



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

MORNING SESSION: 9.20 a.m. – 12.43 p.m.

Gibraltar, Thursday, 19th July 2012

## The Gibraltar Parliament

*The Parliament met at 9.20 a.m.*

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[MR SPEAKER: Hon. H K Budhrani QC *in the Chair*]

[CLERK TO THE PARLIAMENT: M L Farrell Esq RD *in attendance*]

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### SUSPENSION OF STANDING ORDERS

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**Standing Order 7(1) suspended  
to lay a report on the Table**

**Clerk:** Sitting of Parliament, Thursday, 19th July.  
Suspension of Standing Orders, the Hon. the Chief Minister.

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**Chief Minister (Hon. F R Picardo):** Mr Speaker, I beg to move, under Standing Order 7(3), to suspend Standing Order 7(1) in order to proceed with the laying of a Report on the Table.

**Mr Speaker:** Those in favour. (**Members:** Aye.) Those against. Carried.

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### DOCUMENTS LAID

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**Papers laid before the House**

**Clerk:** Papers to be laid, the Hon. the Chief Minister.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to lay on the Table the Annual Report of the Gibraltar Regulatory Authority for the year ended 31st March 2012.

**Mr Speaker:** Ordered to lie.

## SUSPENSION OF STANDING ORDERS

**Standing Order 7(1) suspended  
to proceed with answers to Questions**

**Clerk:** Suspension of Standing Orders, the Hon. the Chief Minister.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I beg to move, under Standing Order 7(3), to suspend Standing Order 7(1) in order proceed with answers to Questions.

**Mr Speaker:** Those in favour. (**Members:** Aye.) Those against. Carried.

## Questions for Oral Answer

### DEPUTY CHIEF MINISTER

#### **Notre Dame School extension Consultation with Development and Planning Commission**

**Clerk:** Answers to Oral Questions.  
Question 670, the Hon. S M Figueras.

**Hon. S M Figueras:** Yes, Mr Speaker. Can the Hon. Deputy Chief Minister confirm whether information and guidance from the DPC has been sought in relation to the extension to Notre Dame School announced by the Hon. Minister for Education during his speech at the 2012 Budget session?

**Clerk:** Answer, the Hon. the Deputy Chief Minister.

**Deputy Chief Minister (Hon. Dr. J J Garcia):** Mr Speaker, yes.

**Hon. S M Figueras:** I am grateful, Mr Speaker.

### HOUSING AND THE ELDERLY

#### **Government rental flats Outstanding works**

**Clerk:** Question 637, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Government provide an explanation as to why the Minister for Housing and the Minister for Health both had a different answer to the number of outstanding works that need to be undertaken in Government flats as a result of reports made by the Occupational Department of the GHA in the last sitting of Parliament, and in addition state what the actual number of outstanding works are, the cost involved and whether such works are expected to be carried out in this new financial year of 2012-13?

**Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

**Minister for Housing and the Elderly (Hon. C A Bruzon):** Mr Speaker, the reason why the Minister for Housing and the Minister for Health each had different answers to the questions regarding occupational therapy reports is because the question submitted to each Minister was worded differently, such as to cause divergence in interpretation.

Whilst the question put to the Minister for Health can only be interpreted to request the number of *outstanding* OT reports, the question put to the Minister for Housing can be, and in fact was, interpreted to request the total number of reports *originated* – not outstanding – by the OT department.

There are currently 43 outstanding OT works, each estimated to cost in the region of £2,000 – sorry, ‘£2k’ – and it is expected that all currently outstanding works will be completed during the current financial year.

**Hon. J J Netto:** I am grateful, Mr Speaker.

### **Government rental flats Details of those empty and awaiting repairs**

**Clerk:** Question 638, the Hon. E J Reyes.

**Hon. E J Reyes:** Mr Speaker, can the Minister for Housing confirm, further to his answer given to Question No. 531/2012, how many flats are currently empty and awaiting repairs, giving a breakdown in respect of:

- (a) pre-war and post-war flats;
- (b) flat size composition;
- (c) the dates as from when these flats have been empty;
- (d) the nature of repairs which are required to be undertaken before they may be reallocated?

**Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

**Minister for Housing and the Elderly (Hon. C A Bruzon):** Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

Given that the hon. Member is requesting this information at each meeting of Parliament, in order to facilitate access to the data requested to him and to members of the general public, it will be added to the statistics published on the Government website on a monthly basis and will therefore mean that he will have the information without having to ask for it.

In addition, the information requested at Questions 639 to 647, 649 to 652 and 655 will also be published on the Government website.

### **ANSWER TO QUESTION 638**

Further to my answer given to Question No. 531 of 2012, up to 121 flats are currently empty and awaiting repairs.

Table 1 shows the number of empty flats for cleaning/refurbishment (post and pre-war) by room composition.

Table 2 highlights the number of empty flats per year and room composition. Specific dates per flat cannot be provided.

The following table provides the required breakdown:-

**Table 1 - By room composition (post and pre-war)**

Category Type					
Composition	Refurbishment Technical Decision		Cleaning		Total
	Pre-War	Post-War	Pre-War	Post-War	
6RKB	3				3
5RKB	3				3
4RKB	16	5	1		22
3RKB	25	25	4		54
2RKB	15	12	1		28
1RKB	4	7			11
Sub-Total	66	49	6		121

**Table 2 - Empty flats awaiting refurbishment/cleaning per year**

	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	TOTALS
6RKB	2						1					3
5RKB		1	1								1	3
4RKB	2	11	3	4	1	1						22
3RKB	9	34	6	1		2	2					54
2RKB	6	14	4	2					2			28
1RKB	1	5	2	1						1	1	11
TOTAL	20	65	16	8	1	3	3		2	1	2	121

**Hon. E J Reyes:** Mr Speaker, I seem to have most of the information required here; however, in relation to my sub-paragraph (c), I was requesting the dates from when these flats have been empty, and I do not quite feel I have got the full information requested there.

135 **Hon. C A Bruzon:** Mr Speaker, if the information has not been provided, there must be an explanation. I will do my best to forward this information to him, if possible, as soon as I can.

**Hon. E J Reyes:** I am most grateful, Mr Speaker.

140 **Hon. J J Netto:** Mr Speaker, can I ask a minor question, just simply for clarification purposes?  
Looking at the first table at the top there, under the column of 'Refurbishment Technical Decision', what is the scope that encompassed technical decisions? What I am thinking aloud, just to give the hon. Member an example, is are we talking about obviously refurbishment in terms of carpentry, plumbing, but in addition to that which would be done by the Housing Works Agency? But in addition to that, are we also talking about when the electricians, the one in Wellington Front, also have to provide new installations to flats? Will that come under this category or, will that be something different?

145 **Hon. C A Bruzon:** I will find out for him. I do not know the answer to that, Mr Speaker. I do not want to guess. What you want to know – if I may just make sure that I have understood the question – is whether the electrical work done by the official electrical department forms part of this or not. Is that what you want to know?

150 **Hon. J J Netto:** At the end of the day, Mr Speaker, all I want to know is... just to look at the definition of whatever is meant by 'technical decision'. What does it encompass? Does it mean normal refurbishment work in the flat, does it mean electrical, and perhaps I am even missing some other type of work which is not to do with the other column, which is to do with cleaning. So all I am trying to do is to understand what comes under that particular category.

155 **Hon. C A Bruzon:** I imagine, Mr Speaker, that it means exactly what the hon. Gentleman is implying: general jobs linked with the refurbishment of the flat, anything to do with the internal equipping of the flat to make sure that it is ready for allocation.

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**Unsafe dwelling report  
Numbers requiring urgent decanting**

**Clerk:** Question 639, the Hon. E J Reyes.

**Hon. E J Reyes:** Can the Minister for Housing confirm, further to his answer given to Question No. 532/2012, how many reports of unsafe dwellings are currently pending and how many of these require urgent decanting due to Health and Safety considerations?

**Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

**Minister for Housing and the Elderly (Hon. C A Bruzon):** Mr Speaker, further to my answer to Question No. 532/2012, I can confirm that there are no reports of unsafe dwellings currently pending which require decanting due to Health and Safety considerations.

**Hon. E J Reyes:** Mr Speaker, my question was not how many were due to Health and Safety; it said how many unsafe dwellings are currently pending and, if there are any pending, are there any that fall then into the category that require urgent decanting due to Health and Safety.

The Hon. Minister might have to end up giving me the same answer, but for the sake of clarity, the question was how many reports of unsafe dwellings. If it is zero, then subsequently the next part is also zero, but there could be two, and then, of those two, have any of those required urgent decanting due to Health and Safety?

**Hon. C A Bruzon:** I will try, next time, to give him the answer in two parts. I have understood it to mean whether there are any pending, and there are none.

**Government rental flats  
Breakdown of jobs pending or incomplete**

**Clerk:** Question 640, the Hon. E J Reyes.

**Hon. E J Reyes:** Can the Minister for Housing confirm, further to his answer given to Question No. 533/2012, how many jobs are currently listed as pending/incomplete in Government rental flats, giving a breakdown of internal and external repairs, as well as stating the general nature of the works and by whom these are being carried out, broken down into categories of both pre-war and post-war housing stocks?

**Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

**Minister for Housing and the Elderly (Hon. C A Bruzon):** Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

I can read out at least the general answer that: since my answer to Question 533, there are 619 internal jobs currently listed as pending; and since my answer to Question 533, there are 3,491 external jobs currently listed as pending.

**ANSWER TO QUESTION 640**

I submit a reply to this question primarily broken down by (a) internal jobs and (b) external jobs, as follows:

- (a) Since my answer to Question No. 533, there are 619 internal jobs currently listed as pending within the Housing Works Agency. These jobs are categorised as follows:-

Work Category – Internal Repairs	Pre-war	Post-war	Total
Bath for shower conversion	1	18	19
Bathroom Unit replacement	3	37	40
Carpentry repairs	21	112	133
Cleaning of flat	7	3	10
Drains, rodding and cleaning	1	5	6
Emergency repairs	1	16	17
Masonry repairs	14	54	68
O/T Repairs/refurbishments	0	22	22
Painting	6	81	87
Plumbing repairs	14	157	171
Refurbishment – empty flats	9	37	46
<b>TOTAL</b>	<b>77</b>	<b>542</b>	<b>619</b>

- (b) Since my answer to Question No. 533, there are 3491 external jobs currently listed as pending to be carried out by external works contractors. External jobs vary in nature ranging from repairs to building fabric, to waterproofing/roofing. It is impossible to deliver a detailed categorisation of all 3491 jobs. The following condensed categorisation applies:

Work Category – External Repairs	Pre-war	Post-war	Total
External Building Contractors	564	2043	2607
Windows Replacement Contractors	101	783	884
<b>TOTAL</b>	<b>665</b>	<b>2826</b>	<b>3491</b>

**Hon. E J Reyes:** Mr Speaker, can the hon. Minister guide me a bit through this schedule? I have got the figures here, but the part saying... The general nature of the works is shown in the first part, for example, the bath or shower conversion and so on, but then I asked by whom these were being carried out. Is that contained in the schedule or does he have the answer in addition to this?

**Hon. C A Bruzon:** I think the answer will be in another question, Mr Speaker, but any internal jobs, of course, are carried out by the Housing Works Agency staff themselves and/or small companies that are called in to help out. External jobs, of course, are organised by the Housing Technical Staff based at the City Hall.

**Hon. E J Reyes:** Thank you, Mr Speaker.

So, as a follow-up of that, if internal jobs are either handled by the Agency or contracted out, I am missing details of who are the contractors who are being allocated these tasks.

**Hon. C A Bruzon:** I think the hon. Member will see that the contractors and the small businesses that do the works are part of our other answers to questions that he has asked.

**Hon. E J Reyes:** Okay, Mr Speaker, I accept that for now. Yes.

**Clerk:** Question –

**Hon. J J Netto:** Mr Speaker, if I may –

**Mr Speaker:** The Hon. Jaime Netto.

**Hon. J J Netto:** – it is just that I am looking at the figures being provided by the Hon. Minister and I notice that, in terms of OT repairs/refurbishment works, there is a total outstanding in that column of 22, and I am just thinking aloud, given that in Question 637 the hon. Member said that there was a total of 43 OT works outstanding, is there an explanation for the difference of those two figures?

