

# STATES OF JERSEY

## OFFICIAL REPORT

THURSDAY, 10th JULY 2008

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**The Roll was called and the Dean led the Assembly in Prayer.**

**PUBLIC BUSINESS – resumption**

**1. Jersey Homebuy Housing: amendment to Island Plan Policy H1 (P.74/2008)**

**The Bailiff:**

We return to Public Business on the Order Paper and the next item for debate is Projet 74, Jersey Homebuy Housing: amendment to Island Plan Policy H1, in the name of the Minister for Planning and Environment. I ask the Greffier to read the proposition.

**The Greffier of the States:**

The States are asked to decide whether they are of opinion to refer to their Act dated 11th July 2002 in which they approved the Island Plan 2002 and, inter alia, policy H1 and to amend that policy to include provision for Jersey Homebuy Housing within the definition of category A housing for the remaining H2 housing sites and to agree to, on page 8.3 of the Jersey Island Plan 2002, (a) to insert, after paragraph 8.18, the following new paragraph: “8.18a: there is also a need for housing which addresses the need of those with incomes too great to be eligible for social rented housing, but who are unable to afford to buy the cheapest first-time buyer home even with the assistance of a loan. In order to meet this need a category of housing will be introduced which will enable first-time buyers who fall within this range to buy first-time buyer properties without paying the full first-time buyer price. There will be appropriate arrangements for the repayment in due course to the vendor of the balance of the purchase price.” And on page 8.4 of the Jersey Island Plan 2002, (b) insert, after the bullet point: “States, Parish and Housing Trust Rental Housing (including sheltered housing)” a new bullet point as follows: “Jersey Homebuy Housing.” On page 8.13 of the Jersey Island Plan 2002, (c) in the third paragraph of policy H1, Provision of Homes, after the words “first-time buyer homes” delete the word “and” and after the words “social rented homes” insert the words “and/or Jersey Homebuy housing, in such proportions as the Minister shall determine, having regard to the most recent available evidence on housing need and housing supply.”

**Deputy P.N. Troy of St. Brelade:**

Before the Minister speaks, as a builder/developer, Sir, although I do not own any H2 sites at the present time, there is always the possibility that I might negotiate to purchase some at some point in the future, so I think it best that I withdraw from this debate, Sir.

**The Bailiff:**

Very well. Deputy Troy declares an interest and withdraws.

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

The concept of the introduction of shared equity housing was one of the main commitments of my election manifesto in 2005. During the election, and since, I have been contacted by more people desperately wanting this form of affordable home purchase than about any other single matter. Furthermore, and much more importantly, today’s proposition emanates from a key commitment of the Strategic Plan approved by this Assembly in 2006. Point 3.8.8 undertook: “To introduce a shared equity and, if appropriate, potential discount scheme initially using existing Housing Department stock to increase home ownership.” The Minister for Housing has already introduced a scheme for the Housing Department stock and this is about delivering the second part of that commitment. Bringing forward these proposals today has taken a great deal of work due to Jersey’s unique property law, but I am pleased to inform the House that I believe our shared equity scheme known as Homebuy is the best in the British Islands. It is the most affordable, offers the best discounts, and provides the highest form of security to the Homebuy purchaser. May I begin by clarifying a few issues. Firstly, although I have used the term “shared equity”, this scheme could also be known as a discounted purchase scheme, as in our proposals, the purchaser owns 100 per cent of the house, albeit that they have only paid 65 per cent of the price. Most importantly,

unlike the U.K. (United Kingdom) schemes, they do not have to pay an annual interest on the discounted element. This is a very important factor of defining affordability, as in other U.K. schemes, the purchaser has to pay a monthly interest charge on the percentage of the property they do not own. In our case, they do not pay anything. Secondly, the proposition before you is only about amending the Island Plan to make provision for the principle of Homebuy as a recognised form of social housing in the Island Plan. It is not about the fine detail of the scheme. To be absolutely clear, there are many fine details of the scheme that need to be agreed with the Housing Scrutiny Sub-Panel, if the House approves this proposition. I have given an absolutely clear commitment that we will not proceed with the scheme until Scrutiny is happy with the mechanisms of operation. This is simply about amending the existing Island Plan to establish the principle that we can add Homebuy shared equity as an approved type of social housing. I am very pleased that the Chairman of the Housing Scrutiny Panel has informed Members that Scrutiny will be supporting the principle of the Homebuy, subject to my undertaking to finalise the details with the Scrutiny Sub-Panel. To be absolutely clear, Deputy Power, as chairman of the sub-panel, has informed me that despite the wording of the final sentence of the panel's comments published yesterday, it is not their recommendation that the matter be brought back to the States, but that the details of the scheme be agreed with Scrutiny prior to the implementation of the scheme. Subject to the Scrutiny Sub-Panel's agreement, I propose to form a working group comprising Planning, Housing and Scrutiny to work on finalising the details of the operation of the scheme. Moreover, once the scheme is in operation, I would intend to keep the group going to review and adapt the mechanisms in the light of operational experience. I look forward to working with Deputy Power and other members of Scrutiny on finalising the details. I hope Members will understand that in terms of amendments to the Island Plan, it is perfectly appropriate to bring forward the principle of an amendment to the States and finalise the detail after approval is received. An example is rezoning of land where, of course, a proposition to rezone is not accompanied by the development plans and only after the States accept the principle of rezoning would the development plans ever be prepared. In Jersey, the average cost of many 3-bedroom first-time buyer homes is over £400,000. This is 13 times the average income. Home ownership is not only out of reach of the less well off, but, perhaps, more surprisingly, out of reach of many Islanders earning well above the average income. What option do these Islanders have? They remain living with their families, they turn to the rental market where instead of applying their savings and income to getting on the housing ladder, they give it to their landlord and never make any progress towards home ownership. Home ownership in Jersey is pitifully low at approximately 51 per cent of households. By contrast, in the U.K. it is 70 per cent and in Guernsey, 75 per cent. Is it acceptable that we should lag so significantly behind our poorer neighbour jurisdictions? This Assembly committed in Jersey's Strategic Plan to introduce a shared equity or discount scheme to widen home ownership. This proposition, I repeat, is about delivering this commitment. The Minister Housing started the process in the Social Housing Property Plan; it will see the sale of approximately 800 States homes to tenants at a discount over a 10-year period. It is already proving very popular. 84 properties, I understand, have been sold, a further 30 tenants are actively seeking to purchase. It has dispelled the myth that buyers would have difficulty securing a mortgage. We live in a society where to some extent the way we feel about ourselves, and the way others see us, is driven by whether or not we are home owners. This is not the case in many other jurisdictions, but in Jersey that is just the way it is. Homebuy is a way of delivering the dream of home ownership, initially to around 60 Island families who otherwise would remain in the rental market. It will deliver self pride, a sense of personal achievement, and a more contented society. There have been significant changes in the housing market conditions over the last 5 years. The 2007 Housing Needs Survey confirmed what many had expected. Over the next 5 years there will be a shortfall of many 2, 3 and 4-bedroom properties to buy, against a shortfall of less than 100 for social rented 2, 3 and 4-bedroom homes. The change is primarily due to the significant number of new social rented houses constructed on the category A sites zoned in the 2002 Island Plan; 2 rezoned category A housing sites at Bel Royal and La Moye are yet to be completed. As it currently stands, the Island Plan will require that 55

per cent of the homes built on these sites are sold to first-time buyers, with the remaining 45 per cent being for social rented occupation. However, Housing are of the view that there is now little demand for these social rented houses. If the plan is to be relevant and deliver value to Islanders, it must be amended so we can meet actual need, not a historic need identified 6 years ago. The purpose of this proposition is to match supply with housing need now. This will deliver about 60 homes to qualifying Islanders under the Homebuy scheme. It is only a start and if the scheme is successful it will be extended in the new Island Plan proposals to many new housing sites. Thus, States Members will get a second chance to debate the concept when they debate the Island Plan review. I believe that there is a significant opportunity to deliver large numbers of Homebuy units over the coming years. In fact, it is my ambition that we should deliver an element of affordable housing in most large developments in the future, not just on rezoned sites. Landowners and developers stand to make significant profits as we deliver essential housing to accommodate our population. It is entirely appropriate that they should be expected to deliver an element of affordable Homebuy housing on most large sites in the future. To reiterate, this proposition is only about amending the current Island Plan to enable us to make an immediate start on Homebuy and that is now. I will now go over how the Homebuy scheme will work, subject, of course, to working out the fine details in consultation with the Housing Scrutiny Sub-Panel. Jersey Homebuy housing is defined in the report and proposition as: "Housing where the purchaser buys the whole property, but initially pays only such part of the first-time buyer housing value as may be determined by the Minister for Planning and Environment." As is presently the case, the developer will sell 55 per cent of the units constructed to first-time buyers at a full first-time buyer price. The remaining 45 per cent of houses on the Bel Royal and La Moye sites will be sold as Homebuy homes. This will deliver around 60 Homebuy homes. The developer will sell the Homebuy properties at an agreed price to an approved not-for-profit organisation: a housing trust, Parish, or a not-for-profit company specially established for the purpose of Jersey Homebuy. A set of criteria for classification and the legal arrangements for establishment are being prepared by the Law Officers' Department. All Jersey Homebuy sales will be carried out by the not-for-profit organisation to householders qualifying through the Housing Department's Gateway. The role of the Housing Minister is critical. His department will operate the Gateway to ensure, by means testing, that prospective Homebuy purchasers are genuinely unable to buy a suitable property in the open market. I believe that initially the discount off the full value should be 35 per cent. The remaining 65 per cent is the amount at which the not-for-profit organisation will purchase the homes from the developer and will be the price at which the approved Homebuy purchaser will acquire the property. To be absolutely clear, the purchaser acquires the whole property outright, but will pay only 65 per cent of the market value of the property. They will have the full benefits and the liabilities of property ownership, such as uplift in value of their share and, also, they will have the maintenance responsibilities. Their mortgage lender will have the first charge on the property. The not-for-profit organisation will take a second charge on the property, equivalent to the 35 per cent discount, which may only be redeemed under certain conditions stipulated at the time that the not-for-profit organisation is established. Basically, it is only at the time that the Homebuy purchaser decides to sell the property that the 35 per cent value is realised by the not-for-profit organisation. At that time, 35 per cent of the sale proceeds will go back to the not-for-profit organisation and they will be required to re-invest that money in the provision of further affordable housing, in consultation with the Minister for Housing and the Minister for Planning and Environment. I will clarify a few points. We are not seeking to be too prescriptive about exactly what type of affordable housing the not-for-profit organisation will be required to re-invest the proceeds in. It is envisaged that the majority of Homebuy purchasers will retain their homes for many years, thus the 35 per cent sale value will not materialise for a long time. As market conditions change over time, it would be folly to be too prescriptive at commencement. This Homebuy proposal does not mean that there will be no more social rented housing. It merely provides the flexibility to deliver either Homebuy shared equity units, or social rented homes as dictated by market demand. I again make it clear that on the 3 remaining sites that were rezoned in the 2002 Island Plan, it will be my intention to require the

social element to be delivered on a Homebuy basis. The price from which the 35 per cent will be deducted will not be a price dictated by the house builder. I will repeat that: it will not be a price dictated by the house builder. Housing will carry out a valuation of houses that are proposed for sale as Homebuy. This will be based on long-term trends and it is from this figure that the 35 per cent will be deducted. Currently, I understand that Housing are expecting a 3-bedroom Homebuy unit to be sold at around £260,000. This is a huge discount to the prices currently being asked for first-time buyer homes and will come as a huge relief to those who qualify for Homebuy purchase. The Homebuy proposal will deliver higher sales prices to the house builder. The guide figure of £260,000 is significantly more than the price of units previously sold to housing associations under the Social Housing Scheme. There are important reasons for this. Firstly, the Homebuy units will be identical to the full price first-time buyer units and you will not be able to tell the difference. The specification will be exactly the same. Unless a Homebuy purchaser chooses to tell you that he had purchased under the scheme, you would not know by looking at the house. Secondly, it would be inequitable and an abuse of power to simply require house builders to sell units on the Homebuy scheme at the same rate as they were required to sell social rented units to housing associations. There are all sorts of other factors that need to be taken into account when assessing the total cost to the community of Homebuy against social rented. One, of course, is the cost to the public purse of rent subsidies or discounts, which, of course, is not applicable to houses purchased under the Homebuy scheme. Another is long-term maintenance costs, which of course under Homebuy does not fall in any way to the community. The precedent in the U.K. is that shared equity units are sold by house builders at significantly higher prices than social rented units. Furthermore, and importantly, Planning do not develop policy with an imperative of increasing or decreasing house builders' receipts. We develop policy based on the needs of Islanders. This is the first piece in the jigsaw to significantly increase the number of Island families who are home owners. It was, as I have said, a key commitment of the States Strategic Plan. It is, however, only a start. Therefore I have commissioned an independent expert to assist in drafting a new policy based on an assessment of the Housing Needs Survey, the local legal framework and the state of the local property market. This should result in the Minister for Housing and I bringing forward a policy to enable us to procure affordable housing of various types as a proportion of most future private sector developments. I hope this will be debated as part of the Island Plan review. This proposition will set us on the path of delivering the dream of home ownership to many Island families. Once the fine details of the scheme are agreed with Scrutiny it will enable us to make an immediate start on delivering our commitment. It is intended as just a start and over the coming years we can deliver affordable home ownership to many, many more families. We must set out target as being at the top of the home ownership league tables and truly bringing the benefits of our economic prosperity to a much larger proportion of our hard working community. There are many Island families anxiously waiting for the outcome of this debate. As I understand it the developers of Bel Royal and La Moye sites are maintaining lists of families who hope to qualify once the Gateway and delivery mechanisms are finalised. So I hope that today will mark the beginning of the Homebuy Shared Equity Scheme, delivering a new form of affordable home ownership to Jersey. In the same way as our predecessors introduced the States loans system many decades ago to deliver home ownership to a 20th century generation, this is our opportunity to deliver affordable home ownership to a 21st century generation. I will endeavour to answer Members' questions and I maintain the proposition.

#### **The Bailiff:**

Is the proposition seconded? [**Seconded**] I saw Deputy Power.

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

The Sub-Panel has had a number of robust meetings with both the Minister for Housing and his departmental officers, the Minister for Planning and Environment and his departmental officers, and as late Friday, the 4th, a very robust meeting with both Ministers and officers. Members will

note, if they have read our comments on P.74, that we were unable to come up with a full Scrutiny response to this proposition because of the lack of detail. The sub-panel therefore presents its interpretation of this policy and this proposition in our comments to this proposition. We say in our comments that essentially this is an evolving situation, an evolving policy by both departments. Both Ministers have said that they will give an unconditional undertaking to the sub-panel that they will commit to submitting detailed plans to the sub-panel before this is taken any further. So Members have choices, and these choices are fairly simple. The first choice is do Members support the principle of shared equity and Homebuy and the inferred principle of developing policy as we go. The second option is do Members reject the principle of Homebuy as it is presently presented and ask that both departments go away and come back with a definitive set of comprehensive *worked out* policies. Do Members accept the principle of swapping out social rented housing in favour of the home buy model? Do Members accept the statement that there is minimal demand on the Island for family sized social rented housing? Are Members happy with proposals that will retrospectively apply to the H2 sites referred to? Are Members happy to accept that there is a shortage of homes for sale in the first-time buyer market? So Members will realise that this has been a difficult proposition and discussion document to approach because simply of the lack of detail. As Senator Cohen has said, this is to a large extent an experimental proposition. This is an experimental policy document that you are asked to support this morning to see if it works. So can the Housing Department's model of shared equity with their social rented housing stock be extended to a developer situation? That is what you are being asked to look at this morning. One of the things you are being asked to look at. The only way that developers can be brought into the Homebuy model, which has been outlined this morning, is with this non cash transaction, and it is one of the areas that the sub-panel has difficulty in getting detail on. I do not want to go over this Homebuy comments document, but we have identified the issues in terms of the non-profit organisation, the detail that is not there is on how that is structured, the lack of detail on the legal side and how the Housing Department assess the candidates for the Homebuy scheme. Essentially we are looking at 65 to 66 houses and that will have a home buy at one third equity portion that will be deposited into a non-profit, non-cash transaction of somewhere in the region of £8 million and we want to know a lot more detail on that. On the other hand you have the straightforward first-time buyer model of a house that will be valued somewhere in the region of £420,000 to £450,000 depending on who you are talking to and that seems to be straightforward. The £450,000 house, or the £420,000 house will essentially subsidise the £260,000 or the £290,000 house. So you will have a number of houses that are identical, identical fit-out, identical specification, in the same estate and there will be £120,000-£150,000 differential. **[Interruption]** I would prefer to finish if the Deputy does not mind. I would prefer to finish. However, if it is the wish of the Assembly to support this proposition then the majority of the Housing Sub-Panel will give an undertaking to the Assembly that it will give its best efforts to work with both the Minister for Planning and Environment and the Minister for Housing to evolve and develop a strategy that will work. Please understand, therefore, that if Members support this proposition today, it is the view of the sub-panel that it will not need to come back to the Assembly, and I therefore wish to point out to Members that the last sentence of the comments on P.74 is misleading in that if you support this proposition today it does not need to come back to the Assembly. The 5 members of the sub-panel do not agree on this proposition. As you will all be aware, one Constable and one Deputy have major reservations about this and I ...

**The Bailiff:**

Can you speak through the chair, Deputy.

**Deputy S. Power:**

Sorry, Sir. The 5 members of the sub-panel do not agree and at least one Constable and one Deputy have reservations. I hope Members will take the points that I have made, that the Housing Sub-Panel have made, and realise that there are issues to be resolved in this proposition. Members



should also take into account one point the Minister for Planning and Environment has said in that there are many, many local families listening to us this morning waiting to buy an affordable home and the sub-panel does take this into consideration. As I have already said, the sub-panel felt that there was insufficient detail to do a full Scrutiny Report on this and it now looks to the Assembly this morning for direction as to whether the Assembly supports this proposition. The Sub-Panel has gone to a great deal of analysis of the proposition and, as I said, we felt that we could not come to a full Scrutiny Report on this but if it is the Assembly's wish we will work with the 2 departments. Thank you, Sir.

### **1.1.2 Deputy P.V.F. Le Claire of St. Helier:**

I think first of all I would like to say what a pleasure it has been to have Senator Cohen in the States of Jersey, his speeches are full of clarity, enthusiasm and I think reassurance. I would declare that I do not have a home and I also declare that I would be possibly in line for a home if a scheme was to be approved under the Island Plan, so I might have to under an Island Plan scheme consider my position in that case. But I feel that it is in such a generic state at this stage I can contribute to the debate and possibly offer Members a sense of what it is like to be in the position of a first-time home buyer on a reasonable income and have the burden of embarrassment, if nothing else, of not having one's home as one's own. I remember when my mother and my father first purchased our first - our only home ... when they purchased our house, and when we moved in we were lucky, we got ... my mum and dad got a house from a little old Jersey couple who were offered more money but honoured the first bid from my mother because of the fact that the lady appreciated the fact that we were a young family and she very kindly kept the price. I remember my mother being in tears when she had heard that there had been another offer and the people wanted to speak to us. We were called to the house and we were fully expecting to be told, in a polite way, to our faces that the house was going to somebody else, which was a bit distressing because we were living under the current conditions that many people are living in today; cramped conditions, not owning a house, and 2 children in very cramped conditions. So when the lady told my mother that she was honouring her agreement with her from the first offer my mother cried again with joy and I can remember that day quite clearly. We then went on through our lives with a family of 5 children that were on relatively lower income but we had the pride of home ownership. The one thing that we did feel that Jersey offered us, as a family that was made up of a Jersey man and a Scottish woman, was what I believe it still offers people today, and that is an opportunity. I believe that is why people have been coming to Jersey over the last 60 or 70 years, because it offers an opportunity. Now, sadly, in recent times that opportunity has been edged out by the voracious appetite of the finance industry. I have said this before, while we may not all like the finance industry, we have to recognise that it looks after the ones that we love. So we must respect what it does provide for us. But at the same time we cannot keep silent on the effects that it has been having on the community. We have had a recent survey conducted that identifies that 49 per cent or 51 per cent, somewhere along those lines, of people leaving Jersey have got housing qualifications. An absolute bizarre state of affairs when one considers how many people are screaming out for them. Only 24 per cent of those returning have those qualifications. So we are seeing a net exodus of people with housing qualifications as people realise that their modest, low ... or not modest, just above average incomes are not going to be able to afford to purchase themselves a house. I remember the delight in my wife's eyes when she came to Jersey and she thought the way ahead of us was pretty much a rosy garden path, you know. Then to watch over the last couple of years as that rosy garden path has been, well, bypassed, yes. Overgrown with brambles, I do not know how to put it.

### **The Bailiff:**

Deputy, I think you ought to come back to the proposition, please.

### **Deputy P.V.F. Le Claire:**

I am talking about home ownership, Sir.

**The Bailiff:**

Well, talk about the proposition, not about home ownership.

**Deputy P.V.F. Le Claire:**

Sir, with respect, there is no point in me standing up to try to give my view as somebody who does not have a home, Sir, unless I can put my view.

**The Bailiff:**

You are perfectly entitled to refer to your personal situation, Deputy, but I do not think Members need a family history. You must address the proposition in relation to ...

**Deputy P.V.F. Le Claire:**

With respect, Sir, in response to the comments of the Minister who said that home ownership reflects on the standing of the individual in the community, I was trying to give a personal side to that. I speak today with my hand on my heart for many people in the community who do not have their own homes. This scheme represents the first opportunity of restoring that opportunity of achieving home ownership for people such as myself that might be on a modest to good income. It also allows people that are on a poor income to achieve that position. The details that have been outlined in the Minister's speech this morning should be part of any briefing documents, I believe, that move forwards with this proposed working group. Because in his speech it set out quite clearly the way the scheme would work. I shall not repeat the elements of his speech. I appreciate we have had 2 long days. When he got to the part of his speech, however, that said that a 3-bedroom house would be available at something in the region of £260,000 and that would be a huge relief to those in need, that was the part I was going to say would have lit the eyes ... it lit my eyes, it would have lit my wife's eyes if she would have been listening - I do not suppose she would have been - to the actual affordability and possibility of once again having that option that one comes to this community for, that chance of owning a home; that chance, that opportunity. Three bedrooms, £260,000; if there were a 3-bedroom house out there today for £260,000 the queue would be 3 miles long. I think that it is important for us to recognise that this was part of the States Strategic Plan but also part of our States Strategic Plan has been that we will have an equal society without favour and without discrimination, and I would put it to Members that the figures outlined in the Minister's speech this morning representing the dire level of home ownership in Jersey has more underlying issues than just affordability. I think it is something that we really need to get on and tackle. There may be issues about social rented housing and there may be a demand for social rented housing, and hopefully the various Scrutiny Panels will be able to eke out what the demand is through evidence. As this is planned to be retrospective and as the chairman of the sub-panel has spoken about the detail not being present, it may be that that part of what he is looking for, where is the money in the first tranche coming from, could be considered, or has been considered in the following way. I am not great at maths so maybe I will ask my colleagues who are great at maths to prepare their calculators because I would like them to supply me with a calculation if they would be so kind. But if we took, for example, the 60 houses that are proposed to be operated under this Homebuy scheme, that are in the retrospective H2 sites, and we took that 35 per cent that has been removed from the cost of those houses and required the developer to put that into the scheme as a cash deposit when they make that house available then from day one we would have 2 pots of equity; we would have the money from the mortgage lender and we would have the money from the developer to help that scheme kick start. Now, my question is how much money - because I have worked on a couple of calculations and they have varied - would this 35 per cent from 60 houses put into the coffers? Maybe in their speeches they could do the calculations. But there are various ways of doing it. Do you do 35 per cent of 250 or do you do 35 per cent of 450? Either way we are talking about money - millions of pounds of money - in the kitty from the developer

day one. Maybe it is not possible. I am being told by accountants shaking their heads that it is not possible.

**Senator T.A. Le Main:**

A point of clarification. The houses would be valued at social first-time buyer prices by independent valuers and that would be the price that it will be discounted from.

**Deputy P.V.F. Le Claire:**

So obviously it is a theoretical notion at the moment, but once that has been done, once the independent analysis has been done by the valuers then I am suggesting that if we were to request or demand upon the developers that 35 per cent of that value is contributed by them into the kitty, then we have something from them. After all, in the previous developments on the H2 sites, where these social rented houses were restricted to the developer's profit and sale of £165,000, if these new Homebuy houses are allowed to be sold for £300,000 there was going to be a substantial increase in profit to the developers. This would offset that retrospective unfair application that was forced upon previous H2 developers and would also provide, in the kitty, money for ongoing housing. The reason why I suggest something so drastic is because it is a retrospective application, it is predominantly for companies that are not necessarily going to feel the pinch at this level, and we have to recognise that there has been identified a need for 1,115 first-time home buyers houses from the recent Housing Needs Survey. So 1,115 houses need, 60 provided. We are still 1,055 short so any money towards tackling that target I am sure would be most welcome and put to good use. We have to go further, we have to look realistically at supporting the propositions that are coming up ahead of us, and we have to ask the Minister to look seriously at more rezoning. The States of Jersey has embarked upon a growth policy and unless it wants more disunity in this community, unless it wants more people walking around the streets of Jersey that feel, in the Minister's words "they are not equal" and that their home ownership reflects on their standing, unless we want to stoke that sense of indignity then we must do this. I congratulate the Minister for Planning and Environment and his Assistant Minister and also the Minister for Housing and his Assistant Minister, for their work and they have my full support. I do hope that States Members can see that this is the first step on the way to achieving the 1,115 homes that have been identified that we are in need of supplying.

**1.2 Deputy G.P. Southern of St. Helier:**

I realise after 2 days of hard debate we are due to have some precision in our debating and I will try to do that, but I want to focus here on the process. Look at what is happening here. We are supposed to be examining policy and propositions which come before us through the Scrutiny Panel and I must say I was very disappointed in the lack of clarity that was brought to the debate by the Scrutiny Panel. It seems to me that here they say: "The Sub-Panel considers that there is insufficient detail presented in the consultation document to enable it to be evaluated at a satisfactory level." There is not enough in the content of this proposition for it to be properly evaluated by Scrutiny. What does that say about this proposition? It says it is empty. "Whereas", they say: "there appear to be so many areas of uncertainty, impossible to draw any positive conclusions." So many areas of uncertainty. Again, impossible even to start the Scrutiny process. "Whereas a number of substantial concerns arise which are not addressed." A number of substantial concerns and they are then listed. So here we have an empty proposition, an in principle, if you like, that the Minister is seeking approval for from this House, which is so empty that it cannot even have the Scrutiny process started on it because there is nothing to look at. The Minister says: "Of course, now we have got a new way of working with Scrutiny. Instead of having Scrutiny analyse what we are proposing and come up with some sort of answers, an evaluation of what is a good idea and what is a bad idea, how it might be changed, we have got to accept this in principle and we will work with Scrutiny later." That is a novel way of working with Scrutiny. **[Interruption]** No, I am not giving way at all. It is a novel way of working with

Scrutiny, and not one I think that we should be recommending. So the Ministers for Planning and Environment, and Housing have offered an unconditional undertaking to the sub-panel that if the principle of Jersey Homebuy was accepted by the States they would commit to submitting the detailed plans for Scrutiny approval before taking further action. Scrutiny could reserve sign off on the proposals at some later date, and we have just heard, I believe, the Scrutiny Chairman say that, in fact, this need not come back to the House. So, hang on, this House is being asked to approve in principle something which need not come back to the House in terms of practice where already the Scrutiny Panel themselves have identified a number of substantial concerns which are not addressed. Let us examine just briefly some of those concerns because they are indeed serious and substantial concerns. Let us start at the back end of the list. Off the list, it says: "No economic review has been undertaken of the significant effect that Jersey Homebuy could be expected to have on the overall market if the scheme were to be extended." No economic review of the impact on the housing market of tinkering with this mechanism with the housing market. That is a substantial concern, completely unaddressed. We are told then, to return to the list, number 2 on the list of reservations and we are told the Minister for Housing, in the words of the Minister for Planning and Environment, is of the view - is of the view - that there is no longer a need for the social rental element of these particular developments, no longer a need for social renting. How come then that I personally know of 3 families desperately seeking a move, a transfer, to adequate 3 bedroom housing? I know of 3 families now desperately seeking a move to 3 bed housing, social renting. Yet the Minister for Housing says: "As far as I am concerned there is no demand for social rented housing." It is simply not true. But worse still, there has simply not been evidence produced that that is the case. What we are proposing here, because we are not talking about building new housing, we are talking about taking houses that were allocated for social renting provision for the very poorest in our society, people who would never be able to buy, and we are going to reallocate them to those who were moderately less well off who might be able to buy, who will be able to buy, under this scheme. Is that really what we want to be doing on the say so of the Minister without any evidence? I do not believe it is. Then we are told, further down, point 6: "The legal framework for sales under Jersey Homebuy is yet to be established." A serious issue; what does it mean legally? Worse still, 7: "The procedure for assessing applicants, the Gateway, is still under development and the policy for allocations has yet to be established." How much of a pig in a poke are we prepared to take? There is no substance here at all and we are asked to accept this in principle and that it might not come back in practice before this House. This is a strange way of running any government and proposing policy. If we do accept this approach we are acting blind. Then finally: "The non-profit organisations which are intended to administer the scheme have yet to be identified." So where have the conversations just taken place? With developers, with housing associations, with Parishes? Not even started. Now these are serious reservations. If it were not happening I think I might be dreaming it. But I presume I am not going to wake up and find that this is not real. It is real. This Minister has brought a completely empty proposition that cannot even be scrutinised, saying: "Trust me, accept it, this is what will go ahead" and it might never come back to the House again. We cannot proceed in this way. I accordingly, nice and early in the day so we can get it over and done with it, think this should be referenced back on the grounds that there is insufficient information there, on the grounds that an economic review of the impact on the housing market must be performed before this is brought back, that the absence of need for social renting housing is evidenced and they need to come back and prove that. The legal framework needs to be ... we need further information on that. The Gateway needs to be set up with the levels so that we can see how it is going to work and at what levels, who it will apply to, and then the non-profit organisations that are going to hold this pot of money - which is a serious move, it is substantial money - must be identified and agreed and arrangements must be identified for them to come on board. There are, I believe, 5 points there that need further information before this House, I believe, can come back. I propose a reference back to the Minister for Planning and Environment and I would seek a seconder.

