

STATES OF JERSEY



FIRST-TIME BUYER PROPERTIES (P.55/2026): COMMENTS

Presented to the States on 20th March 2026
by the Minister for Housing

STATES GREFFE

COMMENTS

Introduction

I appreciate the concerns that have motivated this Proposition, and I understand why a first-time buyer ('FTB') system shaped over several decades can appear complex and difficult to navigate.

These homes play a vital role in helping Islanders onto the property ladder, and it is entirely reasonable that clear and accessible information should be available for home buyers and sellers, the legal profession, estate agents and government officers on how FTB and other restricted-tenure homes are administered.

I share this ambition and work is already underway to improve visibility and access to the relevant information.

However, the approach set out in this Proposition does not reflect the legal, operational or policy complexities that govern restricted-tenure housing. Delivering what is proposed would require unpicking long-standing legal agreements, site-specific conditions and historic decisions spanning decades, which are matters that cannot be responsibly or accurately addressed through the mechanisms or timetable proposed.

I do not, therefore, consider the approach proposed to be workable or proportionate, and I am unable to support the Proposition.

Part (a) – register of first-time buyer developments

Part (a) of the Proposition asks for a register of all residential developments subject to first-time buyer or affordable ownership restrictions to be compiled and published by September 2026.

I have already commissioned this work, and a consolidated register of restricted-tenure sites is being prepared. I am aiming – as a minimum – to publish a comprehensive lists of sites, their location and number of restricted properties, in addition to clear signposting to the documents that define the conditions on ownership, occupancy, onward sale and other obligations.

A register of this kind will enable buyers, sellers, legal professionals and government officers to more easily understand site-specific restrictions, support faster and more consistent decision-making and provide a clearer picture of the Island's restricted-tenure housing stock.

I am not, however, in a position to commit to a publication date.

The information required spans decades of planning decisions, legal agreements and archived records, including sites rezoned under successive Island Plans, developments brought forward through States Assembly decisions and schemes arising from historic policy initiatives such as loan arrangements for eligible FTBs.

Bringing this material together requires first identifying where all of these decisions exist and then verifying the accuracy of each entry to ensure that the register is sufficiently robust to be relied upon by relevant parties.

I wish to reassure Members that this work is actively progressing, but it is not feasible to guarantee publication by September 2026.

The Assembly will be aware that it has already committed housing policy resource to consult on the property transaction process (P.61/2025 Amd.); to undertake work to develop policy mechanisms for empty homes (P.70/2025 Amd.(31) Amd.(2), whilst work also continues to imbed the new Residential Tenancy Law provisions in 2026. The team cannot continue to be loaded with additional priorities, without being told to stop doing something else.

Part (b) – legal and planning basis for first-time buyer restrictions

Part (b) of the Proposition request the Minister for Housing, in consultation with the Ministers for the Environment and for Treasury and Resources, to determine and publish for each first-time buyer development “*the legal or planning mechanism through which restrictions are applied, and the conditions under which those restrictions may be varied or removed.*”

These mechanisms are already established within the relevant planning consents, Planning Obligation Agreements and contractual sale arrangements, which continue to carry legal force. They are complex, legally binding documents that require precise interpretation. It would not, therefore, be appropriate or responsible for a consolidated register to attempt to summarise, reinterpret or determine these mechanisms in a way that could be misconstrued as authoritative legal advice.

The role of the consolidated register will be to signpost relevant parties to these documents as comprehensively as is reasonably and practicably possible. It is not to restate or condense legally binding instruments. Attempting to do so would risk misinterpretation and could undermine the status of the original documents. It remains the responsibility of home buyers, sellers and legal practitioners to obtain and review the complete documentation necessary to understand the legal position of any FTB restriction.

Part (c) – options for modifying ownership restrictions on existing developments

Part (c) of the Proposition requests the Minister for Housing to bring forward options for modifying ownership restrictions on existing developments. In practical terms, this would create an expectation that long-standing, legally binding arrangements, which range from planning consents to individual contracts, could be revisited or amended.

The proposition suggests there is anecdotal evidence that the recent large number of restricted properties has led to an oversupply in the market, meaning that owners are struggling to sell. I do not agree that there is any credibility to this. Recent housing market conditions have been difficult for anyone trying to sell, but it is widely accepted that if a property is appropriately priced for this market, it will sell.

Any assessment of housing supply implications, as referenced in Part (c), will be taken forward through the evidence-base being developed for the next Island Plan. It would not be appropriate to pre-empt this process and members will appreciate that it needs to be done properly, and in the context of our longer-term housing requirements in Jersey, not just the conditions being experienced today.

It is important to also be clear that these arrangements are not easily altered, and neither were they intended to be. They carry significant legal weight and are the product of decisions made over many years to support first-time buyers. Many of the underlying legal mechanisms also fall under the responsibility of the Minister for the Environment, given their basis in planning consents and associated agreements.

Any reconsideration of these mechanisms would, therefore, require extensive legal review, engagement with affected parties and a high degree of caution to avoid unintended consequences.

Accordingly, producing credible and workable options of the type envisaged is not realistic within the timeframe proposed. A review would also demand careful policy consideration of what objectives are being pursued, whose housing needs would be prioritised, and what the broader implications would be for affordability, supply and fairness for genuine FTBs.

A flexible approach to the scope of the Minister for Housing's First Time Buyer eligibility policy framework¹ is considered to be an appropriately responsive mechanism to manage demand without risking the permanent loss of this important part of the market. This policy enables there to be additional flexibility to be an eligible FTB when there is good supply, whilst also being able to narrow eligibility when there is high demand.

The consolidated register currently under development is intended to support this process by improving access to relevant documentation, not by facilitating wholesale revision of existing restrictions.

Conclusion

The Proposition's request for a consolidated register of restricted developments is understandable and reflects work that is already underway. However, whilst the creation of such a register is advancing, I cannot commit for it to be delivered within the timeframe proposed, and it cannot fulfil the broader role envisioned in the Proposition.

I agree that centralising and improving access to information on restricted residential developments is necessary, and that work is being taken forward. The register will provide a helpful baseline as to the quantum of restricted homes in Jersey, but it is not intended to be a vehicle for revisiting binding legal agreements.

For these reasons, the Proposition goes beyond what the register can reasonably achieve, and I ask Members to reject it.

¹ First-time buyer guidance:

<https://www.gov.je/home/rentingbuying/buyersguide/pages/firsttimebuyers.aspx>