**Hon. C A Bruzon:** I have not got an exact answer for that. I am just going to suggest that the figures given here refer to certain types of work. Maybe the others refer to bath-to-shower conversion, but I am not 100% sure.

What I could do, if the hon. Member wants the exact explanation, is I could put the question to my technical staff and answer it in another question next time, maybe, (*Interjection*) or you write to me in my... (*Interjection*) Sí.

**Hon. J J Netto:** Yes, Mr Speaker. I suppose that if the hon. Member can write to me with an explanation as to why, it would probably be much simpler and easier to see – there must be a reason for it, obviously – why we have two different figures and what is the logic behind it.

I would be grateful for that, Mr Speaker.

**Hon. C A Bruzon:** I think I may be beginning to have an answer for the hon. Gentleman. The general question asked earlier this morning refers to outstanding works or works reported to the occupational therapist as requiring attention. This refers to the actual physical jobs that are being done this month. (**Hon. J J Netto:** Oh?) That is what I suspect, but I will make 100% sure and come back to him.

**Hon. D A Feetham:** That cannot be right, can it, because it says... The question was:

‘Can the Minister for Housing confirm, further to his answer given to Question No. 533/2012, how many jobs are currently listed as pending/incomplete...’



But anyway, if you could write to the Hon. Mr Netto and also write to the Hon. Mr Reyes in relation to all the other queries that we have raised, we would appreciate it.

**Hon. C A Bruzon:** I will be glad to do that, Mr Speaker.

**Government rental flats  
Numbers empty and available for reallocation**

**Clerk:** Question 641, the Hon. E J Reyes.

**Hon. E J Reyes:** Can the Minister for Housing state how many flats have become empty and therefore available for reallocation since his answer to Question No. 534/2012?

**Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

**Minister for Housing and the Elderly (Hon. C A Bruzon):** Since the answer given to Question No. 534/2012, 14 flats have become empty and therefore are available for reallocation.

**Homeless persons  
Applications for housing**

**Clerk:** Question 642, the Hon. E J Reyes.

**Hon. E J Reyes:** Can the Minister for Housing confirm, further to his answer given to Question No. 535/2012, how many applications for housing from homeless persons are currently being dealt with, indicating the dates when these applications were made?

**Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

**Minister for Housing and the Elderly (Hon. C A Bruzon):** I will now hand the hon. Member a schedule containing the information requested.

**ANSWER TO QUESTION 642**

A total of 19 applications for housing from homeless persons are currently being dealt with.

The breakdown of dates as from when these applications were made is as follows:

June 2010	2
October 2010	1
November 2010	4
December 2010	1
March 2011	1
May 2011	1
September 2011	1
January 2012	2
March 2012	3
April 2012	3

**Government rental flats  
Repairs completed**

**Clerk:** Question 643, the Hon. E J Reyes.

**Hon. E J Reyes:** Can the Minister for Housing state how many tenants, since his answer to Question No. 536/2012, have had their pending repairs completed in respect of Government rental flats, giving a

305 breakdown of how many were internal and external repairs and broken down into categories of both pre-war and post-war housing stock?

**Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

310 **Minister for Housing and the Elderly (Hon. C A Bruzon):** I will now hand the hon. Member a schedule containing the information requested.

There have, in fact, been a total of 423 tenants who had 539 jobs completed. The details are on the schedule.

**ANSWER TO QUESTION 643**

Since the answer given to Question No.536 of 2012, there have been a total of 423 tenants that had 539 jobs completed, as follows:

**INTERNAL**

	Completed jobs	No. of tenants
Pre-War	38	29
Post-War	272	209
<b>TOTAL</b>	<b>310</b>	<b>238</b>

**EXTERNAL**

	Completed jobs	No. of tenants
Pre-War	109	92
Post-War	120	93
<b>TOTAL</b>	<b>229</b>	<b>185</b>

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**Government rental properties  
Number of tenants requiring works**

**Clerk:** Question 644, the Hon. E J Reyes.

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**Hon. E J Reyes:** Can the Minister for Housing confirm, further to his answer to Question No. 537/2012, how many tenants are currently listed as requiring works to be done by Government as landlords, broken down into categories of both pre-war and post-war housing stock?

**Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

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**Minister for Housing and the Elderly (Hon. C A Bruzon):** Mr Speaker, further to my answer to Question No. 537/2012, 1,570 tenants are currently listed as requiring works to be done by Government as landlords, of which 251 reside in pre-war flats and 1,319 reside in post-war flats.

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**Government rental flats  
Breakdown of jobs completed**

**Clerk:** Question 645, the Hon. E J Reyes.

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**Hon. E J Reyes:** Can the Minister for Housing state how many jobs, since his answer to Question No. 538/2012, have been completed in respect of Government rental flats, giving a breakdown of how many were internal and external repairs and the nature of works undertaken broken down into categories of both pre-war and post-war housing stocks?

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**Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.



**Minister for Housing and the Elderly (Hon. C A Bruzon):** Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

The general answer is that a total of 573 jobs have been completed in respect of Government rental flats.

Out of this total, 344 jobs were internal jobs completed by the Housing Works Agency and 229 were external jobs completed by the Ministry for Housing. The details are on the schedule that is being handed to them now.

#### **ANSWER TO QUESTION 645**

A total of 573 jobs have been completed in respect of Government rental flats.

Out of this total, 344 jobs were internal jobs completed by the Housing Works Agency and 229 were external jobs completed by the Ministry for Housing. These are further broken down as follows:

Work category – Internal repairs	Pre-war	Post-war	Total
Bath for shower conversions	-	2	2
Bathroom unit replacement	-	4	4
Carpentry repairs	3	24	27
Cleaning of flat	3	4	7
Drains, rodding and cleaning	1	7	8
Emergency repairs	23	134	157
Masonry repair	-	10	10
Other – asbestos removal	1	1	2
Painting	-	10	10
Plumbing repairs	13	103	116
Refurbishment – empty flat	-	1	1
<b>TOTAL</b>	<b>44</b>	<b>300</b>	<b>344</b>

Work category – External repairs	Pre-war	Post-war	Total
General	76	23	99
Letterboxes	33	90	123
Lifts	-	7	7
<b>TOTAL</b>	<b>109</b>	<b>120</b>	<b>229</b>

**Hon. E J Reyes:** Mr Speaker, for the sake of my own clarity, the 344 jobs that were carried out by the Housing Works Agency, it obviously follows, were carried out by the employees of the Agency themselves. However, the external jobs that were completed by the Ministry for Housing – who actually carried out those works? Is it contractors that the Ministry for Housing took on, or who undertook the task?

**Hon. C A Bruzon:** Absolutely right, yes, Mr Speaker, the external jobs that are organised by the staff of the City Hall are big external jobs. The Housing Works Agency, which is responsible for carrying out internal refurbishment and cleaning of flats, sometimes require assistance, and for this purpose they employ small companies – not the kind of company that would be contracted to carry out much larger external works.

**Hon. E J Reyes:** Would the Hon. Minister have any details of which were the companies involved?

**Hon. C A Bruzon:** I think the answer to that question will appear later on in the Order Paper.

**Clerk:** Question –

**Hon. J J Netto:** Mr Speaker, can I try and expand, if I can, a little bit what the Hon. Minister is saying in terms of the big jobs – I think I am using his own words, ‘big jobs’ – that are outsourced from the City Hall, as opposed to the Housing Works Agency? Could he elaborate, perhaps, what he means by the big jobs?

Is he actually saying ‘big jobs’ in the sense that it is a certain threshold as far as cost is concerned, beyond which they would go to the private contractors; or is it that it is a specific type of work that may

375 go to contractors; or is it perhaps that some works, regardless of the cost or the type, may have gone to the Housing Works Agency for a considerable period of time, upon which then the Housing Department in the City Hall may decide there have been people waiting for too long and it is about time that the work gets done?

Is there a definition of what we mean by 'big jobs'?

380 **Hon. C A Bruzon:** I think I can explain it quite simply by saying that external jobs that I have described as 'big jobs' entail scaffolding, fixing of roofs, that kind of thing. Smaller internal jobs are inside the house and are done by the Housing Works Agency, sometimes with the assistance of small companies.

385 **Hon. J J Netto:** I understand that, Mr Speaker, but what I am trying to establish is whether... Is it just roofs, the only thing that goes outsourced, or is it that there are other types of works which may have a cost value beyond which there is a line and you say, 'Well, look, this is just too big and therefore whatever is beyond x or y then goes...' That is what I am trying to...

390 **Hon. C A Bruzon:** Yes, I think I understand what the hon. Gentleman is trying to get at. As far as I know, there is no cost value or red line, which if you cross it has to go to a big company. It is just that the nature of the work required, if it is outside the building, often enough requires scaffolding. If it is on the roof, you require certain paraphernalia to make it safe.

395 The internal jobs – things like plastering, plumbing – are done inside the flat by the small companies or by the Housing Works Agency staff themselves.

**Hon. J J Netto:** When – to use your own phrase – a 'big job' goes out, and to just follow the example that you gave us, in terms of being a roof perhaps, just to follow the example, does the Housing Department, before engaging a particular company...? Is it just the same company, JBS, or is it perhaps a number of companies, and before engaging whatever company it is, they cross-reference the details of that company, perhaps with Employment, Income Tax, Social Insurance, to ascertain that they are a *bona fide* company as far as being compliant with Income Tax and the Social Insurance Department?

405 **Hon. C A Bruzon:** Mr Speaker, the answer to the first part of the question will be clear later on on the Order Paper, because there are names of companies... (*Interjection*) Companies are mentioned later on.

**Hon. J J Netto:** Okay.

410 **Hon. D A Feetham:** Mr Speaker, I still do not understand what he means by 'big jobs' because he seems to be referring to, or using as a criteria for big jobs, scaffolding, but of course you can hire a scaffolding company to just simply raise scaffolds, and then the people from within the relevant Government Department or Agency can do the painting, for example, or remove and replace windows.

415 Does he not have any criteria as to what amounts to a 'big job' – which are his words – therefore providing us with information as to the criteria used for the outsourcing of work?

**Hon. C A Bruzon:** Mr Speaker, I would like to move away from my definition – 'big job' – if I may. I think a simpler way of understanding this is to take the external works: works that are external to the building, whether it is roof or outside walls are often enough done by companies contracted to do the work by the technical staff in the City Hall.

420 Jobs inside the flat are done by the Housing Works Agency staff or by the smaller companies that come to the help of Government, so that we can speed up the process and make flats available for our tenants, for our applicants.

425 **Hon. D A Feetham:** So, is he then saying – so that I can get this right – that, effectively, the distinction is between external work and internal work? External work is outsourced; internal works are done internally.

430 But you will appreciate that that distinction is also problematical because not every external job is effectively a large job that is beyond the expertise or the manpower of the relevant Government Department or Agency. So I do not think, with respect to the Hon. Minister, that that can be right. But if that is the answer, that is the answer.

**Hon. C A Bruzon:** I think the hon. Member makes a valid point.

We are, in fact, trying to find the right formula, the right definitions. In general, I think, and for the future, what we would like to achieve is to have a body of workers within the Housing

Department/Housing Works Agency who can tackle more difficult jobs, heavier jobs – ‘big jobs’, if I may go back to my previous phrase – that cannot be done by the Housing Works Agency staff.

I have not got a clear-cut definition, Mr Speaker, but the hon. Member is right in saying that if we talk about just external and internal jobs... and in a sense we are trying to move away from that, even though I have just made an attempt to give an explanation by using that phraseology. We are trying to establish a way of carrying things out so that the Housing Works Agency staff do the kind of works that are within their capability to do, and if they cannot, then we contract other companies to do the work.