## **The Bailiff:**

Is the reference back of Deputy Southern seconded? **[Seconded]** Is there any debate?

### **1.2.1 Senator T.J. Le Main:**

Can I speak on the reference back? Well, Sir, I have never heard such misleading rubbish in all my life. **[Laughter]** Quite honestly, you know, what are we talking about? Deputy Southern knows it all. Always knows it all. Typical J.D.A. (Jersey Democratic Alliance) absolute rubbish. **[Laughter]** Sir, I just cannot believe what he is saying. He knows of 3 people wanting to be moved into family homes. We have got sites, Sir, that are coming on line now, Field 690 at Maufant, 18 or 20 3-bedroom homes for rental, we have got 30 or 40 more homes on those sites. We have got at this present time, Sir, enough homes to meet the current urgent needs, 34 at the moment. The position is quite clear that the Housing Department have got many, many homes, which Deputy Southern well knows, that are being blocked because we just cannot unlock some of the one and 2-beds that we need to move people out of 3-beds to release them. This is taking place at the moment. Currently the Housing Department, Sir, have around £120 million worth of capital work taking place at the moment on many schemes and proposed schemes due to start. To say that this cannot be scrutinised ... what we are asking today, Sir - and this is desperate - we have got hundreds and hundreds of people that are on incomes that would like to buy homes. Sir, we want to put in place today a tool that allows the Minister for Planning and Environment in the Island Plan to be able to either, in the percentage of the planning obligation ... to allow the Minister for Planning and Environment, on the evidence at the time, whenever, that he can decide whether the percentage is for social renting or it is another tool to provide affordable homes on a Homebuy scheme. Sir, I only hope that in this year's elections that public out there, the 800 people who desperately want to be home owners, all the young people in this Island and their families, do not vote for the likes of Deputy Southern and the Jersey Demolition Alliance. Because that is what they are trying to do, they are trying to destroy the young people in this Island who have aspirations to own a home. I am absolutely mad to think that the way that they continue, continue to mislead this House ... mislead this House as he has done this morning. No evidence. The evidence for any Member who wishes to come and talk to my officers is quite clear, we are not in desperate need of 3-bed family homes at them moment for rental. We can, with the new sites coming on line, achieve this. Sir, to delay this ... when the Island Plan is in the process of being developed very soon, we need this tool in the armoury to be able to move forward. The other details will take place, Sir. They will take place with full consultation with any Member of this Assembly. I give an open invitation for any Member to come and talk the Minister for Planning and Environment and myself. But for Deputy Southern to continue to wreck upon wreck upon wreck on any issue ... he voted against the property plan, wonderful opportunity for people to become home owners, people that often were in receipt of housing subsidies are now becoming home owners. Go and have a look at those families living down in Le Marais and Le Squez that are now home owners. How wonderful it is to be able to achieve home ownership. **[Approbation]** Sir, I am sorry, but I am just getting absolutely to the end of my tether with the likes of Deputy Southern and his ilk. Quite honestly we have to look after the people of this Island. The home ownership is 50 per cent, 51 per cent, it is 70 in other countries. That is why we have got such a huge social bill that needs to be covered every year with income support and all that, because the likes of Deputy Southern wants everybody to be in rental. You know, we have got housing trusts now, 1,000 units of accommodation in housing trusts. Some of them have paid off their mortgages. Huge amounts of income, they will be going out in the next 2, 3, 4, 5 years and purchasing extra rental properties if they are needed. There is a mechanism, and that is why we supported housing trusts, so when they paid off their mortgages to, like, the Jersey Homes Trust, huge swathes of money coming in that will be able to go out. It would relieve the public sector in providing homes all the time. But quite honestly, Sir, I urge Members to allow the Minister for Planning and Environment to have this tool in his armour so that at any stage there is an obligation there that either can continue to provide social rented homes, if needed, but also to make an affordable mechanism. It is high time we did something. We have done nothing to help

and assist first-time buyers since we brought out the States loan 30, 40, 50 years ago and it worked wonderfully then. It is out of date now and the States cannot afford to be lending money as such. But this is a mechanism that is being applied everywhere else in the world. A home buyer shared equity system. Sir, the Housing Department are being very successful in selling off their homes on exactly the same kind of scheme. As I say, Sir, this is just a proposition today to allow the tool to be put into the Island Plan and then the other issues will come back to this Assembly. The issue could not be clearer than that. Sir, I urge Members to really ... this ridiculous mad Jersey Democratic proposal to reference back and delay everything and make no decisions ... urge Members to support the Minister for Planning and Environment.

### **1.2.2 Connétable T.J. de Feu of St. Peter:**

Now we have had the emotional view of the Minister for Housing I would like to perhaps bring everyone back to a sane position and feet firmly on the ground. The principle that has been proposed, no one can quarrel with at all. It is an extremely good proposal and it has tremendous merit and is indeed good news for everyone, Sir. But it does not alter the fact that I am very concerned at what appears to be a tremendous amount of work in the detail still to be carried out as identified by Deputy Power. On not one but a number of aspects, particularly with emphasis maybe on the legal side and on the actual financial aspect, and we had good overview by the Minister in his proposal of the motion. I think it is important that the detail is very clearly in place before such a scheme would commence. If I could be assured that nothing would happen until every detail is in place I would feel more comforted. But that is not the message that has come through up to this moment. The mention of the property reverting to the mortgage lender, or the mortgage lender having first charge on it, I have looked in the proposition, in the detail of the proposition, and I do not find a clear inference other than have to agree that it is in perpetuity on the whole transaction. But is the mortgage lender obliged to absolutely every conditional aspect on such a transaction. I think that is key and fundamental because we have seen all too often abuses being made of people who set out with the good intent and everything looking good and rosy for it only to find that there are loop holes which are exploited in certain directions. It is somewhat unfortunate, Sir, that Deputy Southern moved a motion for a reference back perhaps so early in the debate. I would have thought that perhaps the most progressive way on this particular proposal would have been to have asked the Minister to take it back, get together with all his interested parties which clearly have a vital role to play in this detail, and then come back with a full and total completed working outline of how it is going to all work and then I am sure that all the Members would feel a lot more comforted in the knowledge that we are not going to be caught at the end of the day on something which in be it 5 or 10 years time or whenever, will come back and someone will say: "Well, if only we would have looked at the detail in more depth then we would not be in this problem today." We have experienced that sort of nonsense far too often over the years and I do not want to see that repeated for anyone's case or in concern of the young people that will get the opportunity to have their home ownership. I want everybody to be in a position of creating a home, creating the security of it, but I want to make sure that it is absolutely watertight from day one, that there are no problems to go after, Sir.

### **1.2.3 Deputy C.J. Scott Warren of St. Saviour:**

I do not support a reference back. People want the possibility of buying their own home now, as we have heard from Deputy Le Claire. However, I believe that the Minister for Planning and Environment does need to regularly update Members on progress and obviously be fully cognisant of the Scrutiny Report. The Scrutiny Report can inform the process and I believe the House needs to be kept informed but I think that for anyone ... if we reference this back what does it say about this Government? I think that we have to give a positive vote to this but we obviously will need to be kept informed of both the Scrutiny work and the detail. Thank you, Sir.

### **1.2.4 Deputy I.J. Gorst of St. Clement:**

I well understand some of the concerns that the mover of this reference back outlined. However, I feel that probably they fall into 2 broad areas; that is I was not clear from some of his opening words whether he was in favour of the principles. Some of the comments he was making were about social rented housing and the Homebuy scheme so I am not sure if he is in favour of this scheme or its principles. But I will put that to one side. His main objections appear to me to be about the role of Scrutiny within this process. Sir, if I might be, for one moment, somewhat controversial. It seems to me, and has for a while now, that one of the faults - or perhaps I should say failings - of Ministerial government is that of the relationship between Ministers, the Executive and some of the Scrutiny function. I am a believer that that relationship should be strengthened and we should be moving towards a closer working relationship with Scrutiny perhaps being involved much more at the start of policy development and decision making. If I look at the proposal that we have before us today, I believe that the Minister for Planning and Environment and the Minister for Housing are proposing such a model. They will, we have heard, work hand in hand with the Scrutiny Panel on all the details until all the parties are content that every - dare I say this, Sir - i is dotted and every t crossed. Yes, there are details missing from this proposal but I fundamentally and wholeheartedly support the principles of this proposition and I believe that with this proposition we are presented with an opportunity to show that the relationship between Ministers and Scrutiny can work, perhaps in a more positive way, and I urge Members to reject this reference back and allow the principles to go forward, and allow this, shall I say, new, more positive relationship to be formed. Thank you, Sir.

### **1.2.5 Deputy R.G. Le Hérissier of St. Saviour:**

Deputy Gorst's sentiments are indeed very fine and they are based on the notion, the one that I talked about a few weeks ago, that at the end of the rainbow, Sir, we can indeed get consensus. Part of the problem with Scrutiny at the moment, and we in a sense saw it manifest in the last couple of days, is that there are some Members who are clearly, either inadvertently or advertently, using it as a foundation for political opposition, and there are others who will buy into the basic assumptions of a Minister and say: "Let us see if we can move on and get a mutually acceptable solution." I am afraid where Scrutiny consists of people who have mixed approaches to these issues, and depending on the mix and the chemistry of the group, you are going to get collisions and you are going to get some people at some point, and that is what is happening at the moment, who are going to say: "Fundamentally, I do not agree with the Minister's view", for example, about social housing or: "I do not agree with his analysis of why the housing market is in the overheated state it is." While these arguments persist, and they came out for example in the last couple of days on another issue, you will never get, much as I would like it, this Nirvana that Deputy Gorst aspires to. That said, Sir, I think there are issues here. I am on this panel, although I was not at the Ministerial meeting where this deal was *worked out*, about which I was very hesitant. That said, Sir, I think unless the details, as the Constable of St. Peter said, are *worked out*, it is not just a question of the details being worked out almost to the point of self destruction, which is the way we often work out details in this House. It is a question, Sir, as Deputy Power said, there are some major issues of social almost jealousy built into this. If we are going to get people buying houses who feel, rightly or wrongly, or the first-time buyers feel rightly or wrongly, that they are giving a heavy subsidy as inferred by Deputy Power to the shared equity people, there are going to be horrendous problems in how we manage that, Sir. That is my worry that perception or reality-wise we are sort of going to set against people, for example. I think that until that is worked out the Constable of St. Peter is absolutely right, we have to be able to say that this is a solidly worked out policy. There are no hidden subsidies for a particular group and developers are not going to recoup their money by overcharging the first-time buyer group. Because that is the real issue, Sir, and I think this could get horribly derailed, and the Minister for Planning and Environment - whose enthusiasm I admire as much as Deputy Le Claire does, I should add - I know feels very bad when people start criticising. He could find himself in the middle, Sir, quite bluntly, of a social war, because the supply and demand situation is totally out of sync for first-time buyers in this Island

and we know that we put obstacles in the way of Senator Le Main who wants perhaps to grab at green fields more than some of us do. We know that but unfortunately, Sir, there is intense emotion around this issue, the danger here that we will set up jealousies between one group and another, both of whom have very valid reasons and very valid aspirations to get on the housing ladder, is truly horrible. What I would say, Sir, is aside of this issue, with some of Scrutiny in opposition and some of it working to consensus because it happens to agree with what its particular Minister says. What I would say, Sir, I would say a better solution might be if the Minister for Planning and Environment were prepared to say: "I will go away and work with Scrutiny and then re-bring this matter to the House." I think face would be saved there, Sir. We do want ... I think unfortunately Scrutiny has got itself into a bit of box. I was one of those dissidents that Deputy Power mentioned. I think it has got itself into a bit of box, but given that we have, I think we could work with the Minister, we could even work with the Minister for Housing if things became desperate, and he would work with us, I am sure, Sir, because at heart he is a compassionate and consensus-seeking man. I am sure we could work to see whether we could come to a resolution. Because quite bluntly, Sir, the issues are bigger than the issues that are coming out here. We do have Members on our panel who have fundamentally different views about the way the housing market works and we have got to investigate these things in more detail. I would hate to see what in some sense is a good idea derailed under the heading of lack of detail when we know in fact there are more serious differences at play. If the Minister, Sir, would be prepared to withdraw so that we could work on this and give our feedback, otherwise if he goes to the wire my view is this could be ugly and we will have missed a chance to build what consensus is available. I do implore him, do not get into this false macho-to-the-wire tactic which the Executive has been using a lot recently. It is very unbecoming of the Minister for Planning and Environment. I would also remind him, Sir, of another little issue which, as he knows, is troubling me. When policy is not formed clearly we can get into all sorts of trouble. I have been lobbying him and he has been in listening mode about the enabling development policy, for example, which I feel seems to have crept in a rather strange way and could lead again to unforeseen consequences. It is posing, I know, problems for him. I would counsel him, Sir, here we have another issue which is quite bluntly building-up to problems, although I know he is keen for a resolution. Because we went for vague general policies and we decided we would put the detail on the hoof and then we end up with these big public spats. Thank you.

#### **1.2.6 Connétable D.J. Murphy of Grouville:**

I think this is a very praiseworthy attempt to solve what is a pretty desperate problem for first-time buyers at the moment and I am all in favour of it. There is, of course, the question of the detail which several speakers have referred to and in my own experience I suggest to them, before they start looking too heavily into the detail they first of all find a financial institution which is happy to lend first mortgages, knowing there is going to be a second charge created virtually immediately I think that is very important. They might well do themselves some favours to tie-up with an institution that will do this. That is the only advice that I would have to give, Sir, at the moment, and I think it is a praiseworthy effort and I think we should back them 100 per cent and then let them get on with doing the detail. Thank you.

#### **1.2.7 Deputy J.A. Martin of St. Helier:**

For the avoidance of any doubt from Deputy Gorst and the Minister for Housing, I am fully, in principle, in support of this proposition. But **[Laughter]** no I am sorry, Sir, we have heard a very passionate speech from Deputy Le Claire, the Minister for Housing and even Deputy Scott Warren, but as I say, we are here to be sensible and to pass schemes that work. I am on the main panel, I am not on the Housing Sub-Panel and I took no part in the consultation on this or on the housing sell-off, and I did not take part in the debate. But my problem is, Sir, one, we have a proposition here and comments to the effect that I thought the devil of the detail would be coming back to this House. I am told by the Minister for Planning and Environment and the lead for Scrutiny that this



is not the case. Now, this is a Scrutiny Panel or Sub-Panel who are totally divided on the comments. The Constable is not here today but if you have checked your e-mails the Constable of St. John ... again, on the panel, is divided. The other Constable will probably speak on this and I am not sure of his views. So who are we ... if we do not refer it back or do not get a guarantee from the Minister for Planning and Environment, that all this detail will come back to the House, I see it as a 3-man band, the Minister for Planning and Environment, the Minister for Housing and probably Deputy Power. I am sorry, Sir, this is millions of pounds. I have had questions put to me, even by some of the housing trusts in the consultation, they were concerned and say developers should not profit. I do not know if they are going to profit. I do not know if it is reasonable they should or not. Of course people who build houses want to make a profit and people who are buying houses want them as cheaply as possible, I fully understand that. My question as well - as the Minister for Planning and Environment has got a time to speak - they went out to this fantastic scheme, as he said it was in his manifesto so I presume ... I know he has been a bit busy doing other things but from when he got elected he has been looking at schemes. So let us say 2 years. This consultation went out in March and it came back in May, and as it is pointed out in the Scrutiny report, nothing has changed. Too many questions. Now, the one point that he did say - and I did pick up on, and it is a point on the reference back, Sir - is this non-profit organisation. In the actual proposition on page 5 in the last paragraph it states: "The likelihood is that the non-profit body will accumulate capital it receives to be spent on new affordable housing developments." The likelihood is. The Minister, Sir, did go a little bit further in his opening speech but he did make it quite clear we cannot be prescriptive - or too prescriptive - on what the non-profit organisation can spend this money on. So we are told, blindly, that we must agree that there is no further need for social rented housing at the moment. We were told after the Housing agreed to sell 800 properties, of which only 80 of them have been sold, they do not know what tenure they are. Are they 1, 2, 3-bedroom flats? I do not know, the Minister for Housing does and the Minister for Housing has failed to inform us. But when they do sell the 800, I would say... with people now also being able to qualify at 12 years, which, by the way, should have gone down to 11 but cannot, either because we have not enough houses to buy or because we do not have enough social rented housing. Which is it? Nobody has delivered this evidence to me. So, as I say, unless the Minister for Housing in his speech tells me that this, the full proposition, the Gateway scheme ... I have heard figures of up to 60,000, well, 61,500 ... if you are not in the Gateway scheme you cannot buy the £260,000 house you have to buy the £450,000 house. As Deputy Le Hérisier has just said, what will that do to neighbours? I mean, talk about no jealousy: "I am a renter and you are a buyer", what about: "You have got £150,000 subsidy and living in the same house as me"? I hear the Minister for Housing say there is no subsidy and people should not be concerned ...

**Senator T.J. Le Main:**

Misleading the Assembly again, I totally disagree.

**Deputy J.A. Martin:**

I really am not giving way.

**The Bailiff:**

Members really must comply with Standing Orders and should not interrupt Members who are speaking unless they are prepared to give way. **[Approbation]**

**Deputy J.A. Martin:**

No, Sir, if I thought I was at all misleading the House I would have given way and if I thought the Minister could give me any points that were evidence I would have also given way. Unfortunately, he spoke and I heard none of that in his speech. The fact is some people will be buying and having a mortgage for £260,000 and a neighbour will have a mortgage for £450,000, and I am sure the Minister for Planning and Environment used the word "subsidy" in his opening speech - he did.

They are subsidised housing, or a subsidised scheme ... sorry, discounted not subsidised. A discount is not a subsidy; I will have to look that one up in the dictionary. Anyway, I think I have made the point. In principle I fully support it. I cannot believe that we would allow this to go where Deputy Gorst thinks we have now gone, beyond Scrutiny scrutinising the proposition. They are going to work up the finer details with the Minister. As I said, I think that what is left will be Scrutiny, one man and a Minister and another Minister. If you are all prepared that the work has not been done - they have had the time to do it and this is what is on the table - if you think that they are going to get this done in the next week because we are told it is urgent, I think we were even told by the Scrutiny representative: "Let us remember there are people out there waiting for us to make a decision so they can sign on the dotted line." Well, the dotted line is not ready, Sir. I am sorry, even if we pass this today nothing had better happen until we and everybody else has seen the dotted lines. The Minister is smiling. I do not want to see it, I want it approved by everybody in the House and that is the only way to make sure it will be done and unless I get that assurance it will probably be debated in the first week in September, if we decide to sit then, which is looking like we should be. But, of course, I am prepared to come back early to work for the people who need to buy the houses. Let us see how many in a later debate would be prepared to come back on 3rd September. I will support the reference back.

#### **1.2.8 Deputy G.C.L. Baudains of St. Clement:**

As far as I am concerned, there are too many holes in the Minister's proposition. As far as I am concerned, the comments of the Scrutiny Panel now seem to be diluted or retracted. As far as I am concerned, what they said says it all, which is that the sub-panel found it difficult to assess the merits or otherwise owing to lack of detail. In their conclusion they say that they had insufficient detail presented in the consultation document to enable it to be evaluated at a satisfactory level. There appear to be so many areas of uncertainty it is impossible to draw any positive conclusions where a number of substantial concerns arise which are not addressed. The Homebuy proposition was subsequently lodged substantially unchanged. I think that should be a matter of concern. I do agree with Deputy Southern ... well I do not know what he is standing for in the next election ... that Scrutiny should be evaluating what the Minister is doing and not acting as a Mr. Fixit. I will come back to that in a moment. There are too many unanswered questions in the Minister's proposition. I have to ask, why are we rewarding developers? Why are we giving them £270,000, or thereabouts, for houses they expected - and budgeted for - to get only £160,000, or was it £165,000? I thought we were trying to keep down developers' profits; not so long ago we were considering a tax. But now the proposition does exactly the opposite. I believe the proposition might very well have a similar effect as the infamous rent rebate scheme. Ultimately, by removing market forces it could drive-up future house prices if these are not addressed. The mechanism by which it will operate is so unclear I am really surprised that the Minister has brought this proposition in the condition it is. I have to ask whether there will be legal challenges by previous developers since the goalposts have been moved after the game started. How will the housing provider be chosen or how will they operate? I am sure, and I think Deputy Martin said that as well most of us, if not all, support the idea of shared equity but the trouble is they are trying to bring it forward in this incomplete fashion and that is simply not acceptable because we are being asked to agree something with no idea how it is going to work. Deputy Gorst suggested we have a problem with the way Scrutiny and Ministers operate but I diverge from him thereafter because it seems to me that if Scrutiny acts as the Ministers' Research and Development Department it undermines thereafter its ability to assist Members. It cannot therefore be objective and give us a clear analysis of the proposition before us. That means that Members simply will not get an accurate assessment. We are told it may not even come back to the Assembly. I think that is far too cosy an arrangement. I cannot support that type of work which is why I support the reference back. I do also take on board Deputy Le Hérisier's comments and would agree with him that really the Minister, I think, would be well advised to withdraw the proposition and bring it back when it has

the necessary details with it, because I think the alternative is he will probably lose it. This is not an in principle debate, as some Members have suggested, it is, in fact, a dangerous test run.

### **1.2.9 Deputy A. Breckon of St. Saviour:**

I would like to start by giving some members some facts. The comments of the sub-panel, of which I am a member, were not done yesterday. The Minister for Planning and Environment had a consultation exercise which started at the end of January and finished towards the end of March. We made a submission, a quote from which is in our comments, which is very much the same as what is being said now. But if you look at the Minister's proposition, it was lodged on 21st May; it does not acknowledge one response from anybody. It takes no notice of that; it is virtually the same as the consultation exercise. Members may well ask: "What is the idea of having a consultation if you have already made your mind up?" We were to meet with the Ministers on 4th July and we asked if anybody else responded. So on 2nd July, which was weeks after this was lodged, we received the other responses. Now, I want to be specific about this because it does say to people who responded to the consultation: "Your responses may be made public." I would ask Members if anybody else has seen them and what they say because there are responses in there from social housing providers. There are not any from anybody who says: "I would like one of these", but it said in the publicity a list is going to be started. So the question Members might ask themselves is: "Would I like to pay £400,000 for a house or would I like to get £140,000 off it?" I do not want to dwell too long on that and I will move on because I think the answer is quite obvious. The things that concerned us and why a reference back might not be such a bad idea is when we questioned the legal status of this - I do not want to refer this to the Solicitor General at this stage, but I think it is a complex area and it needs something on paper - the Minister said: "It is not really shared equity, we can call it what we like; we will call it Jersey Homebuy." It is a discounted purchase scheme and I think all of us, without exception, would support that. But I would like to qualify that by asking how this is sustainable across the whole housing market if we say that everybody who fits in to this category is entitled to a 35 per cent discount? It is a wonderful idea and I would like to link that to a figure for Deputy Le Claire, if you look at what is being proposed here somebody is going to take a hit for £8.4 million. That is the difference between what a developer might have expected and what this scheme says - 60 houses at a discount of £140,000. If somebody wants to work it out I think you will find that is about what it is. Now, that is not actual money; that is set-aside. The housing - whatever they are going to be - is purchased at that price and that is retained until that property is transacted one way or another. But the discount is to the purchaser, which is set aside, and the developer takes the hit. Now, I do not think they will be queuing-up to take the hit and if the market is turning do we want to interfere at this stage? The reason I say that is we have no evidence if we form a list, as I think Deputy Le Claire mentioned, of over 1,000 people that are wanting to buy, whether they can afford to is another issue, but having said that, do we build up people's levels of expectations with this scheme? Sixty people you might say, well good luck to them but what about the other 1,000 who are not there? How do we satisfy that demand that we could well create? That is the reason for Scrutiny saying: "Can we not answer a few of these questions now? Can we not look at the population incomes, people who might be interested and put a sort of firmer base to this? If we are going to do it let us make it sustainable so that anybody who wants to can have this discount and it is a jolly good idea." The other thing where there were some grey areas was allocation. Who decides whether I or anybody else - I should say I have not applied - qualifies? What would be the assessment? What we were told was Housing will do the assessments. So I go along there and say this is me, these are my details; do you have to have children? Yes, we were told. Now, it does not say that anywhere and it is never been a prerequisite to a first-time buyer before. So, do you now? The answer from the Minister for Housing was, yes. I have never seen that before. There might be some challenge to that. I am not saying it is a bad thing but we are going to wipe out a lot of people who might have an expectation because they do not have a family - but they might still want to buy. Again, these were questions that were not answered. The other thing with the allocation and

assessment is, Housing do it but then they have no role in the allocation. So I just get a bit of paper that says, yes, you are one of those and you can go away and do it, and then I have to find somebody - a developer - who is going to sell me the thing at that price. How will this work? Again, not all of us were assured that the transparency and the structure was in place. It is a safeguard because we can all vote for this and let these people benefit, that is okay, but how do we follow it, not just from the Minister for Planning and Environment or the Minister for Housing, but all of us who support it? Okay, we will give it the support but let us give it for everybody who might want to achieve home ownership, and whatever. The other thing that the Minister for Planning and Environment said, and he said it again this morning, was: "We will extend it." Well, how will that apply to share transfer? How would that apply to flying freehold? I think there should be some legal tests and opinion, far more advanced than mine, to give that some substance of how it might or might not work and whether these technical issues cannot be overcome. I would just like to remind you, we have the Minister for Treasury and Resources trying for some years to apply Stamp Duty to share transfer and it has taken many years to get where we are and we are still not there. "Nearly", somebody said. Yes, well, that is only halfway and halfway can be nowhere. At the same time, the implications for the rest of the housing market are unknown and there were so many imponderables that the sub-panel did try and test some of this and, let us just say, the answers, in general terms, that came back were found to be wanting. The principle is fine and the tweak to the Planning Law is okay if we can sustain it, and if we put the structure around it that will give the transparency so that if somebody wants to apply they know what the conditions are and that is it. There is a danger that if you have somebody who is assessed as being suitable to buy under this scheme they can then wander round going nowhere if they do not find favour with a particular developer and the developer can have his own list. So there are people who might apply who are not quite favoured and there are people who do apply and 6 months later ... I mean, is it going to be like the lists we used to have and when 3 year-old children were put on the list because you thought it will not come up for 15 years and they might have something then? That happened and we went through some serious problems, again raising people's expectations. I do have my reservations about this proceeding today and that is not to spoil it and not to lower anybody's expectations but so that we can put a system in place. The thing is, if this was something that we might develop over the next 2 years ... but when houses are in a field being built and going up as we speak, then I am worried that I will read in the paper that 30 people have bought one and everything has been put in place. Without some guarantees and safeguards to protect us all in the future - and that includes the Minister for Housing and the Minister for Planning and Environment - from any suggestions of fear or favour in this scheme, if the structure is there, if everybody knows the rules, including the developers and whatever social housing organisation might get involved, I think that is for the benefit of us all, including those people - many that they are - that have aspirations to buy. I do have my reservations about the proceeding today and I will support a reference back.

