



**OFFICIAL REPORT**

**OF THE**

**STATES OF DELIBERATION**

**OF THE**

**ISLAND OF GUERNSEY**

**HANSARD**

**Royal Court House, Guernsey, Tuesday, 28th June 2022**

*All published Official Reports can be found on the  
official States of Guernsey website [www.gov.gg](http://www.gov.gg)*

**Volume 11, No. 11**

**ISSN 2049-8284**

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R. M. Titterington, Q.C. (H.M. Comptroller)

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S. P. Haskins	A. W. Taylor
M. A. J. Helyar	L. S. Trott
N. R. Inder	S. P. J. Vermeulen
A. Kazantseva-Miller	

**Representatives of the Island of Alderney**

Alderney Representatives S. Roberts and E. A. J. Snowdon

**The Clerk to the States of Deliberation**

S. M. D. Ross, Esq. (States' Greffier)

**Absent at the Evocation**

Deputy A. C. Dudley-Owen (*relevée à 9h 48*); A. Gabriel (*absent de l'île*);  
J. P. Le Tocq (*absent*) G. A. St Pier (*absent de l'île*)

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# States of Deliberation

*The States met at 9.30 a.m. in the presence of  
His Excellency Lt Gen Richard Cripwell  
Lieutenant-Governor and Commander-in-Chief of the Bailiwick of Guernsey*

[THE BAILIFF *in the Chair*]

## PRAYERS

*The States' Greffier*

## EVOCATION

## CONVOCATION

**The States' Greffier:** Billet d'État X of 2022. To the Members of the States of the Island of Guernsey, I hereby give notice that a Meeting of the States of Deliberation will be held at the Royal Courthouse, on Tuesday, 28th June 2022, at 9.30 a.m. to consider the items listed in this Billet d'État, which have been submitted for debate.

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# Billet d'État X

## SPECIAL MEETING

## POLICY & RESOURCES COMMITTEE

### 1. Government Work Plan 2022 – Debate commenced

#### Article 1.

*The States are asked to decide:-*

*Whether, after consideration of the policy letter entitled 'Government Work Plan 2022' dated 12th May 2022, they are of the opinion:-*

*1. To direct the Policy & Resources Committee to apply category 1 status to the following actions in the Government Work Plan:*

*Housing:*

- i. Evaluate and implement actions to address private housing market capacity and affordability;*
- ii. Evaluate and implement actions to address key working housing capacity and affordability;*
- iii. Progress proposals to the States by December 2022 on housing need and on management of States' housing stock.*

*2. To direct the Policy & Resources Committee to apply category 1 status to the following action in the Government Work Plan:*

*Population:*

*Determine what the Island's future population and immigration policy needs to deliver and set out a pathway to address the challenges that are being faced by the economy today;*

*3. To direct the Policy & Resources Committee to apply category 1 status to the following actions in the Government Work Plan:*

*Skills and human capital development:*

*i. Agree a plan to skill our community to meet its needs; and*

*ii. Embed implementation to the end of the political term;*

*4. To direct the Policy & Resources Committee to apply category 1 status to the following actions in the Government Work Plan:*

*Improve living standards:*

*i. Review minimum income standards with initial focus on income support and winter fuel allowance; and*

*ii. Develop proposals on the funding options for long-term care.*

*5. To direct the Policy & Resources Committee to apply category 1 status to the following actions in the Government Work Plan:*

*Health recovery:*

*i. Determine proposals to provide targeted support based on affordability in respect of primary care appointments and access to aids and adaptations; and*

*ii. Establish whether or not to explore the introduction of a compulsory insurance scheme for primary care;*

*6. To direct the Policy & Resources Committee to apply category 1 status to the following actions in the Government Work Plan:*

*Support the next generation:*

*i. Resource work to conclude amendments to the primary Children Law and enabling Ordinances; and*

*ii. Invest in education delivery through operational support to be delivered within schools and settings following Ofsted Inspection;*

*7. To direct the Policy & Resources Committee to apply category 1 status to the following actions in the Government Work Plan:*

*Energy resilience:*

*i. Develop the electricity strategy for the Island; and*

*ii. Implement actions to improve the outlook for an increase in use of renewables;*

*8. To direct the Policy & Resources Committee to apply category 1 status to the following actions in the Government Work Plan:*

*Enabling climate change mitigation and adaptation:*

*Respond to the agreement in principle to extend the Paris Agreement to the Island by establishing an expert panel to scope a proportionate and pragmatic 'pathway to net zero' for consideration by the States in the 2023 Government Work Plan.*

*9. To direct the Policy & Resources Committee to apply category 1 status to the following actions in the Government Work Plan:*

*First steps for the blue and green economy:*

*Create plans, based on best available evidence, that maximise the sustainable social and economic use of our island and marine environments, including support for emerging economic opportunities (including international trade agreements), tourism, Green Finance and renewable energy.*

*10. To direct the Policy & Resources Committee to apply category 1 status to the following actions in the Government Work Plan:*

*Regeneration - future harbour requirements:*

*Agree the preferred direction for Guernsey's future harbour requirements to ensure that any regeneration of the seafront is within a clear strategic framework.*

11. To agree that all Committees of the States will work with the Policy & Resources Committee to prioritise and resource the progression and completion of the priority recovery actions in the Government Work Plan;

12. To note the continued priority resourcing applied by the States of Guernsey in preparation for the MONEYVAL 2024 inspection as set out in the 'ensure compliance with agreed international agreements/standards' workstream under Priority 2 of the Government Work Plan 2022 framework.

13. To approve that actions are progressed in 2022 and 2023 under Priority Themes 1 and 2, and where resources permit, are progressed as set out in Priority Themes 3 and 4 of the Government Work Plan framework in Appendix 3 of this policy letter;

14. EITHER,

A. To direct –

i) the Committee for Health & Social Care to develop the action mandate and resource requirements necessary to implement Resolutions 1, 2 and 3 made by the States of Deliberation on 27th January 2022, following consideration of the policy letter entitled "Living Responsibly with COVID-19" (Billet d'État No. II of 2022, Article 1) and to submit the action mandate to the Policy & Resources Committee on or before 24th March 2023, and

ii) the Policy & Resources Committee to update the 2022 Government Work Plan accordingly, and, having consulted with the Committee for Health & Social Care, to include in the Government Work Plan Update to be debated in June 2023 the resource requirements for, and the impact of any prioritisation of this work on, the phasing and achievability of other actions in the Government Work Plan during this term of government.

OR, only in the event that Proposition 14A is not approved,

B. To direct –

i) the Committee for Health & Social Care to develop the schedule of work and resource requirements necessary to implement Resolution 3(iii) made by the States of Deliberation on 15th July 2020, following consideration of the policy letter entitled "Justice Review Report" (Billet d'État No. XV of 2020, Article 16), to enable the review of the legal status of cannabis to be undertaken and to submit the schedule to the Policy & Resources Committee on or before 24th March 2023, and

ii) the Policy & Resources Committee to update the 2022 Government Work Plan accordingly, and, having consulted with the Committee for Health & Social Care, to include in the Government Work Plan Update to be debated in June 2023 the resource requirements for, and the impact of any prioritisation of this work on, the phasing and achievability of other actions in the Government Work Plan during this term of government.

15. To rescind extant Resolutions as set out in Appendix 9 of this policy letter.

16. To approve the proposed Schedule of prioritised drafting of legislation as set out at Appendix 2 of this policy letter.

17. To note the revised schedules of costings for delivery of the Government Work Plan Priorities and authorise the Policy & Resources Committee to approve transfers of funding to 2022 Committee budgets and make specific allowance in recommended Cash Limits for 2023-2025 in order to resource:

i. Recovery actions (one-off and ongoing expenditure) over the period 2022-2025 for the specific initiatives detailed in Annex 3 of Appendix 8;

ii. Revenue impact of capital investment (ongoing expenditure) over the period 2022-2025 for the specific initiatives detailed in Annex 2 of Appendix 8; and

iii. Reshaping government initiatives (transformation) (one-off expenditure) over the period 2022-2025 for the specific initiatives detailed in Annex 2 of Appendix 8.

**The Bailiff:** Good morning, Members of the States of Deliberation.

My expectation is that the weather will be nice enough that if Members wish to remove their jackets or outer clothing, they can. They have to be on at the start of each day of the meeting but

10 thereafter there will not be an announcement and people are free to remove jackets, cardigans, blazers, you name it. But nothing else.

Without further ado, the first item, Greffier.

15 **The States' Greffier:** Article 1, the Policy & Resources Committee, the Government Work Plan 2022.

**The Bailiff:** I invite the Vice-President of the Policy & Resources Committee, Deputy Soulsby, to open debate.

20 **Deputy Soulsby:** Thank you, sir.

Early tomorrow morning I will be representing the Policy & Resources Committee at the wonderful new bathing pools to celebrate the first anniversary of social prescribing in the Bailiwick. I am pretty sure that spending four days in the Royal Court debating the GWP does not feature in any of the options currently available to help improve my mental health. However, I hope that through at least some of this debate we can take time to accentuate the positive, as there is a good story to tell.

25 Last year this Assembly approved the very first iteration of the Government Work Plan. At that time I made it clear that it was not the finished article. Making changes in Government can be like turning around a tanker. It is not going to happen overnight. But continuous improvement is better than delayed perfection and in reality it is not a perfect science. In any event, we could not afford to wait. With the huge challenges we face, we needed to get moving. So, has it made a difference? Well, before I get to that, I thought it was worth a recap.

This Assembly has agreed its vision for Guernsey which is:

To work in partnership to recover our economic prosperity, build on our inclusive community values and capitalise on our many strengths to make Guernsey a safe haven, based on sustaining health, wealth and community.

35 We are going to do that through three sets of strategic objectives. Firstly, to secure the Bailiwick's resilience in a challenging global environment. We are doing this through: recognising and responding to external opportunities and risks, such as trade agreements and the forthcoming MONEYVAL evaluation; through agreeing the Island's future population policy; through securing energy resilience. Through taking steps to mitigate climate change and by supporting critical infrastructure initiatives.

40 Secondly, to maximise our community's collective potential. We are doing this through addressing the barriers which may lead to avoidable, unfair and ultimately costly differences in Islanders' experiences, opportunities and ability to participate in Island life. Increasingly, this means addressing the cost of living and in-work poverty. If targeted improvements can be made to the conditions in which Islanders are born, grow, learn, live, work and age, then over time it will unlock social and economic benefits. This includes considering the affordability, accessibility and quality of housing, supporting Islanders' skills and development, improving living standards and the accessibility, affordability and focus of public services.

45 Lastly to ensure that we remain competitive as an economy. We are doing through enhanced connectivity, both digital and transport, and through the development of long-term solutions to the skills and housing challenges we face. This is a vision which balances ambition and pragmatism and the Government Work Plan is a framework which prioritises what we do to deliver this, when we do it and how we resource it. So one year on, where are we in delivering that plan?

50 The annual monitoring report as set out in Appendix 1 shows significant progress has been made in a year and that is because resources have been prioritised for those actions this Assembly decided should be progressed in Year 1. This enabled real action against all four priorities of responding to the COVID-19 pandemic, managing the effects of Brexit, reshaping Government, and recovery. For the record, here is just a taster, an amuse-bouche of what has been achieved. In terms of COVID,



we were the first jurisdiction in the British Isles to remove formal restrictions, we completed the vaccination programme and seamlessly moved to a booster programme for the over-65s.

60 On to the international front, significant progress has been made on Guernsey's participation in UK trade agreements and we have agreed terms with the UK on a reciprocal health agreement that could see its introduction by the end of the year. A variety of work streams have been progressed as we look to reshape Government, including: development of our commissioning function; replacement of legacy IT systems; the customer hub having started to become a reality; and  
65 property rationalisations begun – with transformation savings of £1.6 million expected to be realised by the end of this year.

Last but not least, we have seen tangible movement in relation to the top recovery actions, including: the start of the digital infrastructure project to provide a universal broadband network across the Island; purchase of land for affordable housing; acceleration of GHA schemes to support  
70 social housing; and funding has been provided to our major economic industry – the finance sector. There is more, with considerable work being done that will lead to a number of policy letters coming to this place in the coming months, which in turn should see important decisions being made in a considered way together, such as tax review and population and immigration.

Work has been going on methodically and logically in line with the priorities set by this Assembly. So whilst it sometimes feels like States bashing is a national sport, there is strong evidence of how  
75 the plan has had a key role in making things happen and is a glue that binds the States under our consensus system of Government, which is something I will return to. Whilst the process is not perfect, it shows we are going in the right direction for the immediate and medium-term problems we are facing and that we have a mechanism that is working. As we approach the refresh, we looked  
80 at how we could improve the process further. There have been comments that the plan was just a wish list and it is true that it was – and I think the phrase is 'aspirational'.

There was a lot of stuff in there, new stuff and stuff inherited from previous Assemblies. In some cases several terms old. It has, unsurprisingly, proved impossible to resource all of the actions in the plan. Something has had to give. That is how we arrived at categorising actions, such that focus is  
85 given to Category 1 actions which have been identified as needing to be delivered to meet major challenges or take up time-sensitive opportunities. These will be resourced as a priority. Category 2 actions are already in train but perhaps suffer from lack of human resources. Those scoped in Category 3, which have not started, but it is hoped good progress will be in this term.

This is not the Policy & Resources Committee dictating what those priorities should be but trying  
90 to present what we believe is workable based on the priorities established by our Committees to nudge the Assembly towards delivering the outcomes we all agreed we were striving for back in March 2021. I would like to thank the officers across the States who have put in a lot of effort to support Committees and Members in the build-up to this debate. We have seen a lot of collaborative working within and across Committees and I am sure we all agree that this is very  
95 much appreciated.

Policy & Resources has a co-ordinating role, putting together the priorities of each of the Committees and listening to feedback from Members to come up with a plan that matches actions with resources to deliver the policy priorities established by the Assembly. This is what has been done over the last few months. The Committee is also under resolution to explore the Committee  
100 *for Health & Social Care*, the potential to scope the requirements and impact of a review of the Public Health Law, and to advise the Assembly through this policy letter what other work identified by that Committee would not progress if it was prioritised.

Consequently, we have ended up with a binary choice for the Assembly to insert either Proposition 14A or 14B into the Government Work Plan framework. Neither are Category 1 actions,  
105 so the work in any event will progress only when there is capacity, unless the Assembly directs otherwise. This has generated a difference of opinion between Committees, which is exactly why we are asking Members to make the decision. It is also what the Assembly directed us to do. Whilst one or two may have their gripes, it has been a fair and equal process with everything open to scrutiny, debate and amendment by this Assembly. But I am sure we here do not want to get bogged

down in debate over process – something that previous States have been criticised for, after all – but instead to focus on the content of this plan.

What are the States actually going to do to meet the pressing needs of our community? It is clearly evident that the critical work for the year ahead must respond to both local and international pressures and our actions need to be focused and co-ordinated to ensure limited resources are directed to deliver outcomes which secure the Bailiwick's resilience, maximise our community's collective potential and ensure we are competitive as an economy. On the one hand, we still need to manage the impact of Brexit and demonstrate proportionate compliance with international standards, which is critical to our competitiveness and economic success, including preparation for the MONEYVAL inspection, which will be crucial for our economic wellbeing and international reputation. (**A Member:** Hear, hear.)

But on the other hand, and what has been obvious since the pandemic and Brexit, the number one focus from a local point of view is housing. It is no coincidence either that Proposition 1 is about housing, nor that half of the amendments to the Plan are about housing. Many Committees are impacted operationally by the pressure on the housing market and there can be no doubt that it is equally impacting both the community and the economy. We are not alone in this. Indeed the problem is probably more acute in Jersey, where the average three-bedroom house in March cost nearly £900,000.

What we do needs to be informed and evidence-based, hence the importance of a strategic housing indicator report, to understand how we can match the problem with a solution, to prevent wasted effort whilst resources are tight. We need to see what options there are to intervene in the market to move developments on and to help those who cannot afford to even buy the houses once built. Resources will be prioritised to ensure we can build on the good progress made since the beginning of the term. Alongside housing there is a need to improve living standards and ensure we address the impact of an increase in the cost of living. Whilst this is partly addressed in Proposition 4, it is also addressed through other actions, including discharging resolutions from the Electricity and Energy Policy as a priority, for instance.

Members may have different views as to whether the Category 1 actions are relevant or not and that is as it should be. Parliament is sovereign and that debate should happen in the open and transparently. As I have said before, the process is not perfect and is evolving. But the relatively small number of amendments compared to the previous P&R Plan demonstrates that things are hopefully going in the right direction. Now I thought I would end on a couple of quotes that came from a review of Governance of the Policy & Resources Committee last term, which I think have relevance to this debate. A point was made in that report that:

The [Policy & Resources] Committee cannot deliver its mandate and operate effectively without the support and co-operation of the other Principal Committees and other committees and boards, through whom the P&R ... [as it was then] Plan is delivered. Therefore, the fragmented structure of the States of Guernsey presents challenges to the effectiveness of the Committee.

It goes on to say:

The inherent inefficiency of the committee system may be overcome, at least to some extent, if politicians take collective responsibility for the delivery of a shared set of priorities. In order to maximise the effectiveness of a committee system, it is necessary for politicians to demonstrate behaviours that are collaborative, not competitive; collegiate, not maverick; selfless, not self-serving; and considered, not impetuous.

It is not easy engaging with a group of 40 individuals to produce something cohesive and, whilst I am sure it is pure coincidence that in roman numerals it is represented as XL, giving the impression it is not perhaps as lean as it could be, the Government Work Plan is evolving into a means of making us work more effectively and efficiently. This is the closest yet that the States have come to achieving a costed and affordable plan in which all of the significant actions of Government are co-ordinated. We are moving to a point where we will be managing our upcoming policy decisions

and the implementation decisions in a prioritised fashion. We have shown what we can do when we work together and long may that continue.

155       **The Bailiff:** Deputy Dudley-Owen, is it your wish to be relevée?

**Deputy Dudley-Owen:** It is, sir, thank you.

**The Bailiff:** Thank you very much, we will mark you as present.

160       Members of the States, there is a handful of amendments that have been submitted to the Greffier. As Deputy Soulsby has just said, some of them deal with the first priority in Proposition 1 relating to housing. Therefore, I have decided that they should be dealt with first and they are going to be taken individually in the order in which they appear on the order paper, which means Deputy de Lisle, if you wish to move amendment 7, you will be up first.

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**Deputy de Lisle:** Thank you for that, sir.  
The amendment reads:

[Amendment 7](#)

*Insert the following proposition immediately after Proposition 1.*

*"1 A. To incorporate the following action into the Government Work Plan framework and to direct the Policy & Resources Committee to apply category 1 status to it:*

*Housing:*

*Ensure that all actions relating to housing strictly protect green agricultural fields from development and direct future development onto brown field sites."*

170       In the explanatory note, I make the point that, given the pressing domestic issue of housing supply and initiatives to progress housing development under consideration by the States, the amendment calls for housing development to take place on brownfield sites – land that has been previously developed – in order to help reduce the loss of greenfields and agricultural land.

175       The Proposition contributes to the States' objectives and policy plans by reference to specific land use policies in the Strategic Land Use Plan, addressing the reuse of previously developed land, or brownfield sites, for housing need and the protection from development of greenfields and agricultural land. I have, as you are aware in the States, in preparing the Proposition I have been consulting with the Development & Planning Authority, specifically over the loss of agricultural land to other development uses within and outside the agricultural priority areas.

180       Sir, the Strategic Land Use Plan requires that the IDP, the Island Development Plan, will put in place policies that enable large areas of contiguous agricultural land and other areas well related to established agricultural operations, identified as being a value to the industry, to be protected for agricultural use. You will note from that, that it is not just large areas of contiguous agricultural land to be protected for agricultural use – the APAs of the IDP to be given protection, if you like – but it is also other areas of land, well-related to established agricultural operations, identified as being of value to the industry, to also be protected for agricultural use.

185       The point is more pertinent today than ever before, for agriculture to play a full economic role today and in the future. I have to make the point very clear that Guernsey people generally, and farmers specifically, are very concerned currently with the loss of agricultural land to other uses. And they depend on this Assembly to protect the agricultural land in accordance with the revised Strategic Land Use Plan, which dates to 2011, which sets out the spatial framework for Guernsey for the next 20 years. So that is 20 years over 2011, which would be 2031. In fact, concerned with a loss of agricultural land to other uses, as I said, on which survival of the dairy industry and arable crop production depends.

190       Now with just 12 dairy farms existing today – there were 400 when I was a boy – farms are much larger and fragmented than they ever were, with land scattered beyond the homestead, if you like,

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the farm centre, all over the Island actually. Because some producers will be producing in many different parishes, they will have land in different parishes. The farmstead and its surrounding land is no longer large enough to sustain the farm's land needs. Some of the land lies within the agricultural priority areas and some of the land is outside of the agricultural priority areas.

I must reveal of course that I have an interest in the sector. Some of you will enjoy a trip west to the Vintage Agricultural Show on the weekend of 6th and 7th August; the first big show of the season, but that actual holding there is spread well over 100 vergées, but it is no longer – it used to of course harbour two farms when I was a boy, and I still consider myself a boy – but no longer large enough to support one farm. Land has to be assembled outside of that and this is where land outside, that is sometimes forgotten in the planning regime, in the planning terms.

For example, applicants for change of use of agricultural land outside of the agricultural priority areas do not have to show that the land is unsuitable for agriculture, as they have to within the agricultural priority areas. In this way, agricultural land integral to the farm unit and farmed over many years is being lost to agriculture. So that is a very important point that is contained directly within the Strategic Land Use Plan. But it is not only contiguous agricultural land in the agricultural priority areas that is protected through SLUP, the Strategic Land Use Plan, but it is also other areas well-related to established agricultural operations, the farm operation, identified as being of value to the industry.

As I am saying, land is fragmented today, or farm land is fragmented. There is the farmstead with land around it but that is not enough anymore, so land has to be taken elsewhere in order to supply the needs of the dairy farm or of the arable agricultural unit. That will be outside of the main areas that are protected in the IDP. So you can see that really SLUP, if you go back to SLUP which you should do, the protection is there for the agricultural unit and farmers do not have to lose those outside fields to other uses outside of agriculture. But the IDP is a little less firm, perhaps, in terms of their interpretation of that particular issue. But the Strategic Land Use Plan is very clear that the protection is for the land in agricultural use at the current time.

The other aspect of the amendment, sir, is to encourage development on brownfield sites, defined as previously developed land in the Strategic Land Use Plan. This is again strategic land use policy in that, in addressing housing need – specifically it mentions in addressing housing need in the Strategic Land Use Plan – the development plan, the IDP, should seek to make the most efficient and effective use of land and buildings by encouraging the use of previously developed land, promoting increased housing densities where appropriate and encouraging the inclusion of housing within mixed-use schemes. So the IDP then has to reflect accurately the Strategic Land Use Plan and the intentions of the Strategic Land Use Plan.

It has to be evidence-built, if you like. And that is of critical importance in maintaining and protecting agricultural land for future generations. So I call on Members to support the Proposition, that is in addressing housing need, which there is great enthusiasm for. But I bring this because of that enthusiasm which we all have to provide housing for our population. But I bring it to ensure that all actions protect our green agricultural fields and our agricultural operations and see that they have got a future from development and direct future development onto brownfield sites.

I thank you for that, sir.

**The Bailiff:** Deputy Gollop, do you formally second the amendment?

**Deputy Gollop:** Yes, I do. Thank you, sir.

**The Bailiff:** Thank you very much. Deputy Soulsby, you wish to speak.

**Deputy Soulsby:** Sir, I have put 24(6), I believe that the amendment goes beyond the Propositions.

**The Bailiff:** Members of the States, Deputy Soulsby is inviting me to rule that this amendment 7 goes further than the original Propositions. I have had the benefit of taking some advice from Her Majesty's Comptroller in advance in respect of a number of these amendments and, because it seeks to insert an additional Proposition, even though it is a housing-related one, I am going to rule that 24(6) is engaged. Therefore I am going to put the motion to you that the amendment be not debated and no vote taken thereon.

Those in favour; and those against?

*Members voted Pour.*

**The Bailiff:** I declare that carried and therefore there will be no further debate on amendment 7 –

**Deputy Queripel:** A recorded vote on that, please, sir.

**The Bailiff:** Deputy Queripel is invoking the right that he has to call for a recorded vote, so I will ask the Greffier. Then we will have a vote on amendment 7 as to whether or not the motion from Deputy Soulsby pursuant to Rule 26 that there be no debate on this amendment and no vote taken thereon, be put to a recorded vote.

*There was a recorded vote.*

*Not carried – Pour 17, Contre 17, Ne vote pas 2, Absent 3.*

**POUR**

Deputy Haskins  
Deputy Helyar  
Deputy Kazantseva-Miller  
Deputy Mahoney  
Deputy Moakes  
Deputy Murray  
Deputy Oliver  
Deputy Parkinson  
Deputy Prow  
Alderney Rep. Roberts  
Alderney Rep. Snowdon  
Deputy Soulsby  
Deputy Vermeulen  
Deputy Aldwell  
Deputy Brouard  
Deputy Bury  
Deputy Cameron

**CONTRE**

Deputy Fairclough  
Deputy Falla  
Deputy Ferbrache  
Deputy Gollop  
Deputy Inder  
Deputy Leadbeater  
Deputy Matthews  
Deputy McKenna  
Deputy Meerveld  
Deputy Queripel  
Deputy Roffey  
Deputy Trott  
Deputy Blin  
Deputy Burford  
Deputy de Lisle  
Deputy Dudley-Owen  
Deputy Dyke

**NE VOTE PAS**

Deputy Taylor  
Deputy de Sausmarez

**ABSENT**

Deputy Gabriel  
Deputy Le Tocq  
Deputy St Pier

**The Bailiff:** Members of the States, in respect of the motion pursuant to Rule 24(6), that amendment 7 be not debated and no vote taken thereon, the voting was slightly different from aux voix. We have got *Pour* 17, *Contre* 17, two abstentions, three Members are absent and, because there is an equality of votes, I declare the motion lost, which means that amendment 7 will now be debated. Who wishes to speak on amendment 7?

**Deputy Haskins:** Sir, can I go for a 24(4), please?

**The Bailiff:** Arguably you can, Deputy Haskins, so I will invite Members who support debate on the amendment to stand in their places. Well, it is quite clearly more than seven, which almost follows as night follows day from the vote on 24(6). So the Rule 24(4) from Deputy Haskins also fails. Now who wishes to speak in debate? Deputy Meerveld.

Deputy Meerveld: Thank you, sir.

280 The amendment is very well-intentioned. I think there is great concern in the Island about losing green spaces, whether it is land that is dedicated to agriculture or just green spaces that provide recreational space or just a vista other than houses. However, whilst I respect the Members who brought this and thank them for bringing it and allowing it to be included in this important debate, I will not actually be able to support the amendment itself, despite the fact that I voted against the 24(6) proposition and stood for the 24(4).

285 I do agree that with the Members bringing this. I think it should be discussed. But the reason I will not be able to support it is it is just too ill-defined. What is greenfield? Green agricultural fields are not defined under the Island Development Plan, which is where this would affect. It is very sweeping and would go against large sections of the Island Development Plan that may be very difficult to bring. So as I say, I thank Deputy de Lisle and Deputy Gollop for bringing it. I support  
290 that we should discuss this in the round with other amendments that will be coming to try and address the housing crisis we currently have. But I will not be able to vote for it, whilst supporting the sentiment.

Thank you, sir.

295 **The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you, sir.

I am very much in the same boat as Deputy Meerveld, in terms of wanting to have this particular amendment discussed. I think it is really important and I do see why it falls outwith of the rules for  
300 this particular debate, but I am very grateful that it has been brought forward by Deputies de Lisle and Gollop. But I want to hear more about the technicalities of this particular issue because it has been a hot topic, it is the subject of a requête that has been brought forward. I do not think anybody in this Chamber wants to see greenfields built on. Do they? Maybe, sir, we could have a show of hands. But I think that it would be everybody if there were other choices. But we are not in the ideal  
305 situation of having other choices.

I am a quiet environmentalist. I do not put myself forward very often in terms of shouting around the subject even though I completely support others that do. But I also see that we have got to find solutions – solutions quickly – to people being able to have good quality, comfortable, fit-for-purpose accommodation in this Island. Because it is putting a lot of barriers in the way to our  
310 prosperity and success. The technicalities of the SLUP, the Strategic Land Use Plan, and also the Island Development Plan, are something that could be used to constrain us, or free us I think, from some of these crises that we find ourselves in at the moment.

So I would welcome comment from Members of the DPA, specifically the President – apologies, sir, to Deputy Oliver for putting this on her shoulders, maybe it is short notice. But I think we could  
315 all benefit from a bit of technical information really about the possibilities and opportunities to protect green agricultural fields from development and direct future development onto brownfield sites, as per Deputy de Lisle's well-intentioned amendment.

Thank you.

320 **The Bailiff:** Deputy Burford.

**Deputy Burford:** Thank you, sir.

Yes, I agree with Deputy Meerveld but just to build on the points that he made. My additional concerns would be that this just is not how to do planning policy. I think that is the biggest thing  
325 and that feeling also comes out in some of the other amendments later on. Also there is open land in the IDP that was designated at the time in 2016, which people have a legitimate right and expectation to build on because that is what came out of the policy. I might not particularly like it, I might not want to see houses built in certain places but we cannot change all of that on the basis of an amendment like this, which would seek to do so.

330 I would also suggest as well, because Deputy de Lisle pointed to the genesis of the IDP and the  
SLUP and factors which can mitigate against using open land, and I would certainly say that people  
need to understand it and look at planning applications that come forward and make the case and  
the argument if they think that there is a case within policy at that stage. But then to move further  
than that, the DPA have said that they are coming forward with a review which is really the 10-year  
335 review brought forward or the five-year review done late, depending on your point of view.

But I think that is the opportunity for Members, for third-sector groups and for just general  
members of the public to have their say and to steer how we want to treat the very finite land that  
we have in Guernsey. So although I understand the rationale behind this, I am afraid I will not be  
able to support it.