**Hon. D A Feetham:** Yes, so effectively the answer, then, is really that there is an assessment made by the technicians within the relevant Government Department or the Agency as to whether they have the expertise and the manpower, amongst other things, to conduct the job. If the judgement is that they do not, then it goes externally. If they do, whether it is external or internal works, they undertake the work. But the judgement is exercised by the technicians or the technical people within the Department or Agency – is that the case?

**Hon. C A Bruzon:** I believe that is correct, Mr Speaker, yes.

### Housing Ministry New jobs requiring attention

**Clerk:** Question 646, the Hon. E J Reyes.

**Hon. E J Reyes:** Can the Minister for Housing state how many new jobs have been added to the list requiring the attention of the Housing Ministry since the answer given to Question No. 539/2012, stating the type of work required to be undertaken and broken down into categories of both pre-war and post-war housing stock?

**Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

**Minister for Housing and the Elderly (Hon. C A Bruzon):** Mr Speaker, I now hand the hon. Member a schedule containing the information requested.

There are a total of 515 new jobs that have been added to the list, of which 109 are external works and 406 are internal, and the details are on the schedule that is being handed to the hon. Members.

#### ANSWER TO QUESTION 646

A total of 515 new jobs have been added to the list of which 109 are external works and 406 are internal works, as follows:-

External Works			
Work Category	Pre-War	Post-War	Total
Window, Shutters	5	40	45
Plumbing	1	16	17
External	8	22	30
Letter Boxes	1	16	17
<b>Total</b>	<b>15</b>	<b>94</b>	<b>109</b>

  

Internal Works			
Work Category	Pre-War	Post-War	Total
Bathroom Unit replacement	-	3	3
Carpentry repairs	3	34	37
Cleaning of flat	2	4	6
Drains, rodding and cleaning	1	10	11
Emergency repairs	24	133	157
Masonry repair	5	16	21
Letterbox repairs	-	2	2
O/T Repairs/Refurbishment	-	3	3
Painting	1	11	12
Plumbing repairs	12	136	148
Refurbishment – Empty flats	2	4	6
<b>Total</b>	<b>50</b>	<b>356</b>	<b>406</b>

**Housing Ministry**  
**Number of jobs contracted out**

475 **Clerk:** Question 647, the Hon. E J Reyes.

**Hon. E J Reyes:** Can the Minister for Housing state how many jobs have been contracted out, stating the date, type of work, estimated cost and to which companies, by the Housing Ministry, since the answer given to Question No. 540/2012 and broken down into categories of both pre-war and post-war housing stock?

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**Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

**Minister for Housing and the Elderly (Hon. C A Bruzon):** Mr Speaker, I now hand the hon. Member a schedule containing the information requested.

**ANSWER TO QUESTION 647**

Since the answer given to Question No. 540 of 2012, the Housing Ministry has contracted 8 jobs as follows:-

Date	Work Category	Estimated Cost	Company	Type of Housing Stock
19/06/12	Duct Panel Repairs	£655	Skybridge	Post-War
26/06/12	Absestos Removal	£470	Skybridge	Post-War
26/06/12	Plumbing Repairs	£350	Mersey Castle	Post-War
28/06/12	Absestos Removal	£290	Skybridge	Pre-War
03/07/12	Duct Panel Repairs	£545	Skybridge	Post-War
05/07/12	External repairs	£6,000	On the level	Post-War
09/07/12	External Repairs	£870	Greenarc	Post-War
11/07/12	Plumbing Repairs	£450	First Gib Scaffolders	Post-War

485 **Hon. E J Reyes:** Mr Speaker, may I ask the Hon. Minister, is this the schedule that is supposed to contain the information that I asked for before – which were the companies involved?

**Hon. C A Bruzon:** Partly, yes, but I think there is more to come, Mr Speaker.

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**Hon. E J Reyes:** If there is more to come, I will wait, Mr Speaker.

**Clerk:** Question 648.

495 **Mr Speaker:** No, the Hon. Jaime Netto.

**Hon. J J Netto:** Just a second, I just want to cross-reference something with the [inaudible].

Mr Speaker, just by looking at the type of work category, it seems to be asbestos removal in the main, with a connection by the same company on duct panel repairs, and even looking at the estimated cost... Admittedly, this is since the previous question was asked in Parliament. By definition it does not look like we are talking about big money here, mainly small money.

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What was the trigger point, perhaps, of engaging this particular company? Is it because the expertise was not available in-house in the Housing Works Agency, or was it some other trigger point for outsourcing this particular type of work?

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**Hon. C A Bruzon:** Mr Speaker, I have done my best to give the statistical answer, as requested. I am just not sure, in connection with all the details that my technical staff discuss or how they arrive at a decision. But this is the answer to the question as requested, and any details beyond this, I will need notice, Mr Speaker.

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**Hon. D A Feetham:** With respect to the hon. Gentleman, we have had a number of questions and we agreed... I was going to say we agreed on an answer. After giving various answers, the answer that he eventually gave was that the decision as to whether it goes externally or internally is to do with the fact of

whether the technical people, given the resources, given the manpower within the Agency or the Department, can actually perform that work.

The hon. Gentleman has now asked how many works have been contracted outside, and you have provided a list. I quite understand that asbestos removal... and there are a couple of asbestos-removal references there, despite the fact that the amounts, the value is low... £290 and £470, they are low values, but those are specialist jobs. I quite understand that they go outside.

But then you have duct panel repairs, plumbing repairs and they are all £450, £470, £655. So, in the light of that, does he not accept that there must be more to how the decision is taken, as to whether to perform the work internally or contract it externally, in the answer that he has given me a number of questions earlier?

All we are trying to do, at the end of the day, is get to the bottom of Government policy, or Departmental policy, in relation to the criteria that are used for either undertaking the work internally or externally. But of course the answer that he gave me earlier with this does not really lie easily. There may be an explanation, but we are asking for the explanation from the hon. Gentleman.

**Hon. C A Bruzon:** Mr Speaker, the reality is that when jobs are to be sorted out or addressed, the technical staff meet. They discuss the issues and then they decide, 'Right, this particular job is beyond the scope of the resident staff at the Housing Works Agency, so let's get a specialist company to do the work. This other job is of such a nature that it requires scaffolding, it requires roof repairs, so let's contract a company to do this kind of work.'

I really have not got any more specific information to offer the hon. Gentlemen opposite. If they want more specific answers, I would request that they address the issues more specifically.

**Hon. D A Feetham:** With all due respect, the issues are being dealt with specifically and it appears that the hon. ... I do not want to be ungenerous to the hon. Gentleman, but if I were to be ungenerous I would say that the hon. Gentleman was not mastering his brief in the way that he should master his brief. But I do not want to get down that road. At the end of the day, what we want to do is to get to the bottom of what is Government policy.

Could the hon. Gentleman write to my hon. Friend, Mr Reyes, and by reference to these jobs just inform Mr Reyes why the decision was taken to actually subcontract the work? From that, we will probably be able to see how effectively the policy has worked, in terms of the decision as to whether to contract out, why the work was contracted out.

At the end of the day, you talk about external works – these are, by value, very minor works indeed. All of them – except a work for external repairs of £6,000 – are below £870 and most of them are, in fact, below £500. So, if you could do that, then from the answer that you have given and also from how exactly the decision was taken in relation to this, we will be able to formulate a view.

It may well be that, for example, at the time that these works were pending or they needed to be undertaken, you did not have anybody within the Agency or within the relevant Department to undertake this work. Therefore, the decision, because it was urgent, was taken to contract it out. That may be the reason, but at the end of the day, we are trying to get to the bottom of what Government policy is in terms of the mechanisms of how the decision is taken to contract out to a private company.

**Hon. C A Bruzon:** One thing is... You talk about Government policy, Mr Speaker. The Government policy, of course, is clear: we have to help out the people on the waiting list by repairing and preparing these flats as quickly and as efficiently as possible.

So, as the hon. Member himself has hinted, if we discover, given a particular time of the month or given a particular job request that has to be done is beyond our competence, either because of manpower or because of the skill, then we ask outside companies to do the work. It is as simple as that.

**Hon. D A Feetham:** Will he write to my hon. Friend, Mr Reyes, explaining on what basis the decision was taken – and there are not many, there are only eight – to contract out?

If the hon. Gentleman wants us to ask the question on notice for September, we are quite prepared to do it, but of course he could obviate that by just simply writing to Mr Reyes and providing him with the answer.

**Deputy Chief Minister (Hon. Dr. J J Garcia):** Mr Speaker, if I may, I think the position normally in the House has been, or the practice is, that Members ask a question, my hon. Friend has answered the question. If they want more information, they should either give notice of a new question at the next meeting of the House, or perhaps Mr Reyes could write to Mr Bruzon and seek clarification on whatever issue they want clarified. (*Interjection*)

That is what we used to be told when we were sitting on that side of the House, Mr Speaker.

575 **Hon. D A Feetham:** But with respect, you are asking me, or you are asking Mr Reyes, to write a letter asking what I am asking Mr Bruzon now to do.

I am asking Mr Bruzon, which is what you are asking Mr Reyes to do, to write to him and to say, 'Please could you tell me on what basis the decision has been taken in order to subcontract this work out to the private sector.' All I am saying is, let's obviate that: could you please write to Mr Reyes providing that answer?

If you want to make it as technical as either give notice of the question or write, of course we will have to do that, but I think that it is not a helpful intervention, with all due respect to the hon. Gentleman.

585 **Hon. Deputy Chief Minister:** No, Mr Speaker, the hon. Member has to understand that this House's practice – and the practice was established by them when they used to be in Government. The practice was either... I remember when asking questions, many times I have been told, 'Look, if you want the answer, write to me and I will give you the answer.' And, when you write, you will get the answer, so it is not that the answer is not going to be given or we are holding back information; the answer will be given when the hon. Member writes.

590 But the procedure and the standard practice in this House has always been that if you want information, you either ask a Question or you write to the Minister and the Minister will answer.

**Mr Speaker:** May I say...

595 **Hon. D A Feetham:** That is not the case, because I have, on a number of occasions, provided information myself, in writing, when a Member of the Opposition has asked me, 'Could you please provide me that information in writing?' and I have done so.

That is what I am asking the hon. Gentleman to do, to provide...

600 What you are saying, effectively, is 'Write, and then we will provide you with information.' Well, look, if that is the position that you take, it is the position that you take. We think it is thoroughly unhelpful.

605 **Mr Speaker:** May I assist in this? The Hon. the Deputy Chief Minister is entirely right, in that over the last seven years or so that I have been around here, where a supplementary has gone to a stage where it calls for further investigation by the Minister, or further enquiry by the Minister within his Department with a view to getting answers, the Members on this side have usually invited the Opposition to write in with the question and that is the way the matter has progressed. The Deputy Chief Minister is entirely right on that.

610 Having said that... and the reason why I have no need to comment further on the practice is because that has been accepted by the Opposition, that is the end of the matter.

615 But since the Opposition now are querying whether there is a necessity for them to have to write in, I must confess, as a personal view, if a question that is raised by the Opposition is within the ambit of the supplementaries, it does seem rather pointless for the Opposition to have to write in again to obtain information. I am conscious of the fact that the Opposition have very limited resources, in terms of secretarial help and things like that and to have to write in is a little bit of a burden. It is probably easier for either the Minister to make a note or for the officials listening in on this debate or perusing *Hansard* to be able to ascertain what is required and to provide the information.

620 That is the way I see the scenario, but having said that, again it is not for me – I cannot impose on the Government on this! I am just setting out my view of the landscape.

**Hon. Deputy Chief Minister:** Mr Speaker, our view really is based on past practice, as I said at the beginning of my intervention.

625 **Mr Speaker:** I accept, and that is entirely what my understanding is.

**Hon. Deputy Chief Minister:** The situation is the hon. Member has asked a question, he has got the answer to the question, he asked a supplementary, we do not have the information here, and the Minister is entitled to say, 'Well, look, write to me and I will give you the answer.'

630 **Mr Speaker:** But the Opposition is entitled to say, 'We are asking you a perfectly valid supplementary. If you have not got the answer here, we accept that, but why should I have to write in again?'