#### **1.2.10 Deputy P.V.F. Le Claire:**

I will try not to be emotional this time, I appreciate you have probably had as hard a week as us, if not harder. I have had the pleasure this week of receiving, along with other Members, the report from the Medical Officer of Health. I would like to address the reference back, in particular, by referring to some of the documents that the Medical Officer of Health puts into the domain of the public by linking it to 2 or 3 of the elements that Deputy Southern has stated as his reasons for a reference back. One was the impact upon social needs, whether they be societal or housing. The other was the impact to the economy and the other one, I believe, was the urgent need to provide 3 or 4-bedroom homes to those people he knows of in particular. The Medical Officer of Health, in my experience, is a valuable post within the States of Jersey. The post holder is at liberty to say what the post holder wants when the post holder wants to and in the way the post holder wishes. It was with some surprise, in my experience on the Health Committee, when Members of my Committee wished to tick-off the Medical Officer of Health at that time for his input to the debate

on smoking and the debate on the impact upon society. We were quite rightly told these facts that they are in the position to... and should be, for the safeguard of our health, to say what they want when they want. It is a very important post. Their reports should be paid attention to, in my view, by all of us. Therefore, I do try, with respect, to review them as soon as they come out. Yesterday, or the day before - it has merged into one - 14th July, we were presented with the Medical Officer of Health's 2008 report. It links to this part of the debate under page 64, Depression and Anxiety, the Common Problems. I think this is quite relevant to depression, this part of the debate, because although it may be verging on funny it is not intended to be. The Medical Officer of Health links the state of housing and the ability of housing and the needs in housing and the space supplied by housing to have a significant impact upon the mental health in relation to depression and anxiety in our community. She links it economically. The Deputy wants to know the economic impacts? The economic impact on a society that is depressed as Jersey is estimated to be in the region of £7.9 million. Mental health conditions account for 46.8 per cent of all claims made for both short-term and long-term incapacity allowance, something that we have heard Deputy Southern speak of *ad infinitum* in his questions to the Minister for Social Security. It talks about the total claims: 2,327 claims made for short-term incapacity allowance, which equated to £2.3 million, and 747 claims for long-term incapacity allowance, amounting to over £6.133 million. There is the economy of not supplying affordable, well-built, well-insulated housing. They are not my words; they are the words of the Medical Officer of Health. The Medical Officer of Health refers back to her report in 2007 which highlighted the issue of why this is being driven. For the most part, this ill health is being driven by the housing. In 2007, if you refer back to that report, she states: "While housing problems today are less damaging than in the last century, the link between poor housing and ill health is still important. For many, Jersey is a prosperous Island and housing is considered in much the same vein. For some Islanders, however, home is not a source of comfort and good health. During the last 5 years there has been an increase in the level of discontent of householders with the standard of accommodation. Lack of space continues to be the leading concern. The increase in new housing stock, therefore, appears to fall short of expectations."

**Senator B.E. Shenton:**

I thought we were debating the reference back.

**Deputy P.V.F. Le Claire:**

That last sentence that I managed to get out before being intervened by the 2 Ministers from Health was my point: "The increase in new housing stock, therefore, appears to fall short of expectations." It is their officer, these 2 Senators that are telling me that I am not being on-message. That is referring to the economic impact that Deputy Southern wants to have full knowledge and cognisance of in referring this back. The economic impact to our society and the ill health that is driving the vast majority of people's ills, whether they be for short-term or long-term incapacity allowance, is driven by depression - mental illness - equating to the low level of home ownership. If you want more information go to the Medical Officer of Health's report and cross-reference the effects with the cause. That is the economy. Deputy Southern's proposition was based upon what are the economic impacts? I am trying to draw a parallel to the economic impacts of not referring to the information that is already at hand. To go back and do what? To seek what? Information upon a proposition that is in principle today that will be confirmed within the House within the Island Plan? To go back and seek further information on in-principle debates? Well, there is a recipe for doing nothing. The reality is whether I am for it or not. One thing I do realise is the social conditions people are living in. If you look at the 60 homes that this will immediately release into the stock of 1,115 homes identified already, if they were released as social rented housing they would have, for the developer, if you equate that to the last profits that were available to the developers under the H2 scheme, approximately £160,000-worth of value. If they were released to the developer or to the scheme at £260,000, there would be 15.6. If they are going to go up to £400,000 or £350,000 for the 35 per cent removed and a future scheme being worked out by the

lawyers and Her Majesty's Solicitor General - who is taking notes this morning, I am sure - his work and his department's work will come forward with these answers. What we are going to see is a stop to what happened in the homes that were produced already on the H2 sites. The low-cost expectation by the developer has driven-up the cost of homes for first-time home buyer. The fact that people are stuck in social housing means that they cannot buy their own homes and that is probably why Deputy Southern has these 3 people that are in urgent need, although that has been countered by the Minister for Housing. There are many people in social rented housing today that would like to purchase their own homes and get out of social rented housing tomorrow. To reference this back now - and I am sorry I have had to address it through the Medical Officer of Health's reports - will do nothing for the economy. It will continue to keep people in misery and it will drive more people out of the Island that see the States are yet again sitting on their hands and doing nothing. This is an urgent need, not only for home owners, not only for the economy of home ownership, but for the mental health and the welfare of our society. I urge Members not to support this reference back.

**Deputy G.C.L. Baudains:**

Could I seek clarification? I did not want to interrupt him during his speech but several times he referred to it being an "in principle", could he point out where those words appear in the proposition?

**Deputy P.V.F. Le Claire:**

The scheme is being put to us today as a scheme that will be presented within the Island Plan. Those elements have been made quite clear by the Minister for Planning and Environment. I do not need to stand up here and defend this proposition, the Minister, I am sure, is more than capable of doing that and why should I steal his thunder?

**1.2.11 Deputy S. Power:**

I do not have an awful lot to say on the reference back, but I would like to correct a number of points that have been made. The comments that you have received on P.74 were an agreed set of comments by the 5 members of the sub-panel. That was an agreed set of comments. That is the first thing I would to say. Deputy Le Hérisier has referred to a deal between the sub-panel, the Planning Department and the Housing Department. I think that is an unfortunate use of words because there is no deal. A deal implies some sort of agreement, some sort of commitment, some sort of union between the 3 departments and the sub-panel. It is not within the power of the sub-panel to suggest that they would do a deal with either the Planning Department or the Housing Department, that is up to this Assembly and that is where we are today. This Assembly has been asked to either accept the Homebuy proposition or reject it, taking into account what the 5 members of the sub-panel have said. So for Deputy Le Hérisier to say there is a deal, there is no deal. It is up to every Member of this Assembly to accept or reject. Deputy Southern quoted the comments, and I am grateful to him for doing that in some detail, but he was almost accusatory in the role of the sub-panel. Well, I have already said that the sub-panel has brought its comments to the Assembly and it is deferring to the Assembly to make this decision. It somehow sounded in one or 2 speeches that the sub-panel wrote the proposition. Well, the sub-panel did not write the proposition, the sub-panel wrote the comments, and I would like to make that clear. We have commented on the picture that Senator Cohen and Senator Le Main have tried to paint, which is a picture of something that simply does not exist at the moment and that is where the 2 departments want to go ahead, and they are asking the Assembly for the sub-panel to work with them and that is where we are. Deputy Martin almost implied that Deputy Power was a one-man band, that Deputy Power was doing a solo run, that Deputy Power was evolving policy. It is simply not the case. There are 5 members of the sub-panel, we do not agree on everything but the statement that has come out and the comments that have come out are agreed. Deputy Baudains said that the sub-panel and Scrutiny would be a research and development function. That is completely not the case.

If the Assembly agree that the sub-panel were to go and work with the 2 departments it would be to scrutinise the evolving policy, it would not be to create policy. Scrutiny cannot create policy or recommend policy. So, I do not have a cosy relationship with the Minister for Planning and Environment. I have had my differences with the Minister for Planning and Environment, some of them well documented earlier this year. I have had my differences with the Minister for Housing and with the Assistant Minister, and that is well documented. I bring Members back to the debate on the Property Plan last year when the sub-panel received 9 votes and this Assembly overwhelmingly supported the Housing Department. Well, we will have to wait and see what the wash-out on that sell-off of the Social Property Plan is and that the Comptroller and Auditor General will do that. I am pleased that many Members of the Assembly this morning have quoted our comments on P.74 because a lot of work went into it - a lot of work went into it. I am grateful that Members have acknowledged the work we have done. I am still of the view that the Assembly has to make a decision on either supporting the Homebuy proposition, P.74, or rejecting it. I reiterate what I said, that notwithstanding the result of this reference back, the sub-panel is willing to carry out some more work, not in tandem and at the same time as the 2 departments, but to scrutinise that work to see if this policy can be evolved. On that basis, I will not be supporting the reference back and I think we should get back to the main proposition.

### **1.2.12 Deputy G.W.J. de Faye of St. Helier:**

I thought we had got off to quite an optimistic and refreshing start to this debate. I was very much encouraged. Perhaps after a year of Shadow Scrutiny, and 2½ years down the line, it appeared the Ministerial government was really beginning to work in a holistic way. There was the Minister for Housing working alongside the Minister for Planning and Environment and working alongside Deputy Power's sub-panel. I thought this was marvellous; this was what it was all supposed to be about. This is why we had this sort of design; Scrutiny working with Ministers all focusing on achieving a common goal. I have to say I have been left almost incredulous that after what can only be described as a promising start I then see one Scrutiny panellist after another get up and knife the entire system on the grounds something is going terribly wrong. I just simply do not agree - far from it, in fact. When I read, and as was clearly announced by the Minister for Planning and Environment, that both the Ministers for Planning and Environment, and Housing have offered an unconditional undertaking to the sub-panel that if the principle of Jersey Homebuy is accepted by the States they commit to submitting detailed plans to Scrutiny for approval before taking any further action. This seems to me a very positive development in how the Scrutiny process is working. Not only that but item 16 says, quite clearly, that Scrutiny could thus reserve sign-off on the proposals until it was satisfied with all the details that remain to be developed, to include the Gateway mechanism, legal arrangements, allocation procedures, *et cetera*. What on earth could possibly be wrong with this? The Minister for Planning and Environment said it is an experiment that he is working with the Minister for Housing and what is clearly a responsible sub-panel. I was refreshed to hear that they were having what were described by the panel chairman as robust talks, and they clearly have disagreements, which show that there is a certain amount of intellectual activity going on in the sub-panel. I was waiting for us to proceed, I have to say, quite swiftly towards a resolution of this particular debate but, instead, here we are debating a reference back. I know we debate in this marvellous Assembly room with its fine panelled features, the lovely red leather seats and obviously Members are forming something of an attachment to this particular Chamber over the coming weeks. But I am beginning to be concerned that there is some housing problem sub-text because it seems some Members want to live here. With the greatest respect, I do say to those who have outlined lists of concerns and questions they feel need to be asked and details that are not ironed-out yet, would it not be proper to go and have a chat with Deputy Power or other members of his sub-panel and iron these little problems out or ask them to be taken on board by the sub-panel and put to the Ministers or even, for anyone who is particularly concerned with the number of very serious issues, then ask Deputy Power if you can join his sub-panel? Deputy Power, I know, is a diligent and hard-working and also reasonable man and I am sure that he would

be absolutely delighted for some enthusiastic additional support on his sub-panel. But it does seem to me that really is the proper process and where we keep getting it wrong in this Chamber is having arguments about the minutiae in the States Assembly. This is the sort of thing that needs to be sorted out by a sub-panel like Deputy Power's and in consultation with the Ministers, who quite openly have said that that is the path that they wish to go down. I think it is a great shame that we are seeking to refer this back for all sorts of abstruse reasons when, frankly, I say to some Members, it is a shame you have not brought those reasons to the sub-panel before. It is a shame that you want to air them during a "reference back" debate because I think that, as far as I am concerned, I would like to get on with this experiment and see what happens. Let us not forget that if Deputy Power and/or a member of his sub-panel has a really serious issue about how the experiment is proceeding they are absolutely entirely open to bring a proposition back to States for rescindment or amendment or change in the plans of any way they care to put forward, and the States as an Assembly can then take a decision on it. I have to say to Members, please, do not upset my morning, it got off to a jolly good start. I was feeling very buoyant and uplifted at the prospect of Homebuy and things are becoming depressive that we now want to chuck this back for not very good reasons when, in my view, we should be getting on with it. So, let us get on with it.

### [Approbation]

#### **1.2.13 Senator P.F.C. Ozouf:**

Sadly, I was not in the Assembly for the start of this debate, I was availing myself of the excellent services of Senator Shenton's Health Department. I apologise for not being here but I was listening to the debate on the radio. I have been a strong supporter of the scheme. This is a debate on a reference back and there are some Members who, I think, want to, effectively, make sure this does not happen; there are other Members who genuinely want some comfort that, effectively, mistakes will not be made. I would draw the Assembly's attention to the experience that we already have in relation to dealing with an agreement in principle for an amendment of the Island Plan and then the necessary work that must follow in dealing with the detail. We have been there before. This Assembly passed planning obligations, for the first time putting in place a split of rezoned land of 45 to 55 per cent in very similar terms, in fact, in very similar outline terms of what we have here - a policy - and I would say that the 45-55 per cent split, the delivery of first-time buyers, the delivery of social rented units, has been a sparkling success. Life has changed and currently we are dealing with a situation where we do not need so many social rented housing. We want to ensure that there are many houses which are delivered to people that want to achieve and aspire to the dream of home ownership, and this is absolutely the way to achieve that. This is a policy decision, the detail of it... just like the 45-55 per cent split, just like the issues concerning the definition of social rented housing, in relation to housing trusts, in relation to the detail of the people that could be eligible for first-time buyers, the detail of what the 45-55 meant, whether or not it was a 45 per cent on number of units or bedrooms. All these things follow and they are subject to intense negotiation with the parties following the agreement in principle. This time we will have the 2 Ministers working together and we will have the benefit of the beady, careful eye of the Scrutiny Panel looking over some of that detail, and that is a better position certainly than when we were working up the 45-55 per cent split. What are the arguments for the reference back? Deputy Southern, as I understand it, cited 4 principal reasons. Do we need more evidence of the need? I would draw the Assembly and Deputy Southern's attention to the Housing Needs Survey, to the data that exists within the Housing Department. It is absolutely clear that we need to put more homes for purchase for people who cannot currently purchase within the market. We do not need any more information. The Deputy and this Assembly has sufficient information on which to make that decision. More importantly, of course, we have, from the Minister for Housing, the clear indication that the 45 per cent social rented housing, which is at the heart of this decision in relation to the H1 sites, are better used and better allocated for home purchase. We do not need any more information. We have sufficient information on which to make that decision. On the issue of the legal framework, there is a lot of information that does need to be worked-up. There is no



guarantee for any of the H1 owners that they will automatically be able to submit a scheme that will be subject to agreement, and the Minister will be forced to agree in relation to the scheme. There is a lot of legal work to be done that follows the in principle decision. There is an issue of the Gateway being worked-up. There has been, as I understand it, some discussions between the Minister for Housing and the Minister for Planning and Environment in relation to the Gateway. I have been a thorn in the side of the Minister for Housing for a number of years in relation to the Gateway issue; that Gateway needs to be worked-up. But again, that is something which follows the agreement, in principle, of whether or not we are going to move forward to the principle of dealing with a Homebuy shared equity, shared ownership scheme and that is something that will benefit from the Scrutiny Panel's careful consideration. We did not have that Gateway agreed in the previous decisions of this Assembly in the amendments to the Island Plan and, again, the arguments that we need more detail of the N.P.O.s (non-profit organisations). We are dealing with a principle. There are a number of different ways that we can deal with N.P.O.s. There were 2 or 3 different variants in relation to the N.P.O. that was dealt with by the previous social rented housing provision. Again, that is something that follows the agreement in principle and there will be tense, if not difficult, if not fraught, if not extremely difficult negotiations with the providers on that. That is something that follows the agreement in principle. The planning obligation legal change, which this amendment to the Island Plan is principally based upon and has the *vires* to pursue, has been a brilliant invention. We have learned an awful lot in relation to the implementation of planning obligations. The agreement should be, however, that there is an agreement in principle and then the detail is worked-up because the Minister for Planning and Environment has the ability to withdraw or, at least, not agree a consent until that detail has been worked-up. I have argued for shared equity for years. I am delighted that we have an opportunity of delivering this and let us press the forward button with the necessary safeguards in place.

#### **1.2.14 Deputy A.E. Pryke of Trinity:**

As you would expect, I do not support the reference back for many reasons, especially what the previous speaker said before. Both Ministers have given an undertaking that he will be working with Scrutiny. There has been a lot of to-ing and fro-ing about the role of Scrutiny this morning. But this, I feel, is Scrutiny working at its best and if it is put back... at the Scrutiny Sub-Panel's comments on number 15, it says they will commit to submitting the detailed plans to Scrutiny for approval before taking any further action. So the Minister is committed that Scrutiny has to have approval before taking any further action and that cannot be clearer, it is as clear as anything. This is a plan in principle and, indeed, there is a lot of detail to be worked out and it is very specific detail. Do we as a House wish to debate the ins and outs of every single detail of the law, the Gateway, who will, who will not, the reasons why, whatever? If we did I think we would be here for another ... if not more. But the starting step is the proposition has to be passed in principle and this is what the proposition is all about, it is the principle of being able to amend that Island Plan. I urge Members to really think of that and vote against this reference back.

#### **1.2.15 Deputy A.J.H. Maclean of St. Helier:**

Deputy Southern never ceases to amaze me and I have to say in this instance he disappoints me. He is, after all, a champion or, I should say, purports to be a champion of the less well off in our society. Here we have an in principle decision to make - and that is all it is at this particular point - an in principle decision to move forward the opportunity to give affordable housing to less well off people in our community. That is something, without any shadow of doubt, we should be looking to do. We should all welcome that. We should all welcome the principle of that particular aim and objective. I also welcome the initiative that appears to be evolving where we see the Executive side of Government working with the Scrutiny function. In many respects, this is novel. It is the way in which the process should evolve and I am delighted to see that happening. I was particularly interested in the comments made by the Chairman of the Sub-Panel, Deputy Power, who, I am delighted, has just returned to the Assembly. I note the comments that were drawn up by the sub-

panel. He made the point in particular that these comments were an agreed position by all members of the sub-panel and I would draw Members' attention, if I may, to point 15, which I am going to read for absolute clarity. These are the points in agreed position of the sub-panel and it says: "The Ministers for Planning and Environment and Housing offered an unconditional undertaking to the sub-panel that if the principle of Jersey Homebuy was accepted by the States they would commit to submitting the detailed plans for Scrutiny approval." That to me is really the key about this reference back. When you look at what Deputy Southern is asking us to reference back to, I have to say the other aspect of disappointment was the early point at which Deputy Southern asked us to consider a reference back. We had hardly had a debate when we went to reference back. We have not got any detail. He is asking for more detail with regard to this, we had no detail about the debate. I mean, it was an absurd time to be considering a reference back. **[Approbation]** I would finally add, as we are only talking here about the reference back and I do not want to get into any further detail, but I would just comment that I also have some reservations about the way in which this scheme is going to work. There is a great deal of detail that needs to be worked out. The appropriate people to ensure that that detail is worked through are the Ministers in question, of both Housing and Planning and Environment. It is the Scrutiny Panel to be scrutinising those particular details and, indeed, the experts that they are going to call in. Yes, there are reservations as one would expect but, quite frankly, we should not be spending any more time considering this, we should really just get on with it and, I have to say, that I cannot possibly consider supporting this reference back. **[Approbation]**

#### **1.2.16 Deputy A.D. Lewis of St. John:**

Deputy Maclean said much of what I was about to say so I cannot repeat, but I would like to draw Members' attention to a particular aspect on page 3 of the comments from Scrutiny and that, quite simply, says: "Provided the assurances given by the Minister [referred to in points 15 and 16 which Deputy Maclean just referred to] are acceptable to the Assembly, the Housing Sub-Panel is willing to work with the 2 departments to bring Jersey Homebuy to the States as a practical working model as soon as possible." That says it all. I am delighted that Deputy Maclean highlighted that issue. This is an in principle debate; it is a project to seek the Assembly's approval of a principle. There is lots more detail to come and I am sure that will come very soon and the Scrutiny Panel will do their job very well. I am delighted that Deputy Power spoke in the way that he did because this is a real opportunity for us as an Assembly to say to the public that cannot currently afford home ownership, that we are doing something positive about it. Senator Cohen spoke about this in his election campaign, others have spoken in this House, I believe, before that. It is a principle that has been around for some time and we have been talking and discussing this now for nearly 3 years. The public want to see some action and this is the first real positive action about bringing affordable home ownership to many, many more people in Jersey. I am appalled at the figures that the Senator revealed earlier about home ownership. I had not quite realised how low it is compared with the rest of our comparable neighbours. We have got a real opportunity to do something about it. A reference back at this stage would be quite absurd and send a terrible message out to the public about what we are really doing about house prices and **[Approbation]** ability to own your own home in Jersey. Members of this Assembly - the majority of us - own our own homes but many people out there do not. It sounds like half the population do not and that is outrageous and this is an opportunity to something about it. A reference back at this stage is simply outrageous and I would urge Members not to support it.

#### **1.2.17 Deputy S.C. Ferguson of St. Brelade:**

First of all, I am sure that Deputy Southern will remind the Assembly, but I would also remind them that accountability for a policy rests with the Minister. Scrutiny does not require and should not have the power of sign-off, as it has been said. Scrutiny does not provide approval *per se* and it is not for Ministers to effectively rely on a consultancy service from Scrutiny. I am concerned about the lack of detail relating to this whole plan. It feels to me as if it has been cobbled together

to relate to sites already under construction. If we are dealing with principle then I am sorry, the details must come back to this Assembly. I do not feel that this particular proposition is worthy of the Minister for Planning and Environment and I would ask him to withdraw the proposition and bring it back when it is better formed. I will be voting for the reference back.

#### **1.2.18 Senator F.E. Cohen:**

I received an *e-mail* this morning from a young man, the father of a number of local children who wanted to know what was happening with this proposition. This man has been *e-mailing* me on a monthly basis for nearly 2 and a half years and every time he has *e-mailed* me I have told him: "It is coming, it is coming, it is coming." Last week I told him it was down for debate this week and he wants to know what is happening because he is desperate to purchase a home. He is just in the band likely to best benefit from this and he wants to deliver a home for his family. Deputy Southern's reference back is just a delaying tactic. It is simply the usual delay, delay, delay: negative politics so we defer ever having to make a decision. Yes, the principle sounds all right but we cannot make a decision because we have not got enough detail. We are not reinventing the wheel. We are implementing a policy that has been successful throughout many other jurisdictions in the form of shared equity. The question is just quite which way do we go in the finessing of the implementation. I accept we have not finalised the N.P.O. structure. I accept legal framework is not finalised. I accept that Gateway is not finalised but neither should it be and if Deputy Southern continues to nod perhaps he would nod in the right direction. The position is that we will, if the principle is approved, develop these finer details in consultation with Deputy Power and members of his Scrutiny group. It is perfectly appropriate that we should do so. Indeed, if you look at the working up to delivering the Masterplan, many of the key benefits came as a result of the working relationship the Planning Department developed with the Environment Scrutiny Panel. To such an extent that unlike other Ministers I looked forward to my meetings with the Environment Scrutiny Panel and did very little unless I had firstly, discussed the matter with the Environment Scrutiny Panel and taken their views. I can see no problem with extending that principle. It is not deferring or abrogating in any way my responsibilities to the Scrutiny Panel, it is a matter of accepting the fact that I do not have all the answers, that other people have a view, and the more minds that approach a problem the more likelihood you have of delivering a sensible solution. I have given an absolute commitment that we will not progress with the implementation of this policy until the Scrutiny Sub-Panel are satisfied with the fine details. I find it difficult to see how Members could really ask any more. If it would help Members, I am perfectly prepared, as soon as the Housing Sub-Panel are happy, to circulate the proposed fine details and to invite Members to comment, but I certainly see no need to get the House to approve the principle today and then have yet another debate over the fine details. There will be differences in view about the precise fine detailing because there are a number of mechanisms that can be used, for example, to deliver a Gateway to deliver the N.P.O. structure. There will naturally be differences in views and we will have to, as a group, decide which one of those views will prevail. But to reiterate, once we have decided the way forward I am more than happy to circulate the proposals to Members, give Members time to comment and the group will then meet and consider any useful proposals or alterations brought forward by Members. I found 2 comments absolutely curious. The first was Deputy Martin who I think rather inadvertently said: "Better nothing happens." This is about the delivery of homes to needy Island families. We can, today if we chose to, decide to deliver 60 homes and within a few months 60 Island families who otherwise would not own their own home, can be living in their own home. Do we really want to lose that opportunity by imposing another delay and requiring another debate? I, for one, think not and I would be ashamed of myself if I were party to such a decision. Deputy Baudains said: "The States is trying to keep down developer profit." What an extraordinary position to come from. Does he believe that we should develop policies on the basis of minimising developer profit? Let me assure Members that if we were to do that we would deliver the minimum possible standards and worst housing for our community. It is a matter of sharing, it is a matter of the developers being expected to deliver buildings of high quality and of high architectural

standard, of good size, and it is about allowing them to make a reasonable profit because that is the society in which we live. If Housing needs change and if the result of those changes are specifically that a type of social housing that was once not considered important suddenly becomes important, then we should have the guts to go ahead and deliver that change even if the consequence is that we deliver a little more profit to a developer. It is not important, it is delivering housing that matches Islanders' needs that matters to me. So, in conclusion, if we accept Deputy Southern's reference back and if we delay, this will undoubtedly result in the loss of many homes to young Island families who would otherwise be in those homes, certainly by the end of this year and therefore I urge Members to reject Deputy Southern's reference back.

**1.2.19 Connétable P.F.M. Hanning of St. Saviour:**

We know that this reference back will cause a delay of some length. We know that the Island needs to help people with their initial purchases of houses. The prices of houses have gone up in such a way that people are finding it difficult. We have got to find some way of helping. Yes, we need some more detail. We are assured that we will be given that, or Scrutiny will. There is no other scheme available at the moment. When I wanted to buy a house I was lucky, we were given help and we were able to buy it with a States loan. That is not available at the moment. I have always been grateful for being able to do that. I think we need to be able to help people. There is, as I said, no other scheme available. I will not be happy to delay this and I think a reference back will delay.

**1.2.20 Deputy J.G. Reed of St. Ouen:**

We have had quite a lot of assurances given by the Minister for Planning and Environment and I would just like some clarification to exactly what adopting this proposition might mean. As I understand it...

**The Bailiff:**

We are on the reference back.

**The Deputy of St. Ouen:**

Yes, Sir. But this has quite a bearing to whether I would support a reference back or not, Sir. The point is that it has been suggested that there is no need for a reference back because the Minister for Planning and Environment offers an unconditional undertaking to the sub-panel that if the principle is accepted he will return to this Assembly with further details. What I **[Interruption]** ... right, just for my own point, if we agree to this proposition, it would be that we agree to some of the 45 percentage of the social housing being used to fund a shared equity scheme.

**1.2.21 Senator F.H. Walker:**

I think every Member of this House recognises, as the Deputy of St. John and others have said, how poorly we compare with other communities when it comes to home ownership which many people consider to be almost a basic right. We perform very, very badly indeed and that was highlighted in the Strategic Plan as a major objective, or the major objective of course being to improve home ownership. This is how we deliver. As the Constable of St. Saviour said, there is no other alternative on the table and I am constantly astonished, surprised - but then I am no longer surprised, just aghast - at the tactics of Deputy Southern. He opposes just about everything that comes to this House in relation to housing and all we get is a constant stream of negativity, negativity, negativity, delay, delay, delay. He opposed the Housing Property Plan which is turning out to be a huge success; as I have said basically opposes everything to do with housing and in so doing is letting down the very people he purports to support. **[Approbation]** Sir, this proposition is in principle only, as the Minister for Planning and Environment has very clearly said, and the Chairman of the Scrutiny Sub-Panel has very clearly said it is in principle only, it is the first piece in the jigsaw. Much detail needs to be hammered-out, but for goodness sake, let us give the Minister for Planning and Environment and Scrutiny the opportunity to hammer out that detail. Let

us not prevaricate yet again. It certainly is not good government and the way this has been proposed is a way which Members should grab with both hands because it gives those who cannot move on to the property ladder the opportunity of doing so, the first opportunity that many of them will ever, ever have known. Sir, the details do remain to be hammered out and that is quite right, and I am astonished to hear members of Scrutiny criticising another Scrutiny Panel. It seems though this is becoming a bit of a habit that if members of another Scrutiny Panel do not like the outcome from one of their fellow panels, they turn up the heat. Yet, if Ministers criticise a Scrutiny Panel, well, we are against Scrutiny generally. But this is not the first time recently we have heard this happen and I really do not know what more information Members want at this stage. The detail has got to be hammered-out. This is in principle, the first piece of a jigsaw. For heaven's sake - for the sake of those who need our help, who will never own their own house if they do not get it, for heaven's sake - let us move on and grasp this opportunity and treat this absolutely unmerited proposition to delay with the rejection it deserves.

**1.2.22 Connétable S.A. Yates of St. Martin:**

I heard the Minister for Planning and Environment give his speech and, in fact, I would have liked to have spoken in support of him in the original proposition and I have got a few things to say and I therefore would like to oppose this reference back, Sir, because I think it is quite an important situation and I would definitely not support the reference back.

**The Bailiff:**

I call upon Deputy Southern to reply.