340 Thank you.

**The Bailiff:** Deputy Oliver.

**Deputy Oliver:** Thank you, sir.

345 I thank Deputy de Lisle for bringing this forward. I want to start with my personal view first. That  
is that, at times, I actually really wish this amendment was in place because I would have so fewer  
complaints. I always get complaints about the green land of the area is being taken and what are  
you going to do about it. I cannot really do anything because the policy says that you can build  
within the main centre, or local centres. I just feel that at so many times the DPA are walking this  
350 tightrope, that everyone is pulling them from different directions.

Environmentalists are saying, no, you should be doing this, you should be protecting this.  
Developers are saying well you have got a housing crisis at the moment, what are you doing about  
that? Why aren't you building more houses, why aren't you letting things go through? And then  
traffic as well, that is another big one. It all amounts up and whenever we have a planning  
355 application or an OPM there is always going to be one person that feels they lose. I have always  
said that if Guernsey has a large amount of brownfield sites, then we probably would not have to  
build on as many greenfields. But unfortunately Guernsey just does not have that.

I understand that agriculture is important. We do have a larger amount than apparently is  
needed for the farmers, according to the statistics. I have said this before, the easiest way is, if you  
360 do not want or if you want to deter people from building on greenfields, for P&R to put a tax on it.  
That would be the easiest. It would also level the playing field because brownfield is a lot more  
expensive to build on than greenfield. Greenfield you can just start digging straight away.  
Brownfield you have got to clear stuff, sometimes you have got to remove contamination, etc., and  
the list gets longer. So it is more expensive to build on brownfield than greenfield.

365 However, this amendment ... the SLUP and the Spatial Strategy allow for greenfield housing  
development in certain circumstances. For example, within the main centre and local centres. So the  
proposition would conflict with both the SLUP and the IDP policies. There is nothing in the Planning  
Law that would enable penalties, financial or otherwise, for greenfield development. Although I note  
that the advice given by the HMC says that they see enormous difficulties in this amendment if  
370 supported by the Assembly. However, as normal, if the Assembly chooses to do this, the DPA will  
somehow find a way of sorting this out.

Thank you.

**The Bailiff:** Deputy Gollop.

375 **Deputy Gollop:** I have a lot of sympathy with what Deputy Oliver has said because I sat on  
Deputy Burford's Environment Committee and later on was Chair of the Development & Planning  
Authority. I am aware that there are numerous difficulties in changing Planning Law and policy and  
direction, because of course there is not only a rigid Planning Law, but there is a tribunal system  
380 and, if you like – although I am not entirely happy with this concept – the quasi-judicial role that  
members of the Development & Planning Authority have.

Of course I am aware too that we have had – I remember you chaired it, sir – six days of debate on the Island Development Plan and all the rest of it. We had about 35 amendments, well Jersey had over 100 amendments. But you may recall that myself and Deputy de Lisle placed an amendment a few months back about resources at the Development & Planning Authority. Perhaps if I had more energy and space and had not been suffering from COVID and other issues, I might have placed an amendment along those lines as well. Because although I think it does have a role in this because as has already been said by some speakers, Deputy Dudley-Owen in particular, there is a wider conversation about the Strategic Land Use Plan and the Island Development Plan.

I went, or listened, to the interesting scrutiny hearing which was a first for the Development & Planning Authority, and the outcome appeared to be – unlike here when I was President and later on Deputy Dawn Tindall – that for resource and other reasons, there was going to be more like an accelerated 10-year review rather than an interim review. That meant to say that some issues related to the Island Development Plan that had proved perhaps controversial or unsatisfactory would not be reviewed any time soon. I accept the new Committee –

**Deputy Oliver:** Point of correction, sir.

**The Bailiff:** Point of correction, Deputy Oliver.

**Deputy Oliver:** It was the States that voted to not have – the previous States that voted to not have – the five-year review. It came to the States.

**The Bailiff:** Deputy Gollop to continue, please.

**Deputy Gollop:** That is true but it was still assumed that there might have been an opportunity for more of the policies to be reviewed. But I accept that the Development & Planning Authority have taken, in a pragmatic way, what they can. I was a bit surprised actually that there was such a strong vote and feeling from Members not to debate this or to pass it on. Because I know some Members want to get out as quickly as possible and get sick of speeches that go on and on and on, as they do. (**Several Members:** Hear, hear.) But there is within this package, including Deputy Ferbrache the President of Policy & Resources, quite a few amendments, as Deputy Burford rightly pointed out, that have a planning element.

People might say this is not an appropriate forum for planning but housing and development have nevertheless proved to be really big issues. The point of this is that this does not in any sense create a new Law, nor does it within itself necessarily change the Island Development Plan, because it cannot do that, or create a planning enquiry. But it sets out a clear guideline, a resolution, a wish that we wish to incorporate the following action into the Government Work Plan framework to direct the Policy & Resources Committee to apply Category 1 status to it. In other words, as Deputy Soulsby reminded us the highest priority. And housing, that all actions relating to housing strictly protect green agricultural fields from development and direct future development onto brownfield sites. This is not that far away from a requête that we will be looking at next month, although it is different in that it is perhaps more general. And the explanatory note says:

Given the pressing domestic issue of housing supply and initiatives to progress housing development ... the amendment calls for housing development to take place on brownfield sites, land that has been previously developed, in order to help reduce the loss of green fields and agricultural land.

I know some people could argue there is always a grey area about semi-industrial vinery sites because generally speaking horticultural land is green land rather than brownfield land. But whilst we all have a rush and a determination to build both social housing and housing for other sectors in our community and ensure we have fairer housing and no brain drain, I think it is important that we do not lose our community, our countryside, our way of life by moving too quickly. It is easier for developers generally to develop greenfield sites, if permission is possible, because there is no



430 contamination, there is less clearance, they possibly would sell in the marketplace for a theoretically higher value. So that has to be borne in mind.

One also has to consider that there is a conversation to be had – and I think this will come up again in policy planning and maybe the accounts and future debates – about where we are going with our farming and food policy. What is the future of dairy farming? How can we ensure that there is conservation of the land when maybe there is evidence of a decline in some sectors? In fact Deputy de Lisle pointed out when he was a boy – it was not that long ago, it was not in the Victorian age, no – there were over 400 farms and now there are 12. Clearly that is linked to all kinds of other issues, such as the construction of a new Dairy, such as the demand from some people connected to the Chamber of Commerce for more Guernsey food production, that kind of thing.

440 But the role of the countryside and the role of land has to be taken. But it is too tempting to say, 'Ah, well we have a changing dairy demand, we have a bit of a horticulture so let's use more of this land'. Coming back in a circular way to where I started, I have had the feeling – the Development & Planning Authority may deny this – but they have not got quite the scale of staff quota that they need to drive forward development planning and other issues. They are actually under-resourced. 445 And until we perhaps resolve this lack of resource, we will not move as quickly as we could to reframing policies so we can give greater protection to biodiversity, greater protection to agricultural land, perhaps have a fairer distribution because there is not so much in the north of the Island, and we actually move forward, maybe even having a national park like Jersey has.

So this amendment, far from being irrelevant, is crucial because I believe the Development & Planning Authority were not initially included in Category 1 actions. So I urge people to support the amendment and send out a very strong message to both Policy & Resources and Development & Planning, and to a degree Environment & Infrastructure, that the States wants action on reclaiming and regenerating areas which have fallen into decay, in around towns, St Sampson and others, but not at the expense of erosion of the countryside any further.

455 **The Bailiff:** Deputy Roffey.

**Deputy Roffey:** Thank you, sir.

460 First of all, I want to pick up on a couple of things that Deputy Oliver said. First of all, I sympathise with her feeling that she has got pressures from all sides and she cannot do the right thing for doing the wrong thing. It has been there with us; I did a stint on the IDC many years ago and nothing has changed, I can tell her that. Where I disagree with her is her suggestion that we have more land zoned for agriculture than farmers need in the Island. That would be true if that land was preserved simply for agricultural use. But of course it is not.

465 There is all sorts of things that you can legitimately do on land that is zoned for agriculture. For instance, you can keep horses. And please, before I get all of the letters coming in from the equine community, I am not criticising that in any way. It is a very large pastime in Guernsey, it is a very healthy pastime and I support it. But the fact is you cannot say, look we have got 70 vergées zoned as agriculture and actually for pasture land for cows we only need this amount, and therefore you 470 have obviously got spare. Because there will only ever be a percentage of land that farmers can access.

As Deputy de Lisle says, it is even more precious when that is consolidated into some kind of reasonable block because Guernsey is almost unique in having farms that are having to move their cows all over the place in order just to access the land that that farmer is able to get access to. So 475 all of my sympathies are with the emotional thrust of this amendment but I do wonder what on earth it does and, if it was passed, where it would leave the States. Because Deputy Gollop could not be more wrong when he said that this really has echoes of the requête that is coming up. The requête is very specifically ... apart from the fact that it is to do with one particular project, even if you broaden it out, I fully accept that this Assembly can decide not to use greenfields or agricultural 480 fields for development.

But this amendment goes far further than this Assembly's projects. It covers the private sector as well. And we do have an IDP in existence, as Deputy Burford pointed out, that facilitates and allows development on a number of fields around the Island. In fact in some cases, I think they are almost earmarked for housing. this amendment does not do that. It would simply have a Resolution of the Assembly saying nobody should be able to build on greenfields, where we have a plan in place that very specifically says you may build on these greenfields. And that kind of contradictory set of Resolutions, I think, is really unhelpful.

But why would we arrive in that situation? And this brings me to my real reason why I cannot vote for this amendment. That is: what is this debate, the Government Work Plan, all about? Is it about setting priorities for workstreams or is it about making policy decisions? I think it is the former. Of course there is a degree of policy that goes into deciding what to prioritise to come back but I think big policy decisions should be made on the back of policy letters. I think this Plan is about to say which policy letters we would like brought forward, where we want the staff resources to go, where we want that sort of resources to go.

And this, although I know it does try to make it look like it is doing that, is really asking us to make a policy decision on the back of the GWP. And even though I agree (*Interjections*) – no the requête is not doing anything – there is no requête that impacts on the GWP. The GWP is about prioritising resources and I will be saying the same thing when Deputy Ferbrache brings an amendment that, again, like this one, I have a lot of sympathy with, but is asking for a policy decision to be made today. I tell you what, if that one succeeds or that one succeeds, then you wait until next year, because I have got at least 20 things that I would really quite like to shortcut the whole business of having them examined in Committee and policy letters coming forward, because I just think they are a good thing and we should bring them forward.

Then I think next year – I will not be the only one – next year's GWP will dissolve into farce. So I really will only be voting for things today that actually prioritise the workstreams, not make the final decision, because that I think is a real danger, if we start going down this road. Deputy Soulsby said in the opening we were starting to refine the process and get it right. I think we are going to explode the whole process if we actually shortcut that approach. So I am sorry, I have to say through you, sir, to Deputy de Lisle. Sentiment, I completely agree with you but I think it will leave contradictory Resolutions in place and I actually think it is the wrong way to go about it.

**The Bailiff:** Deputy Queripel.

**Deputy Queripel:** Thank you.

Sir, I fully support this amendment. It is absolutely vital we hold on to our greenfields. Far too many have been lost over the years. There is a global food shortage happening right now and things are not going to get any better. We need to stop relying on other jurisdictions to supply us with so much of our food and get on with growing a lot more of our own food, which is why we need to retain, as much as possible, the greenfields. And also we have to be mindful of retaining open spaces on the green lung as laid out in the IDP.

We do not need to build on greenfields in an attempt to resolve our housing crisis. There are plenty of other sites to build on. Sir, when she spoke, Deputy Oliver said – I think she said, correct me if I am wrong, I apologise if I am wrong – Her Majesty's Procureur said there would be problems with progressing and implementing this if the amendment succeeds. But I am wondering where she got that information from because there is no mention of that in the amendment. So I ask for clarification on that point from H.M. Comptroller before we go to the vote, sir, please.

In closing, I ask for a recorded vote when we do go to the vote, sir.

Thank you.

**The Bailiff:** Deputy Brouard.

**Deputy Brouard:** Thank you, sir.

One thing that is in Deputy de Lisle's favour is that he has been consistent. Right back when the SLUP was put forward in November 2011, there was an amendment that was put forward which said – and the words of the amendment were along the lines of – confining development to brownfield sites except in exceptional circumstances. Deputy de Lisle is one of only two Members in this Assembly today who supported that. I was the other one.

The other person, Deputy Gollop, who seconded it, has had a change of heart because he did not vote for that back in 2011, wanting to not have that restriction. But 10 years later he has now changed his position. I think there is a balance to be struck in all this and as I get older I am starting to see more of the balance, I am seeing more of the other sides of the argument. There are expectations of householders. Householders do not necessarily want to have heifers in their back garden. There is an expectation that, if you have got some land and there was a vinery there at one stage, you may want to just have it as a garden. You may not want to have it as an agricultural field.

We have more Islanders that we need to accommodate, so we need to look at how we are going to allow land for them to have their housing. Not everybody wants to live in built-up areas. And I think picking up on Deputy Queripel's point, we are going to struggle to feed 60,000 people on our own. During the war, I think the Island – historians will correct me – I think we were down to about 20,000, and we could not. We could not – with every bit of every Islander, every border of flower beds was turned over to growing produce – we could not even keep 20,000 people going. So we have to be very careful what we wish for.

Dairy farming – and I think Deputy Oliver was right – it is changing and there is sufficient land that has already been put aside that can cover contiguously the dairy industry. But that is changing as well and that is not only the industry that is changing, it is our purchasing habits are changing. Who will have heard of 20 years ago oat milk or soya milk or lactose this, that and the other? We have a different marketplace. Of course farmers can also buy land themselves. They do not necessarily always need to have the provision by other people. And vinery sites, we are quite happy to build on vinery sites but of course a vinery site is basically agricultural land with a temporary structure on it.

But the same people in this place are quite happy to build on a place called the Fontaine. We are quite happy to build on Kenilworth. We need to make sure we have a proportional balance and I basically agree today with Deputy Burford and Deputy Dudley-Owen. I think we are all very environmentally conscious but there are times when we just have to also look at the other side of the coin. We have got an economy to run, we have got people who have an expectation to stay on the Island and they do not necessarily all want to live in St Peter Port or in St Sampson in the built-up areas. So we have to consider other parts of it.

I think Deputy Roffey made a very good point, in that if we are going to change a fundamental part of our policy in this way, we need a proper paper, we need the proper research done, we need to weigh up all the changes and the adverse effects of what it means for Mrs Le Page and what it means for Mr Smith, etc. I do not think we should be doing it on the back of the Government Work Plan. So unfortunately, although I have got a lot of sympathy for what Deputy de Lisle is saying, I will not be able to vote for it. And congratulations to Deputy Gollop on his change in 10 years.

**Deputy Gollop:** Thank you.

**The Bailiff:** Deputy Prow.

**Deputy Prow:** Thank you, Mr Bailiff.

I can be brief because I think the theme that I want to talk about has resonated through quite a few of the speeches. You have ruled, rightly ruled, sir, that this amendment goes beyond the Propositions and I think that is where I will start. This is where this particularly worries me. I agree with the point made by Deputy Roffey that the Government Work Plan is a prioritisation exercise and is not a policy decision function. I am not sure that the mover of the Proposition will be able to assist me on my question, but perhaps the Government Work Plan lead might be better to do that.

My concern is around the wording of 1A, where it actually ... what actually would be the effect, where it says to direct the Policy & Resources Committee to apply Category 1 status to the housing statement that appears below? Deputy Gollop has made it quite clear that this would not change the Strategic Land Use Plan (SLUP) or the IDP. What actually does concern me is that existing planning decisions that are in train, and even development decisions that are made around the rules that exist around the SLUP and the IDP. So these really are my major concerns. They have been covered in detail by other speakers so I will not continue that theme.

But what I would say to Deputy de Lisle, and I do thank him, in the statement about at some stage this Assembly getting into a position where we can strictly protect green agricultural fields from development and make that direction around choosing other sites first, whether brownfield sites or others. I have always consistently said, and I will continue to say, what we really need is clear red lines around this. But I think those clear red lines really need to be enshrined in the SLUP and in the IDP and I agree with those other speakers that said a Government Work Plan debate is not the place to be pursuing that.

Thank you, sir.

**The Bailiff:** I am going to call Deputy de Sausmarez before Deputy Ferbrache.

**Deputy de Sausmarez:** Thank you, sir.

I would like to follow on from Deputy Prow's last point, actually. But before I do I will not repeat the points made by Deputy Burford, Deputy Roffey and others, as to why, although I think this is a very well-intentioned amendment, this is the wrong debate for it. And as Deputy Prow has also just echoed, I think it is a discussion for another time, another debate with considerably more time to scrutinise relevant evidence, etc.

I will start, actually, by commending Deputy de Lisle for the sentiment behind this amendment, with which I concur. We have talked a bit in this debate so far about the importance of agricultural fields for agriculture. Sounds pretty obvious, but they do actually have a number of important functions as well beyond just their agricultural viability. They provide ... I am trying to find a more user-friendly term for this really but in the environmental policy world they are called ecosystem services. So green land, effectively, provides a number of very important roles, or performs a number of very important roles, such as air filtration, water filtration, soil stability, mitigation against flooding.

All kinds of very important aspects which, frankly, we usually take for granted until we do not have them and then we realise their true value and of course they are very costly sometimes to try to reproduce artificially. I do think we should recognise the value of agricultural land beyond just the agricultural role that that land plays. I am obviously very sympathetic with the sentiment behind this amendment but I do think it is flawed. There have been a few references to the SLUP and the IDP and Deputy Prow just now has asked for some clear red lines. I hope actually I can explain where those lines are already drawn, because actually our existing policies already do the vast majority of what Deputy de Lisle and Deputy Gollop are seeking to achieve.

I think it is hopefully going to be helpful if I explain what the Strategic Land Use Plan sets out in its spatial strategy and then how that is interpreted in the IDP to explain to Members where some of those lines are, because I think there is a lot of confusion around it already. The Strategic Land Use Plan, fondly known as the SLUP, is in the mandate of the Committee for the Environment & Infrastructure and that was – Deputy Brouard alluded to it when he spoke – debated after, I think, one of the most broad and well-engaged-with consultation exercises ever carried out in Guernsey. It was a huge community engagement exercise and really impressive take-up and interest in engagement from the community on that subject.

So it does come with that behind it. We do know that the strategies that it espouses, that are enshrined within the SLUP, are the result of that very considerable community engagement. The bit that I think is most relevant to this is the spatial strategy. In other words, how we use our land in the Island. And basically I have written it down, I think I am actually just going to read it. The spatial

strategy can be summarised as follows, development concentrated within and around the edges of the urban centres of St Peter Port and St Sampson and Vale, with some limited development within and around the edges of the other main parish or local centres to enable community growth and the reinforcement of sustainable centres.

In other words, concentrating development in town and the Bridge effectively and then, to a lesser degree, our local centres, which most often correlate with parish centres. The reason for this is that works on a number of different levels. It means that, first of all, if we concentrate development to these areas, we are actually not only enabling a higher quality of life for people within it because they have easier access to the services, etc. – the housing, the services they need within a convenient distance, it is easier to get between them – but also it protects the rural environment beyond those centres and that is really important.

So a lot of the spatial strategy is as it is in order to protect the rural environment. It is all about enabling the growth of sustainable centres which are mainly our main urban centres, but to a lesser degree as well our local centres, and in doing so, protecting the rural environment beyond. In other words, it is about creating a better differentiation and distinction between the urban areas, the urban centres, and the rural environment beyond. I would also reiterate a point that I think gets lost in the wash a lot, which is that if we do not adhere to the spatial strategy, what we end up with is urban sprawl. So that is why the spatial strategy works. That is why it is an effective strategy. That is why it was so strongly supported by this massive community engagement consultation exercise.

It is very significantly about protecting the rural environment by focusing development in these areas. Now that translates in the IDP into various policies which continue to do exactly that. We have to make sure it is actually E&I's job to make sure that the IDP is consistent with the SLUP, so that is our role. The IDP does say that agricultural land outside of the centres – and let's remember that the vast majority of agricultural land is outside of centres – cannot effectively be developed for housing. So our current policies already protect the vast majority of agricultural land from development for housing.

Now there is some degree of flexibility within the IDP for development relating to agricultural issues and then when we get into the sort of redundant glasshouse size, it gets a little bit less clear. But generally speaking it is true to say that our current policies already protect the vast majority of our agricultural land from development as housing. It is as simple as that. Deputy de Lisle was quite right to raise the issue of fragmentation. It is an issue that I have spoken of quite often and it is one of the main challenges that our farmers have to face.

Deputy Falla ribs me about my love of the word 'contiguous' but it is important with respect to agricultural land because it is much easier, and therefore reduces the cost overheads, to farm larger grazing blocks effectively. When you are talking about fragmented fields, farmers are having to move their livestock and indeed food, water, whatever it is, machinery, labour. The costs all go up. So the more fragmented our farmable land is, the more fragmented the land that our farmers are able to farm, the more burdensome, the more costly that is for our farmers. So I completely agree with Deputy de Lisle about the issue of fragmentation.

But I go back to the point, the vast majority of our agricultural land is not in the centres and actually, by definition, the small amount of agricultural land that is in the centres is fragmented. That is part of the problem, so we need to really focus on that agricultural land outside of the centres, and especially the land that falls within the agriculture priority areas which are those larger contiguous grazing blocks – or often grazing blocks, it does not have to be grazing blocks – but those larger contiguous areas of land that are so valuable to not just our farmers but actually to the whole community because of the wider benefits that I touched on earlier as well.

Sir, our existing policies already do provide a good degree of protection. This amendment would be, as Deputy Oliver explained, this would be not aligned with the IDP and the SLUP. It does conflict with both of those policies and I completely agree with those who have spoken to say that this is not the debate to try to redraw that spatial policy on the hoof. However, I would like to take this opportunity, as the issue is being debated as part of the GWP, to urge the DPA when they next

review the IDP to look into ways of differentiating between greenfield and brownfield sites within the centres.

690 In other words, any of those parcels of land or agricultural fields that are effectively zoned for development, I personally would like to explore with greater vigour any effective means of better differentiating between greenfield and brownfield sites when it comes to development within the centres. I think Deputy Oliver touched on the issue of fiscal leavers and I think that is important because she explained that greenfield land is often more inexpensive to develop than brownfield  
695 sites. So there is already an uneven playing field loaded in favour, effectively, of developing on those greenfields within the centres.

I would also urge the DPA to look again at – and urge the community, actually, as and when the IDP is reviewed – to really engage on important areas of open land – I forget which way that goes, areas of important open land? Maybe it is one of those. But I think that is important. I think many  
700 of the representations that are made on planning applications do make the point that a particular site is an important area of open land but it is not designated as such in the IDP. Really that was a result of that point not being made during the planning inquest. So I think if there is another opportunity, I would personally really like to see a focus from the DPA on that particular aspect and real engagement from the community.

705 We know just from looking at the planning representations that this is an issue that people do feel strongly about. I completely agree that we need green spaces within those centres as well but this is not the mechanism to deliver them. It does conflict with our existing policies, there is a better place for this debate. I am grateful to Deputy de Lisle for the sentiment behind it, and Deputy Gollop, but I think there is a better time and place for this debate. But I would urge the DPA to look  
710 at those issues again as soon as they have the opportunity.

Thank you.

**The Bailiff:** I am going to call Deputy Ferbrache and then Deputy Moakes. So Deputy Ferbrache first, please.

715 **Deputy Ferbrache:** Sir, when you introduced, or set out the rules, as it were, for the procedure of this debate, you said you had brought together various amendments and the first six amendments all have a housing element. I voted for this debate to continue for Deputy de Lisle because I think it is an important amendment and it was ably presented by Deputy de Lisle. But he  
720 is an intelligent person and I think he has already sussed from the number of speeches that, although he has got much sympathy today, he is not going to get many votes.

He also referred to the fact he is going to host in a month's time or so the show which has become an integral part of our Island community on some 100 vergées of land or thereabouts. Of course it is a show that was set up by Mr Le Cras, Mr Rodney Dyke, and Mr Jim Jamouneau the last  
725 several years of our Island community. Deputy Dudley-Owen was exactly right when she said nobody – certainly no sensible person – wants to build on a greenfield, whether it is an agricultural priority area or otherwise, unless there is an imperative need.

What this amendment does, if it were successful – which we know it is not going to be – it imposes a straitjacket on any kind of development, whereby there may be an absolute need to build  
730 on a greenfield. So you cannot have that. Deputy de Sausmarez talked about urban sprawl. Well the reason that we have got urban sprawl was largely because we did not have a proper Planning Law, so the Island Development (Guernsey) Law, 1966 which came into force in February 1967. Then we took forever and ever in having six detailed development plans which dealt with different bits of the Island and by the time you got to development plan six, development plans one, two and three  
735 were already outdated and had to have their lives extended. Those policies were also inappropriate in time.

Deputy Brouard referred to the SLUP and others referred to the SLUP. That is 10 or 11 years old. Goodness me, how things have moved on in 10 or 11 years and yet we have still got the apex of this hierarchy, this Strategic Land Use Plan which is out of date. I was so disappointed – not surprised

740 though – when I heard from Deputy Burford, Deputy Roffey and Deputy Prow about rules are rules, we must stick to rules. Say that to Anne Torode, a 30-year-old Guernsey woman who was living at home with her parents because she cannot afford to rent or buy a reasonable Local Market property.

745 Say that to John Le Page who is paying higher rents in a property when he would rather be saving up his money for a deposit. He has not got a rich mum and dad, he has not benefited from inheritance. Tell him he cannot have a house in his own Island. Tell him that. That is what Deputy Roffey, Deputy Prow and Deputy Burford are saying. I would rather we fleet of foot and I will be presenting an amendment in due course, so I will speak to that then. It may well contravene 24(6). If it does, then it does and we will have to have a preliminary vote on that. But let's get on and realise that we have the biggest housing crisis we have had in my lifetime. (**Several Members:** Hear, hear.) Deputy de Lisle talked about the 400 farms. He is absolutely right there were 400 farms, I am not that much younger than him, maybe there were 350 by the time I was a boy, but there were certainly a lot. But they had one or two cows, they had a couple of fields. They were not the bigger farms that we have got today. We must do all that we can to protect our farmers, to protect our dairy industry, to protect arable farming.

755 Just to correct, or make a comment on, what Deputy Brouard said about people growing food, everybody grew food, the population of 20,000 was actually 25,000 in the Occupation. And the reason that the people ... there was no food at all imported because after D-Day it was not possible and also they had an occupying force called the Germans – they have got in the Ukraine called the Russians – who pinched all of their food. So it is a bit of a different thing to what. So Deputy Queripel's point is a good one about growing as much food as we can but we are never, in the real world – and I can say that to my good friend, Deputy Queripel – we are never going to be self-sufficient with food, albeit we should make whatever efforts we can.

So the point of all of this is to –

765 **Deputy Queripel:** Point of correction, sir.

**The Bailiff:** Point of correction, Deputy Queripel.

770 **Deputy Queripel:** Sir, Deputy Ferbrache is misleading the Assembly. I did not say that we should strive to be completely self-sufficient. I said we should strive to be more self-sufficient than we are. Thank you.

**The Bailiff:** Deputy Ferbrache to continue.

775 **Deputy Ferbrache:** I accept that completely and I agree with him. But we are never going to be completely self-sufficient and if I misspoke for Deputy Queripel then of course I apologise. But the main thrust of the amendment put forward, and ably put forward by Deputies de Lisle and Gollop, is protect fields wherever you can. I agree with the essence of that, I just do not agree with the straitjacket nature of it. Although I have got great sympathy for it, I will be another one that Deputy de Lisle can tick on the sympathy box. I will also be another one that can be ticked in the 'No' box when we come to the vote.

**The Bailiff:** Deputy Moakes.

785 **Deputy Moakes:** Thank you, sir.

This amendment reminds me a little bit of a saying and that saying is 'never say never'. So first of all I would like to thank Deputy de Lisle for bringing this amendment. I think it reminds us just how important green spaces are and that wherever possible we should repurpose existing buildings and build on brownfield sites, again wherever possible.

790 I clearly, like everybody else in this Chamber, do not want to see Guernsey concreted over. It would be awful. However, there will be potentially exceptional circumstances where a small amount

of green land does need to be used. This amendment rules that option out completely. I think it is a step too far. As I say, never say never.

Thank you.

795

**The Bailiff:** Deputy Inder.

**Deputy Inder:** Just briefly, sir.

800 This is really about consistency. I think someone who is absolutely consistent is Deputy de Lisle. Deputy Brouard did a long history, through you sir, of Deputy de Lisle's consistency and love for the green land, where he comes from, his ownership of probably most of St Peter and half of St Saviour and the fact that he has taken care of it properly and while he was ensconced in the farming community, or one of the last of the breed.

805 But I am not going to take any lessons from the seconder. Now I am just going to look at all of the fields in the north and it does appear to me that southern grass is much better than northern grass. This is not the cannabis debate, this is more about what we have done over the last year, of which Deputy Gollop, sir, was the President of the DPA. He has got up, he has told the DPA off, he has told them all of the things they did wrong, yet for three years he could have changed it. He could have saved the greenfields. He could have found ways of ensuring that more brownfields ...  
810 but he did not do it.

So I will not be taking any lessons from Deputy Gollop today. And I will go through them just to remind Deputy Gollop what he did in the north. What he has done in the north, a solid greenfield, Maraitaine, is now covered in Guernsey Housing Association, Dolent –

815 **Deputy Meerveld:** Point of correction, sir.

**The Bailiff:** Point of correction, Deputy Meerveld.

820 **Deputy Meerveld:** I think Deputy Inder is somewhat misleading the Assembly in that Deputy Gollop, as President in his time in the DPA, did not have discretion to decide what greenfields could be developed where. That was under the Island Development Plan approved by this Assembly. Therefore, he would not personally be responsible for this. It was done very much under a procedural system that was established by this States in 2016. So I think it is a little unjust and misleading to blame him directly for it.

825 Thank you, sir.

**The Bailiff:** Deputy Inder, in relation to this that is a valid point of correction because we have a Committee system of Government and therefore somebody might be in a minority with the President –

830

**Deputy Inder:** Well –

**The Bailiff:** Just a minute, Deputy Inder. So can we try to avoid personalising the views about previous roles in relation to what has happened and concentrate on what this amendment is actually seeking to do, which is to insert another Proposition.

