

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

The Bailiff:

That concludes oral questions. We come now to Questions to Ministers without Notice. The first question period is of the Minister for Housing and I invite questions.

3.1 Deputy A. Breckon:

In an answer to an earlier question today, the Minister mentioned the (j) categories of 3 and 5-year duration were being given the right to buy. I wonder, Sir, if he would like to comment on whether he considered whether this could be perhaps considered as speculation and how it would affect the policy that we are supposed to have about encouraging wider home ownership for the general population.

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

The reason why a (j) is now allowed to purchase shares in a company is because the States were doing it themselves and decided it was a very unfair advantage of the States being able to do it. The issue is that (j)s can only occupy the property and it is a mechanism allowing a (j) category to purchase the shares in a company to occupy that property for the duration only of that contract. It relieves the burden on some of the employers out there who had to take on that role. There will always be, in my opinion, someone who will think that there will be an advantage in purchasing for speculation, but generally the people that are buying are buying because they need somewhere to live and they are contributing greatly to the benefit of this Island.

Deputy A. Breckon:

May I follow that with a supplementary?

The Bailiff:

I am afraid we are inquorate, Deputy, so I must ask you to pause until some Members in the precincts are able to return to their seats. The Greffier tells me that my arithmetic is not very good, so we will invite you to continue.

3.1.1 Deputy A. Breckon:

Can I just ask the Minister what category for resale that property would fall into? It would still be (a) to (j); therefore there is a probable price increase in there. It is not restricted in any way by this permission being given to a (j) category.

Senator T.J. Le Main:

The category will remain always (a) to (j) except if it is worth over £250,000 after it has been occupied as an (a) to (h) property for a minimum of 2 years. But the property when sold out of the company has to revert back into the residential market out of the company.

Deputy A. Breckon:

Is that (a) to (h) or (a) to (j)?

Senator T.J. Le Main:

I did say (a) to (j). They can only occupy a (j) category property and it reverts back; it is still a (j) category property.

3.2 Deputy R.G. Le Hérissier:

The Minister has made much play, and I do admire his energy in this regard, about the need for sheltered housing or over 55s. Could he tell us, in response to the question he asked other people, what is his precise evidence for wanting this massive expansion of sheltered-type housing?

Senator T.J. Le Main:

The evidence is quite clear that the Housing Department currently, as of today, have approximately 380 names of people over 60 who are in need of accommodation that currently they are not occupying; in fact, accommodation that has to be for their needs medically, physically and accessibility. They are currently in unsuitable accommodation, whether it be in the private sector or families or within our own accommodation. Of course, the Deputy must understand that over a period of time the ageing population is getting more serious by the month and by the year and by 2030 - as I have often said in this Assembly - double the amount of people will be in retirement than at this present time. It is a very, very serious problem which has to be addressed now.

3.3 Deputy G.P. Southern:

Does the Minister consider that it is appropriate under his zero-tolerance policy to threaten his tenants with sanctions which include the immediate cutting-off of heating or hot water - if such elements are included in rental payments - for rental arrears which may be as a little as one month; a move which would be illegal if threatened by any authority in the U.K? Does he believe that is appropriate?

Senator T.J. Le Main:

I would never see anyone in rental arrears - unless there were exceptional circumstances, have their heating and electricity cut-off. My Assistant Minister and I have a zero-tolerance policy on deliberate non-payment of rent in those areas and we do send out these notes. But the issue is that all evictions or otherwise have to come to the Assistant Minister and me and every case is taken on its merits.

3.3.1 Deputy G.P. Southern:

Can the Minister justify sending through the post as recently as August to a tenant with a mere one-month's rent deficit - and she is paid monthly so it was the normal to and fro - can he justify sending such a letter threatening to cut-off heating and electric in those circumstances?

Senator T.J. Le Main:

I do not know at all about this case. If the Deputy would like to give me details in confidence I will check it out, but I am unaware of this case he mentions.

Deputy G.W.J. de Faye:

Could I just ask for a point of information I do not understand and I would like some clarification from Deputy Southern. Is Deputy Southern saying that the threat was made to cut off these services or were the services cut-off?

Deputy G.P. Southern:

The threat was made in a letter to a tenant who was a mere one month in arrears.

The Bailiff:

We must not have the banter across the floor of the Assembly.

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

Could the Minister advise the House as to what mechanism will be put in place to monitor incomes, tenancy, occupancy on properties with the fact that the abatement forms will no longer need to be filled-in now that it is going over to Social Security? How will this be monitored?