635 **Hon. Deputy Chief Minister:** Because that is a practice which they established.



**Hon. D A Feetham:** Well, I do not accept that the practice that was established was that every time you asked a valid supplementary and we did not have the answer, that on top of it we have asked you to write in order to –

640 **Minister for Tourism, Public Transport and the Port (Hon. N F Costa):** On a Point of Order, Mr Speaker, every time, *every single time* – and *Hansard* will reflect this – *every single time* I asked supplementaries of Mrs Del Agua and she did not have the information, she used to say, ‘If you write to me, I will give you the answer’ – *every single time*, and he can check that in *Hansard* – so that is incorrect.

645 **Mr Speaker:** That is my recollection of the practice in the past and that was acquiesced to by the Opposition of the day, but...  
The hon. Member –

650 **Hon. D A Feetham:** I can tell you that, from my perspective, I have unilaterally written to the other side, providing the information, without anybody having to write to me. But, Mr Speaker, if at the end of the day, that is what they want us to do, that is what we will do. We just believe that it is not helpful.

655 May I also say this: that I think that we have been very generous and we have been very kind to the hon. Gentleman, Mr Bruzon, because during the course of this morning, virtually on every single question that has been asked and every single supplementary question, it has always been, ‘Well, I don’t have the answer here with me – can I go back and provide you with the answer?’ We have been very tolerant about it, quite frankly.

660 Now we get to a stage where we have said, ‘Well, look, could you write to us providing us with the answer?’ and we have been met with the response, ‘No – write to us and then we will write back.’  
I do not think it is helpful, but that is what we will do.

665 **Hon. Deputy Chief Minister:** Mr Speaker, there is also another important difference: that is that now they have the chance to ask questions practically every month. We used to have Question Time in March, and then maybe the next one would be in September. So, to be told to ask the question next time round meant to wait six months.

Now there is virtually a Question Time every month, so they do not even need to write; they can just table the question again next time.

670 **A Member:** But that is an unhelpful situation.

**Hon. J J Netto:** Mr Speaker, could I ask another question? I do not know whether we have finished. *(Interjection by Hon. C A Bruzon)* Oh, sorry.

675 **Hon. C A Bruzon:** Just to round off, my position on this is that I want to be as generous as I possibly can be, but my hon. colleague is perfectly right – and so is the Speaker, of course – in what used to happen during the last few terms in office that I have been in Parliament.

The question that requires an answer is why was the decision taken to contract out. Correct.

680 The answer is the decision is taken to contract out when the nature of the job requires it, if it cannot be done by the employees of the Housing Works Agency, or if it requires special skills. So I think we are making a mountain out of a molehill, if I may say so.

I will talk to my technical people, so that I will never again be accused of not being as well informed as I should be. *(Interjection)* I think the hon. Member is being a little unfair in saying that in nearly every question that has been asked of me, I have been unable to give an answer. I think in most of the questions, I have given answers and I have been honest about *everything*, every inch of the way.

685 There are a number of technical issues, of course, that are beyond my competence to answer straight away, but I think on this particular one, we are honestly creating a mountain out of a molehill.

The gentleman asks, what is Government policy? Government policy is to repair these flats, which have been half abandoned by the previous Administration for years, *(Banging on tables)* flats that require to be refurbished as soon as possible, so that our 1,600 applicants can have homes as soon as possible.

690 Mr Speaker, this is what we are trying to do. If our people in the Housing Works Agency, who are doing their best – their *damndest*, in fact – to get these things fixed quickly... if it is beyond their competence and their ability, then we bring in outside help.

695 That is the *policy*, and the reason why we contract outside companies is because we need to for specific jobs, or in any given time. Mr Speaker, that is the answer.

**Hon. J J Netto:** May I ask another supplementary question, if I may? In fact, I was trying to do this in one or two questions before, and the hon. Gentleman said there is a question in the Order Paper.

In relation to the companies here which have undertaken work for the Housing Works Agency, does the Housing Department in the City Hall have a departmental policy that prior to outsourcing this particular work, or any type of work, by any particular company, they should be complying with Income Tax, Social Insurance and Employment prior to the work being undertaken by this company – or any other company, for that matter?

**Hon. C A Bruzon:** Most definitely, yes, Mr Speaker. We have to ensure that that is the case.

**Hon. J J Netto:** So he is giving me an assurance that all these companies are complying with Income Tax, Social Insurance and Employment – is that what he is saying?

**Hon. C A Bruzon:** Mr Speaker, I certainly hope it is not otherwise, but I will have to check to make sure that they are all complying.

**Hon. J J Netto:** I am not asking for him to check. All I am asking is whether there is a departmental policy, not by him – well, it will be by him, as instructed to his civil servants – that prior to putting this type of work, or any type of work, to a company out there in the private sector, before doing that or engaging those companies, they would cross-reference, if I could put it that way, with Income Tax Department, Social Insurance and Employment, to ensure that they are *bona fide* companies, inasmuch as being compliant with those three essential Departments?

**Hon. N F Costa:** Yes, Mr Speaker, to answer the question of the hon. Gentleman, there is an approved contractors list that makes sure of exactly that, that the companies that do provide work to the Government –

**Hon. J J Netto:** No, Mr Speaker –

**Hon. N F Costa:** If I may be allowed to finish –

**Mr Speaker:** Order!

**Hon. N F Costa:** That the companies that do provide work to the Government are companies that comply with all employment, tax and Social Security laws.

**Hon. J J Netto:** Mr Speaker, I am not quite sure that the hon. Gentleman is correct on that. The approved list of contractors, what it does is it is approved in terms of the technical ability to perform certain types of work. (*Interjections*)

**Mr Speaker:** Order! Order! Order!

**Hon. N F Costa:** No, Mr Speaker, the question asked by the hon. Gentleman was whether the companies that provide work to the Government have complied with taxes, Social Security etc, and my answer is yes, Mr Speaker, there is a list that has been compiled by the Government that those companies that appear on the approved contractors list are those that have complied with all tax, all Social Security and all employment laws.

There is the answer.

**Hon. D A Feetham:** Well, actually, he may be right in relation to that. I am not 100% – (*Interjection*) No, hang on a minute, please.

It is true that there is a list of approved contractors and they are subdivided in terms of value – contracts above £x million... I cannot remember exactly. I think it goes to £250,000, then it is £½ million, then £1 million, and £1 million and above, something like that. Government policy, when we were in Government, was that unless a contractor was effectively up to date in terms of its tax, Social Insurance contributions etc, they would not be allowed onto the approved contractors list.

I think that his question effectively amounts to this: are all these then from the approved contractors list which is maintained at No. 6 Convent Place, or are these from another list that may be maintained by his Department? Do they come from the approved contractors list?

I think you will find also, if the hon. Gentleman wants to go back to his technical people, there may well be an answer to our previous question. Most of these may well be scaffolding companies anyway, but of course – (*Interjection*) Yes, but that was... If they are scaffolding companies, you should know the answer and have just said, 'They are scaffolding companies – the Government has no scaffolds and that is why we contract it out'!

760 But there probably is a simple answer.

**Mr Speaker:** Well, it has taken a long time for everyone in this House to come to that conclusion, but in a recent previous meeting that was exactly what the answer was. They are scaffolding companies and the Government has no scaffolding internal resources and therefore that is why it was contracted out.

765 It has taken a long time to get there!

**Hon. D A Feetham:** But, Mr Speaker, it was obvious last time around. In fact I noticed it and it was confirmed by the Minister for Employment, because they were obvious names to me that they were scaffolding companies.

770 Some of these are obviously scaffolding companies, some of them I do not recognise – Skybridge, I do not recognise the company. I do not know whether they are a scaffolding company. Skybridge has 50% of the work. It may well be that they are scaffolding companies, but it should be within the knowledge of the Minister.

775 **Mr Speaker:** I think we have really exhausted the subject, haven't we? Next question.

#### Co-ownership housing estates Meetings with Management Companies

780 **Clerk:** Question 648, the Hon. E J Reyes.

785 **Hon. E J Reyes:** Can the Minister for Housing state if he has, since his answer to Question No. 541/2012, held meetings with any Management Companies of co-ownership housing estates in order to address any new or ongoing concerns?

**Clerk:** Answer, the Hon. the Member for Housing and the Elderly.

790 **Minister for Housing and the Elderly (Hon. C A Bruzon):** Mr Speaker, similar to the answer given last month, no member of any such Management Company of co-ownership housing estates have approached me for such a meeting.

#### Housing Agency employees Number of transfers, retirements and new recruits

800 **Clerk:** Question 649, the Hon. E J Reyes.

**Hon. E J Reyes:** Can the Minister for Housing state how many employees have retired or been transferred from the Housing Agency, since his answer to Question No. 542/2012, and how many new employees have been engaged by the Agency since that date in accordance with the agreement reached between Government and the Unions?

805 **Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

**Minister for Housing and the Elderly (Hon. C A Bruzon):** Mr Speaker, one employee has retired from the Housing Works Agency, since my answer to Question No. 542/2012, and none have transferred out or have been engaged by the Agency since my previous answer.

**Hon. E J Reyes:** Does the Hon. Minister have an indication when he will be engaging new employees into the Agency, so as to keep within the agreement reached with the Unions?

815 **Hon. C A Bruzon:** The Government will be announcing certain reforms in due course and we will in fact make clear to the hon. Members the position we take on staff, additions to the Housing Works Agency and Housing Department.

820 **Hon. E J Reyes:** With respect, Mr Speaker, that does not quite answer my question. There is an existing agreement, unless the Hon. Minister wants to confirm to me now that they have arranged with the Unions to cancel that agreement.

The agreement was that for every two employees moving out of the Agency, one would be employed. Last time around, I am grateful that the Minister for Employment came in and said, 'I will check the details of that agreement', so that gave me the impression they were going to take stock of how many new employees they had to take on.

The Hon. Minister is now confirming they have not taken anyone on and I am simply asking when does he intend to take someone else on? He now seems to be answering something else about a future announcement, but the agreement has not been kept with in the last seven months.

**Hon. C A Bruzon:** Mr Speaker, quoting the hon. Gentleman, the agreement seems to say that if two leave, we employ one. Well, one has left, so we cannot employ half.

**Hon. E J Reyes:** No, Mr Speaker, what I was saying is, since the last Question Time one has left, but at the last Question Time – and I have it somewhere here in my briefcase – a number of people have left, so therefore that is pending employees. We can take a two-minute break whilst I look for the paper and give him the exact figure, which I can dig out from my file, but since they took office in December to now, there is something like round about 10 who have left.

Therefore, in keeping with that agreement, unless the agreement has now been cancelled, with both sides agreeing to it,  $x$  number of new employees should have been taken on. I have been told none have been taken on and I am simply asking when it is their intention to take it on, in keeping with the agreement?

**Hon. C A Bruzon:** My original general answer stands, Mr Speaker.

**Hon. E J Reyes:** So therefore, Mr Speaker, the Hon. Minister does not commit himself now at this particular stage to say that they are keeping to that agreement. (*Interjection by Hon. C A Bruzon*)

Can the Hon. Minister confirm to me whether it is their intention to keep or not to keep to the agreement currently in force with the Unions?

**Hon. C A Bruzon:** Mr Speaker, I think it is very clear that an announcement will be made in due course concerning the Housing Works Agency and certain changes within the Housing Department. I think it was mentioned in my Budget speech. I have given a general answer now. If the hon. Members are just a little bit patient, an announcement will be made.

**Hon. D A Feetham:** No, no with respect, you have got a responsibility to answer questions about Government policy in Parliament, in this House. You cannot shirk that responsibility by saying that you are going to make an announcement outside.

Now the question is very simple: is it Government policy to stick by that agreement that was reached with the Union or is it not? It is a very simple yes or no!

**Deputy Chief Minister (Hon. Dr. J J Garcia):** Mr Speaker, we have the same responsibility to answer in this House as they had when they were on this side, and this is the answer they used to give when announcements were about to be made or were imminent. We were told 'an announcement is imminent, wait for the announcement'.