835

840 **Deputy Inder:** I am going to continue rattling off all of the fields of the north, sir, that have been built on while Deputy Gollop was President of the DPA. Marique: the Marique field has now got six or 11 houses agreed, this was under the ... well certainly the DF has been approved. So we have gone through Dolent, we have gone through the field at Maurepas. And of course I just find it incredible that when people have the ability to make changes, when they are actually in position to make the changes, I find it quite incredible they then second an amendment where they had the opportunity to make the changes, they were in position.



845 That is correct, there is nothing wrong with that. They had the ability. Deputy Gollop was the President of the DPA for a period of time and I will remind the Assembly that it is not right for him now to second an amendment where he had the position for three years to make all of the changes he now wanted to claim in the DPA. But, sir, I agree with Deputy de Lisle, I will agree with Deputy Ferbrache, probably Deputy Brouard as well. I think it is entirely appropriate for Deputy de Lisle to try and bring an amendment in because this was his opportunity. Unfortunately, I will not be  
850 agreeing with it.

**The Bailiff:** Deputy Falla.

**Deputy Falla:** Thank you, sir.

855 I completely get where Deputy de Lisle is coming from in his attempt to bring in further protection for greenfields; it might just not be the right way of doing it. But I do think that we have a problem and that is that a lot of the community and actually even some of us do not quite realise some of the rules that are in place currently. I use this as an example: the greenfield on the Oberlands, which is currently the subject of an application for nine dwellings. Most of us, I think,  
860 and I cycle past there several times a day, never realised that that was part of a local centre and therefore is designated for building.

Therefore I think there is a bit of a communication problem, perhaps. Also, I still cannot fathom why the black line on the plan that I have seen included that greenfield because it could have stopped just before that greenfield. It would have made more sense to me. But it is what it is and it  
865 is called policy. That is the second time that I have been surprised by planning policy in recent times. The other one was the Auberge, where even though many hundreds of people objected to what has now happened at the Auberge, nothing could be done because it was part of policy.

So when Deputy Gollop talks about guideline, resolution and wish, I am afraid that is all a bit too wishy-washy and it is not good enough. Right-thinking people, the ordinary person in the street  
870 might think, yes, of course we cannot do that but because of policy, sometimes you can. I just feel that what we are really talking about today is the opportunity to be more on it when the next time comes for policy to be set. So the next time we do debate a review of the IDP or similar, it is really incumbent on all of us to ensure we know what we are voting for.

Thank you.

875

**The Bailiff:** Deputy Matthews.

**Deputy Matthews:** Thank you, sir.

I am actually quite pleased to have followed the previous speech because I think it is exactly the  
880 same sort of issue I wanted to speak about. Most speakers have said that they agree with the essence of this amendment or with the sentiment of this amendment. And who would not? who would not disagree with the idea of not building on greenfield sites where possible? And I think one of the real difficulties here is that the difficulty of terminology ... and I have spoken about this before but planners often seem to use a completely different language to the rest of us.

885 So what they call a greenfield site may not be what we call a greenfield site. Even what they call agricultural might not be what we think of as agricultural fields with cows on and crops growing in. There are all sorts of parts of land which are not fields that are used for agriculture that are deemed as being agricultural. This is not the only place where planning language makes communication very difficult. I think some of these terms that are used, like main centres and local centres, make it  
890 very difficult. As Deputy Falla said, the field on the Oberlands is a good example. It does not seem like it is part of a main centre or a local centre. A lot of the local centres are not where people think local centres would be.

I think that has led ... this builds up to a very difficult ... when we have consultations it is very difficult because of this difference in the way that planners speak to the way that ordinary people  
895 think about things, you can get differences in how things are presented. People are not speaking

the same language sometimes and you may not think that is a very important thing but a lot of people do not understand what is meant by agricultural land and what is meant by greenfield sites. And that is something we have to get past if we are to get a planning policy that has a broader agreement than the policy I think that we have in place at the moment.

900 Thank you, sir.

**The Bailiff:** Deputy Kazantseva-Miller.

905 **Deputy Kazantseva-Miller:** I think any language that is in the IDP is something that is approved by the Assembly, so I think if there is any terminology there, it is ultimately down to the Deputies in this Assembly that choose those terminologies. But I think really to be pragmatic, there has been a general sympathy check with the intention of this amendment. However I do think it is really unclear what the issues are that it is trying to solve. We talked about farming, we talked about growing, we talked about biodiversity, we talked about green lands, etc. It is kind of unclear, the problem that

910 we are trying to solve.

In terms of pragmatically what we can do about this amendment, this amendment mainly engages the DPA. It does not engage SLUP which is in the mandate of Environment & Infrastructure. There is no plan right now in the Government Work Plan to update or review SLUP in this political term. Someone could bring something forward next year if they want to undertake it, but I doubt it is going to happen. The IDP is the way to potentially take on board some of the comments displayed

915 today and as part of the IDP refresh process.

I can say that this is something we are already considering, that we have actually already put in place a couple of measures that are making it a bit more difficult, for example, to have change of use for small parcels of agricultural land to go into domestic garden. So we are already taking steps

920 but I can just say that, as DPA, we have listened to this debate. We are doing the IDP refresh. We have identified already, at a very high level, some of the areas we are going to be looking at and something like improving public amenity and net gain, looking at how we balance that protection of development versus protection of the environment is important.

Just to say, I think we will engage as part of the IDP refresh process. Deputies will have lots of opportunities to contribute and I hope other members of DPA share very much that we have an open, collaborative and engaging process. Probably one takeaway from me is perhaps it would be useful for us as a community to organise another forum to discuss what the IDP actually means and some of the policies. I think we had quite a useful session early on in the political term, perhaps it is something to have another session on because I think there are many misconceptions and

930 misunderstandings about the plan.

As somebody who has come into it with completely no knowledge, no understanding of SLUP, IDP, etc. it has certainly been a real education journey and I think we should take the Assembly with us, especially because we are going to be looking with the Committee to do an IDP refresh. I think it has been very useful, we will take on board what has been said and we have a pragmatic way to actually effect the change once the IDP refresh comes to the Assembly, hopefully in the next couple

935 of years.

Thank you.

**The Bailiff:** Deputy Parkinson.

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**Deputy Parkinson:** Thank you, sir.

Following Deputy Kazantseva-Miller and other speakers, I too share the view that this is not the right place to be discussing this issue. There are of course incredibly difficult decisions to be made in balancing the competing needs of housing and agriculture on a small island and the current planning rules, I think wisely, allow the possibility of developing on greenfield sites where it is absolutely necessary. I would not want to see that flexibility lost.

945

Where we are in a situation where we are throwing away 400,000 litres of milk every year because it cannot be sold and the public are increasingly buying alternatives to cow's milk, and at the same time we have a housing crisis which is causing many families to leave the Island because they cannot  
950 buy a home here, then there is a genuine question in my mind about whether the balance does not need to be tweaked and more effort made to improve the housing market.

But this is not the right time to be discussing that. There needs to be a debate but it is not this one. In terms of the Government Work Plan, all we need to do is put a mark on the page that this is something we need to get to grips with, but not something that we need to resolve the decisions  
955 now.

Thank you very much, sir.

**The Bailiff:** Deputy Dyke.

**Deputy Dyke:** Thank you, sir.

I will speak very briefly. I, like probably everyone else here, agree with Deputy de Lisle that we need to protect our – in general terms – green spaces and we should continue to bear that in mind. But for the reasons given largely by Deputy Oliver and others, this proposal cuts right across the drafting structure of the IDP and would be very difficult to do as some sort of self-contained change.  
960 There are some amendments that could be done easily on a self-contained basis but this is not one of them.

It really cuts across all of the definitions and the whole structure of how the IDP is drafted. So I think this aspect and the review of this aspect should await the review of the IDP which is due quite shortly. So for that reasons I would respectfully suggest that I will not vote for this particular  
970 proposal.

Thank you.

**The Bailiff:** Deputy Murray.

**Deputy Murray:** Thank you, sir.

I am not known for my patience, sir, and I make no apologies for that. I have got some concerns on three counts. Clearly nobody in this Assembly is going to say, and I am certainly one of them, I want to concrete Guernsey. That is ridiculous. However, we have procedures and we have policies and I am not going to support those who think that it was very noble of the proposer and the  
980 seconder to bring this to this debate because it was the wrong time. (**A Member:** Hear, hear.) We have got to have some discipline in this place otherwise we are going to get nothing done.

We have spent nearly two hours talking about something that most people who have spoken about it have said they are going to vote against it. Yet, when the proposal was made so that we do not talk about this, people got to their hind legs and said, no, we do want to talk about it. But you  
985 were not talking about actually what we are being confronted with here. You were talking about talking to the gallery about your views about what we should do about green space in Guernsey. Now I completely agree with that –

**Deputy de Sausmarez:** Point of order, sir.

**The Bailiff:** Point of order, Deputy de Sausmarez. What Rule is Deputy Murray breaking?

**Deputy de Sausmarez:** I think it is 17(1), sir.

**The Bailiff:** Well you might have to expand on that then, Deputy de Sausmarez, rather than just tell me the number.  
995

**Deputy de Sausmarez:** Sir, it is the use of the word 'your', which I think he is probably not meaning you, sir.

**The Bailiff:** I do not think Deputy Murray is referring to me, or at least I hope he is not. It is always more desirable for all Members to try and talk in the third person rather than using 'you' or 'your'. I understand what you are doing, Deputy Murray, which is to refer to all Members, but it would be better to use the word 'Members', rather than 'you' or 'your'. Deputy Murray to continue, please.

**Deputy Murray:** Thank you, sir. Lesson learnt.

Members, I get very concerned that we lose sight of the big picture here. And one of the reasons that I have concerns again about Deputy de Lisle bringing this on the basis of our farmers and our dairy industry is because we do not know where that fits in our strategic plan. We have got people who have concerns about how important the dairy industry is and obviously we understand that. But the issue is that without a vision or an economic plan that tells us how important it is, we cannot make value judgements about decisions about it. That is where my major concern comes with basically the GWP generally.

It is an excellent piece of work and I agree with pretty much most of what is in there but not all. But unfortunately, even though I think Deputy Soulsby made a valiant attempt to try to give us some context for this, there were a lot of platitudes in there because our vision has got to be about our economic success and viability and sustainability in the future. (**Several Members:** Hear, hear.) And we have not got that here. We have not got that. We have got a series of levers to pull to maintain momentum in the current direction. And that is not enough in my opinion, to be perfectly honest.

But back to this particular amendment, I do not know where we are going to get to this week if we start bringing things to this Assembly to the Members to decide when, in fact, even your President and yourself, sir, felt it was inappropriate and went beyond the bounds of actually what the policy was requiring. So can we please have some discipline and actually try and keep our mind on the job in hand this week? (**A Member:** Hear, hear.) Otherwise we are going to be here far too long and achieve nothing.

Thank you.

**The Bailiff:** Deputy Haskins.

**Deputy Haskins:** Thank you, sir.

I am in two minds whether to speak or not, given what Deputy Murray has just said. And I do agree with him. Given that Members were expecting that this amendment would fail and given that it went further than the original Proposition, I am surprised that we are debating this right now. But here we are. I can understand the rationale for bringing this amendment, as Deputy Dudley-Owen has suggested, I might make my views known.

My preference would be to protect our greenfield sites. But in the words of Deputy Brouard, there is a balance to be struck. The IDP already has that balance, Deputy de Sausmarez highlighted this. Our current policies already protect agricultural land. It is my personal opinion that we should be building up, not out. In response to Deputy de Lisle's opening speech, though, I think it would be useful to highlight that land use for dairy farmers has increased by 3% since 2018. That is 20.4% of our land is used to make milk. Sorry for Deputy Queripel, this probably does not help increase the on-Island food production.

This amendment is really about changing the essence of the SLUP and the IDP and that no housing whatsoever will be done on greenfields. That will take a lot of resources, yet in Rule 4.(1)(d), there are no financial implications to this amendment. I suggest there might be. The President of the DPA has already alluded to this and tried to explain just how difficult this would be. Unfortunately for me, there are some issues. They were touched on by a couple of Members. But

1050 the Proposition reads 'all actions relating to housing'. All actions relating to housing is in fact very broad. Actions related to housing could be somewhat subjective.

It could well be interpreted as any new development of any buildings. For example, if a business would like to create a new building that will support their business, say a sympathetic, sustainable building for aquaponic farming of crops, there are two elements I would highlight. One, any  
1055 redundant site in an agricultural priority area can be used for housing, once it is redundant. This Proposition does not relate to only agricultural land in the APA, it is any agricultural land. This will prevent all development on green sites that is already within the main centre boundary in the IDP and may have already been flagged for development.

So this amendment would prevent any housing development in those areas. By the way, it would  
1060 also likely have an inflationary effect. One more slightly tenuous one, but I think it is important to think of the consequences of any amendment and I hope Members will do that for all amendments going forward. If a development does go ahead on a brownfield site that is not for housing, then that would remove that site from being used for housing, thus further exacerbating the very real problem that we are finding ourselves in. So in my mind, all development could either directly or  
1065 indirectly relate to housing.

This amendment will be extremely difficult to implement and will have knock-on effects that have not even been considered. I will not support this amendment.

**The Bailiff:** Mr Comptroller, are you in a position to answer the question that was raised by  
1070 Deputy Queripel earlier, before I turn to Deputy Soulsby and then Deputy de Lisle to conclude debate on this amendment?

**The Comptroller:** Sir, I am happy to have a go. I am not quite sure what it was but I think it was  
1075 in relation to the impact of the amendment and whether there was any difficulty in implementing it.

**The Bailiff:** Yes.

**The Comptroller:** What I have, sir, in terms of advice, and I think this has become apparent in  
1080 debate anyway, is that if this amendment were to succeed it does not change it does not change anything to do with the planning regime. What it does do, is require the action and directs the Policy & Resources Committee to give it Category 1 status.

On page 15 of the policy letter, Category 1 Priority Actions are described, and this is the definition. They are:

... actions which have been identified as priorities for the 2022-2023 period and which need to be delivered to meet major challenges or take-up time sensitive opportunities.

The suggested resourcing for these is to resource as a priority. task Committees to look at this  
1085 in the context of a Category 1 Priority Action. That is what it does.

**The Bailiff:** Thank you very much.

Deputy Soulsby, do you wish to reply to the debate on this amendment?

1090 **Deputy Soulsby:** Yes, sir.

I have quite a lot of sympathy ... certainly I really agreed with the first part of Deputy Murray's  
speech and I liked the end. I was not quite so supportive of the middle and we can probably cover  
that off in general debate. I thought Members might like to know P&R looked at the amendments,  
I think it was last week, to see what we thought about them and mixed truths. So we probably have  
1095 not got a unanimous view on a lot of those amendments. But on this particular amendment we did believe that – and the advice we had was – it did go beyond the Propositions and it really does.

I understand why Deputy Ferbrache might have voted for the debate because the only other one in this category that we considered was amendment 12, which he seems to be the proposer of,

1100 so we will wait and see what we do when we get to that one. Sir, laying 24(6) was not about stifling  
debate, it was about having a relevant debate and I found some of the speeches really interesting –  
Deputy de Sausmarez talking about SLUP and the process and I am sure it was very useful for  
Members here to hear it who did not know it previously.

1105 But it really was not relevant to this policy letter. It is just as irrelevant as if somebody laid an  
amendment saying how long the runway should be. I can imagine, yes, we can say that, fantastic  
we will have a whole debate about the runway within the Government Work Plan but that is not  
what the Government Work Plan is there for. Although the proposer and seconder said that they  
spoke to the DPA officers, they did not speak to me or P&R officers because we would have made  
that very clear. So it has been quite depressing actually to hear people standing up who voted for  
the debate then to say this was not the place for the debate, I found quite frustrating (**Severall**  
1110 **Members:** Hear, hear.) and very much in line with Deputy Murray.

I understand people standing up who did not vote for debate to say this was not the place for  
the debate, but that made it in some way feel even worse. This amendment, people say it is well-  
intentioned – well it might be – but there is no research in here, there is nothing behind it to give  
us any evidence about why we should be supporting this amendment. It just comes out of the blue  
1115 and it explores matters well outside the boundary of prioritising and co-ordinating actions with  
resources, which is really the thrust of this policy letter. Enabling this change without supporting  
evidence, including possible legislative changes, it may not be effective and it risks unintended  
consequences.

The issue is quite well summed-up by Deputy Matthews, who said people do not quite  
1120 understand what is meant by the type of greenfield or agricultural priority area. That is true because  
we have got nothing here that helps people to make a reasoned and logical decision. I think Deputy  
Dyke talked about the IDP review and that was the time to consider it. Something before then –  
and I hate to say it as one of the requérants – but you could bring it against the excellent requête  
that is coming soon on a particular greenfield.

1125 So I cannot support this amendment. That is my view as someone who really does want to  
protect the greenfields. I have campaigned to keep particular greenfields and it is the reason why I  
am a signatory to that requête. But I just cannot support it. This is not the time nor the place to be  
making such decisions and I would ask Members not to support this amendment.

1130 **The Bailiff:** Deputy de Lisle, as the proposer of amendment 7, to reply to the debate, please.

**Deputy de Lisle:** Well of course this is the place to bring these issues, particularly when they are  
vital to a part of our community that is losing outside fields vital to their living. (**A Member:** Hear,  
hear.) As for Deputy Murray's point with regard to discipline, it is the role of this Chamber to enforce  
1135 discipline. Discipline is a matter of doing the right thing. They are a series of rules, aren't they?  
People might remember their school days, discipline is a matter of the rules that are in place.

The rules that are in place are in the SLUP, the Strategic Land Use Plan, and they are very clear  
that developed plans were put in policies that enable a viable agricultural industry through  
integrated development, linked to nature conservation and environmental management and large  
1140 areas of contiguous agricultural land and other areas well-related to established agricultural  
operations, identified as being of value to the industry will be protected for agricultural use.  
Discipline, that is the rule. Do it. Do not try and get out of it or creep around the margins.

Then in terms of the second point, in addressing housing need, the development plan should  
seek effective use of land and buildings by encouraging the reuse of brownfield sites. That is clear  
1145 enough, that is the policy within SLUP and if we want discipline, let's discipline the Members of this  
Assembly to do the right thing and to abide by the rules. Most people say that they have got  
sympathy for the amendment. Most have said that they support agricultural land remaining in  
agricultural use, yet they want flexibility. This is where a lot of Members have said that we need  
consistency. We need consistency between the Strategic Land Use Plan and the IDP, because there  
1150 is inconsistency in the two.

Although when you look at it all, there is a large amount of such but there is some interpretation. Interpretation as to what the meaning is of the Strategic Land Use Plan and its policies. Some people in the States, and some developers, turn of course to Policy OC7, the redundant glasshouse sites outside of the centres. The fact is that some of the commercial operators have actually put in an email to most Members that the principle source of housing supply under the IDP is from 15 housing site allocations, the largest six which were predominantly former greenhouse sites. The IDP states quite clearly that those sites are expected to revert to non-horticultural types of agricultural use.

There is a presumption that when horticultural land ceases, the site will be cleared of glasshouses and ancillary structures and returned to agricultural use. You want discipline? Abide by what you have written in the Strategic Plan. As somebody was saying, I think it was Deputy de Sausmarez, that there was very wide consultation with regard to the Strategic Land Use Plan and it reflects what the population at the time wanted to see. I note the point also that we are going through very challenging times, not only here in Guernsey but globally. With respect to global food shortages, which was mentioned by Deputy Queripel, we have to keep our reserves intact, as we do not know in the future how dependent we might be on those reserves.

It is not good enough to say we can get the tomatoes from Jersey. We are importing all of that. So I turned to one of the producers, or the ex-producers, of tomatoes and then say, 'What are you doing about producing tomatoes?' 'No, I use my land now to produce houses'. That is the sort of attitude you have got out there because of this lack of discipline, if you like, in terms of abiding by the rules. So in all, to basically come to the conclusion on this, I think one has to take a look again at the Strategic Land Use Plan and some of the points that are made. One of the findings of the dairy review, for example, commissioned by the Policy Council some time ago, notes that there is pressure on dairying due to the growing transfer of land to non-agricultural use, which according to the dairy review panel warrants control by legislation.

Waiting, as some people have said, for another time, another debate, adopting almost a kick-the-can-down-the-road approach. (**A Member:** Hear, hear.) The other debate they are referring to presumably is the IDP review, which will not be here at least for another couple of years. In the meantime, of course, a lot of agricultural land will be lost. A couple of Members have spoken about the Oberlands site. The Oberlands site falls outside the urban area, it is in the rural area, just in the margin, and that particular site is being farmed at the current time and it is integral to an operating unit, a dairy farm.

So what are we doing tampering with that if we want discipline and if we want to abide by the rules? That is a no-no. You do not touch that, it is in agricultural production and it is vital to that particular farm business. So the panel – the dairy review panel – therefore recommends that consideration should be given to introducing legislation to retain land for agricultural use. This is a matter for consideration beyond the Strategic Land Use Plan and the IDP. And that is the way, presumably, we will have to take this into the near future, not five or 10 years down the road to look at this again.

We have got the opportunity now and I hope and trust that the Members here and their sympathies will come across and provide support for the amendment that is in front of you, which I can find, which basically says that, given everyone's concern that people are well-housed, that they have the opportunity to get on the housing ladder and so on and that there are sufficient houses out there to meet the demand, then please protect greenfields from development and agricultural land from development, and direct that future development onto brownfield sites. Simple suggestion, it is relevant because of the enthusiasm that everybody here has for housing development.

Therefore, I am just putting in the point that, while we are enthusiastic, let's not get run over and lose valuable land which will be very much needed for future generations and which is needed at the current time for agricultural operations. I thank you all for allowing this to be actually debated today. Thank you, sir. And I thank Deputy Gollop also for seconding. And I thank everybody for their deliberations, their support in their speeches for the protection of agricultural lands.

Thank you, sir.

1205      **The Bailiff:** Members of the States, we come to a recorded vote on amendment 7, which is proposed by Deputy de Lisle and seconded by Deputy Gollop, which if carried would have the effect of introducing a new Proposition. Greffier, a recorded vote please.

*There was a recorded vote.*

*Lost – Pour 4, Contre 32, Ne vote pas 0, Absent 3.*

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Gollop	Deputy Fairclough	None	Deputy Gabriel
Deputy Matthews	Deputy Falla		Deputy Le Tocq
Deputy Queripel	Deputy Ferbrache		Deputy St Pier
Deputy de Lisle	Deputy Haskins		
	Deputy Helyar		
	Deputy Inder		
	Deputy Kazantseva-Miller		
	Deputy Leadbeater		
	Deputy Mahoney		
	Deputy McKenna		
	Deputy Meerveld		
	Deputy Moakes		
	Deputy Murray		
	Deputy Oliver		
	Deputy Parkinson		
	Deputy Prow		
	Alderney Rep. Roberts		
	Deputy Roffey		
	Alderney Rep. Snowdon		
	Deputy Soulsby		
	Deputy Taylor		
	Deputy Trott		
	Deputy Vermeulen		
	Deputy Aldwell		
	Deputy Blin		
	Deputy Brouard		
	Deputy Burford		
	Deputy Bury		
	Deputy Cameron		
	Deputy de Sausmarez		
	Deputy Dudley-Owen		
	Deputy Dyke		

1210      **The Bailiff:** Members of the States, the voting on amendment 7 proposed by Deputy de Lisle and seconded by Deputy Gollop is as follows. There voted *Pour* 4 Members, *Contre* 32 Members, with 3 Members absent and therefore I declare it lost.

The next two amendments are both by Deputy Oliver – proposed by Deputy Oliver and seconded by Deputy Helyar. Am I right in thinking, Deputy Oliver, that amendment 5 is not to be laid, so we can simply move on from that, but amendment 6 is the one that you want to propose?

1215      **Deputy Oliver:** Yes, sir.

**The Bailiff:** Thank you very much. Would you like to open debate on amendment 6, please?

[Amendment 6](#)

*Insert the following proposition immediately after Proposition 1.*

*"1 A. To incorporate the following action into the Government Work Plan and to direct the Policy & Resources Committee to apply category 1 status to it:*



*Housing:*

*Examine the case for developers to make a tariff payment (financial contribution) in lieu of affordable housing contribution to be set aside for affordable housing and to report back to the States by the end of 2022 with proposals, if appropriate, for a system of contributions schedules or standard charges (financial contributions) in lieu, including the identification of any necessary legal provision or changes to land use policy."*

1220

**Deputy Oliver:** Thank you, sir.

I think the amendment is actually very self-explanatory. But all this is adding in is to direct the DPA – and it is ... we spoke with officers yesterday and officers said it is a nice piece of work that will almost kickstart the review of the IDP, because we can do it by December 2022 and it will feed  
1225 into the IDP review. *(Interjection)* This is something that is not new. It has happened in a lot of other jurisdictions.

For instance, Jersey have a tariff system, so do the UK. So this is just evidence gathering to make sure it can go in. We will come back to the Assembly and this is the only thing that we are a little unsure about at the moment, is in what form we will come back. Whether it will be a green paper, whether it will be a policy letter or whether it will just be a note saying we have done the evidence  
1230 and it will be included in the review.

The other thing that I want to say is at the moment, all this will look at is sites over 20, because within the IDP, GP11 is only sites over 20, so that is what we will look to examine. The IDP, obviously that number might change but it is just the basis that we will be looking at. As I said, the officers  
1235 said that it is a valuable piece of work and it will help inform the IDP. I think that is all I need to say and I will take questions, apart from that this is a really important amendment and I hope it gets the support of the Assembly.

Thank you.

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**The Bailiff:** Deputy Helyar, do you formally second the amendment?

**Deputy Helyar:** I do, sir.

1245

**The Bailiff:** Thank you very much. Deputy Soulsby, do you wish to speak first?

**Deputy Soulsby:** Before anybody gets worried, no I am not going, to be 24 on this. This is a good amendment, this is a structured amendment that says examine the case –

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**The Bailiff:** Can you just pause to see if any other Member does want to leap to their feet to put a procedural motion? No, not to speak on it. No procedural motions. Deputy Soulsby to continue then, please.

1255

**Deputy Soulsby:** Well I am glad that nobody wants to stand up for 24(6) because this is an amendment, whether you like the concept of tariffs or not, it fits within what we expect to see and are happy to see in terms of the Policy & Resources plan. Because it says examine the case for developers to make a tariff payment. So from a P&R point of view, I think we have no issue with this; obviously the seconder is a Member of P&R. It reactivates a paused extant Resolution. I understand it was paused at a time when the demand for affordable housing was going down.

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Clearly we are in a very different position now, so it really makes sense for it to be brought forward. So I thought I would stand now, early on in debate. It might help move things along. I do not know if it will make a slight bit of difference, but that was my intention. Certainly I am quite happy to support this amendment, I think it has P&R's support as well.

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**The Bailiff:** Deputy Ferbrache.

**Deputy Ferbrache:** I agree entirely with what Deputy Soulsby has just said, it is a good amendment. The only question I have of either Deputy Oliver or Deputy Helyar if he speaks in relation to this is that it says:

(financial contributions) in lieu, including the identification of any necessary legal provision or changes to land use policy.

1270 Deputy Oliver has talked about GP11. What would be the timeframe, because it talks about a report back to the States by the end of this year and then it would identify in that report any necessary legal provision or the change of land use policy, what would be the timeframe for that?

I.e. the change of the legal policy or etc. Because when you look at the explanatory note, it says it all really, doesn't it? It says:

at the end of Q1 2022, under the IDP, ... GP11 has yet to be relevant to a planning proposal and there has therefore been no land or units provided for affordable housing as a proportion of a developable site area as a direct result of this policy.

There is also the perception that the policy requirement to provide land or units may be blocking existing permissions for much needed housing being implemented. There is a ... (2-year supply) of permissions for 556 (Q1 2022) general market residential units and potential for between 548-1071 units on sites allocated for housing in the IDP or on sites with an approved Development Framework.

1275 This is the cruncher, isn't it? Although residential units are under construction, there is a significant discrepancy between the number of permissions granted and what is built, with only 387 general market units completed between November 2016 and Q1 2022. So in five and a quarter years or so all that has been built is less than 400 units of accommodation.

1280 I know that we have had COVID, so that probably is slightly disproportionate. But even if you took out the two years completely, in three and bit years you have still had fewer than 400 units. That is 130 units or thereabouts per annum. Nowhere near enough, so let's get on and do something useful. This is a very constructive amendment and let's approve it.

**The Bailiff:** Deputy Burford.

1285 **Deputy Burford:** Thank you, sir.

I have just got two points that I hope the proposer will be able to address in her summing up, which will help me decide on how to vote on this amendment. When amendment 5, which is not going to be laid, came out, I did email the President of the DPA because my concern with it was the mention of GP11, which I felt therefore restricted the examination, the investigation, to 20 units. Because clearly 20 units is the threshold for GP11.

1290 The President replied to me to say that, having discussed with the staff, that restriction would not necessarily be in place. But we now have amendment 6 which does not have the reference in the same way to GP11, so therefore I was quite encouraged because I thought that would mean that the examination could look at a threshold below 20 houses. But in her opening speech, the President has said that it will not look at below 20 houses. So you can understand, I am slightly confused and I might be missing something and I am quite sure in her summing up that she will be able to explain that to me.

1295 The other point that I would pick up on is the one in fact that Deputy Ferbrache just read out from the explanatory note where it says that GP11 has yet to be relevant to a planning proposal. Again this may be semantics over the word 'proposal' as opposed to 'application' but I think that knowing the development that is going on at the vinery that I always forget the name of that Deputy – (A Member: Parc Le Lacheur.) **Deputy Burford:** Parc Le Lacheur these days, right. The development there and also, of course, the presentation that we were given on Leale's Yard, which is due to look at anything up to 100 affordable units. But these have come from Policy GP11. I accept that the final applications may not have been put in but the word application is not actually used in this.