Senator T.J. Le Main:

The Low Income Department will monitor all that, but the Housing Department have tightened-up on the tenancy agreements and the tenants now have to disclose any property, any assets, in regard to being able to continue or otherwise as a tenant. The new tenancy agreements have very much tightened-up on previous. I would like to just return to Deputy Southern. I must remind Members of this Assembly it is all very well for Deputy Southern to be quoting this particular case he knows about, but there are 2 sides to every story with many of these issues and I would not like to comment without knowing the full facts. There are always 2 sides to a story.

3.5 Deputy P.V.F. Le Claire:

In the last week there has reportedly been a situation where a property that should have been occupied by somebody with qualifications was rented-out to people without qualifications. I personally applaud the stern rebuke the court gave to this individual, but what is the opinion of the Minister in regards to this type of occurrence and what is being done to check that people who should be occupying premises with qualifications are holding those qualifications?

Senator T.J. Le Main:

The department have a highly experienced officer in crime detection and otherwise who is now fully employed within the Population Office in regard to illegal occupancy or infringements of the Housing Laws and Regulations. We have had a difficulty in that there have been several cases over the last year forwarded to the Crown Officers and the Crown Officers are so very busy that they have been unable to take these on as matters of priority. I am glad to say, Sir, that there are several cases in the pipeline now that have been handed over to a private law firm. This case highlighted by the Deputy was handled by a private law firm and we intend to show the public that those who are defrauding or breaking the Housing Law and Regulations, particularly in a tight housing market, will be severely dealt with.

3.6 Deputy S.C. Ferguson:

One of the largest employers in the Island is proposing to remove the compulsory retirement age. Will the Minister revise his draconian estimates of sheltered housing and the like in the light of this trend which will probably spread to other areas?

Senator T.J. Le Main:

I do not really understand the question.

Deputy S.C. Ferguson:

Given that one of the largest employers in the Island - after the States - is proposing to remove the compulsory retirement age, will the Minister start revising his somewhat - I said draconian - large estimates of sheltered housing and so on for the ageing population in view of the fact that there will be a trend for people over 65 not wanting to be packed into sheltered housing but going out to work?

Senator T.J. Le Main:

I encourage that employer; that is welcome news that employers are going to be employing people over retirement age and the polices of the Housing Law and Regulations and the Housing Department in regard to occupancy would take care of the changing market. I have no problem in trying to meet the needs of all these people whether they no longer work or otherwise. I would work with the Deputy and other Members in achieving those aims.

3.7 Deputy J. Gallichan of St. Mary:

This morning the Minister alluded to delays to builders being caused by the planning process. Does he accept that the vital importance that all development is subject to the full and due

planning process and will he comment on an apparent open letter he has recently circulated to developers?

Senator T.J. Le Main:

Yes, I would like to very much say that I did circulate a letter to developers, because I have a role not only as Housing Minister in trying to find some land and getting land approved, but I have a duty to find out what the actual market is at the current time when I am having to grant (j) category licences. I have sent a letter out which indicates that I seek some information on various issues, predominantly to find out what the housing market is at the present time and what are the issues, because I know that currently in the Category B market there are approximately 8 or 10 people chasing every home in the market. In fact, you will have noticed that the agents have changed over from setting the price; they are now asking people to write in with guidelines of a price. It is like a bidding war at the moment. The invitation to electricians and scaffold companies and developers, and all that I have sent out the letter, is specifically to give me some information because I have a very, very difficult job in processing some of the applications that are coming forward by businesses who want to employ (j) category staff. I must make sure in my own mind that there is a supply in the marketplace to meet the needs of all Islanders.

The Deputy of St. Mary:

The first part of my question, Minister, was do you accept the importance that notwithstanding any delays, the full and due planning process must be followed in every case?

Senator T.J. Le Main:

Yes, I do, but you must remember that we are very short of homes for first-time buyers, shared equity and sheltered housing. Currently, while the States have sites like Lesquende that have been sitting there for a number of years, which has States' approval and has been rezoned, there is still not a home being built upon it. There has to be some method of achieving and getting some of these sites delivered for the people of this Island. I can think of the nursery in St. Mary which has been to public consultation; it has the public support of the Parish; it has the support of the Connétable and the Deputy and we are still seeing those sites not being developed as quickly as I would like.

The Bailiff:

That concludes the first question period without notice.