So really all we are doing is what they used to do.

**Hon. D A Feetham:** So much for the new dawn of transparency, accountability and more meetings of Parliament at which we do not get straight answers to straight questions!

So the position is this: the Deputy Chief Minister does not want to provide an answer to Members of the Opposition as to whether the Government is going to honour the agreement reached by the previous Administration with the Union or not. That is the position: you do not want to answer the question.

**Hon. Deputy Chief Minister:** No, Mr Speaker, the position is that they adopted one standard when they were on *this* side of the House and they adopt a different one when they sit on *that* side of the House. They expect us to behave in a way which is not the way in which they used to behave and provide information which *they* did not used to provide.

The position is very simple. The hon. Member has said an announcement is going to be made. When the announcement is made, the answer will be given.

**Hon. D A Feetham:** With respect, we do not agree that that is the case! We answered the questions that we were asked. (*Interjections and laughter*) This is a *very simple question* – a very simple question – on something that is important, on something that the Government is accountable to the Opposition in this House about the agreement reached by the previous Administration in respect of the Housing Agency.

885 Now, you know what the answer is. You know what the answer is, unless of course what you are doing is you are making up Government policy on the hoof, as you go along, and you are still not clear what you are going to be doing in respect of that agreement.

Well, look, if you are not clear what you are going to be doing about that agreement, say so: 'We have not decided what we are going to be doing about that agreement and when we make a decision, we will make an announcement.' Now, that is a perfectly valid answer, because you are still deliberating internally what you are going to be doing.

890 But if the position is 'Yes, I know what the answer is. It is either yes or it is no, but I am not going to be providing you with the answer, despite the fact that there is an obligation to account to this House about Government policy', well, I am sorry, but I think that is absolutely abhorrent to the democratic principle and to Parliamentary procedure and to the supremacy of this Parliament.

895 At the end of the day, we may be all politicians and we may be accountable to people outside, to the public who ultimately decide whether we stay or we go every four years, but you are also accountable to this House, and those kinds of answers that you are giving, we do not accept that those are the answers on such fundamental issues that we gave them; but he must accept that that is, really ...it *demeans* this Parliament in giving those kind of answers.

900 **Hon. Deputy Chief Minister:** Mr Speaker, the hon. Member has just accepted in one contribution that their practice for the last 16 years was obviously abhorrent to democratic principles and to the supremacy of this Parliament, because what we are doing is what they used to do.

905 Now, it is not that we do not want to answer the question. I think my colleague, Mr Bruzon, has made it very clear that the question will be answered and that an announcement is going to be made. So when the announcement is made, when that time comes, the question will be answered, Mr Speaker.

**Mr Speaker:** Order, order, order!

910 The question has been put – in fact I have allowed it to be put three times. An answer has been given, whether this side or anyone likes the answer or not, that is the answer. One cannot really repeat the same question over and over again, and the Hon. Daniel Feetham has made a point, without posing any question.

Can we have now a *question*, but of a different kind.

915 **Hon. D A Feetham:** It is related. Whether it is of a different kind or not I will allow you Mr Speaker to decide.

Can I ask whether the Government has actually made a decision or not? It is a different question. Has the Government made a decision or not in respect of that agreement?

920 **Hon. Deputy Chief Minister:** Mr Speaker, the decision will be reflected in the announcement.

925 **Hon. J J Netto:** Mr Speaker, as far as I understand it, what the Hon. Minister for Housing said is that in his announcement, he is going to be talking about changes. Now, 'changes' could mean almost anything, in the sense of changing the configuration of the workforce, whether they are going to be housed in one particular work shop, whether there are going to be different places.

So what I would like to know is, despite whatever changes to the methodology or work organisation by the Housing Works Agency, whether that will include, or will not include, or whether he knows that it would include, honouring the agreement with the Unions?

930 **Mr Speaker:** With respect that question *has* been asked and again we have had an answer provided. Whether we like the answer or not, the question has been asked, in substance, perhaps different words, and we have an answer.

935 **Hon. D A Feetham:** Mr Speaker with respect, we have had an answer and I accept that we have had an answer. We do not accept that we have had an answer in *substance*, or whether the answer is adequate.

**Mr Speaker:** So you really cannot go on repeating the question.

940 **Hon. D A Feetham:** No, no, I accept they have answered; they have effectively refused to answer the question with an answer. That is what they have done.

But, Mr Speaker, we accept obviously your ruling.

**Mr Speaker:** I hope the Members do appreciate, this is not a court of law where one is entitled to cross-examine until you beat a confession out of the witness. This is not a court of law.

945 You ask questions, you are given an answer, if you do not like the answer, you may be able to probe it a bit, but at the end of the day, an answer has been given to the question.

950 It is not for me to judge the quality of the answer; it is for the Members on this side to judge and the audience at large to judge the quality of the answer; it is not for me. My role over here is to ensure that an agenda progresses at a reasonable pace, without the repetition of same questions and a certain stage must be reached where we have to accept the answer for what it is and move on.

**Hon. D A Feetham:** Mr Speaker, of course it is not a court of law. I know it is not a court of law and we have not conducted this as a court of law, neither have we cross-examined as if it were a court of law.

955 **A Member:** Not far from it!

**Hon. D A Feetham:** The answer, Mr Speaker, was 'We refuse to provide you with an answer in this House; we will give it to you outside the House.'

960 **Hon. C A Bruzon:** No, we have not said that!

**Hon. D A Feetham:** And with respect – (*Interjections*)

965 **Mr Speaker:** Order! Order! That was not the answer I heard.

**Hon. D A Feetham:** – that goes to a fundamental principle as to the supremacy of this Parliament.

**A Member:** That was not the answer.

970 **Hon. D A Feetham:** That is the answer. The answer is: 'We will make the announcement outside this House, not in this House' – *ergo* we are not going to give you the answer in this House; we will give you the answer outside.

975 **Mr Speaker:** Order, order!  
First of all, the answer was not what I heard. That may be the hon. Member's interpretation of the answer, but I did not hear the Hon. Minister or anyone on the Government benches say 'We will make an announcement' and underline the word '*outside*' the House.

980 An answer will be made. It could be made in this House in September or in November or God knows when, but there was no indication that an announcement would be made outside this House. I did not hear those words. So with respect, the premise is quite incorrect.

I think we must move on to the next question.

985 **Housing Waiting Lists**  
**Number of applicants and their requirements**

**Clerk:** Question 650, the Hon. E J Reyes.

990 **Hon. E J Reyes:** Can the Minister for Housing confirm, further to his answer given to Question No. 543/2012, how many applicants are presently on the Government's Housing Waiting Lists, giving a breakdown of their housing allocation requirements?

995 **Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

**Minister for Housing and the Elderly (Hon. C A Bruzon):** Yes, Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

1000 I am happy to state in general, for the benefit of those listening and those present in this Chamber, that there are 1,658 applicants on the Government's Housing Waiting Lists. The Housing Waiting List proper has a total of 1,041 applicants. On the Pre-list, we have 617 applicants.



**ANSWER TO QUESTION 650**

There are 1658 applicants on the Government's Housing Waiting Lists. The breakdown is as follows:

WAITING LIST	
1RKB	800
2RKB	54
3RKB	96
4RKB	80
5RKB	8
6RKB	3
<b>TOTAL</b>	<b>1041</b>

PRE-LIST	
1RKB	452
2RKB	38
3RKB	76
4RKB	40
5RKB	9
6RKB	2
<b>TOTAL</b>	<b>617</b>

**Housing Waiting Lists  
Number of applicants allocated flats**

1005 **Clerk:** Question 651 The Hon. E J Reyes.

**Hon. E J Reyes:** Can the Minister for Housing state how many applicants on the Government's Housing Waiting Lists have, since his answer to Question No. 544/2012, been allocated a flat, giving a breakdown of the size of home?

1010 **Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

1015 **Minister for Housing and the Elderly (Hon. C A Bruzon):** Yes, Mr Speaker, I will now hand the hon. Member a schedule containing the information requested – though I think in this case a schedule is hardly necessary, because I am going to read out the answer, but I will obviously provide the Members with the schedule.

The total is that there are 16 applicants on the Government's Housing Waiting Lists. They have been allocated a flat and the breakdown of the size of home is as follows: bedsits, there are two; 2RKBs, two; 3RKBs, 10; and 4RKBs, two; giving us a total of 16.

**ANSWER TO QUESTION 651**

Sixteen applicants on the Government's Housing Waiting Lists have been allocated a flat. The breakdown of the size of home is as follows:

1RKB	2
2RKB	2
3RKB	10
4RKB	2
5RKB	-
6RKB	-
<b>TOTAL</b>	<b>16</b>

1020 **Housing Waiting Lists  
Number of applicants removed due to purchasing homes**

**Clerk:** Question 652, the Hon. E J Reyes.

1025 **Hon. E J Reyes:** Can the Minister for Housing state how many applicants from the Government's Housing Waiting Lists have, since his answer given to Question No. 545/2012, been removed from the waiting lists due to purchasing their own homes?

1030 **Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

**Minister for Housing and the Elderly (Hon. C A Bruzon):** Yes, Mr Speaker, one applicant has been removed from the Waiting List due to the purchase of their own home.

1035 **Hon. E J Reyes:** Yes, Mr Speaker, the figure one: is that up to date including...? There was an announcement earlier on this week from Government saying the houses that had been sold and so on. Are the successful tenderers for those houses included in this figure or are those figures still to come?

1040 **Hon. C A Bruzon:** It may well be that the hon. Member is referring to houses that went out to tender and they would not feature here.

**Hon. E J Reyes:** They wouldn't? **(Hon. C A Bruzon: No.)** So where would they feature, Mr Speaker?

1045 **Hon. C A Bruzon:** We are talking about one applicant who has bought his own house as a sitting tenant. Houses that went out to tender are empty, and some derelict and that kind of scenario, if you know what I mean.

1050 **Hon. E J Reyes:** So, just for the sake of my own clarification, Mr Speaker, from those houses that went out to tender and so on, they were allocated to people out of which only one was really on the Waiting List and that this has been reduced by one. Is that correct?

1055 **Deputy Chief Minister (Hon. Dr. J J Garcia):** No, Mr Speaker, if I may assist the hon. Member: those houses that went out to tender – we have not completed the analysis – but some successful applicants may have been from the Housing Waiting Lists; others may have not. Some might be young people living with parents, for example. I know there were quite a few who were.

So the position is that the figure the hon. Member has given does not include or reflect those tender allocations.

1060 **Hon. E J Reyes:** Okay, but if a successful bidder is allocated a house, the minute he is allocated that house and the purchase exists and starts to kick in, he then automatically is removed from the Housing Waiting List and so far the figure introduced is only one.

1065 **Hon. Deputy Chief Minister:** This is probably because, although the tenders have been allocated, they have not been completed yet, so this is probably going to take a month or a couple of months, while they sort out the finance and the mortgages and all the rest of it.

**Hon. E J Reyes:** Then, just for my own clarification: so I am correct in saying that in future figures, in future statistics, as and when the completion takes place, it will be reflected then.

1070

#### **Housing applicants survey Numbers interested in purchasing/renting homes**

1075 **Clerk:** Question 653, the Hon. E J Reyes.

1080 **Hon. E J Reyes:** Can the Minister for Housing provide details of the responses received in respect of his Ministry's recent survey among housing applicants which sought information of how many were interested in purchasing and/or renting their future homes?

**Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

1085 **Minister for Housing and the Elderly (Hon. C A Bruzon):** Yes, Mr Speaker, a total of 1,639 letters were sent and 956 replies were received.

The Government considers that the data collected would have commercial implications and should not be put in the public domain at this stage. I am, however, prepared to give the information to the hon. Gentleman on a strictly confidential basis.

1090 **Hon. E J Reyes:** I am grateful for that, Mr Speaker, yes, and within our cordial friendship, I would certainly meet with him and so on. May I simply ask Mr Speaker, just over 50% replied. Does the Hon. Minister feel perhaps a little disillusioned or is there some sort of explanation of why almost 40-odd% did not even reply to that?