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So I am just getting a little tired of the sort of beating GP11 with a stick to the extent that actually is not supported by the facts and by what is in the pipeline. Those were the two points I wanted to make and I will listen to the rest of the debate and hopefully come to a decision on how to vote.

1310 Thank you.

**The Bailiff:** Deputy Inder.

**Deputy Inder:** Just briefly, sir.

1315 There is nothing particularly wrong with the amendment. It examines the case for developers to make a tariff payment, end of 2022. But we have got a budget between there and then. And it is fairly clear, as Deputy Ferbrache alluded to, and I will make the same argument in the Housing Action Plan, that the houses not being built have value. They have value to the landowners, they have value to the developers and ultimately they have got value to our society. So if the planning  
1320 permissions are already in place, there needs to be a very good reason for them not to be out of the ground.

I do not know if it is land banking, if it is finance, I do not know if it is cynical, just sitting on land for three or four years to see if they can flip some land. It is not clear to me. Deputy Helyar is unlikely to reply to debate but I am wondering if there is anything in a budget lever that we could look at  
1325 getting the existing houses effectively out of the ground by more stick rather than carrot. But in the main I will support this amendment because there is nothing not to support.

**The Bailiff:** Deputy Roffey.

1330 **Deputy Roffey:** Thank you, sir.

I, like Deputy Burford, would like a little bit of clarification over this. Because for a very long time, I have wanted – I think it was the Dorey amendment, implemented. That in particular would look at sites between five and 19 units, if you like, that at the moment do not have to provide anything towards social housing when they are developed. The explanatory note, well the amendment, makes  
1335 it clear not only would they make a financial contribution – it is only an investigation at the moment, but if it concludes that way – but it should be earmarked for social housing.

So clearly, with my ESS hat on, I really welcome that. I do have some concerns about the sites over 20 units, I have to say. Because if there is a suggestion that the requirement to provide plots is replaced completely on all sites, no matter how large, with a financial contribution in lieu, I can  
1340 see some difficulties with that. The difficulty will be, thank you very much for the money to spend on social housing but it is no good having money if we have got nowhere to actually build the affordable housing in the first place.

I can see some circumstances – some really unusual circumstances – where it might be impracticable for GP11 as currently framed to be fully implemented in large sites, but I think there is a flexibility there. Just to make a practical example, I was delighted, like many I think, when I saw the plans for Leale's Yard. I am expecting now circa 90 units for affordable housing to be provided. Presumably, that is going to take a year or so to come through the planning procedures. So presumably what comes back by the end of this year and says no cash in lieu – those 19 plots may be *disparus*, they may be gone. We may get some money but those sites are gone.

1350 I also agree with Deputy Burford about the explanatory note. I think we are really at the cusp of getting some fruit out of GP11 – she did not mention Pointes Roques. Whether Pointes Roques is the right place to build for traffic issues, I am not going to get into that but that again is an active application that would yield up units. Leale's Yard is another and I know that there are several others in the pipeline. The only thing that makes me concerned about this in a way is I know that we are  
1355 being blighted by uncertainty over the debate around GP11.

If you speak to the GHA they are actively trying to buy land now and have been told by owners, 'Yes, we do want to sell to you but actually not sure what we are going to do with it at the moment because we do not know what is happening with GP11, we'll maybe hang on a few years and see

whether or not more favourable conditions will come down the road'. We really need to remove that blight one way or the other because it is really harmful to moving forward. So I will listen to what the President of the DPA says in her summing up.

I certainly do want to look at the option of payment in lieu. I think I would have liked to have seen it a long time ago, particularly for the smaller sites. But I do worry that if this is a way of just sweeping away any kind of provision of plots on larger sites, then I put down a marker now that when the report comes back, I will not be supportive of that.

**The Bailiff:** Deputy Gollop.

**Deputy Gollop:** There are quite a few things to say on this. Deputy Soulsby and others said this is a good amendment, unlike perhaps my ...never mind. I think it is a curious amendment in a way. For a start, it has replaced another amendment which is superficially similar but has a significant difference that Deputy Burford and Deputy Roffey identified, whereby the reference to 'in lieu of affordable housing contribution equivalent to the value of the land', which Policy GP11 would require, to be set aside for affordable housing. So not only has GP11 disappeared from this but there is a slight difference with equivalent to the value of the land, that is not said, to make a tariff payment in lieu.

So it is slightly different. Yes, it is not a pleasant story that Deputy Ferbrache and others have identified of how we have 556 pipeline, potential for up to over 1,000 and only 387 general market units were completed between November 2016 and recently. And half of that was when I was President of Planning and I will come on to that. I sort of got the short straw, really, when I became President of Planning, although I had good people on the Committee like Deputy Queripel and Deputy Oliver.

We went to the States with the Island Development Plan and, I already said, numerous amendments. One amendment was actually placed by a Committee Member, Deputy Queripel, with the then Deputy Shane Langlois, and another by Deputy Roffey, who succeeded in getting rid of GP11 for under 20 houses. In view of the fact that the very small numbers, even the larger numbers proved unattractive to developers, you could say that was far sighted. But of course it added to the difficulties because it made it easier for developers to go for the smaller sites.

Deputy Inder gave me a hard time for switching around. I have got to put a few things into context. We as a Committee approved Leale's Yard with a far greater density of residential development than the latest iteration, but for many reasons it did not happen. Some of the things we agreed to, such as the autism – very needed, autism – properties in The Vale, La Nouvelle Maritane and the housing near the Hurel at the back of St Martin, went back to a previous plan, the old Urban Area Plan and Island Development Plan.

So we were not just blockaded in by the Law and by the appeals process, we were actually working to a plan that had materially changed. We got a flurry of applications in the dying weeks and months of the old plan, precisely because the new plan was in some ways stricter. I also, personally as President, I did actually vote for the Delancey Conservation Area, you may recall, and additional agricultural fields to join. So I was supportive as much as I could be by greenfields. But where the report was farsighted – we were on track – we did allocate many areas and happily possibly overly concentrated down lanes in the north of the Island, but we did allocate areas for housing.

And what did the world and his wife say, especially northern Deputies? 'We do not want more housing'. There was a real community, parochial, 'I am alright, Jack,' kind of feel from everyone from conservationists to NIMBYs, now we have a housing crisis in terms of –

**The Bailiff:** Deputy Gollop, I am struggling to understand the relevance of this to amendment 6. This is not an opportunity to respond to something that has been said in a previous debate, so can we concentrate on this particular Proposition?

**Deputy Gollop:** That is right and I think we need a context as to where we are and why we have not developed sufficient housing because one area where the Island Development Plan, with the benefit of hindsight, perhaps was deficient – and that is what we are effectively amending here – was working with developers. Because whatever our best intentions were with GP11, we have not  
1415 seen social housing come out of it yet and we have not seen it ... what was intrinsically within the design was not only developers doing a payment in kind, a payment in lieu, a contribution, a covenant. But the whole point of it was to have an integrated society whereby properties of different price ranges and types would have a holistic community.

We hear through the grapevine that maybe the developers do not think there is a huge market  
1420 opportunity for those developers and there are hidden costs. But that is why any change to GP11 risks the purity of that objective. I can see with the benefit of hindsight that we have had a failure, for whatever reasons, of housing coming through the pipeline. And for those reasons I will support this amendment but, like other Members, I cannot see how it is wide enough to include a cash contribution.

If one is correct in understanding that this is a piece of work that will result in being fast-tracked  
1425 of a possibility of cash contributions in lieu of affordable housing, then the implication is not just that the 20 that we were stuck with the former Deputy Roffey amendment, smaller sites as well. By that interpretation, this amendment is actually quite socially progressive because, whereas at the moment developers do not have to provide such sites, they would if this went through.

Or at least it would be considered in the report. Because the amendment is less specific than its  
1430 predecessor. So I would be very interested to hear Deputy Helyar and other Members and Deputy Oliver comment on that.

**The Bailiff:** Deputy Helyar.

**Deputy Helyar:** Thank you, sir.

Just to address those comments first from Deputy Gollop, there is not any policy in this. This is simply requiring an extant Resolution of the States to be prioritised as part of the Government – we do not have a policy yet. So I think it is a bit premature to accuse it of being socially regressive.  
1440 Deputy Burford made some interesting comments and I think one of the reasons that we are perhaps stuck, to some extent, with the GP11 wording is because of the wording of the previous Resolution from 2016, because that is how it referred to it.

I do not see that precluding there being an addition for sites less than 20 and I do not see any reason why there could not, for example, be an amendment when the policy letter is brought back  
1445 that would include some proposals for that. I will give way.

**Deputy Burford:** Thank you very much to Deputy Helyar for giving way. Deputy Oliver said that she did not know how this would come back, whether it would be a green paper, a policy letter or a statement. Obviously only one of those three options can actually be amended. So perhaps if the  
1450 President, when she sums up, would make a commitment to it being a policy letter, that may help some people determine how to vote. Thank you.

**Deputy Helyar:** Thank you. Thank you, sir.

This was originally the amendment ... I had started to draft it and I spoke to the President at the  
1455 DPA because clearly this sits as a DPA responsibility and it is much more appropriate that the DPA take that on board and run with it. It is an extant Resolution. One of the reasons as well is it is trying to be constructive about the GP11 issue that we have, which is a bit of an elephant in the room, if I am honest. There are a number of Members I know who really do not like it. There have been talks about requêtes and various other things going on.

I do not really think this needs a pitch battle because there are going to be sites which suit GP11.  
1460 I think it is well acknowledged that mixed-use sites are the best way for dealing with affordable housing and social issues that happen when you otherwise build housing estates which become

ghettoised. I think that there are equal opportunities for these two policies to sit alongside one another in terms of a financial payment as opposed to the pure GP11. Developers that I have spoken to said they would like the opportunity to have an alternative and to be able to discuss that with the DPA.

I cannot talk about the budget, which Deputy Inder invited me to, but I would say I am very sympathetic to seeing some incentivisation for the many derelict sites and empty sites and derelict glass and other places in the Island which are not being put to any economic use. The word biodiversity comes up in the bingo that you could play in the Assembly very often. If we really are serious about that, for example, then we could put up TRP for those sorts of derelict sites to have them cleared. I know I am going off the point slightly, sir, but I do agree that the stick could be an opportunity to incentivise this type of thing more actively.

I just ask Members to agree with the prioritisation. We have the opportunity to say no to it at a subsequent date and to mould the policy as it goes forward. It does include a requirement to speak to ESS and E&I in terms of their responsibilities for housing, so we will not end up with something that just says get rid of GP11. Hopefully it will be something that everybody can get behind and will provide an opportunity to speed up the process, which has clearly become bogged down.

Thank you.

**The Bailiff:** Deputy Trott.

**Deputy Trott:** Thank you, sir.

I just want to make two points and the first is to pick up on the revelation that is contained within the explanatory note that others have already mentioned and that is the statistic that between November 2016 and the first quarter of this year, 387 units that fell into the category we are discussing were completed. That is a 62-month period, possibly a little longer, but certainly a 62-month period which works out at circa six per month. Deputy Ferbrache was right to remind us that there was an element of COVID disruption in this, but a number of around six per month is a long-term historical trend.

Right now, I am going to be stating the obvious, but I do think it needs to be said to manage expectations, right now the industry is hot. The construction industry is hot. Supply chains remain challenging. Inflation is rampant and labour shortages are ongoing. At the historic rate, which generally is not too far off the mark, notwithstanding my earlier comments, in the remaining three years of this Assembly – and it is almost exactly three years – we can estimate that a little over 200 units will be completed unless we are able to significantly improve that figure.

Clearly affordability is going to be an issue for all of the headwind reasons that I have explained. So I do think it is important for this Assembly, as it is for any Assembly, to manage expectations. There is only so much Government can do. A realistic expectation is that there will be 200, maybe a little bit more, units built over the next three years. Clearly we are going to need to use, as Deputy Helyar just alluded to, policy levers that are both carrots and sticks. In a discussion I had with Deputy Ferbrache yesterday and Deputy Fairclough, we touched upon the fact that this Assembly has traditionally been eager to deploy carrots and much less interested in sticks.

If we are serious about dealing with this problem, more sticks will need to be wielded. So let's manage expectations. Let's be mature and grownup about how difficult some of these policy decisions are going to be and let's be careful to set ourselves reasonable targets. Otherwise we will be staring failure in the face.

Thank you, sir.

**The Bailiff:** Deputy Queripel.

**Deputy Queripel:** Sir, thank you.

When the Chief Minister spoke he referred to this as a constructive amendment and Deputy Oliver said that planning officers have said that this is a valuable piece of work. I will support

1515 anything that is constructive and valuable so this gets my vote, sir, and I ask for a recorded vote when we go for the vote, please.

**The Bailiff:** Deputy Dudley-Owen.

1520 **Deputy Dudley-Owen:** Thank you, sir.

I will be brief, as other speakers, because I do intend to vote along with the amendment. But I wanted to pick up on a point that Deputy Gollop made just earlier. He said – and this is not verbatim – that there was word on the grapevine that developers did not like GP11. Well I would go further than that and say that it is not ‘word on the grapevine,’ it is a fact that developers do not like GP11.

1525 That fact was clearly stated in prospect before we agreed on the IDP and myself, Deputy Meerveld, Deputy Ferbrache, I think Deputy Tindall – ex-Deputy Tindall, at the time – and Deputy Oliver, many of us were invited to a meeting at the rugby club quite some years ago by developers and we were told then that this was going to cause problems. It was going to put a fly in the ointment in terms of pipeline developments because, quite frankly and social aspiration aside, developers did not like the fact that insisting upon a specific amount of affordable housing developments within their broader developments interfered with their profit margin. Like it or not, that was the message that we got.

1530 At the time we warned, when those of us who engaged in the IDP debate, do not be too ideological because it will rub-up against our commercial interests. And this is where we are today with a deplorable amount of housing having been built because people have sat on their land and they have land banked. It is a really sad situation that, despite ideological aspirations, we could not get to grips last term with the practicalities and the pragmatism that this does rub-up against and in conflict with developers’ aspirations to make profit and contribute to the Island economically.

1540 We have got to get to grips with this and I am so pleased this particular amendment ... but also to hear some of the rhetoric around the States today about actually getting to grips with this in terms of incentivising through financial penalty or otherwise, that stick that we need to start employing now to push people into action. Because it is not just our States that needs to be acting, it is also the private sector as well that needs to be acting. So I hope to see the fruits of that work coming soon to this Assembly.

1545 Thank you.

**The Bailiff:** Deputy de Sausmarez.

1550 **Deputy de Sausmarez:** Thank you, sir.

I think I will start on an issue that Deputy Trott touched on, which I think alluded to the cyclical nature of housing demand. You do get a very different picture depending on whether you are looking at a very narrow timeframe or whether you are looking at a number of decades and it certainly does peak and trough. Of course when you are talking about producing or developing more bricks and mortar housing, there is an inevitable timeframe that is attached to that, irrespective of how much you can streamline the planning processes, which I know the DPA have gone to great lengths to do. It still takes time.

1555 You cannot wave a magic wand and just produce housing overnight, so there is a lag between being able to satisfy the demand for housing and, indeed, when we have seen a big surge in demand like we have over the last couple of years, that is exacerbated by the lag between demand and supply. Of course many of the figures that relate to the housing that has come forward pre-2020 – I think we need to remember we were in the context of lower and indeed falling demand at that particular time, so when we bear in mind the lag that it takes to produce and develop housing then that makes a little bit more sense.

1565 To pick up where Deputy Dudley-Owen left off, Deputy Roffey and I, and Deputy Oliver, did meet with developers very recently, in the last maybe five or six weeks. I think it is a little bit ... of course

if we say to developers would you rather have GP11 or not, of course developers are going to say we would rather not, thank you very much. I actually commend the developers around that table for completely acknowledging the need to contribute to affordable housing. They were commendably honest about both of those things. I think one of them actually did summarise it – it was a meeting Deputy Ferbrache I know would have been at but I believe he was in Alderney that day as well.

But I think one of them did say, 'Well, of course if you are going to give us a choice between having it and not having it, we are going to say no thanks but of course we do recognise the very important role of a contribution towards affordable housing'. They did actually say – and this is a very important point – first of all they said of course naturally as humans and as developers we are going to develop the easier sites, which are often the smaller sites. So of course we are going to see those smaller sites coming forward first, ahead of the much more complex larger sites.

But when we asked them what the biggest block in terms of delivering more housing was at the moment, they were unequivocal. They said it was the resourcing of the Planning Department, or more specifically the under-resourcing of the Planning Department. That was the single biggest block that the developers had identified and I really hope that is something that we can address. Of course, as Deputy Roffey explained, GP11 is in the process of delivering, it is working. I think it is misleading to suggest otherwise. As I said before, the developers themselves explained that it is just natural to bring forward the smaller sites and those bigger sites are what now we are starting to see in the form of planning applications or pre-planning applications.

I would also reiterate the point that Deputy Roffey made because it is a really important one. We are a small island, land availability is not overflowing with abundance. We have a real issue when it comes to land in the right places to develop for housing. And no amount of money is going to be able to produce affordable housing if we do not have the land availability. So that is a fundamentally important point. The explanatory note to this amendment does talk about how this workstream was paused so it could consider an updated States' Strategic Housing Indicator and I am pleased to say, as I think I have mentioned before, that that work will be coming forward in the last quarter of this year. So I think the timings should be quite helpful for this particular piece of work.

Again, it is just frustrating that that piece of work was delayed as it was. But that again came down to under-resourcing within the States, as a key person required was effectively pulled off to work on the Tax Review. So it was very frustrating that that piece of work was not able to progress as quickly as we all hoped at the beginning of this year. But we have only got a certain number of people within the States to do that kind of work. I am certainly minded to support this. I think it is potentially a very helpful amendment but again I am looking for confirmation from the President, when she replies to the debate, on two points.

First of all, on the issue of being related to units of under 20, so developments with under 20 units, because I think that is vitally important. It is not ... as Deputy Helyar said, it can be amended when it comes back; this is about the Proposition says to examine the case, so obviously we need all of that to be examined in order to make an informed decision. So I think it is important that we clarify what the scope of the work is at the outset when we are being asked to vote on it today. So I would appreciate confirmation from the President of that.

Secondly, it does come down to that aspect, that issue of whether or not it can be amended and so, again, I will be looking for confirmation hopefully from the President that this will come back in the form of a policy letter so that it can be properly debated and amended if the Assembly feels that is necessary. But assuming those two conditions are met, then I will gladly support this amendment.

Thank you.

**The Bailiff:** Deputy Taylor.

**Deputy Taylor:** Thank you, sir.



I want to start by saying I broadly support the reasoning behind this amendment, I can see the idea of putting tariffs in place. But in a very brief speech I just have to say that I will not be able to support it for quite a simple reason in that it is seeking to make the DPA bring back a Proposition, or something, before the States by the end of this year. We are not then due to actually carry out the review of the IDP, in which time we will then be carrying out the inquiry, along with Environment & Infrastructure.

So if we put in some kind of review, we bring it back to the States, someone no doubt will have an amendment to make to that. They will say, 'Well, that is a good idea but I would tweak it here,' and we will have another big debate and then it will be changed again and the DPA will have their hands tied when they actually go into doing a review, instead of going in completely open-minded, being able to look at the ideas of GP11 – in which this will no doubt feature as one of the considerations – but to make us come back with something in just such a short space of time when, actually, there is already a timeframe within the Government Work Plan to do this properly.

And I hope you all see that the DPA is quite proactive, we want to get these things tackled. (A Member: Hear, hear.) We will take this on board but I do not see any point in us bringing something back to have another bum fight about GP11 and put all of this uncertainty around it. So I will be voting against this amendment. I urge Members to vote against it as well and I promise you it will not make a jot of difference to housing applications in the next few months.

Thank you.

**The Bailiff:** Deputy Moakes.

**Deputy Moakes:** Thank you, sir.

We are not actually in the middle of a housing crisis anymore. I would reclassify it today as a housing emergency. There just are not enough homes to meet the demand. First-time buyers, families and the elderly are all struggling and the problem exists across both private and social housing. It really is beyond unsustainable. We have seen various solutions proposed. I am a big supporter of revitalising our town centres by repurposing unused shops and offices. This would transform our retail-centric town centres into live-work-and-play centres by mixing up retail, residential and leisure.

This is starting to happen, but it will take time. I also like the idea of utilising surplus States' buildings and some land and there is a good case for looking at modular solutions, as we have spoken about more recently. These can be erected in a matter of days. Scrapping GP11 is another suggestion put forward on the basis that it has not delivered the social housing it was meant to. In fact it has almost certainly contributed to the housing crisis by stopping large developments from going ahead. There are people who would welcome the scrapping of GP11. There are others who are firmly against that.

At recent States' meetings I suggested a compromise – suspend GP11 and see if that leads to more homes being built. Today we have two amendments, 6 and 5, that do not actually scrap GP11 but provide alternative solutions. I am not sure whether developers have been consulted but I think perhaps that they have been spoken to about these amendments. But I am literally prepared to consider any idea that aims to kickstart house building. What also frustrates me is that there is something like 1,000 homes in the pipeline currently.

For example, Belgrave and Kenilworth Vineries, both of which will be used to build social housing. According to the GHA, Fontaine Vinery could take up to 313 new homes and Kenilworth circa 130. So that is potentially 443 new social housing units. Why are we forcing developers to hand over land or homes when the States already has land set aside for social housing? Let the developers get on with building without the burden of GP11. Or, as these amendments suggest, come up with a different option. I will definitely be supporting this amendment.

Thank you.

**The Bailiff:** Deputy Kazantseva-Miller.

**Deputy Kazantseva-Miller:** Thank you, sir.

1675 This is something we were going to look at as part of the IDP refresh and looking effectively at alternatives within GP11. So the Committee has committed to doing an IDP refresh, as the Assembly is well aware, and which will be starting in Q1 next year. The real question, and what this Proposition is asking us to do, is to ask for a piece of work – within that, actually why the review we are undertaking is to be prioritised – with the expectation of a delivery of the case by the end of the year.

1680 We had a discussion at the Committee in terms of is it viable, do we have the resources to undertake this piece of work and how does it fit into the wider IDP refresh? Because as the Proposition correctly notes that depending on what the case is, depending on what is examined, depending on what the conclusions are, there are likely to be implications – legal and potentially land use policy implications – which, in other words, it means implications of the IDP and SLUP. Hopefully not SLUP because that is probably not going to happen in this political term. Most likely  
1685 there will be implications for the GP11 Policy and for wider IDP.

So the question was really, should we be supporting a targeted piece of work most likely knowing that what falls out of it, we will still have to go through a proper inquiry process, which will take time? Or should we say, we are doing the IDP review and we will make sure this is considered, among other things, as part of GP11 in the bigger context? The officers said magically they can  
1690 magic up some time to deliver this targeted piece of work, which I think is a great starting point if we know that there is likely to be a resource allocated to this, that is really good.

They also said this can be one of the building blocks which helps us to then deliver the targeted IDP refresh. So the officers were supportive of conducting this piece of work, which in my opinion makes it realistic and pragmatic. However, I do want to note that I think looking at just the option  
1695 of tariff in lieu of land transfer, it is just one of the options. I think this is why we really have to look at this in the wider context of what alternative options for GP11 can afford us. I think if we just look at tariffs in isolation, I think it could be limiting.

It could prevent us from, like Deputy Roffey said, for larger sites that availability of land is really crucial. In a market where the private market is effectively potentially competing with social housing  
1700 for development and for buying land, land prices can go up. GHA will not have access. We will have to bid higher and higher for land prices. There are real challenges because we are a limited jurisdiction in a hot market with financial challenges. So we do need to look at how the private market can help with affordable housing in a whole context.

We will later be debating other amendments in relation to new schemes, such as 75% ownership.  
1705 Deputy Ferbrache and Deputy Oliver are proposing that the private market can offer those schemes for development. So there are alternatives and I think, if we are just doing something very narrow within that field, it can be potentially limiting. But I do not want to pre-empt that. I think this is about examining the case. The officers said they can do this piece of work. It fits with what we want to do with the IDP refresh. So I have a similar view to Deputy Taylor but perhaps a different outcome  
1710 on this amendment. I will be supporting this amendment but noting that the likely practical fallout of it will still be part of the IDP refresh, but I do not want to pre-empt that.

**The Bailiff:** Deputy Matthews.

1715 **Deputy Matthews:** Thank you, sir.

This is a good amendment and I will be supporting it. I thank Deputies Oliver and Helyar for bringing it. Sir, GP11 appeared to hold out the prospect that sites for affordable housing might just appear through the usual process of housing being developed for other purposes and it just does not seem to be happening. I think it was attractive for that reason. That it held out that prospect  
1720 that we might just be able to find some sights somewhere. Because this is the real issue that we have got, that land availability is so poor and just identifying sites is so difficult.

That is something that we are just going to have to solve. As Deputy Moakes mentioned in his speech, we are not in a housing crisis, we are in a housing emergency and I am sure that is a sentiment that many would back. In fact I think it goes further than that. I do not want to pre-empt the rest of the debate on some of the amendments that are being brought on housing and on the rest of the Government Work Plan, but the housing crisis is an existential crisis for the Island. If we do not solve this, it is going to cause us all kinds of problems down the line. Later on in the debate, Deputy Taylor said that he did not think that this could be accomplished by the end of the year and that it would perhaps take a bit longer to be able to do this. I –

**Deputy Taylor:** Point of correction.

**Deputy Matthews:** I take the opposite view –

**Deputy Taylor:** Point of correction, sir.

**The Bailiff:** Point of correction, Deputy Taylor.

**Deputy Taylor:** I did not say that we would not be able to do the review by the end of the year. I said that I did not think there was any point in doing the review by the end of the year because we could not do anything with it until the IDP review was carried out.

**The Bailiff:** Can I remind you, Deputy Matthews, that you are supposed to resume your seat when there is a point of correction. Please continue.

**Deputy Matthews:** Accepted, sir. Yes, Deputy Taylor's speech was suggesting that it might be desirable for it to take longer than a year. I would take the opposite view. I think that the time limit set is almost too generous, we should be doing this immediately. The sooner the better to get this through. (**Several Members:** Hear, hear.)

Thank you, sir.

**The Bailiff:** Is it quick, Deputy Bury?

**Deputy Bury:** Just a very quick question, sir, thank you.

My question that hopefully the President can answer in the summing up relates to, as per Deputy Burford's question, the difference in wording between the original amendment and this one. And with my ESS hat on, like Deputy Roffey, it is the removal of the words 'equivalent to the value'. That felt like a very good safeguard and safety net for affordable housing and I just wondered if the rationale for removing that from the amendment we are actually voting on could be explained in the response to debate.

Thank you, sir.

**The Bailiff:** Can I just check how many Members still want to speak on this amendment, please? In that case we will adjourn until 2.30 p.m.

**The Assembly adjourned at 12.31 p.m.  
and resumed its sitting at 2.30 p.m.**

**POLICY & RESOURCES COMMITTEE**

**Government Work Plan 2022 –  
Debate continued**

1765 **The Bailiff:** Who wishes to –? Deputy Vermeulen, I call you next.

**Deputy Vermeulen:** Thank you, sir.

I am going to support this amendment and the reason I am going to support this is it introduces a degree of flexibility into the planning process. We are not going to go down the avenue of whether GP11 has produced any dwellings or ... we are not going down that avenue. So this is another opportunity for home builders that might be interested, instead of giving over a certain amount of housing, that they can donate some money which could be put to good causes such as building the social housing on vineries, ex-vinery sites.

1770 I am fully behind this and I support this. I think the DPA are doing a great job so far and I would encourage them to keep working towards this because, as the Chief Minister has told us, we do have a housing emergency. So far more has got to be done on building homes than all of the other stuff which seems to weave its way into our debates. That is all I have got to say, sir.

**The Bailiff:** Deputy Dyke.

1780

**Deputy Dyke:** Thank you, sir.

I thank the President of Development & Planning, Deputy Oliver, and Deputy Helyar for bringing this amendment. (**A Member:** Hear, hear.) It shows a sense of urgency. It is a sense of urgency that we really must work with. It has been said before that there is a housing crisis and that everything is a crisis, and that is what we all say. But this really is very serious. We have got young people with not the faintest chance of buying a house. If they want to buy somewhere, pretty much, they have to leave the Island or go into some form of social housing, which is not really what they want.

1790 Pretty much everyone – we are all variations of a theme, everyone is slightly different – but most people, whether you are a plumber, a heating engineer, a roofer, a lawyer, an accountant, a Deputy or a billionaire fund manager would like to own their own house, whether it is a big one or a small one. At the moment that option is not available. So I am much encouraged by this amendment and the prospect of Development & Planning getting on with some proposals which I think could be very positive if we work with them in terms of bringing forward new housing, particularly on the bigger sites which have not been forthcoming to date.

1795 I have got an interesting figure here. In 2001 the homeownership percentage in the Local Market was 75% of people owned their own homes. By 2021, in the Green Book, it had dropped to 60.2%. We have got house prices now, if you are a young family and want any sort of house suitable for a young family, it is going to be around half a million pounds. With a median income of around £36,000, which we are at now – £37,000 – that gives about 15 times earnings, which is a very high multiple for a first-time buyer to finance. It is just not possible. So what is key is getting more houses built.

1800 There is a supply and demand thing here. It is just the most basic of principles that the supply has been artificially constrained and we must release that artificial constraint. We will then get, hopefully, some more housing and we will move supply in such a way that prices should come down eventually. It is going to be a slow process which is why we really must start now. (**A Member:** Hear, hear.) The amendment suggests that Development & Planning must come back with proposals for a system of contributions, including the identification of any necessary legal provision or changes, or changes to Land Use Policy.

1805 So I think we must discipline ourselves to bringing back proposals during these next two quarters that can be implemented well ahead of the revisions to the IDP. The revisions to the IDP are not going to happen for two or three years at best. We must come up with legal suggestions, which I think working with our officers and with the Law Officers I can see a way of doing this, whereby these changes can be implemented much quicker. So, good on Deputies Oliver and Helyar.

1815 **(A Member:** Hear, hear.) Let's do what they are suggesting and let's vote for this. But let's get on with it in the fastest possible way **(A Member:** Hear, hear.) as it should be a super priority and not just priority number one. But I do not think that category exists.

Thank you.

