter. It is important to hear people. I do not claim knowledge of every single set of circumstances, so I am happy to hear all representations and I try not to categorise them into spurious and non-spurious. I repeat, I do not think the regulations when published will show any sign of being watered down.

4.16.5 Deputy M. Tadier:

The Minister will be aware that there are far more tenants in the Island than there are landlords. Could he clarify whether the consultation that he has done and the representations he has received reflect that balance?

Deputy J. Renouf:

I have looked in great detail at the feedback that has been received from all groups, particularly referring back to the historic situation where various groups were canvassed. I feel like the points of view that have been expressed from that side have been very well expressed and very well summarised in previous reports. I do not anticipate objections from tenants. My concern was to overcome objections from landlords, and indeed from States Members, who have previously found it difficult to support these proposals and so that is where I have concentrated my efforts.

Deputy M. Tadier:

For reference, that did not address my question, I do not think.

The Bailiff:

I am not sure there is much room for reference. Did you have a question, Deputy Scott?

4.16.6 Deputy M.R. Scott:

I did. Could I please ask the Minister, has he considered a blanket licence that could provide the ability for licences to be revoked and, therefore, provide a cheaper way of allowing licensing without perhaps driving up the cost of housing?

Deputy J. Renouf:

I am not quite sure what the Deputy means by “a blanket licence”. I can say that when we introduce the scheme the intention will be that anybody letting a property at the point of the scheme starting will automatically be licensed. Then after that there will be a need to apply from that point on. I do not know if that answers the Deputy’s question, but that is what I understood it to mean.

4.16.7 Deputy M.R. Scott:

Effectively, that will mean that landlords would be registering in order to receive a licence. Is that what I am to understand? So this would be a way of ensuring that properties are registered, with all the landlords being licensed, and with the possibility of that licence being revoked. Is that how I should understand it?

Deputy J. Renouf:

It is important to understand that it is the properties that are licensed and it is a licence to which people will apply, rather than be applying to be on a register. Nevertheless, it will be a default outcome of applying for a licence that we will effectively have a register of all properties that are rented in the Island. That will be a very useful tool in terms of enforcement of minimum rental dwellings, safe rental standards. Indeed the whole point of a licensing scheme is to allow a flexible method by which minimum standards can be enforced and, indeed, with the ultimate sanction being the possibility of withdrawing a licence should improvements not be made as requested to meet the minimum safety standards.

4.16.8 Deputy S.Y. Mézec:

In answer to a previous question the Minister referred to his concerns about overcoming some of the objections that have been raised about this kind of scheme previously. Can he confirm for this Assembly what changes he has made in his attempts to overcome those objections? Has he been successful or is it the case that in actual fact there is simply an entrenched opposition to any form of licensing that he as Minister is simply going to simply have to disagree with and ask Members to disregard that entrenched objection?

Deputy J. Renouf:

I can confirm that I will be bringing these regulations to the Assembly and, therefore, there comes a point at which, yes, you have to accept that you may not persuade everybody but you will bring them nevertheless, because you believe it is the right thing to do. I really cannot say much more than that. I cannot remember the first part of that question.

Deputy S.Y. Mézec:

It was about asking specifically what changes compared to previous iterations that he will be proposing in order to try to overcome some of those objections that have been raised.

Deputy J. Renouf:

When the regulations are published, which will be very soon now, the Deputy will be able to make his own comparison. I would rather not at this stage go into giving details on those which have not yet been fully shared with all relevant parties, including fellow Ministers.