**1.2.23 Deputy G.P. Southern:**

I am sure Members will understand if I do not refer to every speaker by name but I do thank Members for their contributions to the debate wholeheartedly. It is always a difficult question to address Deputy Maclean's criticism that I launched a reference back too early. Where is the balance between letting people have a debate for 2 hours and then having a reference back and another 2 hours of debate? How do you do it? I was keen to get on with a reference back because I think that we fundamentally lack sufficient information to pass this. The key question that Members must ask is a lot of speakers have said this is in principle, this is in principle. Look at the proposition. Where, in the proposition, does it say "in principle"? It does not. It says: "decide whether they are of the opinion to insert", and in the third paragraph: "to insert." What are we inserting? The words, more or less, "Jersey Homebuy Housing". What do we know about Jersey Homebuy Housing? That is the content of the report. What we are passing is the proposition. The proposition says we are going to do Jersey Homebuy Housing. The question is at this stage, have we got a proposition that we can amend so as to affect the content, the nature of whatever Jersey Homebuy Housing is? The answer is no we cannot. Have we got an assurance from this Minister that at some stage, because this is the key element that this House has the ability to view legislation and amend or attempt to amend; that is how we operate. Has the Minister said that we will have that opportunity? No, he has not. He is not going to bring it back to this House, there will be no opportunity to examine the Jersey Homebuy proposition whatever shape or form it ends up with and amend it appropriately as we see fit. Instead we will have a meeting, meetings with the Scrutiny Panel and we will have widespread circulation of what comes finally out of that deliberation. Will this House have the opportunity to effect that and to govern because that is what we are here for? No, it will not. The key element is we are passing so-called in principle today a thing called Jersey Homebuy Housing which we are unclear what shape and form it will take. We do not know the economic impact on the housing market, whether it is sustainable or not as Deputy Breckon suggested. We do not know because we have not seen the evidence, there is not evidence I believe, that it is perfectly acceptable to transfer - which is what we are doing, transfer - social rental housing into the first-time buyer market. Because that is all we are doing; we are not building a single additional extra house, we are just transferring what was meant to be rental

housing into ownership housing. We do not know what the legal situation is around that, what the setup will be. We do not know the threshold that will constitute the Gateway, nor indeed, in terms of the question that Deputy Breckon raised, is it for households with children or not? What sort of conditions will be put on it? We have no idea. I believe it is absolutely vital for good governance and good government on the Island that we do refer this back so that we get some meat on the bone. The Minister has said by the end of the year people will be in these homes. This is not in principle, this is going to plough ahead. This is *de facto*, this is what we are going to do. People will be in their homes by the end of the year. In what shape or form and how will they be selected and what will the longer term impact be on the market? We have absolutely no idea, cross your fingers and hope it works because we will not see and will not be able to influence the shape or form of this package. That is the issue. We have discovered, we are about to reinvent a mechanism for governing and how we go about governing. We are doing it by tea and biscuits with a Scrutiny Panel. I do not believe that is something that we should be doing, it is a very dangerous precedent and I urge Members wholeheartedly to refer this back. It has taken 2 and a half years for this to come this far and there is insufficient flesh on the bone, we do not know what we are going to get. Please, Members, refer this back. I maintain the proposition and call for the appel.

**Deputy R.C. Duhamel of St. Saviour:**

Could I ask for a point of clarification, please, of the Solicitor General? Is it the case, as is being suggested, that the Minister for Planning and Environment would be able to go ahead and implement any legislative changes without bringing those legislative changes back to the House?

**The Bailiff:**

No, I do not think that is a proper question for the Solicitor General at this stage of the debate. The proposer of the motion has concluded his summing-up and he would be deprived of the opportunity of commenting on anything the Solicitor General might say. So I open the voting. The vote is for or against the reference back proposed by Deputy Southern.

| <b>POUR: 9</b>             | <b>CONTRE: 36</b>            | <b>ABSTAIN: 1</b>       |
|----------------------------|------------------------------|-------------------------|
| Senator S. Syvret          | Senator F.H. Walker          | Deputy R.C. Duhamel (S) |
| Senator L. Norman          | Senator T.A. Le Sueur        |                         |
| Deputy A. Breckon (S)      | Senator P.F. Routier         |                         |
| Deputy G.C.L. Baudains (C) | Senator M.E. Vibert          |                         |
| Deputy J.A. Martin (H)     | Senator P.F.C. Ozouf         |                         |
| Deputy G.P. Southern (H)   | Senator T.J. Le Main         |                         |
| Deputy S.C. Ferguson (B)   | Senator B.E. Shenton         |                         |
| Deputy D.W. Mezbourian (L) | Senator F.E. Cohen           |                         |
| Deputy S. Pitman (H)       | Senator J.L. Perchard        |                         |
|                            | Connétable of St. Ouen       |                         |
|                            | Connétable of St. Mary       |                         |
|                            | Connétable of St. Peter      |                         |
|                            | Connétable of St. Clement    |                         |
|                            | Connétable of St. Helier     |                         |
|                            | Connétable of Trinity        |                         |
|                            | Connétable of Grouville      |                         |
|                            | Connétable of St. Brelade    |                         |
|                            | Connétable of St. Martin     |                         |
|                            | Connétable of St. Saviour    |                         |
|                            | Deputy of St. Martin         |                         |
|                            | Deputy C.J. Scott Warren (S) |                         |
|                            | Deputy R.G. Le Hérisier (S)  |                         |
|                            | Deputy of St. Ouen           |                         |
|                            | Deputy P.J.D. Ryan (H)       |                         |
|                            | Deputy of Grouville          |                         |

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|  | Deputy of St. Peter         |  |  |
|  | Deputy J.A. Hilton (H)      |  |  |
|  | Deputy G.W.J. de Faye (H)   |  |  |
|  | Deputy P.V.F. Le Claire (H) |  |  |
|  | Deputy of Trinity           |  |  |
|  | Deputy S.S.P.A. Power (B)   |  |  |
|  | Deputy A.J.D. Maclean (H)   |  |  |
|  | Deputy K.C. Lewis (S)       |  |  |
|  | Deputy of St. John          |  |  |
|  | Deputy I.J. Gorst (C)       |  |  |
|  | Deputy of St. Mary          |  |  |

**The Bailiff:**

Deputy Southern, have you completed your speech or do you wish to draw it to a close?

**1.3 Deputy G.P. Southern:**

I have not completed my speech yet, Sir. Thank you for the opportunity for continuing. A lot of people in the previous debate suggested that no one could object to this sort of Jersey Homebuy scheme in principle at all. Perhaps to further - what was the word he used - amaze and shock the Chief Minister I am going to suggest I have a reservation about it. The fact is that in doing this discounted house price scheme we are playing with the market. The market is about supply and demand. The facts are that supply is not meeting demand in Jersey and unless and until we start to build more houses of whatever for rental or for purchase, until we do so, we will not fundamentally affect that situation. House prices will continue to spiral. The fact is that in this particular proposition we are not proposing a single additional extra building to be created. We are simply, for the moment, transferring what was to be social rented housing for the poorest on our Island into first-time buying stock for those, while they may be in a position of difficulty are certainly not as poor. That is what we are doing. That, I believe, because despite the Minister for Housing's assurances and it is only a belief, I believe that is a retrograde step. There is need at the lowest end for social rented housing and, in doing so, I think we are doing society in general a disfavour. That is not to say that we should not be trying to build more first-time buyer housing and to ensure that the price is attainable by average Jersey households, average Jersey families. Of course we should. But doing it this way is very ugly, very short-sighted and temporary, it is a sticking plaster, to get over a short-term objective. I believe that short-term objective - and perhaps we have seen evidence of that today in the statement that people will be in these houses by the end of the year - I believe that short-term objective is not one that is about correcting and doing something about the whole of a housing market and our economy as per se it is a much more short-term one about getting through October and November elections this year. It is very short term, it is very short term, it is a short-term fix and I think that is what we are doing.

**1.4 Deputy G.C.L. Baudains:**

I will try not to cover the ground that I did with my reasons for the reference back. I do have a problem with this Homebuyer scheme and I really do hope that Members have thought carefully about it because at first glance it does look wonderful. Help people to buy their own homes, who could argue with that? Well, it may well achieve that, Sir, but there is quite a bit more to it than that and one of the important parts is in the first paragraph on the remaining H2 sites because most of the H2 sites have already been completed. The 3-bed social rented sold around - I cannot remember if it is £160,000 or £165,000 - and the first-time buyer was around £275,000 which of course, as we all know, in the last few months has risen to nearly £400,000 if not slightly over. Well this proposition of course refers to those sites left and the social rented fraction of those sites. So what we are asked to do is allow some of the remaining H2 social rented accommodation to be sold to first-time buyers instead. I do not have a problem with that but that means that the

developers will be able to sell those at first-time buyer prices instead of social rented prices. Developers who would normally have been paid £160,000 for those houses and will have budgeted for that in the price they paid for the land and so forth, will now get much more and my first question is why is that? Why do not the developers sell at the price that they were originally expected to receive? Why the windfall? I mean, I know developers - like lawyers - can fall on hard times but does this justify government intervention? I am concerned about equity. Previous developers of H2 sites were required to sell, as I have said, for £160,000. Now, 3 developers are able, if we adopt this, to buck the system, almost double their money. It does seem to me, I mentioned in the reference back debate, Sir, that what we are effectively doing is moving the goal posts long after the game has started and I wonder if all this could end up in court? Looking at the long-term impact I am concerned for another reason; the cost of building materials, as we probably realise, has risen slightly in recent times and the price of land is flexible, it relates to demand and obviously its zoning. But the price of a first-time buyer house has practically doubled in the last couple of years. Which leaves supply and demand as the only cause for the first-time buyer house now costing so much. I believe if government feels it should intervene, it should do so either by limiting immigration as it seems unwilling to do, or as Deputy Southern has said, release more land for building. We should not forget that the Island Plan was supposed to be reviewed last year. It is now ... I think it is going to be 2009 or 2010. Offering a subsidy as suggested here, unless in very controlled circumstances, as the Minister for Housing has done at Le Squez, I believe merely distorts the market. It interferes with free market forces. So naturally I presume the Minister for Economic Development will be vigorously opposing this. So he should because market intervention of this sort will cause more problems than it solves. I am reminded of the rent rebate scheme which allowed prices to rise above where they normally would have been. To rise above that which the market supports. It is the case that the inability of people to afford to buy a product - in this case a house - will have an effect on keeping prices down. If there is a safety net put in place the price of houses are not so affected and they will rise. In fact we will, most likely, be putting up the price of houses by supporting this. There is also a complete lack of clarity as to how the scheme will operate. I am really finding it extremely difficult to believe that I can support it and I ask why is this being brought now? I realise, as the Minister told us in his opening speech, it was in his manifesto, but why not wait until the new Island Plan is resolved and all the outstanding issues as Homebuy resolved as well. We heard in the previous debate there are many issues and this is not, as Deputy Le Claire has said, an in principle decision, and when it is all sorted out it will come back for our final approval; if we adopt this, it will take immediate effect. This is not, in my view, about helping prospective first-time buyer purchasers in the long term, and we have heard that the Scrutiny Panel is concerned about the lack of detail. Well, I would like that, I think as other Members have said previously, I would like that detail sorted out before I vote for it, not after. If it was in principle, it might be different, but it is not, because it has, to my mind, the effect of assisting developers rather more than assisting home purchase. As I have said, if the houses concerned were to be bought from the developers at the original price of £160,000 I might be persuaded to adopt this, but that is not what is on the cards. What concerns me is the windfall for developers which is something that I thought that we have been trying to address for some period of time. We had talked about raising taxes and so forth and now, apparently, as I said in a previous debate, we seem to be encouraging it. I am concerned that this has the hallmarks of the rent rebate scheme, which, at the time, we thought was bringing equity to the situation, it was going to be very helpful. In the end, all it did was waste a huge amount of money and not really benefit anybody. I am terribly concerned about this.

### **1.5 The Connétable of St. Martin:**

I would like to support this proposition for several reasons. The provision, the delivery of affordable first-time buyer homes, houses is very close to my heart and I would like to provide affordable first-time buyer homes in my Parish at St. Martin and in fact, I have studied the proposition and also the response of the sub-panel and I look with great anticipation to certain parts



of this because the procedure for assessing applicants, the Gateway, is still under development. But it will be for families and it will be very carefully monitored. Now, that is very crucial. The Minister for Planning and Environment and the Minister for Housing have said they will bring it back to the sub-panel and I trust them because the sub-panel will not sign it off until we have seen it and are satisfied. Now, my personal... I have the same ambitions in St. Martin to deliver and I am interested in the Minister for Housing's Gateway because I will also have a Gateway and I would want to see how the Minister for Housing's Gateway works because I do not want to work at cross-purposes, I want to work in parallel. Not necessarily the same, but working in parallel. The St. Martin's - I will not call it St. Martin's Homebuy - I think it is probably the St. Martin's social assist Homebuy because it will be a leg-up for the families who can afford the outrageous prices that are asked for first-time buyers homes today. The way that the St. Martin's Homebuy will work will be reasonably straightforward. Item 10 on this response, it says: "The non-profit organisations which are intended to administer the scheme have not yet been identified although Housing Trusts have expressed an interest." Item 13: "The plan was felt to be perfect for the uptake by Parishes as they could afford to take the long-term view as respective not-for-profit organisations." So we are going to deliver the affordable house because we will be building these houses without a commercial developer's profit, but we would wish to use a scheme to regenerate our communities. I would think that other Constables should be looking very carefully at this opportunity because I think we have all seen too many of our ordinary 3-bedroom bungalows with a sea view being sold for nearly £1 million, quite out of the reach of first-time buyers, quite out of the reach of any ordinary working family. I think by supporting this it is reinforcing the Minister for Planning and Environment's and the Minister for Housing's wish to do something for the Jersey working family. I think that the Constables also would probably wish to be able to consider the regeneration of their communities by doing so. I am completely trusting of the 2 Ministers to deliver what they say, and whereas they have said that there will be people occupying these homes by Christmas, I would want to know the details of their Gateway a long way before then. I think to the Minister for Housing I would say: "Next week would do very nicely, please." Because this is quite important and I think some sort of framework for people who care, who wish to do something for the community, we have to put it into place now. I hope the Constables will listen to what I am saying. I think this is an ideal situation. I have schemes for the Parish of St. Martin which will be coming forward soon within the Island Plan Review. I am looking forward to regenerating the community of St. Martin and giving some hope to people who are the ordinary, genuine, working people of Jersey. I am in the same situation because the legal framework for sales under the Jersey Homebuy is yet to be established. I have a vague idea of how it should work and it would certainly be on a shared equity basis of the same sort of shared equity of 35 per cent or similar, or whatever, but obviously I would have to be totally happy that all the business side of it was copper-bottomed and watertight. This is why I really want to share in the work that the Minister for Housing and the Minister for Planning and Environment are doing. I am going to say, Sir, that I am absolutely fully behind the Minister for Housing and the Minister for Planning and Environment to deliver what they have promised, which is the framework of the Gateway, because this is social assistance. Jersey Homebuy is not really the right word because it sort of indicates that it is for everyone. It is not, it is available to people who are not able to afford the £450,000 for a first-time buyer house. I think just in the same way as the States loan gave a leg-up to Jersey families who needed the leg-up, this will provide the same. So, Sir, I shall support this proposition wholeheartedly.

#### **1.6 Senator S. Syvret:**

Oh, dear, you just could not make it up. I am thinking of changing, as my regular readers will know, the title of my blog to that phrase. I listened to Senator Le Main's speech; nice diatribe, Tel. Certainly, his speech was very much like that of Senator Walker in that it was largely a rant of personal abuse against the proposer of the reference back rather than a measured and sensible discussion of the merits or demerits of the proposition. Well, Sir, if Senator Le Main perhaps does

want to help address the Island's housing issues, perhaps he should not grant tax exile status to terrorists.

**Senator T.J. Le Main:**

I think that is very, very...

**The Bailiff:**

I do not think it is really profitable to pursue that.

**Senator T.J. Le Main:**

No, it is just typical of the Senator with his rantings and ravings and lies.

**Senator S. Syvret:**

Like I said, nice diatribe.

**The Bailiff:**

I am sorry, Senator Syvret, would you sit down, please. Senator Le Main, I am afraid I cannot allow you to accuse Senator Syvret of a lie, so would you be kind enough to withdraw that?

**Senator T.J. Le Main:**

Well, Sir, no, I do not, because I think he has to ... **[Interruption]** No, let me please explain, Sir. The Senator used the word and he needs to prove that, Sir. If he wants to prove it and I am wrong, then I will apologise and withdraw it. But he cannot be allowed to continue to derogate and to make ... well, issues like that.

**The Bailiff:**

No, Senator, the position is that Senator Syvret made a very generalised statement which has not been pursued and which I do not think should be pursued on the floor of the Assembly. But you have accused Senator Syvret of lying and I am afraid I cannot allow that to stand on the record. I am afraid you must withdraw it.

**Senator S. Syvret:**

Personally, I am not bothered, if it is of any help to the Assembly.

**The Bailiff:**

You may not be bothered but I am bothered, Senator. Senator Le Main, will you please withdraw that for the moment?

**Senator S. Syvret:**

Would it help the Senator if I explained?

**The Bailiff:**

No, Senator Syvret, I am not interested in your view on this matter. I am interested in Standing Orders.

**Senator T.J. Le Main:**

Yes, Sir, I will withdraw it reluctantly, very reluctantly I can assure you.

**The Bailiff:**

Thank you very much. Senator Syvret, you have the floor.

**Senator S. Syvret:**

Thank you. What was striking about the speeches of Senator Le Main and Senator Walker was, as I have already mentioned, the degree of simple *ad hominem* assaults on the proposer. It does not

appear to register with some Members of this Assembly that - now concentrate, I know this will be a remarkable revelation to a lot of Members - politicians do not always agree. They will even have different philosophical views and policies occasionally. Wow. It is a big paradigm shift to grasp, but that is how it is. Politicians are, therefore, going to come to their respective assemblies and argue their corners and they have a perfect right to do so, just as the constituents that they represent have a right to be represented by them in this Assembly. So, if Members do not like propositions being brought by this or that Member of the Assembly, the way to deal with that is to object to the proposition, not to the person who happens to be bringing it. I will certainly be opposing this proposition. I think we all know, certainly those of us with any great experience of this Assembly will know perfectly well whether they are prepared to admit it or not, that if a Back-Bencher came forward with such a fundamental proposition as this that on its own admission, on its own face, has huge chunks of its detail missing, proper explanations of how it is intended to work, what the procedures will be, what the Gateway will be - a whole raft of things - if any Back-Bencher brought a proposition like this, especially one of such fundamental importance to the Assembly with such a paucity of proper research and work, it would be shot down in flames. You would have the Ministers and no doubt lots of other people standing up to describe how the proposition was totally inadequate, not good government, incompetent, not properly thought out, no detail, *et cetera*. We can hear it all now. That, I am afraid, is the situation with this particular proposition, which is why I voted for the reference back. Because personally I believe that it should have been referenced-back because there is clearly so much information missing from it, but as it was not referenced-back I will be voting against it because even if I supported this particular proposition, which I do not necessarily do, even if I supported this particular proposition I would vote against it in order to make sure that the Minister came back with something with more flesh on the bones, more effective, meaningful, rigorous detail. What exactly does this proposition achieve other than just being yet another example, as some Members have already mentioned - like Deputy Baudains and others - of an artificial States of Jersey intervention into the marketplace. This is a device that will add to property price inflation. It is an artificial expansion and an artificial boost to people's purchasing power, their ability to purchase, their capacity to purchase. As such, it will drive yet more property market inflation. There is no escaping from that fact. We have to ask ourselves: is that really what we want to be doing when we already have the average family home at a value of over half a million pounds? Do we really want to be further stoking the fires of demand for housing? I do not think we do and I think by encouraging this concept that everyone can own a home, I do not think we are being realistic. It just is not going to be able to be achievable. Certainly, that generality has been the policy of the States for quite some decades now and has it solved the problem? Do we have a happy and contented population, all with homes that they own? No, nothing even remotely like it. This kind of policy drives a world view that accommodation - that living in a home - is primarily a mercantile transaction; that it is just a bit of business, basically. It is an investment. It is a way of maximising your money. That philosophy, which is extraordinarily prevalent in Britain and in Jersey in a way that is far, far less common in most Western European countries, is a wholly unrealistic and unsustainable proposition. We then have to ask ourselves how sensible is it now, in the face of the credit crunch and a looming world recession if we are lucky - quite probably a depression - how realistic is it to take a tranche of potential home sites out of social rental and put it into a purchasing category? When, in fact, all of the likely national/international global market pressure was going to be in the opposite direction and that people are not going to be able to speculate and purchase as they did in the past? People are going to be poorer, more strapped for cash, and, in fact, the demand for social rental housing is likely to go up very significantly. So, again, this is a policy that is being brought forward at exactly the wrong point in the market cycle. What of the social rental housing market? I note what the surveys say, but I know lots of people certainly who rent properties and who cannot get into social rental housing, so much so that they have given up trying in many cases, and it just has to be asked why should this category of people - who are amongst the poorest - have potential home sites taken away from them and given to those who are a level or 2 above them in terms of their purchasing

power? It just does not make any sense. Senator Walker said no alternatives were on the table; there are no alternatives; it is all well and good people criticising, but there were no alternatives ever offered. Well, this is clearly wrong and a number of alternatives are very obvious to anyone who gives the matter a moment's thought. We have a vastly excessive demand for accommodation in Jersey; consequently, vast property price inflation. Now, there are a number of ways of addressing that. Firstly, we could adopt some kind of policy or legislation that would control or tax in some way the speculative buy-to-let part of the market, which has driven-up property prices tremendously. I find it quite extraordinary, for example, that huge swathes of property have been able to be created recently merely for sale to either small-time buy-to-let speculators or larger undertakings in the United Kingdom or wherever they may be around the world. It is true, Senator. Companies and investment portfolios are, indeed, able to and are buying-up these properties. **[Interruption]** I will do if you want it. Obviously the Senator ...

**The Bailiff:**

Through the chair, please, Senator.

**Senator S. Syvret:**

The Senator has such a poor grasp of his portfolio he does not even realise that a lot of investment funds - for example, major pension schemes - invest in and hold great swathes of property in Jersey. So, that would be one of the alternative solutions, that accommodation which is constructed and built in Jersey, introduce measures that limit the ability of outsiders to buy into that market and boost the opportunities for local people to buy into that market. Another of course very obvious solution to the problem of demand for housing is limiting that demand. Now, the demand cannot be limited absolutely or precisely, but certainly we could control population growth to a greater extent than we do at present. Yet instead, as we know perfectly well, this Council of Ministers is pursuing the same tired old policies the States pursued for 2, 3, 4 decades: population growth, population growth, population growth. The more you grow the population, the more demand for accommodation goes up and the more prices go up, and the harder it becomes for people who are established here to afford accommodation either to rent, frankly, let alone buy for themselves. The notion that we can solve the Island's housing issues at all sections and levels of the market without effectively controlling at least a portion of the demand side of the equation is just manifest nonsense. We are an Island of 45 square miles. There is a limit to what we can do here, what we can accommodate in terms of construction, in terms of population. Another possible solution that there could be ...

**Deputy J.J. Huet of St. Helier:**

Could we have the adjournment if the Senator may be able to carry on after?

**Senator S. Syvret:**

I am going to finish in a moment. Another possible method, briefly, as indeed some Western European countries have, would be a kind of capital gains tax on property speculations that were sold within a certain timeframe. For example, if you are buying properties merely to speculate and looking to rack-up a big fat profit and then just sell it again in 3, 4, 5, 6 years' time, whatever it may be, then you would pay a capital gains tax on that transaction. The incentive, therefore, would be to retain that property, live in it rather than speculating and investing in the hope of making a quick buck. So those are just a few of the very obvious approaches that could be taken to address the need of the Island's housing market, certainly a good deal better than taking potential social rental sites away from the poorest cohort of our population, giving it to those on to some extent higher incomes. As I said, this proposition is so full of holes we all know, whether we are prepared to admit it or not, it would be shot down in flames if it had been brought here by a Back-Bencher, so weak and insubstantial is it. It is, as I said, being brought forward, another policy to encourage home purchasing and home ownership and removing some of the social rental potential market

right at a time of the credit crunch and when the world is facing global recession. You could not pick a more inappropriate time to introduce this kind of policy. It is the wrong policy. There are better alternatives. It is profoundly misguided, but even if it was not and even if it was the right policy in general terms, this particular document is so vacuous and so lacking in substance that I do not see how any responsible legislature could do anything other than reject it and tell the Minister to go back to the drawing board. I propose the adjournment.

## **LUNCHEON ADJOURNMENT PROPOSED**

### **The Bailiff:**

The adjournment is proposed. If Members agree, we will return at 2.15 p.m.

## **LUNCHEON ADJOURNMENT**

### **PUBLIC BUSINESS (continued)**

#### **The Bailiff:**

Very well, the debate now continues on the proposition of the Minister for Planning and Environment. Deputy Duhamel?

#### **1.7 Deputy R.C. Duhamel:**

Before I get into what I wanted to say, I would like to address some questions to the Solicitor General, if I may. What I would specifically like to know is what new legislation or legislative changes will be required to be agreed by or passed by this House before the Homebuy Scheme can go ahead? Could I have those comments first, Sir, before I continue?

#### **Mr. T.J. Le Cocq Q.C., H.M. Solicitor General:**

As far as I am aware, there is no necessity for any substantive legislative change for this to go ahead.

#### **Deputy R.C. Duhamel:**

The key word was “substantive”, Sir. Could the Solicitor General substantiate?

#### **The Solicitor General:**

I am sorry if I was not entirely clear, Sir. By substantive I also meant to include any other kind of legislative change. Depending on the arrangements which ultimately are put in place, of course, there could be the potential for some kind of changes to stamp duty, those kinds of things, but none of those things follow necessarily from the adoption of this proposition.

#### **Deputy R.C. Duhamel:**

In particular, Sir, if that is the case, then that really means that if there were such changes, is it my understanding that those changes to any of our pieces of law would have to be brought back to this House for the full House as a legislative assembly to decide upon?

#### **The Bailiff:**

That is all very hypothetical, Deputy. I do not think ...

#### **Deputy R.C. Duhamel:**

I know that, Sir, but I am looking for the assurance from the Solicitor General.

#### **The Bailiff:**

Well, it depends entirely on what legislative changes are necessary. It may be that Ministerial Orders can be made. If they are Regulations, as you know they will have to come back to the Assembly.

**Deputy R.C. Duhamel:**

Ministerial Orders? This is one of the questions that is worrying a number of Members on this side of the House, whether or not if there are any items of legislation which have to be undertaken by the whole Assembly as the legislative body of the government, whether or not, indeed, those pieces of legislation would automatically come back to the House. We have received assurances from the Minister to the effect that he is quite happy to give to the sub-panel an assurance that if the principle is accepted then they will commit to ... **[Interruption]** The Ministers for Planning and Environment and, indeed, Housing - so it is not just the Minister for Planning and Environment, it is both Ministers - offered an unconditional undertaking to the sub-panel that if the principle of the Jersey Homebuy was accepted by the States they - they being both Ministers - would commit to submitting the detailed plans for Scrutiny approval before taking any further action. Specifically, Sir, what I am interested in is are there any items of legislation which would not be brought back to the House and undertaken by, as you mentioned, Ministerial Order - which is a new one on me, Sir - or whether, indeed, those elements of legislation, if there are, indeed, any before the Minister for Housing and the Minister for Planning and Environment, whether, in fact, those items would automatically come back to the House. If the latter is correct, then that would seem to go against what we heard from the Minister for Planning and Environment in that there was no intention for anything further to come back to the House if we agree to the principle here and now.

**The Bailiff:**

We seem to be making very heavy weather of this. **[Approbation]** At the moment, the Solicitor General has advised the Assembly that he does not see the need for any substantive change to the law in order to implement the scheme. Now, he has qualified that by saying that it may be that some minor change might be necessary to stamp duty or something of that kind. Those changes will either be achieved by Order, which since 2005 have been made by Ministers, or by Regulations, which continue to be made by the States. If the former, it will not come back to the Assembly; if the latter, they will come back to the Assembly.