**The Bailiff:** Deputy Meerveld.

1820 **Deputy Meerveld:** Thank you, sir.

Deputy Gollop raised a very important point in his speech. Before considering the specific proposals in an amendment like this, we must understand the wider issues it is trying to address. Deputy Ferbrache stated that we are facing the largest house crisis in his lifetime, or in my lifetime –  
1825 which I am sure Members will appreciate is a very long time! *(Laughter)* Deputy Moakes stated he thought that this was becoming an emergency rather than a crisis. Before addressing a housing crisis, we need to understand its dynamics and the potential causes.

This housing crisis is demand driven. We do not have enough supply of all categories – social housing, housing for private ownership and rental properties. The crisis is across all sectors of the  
1830 property market and is obviously created by a lack of supply. Why has demand exceeded supply to such an extreme? It is not due to significant population growth. Our population has been relatively static over the last few years. So if we have not got more people coming to the Island, why have we got such demand for additional houses?

I believe it is the decisions and actions of this and previous Assemblies, which have either largely  
1835 caused or at least exacerbated this crisis. This and previous Assemblies have not done this deliberately but it is a consequence of often well-intended decisions which distort the market in unanticipated ways. Let's look at some of them. The only driver I can see domestically from within our community is the ageing of the population and children wanting to decant from their parent's home and have a house of their own. But that is a gradual process. That does not cause an increase  
1840 in demand to the degree that creates a crisis.

It is other things like population management. Some years ago, the Assembly decided that they wanted to take control of the – at the time difficult to quantify and control – number of temporary part-time workers living in Guernsey in Open Market hotels. So rules were changed and restrictions placed on those hotels that had a significant number of bedrooms and, as part of the licencing  
1845 arrangement, those foreign workers were given the right to live in Local Market properties. So what we did was we drove workers out of hotels with hundreds of bedrooms and said, 'Go rent in the private market'.

If you think about a scenario, you could have a three-bedroom bungalow, Local Market; you could have six foreign workers combining six, albeit relatively low, wages to bid the rent up on that  
1850 property when competing with, say, a local family who might have a husband and wife and a couple of children and only one salary coming in – I will give way to Deputy Oliver.

**Deputy Oliver:** Sorry, I do not think you will like me giving way. Sir, I do not actually know how relevant this is to the amendment. We have got a lot of amendments and it is quite a heavy workload  
1855 and I think this is just going off topic.

**The Bailiff:** Just a minute. Deputy Oliver, what you are trying to do, I think, is to raise a point of order. But you didn't say –

1860 **Deputy Oliver:** Point of order, sir. *(Laughter)*

**The Bailiff:** You did not say as much, which is why Deputy Meerveld gave way –

**Deputy Oliver:** Do you want me to repeat what I said?

**The Bailiff:** I am going to allow Deputy Meerveld to continue to develop this particular point because there is a degree of latitude here in the way that the amendments are put and in the way that the debate is developing to talk about housing more generally. Frankly speaking, Members, this is, 'Will we insert a new Proposition which we can then debate in general debate?'

1870 There does not really need to be much debate about the pros and cons of it until one decides whether the Proposition is added to the other Propositions that are already there. But the impression I get is that people want to talk about housing in some more detail and therefore I will give Deputy Meerveld a little bit more latitude at the moment, but please do come back at some stage, Deputy Meerveld, to the actual Proposition of the amendment, to put an extra Proposition  
1875 in.

**Deputy Meerveld:** Thank you, sir.

And yes, I will come back to that. But as I said at the start and as Deputy Gollop raised in his speech, you have to look at – before you can justify an amendment like this – the issue it is trying  
1880 to address and the source of that issue and whether or not this amendment actually helps, or possibly even exacerbates in some cases the issues that it is addressing. We have the chosen Open Market status. We have the sheltered housing under SLUP. There was originally an intention to make it a specialised housing category, put it in a specialised housing category.

By not doing so, again it has impeded development of sheltered housing which will enable  
1885 people to sell their primary home and move into smaller accommodation, therefore freeing up properties to be bought by people who want to upgrade within the property market, which then impedes through the whole system. You have had failings in the systems that we, successive States, have put in place. If you look at the IDC, when the IDC was dissolved and the Development & Planning Authority was introduced, the argument at the time was it is going to reduce bureaucracy,  
1890 it is going to speed up the application processes, it is going to make it easier to get plans through and buildings built. It has not. Or it did not.

The IDP was very much presented to the Assembly with those advantages as well in 2016, but I think the opposite is true. If we look at the IDP Monitoring Report, the most recent one published  
1895 in 2022, it details 15 housing allocation sites representing 727 to 1,373 housing units. Of these, only 63 have been approved, with up to 1,110 remaining. Of those 1,110, 96 are represented by just five sites. All of those five sites were designated as housing target areas under plans that preceded the IDP – the urban and rural plans. As long ago as 1995, 27 years ago, they were determined to be target housing areas.

I am going to make a declaration, I suppose, of non-interest. One of the problems we often have  
1900 in debate is we deal with things esoterically, we do not give specifics. So I have approached my brothers and got some information from them on specific sites to give an example of some of these issues. But, before doing that, I would like to say that I have never been, and nor am I, a shareholder in that company. It was established by my father, taken over by my brothers and the only time that I have ever worked for that company was a teenager to earn pocket money, which was quite some  
1905 time ago, regrettably.

They bought one of those housing areas – the Balmoral site, opposite the post office and behind the tobacco factory – in 2004. Their section of that site is large enough for about 200 houses. They put in a draft development brief in 2014 and they have been chasing it ever since. A development  
1910 brief still has not been published to allow that site to proceed. Again, issues like that and issues like – somebody mentioned the lack of resources within the DPA to process these things, which I am sure is one of the contributing factors to that site – that should all be covered as part of the IDP review.

When the IDP was approved in 2016, it was a 10-year plan with a five-year review period. The review should have been done last year, but it was not. And it was not because of COVID, because  
1915 it was debated in this Chamber and we were told it was being delayed before COVID ever arrived. Now we are being told it is going to be done but it might be another year, possibly two, before it comes back to this Assembly. The problem we have got is the IDP was a massive sweeping plan

that was going to cover all of these aspects and hopefully make things more efficient. But in reality, any plan of that scope is going to have issues. And it was meant to have been reviewed.

1920 These amendments we are discussing now, including this one, should have been discussed and agreed last year when that review took place. Some Members have suggested that we should not approve this now because this is not the time to do it, we should wait for the next IDP review. But that might be a year or two away and we have got to remember, when we make decisions like this –  
1925 for instance, this specific amendment is to say, 'Go away, look at something and come back and report', which may just simply be a report saying we are not going to do it, or it might be a proposal that might work its way into a policy letter. But that is not until the end of this year. But if you do make a decision on a policy letter at the end of the year, it does not mean that it comes into force immediately. It may need requirement of changes to legislation. For instance, the IDP does not currently allow – and GP11 does not currently allow – under law, for people to give money instead  
1930 of land. So you would have to change the Law. It might be another year or so before you come back with legislative changes, so you are looking at several years before you make the changes that then can be adopted by the private sector, that will then start developing against that and encourage them to come to market.

I think, addressing this specific amendment, yes, it might not be the ideal time to be debating this. But we need to be making decisions like this to put additional tools in the toolbox that we can  
1935 potentially apply and use later when that review process is being undertaken and comes back to the States. Deputy de Sausmarez said that GP11 is working. Really? We were told in 2016 it was going to be a panacea that was going to deliver loads of social housing for Guernsey. In six years it has delivered zero plots. Private sector, as Deputy Dudley-Owen mentioned, had a presentation to  
1940 Deputies in 2016 at the rugby club, and they said, if GP11 goes ahead, it is going to effect the development of properties in Guernsey and the supply to market.

And guess what? In six years there have been no large sites that qualify under GP11 to supply the actual land. No land has come to the States. And yes, they want a pipeline. For instance, Leale's Yard has put in an application saying there is going to be 100 units if Leale's Yard goes ahead. But  
1945 actually, part of the application process is that you have to say that you will be making a provision for it. But in the last application that was approved for Leale's Yard, zero houses were going to be allocated because it was not commercially viable. And I do not see the next set of plans being commercially viable either.

So, because there is a potential for delivery in the future, it is not a reason for keeping in place something and not adjusting it if it is obviously not working now. And I think it is not working now. To give you just some very simple common-sense analogy, if a developer buys two sites at either  
1950 end of a road, one of them is for 19 houses and the other is for 21, and he applies for permission to build on both. On the one that is 21, he is going to have to give up to, well it will be between 20% and 30% of that site will have to be given to the GHA free of charge, despite the fact that site  
1955 probably cost him slightly more than the one with 19 houses because it is bigger, and especially if he bought it before 2016.

Guess what? He has got the other site with 19 houses, he is not going to develop the one with 21. And he will continue developing sites of 19 houses. The problem is there, you have got to have 10 of those sites of more to equal one Balmoral Vinery at 200 units. That is part of the impact we  
1960 are seeing. And we are having developers tell us ... you have probably received emails overnight or yesterday from developers saying exactly that. There are applications that have gone in that would have been put on hold, because of triggering GP11, that would be freed up if we make adjustments for it. Either in the medium term through this amendment which, if we decide it today, we will end up with a report at the end of the year and then possibly something coming into force the following  
1965 year, next year, at the earliest. Or we look at other amendments that we will be discussing later which may have a more short-term impact.

What I do not believe we can do is sit back and wait for a review of the IDP to come back to the States so that we can discuss all of these things in the round whilst we are in the midst of a crisis. We also have to bear in mind that the States of Guernsey, the way it operates, and the property

1970 market, some may say, is a beermoth, is a super tanker. Anything we do to change course now, if  
we turn the wheels on it – just as a super tanker travelling along – it takes a long time for that tweak  
to manifest in a course change. The amendments that we are looking at today are not necessarily  
going to have an immediate impact but at least it puts the tools in the toolbox to actually implement  
those changes and start steering the boat in the right direction, expeditiously, when it comes back  
1975 to the States and when that review comes back to the States, a broader review.

But the fact is GP11 has delivered zero properties. Property developers are saying it inhibits it  
and property developers are saying that, if this raft of amendments being discussed today go  
through, they will be bringing forward sites. It will end up with more houses being developed. And  
I can give site-specific – I can quote specific houses, specific units, specific sites, specific applications,  
1980 that will be brought back. I have had one for 34 houses that would come back to DPA immediately  
if some of these amendments are approved. So there is a material reason why we should be  
agreeing these today.

I will be supporting this amendment, I will be supporting the other amendments relating to the  
property issues, and I will discuss them as we go. But I do encourage Members, make a decision  
1985 today. We are not talking about changes that happen immediately but at least we are indicating to  
the DPA, for when the review comes forward, a direction of travel. We are starting to do preparatory  
work to enable us to act more quickly when we get to that point. What we cannot do is sit here and  
simply say, 'Ah, it would be more convenient if we discussed all of this in a year or two's time', when  
we are in the middle of a crisis that is going to have social and economic impacts on our community,  
1990 which could be dire.

Thank you, sir.

**The Bailiff:** Deputy Haskins.

1995 **Deputy Haskins:** Thank you, sir.

This amendment is not about scrapping GP11 or not. It is about that flexibility that Deputy  
Vermeulen said. In response to Deputy Roffey, this is actually more of a clear direction to developers  
that GP11 is here to stay in one way or another. There are two things that I would like to ... one  
mention and one ask of the President of DPA. I would like to mention that this financial  
2000 contribution ... I would not want Members to forget that the amount of money that the Government,  
that the States, will pay for a set of houses is going to be different from private. So I hope this will  
be reflected in this financial contribution, this tariff payment that comes along.

The second one – and it is a question to the President – is, this Proposition if passed will direct  
DPA to report back to the States. I am asking, how will you report back, through you, sir? I think  
2005 Deputy Dyke did mention something and this should not be a debate on housing in general, but I  
think we have been given a lot of leeway. But I would re-emphasise what Deputy Dyke says on just  
some context here. In 2021 median earnings was just shy of £35,500. The mix-adjusted average  
local house price in 2021 was £505,500. So if you want to buy a house with zero deposit, you would  
have to find a lender that will give you 14.2 times your salary. I think we all know that that is not  
2010 generally acceptable.

And for some context there, in 1999 in the UK, this ratio was four. Now it is 14.2. It was four.  
That, I hope ... in fact I will carry on with another part here because it does show – I hope it shows –  
just how much of a problem this is. The Office of National Statistics and other experts say that one  
should spend around 30% of their salary on rent. The UK average is 30.5%. London is 35.7%. What  
2015 do you think Guernsey is? What do people think Guernsey is? The mix-adjusted rental price for 2021  
was almost £1,600. So using the median earnings of £35,500 for 2021, one can expect to pay 54%  
of their income on rent. And that is before bills and other essential outgoings. It is not affordable.

The UK average is 30.5% but over here it could be 54%. I hope that those figures give some  
context into just how much of a problem this is. But I do commend Deputies Oliver and Helyar for  
2020 bringing this amendment because I do think this will go some way into helping alleviate. (**Several  
Members:** Hear, hear.) Thank you.



**The Bailiff:** As I do not see anyone else rising to speak in debate on this amendment, I will turn back to the proposer, Deputy Oliver, to reply to the debate, please.

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**Deputy Oliver:** Thank you, sir.

I am not going to go through everybody but I do thank the people that have already said they are going to support it and have very positive feedback on it. Deputy Ferbrache did mention, how does it come about and what is the timing of it? I think this came about because of the Developers' Forum and how they actually said that they would like a tariff. And thank you to my hon. friend, Deputy Helyar; he actually drafted it. I do thank him for that, as well as seconding it.

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In regard to the timing, if the amendment is successful, we will investigate all legal means to the amendment and look at the timelines and the possible implementations. I cannot actually give a 'It will start then', because I cannot say that. Deputy Roffey said, how will this evolve? It all depends on the evidence that comes back and without prejudging it, I can imagine and, if I was a betting person I would say, if it is over X properties – say 30 or 40 properties – then a certain amount will still have to be kept in the pot. You can still do your tariff, but there will need to be a bit of give and take. It will all be on a case-by-case basis, as it is now, I am assuming.

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Deputy Burford. If hypothetically it was implemented now, you could only do the tariff on 20. However, we will be looking at all tariffs and all number of housing with the review. But it was just saying, if this was implemented now, you would only have it on the 20, because that is all you could do. So I might have been very poor at explaining that in the first instance, so I am sorry. I can assure people this is not beating GP11. This is purely making sure that we are thinking of the future and giving it the flexibility that it needs. And making sure that we actually have the Assembly's feedback on this, to not do a huge review and then say we do not want tariffs. So it was just making sure that we are heading in the right direction and I just wanted a bit of feedback on it, really.

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The policy and environmental officer has said that this can be done and will help to inform the IDP review. So any that think it should not happen, that is what they have said. Somebody said that we have got to be careful because bringing in tariffs could increase land prices. I do not get that. If you bring in a tariff it will probably actually lower land values because they will have to take that into consideration with the developer actually buying it, but that is fine. I also got asked twice the reason why it took out the words 'equivalent to the value of the land which Policy GP11 would require'. Basically, it is because it gives the review greater flexibility and, coming up with proposals, it can look at wider things rather than just what it said there. So that is why we took that out.

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We have got a number of open planning meetings coming up and I do not think this will derail in the slightest, because they are quite far down the line. We have literally got an open planning meeting from now until Christmas every month and they include Leale's Yard, Pointes Roques and also the GHA Fontaine. There was something that Deputy Trott said that actually resonated with me and it is really important. He said – and I am paraphrasing this, so excuse me – that at the moment the property market is very hot and we really want to make sure the next review actually can ... I think it almost needs to be a little bit more flexible because we need to make sure that, if there is a slump in the market or something happens, carrots and sticks can be taken away much more easily. Because we do not want to be in this situation in a number of years' time saying, 'No one is building, no one wants anything and we have got such large tariffs', and everything.

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So we just need to really think about the future and I am sure that the officers will do it better than they did it last time. It is not really a point, but Deputy de Sausmarez mentioned recruiting. Any planners out there, if they wish to get in touch with the DPA, we are currently recruiting, so please – Yes, I give way.

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**Deputy Inder:** Actually, I am sorry to do that in the summing up but it did remind me, there was a time when Planning had a similar issue. I think it was about in 2014, 2015. What the Planning Department did then was they actually outsourced their planning and I just wonder if any

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consideration had been given to that, rather than actually buying – outsourcing it out rather than just buying it and in putting more people on the books.

My apologies, sir, for interrupting.

**Deputy Oliver:** Thank you for that.

I know all sorts of talks are ongoing at the moment but we have recruited in Building Control, we are just waiting for the Planning. So I hope the figures do not go up to too much. But back to this, I just have to make one small correction as well. Deputy Meerveld said the last Leale's Yard there was no affordable housing. That is completely correct because it was under a different plan and GP11 did not exist. Yet it still did not get built. Also, the population – it has increased over the last two years. It has increased by about 400. So you cannot say that it is stagnant. All I can say is please vote for this. This is a very sensible – Oh, God, really? I give way. Deputy Roffey.

**Deputy Roffey:** I feel a fraud because it really ought to be for Deputy Burford because I think we are about to ask the same thing. We both asked during our speeches whether it would be a guarantee that, if this is to pass, the proposals will come back in a policy letter or in a format where it can be approved, rejected or amended. Because what we do not want – well, what I would not want – to do is give approval today for something that then is just passed into Law without it coming actually back to the States. So if we could have a clear guarantee on that, it would be very helpful to me.

**Deputy Oliver:** It will come back in some form, definitely. What that form will be, I cannot say at the moment. Whether it is a green paper, a policy letter. And obviously even if it ... it will come back in some form, so you will be able to amend it or change it or you will ... we will take that on board and make sure that it can come back to the States.

**The Bailiff:** Members of the States – Deputy Oliver is finished, I am afraid, Deputy Trott – we come to the vote on amendment 6, which is proposed by Deputy Oliver and seconded by Deputy Helyar. There has been a request for a recorded vote, so over to you, please, Greffier.

*There was a recorded vote.*

*Carried – Pour 32, Contre 0, Ne vote pas 3, Absent 4.*

**POUR**

Deputy Fairclough  
Deputy Falla  
Deputy Ferbrache  
Deputy Gollop  
Deputy Haskins  
Deputy Helyar  
Deputy Inder  
Deputy Kazantseva-Miller  
Deputy Leadbeater  
Deputy Mahoney  
Deputy Matthews  
Deputy McKenna  
Deputy Meerveld  
Deputy Moakes  
Deputy Murray  
Deputy Oliver  
Deputy Parkinson  
Deputy Prow  
Deputy Queripel  
Deputy Roffey  
Deputy Soulsby  
Deputy Trott

**CONTRE**

None

**NE VOTE PAS**

Alderney Rep. Snowdon  
Deputy Taylor  
Deputy Burford

**ABSENT**

Deputy Gabriel  
Deputy Le Tocq  
Alderney Rep. Roberts  
Deputy St Pier

Deputy Vermeulen  
Deputy Aldwell  
Deputy Blin  
Deputy Brouard  
Deputy Bury  
Deputy Cameron  
Deputy de Lisle  
Deputy de Sausmarez  
Deputy Dudley-Owen  
Deputy Dyke

2105 **The Bailiff:** Members of the States, the voting in respect of amendment 6, proposed by Deputy Oliver and seconded by Deputy Helyar, is that there voted *Pour* 32 Members, no Members voted *Contre*, there were 3 abstentions, 4 Members were absent. Therefore I declare amendment 6 duly carried.

The next amendment on our running order is amendment 4, proposed by Deputy Inder to be seconded by Deputy Ferbrache. Is it your wish to lay that amendment now, Deputy Inder?

2110 **Deputy Inder:** It is, sir.

**The Bailiff:** I invite you to move the amendment then, please.

[Amendment 4](#)

*Insert the following proposition immediately after Proposition 1.*

*"1 A. To incorporate the following action into the Government Work Plan framework and to direct the Policy & Resources Committee to apply category 1 status to it:*

*Housing:*

*i. Publish a 'Housing Action Plan' for States' owned land as part of the 2022 year-end monitoring report, giving a comprehensive overview of States' owned land available for housing development and any land considered for housing development by the former Housing Action Group (HAG) and the Committee for Employment & Social Security. This should include where States' owned land is available for:*

*a) private ownership*

*b) joint ventures*

*c) self-build*

*d) social housing (social rental, key worker, part ownership and specialised housing)"*

2115 **Deputy Inder:** Thank you. And for the Deputy Greffier, there is no reason to read it out.

2120 Sir, Members, what this really ... the intention of this – and it is no particular criticism of the former HAG. It is just that I think there was an expectancy, with a name like Housing Action Group, there should have been a Housing Action Plan that was an output of that working party. It was not a States' Committee, I accept, nor a Special Committee, both of which could report directly to the States of Deliberation. Its constitution was, for the record, five States' Members. The voting rights of the Working Group were given to Deputies Roffey, de Sausmarez and Ferbrache. Deputies Oliver and Mahoney were non-voting Members.

2125 In its update to the States' Members in March 2022, it identified the rise in demand for private, social, partial ownership and key worker housing. It went on to identify the lack of supply and availability for key worker housing, and it noted the rise in private sector sales and rent with, further focus on investigating any appropriate market interventions to be led by the Committees. Those of you who attended – I think it was ... sorry excuse me. Anyway, those of you who attended that update – and I think it was done by a Teams meet – will remember that, effectively, a number of areas had been identified, some were unclear.

2130 I think it was something like 583 houses had been identified and, depending on how you cut up the figures, there were references to the Coutanchez field, which oddly enough I do not think is in

States' ownership, but there was a reference in the Housing Action Group. It made mention of some of the ideas it was going to come up with, but there was nothing at the end. This amendment is seeking to avert the Policy & Resources Committee to set out clearly, into an easy-to-consume document, with timelines, rationale and consideration of industry capacity.

I know Deputy Trott has mentioned this on a number of occasions. Industry capacity is absolutely key to this. We do not live in isolation. We have potentially got 338, if approved, houses going up in Leale's Yard. We have got our own capital works going ahead, potentially the work at the Ozouets, not to mention all of the other bits and pieces. Deputy Trott will have told us *ad infinitum*, and he was actually quite right, that there has been a problem in the past when the industry has 'hotted' up to the point where the capacity has ensured massive inflationary hikes.

In all of this, Propositions 1(i), 1(ii) and 1(iii), seek to address some of the issues centred on the stagnation of the private market. But what they do not achieve is a consolidation of the work conducted by HAG and the Committee for Employment & Social Security, with work being conducted through the States' Property Services function, into one document. From a Committee experience – and I know it has been noted through this house recently – Deputy Matthews moved emergency into crisis, he is absolutely right. Absolutely right. It has been coming down the tracks. You have heard Deputy Moakes mention it, Deputy Dyke has spoken. I think, importantly, what we do find is that, being Economic Development, what we never hear is from the renters. We never hear from the real economy.

What we do is we hear from the people with the most leisure time, with the ability to have that capacity to talk to our Committee on policy and development. So we concentrate often on things like Open Market, developing hotels, all those kinds of things, that kind of capacity. Businesses having problems with visas and immigration, that kind of stuff. But the quiet voice – and you have heard me say it before – is those who are just busy. Whilst some of us are planning our summer holidays this year, many of our Islanders are planning which sofa to be sleeping on in the next three months.

The crisis is that deep in the Island and those of you who have heard me say this before privately, I will say it publicly: I have never seen this before. I have been running self-catering units for probably about eight or nine years. Every now and then you will get people in different times asking whether we have got some capacity. We have got restrictions in the summer period, we can only take tourists in a certain period and some of us are allowed to open up through the winter lets. I have never seen the like. You will have seen the emails yourselves, directly to yourselves, all of the horror stories of people in certain situations. There is literally no emergency housing.

Their desperation is now so deep and so keen, they are looking for absolutely anything. And I personally am reading – and all of us in the self-catering sector – we are getting lots and lots more requests for use of our units as emergency housing. When emergency housing does not exist and they are now moving into, effectively, the private sector. Because the private sector is actually failing itself through a lack of capacity and they are looking for any example possible. They will move into self-catering units, hotels, campsites as well. We are in a very bad way and we are under obligation to act. If there is going to be a success in this term ... and I actually think, despite what you are hearing through the pages of the Guernsey Press, I think that this Government has done very well indeed.

But almost certainly, whether we like it or not, the success of this term will be dictated by a sustained building programme to address the multitude of issues related to the employment and jobs crisis in the Island. I think it was Deputy Dyke who touched on that sort of quieter Guernsey. But through you, sir, to Deputy Dyke, it is actually greater than that. Deputy Moakes, I am sure, will give us chapter and verse on what we are seeing as a Committee. There is not only a housing crisis, there is a jobs crisis. There is something between 1,000 and 2,000 available jobs in this Island. And it is not that they cannot be filled; they cannot live anywhere. It is as simple as that. Your high-end accountants are actually being placed but they have got nowhere to live.

I am afraid that currently the housing market simply is not working as it should to the benefit of the economy. This economy is absolutely booming at the moment. We are all heading in the right

2185 direction. Tax receipts are up. Tourism is up. People are wanting to live here. There is actually a good news story. Finally and I will hope that ... I cannot imagine that anyone in this Assembly would object to an actual plan of an action group. So I will be asking for a recorded vote.

2190 But finally, I think Deputy Meerveld has got a point. The last figure I heard – and I am going to quote a figure and I am happy to be corrected – we mentioned it in the [*in audible*]. There has been stress in the Local Market and it is probably as a direct result of the PML. Moving lots of people into a restricted market which is not moving, is not expanding, has clearly had an effect. He is absolutely right, at the time that the previous Assembly made that decision, it was the right thing to do. A portion of this market, of this economy, is booming.

2195 We have got accountants and now lawyers and the like and professional services moving into the Local Market, but nothing has happened at the other end. As soon as you start squeezing too much water into a bottle, something is going to burst. So this is a very simple amendment. Sorry for dragging on. Thank you to Deputy Ferbrache for supporting it. I would be happy for anyone to try a 26(1) on me because I have done it to you all before. We are hoping to see an actual plan out of the Housing Action Group, delivered by December 2022.

2200 Thank you, sir, and Members.

**The Bailiff:** Deputy Ferbrache, do you formally second?

**Deputy Ferbrache:** I do, sir.

2205 **The Bailiff:** Thank you very much. Deputy Oliver.

**Deputy Oliver:** Thank you, sir.

2210 It is just to say that the DPA actually think that pulling all of this information together will be really beneficial. There are just two tiny little concerns and one of them is that, after the document has been produced, please can we not just keep it on the shelf? Can we actually do something useful to it? (**A Member:** Hear, hear.)

2215 The second thing is that it is a shame that it did not go one step further to actually include the infrastructure that is needed for those sites. But the DPA, I know, will be providing a lot of information, or some of the information, and we are quite happy with it.

Thank you.

**The Bailiff:** Deputy Queripel.

**Deputy Queripel:** Thank you, sir.

2220 I am in need of clarification as to what exactly this amendment is seeking to achieve. The explanatory note tells us that it:

seeks to direct the Policy & Resources Committee to set out clearly into one easy-to-consume document, with timelines, rationale and consideration of industry capacity to deliver, the States' owned land available for housing development and any land considered for housing development by the former Housing Action Group and the Committee for Employment & Social Security, including but not restricted to building social housing.

Then the wording of the amendment itself asks us to agree to adding another Proposition, namely Proposition 1A, to read as follows:

*Deputy Queripel read out amendment 4.*

2225 Sir, all of that sounds like it is just a request for a list to be compiled, of States-owned land, which is available for housing development. If that is the case, it does not make a great deal of sense because we are told in 4(1)(d), 'there are no direct financial implications to the States of carrying the proposal into effect as the data already exists and a publication is already planned'. So if the

work is already being done, the data already exists and a publication is already planned, why is this amendment being laid before us which seeks to do what is already happening?

In saying that, sir, I very much appreciate I may be missing a fundamental point somewhere along the line, so I look forward to Deputy Inder clarifying the whole issue when he sums up. Because at the moment, it just seems like a duplication of effort and I am sure that is not what Deputy Inder and Deputy Ferbrache were seeking to do. Also, I am not getting the action plan element to this, because an action plan to me is not to just draw up a list of land available for development, but to have plans drawn up for those sites as a definite commitment to build on those sites. That is what I call an action plan.

So I cannot see the reason for this amendment if that is not the intention. The data already exists, that is what we are told in 4(1)(d). As a list is already available at the push of a button, so why can't the States' Property Services or whoever just push the button and supply us with a list? We are also told a publication is already planned, sir. My question in relation to that is, what will that publication tell us exactly and how will this amendment succeeding improve on those outcomes? What will differ? Sir, as I said, I very much appreciate I may have missed a fundamental point somewhere along the line because I am sure Deputy Inder and Deputy Ferbrache would not have gone to all of this effort unless they are absolutely sure that this amendment succeeding will improve and accelerate proceedings.

Thank you, sir.

**The Bailiff:** Deputy Moakes.

**Deputy Moakes:** Thank you, sir.

I will be supporting this amendment. I am really delighted that in one document we talk about private ownership, we also talk about social housing and we also talk about things like joint ventures and self-build. All too often I see documents and hear conversations where it is all about private housing or all about social housing, and not very often is it a mixture of the two. And we do need both. We are clearly in the middle of a housing – not crisis – emergency, as I said earlier on.

There are not enough homes to meet demand and, as I said earlier, first-time buyers, families and the elderly are all struggling and the problem exists across, as I just said, both the private and social housing sectors. It has got to the point where young adults – our future – are not returning to find work in Guernsey because the cost of living, and in particular the cost of housing, is so great. It has got to the point where hard-working people are having to move abroad because they can no longer afford to buy or rent a property in Guernsey. It has got to the point where it is becoming increasingly difficult to attract workers to the Island because of the high cost of living and, in particular, the cost of housing. This is a problem right across our economy and no sector is immune.

Finally it has got to the point where we have not just a housing emergency but also an employment emergency. It is estimated that there could be 1,000, 2,000 or even 3,000 open positions across all sectors of our economy. Even if the number is at the lower end, it still means that we need to fill 1,000 jobs. How are we going to do that with near-zero unemployment? We need to attract people to the Island, but how are we going to do that if we cannot even provide local people with the appropriate housing?