1095 **Hon. C A Bruzon:** Not really, Mr Speaker, and I do not have an explanation because I am ‘incompetent’ – even though he is not implying it, but the Hon. Daniel Feetham might imply that later! I honestly...

**Hon. D A Feetham:** Point of order, Mr Speaker.  
I have not at any stage in these proceedings implied that he is incompetent. What I have implied, and I stand by it, and it is not the first time that he has done it in this House, is that he has not mastered his brief – that he has not come to this House prepared to answer our questions. There is a distinction between the two.

The hon. Gentleman is a perfectly competent man, as long as he prepares. Today he has not prepared, he has not done his homework. That is the point.

1105 **Hon. C A Bruzon:** I acknowledge that he did not use the word ‘incompetent’ and I withdraw that, Mr Speaker. I was trying to make a light-hearted comment which... that is what it was.

Right, I have almost forgotten the question, Mr Speaker. *(Laughter)*

1110 **Hon. E J Reyes:** Mr Speaker, I was asking the Hon. Minister if he did have a bit of a disillusion, in that just over 50% really replied. Perhaps he was aware of some senior official in his Ministry who has said, ‘Look, we have not had as many replies as over 90%, because of...’ – I do not know, some particular factor.

1115 Sometimes – if I may hint at something and perhaps the Hon. Minister may wish to confirm – I believe that the questionnaire told people, ‘Look, we are just seeking an opinion; it does not bind you because you now tick a particular preference box – it does not bind you to something.’ I think sometimes people are a bit afraid that they have indicated to be inclined to buy, rather than to rent.

Does he and his senior officials have any particular views on this matter?

1120 **Hon. C A Bruzon:** I think some people are reluctant to answer these questionnaires. Maybe they do not feel they need to, but those who answered, answered because they wanted to express an interest either in buying or remaining Government tenant.

I really do not have an explanation, Mr Speaker.

1125 **Hon. E J Reyes:** Thank you, Mr Speaker, and I look forward to a ‘comfort break’ later on, so that as colleagues we may share and exchange personal views on the information provided.

**Clerk:** Question 6...

1130 **Mr Speaker:** The Hon. Daniel Feetham.

**Hon. D A Feetham:** Thank you very much, Mr Speaker.  
Have the numbers received caused Government, as a matter of policy, to perhaps re-assess any numbers, both in terms of rentals – and I am not asking you for numbers – and also home ownership? Has it caused a re-assessment of Government policy in that respect?

1135 **Hon. C A Bruzon:** That is a perfectly valid question and the answer of course is that is the whole point for sending out this enquiry so that Government would have a clearer idea as to how to plan its construction of rental and affordable housing for our people.

1140 **Hon. D A Feetham:** Yes, I understand that, but as I understood it – and I cannot at this stage, off the top of my head, actually point to where this has been said – the Government was looking at building just over 1,000 home-ownership apartments. Now, you received back 956. Has it caused a re-assessment of the Government’s initial intentions as to how many home-ownership apartments for sale to build or how many rentals to build? Has it caused that kind of re-assessment from its initial policy and its initial intentions?

1145 **Hon. C A Bruzon:** Yes, Mr Speaker, the intention, as clearly stated in our manifesto, is to provide every single applicant on the waiting list, as from 9<sup>th</sup> December, with a home within this term in office.

1150 The hon. Member is right in hinting that this will help us in assessing – or even re-assessing, yes – how many rentals and how many affordable homes to construct.

**Hon. D A Feetham:** Yes, the answer therefore is that, at this stage, you are still re-assessing in the light of the data. That is the answer, isn't it?

1155

**Hon. C A Bruzon:** Yes, Mr Speaker.

Our position is clear. We want to ensure that we supply homes. As to exactly how many will be for rental and for affordable housing is an on-going process, Mr Speaker. Yes, you are right.

1160

**New Principal Housing Officer  
Appointment**

1165

**Clerk:** Question 654, the Hon. E J Reyes.

**Hon. E J Reyes:** Can the Minister for Housing indicate by when Government expects to appoint the new Principal Housing Officer?

1170

**Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

**Minister for Housing and the Elderly (Hon. C A Bruzon):** Yes, Mr Speaker, the Principal Housing Officer is on secondment to the ETB.

1175

The matter of his replacement or otherwise will be determined pending the outcome of a possible restructure of the Housing Ministry, which is presently being considered in consultation with all relevant representative bodies.

**Hon. E J Reyes:** And by 'representative bodies' obviously the Minister there means the Union, which I believe is GGCA, who has the negotiated rights for that particular post.

1180

**Hon. C A Bruzon:** That is correct, Mr Speaker.

**Clerk:** Question –

1185

**Mr Speaker:** No, the Hon. Jaime Netto.

1190

**Hon. J J Netto:** I think, if I understood the hon. Member correctly, he was saying a reform that will take place as far as the Housing Ministry was concerned, that would obviously include Unite because the majority of people work in the City Hall. The vast majority in fact are members of Unite, so obviously whatever reform takes place, Unite would be in discussion with the hon. Member.

**Hon. C A Bruzon:** Yes indeed, that is very true, yes, Mr Speaker.

**Clerk:** Question –

1195

**Hon. J J Netto:** I do not know whether it is perhaps premature but can the Minister state whether the Government's intention is to unify, if I can call it that, both the Housing Ministry, which is the directorate, with the Housing Works Agency into one organisation? Is that what the Government's objective in this reform may be?

1200

**Hon. C A Bruzon:** Yes, I think I said something to that effect in my Budget speech.

At the moment, we are concentrating on the technical staff within the Housing City Hall Department. We would like to bring about a merger, but if the hon. Member is patient an announcement will be made in due course on that.

1205

**Several Members:** Oh! (*Laughter*)

1210

**Repairs/cleaning of empty homes for reallocation  
Expenditure since December 2011**

**Clerk:** Question 655, the Hon. E J Reyes.

1215 **Hon. E J Reyes:** Can the Minister for Housing provide details of expenditure incurred since December 2011, stating to whom payments were made, in respect of repairs and/or cleaning contracts pertaining to making empty homes suitable for reallocation?

**Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

1220 **Minister for Housing and the Elderly (Hon. C A Bruzon):** Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

**ANSWER TO QUESTION 655**

Since December 2011, the Housing Ministry has incurred a total cost of £326,749.57 in respect of the repairs and/or cleaning contracts pertaining to making empty homes suitable for reallocation. This cost is further broken down by contractor as follows:

<b><u>Contractor</u></b>	<b><u>Amount Paid</u></b>
A&K General Builders	£55,975.75
CIAP Construction	£56,045.82
Profield Contractors	£14,145.93
SFA Interiors	£51,188.06
On the Level	£74,158.30
Koala Construction	£42,656.44
AMCO	£29,039.27
D & J Removals	£1,170.00
Anything Goes	£2,370.00
<b>GRAND TOTAL</b>	<b>£326,749.57</b>

**Hon. E J Reyes:** Thank you for the information, Mr Speaker.

1225 Yes, it does shed some light, like the Hon. Minister was saying before. I do not know whether he does have it to hand or not – perhaps... The wording on my question was in respect of repairs and of cleaning. Would the Hon. Minister be able to distinguish from here which were cleaning, which I normally presume to be of a much smaller nature, and which were repairs? Does he by chance have the information to hand?

1230 **Hon. C A Bruzon:** I asked myself exactly that question in order to be properly briefed this time! The answer is, Mr Speaker, that some of these companies have done both, though the figures are incorporated in both.

If he would like more specific data, I certainly can try to give it to him. Maybe if he asks me next time, specifying the question in two parts, if you know what I mean.

1235 **Hon. E J Reyes:** So, what we can deduce is, it is possible that one of these particular companies was brought in to carry out a repair, since they had the labour force there, they were added on to the brief: 'Well, and on the way out, just clean with you', and so on; whereas looking at one of the companies here, if they are named as the name implies, they are removals, they were probably just used to remove, to empty stuff, to throw away old broken down furniture, as opposed to construction repairs.

1240

**TOURISM, PUBLIC TRANSPORT AND THE PORT**

1245 **Eastern Beach enclosure for bar/restaurant  
Permissions sought**

**Clerk:** Question 591, the Hon. S M Figueras.

1250 **Hon. S M Figueras:** Mr Speaker, can the Minister for Tourism, Public Transport and the Port provide this House with details of permissions sought by the relevant entities/persons in respect of the enclosure of part of the beach at the southern end of Eastern Beach for the apparent exclusive and commercial use of the area by a bar/restaurant at that location?

1255 **Clerk:** Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

**Minister for Tourism, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, yes, a concession has been granted this year to Latino's on the Beach, at Eastern Beach.

1260 The concession is for the hire of beach umbrellas and sun beds within a designated area. This year the concession includes a wooden decked area.

The concession agreement allows the concessionaire to screen off the designated area with materials that meet with the Gibraltar Tourist Board's prior approval. The agreement includes a provision for the use of an extended area of the beach and the sectioning off of this for the purposes of organising one-off events.

1265 The proposal for any such one-off event has to be submitted in the form of an operational plan, which is subject then to approval by the Gibraltar Tourist Board and the Royal Gibraltar Police. The operational plan must include details of the extended area required for the particular event.

1270 The beach concession fee of £25 per week is payable to the Government for the duration of the official bathing season, which starts the second Saturday in June and finishes immediately after National Day.

This year all concessionaires were given the opportunity not only to extend their designated hours but also to extend their concession period, thus being able to request to be operational from 21st April to 30th September.

1275 **Hon. S M Figueras:** Mr Speaker, I am grateful for the answer and for the details in relation to the arrangement.

1280 I would ask, in relation to other concessionaires at the beach and thinking forward perhaps a little – given that a precedent has been established (**Hon. N F Costa:** Yes.) by the provision of this concession to provide *tumbonas* for hire at the beach – whether there is a Government policy moving forward in respect of any future applications that may be received by other operators not currently engaged in that activity for the enclosure or the sectioning off of areas or of other areas of that beach or others for the provision of one of the loungers for hire?

1285 **Hon. N F Costa:** Well, Mr Speaker, in the first place, simply to clarify that the concession in respect of the sunbeds and the beach umbrellas is simply a continuation of the policy of the previous Administration. That was there before we came into office and we think it is a good idea and we have continued that.

1290 But it does allow me the opportunity to explain to this House, as the Hon. Mr Feetham will undoubtedly be delighted that I do so, the policy of this Government in respect of this type of concession. To repeat, for the first time, we invited concessionaires to extend not only the designated hours but also their concessionary period, thereby allowing those concessionaires who want to start in April, during Easter, when the sun is already out and people do go to the beach, to open before, and allowing them as well to do more business during that time. It is also the policy of the Government to encourage concessionaires on the beach to *plan* these one-off events during the summer.

1295 One of the complaints, one of the representations that we received, primarily from young people, is that during summer, they all head off to Spain to enjoy concerts and this type of event and of course, it makes sense to us that instead of our young people going to Spain, that we should reverse that trend and have young people from Spain coming to us and spending money in Gibraltar. This hopefully will mean that, eventually, when one of the events are planned with a bit more time... This was only introduced this year, so this particular concessionaire was not able to obtain the calibre of DJ that they wanted for these particular events, although I understand that they do have a good ilk of people coming over. Hopefully, depending on the calibre of the talent that they bring over, it will encourage people from the hinterland to come to Gibraltar, enjoy our facilities here and stay in our hotels.

1305 **Hon. S M Figueras:** Mr Speaker, I am extremely grateful to the Hon. Minister for providing us with that information on policy in this House.

1310 However, just by way of a little bit of further clarification, you refer to concessionaires, and I do recognise that it was given in the original answer, but I just wanted to clarify: it was offered to existing concessionaires or it was open to all those interested in becoming concessionaires, as well?

It is just that I did not quite get that from the answer.