**Deputy R.C. Duhamel:**

Thank you very much, Sir. You have cleared-up the question that I was worried about. I think, Sir, perhaps I can be forgiven for thinking that the Island has not really moved on much from its feudal past. In banqueting days, the barons and all of those who held status would sit at the top of the table and, indeed, having satisfied themselves as to their own kind of requirements for eating their fill, the scraps would then be passed down to the serfs to keep them happy. Indeed, if there were not any serfs at the table, then the dogs would get the remainders. It strikes me that we are paying a little bit of the lip service in Jersey towards what we are trying to do in terms of increasing the opportunities for those less fortunate than the ones who are sitting at the head of the table to be sharing in the opportunities for purchasing and owning their own property. I think it is a real shame. We have heard that statistically the Island has a very low or comparatively low ownership of property of some 51 per cent. Indeed, other jurisdictions are bettering us by some percentage points and boast of perhaps as much as a 70 per cent ownership of property. Now, why should that matter? Well, if indeed this is the tip of the iceberg in terms of a policy change, in order to ramp-up the ownership to such levels of 70 per cent then I take issue, Sir, because quite clearly it is too little. The 55 and 45 per cent - in Senator Ozouf's words this sparkling success - is at the very heart of the inability of the States and the departments involved to ramp-up the ownership to such levels. If, indeed, we stick to this 55-45 per cent split, we will never, according to my calculations, achieve a 70 per cent ownership across the Island. Quite clearly, what the 55-45 does is mainly, if not exclusively, apply itself to new housing opportunities and not to the existing housing opportunities,

which include large elements of social provision. Indeed, Sir, if the policies that are brought forward to this House by the Ministers for Housing, and Planning and Environment do not seek to make any inroads into the large amounts of social rented accommodation that we have - and quite clearly this new Homebuy Scheme does not do that - then we will never be able to achieve very much more than what we have at the moment. I think that is a real shame because, Sir, as we heard from Deputy Le Claire and others and from the Medical Officer for Health, owning one's home, being king of your own castle, does give you the peace of mind to face the world in a way that you can be assured and more confident that you are master of your own small piece of the universe. That should be and I think that is an aspiration for most persons in life and I think it is grossly unfair that we should not be putting policies in place to allow it to happen for more of our community. So, are there better schemes? Well, I think there are. For me, what this scheme does not do is that it does not address the real issue. The real issue is not about extending the 55-45 per cent split to maybe 60-40 or 65-35, which indeed is what the scheme will do. It is about addressing the basic cost of accommodation. The basic cost of accommodation in the Island is far too high. We do not have to conduct too much research elsewhere to know that there are a substantial number of schemes which, if the Minister or Ministers had looked at in addition to this first step - and I think, Sir, it is very much a first step - then perhaps I think I would have been a little bit more confident of addressing the problems that it is seeking to solve. Owning a piece of land does not go as far as perhaps it should. Unless you are like Arthur Hornby or whatever from up in Yorkshire and you have built your home into the land as a mole would do, the ownership of the land part is neither here nor there. The building will sit on the land and it is the building that people should be putting their money into, rather than the foundations or the land beneath the building. The scheme, Sir, that is coming forward does not seek to provide opportunities for persons to just own the building. Until we take out the very, very high cost of land as part of the ownership equation, I think that we will always be committing ourselves to the very high prices of accommodation that our Statistics Department is reporting on. Owning a 3-bedroom house, and a small 3-bedroom house at that, and having a cost approaching half a million pounds in this day and age is fundamentally wrong. When the price is broken down, the large part - if not the largest part - comes to the land element. We should be doing something to address that. As I said, Sir, there are other schemes whereby the land cost can be taken out and if that happens then I think this Homebuy Scheme perhaps would have had wider appeal in terms of its applicability and affordability for the numbers of persons that it is suggesting being able to help. The U.K. Government is working with the Scandinavian countries, and in particular Sweden, and one of the large furniture companies, Ikea, have a house building programme. This house building programme is providing U.K. residents with an opportunity to purchase 3-bedroom houses of a sizeable size for some £120,000. Now, I think that is pretty good value for money. It certainly is in Jersey terms. But again, Sir, we do not see any mention of this at the moment within the Homebuy Scheme. What we do see is the suggestion that the usual developers will be involved once the land has been split up and the proportion of it determined as to how many buildings can be built on this land for a Homebuy Scheme, and the houses will be built at Jersey prices. I think that, for me, Sir, is one of the fundamental failings of this particular scheme because if, indeed, the buildings are built at the prices that buildings are being built at the moment, then we are going to have to move in the direction that the Minister is suggesting, which is the only way to bring the price down is to discount a larger element of it. Do we discount or do we build smarter, cheaper, larger? I think the second option, Sir, is really more value for money. There are American houses that come off the backs of lorries. They come in a modular form. They are built in factories. They do not require extensive building techniques or trades or technologies to put them together, so the actual cost of production can be brought down to even more affordable terms. We can look in other jurisdictions and there are many, many examples of ways to bring forward schemes which are much, much more affordable than the one that is being suggested. One other area, Sir, briefly is the opportunity of not asking the developers to build in the first place and offering up sites for prospective home owners to build themselves. Self-build is quite a big initiative in the U.K. and, indeed, we had it in Jersey

many, many years back; the States having acquired sites, decided how to split them up, and then passed those plots of land on to individual families who then built their own house according to their own pocket. I think that is another way of achieving an ownership which is affordable to the ordinary man in the street. This is not what is being offered at the moment. What is being offered is a very, very small step whereby some more expensive houses will be built for 60 lucky persons in order to have them purchase at a discounted price, and presumably there will be legislation - difficult legislation and complicated legislation - to stop those persons if they do get passed this particular property from selling and making a windfall profit in too short a period of time, or indeed locking-in the particular ownership of these buildings for a period of time so that other persons can be afforded the opportunity of the initial discount. I think there are better ways, so how should I vote? On the positive side, I think the Minister is making an attempt and has made an attempt to come forward with a move in order to achieve what was within the Housing Department's strategic aims: the idea of increasing home ownership. But I think it is just one small step for that man and greater steps can probably be made from the rest of mankind or the rest of Jersey mankind in terms of what is possible. So I think on balance, Sir, I will support this scheme but I would like both the Minister for Housing and the Minister for Planning and Environment to agree that he will look sensibly at other suggestions in order to bring forward further schemes that may well have greater benefit to the ordinary man in the street and that he will do so in a timeframe that allows a number of us to participate before the elections take place in October/November. That is probably all I wanted to say, Sir. One other minor point, and that is in looking at the population policies which were coming forward in the strategic option paper, there does seem to be an element of inconsistency that has crept into the figures. We are being told, Sir, and the Statistics Unit confirmed in April 2008 - indeed, that was the very piece of work that Juniper and the Environment Scrutiny Panel were waiting for to inform the debate that took place yesterday - that the number of households that was projected to increase from 38,000 in 2007 to 46,200 in 2035, that this, indeed, Sir, was less than the 52,100 households that the previous Solid Waste Strategy had projected for 2035. Now, if we do the calculations, Sir, in what has come out in the *Strategic Options* paper that we had the opportunity of looking at yesterday, it looks as if the number of houses to be built - and in this case we are looking at households equating to houses - there is of the order of 550 per year. The projections have only been done up to 2018 instead of 2035 and if we do apply the figures - which is the 250 immigration or job opportunity immigration projections, and the way it affects the number of houses that will be built - it would appear that the 550 dwellings per year figure has not been reported accurately up to the 2018 period. Indeed, there is an element of hiding the figures for the growth that if it does take place from 2018 to 2035 will indeed mean that the projections for 52,100 households by 2035 is unchanged. If that is the case, Sir, then I think there are serious economic and social and environmental repercussions, and I would ask the Minister in reviewing that particular document in line with the Minister for Housing and any other Ministers who are involved to make sure that the left hand is in line with the right hand in this respect and that this House is being told exactly what the population projections are in a way that is set across all of the departments who will be relying on these figures. From what I have seen, it is not the case but maybe it is just some administrative error. I would like to think it was, Sir, and that it had not been done in a form to maybe mislead the House into getting us to think that everything is nice and cosy when in actual fact it might well not be. So, I think with that comment, Sir, I would like to sit down and allow somebody else to speak.

### **1.8 The Connétable of St. Peter:**

In the Minister's opening remarks this morning he made reference to this plan and option being retrospective. I find it rather strange that nowhere in the body of the proposition or, indeed, the reports and comments which follow on the same paper is there any further reference or any reference at all, in fact, to the retrospective nature of this proposal. The only point that I can find addressing it is in the comments from the sub-panel under Deputy Power where point (1) makes reference: "Jersey Homebuy proposition would apply retrospectively to the remaining H2 sites of



the existing Island Plan.” Now, before I support this proposition, I am doubtful and I am not inclined to believe that it should be retrospective in the first instance, and it will take a very good and persuasive explanation as to how the Minister proposes this to work in a retrospective degree before I can support it. Thank you, Sir.

### **1.9 The Deputy of St. John:**

This is a great opportunity to encourage home ownership in Jersey, and I would not like to see it missed. It is one of, I hope, many more initiatives that will come forward in the future to encourage increased home ownership. As I said before in the reference back debate, I am disappointed that it is still so low. I am also slightly concerned, though, that in the U.K. Members will perhaps remember there was a sustained period of selling social housing. It was deemed a great policy at the time and a lot of people bought cheap housing as a result and became home owners, which was great. The downside of that, though, was that they sold a bit too much of it. Referring to Senator Syvret’s comments, we need to make sure we still maintain a reasonable, high quality stock of housing in the social rental sector. That is very important, so I do hope that the Minister would invest further in that in the future and I understand that is certainly part of the plan. I think we should be aware of that. Part of the reason why people want to buy some of the stock we have at the moment is because we have invested heavily in it and it is good stock. In the past they may not have wanted to buy it because it really was not very good, but now that has certainly changed and that is a great accolade to this Assembly that made that happen. A number of Members have referred to the buy-to-let issue, which I am afraid is a bit of a red herring in my opinion. It does create a huge amount of accommodation in the private sector - so we do not have to invest in it - for those that need it and that is driven by market rents anyway. I have to say I am rather disappointed in my own Constable here. He is not here to defend himself; I am not going to attack him by any means. But he did suggest to Members in an *e-mail* last night that the real thing we wanted, of course, was some kind of reconstituted States loan system. Sir, this goes a long way further than that. This is much, much better than the States loan system. I am not knocking the States loan system, Sir. My parents bought their house in the 1960s successfully on that scheme. The big downside to it was that others were able to buy accommodation of that nature in recent history and sell it quite quickly afterwards for a huge profit to people that were not first-time buyers. This does not do that, Sir. This prevents that and I think that is an interesting aspect of it and an important one because that opportunity was lost with the States loan system and as a result it I think contributed to increasing house prices rather than the opposite. A Member mentioned - I think it was Senator Syvret - about the current lack of credit and a bad time to do this. I am sorry, Sir, it is the complete opposite. It is a very good time to do it because of the unavailability of credit to those that find it most difficult in life to achieve good credit ratings. I think Members should be well aware of that. Deputy Duhamel mentioned that this was lip service and that it was almost modern-day serfdom. I am sorry, I do not quite know where he is coming from with that. By not doing this, we are committing people to modern-day serfdom. We are not allowing them to become landowners and homeowners. It is difficult to achieve in our current economic climate and the current scheme, so it is quite the opposite. One thing that I am slightly concerned about, though, and I hope the Minister can answer this - and it is quite clear in the proposition that this happens at the moment - is that some people fall between 2 stalls. We have a number of people who may be regarded as more middle earners that do not earn enough to get a loan but earn too much to take an opportunity from Income Support through rent rebate or social housing. So I do hope that the Minister can address that one a little more because it does appear here that they may still fall between those 2 stalls because it will be means tested. It should be means tested, I am not suggesting it should not, but what reassurance can the Minister give that they will not be disadvantaged? It is not just the poorest in our society here; it is also other earners, other income levels as well. It is a difficult place to buy a house in. So, I do hope that Members support this initiative. I do hope it is the beginning of a number of other initiatives that will come forward over the next few years to dramatically increase home ownership in Jersey. It is an aspiration of many.

I am not suggesting it is an aspiration of all; some people prefer not to have that burden, some people may see it as a burden, a risk maybe. This minimises that risk, so somebody who is worried about that big step of owning your own home for the first time, there is almost a safety net here: you are not owning it all. It is not quite such a risk to some that are risk averse, yet it creates that real feel good factor of owning something for the first time that you live in. To deny people that opportunity I think would be a travesty of justice and I do hope the Members can see that from this and I hope that the vote and the reference back reflects how Members are likely to vote in this. I commend this to the House and I do hope that people will vote for it. I certainly will be, Sir. Thank you.

#### **1.10 Deputy C.J. Scott Warren:**

I will cut out any paragraphs I can so that we can move on quickly. Sir, I support this proposition, which is a chance for many people to own their own home, people in Jersey who otherwise would probably have had very little chance of ever doing so. It seems to me that we need the approval of States Members today before the Ministers and departments can progress much detail and much work towards the implementation of this and run it past Scrutiny as well. I understand that similar homebuy schemes have been in place for many years in the U.K. I do hope the Minister for Housing will also soon be able to reduce that year for the non-qualified sector of our community. As I say, Sir, I totally support this proposition. Thank you.

#### **1.11 Deputy J.A. Martin:**

Just a small point of information for the Constable of St. Peter, if he would like to look to page 6 on the proposition, that is where the retrospective sites are: 56, 13 and 6, and that is 65, and the first 46 are already under construction at Bel Royal. It is quite clear, we all know where these sites are and they are being built. I think it was alluded to today that people are waiting for the outcome to find out what the Gateway scheme will be, if they are in the Gateway scheme or if they are going to be just above it and an ordinary firsttime buyer. There have been a lot of accusations especially from the Chief Minister and the Minister for Housing that they are amazed and it is always people like myself and possibly Deputy Southern who are not really wanting to help the people we are said to be elected for. Well, as they have said, Sir, I am quite willing and happy to go to the electorate in November and to see if any of the people - on which way I vote today - will vote for me or not. Because I do not think it will make a difference because I am elected on social issues and I work very hard on them. I will not go any further; the people out there know. I would like to just make a few comments on housing alone. I have been told off today by a few Ministers, and other Deputies have, when it has been in the Minister's hands, say, of Housing for years to have security of tenure for renting people and bring down qualifications. No. We have fought for people to get (1)(1)(g)s when they have been stranded and left alone and it is very hard sometimes. There again, nothing has been done on those fronts. So here we are today, Sir, we are back to where we were. We have a proposition which is paper thin. I have been accused of not helping the people that I represent, supposedly, but of course we have a Minister for Planning and Environment who is a Minister who tells me this proposition has been prompted not by obviously just one man who phones-in weekly for 2 and a half years and is waiting for the outcome, but many similar people. Yes, I get people moaning to me, but a lot of these people will not come under this because they are not young. They have rented all their life either in social or private, now their children are older, they are earning a bit better wage and they have about 15 years to go on a standard mortgage and they cannot afford it. In fact, a lot of them are not being offered it. So we are in early days, Sir, to where we are even with renting and we are moving very quickly. The Deputy of St. John said in England, yes, years and years ago - and it was just under 30 years - they sold off thousands, even millions, of council houses. I think that is what gave those people, the next generation, a step up the ladder because there was money to be divided when the father or family ... there was always a bit of money for deposits. But that is one of Gordon Brown's ... well, he has many first priorities, to supply a million social rented houses in green fields, believe it or not, in the next few years, but that is

another story. I have a question and I really want this answered by the Minister for Planning and Environment when he replies. He said in his speech on the reference back: "Do not send this back because people will be in their homes, if we agree today, by Christmas. On the other hand, of course, I acknowledge, reading all the comments from the Scrutiny Panel, there is a lot of work to be done." He also said they did not ...

**Senator F.E. Cohen:**

These are not accurate quotes.

**Deputy J.A. Martin:**

I am sorry, Sir, I apologise if they are not accurate. The one that they will be in their homes by Christmas is accurate, and obviously there is a lot of work to be done. Sixteen points, and one point is that the Minister for Planning and Environment will do nothing until it is agreed by the Scrutiny Panel. I do not want to go over again what they have not done because everyone can read it for themselves. I would say in my opinion, Sir, a hell of a lot of work to be done. My question is when is this work going to be done? We are sitting here and we will be here all next week. We already have a proposition of when we will sit again. I am told we cannot sit in August, so I want to know when the Ministers and Scrutiny are going to get together to make sure we have a scheme that works for everybody. I cannot put my name towards this. The Minister even stood up and said for 2½ years it was one of his election pledges and it is not a novelty scheme, there are lots and lots in the U.K. and we could have picked one from the U.K. Why did he not? Proven schemes. Absolutely proven schemes, they have been working for years. **[Interruption]** Well, I am told they will not work in Jersey, so there is a lot of work, it is a novelty. You cannot have it both ways, Sir. They always like to interrupt, Sir, but I am sorry, this ...

**The Bailiff:**

You are very patient, Deputy.

**Deputy J.A. Martin:**

Yes, I am patient, Sir. I cannot support this. I support the people that I have always supported. I would love to support a scheme which put more people on the ladder. This is not means tested. I mean it will be means tested, I do not know who. People on minimum wage, 40 hours a week, you are talking 20 times their wages to get in on the discount scheme: never going to happen. Then you have a few people on the next ... 10, 11 times their ... where are these going to fall? Well, they are supposedly in social housing but at the moment we do not need any more. But there is a long waiting list for transfers to suitable accommodation in the social housing market and private rental. So I am sorry, Sir, there is a lot of work to be done, and Deputy Duhamel seems to be under the illusion that even though he tried to press the Solicitor General that something will come back to this House, it will not. It is a scheme, it will be a Ministerial Decision, and if anybody had any better ideas ... especially the Gateway, the means testing, because it should be everybody. There should be a scheme where everyone is tested. You could be social rental. You may be able to rent in the private sector if there is enough accommodation. If not, you will be covered somewhere. Then you are in somewhere to buy. But no, they are not going for this, because if they are it would have been written down. We want a Gateway scheme that covers everybody, and I cannot see this. I am not supporting it. The work will be rushed and it will all come back when it hits the fan and it will not be touching me because I am not voting for it. Thank you, Sir.

**1.12 Senator L. Norman:**

This is undoubtedly a well-intentioned proposition. Indeed, I think we should be flattered that we are invited to help fulfil one of the Minister's election promises. **[Laughter]** But I am very uncomfortable about the proposition for many of the reasons which have already been spoken about by other Members. I am going to need a lot of persuading in the summing-up to support the proposition. There are 3 areas which I am totally unclear and very, very worried about. Because

reading through this very scant document, it is quite clear that the discount that is going to be offered in the pilot scheme is round about the £8 million mark. Now, I cannot find it. The report is either silent or it is very unclear as to how this £8 million is going to be funded. But in whatever way, whether it comes from the developer, whether it comes from the non-profit organisation, whether it comes from the States, it is £8 million tied-up in other people's property, owner/occupiers' property, not working to provide new homes because the homes that are going to be sold under the scheme will either already exist or will exist and could be occupied by first-time buyers if the will was there. But these other first-time buyers are not going to have the opportunity because they are going to be sold to somebody else. The other thing that worries me is that the first-time buyers in this pilot scheme will be trapped in the homes that they buy for ever because with such a heavy discount when they want to sell they only get 65 per cent back. It will be impossible for them to buy in the market without another discount, which they will not be entitled to, unless they have a sudden and massive change in fortune. So we are going to trap these families in these homes. It might be okay, they might be fine, a lot of them will be fine in that way, but the people who are going to buy them, the wide spectrum of people, many of them will have changes in their lives, life-changing changes. There will be separation and divorce. There will, sadly, be serious illnesses. There will be death in the family, major changes. What do they do then? They are trapped in this home where they only own 65 per cent of the equity. Where is the answer to this? I think it is important because we cannot afford to play with the lives of these people. We need to know what is going to happen in this situation. Reading this report, I have no idea. The other thing which just has not been addressed at all as far as I can tell is if this proposition is successful what is going to happen to the housing market? A basic rule of economics is if you increase the ability of people to buy, you inevitably increase the demand. If you increase the demand, inevitably you increase the price. That basic economics is bound to happen. So who is at the end of the day really going to benefit by an increase in housing prices because of a discount scheme introduced for a few? I really need to be convinced of those 3 questions before I can possibly support this proposition.

### **1.13 Deputy J. Gallichan of St. Mary:**

Well, in that delightfully circuitous way he has of speaking, the Constable of St. Mary has reminded the House yesterday several times that we are into the philosophy of "cannot do". You cannot do this and you cannot do that. Well, here we have a perfect opportunity to start doing something and I think we should be enthusiastic about that at least. I support the need to make the prospect of home ownership available to as many people as possible. I think that goes beyond question. My initial concern here was that we were creating another kind of category of housing, but on reflection, thinking about it a lot more, I think that is really less important. Because so often this House is accused of helping the poorest and very often of helping the richest, but what this does, whereas normally we are accused of ignoring the people who sit right in the middle, this policy addresses the intermediate position directly. My reservations about the lack of detail I think are echoed by everybody, but one thing I can acknowledge is that this whole thing can be reviewed as a natural part and a necessary part of the new Island Plan consultation. At this time we have what is really quite a unique opportunity to trial a policy for a short period of time because it will be limited to the life of this current Island Plan. That way we can see if it really does work, if it makes sense, and if it helps the people that we want to help. Apart from, of course, for the reasons that Senator Norman alluded to, if apart from that there is a massive turnover of units that have been sold this way, then we will know that simply the need we anticipated that we would be helping is not there and we have to look at a different way of doing things. There is another benefit, and here I really do part company with Senator Norman, because I have long thought that because of the way we structure our housing market or because they are structured, it is that need to move that stops in some places a real community building-up. Now, Jersey has grown obviously dramatically and will continue to grow, but at the heart of much of the Island there is still that sense of community. I am certainly committed to it and I know a number of other Members of this

House are committed to it. I have long held the belief that enabling families to stay in the same home is a way of ensuring that the community spirit continues to thrive. Certainly, this policy would provide even more encouragement and I do not think it is a trapping mechanism at all, as Senator Norman alluded to, but it would provide more encouragement for families to remain in their homes, perhaps even indefinitely, as I have seen on some very successful housing developments that have happened over the last 30 years. There is one similar one in St. Mary that I could say that still has a high proportion of original inhabitants and works very well as a community. I think that the important thing in that aspect is to make sure that we do make sure that the houses that we put on these sites have the capacity to allow families to remain in them, that they have the capacity to grow flexibly as families do grow. If we can achieve that, then this policy will have the added benefit of allowing strong communities to emerge from new developments. That can only be good for the family. It can only be good for society and it can only be good for the Island. Deputy Southern said that this is a short-term policy, but I say what it is, is responding to an urgent and established need. The policy does not seek to revolutionise the entire housing market. It seeks to add a different dimension, as I see it. Certainly, Deputy Duhamel said there are lots of other things that could be done and I do not deny that. I have seen some of these kit houses; I have seen them at all ends of the market. There are some lovely ones. American kit houses are not the solution for a Jersey vernacular, that is certainly true. I would also like to comment just very briefly on the fact that Deputy Martin said - and I think quite rightly - that this policy will not address every need. She gave an example of one kind of person requiring housing that it would not help. She is completely correct about that, but I have to say I was extremely concerned that Islanders might be categorised: you can be social housing; you can be first-time buyer. I just wonder if she looked at me, would I be alpha or would I be epsilon in her brave new world? This policy would give the Minister flexibility to deal with changing circumstances and that would enable him to act fast rather than plough ahead, as Deputy Southern said this morning. Now, surely this is just what the public wanted. Ministerial government was supposed to act fast where committee systems have stalled, and here we have something coming along rapidly, perhaps I think for most people too rapidly, but rapidly responding to a need. Personally, I do not care that this was on Senator Cohen's election manifesto. I would just like to say that shared equity was on the one when I stood in the Senatorial by-election years before he stood. **[Laughter]** So, my main reservation - and I have to say I did have a reservation but I am not content just to moan about it, I have done a little bit of research about it - my real concern is the fact, strangely enough, people will think, of someone who is an ardent supporter of Scrutiny, that it seemed to me for a while that the power of this House to look at these decisions, to look at the finer detail that we acknowledge is not here, and it is not here for a very good reason, was being taken out of the hands of this Assembly for consideration and put into the hands of the Scrutiny Panel. With no disrespect to the Scrutiny Panel, that is not the job of Scrutiny. Now, as I understand it, the Scrutiny Panel will simply be adding value to the Minister's decision-making process and then a Ministerial Decision ... unless I am very much mistaken and, please, I do welcome the Minister to come back and correct me if I am. Anything that happens as a result of this policy being adopted, any particular site which is going to be readjusted, shall we say, because of this going through, will be the result of a Ministerial Decision, will have all the supporting reports and documentation that go with that which will have all the details of any legislation and whatever else needs to be done, and will be dealt with in the normal way of Ministerial Decisions. Now, if that is the case then my position as a Member of this Assembly has not been diminished. I still have the opportunity to go in and look at it, and to me that is the important thing. I am not looking for the power of this Assembly to be passed over to Scrutiny in this respect. I think I deserve the ability to have a look at it myself, and I will do that. So, basically, I do think that, although we are all talking about it as an in principle decision, what we are doing here is enabling the Minister to go ahead and address a very real social need. Certainly, I am going to take responsibility for my actions and I am going to say yes, I think that is a good thing to do. I would just also like to say, finally, that as regards the third paragraph and exactly how this balance is going to be ascertained, in St. Mary we have just had a public meeting

over the last year and lots of meetings at Parish level and meetings with planning about the possible rezoning of some land which I know we will be dealing with probably, maybe, next week. The problem that the Parish had is that we were constrained by the 45-55 split and there were other things that we wanted to take into consideration. It would have been so much better to meet the needs of what we had in that Parish at the time if there had been more flexibility. Although it may not fit exactly into this, the flexibility that we were looking for, this is a huge step towards it. For all sorts of reasons, I commend this and I am going to vote for it. Thank you.

#### **1.14 Connétable M.K. Jackson of St. Brelade:**

Members earlier on alluded to N.P.O.s and I would like to confine my comments to that end of the discussion. I would first of all, Sir, declare an interest, I suppose, in that in my position as Connétable I am on the Rectorie of the Bénéfice de St. Brelade, which owns one of the fields on Rue de la Sergenté, St. Brelade, which has been alluded to in the proposition. But that said, Sir, I think that bodies such as the Parishes and the Rectorie need to move into the 21st century. That field was purchased in 1913, I believe, Sir, really as part of the splitting-up of the common of La Moye and we still reserve the right to graze sheep on it, as do several members of the commune such as Senator Vibert, who I am sure keeps several of his sheep there at the moment. The thing is, in those days the *raison d'être* for ownership of those lands was for the benefit of the locals. Now, in my view I think we should be moving on. The local need now is from first-time buyers and I can confirm that is the case by the number of applications to my office. The need is for first-time buyers for their starter homes. I think if Parishes or bodies within the Parish can accommodate that need, it has to be good. By doing so we will be supporting the social need, supporting moving into the 21st century, and I think doing what the Parishes are supposed to do. There are clearly elements which need to be ironed-out. I think probably one of the difficulties with this particular proposition is it is too simple and I feel that Members cannot comprehend the fact that a simple proposition has been put forward. I am very inclined to support the proposition, Sir. I think it has great merit and the first-time buyers, certainly in my Parish, dearly would like it.

#### **1.15 Senator P.F.C. Ozouf:**

Economic growth raises the standard of living of all of the community which is subject to economic growth. Thanks to this Assembly's economic policies, we have seen an economic renaissance in Jersey in the last 3 to 5 years. Some Members of this Assembly, including Senator Syvret, do not believe in the market. I believe in the market, but the market is not a jungle and needs rules and regulations and sometimes interventions where there is market failure. Interestingly, Senator Norman spoke against this policy. I cannot help but remind the Assembly that I think it was the former President of the Housing Committee that intervened in the housing market - no doubt with the full support of his Committee - and created the nightmare of rent rebate. That was an intervention which ended-up getting capitalised in the asset prices and did not work. I am not sure that this Assembly needs to take that many lessons from Senator Norman's economic policies of the housing market in that respect. So I would respectfully suggest that we move on and have thoughtful economic interventions. Sir, an unintended consequence of our prosperous economy is without doubt higher house prices, which means that a significant part of the community cannot afford to legitimately get on to the housing market. Other places similarly have that problem. In cities key workers that need to be kept or need to be available in city centres have found solutions in shared equity. We are not a city centre with the opportunity of people making a choice of commuting from lower cost areas. We need to find solutions to our problem that exists that some members of our community cannot get on to the housing market. I believe that we should share the profits of economic growth and that we should invest in housing stock and we should invest and it is right to invest in social rented housing availability. We should also find new policies to find and to allow those that wish to aspire to the dream of home ownership the opportunity to buy. We need to provide a mechanism for that to happen. Sir, I am not a prophet of doom. I am not a member of the Jersey Destruction Association. I do not believe that there will be the prophet of doom scenario

that Senator Syvret believes. He has been for some time suggesting that we are finished as an Island economy, that our economy is a Ponzi scheme. If Members do not believe in the economic future of Jersey, then they should throw this proposition out. What they will be certain to achieve if they believe that the economic end is nigh is lower house prices and certainly an opportunity for people to buy. They may not have any jobs, but certainly house prices will fall. I will just say one thing. Some Members have explained their concern in the context of this proposition about the average house price of over £510,000. I would wish to offer a suggestion to Members that I think that there is going to be certainly some hardening of that figure. One quarter's figures should not set people's expectations, and certainly if Members look at the detail of the makeup of the last house price index it was certainly the case that there were a number of higher value 3-bedroom homes which probably pushed the figure up to over £500,000 per 3-bedroom home, not because the market will have fallen, even though there has certainly been some hardening of the market. I think that the average house price, which of course the media quite understandably reports on and Islanders believe that that is a signal of the house market, I think that figure may well be down in the next quarterly report not because the market is falling, just because there is a different mix. It is important for us not to make decisions on a quarter by quarter indicative figure. We need to find solutions and we need to invest in our housing market. I was told that the 45-55 planning obligation approach would not work. I heard all of the siren calls from the members of J.D.A. that 45 and 55 and the putting in place of planning obligations would not work, that we would not deliver social rented housing for much needed families needing the social rented sector. This is a policy evolution, just as the 45-55 planning obligation is a policy evolution. With the right to develop comes the obligation to provide key worker and affordable homes. This is a variant of the policy that the Assembly has already made. Much has been made of the detail but the detail is almost identical in its detail for the policies that we approved previously in 45 and 55. As we said in the reference back debate, there is the detail to be worked out. It can be worked out and it will be worked out and it will be properly scrutinised. Senator Norman is absolutely right in one respect: the key to this is the gatekeeper arrangement. He seems to want to believe or persuade Members that there will somehow be 2 markets in this shared equity arrangement. He somehow believes that there will be a different market price for the 65 per cent as opposed to the 35 per cent. With the appropriate gatekeeper, when the property is for sale it will not be the 65 per cent that will be for sale, it will be 100 per cent for sale. Therefore, it will be at parity for the 3-bedroom house market or the first-time buyer house market reference price. That is the reason why with the appropriate gatekeeper, with the appropriate concern, it will not fuel house prices which a non-thought through system, a non-economically rational scheme, will not deliver. I am absolutely confident that that will be delivered. Shared equity in its variant forms in cities and towns across the United Kingdom and in other places has worked. It cannot be beyond the wit of the Planning Department and the Housing Department, with the careful scrutiny of Scrutiny, to work up a scheme based upon this policy. I will say one final thing to Members. This is not replacing the obligation of 45-55 in social rented. It is not striking-out that obligation for the 45 per cent social rented on the existing H1 sites. That is the nuclear weapon that the Minister for Planning and Environment has in respect of the policy. If they are not satisfied with the detail, if the developer is not willing to take the deal, then they have to revert back to the 45 per cent social rented scheme. So it has to work and it will work and I commend it to the Assembly.