The housing and employment emergencies are inextricably linked and we need to address them together. We also need to address them now, or the consequences could be disastrous, both economically and socially. Let's take for example, if there are 1,000 open positions, that means we are losing circa £7 million per year in tax alone. This is revenue which should be funding vital public services. You do the maths if it is either of the two higher numbers. Not only that, our shops and restaurants must be losing sales with so many holes in our working population. Plus we know for a fact that businesses, both large and small right across the Island, are having to try to operate without the staff they need to effectively run or grow their businesses.

Some people believe that the way to solve the housing crisis is to massively expand social housing and focus on building one- or two-bedroom flats or houses. Others like me disagree. Let

me try to explain why. I believe that part of the problem is the definition of affordable housing. In Guernsey it means – *affordable housing means* – property that is reserved for certain groups of people who cannot afford to rent or buy property on the private market. That is from gov.gg. Does this mean, then, that affordable housing can only be social housing? And if so, why? Affordable housing should be available across both social housing and private housing –

**Deputy Kazantseva-Miller:** Point of order, sir.

**The Bailiff:** Point of?

**Deputy Kazantseva-Miller:** Point of order.

**The Bailiff:** Point of order, Deputy Kazantseva-Miller.

**Deputy Kazantseva-Miller:** Sir, I really did not want to do it but this is a very general speech from Deputy Moakes and it is not really in relation specifically to the amendment in relation to the Action Plan, because we are going into discussions about affordable housing definitions, employment and so on. So I think, as many Deputies have said today, including Deputy Murray, we have so much to get through it would be good if we could focus the debate on the amendments. Thank you.

**The Bailiff:** Deputy Moakes, I think there is some merit in what is being said there. So if you can bring where you are heading back to supporting or not supporting this particular amendment, it might help.

**Deputy Moakes:** Yes, sir, I was just coming around to that point. It was coming around to back to where it was. The reality is that we need more social and private housing if we want to solve the housing emergency. We also need to provide a broad range of housing types. If we only build one- and two-bedroom starter homes, we will not be addressing the wider housing emergency. The young families who need larger homes, or older residents who want to downsize into more suitable accommodation. If these sections of our communities have access to the right kind of accommodation, they will move, freeing up more properties. We need a plan urgently. So I will be supporting this amendment and urging you to do the same.

Thank you.

**The Bailiff:** Deputy Leadbeater.

**Deputy Leadbeater:** Thank you, sir.

The lack of available housing and the rise in cost of living are two of the most pressing issues that we face today and they are rightly highlighted as such in the Government Work Plan. The fact that we are not building enough houses has been on my radar before I went into politics. This is what I said about housing in my manifesto for the 2016 elections. The annual housing stock bulletin shows that, in 2015, 185 new units were built with 41 being removed, giving a net increase of 144. Of these, 16% were affordable and 21.5% were supported units. Supported units consist of sheltered and extra-care accommodation provided by the States and the GHA. We have a present situation where we are not creating enough levels of affordable housing to fulfil our needs and we are not creating enough homes for dementia sufferers and people with EMI or nursing home certification.

This remains the case today, sir. Six years down the line we desperately need another GreenAcres type development. St Martin's Hotel, anyone? That could be an amazing mix of a care home and key worker housing. St Margaret's Lodge? There are sights crying out to be developed and we need to find the levers needed to encourage that development, be that by amendments to the IDP or

financial incentives. Whatever is needed from Government, we need to work with landowners and developers and not just hit them with a stick like GP11.

2335 The States of Guernsey had just adopted the new Committee system in 2016 when I was first elected. Housing and Social Security were merged. The title of that Committee was, back then, supposed to be the Committee *for* Employment, Housing & Social Security. But very soon the Housing part of the title was removed and seemingly, along with it, any purposeful focus on housing. I was keen to work on that Committee right at the beginning because of the housing part of its mandate, because I had an interest in the area. But I ended up on ESC and Home Affairs. If the  
2340 States do not decide to do a deal with the GHA and handover its social rental stock, then I will want to see Housing separated from ESS in order to give it the focus that it has been lacking in recent years.

I am certainly not pointing the finger at anyone or saying that if we had had a standalone Housing Committee last term there would be plenty of availability of decent housing in Guernsey.  
2345 There are many factors that are contributing towards the lack of available Local Market housing, and I will touch on some in a minute. Much of our social housing stock is in a mess. I have spent the last 14 months staying three nights each week in one of our estates. My son lives in a bungalow there and I support him three nights each week. It is disgraceful the way we allow our housing estates to fall into such a mess. It is like living in a slum much of the time with rubbish strewn all  
2350 over the place.

Members will be fully aware because I shared an album of photos I had taken over the previous 12 months (**A Member:** Hear, hear.) showing the absolute mess that never gets picked up unless I do. And, Members, nothing has changed. Still no solution because bins are too difficult it seems. Vehicles get left abandoned in the 23-hour car parks and no action is taken. Tonne bags of rubbish  
2355 left in communal spaces for months on end and nothing is ever done about it because the inspector is never there. It does not matter how many times they tell you that inspectors do weekly visits and ensure tenants are told to keep the place tidy, it just does not happen.

**Deputy de Sausmarez:** Point of order, sir.

**The Bailiff:** Point of order, Deputy de Sausmarez.

**Deputy de Sausmarez:** Sir, I am reluctant to interrupt Deputy Leadbeater because I am very sympathetic, and he knows I am, to this. It is something that I have been trying to support him with  
2365 but I do not think it is that relevant to the amendment we are supposed to be debating at the moment.

**The Bailiff:** I am going to give Deputy Leadbeater the same degree of latitude that I have given to other Members, because this is morphing into some comments about housing that people want to put in place on these amendments, as opposed to waiting until general debate to do them. Obviously what gets said now should not be repeated in general debate, when it would become relevant. Therefore, if you can bring yourself back towards the amendment at some point, please, Deputy Leadbeater, that would be helpful.

**Deputy Leadbeater:** Thank you, sir.

I know issues such as these are operational matters and not normally matters for us to be concerned about, but if Members want to come with me tomorrow lunchtime to see for themselves, they are more than welcome. Because what I am saying is true. It may not be specifically relevant to this amendment but it is social housing. Anyway, I will dispense with that. Rant over.

2380 The private sales and rentals markets were put under pressure following the introduction of the Population Management Regime in 2017, allowing all coming to work in the Island on medium- and long-term permits eligible to rent or buy on the Local Market with no restrictions on TRP. This was only months after the States adopted the Island Development Plan and the controversial Policy



GP16. I do not think the States at the time collectively realised what the consequences of these two policies together could be. The IDP was adopted only six months into the last term when developers, the same ones contacting us about this debate, warned us that they would not be able to build their larger sites and would have to concentrate on the smaller, often greenfield, sites such as in the local centres.

The unintended consequences came around because suddenly business in Government could employ lots of people easily for the many in-policy positions. So there were more people coming to live and work here requiring Local Market housing stock, rent and buy. While at the same time developers were only concentrating on the small sites that did not burden GP11. So our housing stock stagnated because we were not building enough units to keep up with demand. Historically, the lower end of the market was – the Local Market was – protected by TRP thresholds for those coming to work on licence. That falling away put pressure on the lower end of the market. The entire market is now under immense pressure due to the low number of net units added in recent years. What do we do? Build more houses? Well yes, obviously that is a major part of addressing the problem but it is not the entire solution.

The Population Management Review needs to be cognisant of this issue. Are there ways of protecting the lower end of the Local Market, both sales and rental, so that we do not see young mothers sofa surfing and some of the other heart-wrenching stories that we hear from people in Guernsey? I never thought I would see the day when we have so many desperate local people fighting for rented housing, having to fork out massive monthly sums, even for modest accommodation in the private sector, or unseeingly endless waiting lists for social housing. We have to address this problem as a matter of urgency. I sincerely hope, sir, that the Population Review Panel will consider what I have said and look at introducing measures to protect the Local Market.

TRP level matched with job salary could help, I do not know. It is something I hope they will consider, sir. Another consideration that definitely needs to be given some proper thought has got to be some kind of rent control. Some – not all but some – landlords are really taking advantage of the current situation, demanding extortionate rates (**A Member:** Hear, hear.) well over and above what they are reasonably worth under normal circumstances. Ridiculously high deposits are also pricing many out of the market. It is absolutely scandalous and has to be stopped. (**A Member:** Hear, hear.)

Turning to the amendment, eventually. (*Laughter*) Like Deputy Queripel, I am struggling to see where the action bit is going to come from. I can see a document being produced telling us where we could build this, that and the other, but not really an action plan of how we are going to achieve any progress anyway. So as part of the 2022 Monitoring Report we will have this document, but it has nothing to do with action as far as I can see. I am not saying that it will not be useful, and I will vote for it. But it has nothing to do with action whatsoever, in my opinion.

Thank you, sir.

**The Bailiff:** Deputy Roffey.

**Deputy Roffey:** Sir, I agree with everybody that says that there is an urgent need to act over housing. If they get lots of phone calls and emails about housing, I assure you mine are usually in double figures every day, and I try to go back to every single person. It absolutely dominates my political life at the moment, so I could not agree more. I do tend to agree with Deputy Queripel and Deputy Leadbeater that I do not actually think this amendment adds a great deal in the way of solutions to that. But I find it unobjectionable, subject to one caveat that I will come to in a second.

I think Deputy Inder sort of sold it as the outcome that should have been from the Housing Action Group. I think there is some misunderstanding, and always has been, about the Housing Action Group's purpose. There are a number of Committees in this States whose mandates engage Housing and really needed to be re-energised and helped and co-ordinated to try and tackle what was clearly not just an emergent crisis, but a crisis that had arrived. For instance, planning policies

2435 have an enormous potential role to ease the problem. How can we facilitate people living above shops in Town? How can we shorten the process for larger developments?

So it was never HAG going to deliver that, but by having Deputy Oliver on HAG and HAG supporting the moves that were going on in Planning, that was enormously helpful. I have to say ESS's role here was very much on the affordable housing. And I take Deputy Moakes' point but the  
2440 legal definition of affordable housing, which is basically social housing, key worker and partial ownership and specialist housing, at the moment. Although hopefully we will agree to widen that before too long. And I have to say that I think that HAG absolutely energised us and helped us a great deal in moving that forward.

I think ESS at the moment are supercharged in trying to actually drive forward. We have even  
2445 got criticisms that we are trying to get too many sites and too many units. And what do you think we are doing? We are doing it because we know there is a demand. There is a demand, actually, for one heck of a lot more units, I would say through you, sir, to Deputy Moakes, than we have got at the moment. We are nowhere near enough and that is even with the present definition of key worker, which will probably be broadened. And that is where that current income restrictions for  
2450 access to affordable housing, which in the current situation, because the private rents have gone up so much, actually need to be relaxed ... the actual underlying demand is enormous. So we need a lot more sites and HAG have been really helpful.

For instance, HAG was extremely helpful – and Deputy Ferbrache actually, in this case, being particularly helpful – with the site that has been announced today, which hopefully ... there are  
2455 policy gateways to go through, I know, with the DPA. But we are confident, having spoken to them, that one of those gateways will deliver social housing in due course. That does bring me to one of the concerns with this amendment and it is a minor concern. Because I am trying to grapple with exactly what it means. There is a lot of focus on States-owned property and I am pleased that that is the case and I am going to come back to that in a second, because that has been one of my real  
2460 disappointments over HAG, I have to say.

But there are also sites that have been considered for housing by ESS or HAG. There are a number of sites that are being considered. One of them, as I say, has been announced that the Guernsey Housing Association has bought today. There are a number of others out there. Some of which I expect further announcements – the legacy of HAG, if you like – to be coming forward over the  
2465 weeks and months ahead. I would be very reluctant to see those listed until we have actually – I was going to say the ink is dry, actually we go in front of conveyancing court so it is not quite like that – but until they have actually been conveyed, to actually be saying to the world these are sites that we are looking at for housing and this is in our plan.

Because we may just lose them as a result, because other people will be interested. So I do ask  
2470 Deputy Inder to clarify that he is not expecting that to happen. Because if he is, that would raise some concerns. As far as States-owned land, I have to say one of the disappointments for myself, as Chair of HAG, was that we have really not delivered anything significant as far as States-owned land is concerned. Yes, there was Fontaine Vinery and that is not as big as Deputy Moakes was trying to suggest, because we do not own it all and a bit down the front is – until you have done a  
2475 lot of flood amelioration work – not usable. But there are 90 units. But that was already happening. That was already in train before the Housing Action Group was set up.

So really, as a Housing Action Group, we have helped to buy sites for development but we have not really released anything that was States-owned. It was a frustration for me that two sites, that both ESS and HAG requested be transferred to the GHA for key worker housing, P&R decided to  
2480 sell off instead. That is entirely their judgement. It is their judgement, they are responsible for States-owned property. I accept that but that was a very big disappointment. I have also been trying to get the bottom of the Castel Hospital site. We know that GHA would produce the best part of 100 units of affordable housing on that site – and by that site I mean the site, not the fields around it – for no extra cost other than transfer cost of the land.

I keep asking, as Chair of HAG and of ESS, 'So what is going on with the Castel?' And I get sort of vague answers like, 'Oh, we are exploring a range of private-public partnerships, we are not really

sure what is going on yet, you will know in due course'. So I am tempted to vote for this at least to get that and find out, hopefully by the end of the year, exactly what is going on there because I think it is a great shame that it has not crystallised yet. Then further down the road I am hoping that sites like the Frossard House site, which is absolutely ideal for a high-rise, could be – certainly the car park, but actually the property itself – could be released. It would be far better for housing than for a States' headquarters. We are looking at a range of States-owned sites and that seems to be the focus of this. To that extent, I am quite enthusiastically going to vote for this to try and find out and get a better clearer idea – you would think I would know, as Chair of HAG, but I do not – of exactly what is going on with some of those States-owned sites. Some of the ones we expressed interest in we had very plausible explanations. For instance, the Kind Edward XII site, whether it is a possibility of a care facility of some sort being developed there. That is just as crucial a facility actually in Guernsey as housing, so I fully accept that and appreciate that.

Sir, I am happy to vote for this. I do not think it is going to be any kind of panacea. It is going to be a list of sites that can be developed. I am always interested in those because we need to increase ... I mean it is a shame because we are an overdeveloped Island but we need to increase our supply side drastically. And I have to say, I do take some umbrage. I am sorry for some of the comments from Deputy Leadbeater. Not about the rubbish, which is actually proving surprisingly tractable and I do not regard it as so operational that I will not turn up.

I turned up and met him on the site and there are problems there and it is complicated. It is to do with the waste contractor and the Constables and everybody else. But as far as ESS having an interest in housing and, 'Oh, Housing isn't in their name so they aren't ...' I think I can speak for every single Member that – and certainly in the last year or two since I have been President – if anything, we are guilty of being too fixated on housing because that is absolutely our number one priority. And it takes sometimes a while to deliver particularly on the supply side. But if anybody thinks that we are not driven in that respect, then they are sadly mistaken.

**The Bailiff:** Deputy Meerveld.

**Deputy Meerveld:** Thank you, sir.

I fully support this. It does not have a specific deliverable or a plan for exactly how it is going to be utilised but it is another incremental step in identifying land that we have and being creative about thinking about how we can utilise it or free it up to start addressing the housing crisis we have. Adding to the anecdote about things that Deputy Inder was saying about how dire our current housing crisis is, a friend of mine is a doctor and he is waiting for construction to be finished on the house he is going to move into. Because of delays he had to leave the previous accommodation.

I have twice gone and helped move him from one holiday let to another – him, his wife and his two young kids. He is now storing some of his goods at my house and he is now on a campsite. Nothing to do with money, he can afford it. But landlords, of course, can afford to be choosy.

Holiday accommodation, short-term let, is already fully booked for the summer, rotating every week or two weeks. And he has to move on. Longer-term premises are not interested in somebody who is going to rent for two or three months. They want somebody who is going to sign a two- or three-year contract. So the price is not an issue. He cannot find accommodation. So it is that desperate.

But again, coming back to this specific amendment and effectively a shopping list of what is available in the form of land and putting it out there and starting to think creatively about how we can supply it. It still has to be dovetailed with other measures that reduce the bureaucracy, enable more developments to come – and this is where other amendments discussed today will come forward. And also there is a danger in this Assembly to always try and do a comprehensive plan that covers all angles. And the IDP review is exactly that. It is a review that will take a couple of years to prepare. Consultation with all parties, drawing up a comprehensive plan that can then be presented to the States.

In a crisis like this, small incremental bites are required. Take small measures, create more tools in a toolbox that can be either utilised immediately or later on and can be incorporated into grander plans if necessary. Or just can provide some relief in some areas or help promote some developments. So I am fully in support of this, I think it is a good idea. We actually need more of these simple ideas, that are not necessarily part of a grand plan, but can in some way help address something that is going from a crisis to an emergency.

Thank you, sir.

**The Bailiff:** Deputy Trott.

**Deputy Trott:** Thank you, sir.

I want to make seven points and they are around three matters that are mentioned specifically in the amendment – joint ventures, self-build and part ownership, in particular. There is no denying that a multipronged approach, a multipronged attack, is needed with regard to the housing problems we face. But let's be careful to learn from history. We are not reinventing the wheel here. And I will start of course with self-build.

Family members of mine participated in a self-build scheme in the 1970s and I think still going into the 1980s. These self-build schemes were very often States' loaned backed because you needed a fairly sympathetic lender, because the way these things worked was, a group of men and women clubbed together with various skills. The block-layer would have a very busy time until the plasterer took over and then it was the time for the electrician and the carpenter and so on. They did not always work particularly well but back in those days, of course, the industry was nowhere near as busy as it was.

The very people who would be involved in self-build over the next two or three years are the very tradesmen who are likely to be working 50- or 60-hour weeks on larger sites. Every time I speak in these debates I do not want to sound negative but I do think we do have to be very careful about managing expectations, because we have not got the Midas touch in this Assembly. We are going to do everything we can to make things easier and this amendment is an example of that. But this is a tough gig. There has been lots of talk about planning covenants and how evil they are in terms of developer behaviours. Remember, planning covenants have been in place in the UK for as long as I can remember. They are a part and parcel *bona fide* part of UK planning control.

Development time scales – and again I referred to this but I do think it is important. The Housing Action Group sent us a document a little while ago where they talked about a number of sites, including Kenilworth Vinery and Fontaine Vinery. They said – although I did hear Deputy Roffey say that they had refined down the numbers for Fontaine Vinery because of the ground work issues – but Kenilworth Vinery, 135 units starts on site Q3 2023. Fontaine Vinery at the time, 138 units start on site Q2 2023. If anyone in this Assembly believes that housing projects of over 270 houses will be underway in Guernsey either simultaneously or within three months of each other, they are living in a fantasy world.

So again we must manage expectations. A little earlier, sir, my friend the President of the DPA, had agreed in advance to give way to me because I just wanted her to give us a reassurance, or more accurately the people of St Sampson a reassurance, because in the past we have always talked about the demand of housing initiatives in the north of the Island. Well that is still true, because St Sampson remains geographically in the north of the Island, but the truth is the majority of the effort – high-density effort – is now focused on St Sampson. And I refer of course to Kenilworth Vinery/Data Park – we heard news of this this morning – Fontaine Vinery and of course Pointes Roques.

The residents in that area are, I gladly – well let me ask the question first. The question I would like to put to her – to the President of the DPA, sir, through you – is, can she reconfirm that her Authority is well aware of the genuine concerns about the, quite simply, massive additional effort that will be taking place in St Sampson and the concerns that the residents in the area have around density and parking and all the other issues associated with that amount of effort? I give way, sir.

**Deputy Oliver:** Thank you. I think that our past history of the DPA actually proves that we do care about what happens in the north of the Island. We were not happy with Pointes Roques and we actually, by majority, refused it and the other two actually said we needed to defer it. So we do take it seriously and we do look at the infrastructure. The IDP actually says that it is meant to enhance the area, whatever is there. So that is what the DPA always have in mind and will try to do.

**Deputy Trott:** So I am certain that the residents in St Sampson will be reassured by those comments but will hope that actions emanate from that. Sir, the next item I want to talk about is housing demographics. Because housing demographics are a material part of the problem. There has been a huge shift in the number of people who live alone, back from when I entered the Assembly two decades or more ago. And that was a number of factors for that. There are more widows, there are more widowers, people are living longer but do not necessarily need specific care so they can afford to live on their own. And of course many young people choose that route if they can afford it as well. So the number of redundant bedrooms, the number of empty spaces, the number of voids within properties in Guernsey today is the greatest it has ever been by some margin. It is something that we do need to consider in our determination to find a solution to all of this.

The next matter: partial ownership. Partial ownership is clearly a very sensible solution to a problem when people want to get on the housing ladder and cannot afford the multiples that Deputy Haskins referred to and the multiples that I referred to in debate a couple of months ago, where 15 times median earnings effectively equates to average prices here. And it is 15 times because banks are still offering 100% mortgages of course. So there is in some cases no requirement for a deposit. Though I accept that 14.5 times would take that into account.

The trouble with part ownership is that if you can only afford to buy 25% of the property, then so be it. But it does not mean that the other 75% disappears into the ether, because you still need to pay rent on the 75%. So the affordability issues do not necessarily go away, even if one is lucky enough to get on the housing ladder.

Then finally, it was referred to earlier by Deputy Leadbeater: rent controls. We used to have rent controls and there were a number of problems with rent control. But in my experience one of the biggest problems was tenants would call in the rent assessors, usually at a time when rents were advancing at a very significant rate, in the expectation that the rent control assessor would reduce rates.

Up until the time we abolished it, I think I am right in saying that in more, in something like seven out of 10 cases, the opposite effect happened. Rents went up. The landlords then, if you like, have some sort of legal privilege, a legal document that enabled them to charge a rate that was higher than they may necessarily have been comfortable with. So the very worst time to be considering rent controls is when the market is rising at the rate at which it is, because the unintended consequences are significant.

The reason I am adopting this style in this debate, sir – and I will throughout – is that I really am very eager that the States maintains a sense of perspective. Because we all have very laudable intentions but the journey ahead is extremely complex and there are no easy solutions. So we must – and I am not surprised to see Deputy Ferbrache nodding – manage expectations. The community deserves that from us.

Thank you, sir.

**The Bailiff:** Deputy Gollop.

**Deputy Gollop:** Thank you, sir.

I will very much support this amendment because I do not think we have seen, despite many pleas, enough action. I am always the first to say, even if some of my colleagues on SACC do not agree, that to get quicker, more effective action in politics you probably do need more of a group

of decision makers, a ministerial or whatever type of system. In a way, the Housing Action Group has acted like that to a degree, because Deputy Roffey, Deputy de Sausmarez and Deputy Ferbrache have been representing us, me specifically on ESS. They have gone out and delivered an effective involvement in getting land.

I believe a lot of the work this amendment calls for, from Deputy Inder and Deputy Ferbrache, has already been done by ESS. It might not be out and about but the knowledge is there and can be developed. So in that sense it is a timely amendment as well as useful amendment. I also on another level ... I was having a coffee with Deputy Inder and he was not showing me the error of my ways. One day when we finished our snack or whatever I had – I had a couple of chips, I am not sure now – we decided to look around the sites. We had a memorable hour or so up at the Castel Hospital and King Edward sites, and we saw some of those buildings were and still are occupied and the names were tatted up. But the point was that there were sites available and they had gone to sleep in the eyes perhaps of as many States' Members as possible.

That is exactly the kind of site that needs to be here. (**A Member:** Hear, hear.) There are sites all over the Island, there are pieces of land, there are areas that perhaps were earmarked for something else and have not been done. We are still mystified about all kinds of sites and we need to get them on the table before they get allocated for something else. That is another reason to move ahead. I do agree with quite a lot of what Deputy Moakes said. I think he is spot on that there really are difficulties in our economic development and supporting employment and growth. And Deputy Leadbeater I would also agree with that not only is there crisis, perhaps in a way, but we need definitely more action. But not just political action, but partnership. Action with partnership with the developers.

I think there is a continuum. One continuum is we have an entirely free market and we let the developers choose to do what they want. And up to a point we have done that, although there have been so many constraints with planning and other measures. Or we have some sort of more States-planned socialist economy. I do not think most people would want that but there is somehow a happy medium and we need to find that medium. But first of all, we need the information to go down there. Because I get a little bit worried when we perhaps talk up the language too much. I remember the Assembly in the last term decided, unlike many places, including a sister island, to not go for this climate crisis emergency, because it was thought to be unhelpful.

But we are now talking about a housing crisis, housing emergency. I think there are a lot of underlying reasons behind it. Deputy Meerveld, Deputy Trott, as people expert in the field, have already identified some of the issues. Only a few years ago – 2017, 2018 – we were looking at a plateauing or even a declining market. So these things do take some time to work through the system and maybe the mistakes I made at Planning, or we all made then, are coming home to roost. But I think there are a lot of issues about housing. It is not just about supply.

It is about population management, it is about perhaps sheltered housing, it is about buy-to-let, it is about all kinds of ... the model of the housing market we have with the ongoing problem. But I am sure you, sir, want to discourage us from having a general housing debate and planning, although we could go on all day on this. So I will sit down and just support the amendment. (*Laughter*)

**The Bailiff:** Deputy Ferbrache.

**Deputy Ferbrache:** Sir, Deputy Queripel was the first to raise it, Deputy Leadbeater raised it afterwards about what is meant by this amendment. Well, the second line is the words which say, 'give a comprehensive overview of States' owned land'. Overview. What have we got, how are we going to use it? That is what is meant by an overview in this context. Because Deputy Roffey spoke about the Housing Action Group and that has been useful. I think I have been a conscientious Member on it for the last nine or 10 months, however long it has lasted. I am surprised to hear that it is all ESS, they are the superstars. That does surprise me in relation to that because I never had

the temerity to make a speech at the early part of 2021 at the OGH saying I thought that all social housing should be transferred to the Guernsey Housing Association.

That got the ire – I do not know if it was theatrical or real – of Deputy Roffey, him saying ‘How dare you say that, it is a matter for us’. We are now more than six months on, it is still with the States’ ownership at the moment. Hopefully that will change. Hopefully that will change soon. But the position which ... and Deputy Roffey’s speech was almost entirely on social housing. Social housing is very important and HAG has been responsible for Kenilworth Vinery and it is now responsible for the old Data Park. One cost over £6 million, the other cost £4.75 million. It was going to cost £5 million but I then spoke on behalf of the States to the developer who reduced the price by £250,000. Not ESS, not Deputy Roffey, not Deputy de Sausmarez, but Deputy Ferbrache.

So in relation to that, the planners were as helpful as they could be, because there is a 16-acre site which nobody has built any Data Park facilities on in the time that has been over there. The planners have said a majority could be used for housing. That might be 51%. On that basis it was bought and the rest of it may be over a period of time, depending on various circumstances, may be able to be used for housing or perhaps another use. But it made sense to purchase that land so that it could be used for social housing.

But I mentioned – and they are not entirely fictitious – the names of Mrs Torode and Mr Le Page this morning. What have we done about those? Because they are not going to want to live in social housing. They are going to want to be aspirational. Deputy Trott is exactly right. He mentioned it earlier and he mentioned it again now. We have got to be realistic and what he means by that – and he gave some figures in his earlier speech about the number of houses built, six per month etc., I hope we can build more than that but we still are not going to be able to build 600 per month – but we have got to do something radical, something that is much more meaningful than we have done today.

We are now about eight minutes past four. So we have been in this Assembly, speaking three hours this morning, an hour and 40 minutes this afternoon, at – what is that? – 100 words per minute. We are talking about ... we have probably spoken today about 26,000, 27,000 words. Now, I voted for the previous – and I voted forcibly for the previous – amendment and I am going to vote forcibly for this one, because Deputy Inder told me to second it, but I was delighted to second it. Because it will give us at the end of the year, this is what we own, this is how we should be using it. At least that is the kind of guidance we are looking at. I give way to Deputy Queripel, sir.

**Deputy Queripel:** Sir, I am grateful for Deputy Ferbrache giving way. He said that this amendment is meant to provide an overview of what we own. We have already got that data –

**A Member:** We have not.

**Deputy Queripel:** And the publication is already planned. So how does this amendment improve on that? That is where my need for clarification ... isn’t this a duplication of effort? How is this amendment going to accelerate what is already happening? I need that to be made clear to me, sir, please.

**Deputy Ferbrache:** It should, if it passed and if it is successful and if it is effective, give a – and I use the two words again – comprehensive overview of States-owned land. At the moment, I am on HAG, I am President of Policy & Resources, I do know what land the States owns, I do know what household is zoned etc. But we have not got a policy because we have not done a comprehensive overview of how that land could be utilised in the foreseeable future. How much of it should be private housing? How much of it should be social housing? How much of it should be key worker, etc.?

I do not have that information. If Deputy Queripel has that information readily available, he says it already exists, I am quite happy to sit down again so he can correct me. It does not exist. Now,

2745 we had Deputy Roffey saying the Castel Hospital, that can provide 100 or so affordable homes – I will give way again, sir.

**Deputy Queripel:** Sir, Deputy Ferbrache said it does not exist. So what data does exist then? We are told in the amendment the data exists and there is a plan, a publication of a plan, coming forward in the not-too-distant future. This is where I am totally confused. It is not being made clear to me. Maybe Deputy Inder will have some more information when he responds but at the moment, 2750 sir, I just think I will have to abstain from the vote because I do not see how this is going to improve on anything. It might be an overview but this is already in train and the data already exists.

2755 **Deputy Ferbrache:** I give way to Deputy Mahoney.

**Deputy Mahoney:** I thank Deputy Ferbrache for giving way. Perhaps he might agree with me, in answer to the question, that that data might exist but it is in a raw, unlooked-at version at the moment and that is what we are trying to do. It is no use just pouring raw data into the air. It means 2760 nothing to anybody.  
Thank you.