1315 **Hon. N F Costa:** Well, Mr Speaker, this was advertised, I believe it was in April, and I cannot remember whether, at that point, all the concessionaires were already... Because there are some concessionaires which are always there, which are Latino's and *Chiringuito*... in Western Beach, so there are two that are always there because they have their own licences for existing... But then there are other concessionaires that put bids in for the other end of Eastern Beach. There were two or three. Of course, the GTB had to choose one, but *all* concessionaires were given the opportunity, obviously, as from the point that they started to be able to extend their hours.



1320 **Hon. S M Figueras:** Yes, I am grateful. I think the Hon. Minister, if I am not mistaken, is referring to the new kiosk at the northern end –

**Hon. N F Costa:** That is right.

1325 **Hon. S M Figueras:** – of the beach.

However just one final point of clarification that I would be grateful to the Minister for, when I was referring to future grants and concessions for the hiring of private *tumbonas* loungers. Does the Government have a policy in respect of... and if he has answered it then I apologise for revisiting it, it is just that I may not have captured it from it. Does the Government have a policy on limiting the number of concessions that may be given to different operators, to avoid a situation where perhaps there are too many operators on a beach operating the private hire of *tumbonas* to the exclusion or to the detriment of other beach users in our beaches today?

1335 **Hon. N F Costa:** No Mr Speaker, I take the point that the hon. Member is trying to make, which is why my policy, which has been ratified by the Cabinet, is that we take a decision on a case-by-case basis. At this point, the only concession that was planning these events, which have already been advertised in the local press was Latino's. Should there be future requests for this sort of concession, which is to have an enclosed area for one-off events, of course, that would be considered by the Gibraltar Tourist Board in the light of any other applications.

1340 In respect of the previous supplementary which the hon. Gentleman did ask me, I did have the specific information – extended hours were in fact requested by Latino's, Sunrise kiosk at Eastern Beach, Parody Kiosk at Camp Bay and *Chiringuito* Matthew, which was the name I forgot, at Western Beach.

1345 **Hon. S M Figueras:** Mr Speaker, I hate to labour the point. It is just that the point I was actually getting to is not one that we have dealt with.

The point specifically I am referring to is where operators may request to have, for the duration of the period of the bathing season, an area allocated to them at the beach where they – not for one-off events, which certainly is something that would be dealt with on a case-by-case basis, as the Hon. Minister has already explained – but in relation to having an area of beach allocated to any number of operators, like the Latino's on the Beach already has and the other kiosks as well, whether there is a policy in relation to the bathing-season-long use of a specific area for the private hire of loungers.

1350 What I am getting at, Mr Speaker, and this may perhaps help in terms of clarification is that what I suspect beach users would not want to see would be the development of that particular activity to the extent that there are so many private lounging facilities that it actually inhibits their use or limits the amount of beach space available to the normal everyday beach user. That is the specific point I was getting to.

I wonder whether the Hon. Minister can help us in respect of policy in that regard.

1360 **Hon. N F Costa:** Well, Mr Speaker, in reply to the question of the hon. Gentleman, the only other concession at Eastern Beach, for example is the kiosk that is close to Latino's. They knew that Latino's had this facility, this concession for beach umbrellas and they did not ask for that particular concession from us this year.

1365 As I said, in order that beach users have as much access to the beach as possible, but also in the light of wishing to encourage private operators to come to Gibraltar to set up what I hear is an excellent facility at Latino's and which has taken advantage of regularly, any application from any concessionaire which, as I say, this year has not being sought from the GTB, even though they already knew that it was possible, we will take it on a case-by-case basis.

**Mr Speaker:** The Hon. Damon Bossino.

1370 **Hon. D J Bossino:** I am grateful, Mr Speaker.

The Hon. Minister has informed the House that apparently this is a regime which was in place under the previous Administration. Can he confirm to this House whether the designated area he has talked about is exactly the same, in terms of square meterage as was given in the previous concession?

1375 **Hon. N F Costa:** Mr Speaker, whereas I do know that in terms of the concession to hire beach umbrellas and sun beds is a continuation of the policy of the previous Administration, I am not entirely sure what the answer to the question is.

I do know that in respect of this particular year, there was a request for a certain area which was granted by the GTB to this particular concessionaire.

1380 My brief from my official says that the nature of the concession has always been the hire of beach umbrellas and sun beds and it adds – maybe this answers the question –

1385 ‘the number of these being irrelevant as long as the area to be used is kept in an aesthetically pleasing and functional manner subject to the GTB’s approval.’

So that has been the criteria employed by the GTB in past years as to the area that any particular concessionaire may be able to use for sun beds and beach umbrellas.

1390 **Hon. D J Bossino:** But does the Minister know whether the area is larger or smaller? The criteria may be that it is aesthetically pleasing and all the rest of it, and that is fine and presumably that it is a continuation of what was happening when we were in Government. (**Hon. N F Costa:** Yes) But what I wanted to establish is whether the designated area, using his words he was talking about earlier has in fact increased in size or has it reduced in size?

1395 From the political angle, what we are concerned about – certainly what I am concerned about – on this side of the House is that if a greater area is licensed to the private operator, that will necessarily result in less beach space for ordinary users outside of the area, who were previously outside the area should the area have increased in size from last year.

1400 **Hon. N F Costa:** Okay, Mr Speaker, once again reading from the brief prepared by my officials at the GTB, it says that the beach concession that has been granted to Latino’s every summer was amended in order to have the designated area extended in the past to a maximum of eight metres from the sea wall. It then adds that the distance has always been negotiable and changes from year to year depending on the concessionaire’s needs.

1405 Now, whether in this particular year, it is slightly larger or slightly smaller, I do not know. To answer the specific question, I do not know whether this year it is slightly larger or slightly smaller. It is not in my brief.

1410 **Hon. S M Figueras:** Just on one further point Mr Speaker and perhaps the Hon. Minister can clarify for us. I was under the impression, and it may be mistaken, that that particular concessionaire had not been granted this concession in the past, despite an application for it. That was my understanding, if that is not in fact the case then I am happy to be corrected.

**Hon. N F Costa:** What? What is the...?

1415 **Hon. S M Figueras:** That Latino’s on the Beach had not been granted this concession in the past, in respect of going beyond the sea wall on to the *tumbonas* and the beach umbrellas, and my understanding had been that, despite an application, they had been refused the concession.

If that is incorrect, then I am happy to be corrected.

1420 **Hon. N F Costa:** Well, Mr Speaker, I can only answer the hon. Gentleman what I am advised by my officials, of course, when I asked the question to them. They did prepare, in all fairness to them, a very detailed brief and the first paragraph says to me that when Latino’s on the Beach was relocated to its current site, which is now the beginning of Eastern Beach, the beach concession that had been granted to them, it says ‘*every summer*’, was amended in order to have the designated area extended to a maximum of eight metres from the sea wall. But then it goes on, it says:

‘The distance has always been negotiable and changes from year to year depending on the concessionaire’s needs.’

1430 So from the answer given to me by my officials, who obviously do provide that continuity and consistency that we expect from Government, whoever sits on this side of the House, it does appear that the concession was granted and that even the distance was negotiable.

1435 **Hon. S M Figueras:** Could the Minister confirm the date when Latino’s on the Beach moved to its current location?

**Hon. N F Costa:** I do not know, Mr Speaker, I am sorry.

**Clerk:** Question –

1440 **Mr Speaker:** No, the Hon. Daniel Feetham.

**Hon. D A Feetham:** Yes, he mentioned – I think he did – a wooden deck area. Is this a wooden deck area that is going to be constructed now and will it be a permanent structure or is it a removable structure?

1445 **Hon. N F Costa:** No, Mr Speaker, it is not a permanent structure.

**Hon. D A Feetham:** So effectively the position is that, after the summer presumably, then it will be removed or is it going to be erected for specific events only?

1450 **Hon. N F Costa:** No, no, it will be removed at the end of the summer, Mr Speaker.

**Hon. D A Feetham:** And do you have any measurements, in terms of the size of the wooden deck area?

1455 If you do not, it does not matter, Mr Speaker.

**Hon. N F Costa:** I do not have that specific measurement with me, Mr Speaker. I apologise.

1460 **Hon. D J Bossino:** Mr Speaker, the Hon. Minister has explained that the distance from the wall is negotiable. Just to summarise, can he confirm to this House that he does not have the information here now as to what distance has been negotiated with the private company, the licensee in this case?

**Hon. N F Costa:** Yes, Mr Speaker, as I said in answer to a previous supplementary, the negotiations having been carried out by the Gibraltar Tourist Board. I do not have the specific answer to that question here.

1465 The only answer that I have is what I have read out in its entirety, which is the first paragraph provided to me by my officials.

1470 **London Boat Show  
Attendees**

**Clerk:** Question 594, the Hon. D J Bossino.

1475 **Hon. D J Bossino:** Can the Minister for Tourism, Public Transport and the Port provide details to this House of those who attended the London Boat Show in January of this year?

**Clerk:** Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

1480 **Minister for Tourism, Public Transport and the Port (Hon. N F Costa):** Yes, Mr Speaker, the following Gibraltar House staff manned – or staffed, I should say – the Boat Show stand on a rota: Mr Peter Canessa; Mr Ian Leyde; Ms Tracy Poggio; Mr William Gomez; Ms Kaiane Aldorino; Mr Dan Lerner; Ms Sara McFadyen and Ms Edwina O'Mahony.

1485 The following Gibraltar companies shared the Boat Show stand and sent representatives: Rock Sailing; Hercules Sailing; Tomboy Sailing; and Ocean Village.

1490 **Gibraltar Bus Company Limited  
Eco-friendly buses**

**Clerk:** Question 596, the Hon. D J Bossino.

1495 **Hon. D J Bossino:** Can the Minister for Tourism, Public Transport and the Port provide the House with the full specifications of the eco-friendly buses which are replacing the current fleet of the Gibraltar Bus Company Limited?

**Clerk:** Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

1500 **Minister for Tourism, Public Transport and the Port (Hon. N F Costa):** Mr Speaker, as I announced in my Budget Speech just last week, what Government has issued is a pre-qualification document, in line with EU Public Procurement Procedures.

The full specifications are currently being drafted. The actual tender document, that will include the full set of specifications, will be made available to those economic operators who have been preselected as a result of this initial stage.

**Hon. D J Bossino:** This is an important initiative taken by the Government and that is why I am quizzing them.

Is the Minister able to, at this stage – from what I gather from his reply, I think this is still at its very early stages – clarify what technical assistance he is receiving as to the nature of the buses that ought to be purchased?

**Hon. N F Costa:** Mr Speaker, perhaps, if I may first of all answer the part where he says it is at its very initial stage: it is not that it is at its initial stage. We obtained advice from, obviously, the Public Procurement Office, from the MOT examiners and from members of the Department of Transport. We have had an inter-Ministerial Committee driving this forward, which would therefore have had input from Dr. John Cortes, from his officials at the Environmental Agency. So there has been quite a large group of people having a direct input on the document that has been issued.

So it is not that it is at an early stage. In my view, the early stage would have been the working inter-Ministerial groups with officials that we had, to draw up the document. What we have now, and what has been issued, is a very detailed pre-qualification document and what that is, Mr Speaker – which I am sure the hon. Member knows, of course, because he was on the Transport Commission – it sets out the criteria by which private operators can submit expressions of interest to the Government and only those that comply with ‘the criteria set out herein’, which are of course the EU 2020 Objectives on Environment, that we do comply with our transport regulation laws in terms of width, weight and height... Those that successfully pass this initial threshold will be invited to – well, they would have to – give to the Government the vehicle that they propose that we purchase, so that we can test it on our roads.

In other words, the successful private operator would then be asked to provide the vehicle, we will test it on our roads, at no cost to the Government, so that before we go to the second stage of ordering the vehicle, we would have tested it and made sure that the vehicle... because of course, if it is fully electric, for instance, Mr Speaker, the worry is that it will not be able to negotiate the very steep hills in Gibraltar.

So it may be that we end up with a fleet of fully electric vehicles for those routes that go round the town area and can just be fully electric or we have a fleet of part hybrid vehicles and part electric vehicles, the hybrid of course being when you need the fuel to be able to navigate the steep hill.