### **1.16 Senator T.J. Le Main:**

I have heard in particular 3 really excellent speeches from the Connétables today. In particular, I would like to say that the Connétables of St. Martin and St. Brelade and St. Saviour hit the nail on the head. I also compliment the Deputy of St. Mary because what she said was absolutely right. I would like to just dispel a few myths at the moment. I would like to reiterate again that the proposal today is a pilot scheme, and it is to put into place into the Island Plan a tool that will allow the 45 or 55 per cent currently utilised by social rented homes, to allow the Minister for Planning and Environment in conjunction with the current need at the time to allow either social rented on

that percentage or, in fact, some home ownership through a shared equity scheme. All we are doing is that we are asking that today. There has been some concern raised about Gateway and all the other issues. I can give a categorical assurance to Members that the Gateway that the Constable of St. Martin wants so much will be done in co-operation with the Housing Department and the Minister for Planning and Environment. All Members can have that assurance. Deputy Duhamel knows very well that we often have issues, and I have only recently invited Deputy Duhamel back to my home for discussions to assist me **[Laughter]** in some of the issues that I have to deal with on housing. Deputy Duhamel and another States Member, who is not in this Chamber this afternoon - Deputy Le Claire - did come and visit me at my invitation. Remember, Members of this Assembly, that during the Property Plan debate, leading up to it, I offered all Members at least 3 occasions to come to presentations, to come to discussions. I have shared all my problems and worries, half the time, with all Members of the Assembly. I have said, Sir, on so many occasions that I cannot do it on my own. We have a very good nucleus of Members in this Assembly who have, many of them, very good ideas and views which I will take on board again, like I did with the Property Plan. I have made promises to Members, certainly Members in the Assembly, about Convent Court and Caesarea Court. No decisions will be made on whatever we are going to do there without honouring my promises I made to Members. Certainly, Sir, we are doing work in St. Brelade - Clos de Quennevais - and all those areas, and the Constable and the Deputies have all been involved in putting forward what are going to be good schemes, not only for the Parish and the people around there, but the people that live in them. So, this today is pleading with you to allow us to put this in the planning as part of a planning tool, to allow us to come back to you, and anyone who wants to come and talk to me or see us about the Gateway, we will make sure that the Gateway is a Gateway that is going to be acceptable to all Members. I would like to say that finally, Sir, we have in this Island at the present time something like about 400 families where they are single-earner families where in that family there is a disabled child or so, and those people have never had the opportunity because there are not 2 earners in the family. I am very, very keen to see some justice in this world where we can provide homes at a discounted price to some of these families. Those are the sort of families that are going to be in the Gateway, I would expect. We send to England and universities young Jersey people with huge aspirations to be trained at a very high cost; they sometimes stay in the marketplace, they come back. Forty per cent of those that do not return to Jersey do not return because of the unavailability or the high cost of housing. But we are still happy to get people in on (j) and all that sort of thing, but we have a duty, ladies and gentlemen - Members - to make sure that we put into place schemes that will allow us to work these schemes up to get some of these young people back and the kind of families that are single earners for various reasons. The Constable of St. Peter was on about retrospectivity. I had to say, Sir, and I have to say it again, we have a surplus of rental accommodation at the moment. We have Field 690, 10 or 12 homes there ...no, more than that. Field 690 has 18 or 19 rental homes; Field 14 has 8 or 9 rental homes. We are building at Le Marais 18 or 19 homes that are going to be sold to existing tenants in 3-bedroom accommodation. The planning tool for the future will be able to dictate in the Island Plan that if the Minister for Planning and Environment has a call through the Housing Department or Minister for Housing that there is a need for rental then he has got it in his power to either decide whether it is rental on that 45 per cent or it is in fact a scheme that will provide homes for lowish income families. So today I give a categorical assurance to all Members that certainly I, and I know the Minister for Planning and Environment, will work with Members in making sure that what we are going to do and provide is going to be in the best interests of the community. If we miss this opportunity and we listen to the negativity of the likes of Deputy Martin and Deputy Southern and others then they are letting down the people of this Island we represent, the ordinary people of this Island, a lot of them, 50 per cent, in rental accommodation. If I can say that the more you keep people in rental accommodation the more money you are going to need to feed the ever-growing mouth of the income support scheme. The more social housing, the more rental, then you are going to do it but you need to create home ownership. We need to raise the level of this Island to make people proud of their Island where they can aspire with their



families to home ownership. Sir, I beg Members to please allow us to put this into place and we will come back and we will make sure that we work with the Scrutiny, we will make sure that whatever is in place is going to be in their best interests.

### **1.17 The Deputy of Trinity:**

As it has been said, the aim of this proposition is to amend the Island Plan to enable the Minister to make a provision for Jersey Homebuy within category A housing schemes. This proposition is not to replace but to add to the policy, to be flexible and to meet the needs of today, not of tomorrow but of today. Everyone will agree that the cost of buying a house for some first-time buyers is prohibitively high. Basically, some families will never ever have a chance. It is just going to be out of their reach. This is despite people working and saving hard. I am sure we have all had many phone calls from people complaining about the high cost for first-time buyers and that they will never be able to afford them and I am sure we have all agreed with them and said: "Yes, the price is too high" and that something needs to be done. Well, Members this is your opportunity now to help them. Is there a need for these homes? Well, in the Housing Needs Survey there was clear evidence to show that we need 2, 3, 4-bedroomed homes within the next 5 years, not 10 years or 15 years but within the next 5 years. Also the States made this key commitment in the Strategic Plan. Home ownership rates are low in Jersey, 55 per cent. We have heard in the U.K. it is 70 per cent and even our cousins across the little bit of water their rates are better than ours at 75 per cent. They must be doing something right there. So you see, Sir, there is room for improvement. But why should we give people the chance to own their own homes? There are many benefits. It builds on your own equity, both financially as well as personally. It gives the family more of a stable existence; they know that they will not be thrown out of their homes. But more importantly as the Deputy of St. Mary alluded to, a home represents roots in the community and knowing that the roof over the head is yours. With this proposition we have a chance to make a difference to families who will never have that chance and we can achieve this in the next couple of years with these sites that are yet to be completed. As with these sites, 50 per cent of homes will be sold in the usual way to open market first-time buyers, families who are fortunate enough to be able to afford them. It is on the 45 per cent that families who have not been able to buy now have that chance but providing that they meet certain criteria. The intention is for the developer to sell these homes to a not-for-profit-making organisation, housing trust, Parish, and I am very pleased to hear that quite a few Parish Connétables are keen to be part of the scheme at a set price. This price will be agreed by the Ministers. The Minister for Housing will determine who will be able to buy by having this Gateway system, as we have heard some call it a means test. This is to ensure that the family who cannot afford to buy a home on the open market... and to ensure that also they can afford the 65 per cent so that, when successful, the purchaser will buy their home at 65 per cent of the market price but they will own the whole property. The other 35 per cent will be owned by the not-for-profit-making organisation. It will only be when that property is sold on that the 35 per cent will be realised by that organisation and the money gained hopefully will be able to be used to purchase by first-time buyers in that category in the future. To achieve this the Island Plan needs to be amended. It is the principle that we are debating here and the Minister has given an undertaking that every final detail will be worked up with the Law Department as well as at Scrutiny Housing Sub-Panel. I ask Members to approve this amendment to the Island Plan and think about families who have never ever had a chance to own their own home being able to achieve this. It can be achieved fairly soon on those remaining sites. That is all there are at this present moment in time. This is one way of being able to make a difference to so many families.

### **1.18 Deputy R.G. Le Hérisier:**

There is a tendency - and I hate to disappoint the Minister for Housing - that if one speaks against anything one is seen as a party pooper. One of the roles that Scrutiny has been trying to perform under our highly esteemed Chairman - who was not too impressed by me this morning - is to try and make Housing and Planning be a bit more rational and a bit more analytical about the way they

approach the housing market. For example, as befits Senator Ozouf - who is a great salesman of almost the unsaleable at times, he, for example - he skated over the fact that one of the things that has really disoriented the housing market or derailed or destabilised it is the enormous number of (j)s that were let on to the market. These were people with a lot of money, they reflected a lot of pent-up demand and they have really affected the market, and Housing, and to an extent Planning, and the Minister for Economic Development were never prepared to face up to this. So all we ask is not that we wish to undermine their policies necessarily but that they take these issues on board and do not go into a continual state of denial. That has been the big issue because there is a real danger that despite the eloquent words of the Deputy of Trinity that we are, because Jersey's housing problem in a way will never be solved while we have economic growth. It is just not in the nature of the kind of growth we have, the kind of money that finance brings in and the people associated with finance. There is an awful lot of money which, rather like London and the southeast of England in the way it is a distortion of the whole of the U.K. housing market... so that industry and the money it brings with it has the ability to distort our market. So the State, rightly or wrongly, has to remain heavily involved in this market. We can never get the kind of free market that the great salesman mentioned to us. What it does also in terms of social issues, which the Minister for Housing knows so well, at least the kind of situation in the press, I think last night, of a woman - a single mother - who was paying £800 rent a month for a small apartment, apparently in the qualified market, because that is, she said, the best she can get. These are absolutely atrocious situations where because of the way the market is driven we just cannot get away from them. So it is not being a party pooper to draw attention to these things; it is saying in a sense we are playing on the deck of the Titanic. We are managing, as our good Irish chairman will acknowledge with the Titanic, to keep it afloat but it is a very hard job with a lot of bailing having to go on. Having said that, I think people are quite right - the Deputies of Trinity and St. Martin - it does give people a social stake in society because we do happen to be an ownership, as opposed to a rental, society which you find more often on the continent and I suppose we try and move to what Margaret Thatcher called a property-owning democracy. Now, you have got to remember that scheme was done with massive subsidies, houses as we all know were sold-off, and of course a lot of people took advantage of that and in places like London sold-off pretty modest council flats for enormous sums of money, basically on the back of what had been enormous government subsidies. Of course, some people, like Lady Porter in Westminster, used that situation in terms of electoral manipulation. I think the people in charge of Housing still have to be more honest. We do support initiatives. I think it is a very laudable and noble objective but they have to start being more honest about the dynamics of this housing market and not saying, like the great salesman, "If you want economic growth you have got to take certain consequences in terms of the housing market." I think that is, quite frankly, a pretty unthinking position. The last point I would make, Sir, in reference to what the Deputy of St. Mary said, and she is quite right which is why a lot of us on the panel did have hot and heavy discussions: where does Scrutiny intervene? Does it look at a formed policy or a policy fairly advanced in its formation or does it sit down, like an old style committee, with a Minister and work together with him or her? There is no doubt, for reasons Members may have picked up, we have ended up in the position where it appears we are going to work. I do want to say to the 2 Ministers we are prepared to work but if things go wrong or if great divergences of opinion do start forming then they have to realise that the Scrutiny Panel will come with propositions to the States. I do think the Minister for Planning and Environment very unfortunately is being far too rigid in that: "I will never bring it back and we will work out the detail." He could have done that without undermining his proposition. He is a good man and I am sure there would not have been the negativity that he fears so much. But I think they have to realise that Scrutiny will, if necessary, take a hard line. If, when we dig deep, the devil is in the detail then things will be reported back to this House. I think that is the only way to deal with this slightly messy situation in which we find ourselves.

### **1.19 Deputy J.J. Huet:**

I have just realised after listening today to all the speeches how lucky I must have been in my younger days that we had a States loan and did a self-build and in those days, I hope you do not mind me saying, they only took men's salaries. You were not allowed to take the wife's salary and you could not pay more than a quarter of your salary in your mortgage and it used to be for 25 years. The very first payment you make is very expensive because that is a quarter of your salary but by the time you get to year 5 it is going down and it is great. After that you are quids in. What worried me this morning was when I heard the Minister say that I know they are not going to charge any interest on the 35 per cent like they do in the U.K. but what I did wonder was are they going to up by the cost of living each year the interest because the people there will be earning up and over 25 to 30 years it is going to go up, up and up, the salaries, but the mortgage will not go up. I do not think that is right. If it is being subsidised I think they should be asked for cost of living. That is one thing that I picked up on my own because, as I say, it is a big difference the first year to the fifth year. Now, I think this is excellent for the Connétables, especially the Connétables that have gifts of land or own their own land. It think it is brilliant and I am surprised that they do not get rid of the developers and do it themselves. I know that somebody said that you could have kit-form from the U.S.A. (United States of America) and Sweden. I know both of them and I would be the first to say that the U.S.A. would not meet our criteria, which it certainly would not, they are fine for the U.S.A., but the Swedish would meet our criteria, there is no doubt about it. So why on earth we are paying hundreds of thousands for a developer to build our houses for our children when you could be buying, dare I say, a kit that is excellent and then you are only left with the price of the land and if the Connétables already have the land, or they have been gifted the land. I cannot imagine what the price of those houses would be. It would be ridiculously cheap; it would be unbelievable. I know that we spoke about a non-profit body which will be the 35 per cent, if I have got this correct, and I thought really this is like the States loan used to be because you used to be paying off your interest for your first 20 years. You had no difference in the balance of what you owed the States because it was all interest. I have got in the back of my mind, Sir, that somewhere we had a kitty that had millions in it from those States loans. We have now used it, I believe, but it was there and I am wondering if the Connétables have got their own land and the Connétables are the non-profit body, because they are doing it for our children, that that could work a dream. Where I do have some problems, and I would be the first to admit it, is with these figures that we are getting from Housing. One minute I am being told we are desperate for 3 and 4-bedroomed houses for renting; we are desperate. We have not got enough to put our people into. Now, I can hear the Minister for Housing say... but would he let me finish what I am saying. We were told for ages they had not enough houses. This has been going on and on. I have been on Housing, I have seen the list: not enough houses. All of a sudden we do not need any more houses, we have got too many. Why then are we coming back to here to rezone for a load more? It does not make sense to me. Blood pressure, blood pressure, sorry, sorry. **[Laughter]** Sir, the last bit that I came against is I am quite happy with the Connétables with their own land, with their gifts and their free land or the land that is owned by the Parish, but I have this thing about land that a piece of land that is worth £50,000 when it is rezoned becomes £6 million. The developer at the moment is the one who is giving obligations ... I have to say this is the one time I fall out with the Minister for Planning and Environment because I think I know he likes his piece for art. I think that I need piece for drains, never mind about art. I know it is in the eyes of the developer but I prefer drains to art. But I cannot get my mind round that the person that sells the land pays not a penny tax, not a penny. They do not have to because if they do not develop it they do not pay anything and I think that is very, very wrong. When I saw that this projet is for the remainder of the H2 sites the blood pressure shot up because I thought: "Here we go again, £50,000 for £6 million." If you had had part of that in tax that could be part of coming off of the value of that land and the building for our youngsters and especially, as I say, if we can get ... I am not convinced that developers are the best thing since sliced bread, Sir. I think the Connétables are sensible, clever, they know their Parishes, and if they were the developers, like in the old days where we built our own houses, we certainly never paid any developers any going rates or anything. I do not know how much they walk away

with but we obviously know they do not do it for love. So I find this very difficult. I would like to vote for the Connétables to do theirs but I am not happy to vote for the remainder of the H2 site for the money just to walk away and nobody pay a penny tax.

### **1.20 The Deputy of St. Ouen:**

I equally am rather confused by certain of the comments that the Minister for Housing and others have made regarding the fact that we now seem to have a surplus amount of accommodation, especially in light of the fact that we recently debated and approved the selling of 800 homes, social housing stock, to be sold to existing tenants over the next 10 years and told at the same time that the shortfall would be made up from the housing trust developments based on the H2 sites. Equally, I am rather surprised when I look at the Housing Needs Survey. I can appreciate that statistics can be used for all sorts of means but it is clear that there is a demand still for 2, 3 and 4-bedroom homes in both States rental and housing trusts identified in this document. It also states in the survey that there is a large demand, almost 500 households, of current States tenants who wish to move within the States rental sector itself, almost a third of which want a garden and a quarter want a larger home. Now, Members should be aware that the agreement that the States signed-up to regarding the sale of 800 homes, a large proportion of those homes were in fact the 3-bedroom type properties. So obviously there is some form of conflict in some of the information that we are told. Equally, and perhaps more importantly, I question the proposal and how it will affect affordability. There is a clear demand, identified again in the Housing Needs Survey, that 9 out of 10 first-time buyers want to purchase their own homes on a standard mortgage in preference to shared equity. They want absolutely - everybody wants - affordable homes. However, we are also aware that it is the availability of those first-time buyer homes that in part is fuelling the higher house prices and it is clear that generally house prices are linked with supply and demand. This proposition does not suggest increasing the percentage of first-time buyer homes on a particular site. So, in other words, the 9 out of 10 first-time buyers that want to be able to purchase their homes through a standard mortgage do not benefit. I also question that if we did introduce another 60 homes into the first-time buyer market perhaps, just perhaps, it might help to make those homes more affordable. It certainly would reduce, perhaps, some pressure on the demand for those first-time buyer homes that are being constructed on the remaining H2 sites. Equally, Members must consider that once the remaining H2 sites are developed no new sites - no major new rezoning and rezoned sites - will be coming into fruition for at least 4 to 5 years. We are reviewing the Island Plan and we are all well aware of the long and protracted arrangements that take place before final development happens on a newly rezoned site. So what happens in the meantime? Where is the supply of the first-time buyer homes going to come from, let alone the social housing? Do you see this as making first-time buyer houses and properties in general more affordable? I would suggest no. Equally, one of the other areas that we have not considered is the issue of qualification periods, because one thing that is very clear, and was clear to both Deputy Huet and myself and others who sat on the Housing Committee, was that any adjustment and reduction in the qualifying period had an effect on a number of different areas, including demand for first-time buyer homes but equally and more importantly social housing. Now, it is the will of this Assembly that we come down from a 12-year qualifying period to 10 but we are equally already aware of the issues that that will face. So I ask again is this actual proposal - and I understand the Minister's determination to enable people to purchase - dealing with the problem or is it just avoiding the bigger issue which is the affordability aspect of first-time buyer homes and enabling young people to get on to the ladder? I have 3 young children - relatively young - none of them have very fancy jobs, they have all got partners or are married, and I have encouraged them, where possible, to purchase their homes. I have asked them all and others: "What would you prefer: to be offered the opportunity to purchase a 65 per cent value of property or 100 per cent and own your own home?" Almost without exception they have said: "We would prefer to own 100 per cent of our home, even if it is a smaller property." But the main thing that they are concerned about is the actual price of the property that they have... and, again, I come back to supply and demand. So I would ask the Minister to please address, when he -

speaks and sums-up regarding the affordability and the general desire of this whole Assembly to make properties more affordable, how does he believe that this proposal will really make a big difference in delivering affordable houses to the majority of first-time buyers.

**1.21 Senator J.L. Perchard:**

I will be brief as time is rattling on. This proposition is extremely attractive and I believe it deserves our full support. This is a targeted initiative to support first-time buyers for ever. These properties will stay in this category and they will be available at subsidised price in perpetuity. However, I just want to ask the Minister ...

**Senator F.E. Cohen:**

Can I just correct you?

**Senator J.L. Perchard:**

I will give way.

**Senator F.E. Cohen:**

When the property is sold it then becomes a market price so it is not subsidised in perpetuity.

**Senator J.L. Perchard:**

Thank you for that interjection. Probably it will help clear this up because when the property is sold it will continue to be subsidised by a trust or a body yet to be organised and the person who buys it the second time will be a first-time buyer who will buy it at a subsidised rate.

**Senator F.E. Cohen:**

If the Senator would give way, just to clarify the position. On sale the property will be sold at 100 per cent of its value to a first-time buyer. The first-time buyer will pay 100 per cent of the first-time buyer price prevailing at that time. Sixty-five per cent of the proceeds will revert to the owner of the property and 35 per cent will go to the not-for-profit organisation for reinvestment in affordable housing. Thank you.

**Senator J.L. Perchard:**

I thank the Minister for clarifying that. I did misunderstand the detail of that. That still, I think, does not change my support for the scheme in any way. This is a first-time buyer initiative, the property will only ever be available to a first-time buyer, and that is why I wholeheartedly support the scheme. I suspect the report and proposition is a bit light and it did not give me that detailed information. I understand now fully. It does not affect my support for the scheme and I hope it has helped clarify the position for a few other Members that may have misunderstood it.

**1.22 The Connétable of Grouville:**

I have already spoken on the previous motion and I would just like to reiterate the general feeling that I have that this is a start; it is a good scheme; I hope it is going to work. The detail must be worked out, obviously, and brought back to us but I have no compunction about backing it 100 per cent. The reason I get up to speak again and reiterate what I was saying is that I am very worried about Deputy Huet working herself into almost a stroke over there about the Constables owning land. Just for clarification, can I tell her that in the Parish of Grouville we have several parcels of land, none of which is suitable for building, none of which I would recommend for building. The other point there is, of course, we are mainly trustees of trusts for this land. This land is normally held for the benefit of children, shoes for the school or whatever, and we would not be able to sell that land as trustees unless we got the full market price for it. So we would not be able to help in that case at all, I am afraid.

**1.23 Deputy D.W. Mezbourian of St. Lawrence:**

I do not know how long this debate has gone on for but I would be prepared to suggest that had there been more information and more detail in the proposition the Minister would not have been faced today with the number of questions that Members have put to him. Recently my panel carried out a review of the Minister for Home Affairs' proposition to introduce a user pays scheme and we felt that was very lightweight when we were given the information. One of our recommendations to the Minister was that before she brought the proposition back to the House she filled it out with more detail to avoid precisely the situation in which we have found ourselves today. During the Waterfront debate a couple of weeks ago I mentioned the word "naïve". I felt it was naïve of the Chief Minister to bring forward a proposition of such magnitude and to not expect to face the sort of questions that were put to him on that day. I am afraid, Sir, I have to use that word again today and address it to the Minister for Planning and Environment because, although I applaud, as do other Members, what he is aiming to do, I believe he has been naïve to bring forward a proposition that is so lightweight. I will not say any more because it will be only, I am afraid, to repeat what other Members have already said during this debate.

**1.24 Deputy C.F. Labey of Grouville:**

On that point, Sir, I wonder if the Minister for Planning and Environment, if this proposition goes through, when it has gone through the Scrutiny process and every other process and we have had all the categorical assurances promised by the Minister for Housing and what have you, could bring it back. We can agree the principle today. He is shaking his head, but I really think it would help Members and I cannot see the problem, if we approve the principle today, of bringing the details back for approval by this Assembly. If he is unprepared to do that maybe he could explain why.

**1.25 The Very Reverend R.F. Key, B.A., the Dean of Jersey:**

I just wanted to say something about the poor because the poor have figured in this debate and certainly I always listen when hardworking constituency Deputies like Deputy Martin speak about the poor. It seems to me that we cannot expect any one policy to be targeted at everybody we want to help. For example, I am a passionate advocate of a realistic level of minimum wage. I think that is really important.

**The Bailiff:**

Mr. Dean, I am very sorry to interrupt you but we are not quorate. Would you mind sitting down for one moment and may I ask Members in the precinct to return to the Chamber as soon as may be.  
Mr. Dean.

**The Dean of Jersey:**

I wanted to say one or 2 things about the poor. You cannot expect, I do not think, Sir, every policy to target everyone you want to help. I am a passionate advocate of a realistic level of minimum wage because it helps the poorest. However, if when you set a minimum wage those just above the minimum wage insist on maintaining old style craft differentials and that goes all the way up the economic ladder all you do is fuel - I am sure the Minister for Treasury and Resources will correct me if I am wrong - wage price inflation and then you end up with the poor poorer than they were at the start. It seems to me that here we have a proposal - and I totally accept everything about: "Yes, I would have loved another umpteen pages of detail"- that is a small trial on something that will help some people. Will it help young couples that I give wedding licences to in very low paid jobs who already have 2 or 3 children when they appear in my study to get their wedding licence? I am delighted to see them getting married, I am delighted to see them putting down roots in the community. No, my guess is they will be in social housing for many years to come which is why we expect the Minister for Housing and his officers to keep a very careful track of the need for the numbers of social housing in one-bedroom, 2-bedroom, 3-bedroom and 4-bedroom because this year will not be the same as 10 years' time and that is why we need that tracked and provided for. Will this policy do something for those above whatever the Gateway thing is? No, it will not but

that does not mean we should not do something that will help this tranche of people. Having listened, I think, to almost every speech, apart from the hour I was chairing the Ecclesiastical Court, I am very concerned that we are in danger of not doing something because we cannot do everything. I look forward to Scrutiny or the Ministers keeping us very, very informed because it does seem to me it is all our responsibilities. That we should combine a policy that releases an amount of building land to help those who can afford, with the right number of social housing units to help those who can never afford, with innovative schemes to help those that need a hand up not a handout, seems to me a sensible joined-up housing policy and it is worth giving it a go. **[Approbation]**

#### **1.26 Connétable J.L.S. Gallichan of Trinity:**

I will be brief but I must say I was delighted to see this proposition this morning. Being one of the fortunate Constables who has had land gifted it always was a problem and may be in the future, I still have one major battle to go of course. We have all heard about we need more houses but next week we have to come and hopefully rezone my field that I have had gifted. The Parish is very fortunate to have a benefactor who gifts a field to a Parish and it was always really on the idea of the present Minister for Planning and Environment because he wanted affordable homes. I think we all want affordable homes. The problem with affordable homes is that sometimes you start with what you think is affordable, then you have another child or maybe 2 children and that house then has to be sold because it is not quite big enough as you thought in the first place, so you move on. Now, through having a field gifted, the Parish has the opportunity to go and develop a house which is one which we will hope will be desirable for people to stay there for most of their lives, so that if they do have another child maybe in the future they can extend that property by developing in the roof. If they can afford in a few years time to build a garage or something like that to add to their property they can do that also. The main thing is we can afford to build fine properties which the younger generation can afford. What I do like about this is this 35 per cent retention by maybe the developer or the Parish because that was a great concern to me that when somebody has gifted something to a Parish, as valuable as the asset that has been gifted, how do I control vast speculation on property profits and I think this helps me a great deal. I could imagine me having many, many committee meetings to try and solve a way how I stop people making a vast profit on the fine house they have had built for them through somebody being a benefactor. This, I think, is a fine way forward. I hope that if you rezone my field next week that we will show you the way. Trinity is a responsible Parish; we have fine houses; we have a fine community - the one thing we must do is keep this community going. It is all very well to say we do not want to build on green field sites. Anybody who has the pleasure of driving through Trinity, that is all we have is green fields, and I have an excellent community which supports the Parish right through the whole municipality. I want to keep that Parish going and I need youngsters to come in; the school has availability, **[Approbation]** we have no problem, but I must say that this projet does give me a bit of comfort, because I know it is not easy. Nobody wants to see somebody have a house at an affordable price to suddenly see it sold and they have made £150,000 and walked away. I do not want that in my Parish if I can help it and to me, Sir, this is a great asset and it gives me comfort to go forward. I will be definitely supporting this proposition. **[Approbation]**

#### **The Bailiff:**

I call on the Minister to reply.