**Deputy Ferbrache:** Indeed, sir. That is a much more eloquent and succinct answer than I could give but it is an effective one, sir. But also, Deputy Queripel being a very skilled orator was unable 2765 to answer the question I posed him, so he came back with another question without answering the question I asked him. But in relation to that, let's just have an example, we have got different views – or we may have different views – in relation to what Castel Hospital site should be used for. That is something that a comprehensive overview can look at in the round between now and 31st December. I am hopeful that we come to the next amendment because so far we have considered various amendments, all in relation to housing, all in relation to policy. 2770

Deputy Oliver, with her usual honesty, said I said how long is it going to take once you have done the review that the previous amendment envisaged before we can actually get on with it? Not quite the words I used. She was not able to tell us. We have got to have ... we do not even have action this day. We almost do not have action in this decade in the way that we have dealt with the housing crisis to date. (A Member: Hear, hear.) We have got to be able to get on and do things. 2775 There is not a comprehensive solution. There is not a golden bullet. As Deputy Trott has said – and I say it for the third time in relation to that – there are not any magical answers. But there are things we can do.

We are not going to solve the problem, we may help to resolve certain of the problems. That is 2780 all we can do. And that is all this amendment does. But when we get onto the next substantive amendment and the amendment after that, those at least propose some action. Not this day, but in the immediate future if they are upheld. This one gives us the tools to be able to say, this is the States-owned land at the end of the year and this is what we think, as a comprehensive overview, it should be used for.

2785 **The Bailiff:** Deputy Kazantseva-Miller.

**Deputy Kazantseva-Miller:** Thank you, sir.

Deputy Inder really got me there – positively, I mean – with the Housing Action Plan. But then I 2790 did think that the rest of the amendment and the explanatory note slightly falls flat because it is not effectively a Housing Action Plan. It is asking for a list of land available. So it feels like Deputy Inder started with a different amendment but then it became the amendment we see today. Maybe there is some more work to do there. I think I see value in us doing almost anything we can do right now in relation to housing. Anything will be positive because at least we are making steps in the right 2795 direction.



However, I would have assumed something like that – this action – would have taken place already as part of the HAG. So I would have assumed, and through the brief briefings we have had at the DPA about what was happening, is that HAG looked at the available sites with Property Services, which were identified which could be available for action, effectively. So my understanding is that the Housing Action Group, where Deputy Mahoney is a representative, obviously Deputies Ferbrache, Roffey and others ...that some of the suggested action has already taken place. So I am a little bit uncertain, why are we doing this again?

I guess I would really like to hear from Deputy Mahoney because I think this obviously engages directly his mandate in relation to Property Services. Would he expect some really useful information to come out of this? Because, as I remember from the letters he has written openly in relation to some of the projects under consideration, it is that everyone thinks the States is sitting on masses of land and that Property Services are not doing anything with that. My understanding was that actually, we have a property rationalisation P-TOM model where the Property Services are always trying to rationalise the property portfolio and trying to make sure the property and land assets we have are being put to use. So really a question here to Deputy Mahoney, if he would like to speak here, would he expect knowing obviously he is probably the one who knows most about this field, would he expect this exercise to actually find some useful information for us? So that is really a question aimed at him.

Thank you.

**The Bailiff:** Deputy Matthews.

**Deputy Matthews:** Thank you, sir.

I applaud this amendment and I shall be supporting it. I think the amendment speaks to the difference between – or perhaps follows on from the Housing Group with a new action plan. I think that there perhaps has been – and I think it is not necessarily a criticism of the individuals on the Housing Action Group – but there has been a hand-wringing about the differences and the mix between social housing and key worker housing, and affordable and specialist housing, partial ownership versus private rental and ownership. I think that while this has been going on, the housing crisis has been getting worse and worse.

We had one to start off with, we have had one for a long time and we have always had the situation where people who have entry-level jobs or who are struggling are not able to afford to live. But I think what we are now seeing is not just young people but people all through the age range really struggling. And we are not just talking about people with entry-level jobs, but professionals and skilled workers unable to find places to work. And those are people who are ... and families. And those are people who are leaving. They are looking at leaving the Island and this is terrible for our demographics. Because this is terrible for our future.

If people leave then the likelihood is they may not come back to the Island and the Island's demographics will age, and as we go on this will cost us much more. But one thing that particularly concerns me is something that Deputy Trott has mentioned, in particular, and I think a few people have mentioned. It is about how the economy at the moment is very hot. There is a lot of construction happening and there is quite a lot of construction in the pipeline. But the concern is that we may just overheat. We may not be able to build our way out of this problem very immediately. And that will not affect the people who are phoning up Deputy Inder looking for emergency self-catering apartments and it will not help the doctor friend of Deputy Meerveld who is staying in a tent.

So I wonder if there ought to be an emphasis in this plan on something much more immediate. Looking at things like getting temporary accommodation in, the type of accommodation that can be constructed very quickly, or modular construction that is just brought in. Even if that requires some sort of planning exceptions to be put in. Because I think if we are just talking about building, we are looking at what is going to happen in two or three years' time, or maybe even four or five

years' time. And the problem is this year. It is now. So I would like to see not just an action plan, but some action.

Thank you, sir.

**The Bailiff:** Deputy Haskins.

**Deputy Haskins:** Thank you.

Sir, I am going to try and not go into general debate because I want to go into this subject when we get to the GWP, after we have gone through all of the amendments. I do want to because it is one of the most important things we are facing as an Island right now. I am glad that this amendment ... I thank Deputy Inder for bringing this and Deputy Ferbrache for seconding because I do really like what it is trying to do and what it will do. Because one thing I think it will do is help inform general housing policy with relation to E&I. So I do think that is going to be very useful.

I wanted to talk to Deputy Trott, because he raises a very valid point of managing expectations. If all of the builders in the Island are full, you cannot do any more than full, because you are there. But there are some bits in policy that you can do, which you can implement very quickly to release some of those hidden units because of the change in society of single living. But I think there is one thing in this amendment that is missing. I almost went to make an amendment on this amendment. But because – it is almost common sense but I wanted to bring it out in debate – I think it is my commitment.

But I was going to write, 'That any actions and outputs related to housing are realistic and assess both the short- and the long-term effects on: (1) the private housing market – both sales and rentals; (2) two, the employment market; (3) local and Island infrastructure, because all of this development work that is going on needs to consider the infrastructure and the transport, and that is obviously in the Committee I am on; (4) the cost to both the States and to Islanders; (5) actions that are likely to be inflationary; and (6) the economy.' As I said, I think that anybody and everybody will be doing this anyway because that is what we should be doing.

But I just want to make sure that Members are looking at those specific headings and I shall commit to making sure that policies that I see in any of my Committees and that are brought to the States are looked at under those headings. But I think this amendment will be very useful to us and I commend Deputy Inder for bringing it.

Thank you.

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Thank you, sir.

I am a bit disappointed that this debate has descended into a bit of a ding-dong in some respects. But to bring it back to what it is trying to achieve, I think the Assembly is pretty unanimous in wanting to support as much positive action on this issue as possible and I think this amendment is certainly very welcome. Deputy Leadbeater's comments did sort of underscore a slight irony. As a Member of ESS, we do tend to get accused of being far too focused on affordable housing by some. So it is very interesting to have the boot put in from the other direction as well. But, sir, I will just say in passing that I think it is only fair to commend Deputy Roffey who has been the most consistent and persistent proponent of this work for this entire political term.

To my recollection, he was the first to flag this as a major problem and he has been the driving force behind setting up the Housing Action Group and many of the more specific initiatives that we have seen come out of that. Deputy Trott, actually, is responsible for getting me to my feet, in a positive way. I cannot remember exactly what it was that he said but I know what I want to say in response to it. *(Laughter)* When we are on HAG, as various people have touched on, we do have this information in various forms and certainly, as a Member of the Housing Action Group, we spent a lot of the time going through States-owned properties, trying to find any opportunity to move forward on this housing issue.

2900 So we do have that data. It has been gone through a lot. I think it is very sensible to pull it into  
a more coherent, easy-to-access form. I think that is great. I have just one small comment on that.  
I think the one thing we should be aware of is there could be potentially some sensitivities around  
that. So where publication related to, for example, commercial sensitivities, where publication of  
that information may not be sensible. But that is a common-sense thing. Really I wanted to talk  
2905 about the transport infrastructure aspects around this and I think it is quite right and very important,  
for all of the reasons that other people have well articulated, to continue this very strong focus on  
housing and again capitalise on any opportunities we can to move it forward.

But as I have very boringly explained at pretty much every Housing Action Group meeting, we  
cannot just look at housing in isolation. That is what it was. It was Deputy Trott talking about asking  
the President of the DPA whether her Committee understood the concerns of the people in the  
2910 north of the Island. Obviously I cannot speak for the DPA but I can speak for the E&I and I can  
assure Deputy Trott that we are very well aware of these issues. And I do not think it is in any way  
pragmatic to just focus on housing without also considering the supporting infrastructure,  
particularly related to transport because transport infrastructure is, in my view, one of the main  
chokeholds over planning applications being given planning permission at the moment.

2915 It is quite rightly an area where Members of the current residents of these areas are very  
concerned that the transport infrastructure is not serving them well enough at the moment, so any  
additional pressure is going to really exacerbate those issues and quite often in a non-linear fashion.  
A little bit of additional pressure can cause a great deal more negative impact. So this is an issue  
that certainly E&I is very well aware of and, as I have mentioned in the Assembly before, we are  
2920 taking a different approach.

Rather than looking at a very limited amount of infrastructure on a site-by-site, development-  
by-development basis, we are looking at an area-wide approach. That work is progressing and I  
think it is going to be very important. But bringing it back to this amendment, I think that approach  
is ... hopefully this amendment will help facilitate better planning of that approach as well – and I  
2925 am happy to give way to Deputy Oliver. I give way to Deputy Oliver.

**Deputy Oliver:** Thank you. That is why I actually said, '... and the only part this is missing is the  
infrastructure part of it'. Because if you have that, then it is actually giving the whole picture, rather  
than just the housing side of it. Because many people will complain about the traffic, so that is why  
2930 I said we should include it.

**Deputy de Sausmarez:** Yes, Deputy Oliver is quite right, she did mention that. I take a slightly  
different view in that I think if people want a quick Action Plan, getting all the transport  
infrastructure details into the same plan is not going to be quick. So I would say, in my view, I do  
2935 not think it needs to be included in it but I do think this will give us a really helpful hook to plan  
more effectively around that and better prioritise the work that needs to be done. But it does need  
to be.

We do need to continue to keep the focus on an area-wide basis and look beyond the very  
limited planning spec, I suppose, when it comes to transport infrastructure. So I agree with the  
2940 sentiment of what Deputy Oliver was proposing, but I suppose I disagree slightly on how it should  
be included or whether it should be included within the plan. My personal view is that the plan  
should focus on the property and then we plan the transport infrastructure around that separately.  
Thank you.

2945 **The Bailiff:** Deputy Dyke.

**Deputy Dyke:** Thank you, sir.

At the end of the day, when we are looking at housing issues, there are two things to look at  
basically. Supply and demand. I believe that Deputy Inder's proposal will help to some extent, and  
2950 we have heard from Deputy Ferbrache and Deputy Mahoney. It will help to some extent in

identifying sites that the Government have and hopefully will encourage those sites to come forward for appropriate uses, whether in the public sector housing area or the private sector. Or indeed in other areas. So I think this is a useful proposal, sir, so I will vote in favour of it.

2955 There are a couple of things that are beginning to worry me slightly. As Deputy Trott has said, you have to manage expectations. There really are no magic bullets. There is nothing magic that we can suddenly do by way of imposing more Laws or restrictions that are actually going to help. We have got the arrangements for partial ownership and possibly shared ownership and that sort of thing. In the overall picture, that does not really help. It does not change the fundamental supply or demand issues. They are kind of incidental ornamentation, I would say, in the real supply and demand issue. So I do not think those are really the answer.

2960 I am now getting slightly concerned, to an extent, with the amount of housing that is now being put aside for social housing. I say being put aside, I am looking at the same paper that Deputy Trott was looking at. And as I read it we have now got, if you take Kenilworth, Fontaine Vinery phases one and two, infill sites and Les Genêts Estate, in line, 573 units. With all of the problems we have in building all of those units, we have now bought the Data Park which to some extent is likely to be developed for social housing again.

2970 So the numbers are going up and up and, of course, that may help on the social housing side but these social land bank sites are now taken out of the private sector, so you have not helped there. And by removing land from the private sector, you are pushing up prices – you are restricting demand and putting up prices there – thus ending up increasing the private affordable housing and pushing more people onto the housing waiting list. So what I am saying is, too much Government intervention is not necessarily helpful. Every action we take, we need to consider what is the demand effect and what is the supply effect.

2975 Looking outside housing, we have got the Population Management Law issues – that has been raised by several people – that has pushed up demand on the Local Market. I do think that is something that hopefully the Home Department could look at alongside the work we are all doing on the housing side. And I keep nagging Deputy Vermeulen about that. Yes, I do. All I am saying is, every action we take, we must look at what effect it has on the supply side of housing and the demand side and then consider whether it is such a good idea.

2980 Thank you.

**The Bailiff:** Deputy Mahoney.

**Deputy Mahoney:** Thank you, sir.

2985 I had not intended speaking on this because, I must admit, I thought this amendment was pretty self-explanatory. But as ever, the Assembly wishes to talk a very simple amendment to death. Deputy Kazantseva-Miller questions whether this adds value or not to what we can expect. As I noted when Deputy Ferbrache allowed my interruption, States' Property Services has a huge amount of raw data – *raw* data – and very many spreadsheets running to thousands of pages, although they do of course include every traffic island and statue and everything that we own, and they are in the process of making that data more accessible and usable. In fact I had a meeting on Friday with the Director of Estates about this very matter.

2990 Although they do of course include every traffic island and statue and everything that we own, and they are in the process of making that data more accessible and usable. In fact I had a meeting on Friday with the Director of Estates about this very matter.

2995 Deputy Kazantseva-Miller mentions the Property Rationalisation Programme that is going on. Although of course, as I am sure she knows, that is primarily around existing properties occupied by various members working within the public sector. Although I do of course accept that it also includes properties that currently sit empty – the KE VII, the Castel Hospital, amongst them, those old gems. But when States' Property Services has firm plans, I will make sure they are brought forward and it will do so. But I have to be honest, I see no benefit in opening that up to a 40-person committee and absolutely nothing I have seen in the last 20 months of doing this has given me any cause to change my mind on that.

3000 Thank you, sir.

**Welcome to  
William Tate, President of the States of Alderney**

**The Bailiff:** Members of the States, it is always a real pleasure when a visiting parliamentarian arrives in the Public Gallery. So I just invite you all to welcome the President of the States of Alderney and his wife to our proceedings this afternoon before I turn to Deputy Soulsby. *[Applause]* Thank you very much.

3005

**Government Work Plan 2022 –  
Debate continued**

**The Bailiff:** Deputy Soulsby to speak on this amendment 4, please, if she wishes.

**Deputy Soulsby:** Thank you, sir.

3010

This really is a simple amendment. I was not expecting the debate to go for so long, but I understand why. I think the Bailiff was right in the labelling – everybody to have a really cathartic experience and just get all of their angst out. Obviously it has been good for our mental health this afternoon. I think. So hopefully everybody feels much better for that.

3015

I just wanted to follow up in the same vein as Deputy Dyke, actually, because I think this is what we have ... there has been a lot of talking about, 'Oh, we need to build housing,' and it is all about housing and what sort of housing. But it is simple economics in terms of supply and demand. The lack of housing, clearly, from the supply point of view and where we are now. But I thought – I should say here – that we have tried.

3020

Some of us, I mean I could not believe it. I was just looking around the room now and I think I work out there are only about six of us left from the 2012-2016 term. It makes me feel old when I think my God I am still here. Anyway, the follow-up on Deputy Leadbeater was talking about what he put in his manifesto in 2016 about trying to support housing. Well four years earlier I put in my manifesto how I really wanted to support first-time buyers. It was a really big issue back then. This was in 2012 and it had already been building up for many years before that. And I tried, I really did, and I got nowhere. I amended and I tried to say, 'Look, we need to do something, young people have got nowhere to go, they are sofa surfing'.

3025

It all existed back then, it is not new. But I got no support from the previous Housing Department at all. I constantly got put back by that Department at the time. They said it would be inflationary. I just look at it now and I think, no what actually is causing the inflation in the housing market is the lack of supply. So to say that I am frustrated about where they are now is probably an understatement, to say the least. It included work on a loan scheme and trying that. And yes, there was a fantastic loan scheme back in the day that a lot of people – older members of the community – look on fondly with and say what a difference it made. But no that did not work. So in the end, there was a review that they had to get a strategic report that had to be brought by that Committee, and eventually managed to get an amendment supported to undertake a housing review.

3035

That ended up being done in the next term, which was last term. There were some useful aspects in it but it was not the best report, as the terms of reference were set by that then Housing Department. They were the same Department that did not really want to do it, so we really did miss a trick there. I do believe that part of the reason for the problems we have got now is the lack of urgency over previous years. So listening to Deputy Leadbeater talk about not being the Committee for Employment, Housing & Social Security, I think it is. But I think it has been much better since Housing has been within Employment & Social Security.

3040

3045 Last term we got Beauville built and joint working between HSC and ESS, which was key worker housing, right next to the PEH and done in quite quick succession and working with the GHA. That was excellent. Autism Hub and lots of planning to help support people with learning disabilities in accommodation there. So it can be done when there is a will and I do think the ESS did a good job with us back then. There are also the Open Market changes. That has been referred to elsewhere, that is very much the case. I think Deputy Matthews talking about, 'We must be able to do something quicker'. We must, because all this talk about building housing, it is not going to happen now and in many ways – and I will not talk about the requête – but in many ways this is about us saying, 'Well, what is the right solution to the problems we are facing?'

3050 Building and funny planning permissions to the Bill houses is one thing but we have a problem right now. Deputy Matthews said that and perhaps we could look at modular building. Well, last night I was watching a programme about Hinkley Point C and the building of that on BBC4, I think it was. Fascinating programme. Basically shows what people can do when they are all working together and quite successfully. But the one thing they did show was modular hotels and units for people who could live there while they were working onsite. And I am sure there is some opportunity there that we could be looking into right now.

3060 At the same time, from a supply side, demand has grown and one thing that has not been mentioned here is the impact of COVID. We have seen a population increase since COVID and that is partly due to – and quite a considerable reason, actually, quite a large reason for it – because when people who have left the UK and elsewhere and come to Guernsey and saw it as a safe place to be, extended family coming here and living here ... And I think that has been an issue. The thing is we do not really know to what extent that will continue to be an issue. Will those people go back? Will they stay here? So is the problem we are experiencing greater than it will be in the longer term?

3065 I do not know if we have the answers. I think it is very difficult to have the answer to that. But at least have that factored into our minds when we are looking at the sort of housing that we need and how much housing we do really need. The one thing I was going to pick up was about HAG, the Housing Action Group. As Members have said and it said in the explanatory note, it is not a sub-Committee or anything, it is not a Special Committee, it is not a Principal Committee in any way. So it was quite limited in what it could do. And we do now have – that is falling away – and we have a new governance structure, that I wonder whether really we should not be looking at some kind of Special Committee now.

3075 Clearly the community is concerned about it. Clearly everybody in this room is absolutely concerned about housing and still it does seem to me that we do not have a dedicated Special Committee that will continue to be focused on housing. So I wonder – and I have not spoken to any of my colleagues on P&R whether this is something the Committee should be looking at, potentially looking at getting a Special Committee established later in this year that will be dedicated, focused completely on housing. Because I do think it looks odd, although the work is spread across different Committees, having that dedicated Committee looking at it will give that hopefully ... not only will it look like we are giving it urgency, I think it will really help to focus minds.

3080 So I think that is something we ought to be looking at. Anyway just to say, as I said at the start and as probably Deputy Inder might have said at the start but it was so long ago I cannot remember, this is quite a simple amendment. I hear Deputy Queripel saying he does not understand why, if it might be done. I think Deputy Mahoney has answered that, but anyway there are, if that is the case, other amendments we have got coming along either today, tomorrow or the day after that, which are in many ways stuff that is already being done and Members propose a seconder, just to exercise the point. I do not think that is a reason not to vote for something and on that basis I am happy to support this amendment. And so is the rest of the Policy & Resources Committee.

3090 **The Bailiff:** I turn to the proposer of amendment 4, Deputy Inder, to reply to the debate.

**Deputy Inder:** Thank you.

3095 I think it is worth going through a couple of the responses and thank you, Deputy Soulsby, for your general support and the rest of P&R. I think it was Deputy de Sausmarez, inspired by Deputy Victoria Oliver, who wanted to speak about, or wondered why – I think there is a bit that is missing – but the active travel element. It might have been Deputy Victoria Oliver in response to Deputy – well, *someone* mentioned about transport and infrastructure. Ah, okay, I beg your pardon. Transport and infrastructure. I do not think that is the place for this.

3100 First, you need to establish what you have got, what you are doing, how many plots you are considering to build, over what time and the impact of that. So this is really quite simple. Really the idea was to tie up what HAG was doing, what potentially Property Services was doing in the corner there and put into one point. Deputy Matthews, I think somewhat inspired again by Deputy Trott, we may not build ourselves out of the crisis. They are both quite right. But I think our job here is to at least deliver a strong message to the business community. Actually deliver a bit of hope to the community and at least bolt onto the back of that something that looks like a plan.

3105 So it is not unreasonable and I do not think either of them there were saying that it should not have happened. Unreasonable aspirations at the end of something will look like a HAG, a Housing Action Group, to expect a housing action plan. And that is all this is simply trying to do. Deputy Gollop also, again I am thanking him for his support and he reminded me about people's ideas about Government property. They seem to get owned by comment.

3110 Now I have heard it, those who have got a memory from last term will remember that a previous Home Department had identified the Grammar School as a police station and possibly fire station. Yet the then Health wanted something, I think it was a community hub. What we do here sometimes as Government, I have seen it all over the place, is that an officer or a politician may just say something once in the Assembly and that effectively locks that piece of property into a position and no one will go near it, because the Grammar School is going to be a fire station. Or I have heard various renditions on that.

3120 But I think what I am trying to say here – and this is for Deputy Mahoney and Deputy Roffey – what has come out of HAG is just, you know what, whatever you are doing, fascinating stuff, just tell us what is going on. And importantly, I am not actually asking for 40 people to debate it. You have done the work. HAG have done the work. Property Services is doing some work in the corner. We may not get to the bottom of what is happening at KE VII or down the Castel. It might be too early to do that. But whatever you are doing, and you think you have got something to do over a period of time over this term, maybe just publish it so we know what is going on. That is what a plan looks like.

3125 Deputy Kazantseva-Miller answered her own question because she asked, she assumed that a plan had been published. Well, it had not. The only thing published we got from the HAG output: infill housing 20 considered a five to seven priority approximately 70 to 80. Is it 70 or 80? Or is it 70? Is it 100 or is it 90? Approximation is not a plan. 'Three actively pursuing' was one of the mentions in the HAG output. Well, I do not know what that means. What does 'actively pursuing' mean? And it is worth reminding Members that today, this amendment was written before anyone had knowledge of the purchase of the Data Park.

3130 I do not know if that is good or bad news, but this morning we are told that Government has bought the Data Park for £4.75 million. Surely, at some point, we have got to stop buying plots and start looking at building because it is fairly obvious that, through the quarterly reports and what has been mentioned by Deputy Ferbrache earlier, the problem is not necessarily that the plots exist, it is that they are not being built. So a plan would give us an indication of what we are doing at the top of the hill in the Castel, what we are doing at Kenilworth, what the real timelines are, as mentioned by Deputy Trott, on the Fontaine if everyone thinks it is going to be starting in Q3.

3140 We do not know what is happening in Leale's Yard, we are not entirely sure when Deputy Dudley-Owen is starting to pull down the Ozouets site and when boots are going on the ground. So all of this needs to be in one single place. This is not just about having opinions on every single piece of telephone box land that Mr Mahoney – so Deputy, through you sir, Deputy Mahoney – has in that

data sheet. It is just the existing sites that HAG have considered. What are you doing with them? Put them into one bird's eye view so we can consider travel, we can consider infrastructure and we can effectively tell our Island that we have taken this job and this issue seriously.

I do not think there is much more to discuss or to comment on. I am generally happy with the responses. I think most of the questions that were asked have been answered by either Deputy Mahoney or Deputy Ferbrache. I am grateful for Deputy Trott's input in it because he does have that corporate memory and he is being pragmatic and there is no magic bullet. But we need to do something by December to tell this Island – all of the people that have no voice, all of the people that are sofa surfing this year – if it is not today, it is not tomorrow, we are taking care of you and we are taking it seriously. So I commend it to this Assembly and I expect a recorded vote, sir.

Thank you.

**The Bailiff:** Members of the States, we will have a recorded vote now on amendment 4, which is proposed by Deputy Inder and seconded by Deputy Ferbrache. Over to you, please, Greffier.

*There was a recorded vote.*

*Carried – Pour 34, Contre 0, Ne vote pas 1, Absent 4.*

**POUR**

Deputy Fairclough  
Deputy Falla  
Deputy Ferbrache  
Deputy Gollop  
Deputy Haskins  
Deputy Helyar  
Deputy Inder  
Deputy Kazantseva-Miller  
Deputy Leadbeater  
Deputy Mahoney  
Deputy Matthews  
Deputy McKenna  
Deputy Meerveld  
Deputy Moakes  
Deputy Murray  
Deputy Oliver  
Deputy Parkinson  
Deputy Prow  
Deputy Queripel  
Deputy Roffey  
Deputy Soulsby  
Deputy Taylor  
Deputy Trott  
Deputy Vermeulen  
Deputy Aldwell  
Deputy Blin  
Deputy Brouard  
Deputy Burford  
Deputy Bury  
Deputy Cameron  
Deputy de Lisle  
Deputy de Sausmarez  
Deputy Dudley-Owen  
Deputy Dyke

**CONTRE**

None

**NE VOTE PAS**

Alderney Rep. Snowdon

**ABSENT**

Deputy Gabriel  
Deputy Le Tocq  
Alderney Rep. Roberts  
Deputy St Pier

**The Bailiff:** Members of the States, the voting on amendment 4, proposed by Deputy Inder and seconded by Deputy Ferbrache, is as follows. There voted in favour 34 Members, no Members voted against, there was 1 abstention and 4 Members were absent, so I will declare amendment 4 duly carried.



For those of you who are eagle eyed, you will now notice that we have got two Propositions 1A, so let's be radical and call this second one from amendment 4 '1B' going forward. The next amendment is number 12 and is to be proposed by Deputy Ferbrache and seconded by Deputy Oliver. Deputy Ferbrache to move the amendment.

Amendment 12

At the end of Proposition 1 insert the following:

*"and to direct the Development & Planning Authority to delete clause 7.2 in the Affordable Housing Supplementary Planning Guidance 2016 and insert the following:*

*7.2. However, the applicant/developer can select between options a, b, and c to meet the affordable housing requirement with the following types of contribution:*

*a. Transfer of Land: Land for affordable housing should be provided on the subject site. The land would then be developed for affordable housing by the States of Guernsey or a registered housing association. Where land is to be provided, the percentage required of the developable area will be transferred to the Committee for Employment & Social Security/Housing Association at nil cost.*

*b. Provision of intermediate housing Units: The provision and sale of completed affordable housing units built by the applicant/developer and sold to a buyer from the Committee for Employment & Social Security/housing association's intermediate housing waiting list on the following basis:*

*i) relevant properties to be offered for sale and transferred to qualifying purchasers at 75% of market value,*

*ii) restriction on onward sale and transfer at any more than 75% of market value at time of sale,*

*iii) Guernsey Housing Association to have first option to purchase.*

*c. Off-site provision: The provision of land or units to meet some or all of the policy requirement, including appropriate existing dwellings or other premises at another location which is in the same ownership as the principal site. The terms of the transfer for each are the same as explained above in (a) and (b). Premises off-site will be considered on a case-by-case basis. In this scenario, the premises proposed to meet the policy requirement must be capable of development for those purposes within the terms of the policies of the Island Development Plan (2016), or have outline or full planning permission for an appropriate amount and form of housing to enable the affordable housing policy requirement to be met. In these circumstances we may require the 'offsite' affordable housing, or a proportion of it, to be constructed and/or made available ahead of the development of the general market housing."*

**Deputy Ferbrache:** Thank you very much, sir. And I am very grateful to Deputy Oliver for agreeing to second the amendment.

In relation to the particular amendment, we are now coming to the end of the first day of the Government Work Plan debate. We have debated four or five amendments relating to broadly housing. Not one of those – we have talked about actions, plans, reviews, reports – not one of those is going to build a single house. Not one of those is going to build a single unit of accommodation. This is the first really practical amendment that we have come to and between 10 to and five to five on this particular afternoon.

Certainly my intent, in what is a vast housing crisis – we can use whatever adjective or we can speak in hyperbolic terms in relation to housing – we are in a crisis, we are in a desperate position. Previous States have actually done something about it when they have had concerns about housing. In 1946, because soldiers were coming back from the war, families were coming back from Bolton and Glasgow and Plymouth and wherever else to come back and live in this Island, the States were concerned – and remember this is pre the democratic changes of 1948 – that people coming back would not have proper accommodation because rents would go up, supply and demand. The basic rule of economics. So it brought in an Eviction Law of 1946, which with one amendment in 1950 is still the Eviction Law of today. Very simple, because statutes do not have to run to hundreds of pages and it gave some protection in relation to eviction.

The States again, in 1948, because people realised what a green and pleasant and gentle land Guernsey was and were coming to live here. People had come from the mainland and come to live here before the Second World War but they were coming here in their numbers in the late 1940s because the mainland was even more devastated. A lot more devastated than we were. So the States of Guernsey passed its first Housing (Control of Occupation) Law. And it was only a few sections but the idea was, to protect property, you divide and you have your Local Market units of accommodation – that was not the term used – which were only available for people with local residential qualifications.

We have now got a position that we are in a cycle which we have not seen for many years. Deputy Meerveld talked about a relatively static population. Broadly true. I have been on this earth a long time now. I was looking at the statistics because, although all of the speeches that have been made today have been so fascinating, my mind does wander on occasion so I have been looking on the internet in relation to some of those speeches. I found that, when I was born, there was a census that year and there were 45,500 people or thereabouts living in the Island. As of January of this year, there are 63,500 people or thereabouts living in this Island.

We have not actually increased the landmass by very much over that number of years, not too many. But the population has gone up by about 18,000. Eighteen thousand – what is that? That is about 40%. A 40% increase in population over a period of time. Deputy Trott said all we were building was about six houses per month in recent years, over the last five or six years. That is pathetic. It is unacceptable. I fully accept, and I say it for the fourth time, that the points he has made are very good in relation to, we are not going to solve the problem, we have got to manage expectations. But that does not mean you do nothing. That does not mean you just say, 'Oh, this is very difficult, we will wring our hands'.

We will look at Deputy Soulsby's manifesto of 2012 where she says she wants to do something about first-time buyers but she has not been able to achieve it. Or Deputy Leadbeater's concerns in his 2016 manifesto, when he freely concedes, like all of us – and I came back into the States in 2016, the same time as him – we had done very little in relation to housing. There was a period between about 1980 and 2000 when the States built, I think, no or very few States houses. That was felt to be terrible. We were never going to solve the States' housing problem and it was really awful. Then along came a Deputy called David Jones and he came brand new to the States. He was a bit of a maverick in some ways but he did not go down that as the conventional way and he decided that we were going to build lots of States' houses.

I still think of them as States' houses, I know it is social housing. Language changes but because I am old, it does not necessarily change in my thought processes. A lot of States' houses – never enough, because there never will be enough – were built over the forthcoming X number of years. Deputy Roffey, Deputy de Sausmarez and I, as the voting Members of HAG, have been concerned about acquiring units for social housing. Well over 100 units will, in due course, be built and there is a plan. Because we have seen it from the GHA, that over a period of time by Q2 they will do this, by Q3 next year they will do that. So there is a plan, they have got a plan to build the houses and units on there.

Now with the purchase today of the Data Park site – although only about half of it or just over half of it could be used for social housing at the moment – that will give another, even a conservative estimate, 100 houses at the moment; 570, whatever the figure was Deputy Brouard read out, and you have to add the figure that I have just told you about, there you go, from the Data Park. So well over 600 units of accommodation will be built. But what about Mrs Torode? What about Mr Le Page? They do not necessarily want to live in social housing. There is no slur in living in social housing but we tend to protect a certain – like I say, the bottom income strata.

We do a fair bit to protect them. The rich – like one or two in this Assembly – can always look after themselves. But the people in the middle, we have neglected. We have neglected, the previous Assembly have neglected, the previous Assemblies have neglected. Deputy Haskins, in an excellent speech, compared the cost of rental accommodation in relation to Guernsey, UK generally and London. I think he said that – but if I have got the statistics wrong then I apologise – something

over 50% of your income goes to, for many people, renting accommodation. So that leaves them with less than 50% to do all of the other things in life.

3240 Even in London it is about 60% left. In the UK I think he said it was 30.5%, so you have got about 70% left. We are not doing enough. Before the cricket which was on the TV at 10 to 12 last night – the test match – I was reading the Government Work Plan again. I really do lead an exciting life because, after I watched the cricket, I came back and I looked at the *Hansard* from October, November 2016, which is when the States debated and approved – they approved on 2nd November 2016 – the Island Development Plan.

3245 I looked at a particular debate because the then Deputy Bailiff was presiding on 12th October 2016 and three amendments were taken together. One proposed by Ferbrache, one proposed by Deputy Roffey and one proposed by Deputy Laurie Queripel. They were talking about the number of units before what is now GP11 would be in tract. The Deputy Roffey and the Deputy Ferbrache ones were similar, except mine were limited to a particular area of the Island, or particular areas of the zone. Deputy Roffey's was more expansive. Mine failed, Deputy Roffey's succeeded by 19 votes to 18. I was one of the 19 that voted for it. Deputy de Sausmarez was one of those who voted against it. Deputy Meerveld was one of those who voted against it.

3255 So that proceeded by the slimmest of majorities. What was intended ... when GP11 was actually promulgated it had a transitional period, where if you developed houses within a year, you would only have to hand over 11%, say, over two years, another percent after three years. What has happened? We could argue the semantics of it, but the reality is that between November 2016 and the end of the first quarter of March 2022, not one unit of accommodation was built pursuant to Policy GP11. Not one unit. Not one was designated. I am very glad to hear what is going to happen in relation to Leale's Yard. I hope those plans, whatever they form, are eventually approved. (A Member: Hear, hear.) I hope that development takes place. A very important development for that part of the Island and very important for the Island generally.

3260 But what you have, in relation to the Island Development Plan – because we used to have detailed development plans made pursuant to the Island Development Law 1966, the Island was divided up into various sections. It took donkey's years for it to get from development plan 1, which dealt with this area, to development plan 6, which dealt with that area. By the time you got to development plan 6, development plans 1, 2 and 3 were already out of date and had to be extended.

3265 Then we had a Blackadder moment. We had a really good idea. We decided to divide the Island into urban and rural areas. By the time the urban area was approved, the rural area came along. We were in the same pickle. We have now got an Island Development Plan that was supposed to be reviewed after five years. That review has been delayed. How long will that review take? Probably at least 18 months from the time that it will start. Have we got the resources? We are told, and I believe and I fully accept and I have got great confidence in the DPA, that they are four or five planners short. Where are those resources going to come from to, in the immediate course, help our housing crisis? Where is that going to happen?

3275 What happened – and it happens in various aspects – is that planners in relation to affordable housing produced an SPG, a Supplementary Planning Guidance, and this is quite common. And what the Supplementary Planning Guidance currently reads – and I am going to read it, so I apologise for that – 7.2. because what the amendment, if successful, seeks to do is to replace it with something more practical. Something that might – and please, States Members, do not go into tremulation, do not run off to PEH's emergency department – that might actually get something done. Because SPG 7.2. at the moment says, talking about GP11:

However, we will, having regard to what is feasible in each case, consider accepting the following types of contribution, in the following order of preference:

a. Transfer of Land: In the first instance, land for affordable housing should be provided on the subject site. The land would then be developed for affordable housing by the States of Guernsey or a registered housing association. Where land is to be provided, the percentage required of the developable area will be transferred to the Committee for Employment & Social Security/Housing Association at nil cost.

So that is the first. You have got to do that first. Only if (a) is not possible do you go to (b), which is headed 'Provision of Units':

Where the transfer of land is not feasible, the provision and transfer of completed affordable housing units built by the applicant/developer will be considered. Examples of where the provision of land may not be feasible include developments comprising the conversion of existing buildings, or developments comprising higher density apartment blocks. Under this option, the units will be purchased by the Committee for Employment & Social Security/housing association at cost and, in the case of intermediate housing, the Committee for Employment & Social Security/housing association will then arrange for a buyer from the intermediate housing waiting list.

If that is not possible, you go on to (c):

Off-site provision: In exceptional cases, to meet some or all of the policy requirement, we may consider the provision of land or units, including appropriate existing dwellings or other premises at another location which is in the same ownership as the principal site. The terms of the transfer for each are the same as explained above in (a) and (b). Premises off-site will be considered on a case-by-case basis.

Now that is what it currently has. And absolutely nothing has happened. I am not here to back the developers. But Deputy Trott, in that October 2012 debate, said this – and it is the basic rules of supply and demand – it is a long time ago since I did my economics A Level, but it is simple: 'If these pair of glasses are the only pair of glasses in Guernsey somebody will probably pay £1 million for them. Well I bought them, so it would probably be a bit less. But £1 million. If there are millions of pairs of glasses, they will cost £20, they will cost £10. Supply and demand. The only way you can reduce cost is by increasing supply.'

If we do it piecemeal we are going to get nowhere. I do not pretend that this amendment, which may well contravene Regulation 24, or Rule 24(6) or whatever it is and the States are going to have to vote whether it can be debated if somebody makes that challenge after I have proposed it and it has been seconded by Deputy Oliver. If they do and they decide it is not going to be debated it will be a sad day. A very sad day indeed because it will be saying in relation to the first concrete proposal brought to the States to do something about housing, 'We do not want to do anything, it is too difficult, let's wait for a review, let's wait for a plan, let's have something else in two years' time'.

When people are not paying 54% of their income in rent, they are paying 92% of their income in rent, they have left the Island. It is cyclical. I can remember when I was crossing with a case in the mid-1970s in Newark – not in America, sadly, but in Nottinghamshire – and I went up – you are not supposed to, as a prosecutor, speak to the witnesses but I have never been too good at applying all of the rules – and I spoke to one of the witnesses. He was a Guernseyman. He left Guernsey in the 1950s because, not that it was not housing, he did not have any income. He did not have a job because there was a shortage of jobs in Guernsey. We do not have that shortage now. As somebody said, whether it is 1,000, 2,000 or 3,000 jobs, we have got plenty.

What we have got to be careful about, and it is a point Deputy Trott I think did not actually express though I think it is implicit in what he says, that if we were to give houses – I do not mean give in the sense of donate – but if you were to provide housing for everyone who is here at the moment and you suck in another 1,000 people, you are going to have to provide another, what, 400 or 500 units of accommodation or whatever it may be. So it is a cycle. When I looked at my remarks, and they were very sensible then, at least I thought so, the average cost of housing when we were having the debate in October 2012 was just over £434,000. It is now – 2016, sorry, sir. Thank you for that, I get confused with the figures. I do not get confused at this figure though. The cost of housing now – the average cost of housing now – is £574,000. That is an increase of circa £140,000 in six years. Inflation has not been at that kind of level over the last five or six years. It has cost more.

A person whose financial judgement I respect considerably had a conversation with me just yesterday. And he said, when I – that is he – bought his first house in the 1980s it cost him £75,000. At the time he was earning £25,000. A multiple of three. Now he did say that he was earning more than the average wage. But even if, let's say, it was increased an extra bit, by average wage standards

it would have probably been four times or thereabouts. It is now, I think Deputy Haskins said, 14 or 15 times, whatever it is. It is too many times. You are not going to do that by just tinkering. In relation to ... let me just say we have got a Supplementary Planning Guidance. The idea of that is that can be replaced. That is flexible. That is not changing the IDP, that is changing a guidance policy in relation to the IDP.

Like I said before, we can all say, 'Oh, that is too difficult, that is doing something we should leave to the planners', and all that kind of stuff. Well the planners have not done anything about it. Nothing has happened to change it, nothing has happened to make life more easy – a little easier for people. There is a definition under some Ordinance of what affordable housing is and it includes intermediate housing, and that is where the phrase that is in the amendment put forward by myself and Deputy Oliver comes from.

Amendment 12, if successful, would replace the Supplementary Planning Guidance. It would replace it by this, 'At the end of Proposition 1' – and I do not know if it would be Proposition 1A, 1B, 1C, 1D, 1E or 1F or 1G, whatever it will be, the Bailiff and the Greffier would work that out if it is passed. But it says:

... and to direct the Development & Planning Authority to delete clause 7.2 in the Affordable Housing Supplementary Planning Guidance 2016 and insert the following:

And I am going to read it out because this is what would be inserted if the amendment is successful:

7.2. However, the applicant/developer can select between options a, b, and c to meet the affordable housing requirement with the following types of contribution:

Therefore the developer can choose, rather than having it imposed upon him or her. The first is the 'Transfer of Land'. I have already read that, the wording was similar. The second is 'Provision of intermediate housing Units' and it reads:

The provision and sale of completed affordable housing units built by the applicant/developer and sold to a buyer from the Committee for Employment & Social Security/housing association's intermediate housing waiting list on the following basis:

- i) relevant properties to be offered for sale and transferred to qualifying purchasers at 75% of market value,
- ii) restriction on onward sale and transfer at any more than 75% of market value at time of sale,
- iii) Guernsey Housing Association to have first option to purchase.

And then there is (c), 'Off-site provision':

The provision of land or units to meet some or all of the policy requirement, including appropriate existing dwellings or other premises at another location which is in the same ownership as the principal site. The terms of the transfer for each are the same as explained above in (a) and (b). Premises off-site will be considered on a case-by-case basis. In this scenario, the premises proposed to meet the policy requirement must be capable of development for those purposes within the terms of the policies of the Island Development Plan (2016), or have outline ... permission –

Etc. So it is giving a choice to the developer. I know ... I will find them because I wrote them, I thought they were words of such wisdom I wrote down from Deputy Trott in the 2016 debate. What Deputy Trott says was this:

... the more restrictive the covenant the less incentive for developers, ... [would I] not think there is anyone in this Assembly who would disagree; the less incentive, the greater the growth in demand as a consequence of the reduction in supply.

We can say, 'Oh, we can be tough with developers, we can bash developers, we can force developers to do that', and they have got to make their contribution because we are all in this housing crisis together. (**A Member:** Hear, hear.) They have got to make their contribution. But if we were to say we will take your land at 50% of its value, we will impose severe taxes upon you if you do not do this, that and the other, are they going to sit back and do nothing? They are going

3360 to challenge that. They are going to take that to court. They are going to fight it. They are going to battle it.

In due course, because this is a democratic Assembly, the Rule of Law will prevail. If the statute says that, there may be ... that wonderful phrase, human rights etc. considerations. But there will be a battle. We will not get any houses built. We will not get any units of accommodation done. We  
3365 will feel great in theory. Wonderful in theory. But we will have done sweet F A in practice. Absolutely nothing in practice.

**The Bailiff:** Deputy Ferbrache –

3370 **Deputy Ferbrache:** I apologise –

**The Bailiff:** That is not parliamentary language.

**Deputy Ferbrache:** I appreciate it is not parliamentary language, sir, I apologise. We have done  
3375 absolutely nothing in practice in relation to that. Deputy Oliver, who is a qualified chartered surveyor, said in the same debate:

Having done a fair amount of feasibility testing and development appraisals as a chartered surveyor, the majority of UK construction companies would require a lot more profit than the Guernsey construction industry are ... making.

Now, that was then. The world has changed in relation to it, in relation to profit. I do not know what developers make. But they are in business, they want to make money. That is not exactly that  
3380 they are evil. We live in a capitalist society. Some may not want to live in a capitalist society, they might want a state-run society where everything is controlled by the States. I am not of that ilk because I want people to be aspirational. I want Mrs Torode to get her house, I want Mr Le Page to get his flat. I want those people to be able to advance their lives. That is what I want.

So I say, sir, through you, to Members of the States – I have got many more words that I could  
3385 say but I am not going to say them – this is your chance to actually do something. I have no doubt somebody will bring a 24(6) challenge. If the Bailiff rules that it is within 24(6), fine, that is the way it will be. I would, however, ask you to reject any attempt to silence this debate. I ask you to approve this amendment.

3390 **The Bailiff:** Deputy Oliver, do you formally second the amendment?

**Deputy Oliver:** Yes, sir.

**The Bailiff:** Is anyone bringing any procedural motions or do they want to speak?  
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**Deputy Burford:** Rule 24(6) please, sir.

**The Bailiff:** Right. Once again I had the benefit of a discussion with the Comptroller yesterday and, because this adds to Proposition 1, or seeks to add to Proposition 1, which is to effectively  
3400 prioritise as a Category 1 status certain aspects of housing, whereas this is to direct another States' Committee to do something, I do rule that it falls within Rule 24(6).

Therefore is the request that the motion be put to States' Members that amendment 12 be not debated and there will be no vote taken thereon, Deputy Burford? Yes. In that case, there has been a request for a recorded vote on the motion from Deputy Burford pursuant to Rule 24(6), so I will  
3405 invite the Greffier to take a recorded vote on that, please.

**Deputy Meerveld:** Sir, may I just suggest that you explain what a vote for and against 24(6) is, because I think the double negative sometimes confuses Members.

3410 **Deputy Gollop:** I get very confused.

**The Bailiff:** I would like to think that, after however many months you have been in this Assembly, you might actually understand which way to vote. But the motion is that there be no debate on amendment 12. So if you support no debate and therefore no vote on it, which means  
3415 amendment 12 would then disappear, then you vote *Pour*. If you want to debate amendment 12 and take a vote on it, then you will vote *Contre*. Greffier.

*There was a recorded vote.*

*Not carried – Pour 2, Contre 32, Ne vote pas 1, Absent 4.*

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Burford	Deputy Fairclough	Deputy de Sausmarez	Deputy Gabriel
Deputy Bury	Deputy Falla		Deputy Le Tocq
	Deputy Ferbrache		Alderney Rep. Roberts
	Deputy Gollop		Deputy St Pier
	Deputy Haskins		
	Deputy Helyar		
	Deputy Inder		
	Deputy Kazantseva-Miller		
	Deputy Leadbeater		
	Deputy Mahoney		
	Deputy Matthews		
	Deputy McKenna		
	Deputy Meerveld		
	Deputy Moakes		
	Deputy Murray		
	Deputy Oliver		
	Deputy Parkinson		
	Deputy Prow		
	Deputy Queripel		
	Deputy Roffey		
	Alderney Rep. Snowdon		
	Deputy Soulsby		
	Deputy Taylor		
	Deputy Trott		
	Deputy Vermeulen		
	Deputy Aldwell		
	Deputy Blin		
	Deputy Brouard		
	Deputy Cameron		
	Deputy de Lisle		
	Deputy Dudley-Owen		
	Deputy Dyke		

**The Bailiff:** Members of the States, in respect of the motion pursuant to Rule 24(6) from Deputy  
Burford that there be no debate on amendment 12, there voted in favour 2 Members, against 32  
3420 Members, one abstention, four Members were absent and therefore I will declare the motion lost.  
Who wishes to speak on the amendment? Deputy Taylor.

**Deputy Taylor:** Thank you, sir.

I am really just wanting to seek a bit of clarity from Mr Comptroller, if possible. I do like the  
wording and I like what Deputy Ferbrache is trying to achieve with the amendment. But unless I  
3425 have misunderstood officer advice on this, it does not necessarily work in the way it has been  
explained. We are changing the description in the Supplementary Guidance but it does not change  
the policy that is being described. It is the policy that has the full force of the law, so to speak. I just  
want to check that it is actually as Deputy is suggesting, that the DPA can rely on this as

3430 Supplementary Guidance and, if it was challenged as a judicial review, say, that the DPA would have been right to rely on this as the revised Supplementary Guidance.

**The Bailiff:** Mr Comptroller, I will give you a bit of thinking time. Alright? Deputy Roffey.

3435 **Deputy Roffey:** Thank you, sir.

I voted against the motion to block debate on this amendment, as I did with the motion to block debate on Deputy de Lisle's amendment earlier today – it feels like a week ago, but I think it was only earlier today. However I have to say exactly the same about Deputy Ferbrache's amendment as I said about Deputy de Lisle's amendment. Why are we here in this Special Meeting? Is it to allocate resources to prioritise what work to do, to bring forward the various policies for us to vote on? This is not a policy-making debate. Or it should not be. And if we turn it into one – I know we want action today, action tomorrow, action this decade, or whatever – then frankly we are going to have farcical Government Work Plans debate in future, because we are all going to bring forward absolutely whatever our own personal hobby horse is to try and actually get a policy decision taken without the framework of the report that should lead to that.

3440 So I cannot support that. I am really flattered that Deputy Ferbrache thinks that the 75% market price idea with a covenant is a good one and ought to be promoted into the private sector, because obviously it is a concept that I very much support, as I will talk about on the next amendment. I would go further than that. The next amendment talks about bringing on social housing, affordable housing, GHA properties. I actually think there is quite a strong case for looking to extend that and say, what about private developments as well and is this a scheme that could work more broadly?

3450 And I would be very happy if amendment 2 is passed, as I hope it will be later, to give the undertaking that that concept should be looked at, not just for the GHA sites but also for broader sites as well. But I do think it needed thinking about. The reason is – the reason we vote at the end of policy letters normally is – we need to actually step back and look at the consequences. Not only is this putting an extra option in, but it is actually turning it around so the DPA no longer have any control. It would be entirely the developer that would choose what to do.

3455 So if every single developer chooses to go down the 75% market value route, then GP11 will yield absolutely no sites for partial ownership applicants or for key worker development, or for anything else. That could be the outcome. So personally I think there needs to be some control over the type of affordable housing that is yielded. I think, yes, it should work for developers. And if this sort of arrangement under GP11 works better on a particular site, then the DPA should be able to come to that agreement. I think that is something we could bring forward and I have to say if amendment 2 goes through we are not talking about years in bringing that back – ESS is driven over that one, as you all know. Certainly their President is. We are talking about months, so it could be considered there.

3460 But I really think there could be some unintentional outcomes here. I agree with Deputy Taylor, I think just as Deputy de Lisle's amendment would have caused confusion in the sense that the States will have voted 'no more houses on greenfields' and yet we would have a DPA in position that says actually some of those greenfields can be built on, so what will the States have decided? This will change the Supplementary Planning Guidance in a way that will create options that actually the main policies under the IDP do not support and do not allow. So I think we will create absolute confusion. I hope Deputy Ferbrache will believe me when I say I think there is a lot of good sense in what he is trying to achieve but I think there are quite a few devils lurking in the detail and I think these need to be thrashed out before we actually decide exactly how this should be implemented.

3475 It is, I think ... if we are really going to say that action today is everything, and it is – I find it a bit rich having gone through the debate on secondary pensions last month, I have to say. But if action today is everything, that is fine when you are bringing forward policy letters. But I do think that the GWP will become – it will not become an allocation of priorities, it will not become resource allocation. It will simply be everybody in this Assembly coming forward making passionate,

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articulate and, yes, the emotion is there and the voice and, 'You would have to be a fool not to do this', and, 'If you really care', and, 'The people are sofa surfing'.

3485 We all agree with that but we still have to have the right reactions for it and the right solutions to this. And I think just by going half-cocked like this, we may well get it considerably wrong. As I say, so I think it is wrong in its own right but I also think once we start submerging the Government Work Plan debate in this way, do not put aside four days next year, put 40 days aside because it will become just a general, 'What policies do we want the States to give the nod to?' in a sort of short-cock system. So I am sorry I have to say to Deputy Ferbrache – I think there is a lot in what he has said – if amendment 2 is carried out and this one is not, then I will undertake to make sure that we  
3490 look at that broader concept as much as we possibly can. But I think this is just the wrong way and absolutely fraught with danger and could actually make the situation worse.

**The Bailiff:** Deputy Vermeulen.

3495 **Deputy Vermeulen:** Thank you, sir.

What a splendid amendment. I am going to give this my full support and I would urge other people to do that too. And the reason why I would urge you to do that – and I emphasise 'urge' – is that there is nothing more important, as Deputy Ferbrache points out, than addressing this housing problem. And this could be the solution. But the best part of this, sir – I am going to do a  
3500 very short speech here – is it produces a more level playing field and that is why it has got my full support.

**The Bailiff:** Deputy Kazantseva-Miller.

3505 **Deputy Kazantseva-Miller:** Thank you, sir.

Thank you, Deputy Ferbrache, for a very passionate speech. I am sure we all share in the sentiment and the desire for energy and for action. I want to go back to what Deputy Murray often says, that as the States, but specifically as Planning, we are obliged to follow the rules and regulations, the Law that we have. We have the SLUP Law, which we discussed earlier today, off the  
3510 back of which we have the IDP, which is consistent with SLUP. And in addition to the IDP we publish Supplementary Guidance.

SPG, Supplementary Guidance, does not have a statutory, legal standing. So whatever is said, or whatever is changed in Supplementary Guidance does not have legal standing. Mr Comptroller can confirm or contradict what I am saying. If we change something in Supplementary Guidance, it still  
3515 has to be consistent with the policies above it. In this specific case, it still has to be consistent with the IDP policy. So we cannot just change something down the line and this be inconsistent with the rest. That is just what it is. For all of the actions we want to take today, I cannot see how the Planning Committee, how we can do that because it just will be inconsistent.

So the amendment says that under Rule 4(1) 'the proposition has been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications'. I liaised with Her  
3520 Majesty's Procureur and Comptroller to clarify, because obviously this amendment you can say has been signed off by our Law Officers, so I wanted to understand, what did it mean. Did it mean that they have checked that it was consistent with the IDP?

Here is the response that I received: 'This amendment was submitted to HMP very shortly before  
3525 the amendment deadline and no detailed analysis of consistency with the IDP was or has been undertaken. If the change proposed to the Guidance is inconsistent with the IDP – and I can see arguments that it may be, but I would need to review the Guidance and relevant parts of the IDP properly for further detail before coming to a final conclusion – the safer route would be to amend the IDP policy itself and then issue Guidance that is consistent with it'. And again I will also ask Her  
3530 Majesty's Comptroller to perhaps confirm that understanding.

Again my understanding is that, if Supplementary Guidance is inconsistent with the IDP, then we are really in dangerous territory. Then going into the amendment itself, because actually there are

two parts to this amendment, the change that it is trying to bring. The first part is in relation to removing what might be called the priority order in which GP11 can be executed. Under the GP11, the Guidance is that there is a hierarchy. The first is that you are supposed to transfer the land. So this is the number one priority. A developer is supposed to transfer the land to the Guernsey Housing Association so that affordable housing can be built.

If that is not possible then (b), there is a provision of intermediate housing units. And that can be wide. That can extend to key worker housing, partial ownership, the whole variety of it. It is not limited to a specific type. And then (c) is the provision of off-site land, basically. So GP11 effectively mandates a hierarchy but it does say that it is considered on a case-by-case basis. So the first change that this amendment is proposing is that that hierarchy is effectively removed and that all three options – (a), (b), (c) – can be considered equal.

We have sought guidance from officers whether this goes further than the Policy GP11, and here is was the officer said: they basically said that the current wording goes further than the Policy IDP, basically 11. However, having said that, I think there is a provision still, right now, in the Planning Guidance that case-by-case we can still look at different planning applications. I do think there is a degree of flexibility with GP11 right now, without any need for change, that we can interpret applications on a case-by-case basis. So we do have that –

**Deputy Meerveld:** Point of correction, sir.

**The Bailiff:** Point of correction, Deputy Meerveld.

**Deputy Meerveld:** Clause 7.2. in the Supplementary Guernsey Guidance on Affordable Housing, as it stands now, gives no discretion. A developer has to offer (a), the 30% land first, and only if they can give suitable justification for why that is not possible, they then can move down the list. And it may be that the bottom option is the most preferable, but they have got to go through each one first. And I know for a fact that applications have been submitted and, because of the lack of flexibility to do that currently, housing developments have not proceeded specifically because of that.

Thank you, sir.

**The Bailiff:** Deputy Kazantseva-Miller to continue.

**Deputy Kazantseva-Miller:** Thank you, sir.

I am just reading what is currently in the Supplementary Guidance: 'We will, having regard to what is feasible in each case, consider accepting the following types of contribution, in the following order of preference'. So just judging by the words in the Supplementary Guidance, on a case-by-case basis where feasible, you can consider those options. So it is not absolutely land transfer or nothing else. There is the option to consider.

So what we are saying is the Guidance we are getting right now is that the first change proposed by this amendment goes further than the policy. So if this amendment is approved, we will be in this strange territory of being most likely to be incompatible with the IDP. I really do not know where this is going to land us, in really ... territory. The second part that this amendment is trying to change is that it is changing part (b) of the Supplementary Guidance, which is in relation to the provision of intermediate housing units. So if previously the developer could offer a range of units, and I can read it:

Where the transfer of land is not feasible, the provision and transfer of completed affordable housing units built by the applicant/developer will be considered. Examples of where the provision of land may not be feasible include developments ... Under this option, the units will be purchased by the Committee for Employment & Social Security ... at cost and, in the case of intermediate housing, the Committee for Employment & Social Security ... will then arrange for a buyer ...[of] the intermediate housing waiting list.

3580 So it provides for the opportunity to offer a range of accommodation. It could be key worker housing, intermediate, partial ownership and so on. The problem right now –

**Deputy Meerveld:** Point of correction, sir.

3585 **The Bailiff:** Point of correction, Deputy Meerveld. What is wrong this time?

**Deputy Meerveld:** I may need Her Majesty's Comptroller to confirm this, but my understanding is that 7.1. – 'The affordable housing requirement is to be met by the provision of land for affordable housing development on the subject site' and that supersedes 7.2., however we have regard.  
3590 Certainly I have emails here from the officers of the DPA to developers saying, 'No, we cannot accept alternatives, you have to give us land as the first option before we take it anything further'.

**The Bailiff:** I think the solution to these will be to hear from Her Majesty's Comptroller in the morning. Deputy Kazantseva-Miller to continue. (*Interjection*)

3595

**Deputy Kazantseva-Miller:** Thank you. So just going back to what the amendment is suggesting in terms of changing point (b), is that it is limiting this provision of intermediate [inaudible] through the 75% scheme that is currently non-existent, basically. There is no other Guidance, reference of how it works, how it is executed, what kind of protections you might have  
3600 when actually developers not hiking the price 20% up so that they could get 75% of the value, and that being actually 100% of the value cost.

This scheme does not exist. So we are being asked to make a decision on something which is effectively restricting us. That is what Deputy Roffey is saying. It is restricting the current Supplementary Guidance into the provision of just one specific scheme, but that scheme is non-  
3605 existent right now. I think if we discuss the next amendment, laid by Deputies Roffey and de Sausmarez. If we agree to the work – because that amendment is not a policy decision, it is an amendment to do the work – if Deputies Roffey and de Sausmarez come back with proposals to do that scheme, when they have to come back to the States, then the DPA will act to support those proposals.

3610 But right now we are being asked to support something that effectively does not exist and restricts the provision of other units. So I think really, on these two grounds, I find this amendment, on technical grounds, incompatible with policy and it will put us in a very difficult position. But also, on the second part of the amendment that he wants to make, is that actually it is restrictive and is trying to enact a policy, a scheme, that does not really exist right now in practice.

3615 Thank you.

**The Bailiff:** Mr Comptroller, I am going to adjourn the meeting shortly until tomorrow morning. So Mr Comptroller, if you need any further direction from those Members who have asked questions, then hopefully you can be back in the morning so that after roll call we can hear your  
3620 advice. Because that might have an impact on how the debate on this amendment continues. It is really about what has to be taken into account, what is policy and what is Planning Guidance. We will now adjourn until 9.30 a.m. tomorrow.

**The Assembly adjourned at 5.33 p.m.**