#### **1.27 Senator F.E. Cohen:**

I would like to thank all Members for their comments, both positive and negative. Firstly, I would like to clarify a point raised by the Deputy of St. Mary. I am sorry if I gave the impression that I had invented the term “shared equity”. I most certainly did not. In fact, I was introduced to it by my friend and predecessor Senator Ozouf, and I now understand that there may have been others before him. **[Laughter]** However, that does not mean that in any way it reduces my absolute

commitment to the principle of shared equity for we live in a community where home ownership is to some extent a measure of the way we feel about ourselves and the way others feel about us. This is effectively a pilot proposal. This is a proposal of establishing a principle today and then from today developing the precise mechanism that will be used to deliver the proposal. I note that there were a mix of those who were against the proposal because they were against the proposal and a mix of those who were concerned about the lack of detail. I do understand the concerns about lack of detail; however I think it is important to realise the role of the Minister for Planning and Environment. Rather like in the Masterplan it was my job to bring forward the proposal and then to work later in developing the process to ensure that an application, should there be one, meets the Masterplan, in this case I regard my obligation in terms of bringing forward a proposal to amend the Island Plan to be that of establishing the principle. I do not believe, I am sorry to say, that it would have been particularly helpful had I brought to the Assembly today a proposal accompanied by a 300-page memorandum and articles of association of a proposed not-for-profit organisation, together with a 100-page sample contract and other various pieces of legal advice, that that would have in any way helped the debate or in any way shortened the debate because we have effectively spent a full day at it already. It is important to recognise that the principle of shared equity is not about reinventing the wheel. I do take on board the point raised by Deputy Martin that why have we not just got on with it and used one of the examples from the U.K. Firstly, our legal framework is different and, although Members may find it surprising, it has taken a great deal of time to take the principles of the various schemes available in the United Kingdom - and they are various and very varied - and to convert those into something that is acceptable in terms of the Jersey legal framework. I am also aware that Members seem to have had some difficulty understanding the principles of the scheme. They were laid out in the report and proposition on page 5 but just to go over them, in very simple terms the proposal works like this. On the remaining H2 sites the element of housing, being 45 per cent, that would previously have been sold as social rented housing will now be, if this is accepted, proposed to be sold under the Jersey Homebuy shared equity scheme. Those units will be sold to individuals who qualify according to a Gateway to be established by the Housing Department. A qualifying purchaser will then purchase the whole of the property but pay only 65 per cent of the value. The value does not mean a figure dreamt up by a greedy developer. It is the figure that the Housing Department recognise as being the correct value for an exact property of that type, finished and fitted-out to the standard of that particular property, and from that price will be deducted 35 per cent. So the developer will not be able to manipulate the scheme to get a higher price than the Members of this House would logically expect to be paid. The 35 per cent remains in the not-for-profit organisation. It only has a real value at the point the home owner chooses to sell the property and at that point they sell the property in the open market to only a first-time buyer. That first-time buyer pays the then prevailing first-time buyer price and, as I have already explained, 65 per cent of it reverts to the vendor and 35 per cent goes to the not-for-profit organisation. The not-for-profit organisation is obligated to spend those receipts on the provision of further affordable housing. The reason we are not being prescriptive about exactly how they should spend that is because this is likely to be many years down the road and we do not know whether at that point there will be a shortage of social rented housing or shared equity housing or some other novel form of housing that does not presently exist. But what is clear is that the not-for-profit organisation will have to get approval for its proposal from the then Minister for Housing. They will not be free to do whatever they want with it. That is the essence of the scheme and bringing further details about precisely how the N.P.O. will be constructed or precisely how the Gateway will work or precisely what the legal framework will be does not change in any way those principles. What is important is that somehow we ensure that those finer details deliver the principle. The principle is not dependent on the finer details for its principle. The principles are very clear; we just need to be sure that the finer details are not used to manipulate the principle. Therefore, I propose to set up a working group and I have already given a clear undertaking in relation to Scrutiny. If reasonable States Members have a particular interest in joining that working group I am more than happy to include them in the group, either in the whole



or in part, and the group will bring forward and work on the various elements of the detail of the proposal. It may be that the group splits into parts, it may be that the group considers the detail as a whole, it may be that some members of the group have a particular interest in the construction of the N.P.O. and others have a particular interest in the construction of the Gateway, but it is an open invitation to join in bringing forward these details to a conclusion and I have given clear undertakings in relation to that. I would also add that as far as I am aware when the then States Assembly approved the rezoning of the H1 and H2 sites in the 2002 Island Plan and as part of it conditioned that 45 per cent should be directed towards social rented housing, they did not ask to examine in great detail the financial modelling that was being used to deliver the price at which the developer was required to sell the units to the housing association. So you are not being provided in any way with less detail than is usual and most importantly, as I said at the start, this is a pilot. Members will have a second opportunity to consider these issues as and when the matter is brought to the States as part of the Island Plan Review, for the proposals presently before you relate only to the existing H2 sites. This will deliver around 60 houses under the Jersey Homebuy scheme. It will deliver 60 houses to young Island families who presently do not own their own homes, and those of us who are fortunate enough to know what it feels like to own our own homes will know just what pleasure we will be bringing to those families if we approve the principle. The houses are real houses, some of them are under construction at the moment, and if we fail to deliver the principle then we will fail to deliver those houses to those needy Islanders who are desperate to get on the housing ladder. Deputy Martin raised the question of how quickly can we work. Well, I can work very quickly and if the members of the group are happy to work hard and meet regularly then we can bring forward final details very quickly indeed. I think certainly by the end of the summer we should have a framework that not only deals with the final details but has been circulated to States Members, their opinions invited and their valid views taken on board. So I do not think it is a terribly hard task because most of the task is a professional task that will be carried out either by the Law Officers, the Housing officers, or by specialists. So we can move quickly and I think we can bring the matters to a conclusion relatively quickly. Deputy Southern raised an extraordinary issue. He seemed to think that this was something to do with the elections. Well, he may not have realised but I am not standing for election in October and therefore I have no interest in manipulating policy in any way whatsoever in relation to the elections. If I could have brought this forward to the House the date I was elected I would have done so. I have been pushing and pushing and pushing to try and bring this forward and this, I assure Members, was the earliest time I could possibly bring this to the House. We have heard matters raised in relation to the effect of the finance industry. We are all deeply fortunate to benefit, either directly or indirectly, from the successful economy that prevails in the Island that is based largely on the finance industry and one of the effects of a successful economy, as in virtually every other successful economy, is a significant increase in house prices, particularly in a jurisdiction where we test ourselves against home ownership. There is nothing we can do about that. Price intervention does not work; it has been tried in other jurisdictions, it has been tried in the Channel Islands and it fails. But this is an opportunity of delivering to those who cannot afford to purchase at the present prices a piece of home ownership. They can feel the pride of owning their own home and they can feel that they too have benefited from the economic prosperity, indeed the economic miracle, of Jersey. I for one would be desperately sad if we took that opportunity away from them. I can wholeheartedly and honestly say that I believe that this scheme that we are proposing today, subject to sorting the final details out, will be the best in the British Islands. It is the only one that I am aware of where we will not be seeking to charge interest on a monthly basis or a quarterly basis on the element of the property that is not purchased for that is in the ownership of the not-for-profit organisation, there is no charge and there will be no annual ongoing charge either. So the developer will be expected to bear the cost of maintaining the N.P.O. The Constable of St. Peter raised the issue of the retrospective element of this proposition. It is effectively just that, because we are talking about a proposal that deals with sites already rezoned and to some extent already under construction but that is where the opportunity is. It is because houses are under construction that we have this real

opportunity and we either believe or we do not believe the Minister for Housing's view that we do not need further social rented housing at this particular moment; it may change but at this particular moment. So this is an opportunity to quickly react to the market and to convert those units that were destined for social rented housing into something that we believe today is more needed as shared equity Jersey Homebuy. We heard questions about who will benefit, whether middle income people will benefit from this. There is an opportunity for those in the middle band to benefit from this and this is what this scheme is really designed to deliver. Questions were raised, particularly by Senator Norman, in relation to people being trapped in these homes because they cannot move up. These homes are homes that many would be happy to remain in all their lives. These are first class, high quality homes and they are designed to enable people to remain in them for the vast majority of their lives. I accept, because of the nature of the scheme, that very clearly you will need to have a significant change in circumstances to move the next step up but there are many people who have remained in their first-time buyer homes for very long periods and the beauty of this scheme is that we will be delivering home ownership to those who benefit from the scheme. We have heard that the economic effects of this proposition will be detrimental to house prices generally. I really cannot understand the economic logic that is behind that. We are talking about the provision of 60 homes in the marketplace. It is, sadly, not a large number but it is an awful lot better than no houses at all and the one advantage is it cannot have a significant impact on the economics of house prices. When the matter comes back to the States for further rezoning in the Island Plan review, at that time it would, of course, be appropriate to have a full impact assessment of what rolling-out this proposal will have at that stage on all further developments. But, to be clear, this relates only to the existing 60 or approximately 60 houses and the matter will be brought back to the States for further houses as part of the Island Plan review debate. We heard also issues raised about land tax and to somehow or other try and get some public benefit out of rezoning. That does not relate to this proposition but it most certainly does relate to future rezoning. I am more in favour of driving further public benefit out of rezoning through planning obligation agreements rather than formalised land tax but I am open to both concepts and, of course, the matter would be debated by the States at a future time. I think that that has pretty much covered the points. There were a lot of points made, many of them were duplicated or answered by other speakers. I hope I have answered all the points. I can conclude by saying that I urge Members not to disappoint hard working families of this Island who are desperate for this decision today. I maintain the proposition and call for the appel. **[Approbation]**

**The Greffier of the States (in the Chair):**

The vote is for or against the proposition of the Minister and the Greffier will open the voting.

| <b>POUR: 38</b>           |  | <b>CONTRE: 5</b>         |  | <b>ABSTAIN: 2</b>          |
|---------------------------|--|--------------------------|--|----------------------------|
| Senator F.H. Walker       |  | Senator S. Syvret        |  | Deputy A. Breckon (S)      |
| Senator W. Kinnard        |  | Deputy J.A. Martin (H)   |  | Deputy G.C.L. Baudains (C) |
| Senator T.A. Le Sueur     |  | Deputy G.P. Southern (H) |  |                            |
| Senator P.F. Routier      |  | Deputy of St. Ouen       |  |                            |
| Senator M.E. Vibert       |  | Deputy S. Pitman (H)     |  |                            |
| Senator P.F.C. Ozouf      |  |                          |  |                            |
| Senator T.J. Le Main      |  |                          |  |                            |
| Senator F.E. Cohen        |  |                          |  |                            |
| Senator J.L. Perchard     |  |                          |  |                            |
| Connétable of St. Ouen    |  |                          |  |                            |
| Connétable of St. Mary    |  |                          |  |                            |
| Connétable of St. Peter   |  |                          |  |                            |
| Connétable of St. Clement |  |                          |  |                            |
| Connétable of St. Helier  |  |                          |  |                            |
| Connétable of Trinity     |  |                          |  |                            |

|                              |  |  |  |
|------------------------------|--|--|--|
| Connétable of Grouville      |  |  |  |
| Connétable of St. Brelade    |  |  |  |
| Connétable of St. Martin     |  |  |  |
| Connétable of St. Saviour    |  |  |  |
| Deputy R.C. Duhamel (S)      |  |  |  |
| Deputy of St. Martin         |  |  |  |
| Deputy C.J. Scott Warren (S) |  |  |  |
| Deputy R.G. Le Hérisier (S)  |  |  |  |
| Deputy S.C. Ferguson (B)     |  |  |  |
| Deputy P.J.D. Ryan (H)       |  |  |  |
| Deputy of Grouville          |  |  |  |
| Deputy of St. Peter          |  |  |  |
| Deputy J.A. Hilton (H)       |  |  |  |
| Deputy G.W.J. de Faye (H)    |  |  |  |
| Deputy P.V.F. Le Claire (H)  |  |  |  |
| Deputy D.W. Mezbourian (L)   |  |  |  |
| Deputy of Trinity            |  |  |  |
| Deputy S.S.P.A. Power (B)    |  |  |  |
| Deputy A.J.D. Maclean (H)    |  |  |  |
| Deputy K.C. Lewis (S)        |  |  |  |
| Deputy of St. John           |  |  |  |
| Deputy I.J. Gorst (C)        |  |  |  |
| Deputy of St. Mary           |  |  |  |

**Deputy P.V.F. Le Claire:**

I am just wondering, Sir, looking at the time, given the business, whether or not we might want to consider or ask the president of P.P.C. (Privileges and Procedures Committee) to consider whether or not we should take a moment to reflect upon the outstanding business at this stage or whether we should continue.

**The Greffier of the States (in the Chair):**

It will need to be addressed at the end of today's meeting. Members, I think it is a timely reminder for Members to look at the list that was circulated yesterday by the chairman and perhaps Members will be better placed to consider that in an hour or so's time but I think with time as it is we should press on with the next item, which is the Strategy for Inclusive Vocational Day Services and Employment.

**2. Strategy for Inclusive Vocational Day Services and Employment (P.101/2008)**

**The Greffier of the States (in the Chair):**

I ask the Greffier to read that proposition.

**The Deputy Greffier of the States:**

The States are asked to decide whether they are of opinion to receive the Strategy for inclusive vocational day services and employment for people with a learning disability and people on the autistic spectrum as set out in the appendix; and (a) to request the Ministers for Social Security, Education, Sport and Culture, and Health and Social Services to review and consider this Strategy and take all necessary steps to support its implementation in order to find solutions to reduce pressures on existing services in providing appropriate work and vocational day service opportunities for people with learning disabilities and people on the autistic spectrum; and (b) to request the Chief Minister to incorporate funding arrangements within the 2009 Annual Business Plan to enable any solutions that are identified to be implemented.

## **2.1 Deputy I.J. Gorst:**

It gives me great pleasure to be able to present this Strategy for inclusive vocational day services and employment for people with a learning disability and for people on the autistic spectrum. Often in this place it is possible to either ignore or overlook the personal impact of legislation and strategies that we either approve or reject. I would therefore like to start by telling the story of a young adult - shall we call him Nick? Nick is an intelligent person but has a learning disability. He is now 22 years of age. He left Highlands 2 years ago and while he does have interaction with Jersey Employment Trust on a sessional basis he essentially has remained unemployed since he left Highlands, as I just said, over 2 years ago. Nick's story unfortunately is similar to many others. I was approached by his father concerning the difficulties that he was encountering which took me, in turn, to the Joint Secretariat Executive Board for People with Special Needs, where it quickly became apparent that Nick's story was not unique. In fact, it became apparent that there was a current gap in provision for people like Nick. In May 2007, the States launched a social policy framework, and I would like to quote from the Chief Minister's forward, which states as follows: "Helping individuals to help themselves, their families and neighbourhoods is central to this approach." That is the approach of the social policy framework: "Everyone has a stake in the outcome. It is not Government's job to tell people what to do. Its duty is to challenge ingrained social attitudes and to ensure an understanding of individual lifestyle decisions and the implications for them of both the individual and the wider community. Government has a key role in addressing the economic and social conditions that are beyond the control of any single individual. Intervening to provide support to people at critical transition points in their lives and providing protection for those in need." That forward could, indeed, have been written for this Strategy. That policy framework suggests 3 key principles upon which all major policy initiatives should be assessed, and the 3 principles are these: promoting independence, supporting those at risk, and protecting those in need. This Strategy, Sir, is quite clearly built around these 3 key principles. Although Jersey has a good baseline and some exemplar services that support this particular client group, the level of resource has simply not kept pace with the change in service provision, nor with the growing demands and increased aspirations of this group. The report identifies the following gaps in service provision. There is a growing number of people who have either no or limited access to daytime services that provide them with a means to progress with their ambitions towards meaningful employment or daytime occupation. Over 100 people have stated that their level of service does not meet their expectations or their requirements. There are numbers of young people with a disability who currently receive additional support in schools and college that do not have provision or resources allocated for them when they will leave fulltime education. There is also a lack of provision for people with a disability that find it difficult to compete in the open employment market. Over 90 people are reported to require an alternative form of sheltered employment and employment support. Having identified these gaps, the Strategy then proposes a number of service developments to assist in resolving these issues. They, Sir, have been broadly broken down into 3 areas: employment support, preparation for employment and sheltered work. I would summarise those 3 areas as follows. Under employment support it is proposed that there will be a dedicated transition service that starts for young adults in year 9 providing seamless transition from full-time education into vocational training and employment: vocational guidance, action

planning, job training, work experience, individual tailored job searches, job application and interview support and advocacy. Also initial intensive on-the-job training through to ongoing support in their new employment. Also, quite critically, it proposes capacity building for employers to help them to see beyond the perceptions of the person's disability and to help them to focus on that person's abilities and strengths, delivering disability awareness training, adapting tasks or training procedures to facilitate employing people with more significant disabilities. Under the area of preparation for employment it is proposed for social and life skills courses, independent living skills training, confidence-building and helping with various aspects of day-to-day home life, thereby enabling them to be better suited also for the employment arena; the provision of therapeutic or voluntary opportunities which would lead to meaningful daytime activity. Under sheltered work it is proposed to provide work opportunities in administration, further enhance wood recycling and reclamation facilities, for those people who cannot compete at this current time in their lives in the open labour market. It is also proposed to further explore the feasibility of future projects and future sheltered work options. While a large amount of work has gone into both defining the extent of the problem and into the proposed solutions, I am aware that it might be the case that individual departments consider that they are able to finesse some of their existing provision to provide different solutions, but nevertheless to provide solutions. I say this, Sir, to show that I have purposely drafted the proposition in the way that Members see it before them to allow and to enable departments to work together to support the Strategy and to ensure appropriate solutions are found. While this Strategy, to an extent, is prescriptive, I believe the proposition allows for flexibility which will be important in providing the type of tailor made solutions that these client groups require. This brings me to the thorny problem of financial and manpower implications. Members will have seen in appendix A a detailed breakdown of the proposed costs. I must be honest and say to Members that this proposition will, in all likelihood, add to the bottom line of States expenditure, as Ministers have indicated that they would not be able to implement the Strategy from within their existing budgets. However, Members will, I hope, appreciate that the proposition is structured in such a way as to maximise joint working, thus reducing the costs outlined in this appendix. The proposition also asks for these monies to be included in the 2009 Business Plan. I am aware that it might be difficult for departments to carry out the necessary joint working to allow all the solutions to be incorporated in 2009, and therefore, in all likelihood, it would seem unlikely that the full amounts of money indicated in these appendices would be required in 2009 and 2010 as indicated there. But, again, I believe flexibility is given with this proposition to the departments to ensure that some monies are forthcoming in 2009, because I should say, Sir, that this problem is here now and will not just be one in the future. Having said that, Sir, I must state that I believe that money spent on this Strategy would indeed be money well spent. This is an area, in my view, upon which Government should be spending money and perhaps spending less in other areas, but that is a debate for another day. Finally, I would like to take this public opportunity to thank all those involved in the authorship of this report and all who have supported it. I should like to pay tribute to the work of Les Amis, of Jersey Mencap, of Jersey Employment Trust, of Autism Jersey, and of J.E.N.D. (Jersey Employers' Network on Disability). I thank them for their work **[Approbation]** and I believe that we, as a Government and as an Island, owe them a debt of gratitude. I would also like to thank officers of the Department of Social Security, and Health and Social Services for their help in the formulation of this Strategy. I said at the start that it gives me great pleasure to present this report. It now gives me great pleasure to commend this Strategy to Members and to ask them for their support. Thank you, Sir.

#### **The Greffier of the States (in the Chair):**

Is the proposition seconded? **[Seconded]** Does anyone wish to speak?

#### **2.1.1 Senator P.F. Routier:**

Firstly, I would like to perhaps remind Members that I have a close association with the authors of the report, which is appended to this proposition. They may be aware that I am president of Jersey

Mencap, I am also chairman of Les Amis and also a trustee of the Jersey Employment Trust. But in saying that I do not have any personal financial interest in these voluntary organisations. In recent times it has become, as the proposer has said, that there is a problem to be resolved at the present time and it has become evident to me in my voluntary work that there is a growing need to address these issues. It was 2 years ago, I think, that parents and carers were becoming more and more concerned about the lack of suitable opportunities and vocational day services for people with learning disabilities and on the autistic spectrum. Some of those people voiced their concern in letters to the Chief Minister. At that time the Chief Minister asked for my opinion on the matter and I confirmed that it was my opinion that there was a need to introduce new services and also develop and extend existing services. At that time I was aware that it would be important to have a clear independent review and report because of my voluntary campaigning role for services for people with learning disabilities; I was concerned that perhaps if I was to lead on this subject that it might be seen I was just trying to further the aims of the associations, the voluntary organisation which I am involved with. I was delighted at that time that the Chief Minister asked Deputy Gorst, his Assistant Minister, to lead and co-ordinate the review and the development of the draft Strategy. Members will hopefully have had an opportunity to read my Social Security Department's supportive views of the Strategy. The department are prepared to work with the other departments to review the Strategy and to find ways of addressing the very real needs which are coming to the fore. A few words of caution are that although we have been able to fund some additional resources in recent times to enable a very basic improvement in services for some clients, our cash limit for 2009 does not enable the findings of the report to be adequately funded unless Members do agree to provide some additional funding. The report highlights some shortcomings in the present services which have emerged in recent times. It also points to some options for the development in the future. It is vitally important that the 3 Ministers - I am one of those - being charged with this proposition work together to review the findings and come forward with an appropriate way forward. Part (b) of this proposition asks that funds be included in the 2009 Business Plan. I am aware of the urgency of the request because there are students due to leave education at this present time during this year, and next, for which the current service will not meet their needs. While talking about the education service which is available to children with special needs, I can only praise it. It is a marvellous service which is provided by Mont à l'Abbé School. The Island can be really rightly proud. **[Approbation]** The Island itself, as I say, can be rightly proud of the commitments that we have shown as an Island for the provision that we provide for children with learning disabilities. So it comes to the situation where it turns in to be a great shame that we do not carry on that same level of commitment for the future for adults when they leave the education service. The problem that we, the States, face is that when teenage students are leaving the good service provided by education they are currently unable to receive appropriate support either in training or work opportunities. There is a case in point at this very moment which needs to be resolved immediately, as parents and carers are very concerned at the present time. There are a group of students who are in transition from Mont à l'Abbé School and I am pleased to say the education service have taken on the added responsibility for providing further education places at Highlands College for these students, with additional support. But, unfortunately, they do not have the ability to provide the additional support required on an individual basis to cover things like breaks and lunchtimes. These students do have high-dependency needs but there has been an inability of our services to cover those particular costs at the present time. I fully appreciate that Social Services do not have currently the funding for this and they do have difficulties, but I really hope that can be resolved as soon as possible because we would not want those students not to be able to take advantage of the offer that is being made by Highlands College. In fact, Sir, if they are unable to do that I believe it would be a disgrace. I do hope that this can be resolved. I am sure it will be. I have every confidence in Social Services that we will be able to find a way forward for these children in the very near future. I deliberately highlighted that particular issue because it is typical of a scenario a family or carer of a young person with learning disability faces on a regular basis during their lifetime when trying to piece together support for their child or young adult. The

Strategy report which is before us today has come about because there is a great concern that there are currently young adults with learning disabilities or on the autistic spectrum who currently have little or no opportunity for employment or vocational services. I do hope that Members will support this proposition and enable the departments to develop services which are appropriate to today's needs. Once the departments have reviewed the documents it may take a few months to finally conclude the best strategy to proceed with. So, the funding requirements for 2009 will likely be lower, as the proposer has said, but it is needed - an amount of money is required to ensure that the urgent need of people coming through the system now, so that their needs are met. Although the exact funding requirement for 2009 has not as yet been resolved we do know that it would be perhaps a lesser amount than the full Strategy is suggesting. I would ask that Members recognise that there is an urgent need for 2009 and forward into the future and support both parts of the proposition in the knowledge that the full funding will not be used until the departments have concluded and agreed the exact strategy. I would like to thank Deputy Gorst for bringing this proposition on behalf of the organisations. He has put in a tremendous amount of work in co-ordinating this and I urge Members to show their support for people with learning disabilities and those on the autistic spectrum.

### **2.1.2 Senator S. Syvret:**

Very briefly. This seems to me to be a thoroughly commendable proposition and certainly I am not aware of any great controversy or opposition attaching to it. I certainly will be supporting it and I certainly hope the Assembly would. I would, with all due respect, draw Members attention to the huge backlog of business we have not only for this meeting but the next sitting as well. Given that this is an uncontentious and thoroughly supportable proposition, I really hope, even though Members have come with speeches and are determined perhaps to give them regardless, I really hope we can despatch this matter rather more quickly than we have been doing just lately.

### **[Approbation]**

### **2.1.3 Senator M.E. Vibert:**

I hope Members will forgive me speaking briefly on this and I do not believe I have made a speech in the 2 days so far and I am certainly not one of the Members that constantly speaks and repeats what other people have said in long tedious debates that get us nowhere. So, I do feel very strongly about this and I do believe, as one of the Ministers involved, I have got an interest in this and that I should make comment on this. But I will keep my comments brief. Sir, I believe we should be doing more, far more, in supporting vocational day services and employment in Jersey. My Education, Sport and Culture Department already provides extensive support for those with learning and other disabilities and those on the autistic spectrum while they are in education. I will mention the facilities so as Members are aware of them: Mont à l'Abbé School which the previous speaker referred to - and I thank him for his words of support - which caters for students with severe learning difficulties; our mainstream schools which cater for students with moderate learning difficulties as part of an inclusive approach; our communication provision which is available at 2 primary and 2 secondary schools for students with communication difficulties who are, for example, on the autistic spectrum; and Highlands College was also mentioned, which provides life skills and foundation courses which are targeted at students with learning and communication difficulties. As Senator Routier said, with effect from this September, Highlands will also be offering a resource base for students with communication difficulties with support from my department and I am sure we will overcome the problems that we have had about finding support for the non-teaching time that we need to do. We work closely with other States and non-States agencies in this area to target support where it is most needed. This is where we need joined-up work and I totally support working with the Ministers for Social Security and Health and Social Services to find solutions to this area. This is an area where more support is needed as we are painfully aware that there are adults with special needs who are not currently receiving optimum levels of support and enabling them to be in the workplace. It is a real concern for all involved in

the education of these young people as to the lack of support available when they leave education at the age of 19 or earlier. It is simply not good enough of us to provide the necessary educational support that is required and then effectively take away the necessary support upon adulthood being reached. It is a false economy and in some ways a waste, in a way, of all the good work and support that has gone into preparing these young people as best we can for life outside school, when we are not currently doing enough to make as fulfilling a post-school life as possible available. It is not right to build-up the aspirations of these young people only for this to be followed by disappointment. I support a joined-up approach and wish to co-operate and progress matters with my fellow Ministers. One option that I am interested in exploring is providing financial support tailored specifically to the needs of the individual throughout their lives, education and beyond. A level of support will, of course, vary according to needs. It may well also change over time and this would need to be taken into account when working out individual funding formulas. I want to see a type of approach developed that is lifelong and would help to avoid a situation such as at present when a young person is ready and willing to join the employment market but does not necessarily have the States support to enable him to do so. We all need to accept this is an area we need to address as a matter of urgency as more and more young people with special needs approach 19 and the prospect of leaving education with no gainful employment and inadequate support to look forward to. If this proposition is approved the Ministers concerned can work together and build upon the work that has already been done so as we can in future be proud, not only of our educational services for young people with special needs, but also how we support these people for the rest of their lives. Sir, I urge Members to support the proposition.

#### **2.1.4 The Connétable of St. Brelade:**

I received a few days ago an *e-mail* from the chairman of the Learning Disability Partnership Board and it is particularly poignant, and if Members will excuse me I would like just to pull out a short part of it. The person's son has left Highlands College some 2 years ago, remains unemployed and: "While the Employment Trust does what it can for him he is by no means fully occupied. The lack of funding for Jersey Employment Trust and consequently Oakfield Industries and Acorn Enterprises means that there are not the opportunities for people to attend these places of sheltered work for any lengthy periods. This is not to criticise the works that Jersey Employment Trust do but merely to explain the situation. They do well given their limited resources, and while I believe they may have secured a little extra funding this year on the one-off basis I do not believe they have had any increase in earlier years. This is despite the significant increase in the number of people using their service." I would just hope that Members will feel able to support the proposition as there is no doubt there needs to be further funding so that those with learning disabilities or autism may be given the best possible chance for a more fulfilling and socially inclusive life.

#### **2.1.5 Deputy D.W. Mezbourian:**

As Senator Syvret has urged us to be brief I will indeed be attempting to be just that. Earlier this year, Sir, the Minister for Education, Sport and Culture came to the Scrutiny Panel and advised us that he had identified as a funding pressure for 2009 an amount of £370,000 for Mont à l'Abbé School, which had been identified because it is a difficult area to budget within. The Minister told us that often unexpected cases can occur which obviously they are unable to budget for in advance but yet they are then faced with very real issues to provide support to people with learning disabilities. They cannot legislate for the birth of a child with a learning difficulty. That child has to be accepted into the education system through, very often, Mont à l'Abbé School and we know, of course, that people move to the Island bringing perhaps a child with them that has to be accommodated, again at Mont à l'Abbé. The panel felt immediately that we needed to look at this problem that the Minister had told us he had identified because we were immediately concerned about the impact that not having a full budget to successfully run Mont à l'Abbé School for next year and for future years, would have on the children who go there, on the families of those



children, and on the staff themselves. We decided to undertake a review and as part of that review we made a visit to Mont à l'Abbé School and I can only say, Sir, that until I visited the school at Mont à l'Abbé and the part at Haute Vallée I had absolutely no idea what many parents and families in this Island have to cope with on a day-to-day basis. I have been fortunate to not have to deal with learning disabilities in any area of my family life and my heart went out to those families who do have to deal with this, and I recognise the commitment made by the staff at Mont à l'Abbé School to deal with all of the pupils there in a caring manner. The effort and support given to them was laudable. We saw it in every area of the school. As I said, Sir, I do not want to take too much time but the main concern that I believe came across from the staff when they spoke to us as a panel was not the fact that they have to deal with these children on a day-to-day basis, because they know - the staff know - that they are giving them the care and the attention that they need and that they deserve. The care and attention that prepares them, in fact, for when they leave school and that was the problem; that the staff felt was that we, as a society, through funding Mont à l'Abbé School with all the resources that it has, prepare these young people to go out and become part of society and yet as soon as they leave the school very often, as the Minister has said, and as Deputy Gorst has said, they are faced with the problem of not being able to find employment. So we are preparing them to stand alone as citizens, as young people, who can, in many instances, look after themselves albeit with some support and it is that support that we are not providing. So what are we doing to these young people by giving them the encouragement, building-up their self-esteem and then immediately taking it away because we do not do anything to enable them to find employment in the workplace to make them feel that they are part of an inclusive society? That came across so strongly to me, Sir, and as I am able to tell Members, it is only a matter of maybe 4 or 5 weeks ago that the panel visited Mont à l'Abbé and learned of these very real problems. So, Sir, I have to say that I, as I am sure everyone else in the House will be doing, will be supporting Deputy Gorst. If we are determined to have as an inclusive a society as we possibly can we need to start building towards that now. This, Sir, is one positive step where we can all say that we are behind the 3 Ministers involved with this to enable our young people with learning disabilities to become part of a socially inclusive society within Jersey. Thank you, Sir.

#### **2.1.6 Deputy J.A. Hilton of St. Helier:**

Two weeks ago I had the great pleasure of attending the leavers ceremony at Grainville School - 8 young men in the Communications Disorder Provision - and it was a fabulous occasion because it was occasion to celebrate these young men who had been together, the great majority of them from the age of 4, so it was good to be there to celebrate the fact that they had come through school and they had all achieved extremely well. They had finished their G.C.S.E.s (General Certificate of Secondary Education) and in the main they were going on to Highlands College accessing other courses there. Although it was a time of celebration for us, I have to say I was filled with a certain degree of trepidation because I was very much aware that they had had the benefit of a fantastic education since the age of 4, absolutely brilliant support from the schools that they attended and the staff who have helped them on the way. Hopefully they were going to get a similar level of support when they went to Highlands. I still felt, to a degree, fearful because I know their long term future is so uncertain, and this is why today I am very pleased that Deputy Gorst has brought this proposition to the States and I do hope that Members will be able to support it, because as previous Members have said, our education system at the moment is putting so much into these youngsters and then to find that maybe in a couple of years' time when they finish at Highlands they are effectively on the rubbish heap with basically nowhere to go, is really quite distressing for parents. I was looking through this little book of Jersian figures earlier and when I see that the gross national income of Jersey in 2006 was £63,000 compared to the U.K. figure of £36,000 and a world average of £10,000, it made me realise how little we have done for the most vulnerable in our society, and really, I believe, it is quite shameful. I think the people with learning difficulties and special needs have been treated as the Cinderella of the Social Services Department for a very long time. It is not their fault, but it is just the way the funding issues have been decided and it is about

time we started doing a lot more for these young people. They just deserve so, so much more. As far as I am concerned, I think Deputy Gorst made some reference to he did not quite know where the funding was going to come from, and I do not believe the funding is in the 2009 Business Plan. I really do hope that the Ministers and the Council of Ministers are going to go away from here today, and I certainly know when the Chief Minister addressed the Jersey Mencap Annual General Meeting 2 years ago he did speak about an inclusive society and doing a lot more for these young people. So, I really do hope that the Ministers involved and the Council of Ministers will go away and find the funding to support this proposition. As far as I am concerned I believe that we should be investing a lot, lot more in our social services, in our services for those with special needs and basically I will just leave it there. Thank you.

#### **2.1.7 The Deputy of St. Ouen:**

I stand in full support of this proposition, however I am rather saddened that we have to be debating this proposition and the fact that this has not been dealt with and properly dealt with in past years. I have met and been fortunate, I would say, to have met a number of parents and young individuals who have special needs. I do believe we have let them down, and I think we have let them down a number of ways. As pointed out in this proposition, there are at least 3 or 4 departments that are involved in providing all sorts of different bits and pieces of provision to provide for these young people, and it has clearly not worked. Just to give you an example, the group of individuals that oversee the needs of these young people count 22 - 22 individuals, including the Secretariat. But the problem is, because there are 4 departments there is no direct accountability, there is no one person taking responsibility, and it is an issue that I noticed Andrew Williamson had flagged-up regarding the vulnerable people. Same thing. I think we have got to get much smarter and deal with these people in a more holistic approach. We have got to break out of this silo mentality and this bit is mine, that bit is yours. Let us give and provide properly for these people. I would just like to tell you a brief story, and it is a rather poignant one. I attended a meeting at Mont à l'Abbé one evening, and I met a father and the father turned around to me, he said in our discussion: "I wish my child had never gone to school." I said, obviously rather surprised: "Why do you say that?" But he said: "What has happened is that throughout his schooling my child has been given the expectation that if he does well at school and he can finish his education he will gain some form of employment." I said: "So what is the problem?" He said: "Well, the reality is that my son has now finished school and he is spending 7 days a week in his bedroom at home." If ever there was a poor indictment for how we treat and attend individuals I think that is it. All these adults and young adults want is to play their part in our society and I believe that certainly this proposal will go a little way in helping them to achieve that.

#### **2.1.8 Deputy C.J. Scott Warren:**

I have been very aware of this serious gap in provision while I was a member of the board of the Jersey Employment Trust. This gap, Sir, is inexcusable in this Island. I took the opportunity last year to raise this matter with the Council of Matters and I did get the impression that the Chief Minister was certainly ... they agreed that something needed to be done about it. They were signed-up mentally to doing something about this. In my opinion, and I hope all the Members of the House, this funding should already have been included in the 2009 Annual Business Plan. I would also like to say, Sir, on a ... because it is linked that if Members look at the Medical Officer of Health's annual report, page 13 under recommendation 24, it also appears that we need to develop vocational employment services for those who have suffered mental illness as a stepping stone back to work - and as I run a local charity, Sir, I was aware of the fact of this need as well - but coming to this proposition, Sir, I have to say that I cannot think of a more worthy area for which to ask for these funds. I commend Deputy Gorst for bringing this proposition to the States. I am sad that he has had to do so because I do not think he should have been put in the position of needing to do this. I am sure all Members will support this proposition.

#### **2.1.9 The Deputy of St. Mary:**

Deputy Gorst has chosen to focus on 2 particular areas here in his proposition, Sir. Those are concerned with learning difficulties and the autistic spectrum disorders, and I totally and wholeheartedly commend him for what he has done. Senator Vibert, though, said that what we needed to do was build on the work that had already been done. In support of that I would hope, Sir, that out of this work may also lead to some other work on other spheres of disability such as profound physical disability which also are a tremendous strain and have a tremendous need. This, Sir, is the place to start. There is still more work to be done. Thank you, Sir.

**2.1.10 Deputy J.B. Fox of St. Helier:**

That is exactly the point that I was wishing to bring up. I too am on the board of the Jersey Employment Trust and much has been done there, and indeed I commend Deputy Gorst in bringing up this particular area. Much has already been done but there are gaps and we should recognise that people like Helen Clark from the Inclusion Project to the Youth Services supplying a very valuable area for constructive recreation 3 nights a week or 3 parts a week, and St. Helier have been providing some support as well financially towards it, and I am sure we will continue to do so as will many others. The thing I was particularly proud of is that people like the Hot Shots, which is a Duke of Edinburgh Award that originates from Mont à l'Abbé have so far managed, I think, the total is 9 gold Duke of Edinburgh medals that have been achieved through the people that have come from Mont à l'Abbé and possibly Highlands and elsewhere afterwards. So there is much going on and there is much needed right now. This is a progression step forward and rightly we need to extend that further. The new Skills Executive needs to take this area on board with all their other responsibilities they are looking in, to ensure that the young people not only are able to live independently after the school, and especially as their parents get older, but also to have the skills to be able to go out and do the work and have the nearest to a social life that you and I and everybody else needed. So I support this obviously. Thank you, Sir.

**2.1.11 Deputy P.N. Troy:**

I have been Assistant Minister since the inception of Ministerial government and prior to that, Vice-President of the Social Security Committee, and I must say that personally I have not received a large number of complaints about the service that we offer via Social Security which I feel is highly valued by many members of our community. The report does contain some criticism of the existing system and perhaps partly justified. But I do believe that Deputy Gorst must recognise that Social Security and the existing staff who are providing services are financially limited by the department's budget, and I do question how far off the ball we are on this because we have a team of people who are working to tackle these issues as effectively as possible and they are a dedicated team, and we do allocate significant sums of money to services in this area. As stated in the Minister's comments, Social Security has recently provided over £500,000 for a new building to increase the facilities available for employment focused training and it is suggested that the new facility may have contributed to a growing demand for these services, and that is perhaps why we are seeing some of the pressures on the system. In addition the Social Security Business Plan for 2009 already makes provision for a grant of £870,000 to the Jersey Employment Trust which includes additional funding of £120,000 in response to increased demand. At Social Security I feel we are doing our best to allocate more resources to this area when the department's budget has been under pressure, but it has not been possible to put funds there. This is why it is important today to support the second part of the proposition to ensure that the funding comes forward. I am obviously in favour of setting-up a working party to review the proposed Strategy and would be prepared to participate in such a group. I commend Deputy Gorst for bringing this forward and ask Members to support the proposition.

**2.1.12 Senator J.L. Perchard:**

I was going to speak on the excellent report and proposition and the Strategy being promoted by Deputy Gorst but I will take the advice of Senator Syvret and his suggestion that there is no need.

It is a wonderful Strategy and I expect that Members will support it wholeheartedly. I am delighted that the Deputy of St. Ouen feels that he is able to support it and so enthusiastically because he is absolutely right. It must enjoy every Members support but there are consequences of supporting this Strategy: financial consequences. This Strategy develops new services, new services that have never been paid for out of departmental budgets, whether they be Health and Social Services, Education, also Social Services. These are brand new services, and they rightly should be provided. They will require brand new money and so, I say to Members who so enthusiastically support Deputy Gorst, when comes the time at the Business Plan when the Minister brings a proposition to extend the spending do not desert us; be there; be strong and we will deliver this wonderful Strategy and everybody can participate - whether it be Social Services, Health and Social Services and J.E.T. (Jersey Employment Trust) in engaging with these clients of ours who deserve what we can deliver them.

**The Greffier of the States (in the Chair):**

I call on Deputy Gorst to reply.

**2.1.13 Deputy I.J. Gorst:**

I would like to thank all Members that have spoken and thank them for their support of the Strategy. I think particularly if I could just mention 3 speakers. I thought that the Deputy of St. Ouen’s story of the experience that he had encountered really got to the crux of the problem here and really was an indictment upon our current provision. Yes, there are good services in place, and yes, people are working extremely hard and helping those, but I think that that story just got to the crux of the problem where the gap in provision currently lies. I should also just warn Members perhaps that the point that the Deputy of St. Mary raised I am only too aware of. Part way through this particular working party it became all too obvious that these 2 client groups were not the only ones that struggle in the employment market and perhaps we, as a Government, have let down all groups with disability. I am aware that the Social Security Department is aware of this and in an ideal world they would like to do a piece of work that reviews the Government and State provision to all these such client groups, but I suspect that that will be a piece of work for the next Assembly and not for us. I cannot let Deputy Troy’s speech go without a comment, Sir. I suddenly, as he started his speech, realised after all why we needed a garbage incinerator. **[Laughter]** However, I was pleased that towards the end he managed to recycle what he was saying and finished on a positive note, and was able to support this Strategy. I am not sure if he heard my opening comments or not, but I did indeed thank his department for the work that they have put in, not only in helping to formulate this Strategy but for the work that they do put in on a day by day basis to helping these client groups and other client groups in similar need, so I believe it is a little bit disingenuous for him to say that that is not being accepted. It most certainly has and those charitable organisations which come into contact with Social Security every day have praise for them and for the service and the funds that they do currently provide, Sir. This Strategy, in my view, goes to the very heart of what it means to be a fair, caring and socially concerned civil society. I, again, have great pleasure in recommending it to Members and I ask that today, yes, it will require, I suspect, new money but I do not believe that that is a reason that Members should reject it today. It is a fundamental role of what Government ought to be doing and if Government is not doing it I do not believe anyone will be doing it, so Sir I recommend it warmly to Members and I will be taking it complete, for without money the Strategy will fail, so I will just be taking it as a complete vote, Sir, and I call for the appel. **[Approbation]**

**The Greffier of the States (in the Chair):**

The vote is for or against the proposition of Deputy Gorst, the Greffier will open the voting.

| <b>POUR: 42</b>   |  | <b>CONTRE: 0</b> |  | <b>ABSTAIN: 0</b> |
|-------------------|--|------------------|--|-------------------|
| Senator S. Syvret |  |                  |  |                   |
| Senator L. Norman |  |                  |  |                   |

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| Senator F.H. Walker          |  |  |  |  |
| Senator W. Kinnard           |  |  |  |  |
| Senator T.A. Le Sueur        |  |  |  |  |
| Senator P.F. Routier         |  |  |  |  |
| Senator M.E. Vibert          |  |  |  |  |
| Senator F.E. Cohen           |  |  |  |  |
| Senator J.L. Perchard        |  |  |  |  |
| Connétable of St. Ouen       |  |  |  |  |
| Connétable of St. Mary       |  |  |  |  |
| Connétable of St. Peter      |  |  |  |  |
| Connétable of St. Clement    |  |  |  |  |
| Connétable of St. Helier     |  |  |  |  |
| Connétable of Trinity        |  |  |  |  |
| Connétable of St. Brelade    |  |  |  |  |
| Connétable of St. Saviour    |  |  |  |  |
| Deputy R.C. Duhamel (S)      |  |  |  |  |
| Deputy A. Breckon (S)        |  |  |  |  |
| Deputy of St. Martin         |  |  |  |  |
| Deputy G.C.L. Baudains (C)   |  |  |  |  |
| Deputy P.N. Troy (B)         |  |  |  |  |
| Deputy C.J. Scott Warren (S) |  |  |  |  |
| Deputy R.G. Le Hérisier (S)  |  |  |  |  |
| Deputy J.B. Fox (H)          |  |  |  |  |
| Deputy J.A. Martin (H)       |  |  |  |  |
| Deputy S.C. Ferguson (B)     |  |  |  |  |
| Deputy of St. Ouen           |  |  |  |  |
| Deputy P.J.D. Ryan (H)       |  |  |  |  |
| Deputy of Grouville          |  |  |  |  |
| Deputy of St. Peter          |  |  |  |  |
| Deputy J.A. Hilton (H)       |  |  |  |  |
| Deputy P.V.F. Le Claire (H)  |  |  |  |  |
| Deputy D.W. Mezbourian (L)   |  |  |  |  |
| Deputy of Trinity            |  |  |  |  |
| Deputy S.S.P.A. Power (B)    |  |  |  |  |
| Deputy S. Pitman (H)         |  |  |  |  |
| Deputy A.J.D. Maclean (H)    |  |  |  |  |
| Deputy K.C. Lewis (S)        |  |  |  |  |
| Deputy of St. John           |  |  |  |  |
| Deputy I.J. Gorst (C)        |  |  |  |  |
| Deputy of St. Mary           |  |  |  |  |

## ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

### The Greffier of the States (in the Chair):

Unless any Member wishes to propose otherwise I would suggest the Assembly has probably concluded the amount of Public Business that can be concluded and we should perhaps move to the arrangement of future business. I call on the chairman of the P.P.C.

### 3. Connétable D.F. Gray of St. Clement (Chairman, Privileges and Procedures Committee):

We have 5 items left on today's agenda and a very full agenda for 15th July, so what I propose is that the 5 items - P.77, P.36, P.61, P.67 and P.70- be put on the agenda for the September meeting, and to that end I would like to propose that we bring forward the meeting listed for the 9th to 2nd

September and that we have continuation days the 3rd, 4th, 8th, 9th and 10th to accommodate the very full agenda that we will have. That I propose, Sir.

### **3.1 Senator S. Syvret:**

Might I make an observation on that proposal? It is not one I can support. The Assembly has occasionally met in time that it has set aside for summer recess but only under the most pressing and emergency of circumstances. I do not think it is acceptable to come back earlier. Many Members may well have made holiday plans, they may well be out of the Island on that date, not unreasonably because we are not scheduled to meet then. So, whatever the solution might be to the business logjam, coming back earlier than the scheduled date I do not think is the acceptable solution. It may be that we could solve the problem if Members speeches were a little shorter.

### **3.2 Senator J.L. Perchard:**

I would agree with that, that useless propositions that stand no chance could also be withdrawn.

### **3.3 The Deputy of St. John:**

May I make a suggestion, Sir? As most parliaments do, they sit late. Would Members consider sitting later in order to get some of this work done, Sir. It is a precedent that is set by many other parliaments around the world yet we always seem to finish at 5.30 p.m.

### **The Greffier of the States (in the Chair):**

Can I just say from the Chair, there appear to be 2 items before the Assembly: the chairman firstly proposed that the items left over from today's meeting should be carried forward to September. There is then the second matter of when in September. I wonder if it is helpful to take them one at a time. I am not entirely sure which is the logical order to take them. Perhaps it would be logical ... are Members content that those items that were to be listed today are all moved to September or not?

### **3.4 Senator W. Kinnard:**

I do apologise to Members for this matter coming forward after several days of a very weighty agenda, and of course a huge agenda going forward. But Members, I think, may be aware that the issue in relation to P.61 was the matter of a recent court case and appeal and, indeed, the appeal has been stayed by agreement of both sides awaiting the outcome of the States debate. So, Sir, I would like to test the mood of the House and ask that in fact we do take it on the 15th.

### **3.5 Deputy F.J. Hill of St. Martin:**

Could I endorse every word of the Minister? We are in unity for once, well done. I do believe it ought to be, in fairness; also it has been put off already twice maybe 3 times, and I think it is totally unfair it be put right over again to September. I would certainly support what the Minister for Home Affairs is saying.

### **The Greffier of the States (in the Chair):**

The Minister for Home Affairs has proposed an amendment to the proposal: that is that P.61- Draft Marriage and Civil Status - should be taken, if possible, next week. Those Members in favour, kindly show. Any against? Very well. Do Members agree that the other items, the Sea Fisheries, Flu Pandemic, G.S.T. (Goods and Services Tax) Receipts, should be carried forward to September?

### **3.6 Deputy G.P. Southern:**

The G.S.T. Receipts I am quite happy to withdraw that for the moment, while I talk to retailers about the consequences of it.

### **The Greffier of the States (in the Chair):**

That matter is withdrawn. Are Members content the other items should be carried forward? Very well. Now, Senator Syvret has effectively spoken against the proposal of the chairman of the P.P.C. that the States should not meet early in September. Does any Member wish to speak briefly on that before we put it to the vote?

**3.7 Deputy P.V.F. Le Claire:**

I wonder, Sir, at what stage we could consider the counter option, which would be the 9th, 10th and 12th?

**The Greffier of the States (in the Chair):**

They are already set down.

**3.8 The Connétable of St. Brelade:**

If I may just comment, 2nd September is my second Visite du Brancage, so I shall not be present.

**3.9 Deputy G.C.L. Baudains:**

Briefly, Sir, while bringing it forward in September does not affect me - I would be quite able to attend - I realise it might affect some other people and I wonder if an alternative might be to ... because of a problem we have created for ourselves by having a 3 week period before each election whether we should not suspend Standing Orders and move into that area. As I recall the reason why we created the 3 week period before elections was so that States Members would not have an unfair advantage in the elections by electioneering in this Assembly. But, of course, it does work both ways, Sir, because it also means that we do not have the time to get out to go canvassing either, so I think it is broad as it is long.

**3.10 Senator T.A. Le Sueur:**

There was a second option put forward in the paper from the Constable which was to sit on the following Monday, the 8th, it would be a long week of 4 and a half days, but it would, I think, be a better option for many Members, including myself, than starting on 2nd September when I, for one, will be away.

**The Greffier of the States (in the Chair):**

I wonder if Members would be content to put this in 2 parts. Perhaps firstly the Assembly could vote on whether to come back a week early on 2nd, 3rd and 4th. If Members are content perhaps the issue of the 8th could then be taken separately. Those Members in favour ...

**3.11 Senator M.E. Vibert:**

Briefly, I just wondered, Sir, I want to be fair to all Members and I wondered if before we took the vote Members could show by standing up those who are unlikely to be here on the 2nd, so we get an idea of the quantity as well as... Senator Le Sueur has mentioned he will not be here - because we must have some idea. I think it would be wrong if there is going to be a number of Members away to even consider it.

**The Greffier of the States (in the Chair):**

Perhaps by light if Members are likely to be away. Some indication. Members may take note of who is likely to be away. Very well. Not working. Perhaps if Members stand. A considerable number of Members away, I think the ...

**Senator M.E. Vibert:**

Could I suggest in that case and ask the chairman of P.P.C. to withdraw that proposal because there just simply will not be enough Members.

**The Greffier of the States (in the Chair):**

Perhaps we could just discuss briefly the alternative of coming back on Monday, 8th September which gives one extra day.

**3.12 Deputy A. Breckon:**

I wonder if I could make a suggestion? The Deputy of St. John has hinted at something, but I do remember in the past, and perhaps it would sharpen Members minds and give a bit of focus if we started at 8.30 a.m. on every day next week and had a lunch hour from 1 p.m. until 2 p.m. That way, Sir, we might get through some of the business. There are some matters that perhaps have more debating points than others but although there is a long list some of them, hopefully, could be dispensed with fairly quickly and I think, Sir, we could get a longer day in for 4 days next week and dispense with much of the stuff and then we may be able to start at the end of the week where we are, because we still have not decided about the bovine semen issue. I do not know where we are with that, if that has to be taken or not. It has not been indicated. It is on the agenda but I am not sure, Sir.

**3.13 Senator S. Syvret:**

Could I oppose that suggestion? Many Members have children who they are preparing, breakfasting, taking to school, whatever at that time of day, and I think it is quite unrealistic to suddenly expect all those arrangements which people have to make to be abandoned in that way.

**3.14 Senator F.H. Walker:**

Also I have a series of meetings next week at 8.00 a.m. or 8.30 a.m., it is the only time that normal business can be fitted in at this point.

**3.15 The Deputy of St. John:**

Would Members not consider then working late as it happens in many other parts around the world? I am sure people could make arrangements, Sir, later in the evening.

**The Greffier of the States (in the Chair):**

We do seem to be straying to a lot of ideas all at once. I thought we were discussing at this stage the option of Monday, 8th September. We could possibly hold that over until the end of next week but do Members wish to take that decision now or take it next week? Let us put that to the vote. Those Members in favour of starting the meeting that was due to start on Tuesday, 9th September, one day earlier on Monday, 8th September. Very well, that is carried. That meeting will therefore last... because of Battle of Britain Day, it is scheduled to last for Monday, Tuesday, Wednesday, Thursday morning, and if necessary Friday, 12th September. I think, Mr. Chairman, we should come finally therefore to the business of next week, 15th July. Are there any matters you wish to add or any Members wish to comment on that proposal?

**3.16 Connétable K.P. Vibert of St. Ouen:**

I have a proposal to make, Sir, that we move forward on that day, P.107 - Vote of No Confidence: the Bailiff of Jersey - to the first item.

**The Greffier of the States (in the Chair):**

It certainly is convention in the Assembly a vote of no confidence is taken as the first item. Are Members content with that proposal? Very well. Do any Members wish to pursue the option of an early start or late finish at this stage?

**3.17 The Deputy of St. Martin:**

Could I propose that we sit on until 6.30 p.m. rather than 5.30 p.m.?

**3.18 Deputy J.A. Martin:**



I think Senator Syvret was maybe speaking out for me, but I am probably ... I have children, they are capable ... in fact, I am in here most mornings at quarter to 8, they are ready for school and on their way. I think it is absolutely sensible. We have got ourselves into this position and if I was working for any other boss and he said to me: "Make arrangements, we have got a heavy week ahead, can you come in at 8 o'clock", I assure you, Sir, I would have to be there. I really think it should be ... where most of you are men and if it is not 8.30 a.m. we sit to 6.30 p.m. of a night and possibly cut our lunch hour, because we all stay around here most of the time, an hour is sufficient. It will focus the minds. The Bailiff, when he was in your chair, Sir, said: "In your hands be it, we will sit until we finish." So if we do not get it going we may be here next Saturday or Sunday. Now, do people want that? I do not think so. I second the proposition, we either come ... well, which one? We either come an hour early or an hour later. I am not worried.

**The Greffier of the States (in the Chair):**

I think what I understand the proposal at this stage is an hour later, but ... Deputy Hilton?

**3.19 Deputy J.A. Hilton:**

I just wanted to say very briefly, unlike Deputy Martin, yes, I have school age children and, no, it is not possible for me to get here by 8.30 a.m.

**3.20 Senator F.E. Cohen:**

I, as a number of other Ministers, start my meetings very early in the morning and need the time until the regular start at 9.30 a.m. to carry out my normal Ministerial meetings. I have already got people backed up waiting to see me.

**3.21 Deputy J.B. Fox:**

I was just going to say, I was going to ask for an excusé again because I have one of your appeals, I think, for next Tuesday subject to confirmation.

**3.22 Deputy A.J.H. Maclean:**

Just one consideration: we could speed through the agenda a lot more quickly if Members would consider limiting speeches. [Approbation] It does strike me ... [Laughter]

**The Greffier of the States (in the Chair):**

I think we could be here until 6.30 p.m. this evening deciding this. Can I put to the vote the proposal which I understand is before the Assembly, that the Assembly next week sits until 6.30 p.m. instead of 5.30 p.m.

**Deputy J.A. Martin:**

Can we have the appel please?

**The Greffier of the States (in the Chair):**

The appel is called for.

**Deputy J.A. Hilton:**

I was just going to say could we start at 9.00 a.m. as a compromise to people?

**The Greffier of the States (in the Chair):**

I think we risk going round in circles, Deputy. We can review the position during the week, if it is clear by Wednesday or Thursday. The vote is open for those Members. The proposal is the Assembly sits until 6.30 p.m. next week.

|                   |  |                        |  |                            |
|-------------------|--|------------------------|--|----------------------------|
| <b>POUR: 41</b>   |  | <b>CONTRE: 2</b>       |  | <b>ABSTAIN: 1</b>          |
| Senator S. Syvret |  | Deputy of Grouville    |  | Deputy G.C.L. Baudains (C) |
| Senator L. Norman |  | Deputy J.A. Hilton (H) |  |                            |

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| Senator F.H. Walker          |  |  |  |  |
| Senator W. Kinnard           |  |  |  |  |
| Senator T.A. Le Sueur        |  |  |  |  |
| Senator P.F. Routier         |  |  |  |  |
| Senator M.E. Vibert          |  |  |  |  |
| Senator F.E. Cohen           |  |  |  |  |
| Senator J.L. Perchard        |  |  |  |  |
| Connétable of St. Ouen       |  |  |  |  |
| Connétable of St. Mary       |  |  |  |  |
| Connétable of St. Peter      |  |  |  |  |
| Connétable of St. Clement    |  |  |  |  |
| Connétable of St. Helier     |  |  |  |  |
| Connétable of Trinity        |  |  |  |  |
| Connétable of St. Brelade    |  |  |  |  |
| Connétable of St. John       |  |  |  |  |
| Connétable of St. Saviour    |  |  |  |  |
| Deputy R.C. Duhamel (S)      |  |  |  |  |
| Deputy A. Breckon (S)        |  |  |  |  |
| Deputy of St. Martin         |  |  |  |  |
| Deputy P.N. Troy (B)         |  |  |  |  |
| Deputy C.J. Scott Warren (S) |  |  |  |  |
| Deputy R.G. Le Hérisier (S)  |  |  |  |  |
| Deputy J.B. Fox (H)          |  |  |  |  |
| Deputy J.A. Martin (H)       |  |  |  |  |
| Deputy G.P. Southern (H)     |  |  |  |  |
| Deputy S.C. Ferguson (B)     |  |  |  |  |
| Deputy of St. Ouen           |  |  |  |  |
| Deputy P.J.D. Ryan (H)       |  |  |  |  |
| Deputy of St. Peter          |  |  |  |  |
| Deputy P.V.F. Le Claire (H)  |  |  |  |  |
| Deputy D.W. Mezbourian (L)   |  |  |  |  |
| Deputy of Trinity            |  |  |  |  |
| Deputy S.S.P.A. Power (B)    |  |  |  |  |
| Deputy S. Pitman (H)         |  |  |  |  |
| Deputy A.J.D. Maclean (H)    |  |  |  |  |
| Deputy K.C. Lewis (S)        |  |  |  |  |
| Deputy of St. John           |  |  |  |  |
| Deputy I.J. Gorst (C)        |  |  |  |  |
| Deputy of St. Mary           |  |  |  |  |

**The Greffier of the States (in the Chair):**

Are Members therefore content with the arrangements as proposed?

**3.23 Senator P.F. Routier:**

Just one minor matter, Sir. I have P.108 which is down for the 15th: it is to appoint the Social Security Tribunal: appointment of members. There is due to be a tribunal held on the 16th and I do really need to get this approved by the States on the 15th. So could I ask that it be the second item, if that is possible?

**Deputy G.P. Southern:**

Yes, Sir, can I support that, because it is my appeal. **[Laughter]**

**The Greffier of the States (in the Chair):**

Very well, it will be listed as the second item of business. If there are no further matters arising the meeting is closed and the States will reconvene at 9.30 a.m. next Tuesday.

**ADJOURNMENT**