**Hon. D J Bossino:** Is the Minister, at this stage, able to give me an indication as to when he thinks the whole process is likely to be concluded – in other words, when he thinks or he envisages that we will have the vehicles on our roads?

**Hon. N F Costa:** Mr Speaker, the submissions of applications had to be submitted to the Head of Procurement by no later than Friday, 17th August, so we will obviously have those submissions then.

I am told this morning that nine companies have requested the pre-qualification document so far, so obviously there has been an immediate expression of interest by private operators.

So once we do receive the submissions on the applications, it will be a question for the Procurement Office to go through the different criteria and then the successful pre-qualification tenderer will be able to bring the vehicle to Gibraltar. Maybe we are looking at three months from now.

But of course, we cannot be held to the exact timeframe. It will all depend on how quickly the Procurement Office can turn this around. But, it will be three months: to have the test vehicle, we estimate three months approximately from Friday, 17th August; but of course that is subject to the exigencies and the pressures on the Procurement Office in respect of all the other tender bids that they will have, in respect of all the projects that we have announced in the Budget.

**Hon. D J Bossino:** Mr Speaker, I can *well* understand that, at this stage of the proceedings of process, the Minister may not be able to answer the supplementary which I asked, which is when he expects those vehicles will be on the roads; but that was my question and if the answer is he cannot answer it, at this stage, I would like it just for the record, that he addresses that issue.

I am grateful for the answer he has been able to have given the House, in any event.

**Hon. N F Costa:** No, Mr Speaker, the hon. Gentleman has asked exactly what I asked of my officials as well. I said, ‘Well, once we go through the pre-qualification process etc., how long can the people of Gibraltar reasonably expect to have the new fleet starting to be replaced?’ The officials told me that, from beginning to end, we are looking at 12 calendar months. Again, I cannot be held to that timeframe at this point in time, but the best estimate the officials could give me would be 12 months from the 17th August, subject to the matters that I mentioned before, in my previous supplementary.

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**Gibraltar Airport taxi service  
Lack of provision**

**Clerk:** Question 597, the Hon. D J Bossino.

1570

**Hon. D J Bossino:** Can the Minister for Tourism, Public Transport and the Port advise this House as to whether he is aware of a lack of provision of a proper taxi service at the Gibraltar Airport and if so, what measures he will implement in order to address this issue?

1575

**Clerk:** Answer, the Hon. the Minister for Tourism, Public Transport and the Port.

**Minister for Tourism, Public Transport and the Port (Hon. N F Costa):** Yes, Mr Speaker, the provision of a taxi service at Gibraltar Airport today is *exactly* the same that we inherited from the hon. Members, when they were in Government and consequently something that they failed to address in nearly 16 years in office.

1580

However, *this* Government is taking action by working with the Gibraltar Taxi Association and we are in the process of demarcating and placing effective signage in the area.

The incentive will address the common problems that are at present restricting taxi drivers from accessing the taxi rank within the airport terminal due to the fact that this area is frequently being used by both relatives who remain in their vehicles, waiting for their arriving family members, or coaches continuously picking up and dropping off passengers.

1585

But the problem, Mr Speaker, as I mentioned before in my Budget Speech last week, in our view, is not the taxi drivers. It is principally traffic that causes the problem to access to the airport.

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**Hon. D J Bossino:** Mr Speaker, I will ignore the preamble to his answer.

The reason why I asked the question is because I have been, and certainly the Party has been, the subject of representations in relation to this issue. It has also been the subject of press comments very recently and given that we are now being given the opportunity to ask questions on a regular basis, and it is an issue which is current, I thought I would pose the question.

1595

It is also, incidentally, a Government manifesto commitment in any event, to improve the service and I would urge the Minister to move the matter as fast as possible, in order to improve the services, especially because it does have an impact on visitors who come to our new airport terminal building and then there is this service which does not really reflect properly, or adequately, on Gibraltar plc as a whole.

1600

Can I urge him perhaps to himself, personally, get involved in this matter, if he has not done so already, and maybe set up a meeting with the Taxi Association to discuss other ways of trying to improve the service as soon as possible?

1605

**Hon. N F Costa:** Mr Speaker, in the first place, the hon. Gentleman need not be in awe as to the preamble of my answer. The reason why I said what I said at the beginning of my answer is as a result to answer the question which he poses, which is whether I can advise whether I am aware of a lack of provision of a proper taxi service. Inherent in that question, therefore, is an implied criticism that we have done nothing about it. I was simply pointing out to the hon. Gentleman opposite that what we have inherited is what they gave to us after they had been in office for 16 years.

So he need not be in awe and a simple cursory reading of his own question will explain to him the reason for the preamble to my answer.

1610

Mr Speaker, as I already mentioned to the hon. Gentleman during the course of my Budget speech, which was as recently as last week, I mentioned that I had already met with the Gibraltar Taxi Association and that I meet with them regularly and that we are already, to use the hon. Gentleman's words, taking urgent action because we have, in fact, assisted the Gibraltar taxis in upgrading their taxi meter system, so that the taxis will have what is in effect a GPS system, so that when there is a call made, the GPS system will be able to allocate the taxi that is nearest to where the call is made.

1615

That is one of the measures we are assisting the Gibraltar Taxi Association, in order to be able to improve their service, and another thing which this Government is also doing, which the hon. Gentleman will know, as I said in my Budget speech, is the deployment of Transport Inspectors.

1620

**Hon. D J Bossino:** Mr Speaker, there was not – just by way of clarification – any inherent criticism of the Government in the question; it was just a genuine desire to elicit the information from the Government, given that the Minister is now responsible in discharging his duties as the Minister for Transport, and also because I had received representations, as I said earlier, and also because it had been the subject of comments in the press. In fact, it was also featured in one of the editorials of our daily newspaper.

1625

So, can I ask the Minister – if he has answered it, then he needs to forgive me, I may have missed it – but can I ask when he thinks that the GPS system will be up and running? But in fact one of the cause for complaints has been that, even when calls are made for the taxi service, there can be delays of between 45 minutes and up to an hour, so I would like an answer to that specific question and would be grateful.

**Hon. N F Costa:** Well, Mr Speaker, I cannot comment on the estimated time the hon. Gentleman says that it takes for a taxi to be sent to pick up someone. My own personal experience of taxis, when I call from home, is that they take between five to ten minutes. I use the taxis regularly and frequently, and I have never had to wait more than ten minutes, *ever*. So it may be that if someone has to wait for 45 minutes, as he suggested, there may have been a traffic problem at the time. Gibraltar roads, unfortunately, as we all know, are quite prone for there to be no traffic to a blockade in very quick and short order.

To answer his supplementary as to when the GPS will be installed, I cannot give him an exact timeframe. I do know the Gibraltar Taxi Association is moving very quickly on this and are very keen to install it, but what I will do for the hon. Gentleman is I will ask the GTA and I will tell him the answer.

## SPORTS, CULTURE, HERITAGE AND YOUTH

### Fire prevention courses Arrangements for private companies

**Clerk:** Question 598, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, in respect of the answer to Written Question 97/2012, can the Minister for Civil Contingencies explain what the arrangement is for private companies to receive from the City Fire Brigade basic fire prevention courses?

**Clerk:** Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

**Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Yes, Mr Speaker. Private companies will contact the Fire Safety Department, requesting fire safety training. The City Fire Brigade Fire Safety Department will arrange an agreed date and deliver the basic fire safety course.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, do these private companies pay for the service and if so, how much do they pay?

**Hon. S E Linares:** Mr Speaker, I have not been given notice to this question and I have not specifically asked about payments. So again, I would not like to answer that question without the information.

But what I could do during the day is I could ask and during the course of the day, I will give you the answer.

**Hon. Mrs I M Ellul-Hammond:** I am grateful for that, Mr Speaker, because under the word ‘arrangement’, I thought that implied, as part of the service, to include cost.

Mr Speaker, in the answer given to Written Question 97, the Waterbabies Nursery, named in the said schedule, is listed under ‘Education’ rather than as a private establishment. Is that because it now comes under the Department of Education? Could the Minister please clarify that?

**Hon. S E Linares:** Yes, Mr Speaker, it is relevant to the question the hon. Lady has asked next, which is ‘What are private nurseries and why they are private nurseries, whether they are in Government premises, etc?’

So I could either wait... If the hon. Lady waits for the next question, I think we can include this question with the next question.



**Private nurseries  
Listed as 'Government premises'**

1685 **Clerk:** Question 599, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, in respect of the answer to Written Question 99/2012, can the Minister for Civil Contingencies explain why the four private nurseries are included and listed as Government premises?

1690 **Clerk:** Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

**Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, three private nurseries were included because *all* private nurseries, although private, come under the Department of Education and Training.

1695 So in a way that answers the question you asked me before: whether Waterbabies is included and is it included under the Department of Education now? So all nurseries are listed in the Department of Education and considered part and parcel of the Department of Education and therefore, the Fire Brigade will do drills and will go to the private nurseries, even though they are private.

1700 And, Mr Speaker, may I just say that the fact we have said that it is three private nurseries was that in the original Question 99, the Written Question, there is a list of four nurseries and I have emphasised three, because one of them is a Government nursery, which is Varyl Begg Nursery.

1705 **Air Crash Exercise, 29th May 2012  
Results and lessons**

1710 **Clerk:** Question 600, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Civil Contingencies give us details of the results and tell us what lessons were learnt from the Air Crash Exercise on 29th May 2012?

1715 **Clerk:** Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

**Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, there are no 'results'. The 'lessons' are internal to each of the essential services and Government Departments involved. This data is not made public.

1720 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, did the Government Agencies not conduct a moratorium with the RGP and Ministry of Defence Agencies after the exercise?

**Hon. S E Linares:** Mr Speaker, it is not a question of doing a moratorium; it is probably a question of doing a post mortem.

1725 But so be it. The first thing that I asked after completing and being the Chairman of the C3 Committee, was that I wanted feedback and on the question of lessons learnt that I wanted a report after what is says there, that all the essential services and Government Departments involved will internally look at where improvements can be made.

1730 So I have asked for that, but again as the answer to the question states, these are data that are internal to Government.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister inform us of the feedback then, that has been given to him?

1735 **Hon. S E Linares:** Mr Speaker, at present, I gave a date as to when I wanted the feedback, which was the end of July. So I am asking for the feedback and the feedback will come as soon as all the Departments get together and discuss the issues.

1740 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, does the Government intend to conduct another such exercise within the two-year recommended period?

**Hon. S E Linares:** We are looking at how many exercises we need to do and we are also looking at what other improvements we can make, even before the two years elapse.

1745 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, is the Minister aware, as some reports will indicate, why it took an hour for the first casualty to leave the airfield?

1750 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I think it is important that we understand where we are going with this. This is an exercise that has been carried out on a number of occasions under the previous Administration and will be carried out under this Administration and whichever is the next Administration.

The detail of information like that is not information that we are going to get into debating across the floor of the House.

1755 I believe actually that it is necessary for there to be a Privy Council-style body in Gibraltar, where Members who are in the Opposition, Members who are in the Government, would be sharing information which is sensitive, like the information that the hon. Lady in our view is seeking now. But this is not information that we are going to get into across the floor of the House.

1760 She needs to understand the implications of information like that, either in terms of the public's view of the service that the essential services can provide, what the other issues that might arise in respect of the civil contingency may be and the information falling into the hands of people who may be observing us for reasons which are not positive like Opposition holding Government to account.

So if she wants further information about this and she wants to have conversations with my hon. Friend, look I am quite happy for that to go on, but for us to get into this sort of detail in the House is not, in my view, an area where it is prudent for us to go or where we should be going.

1765

**Trainee Media Officer post  
Advertising; successful candidate**

1770 **Clerk:** Question 601, the Hon. Mrs I M Ellul-Hammond.

1775 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Civil Contingencies advise where and when the post of 'Trainee Media Officer' was advertised and who was successful in getting the three-year employment contract, due to start this month?

**Clerk:** Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

1780 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, whilst interviewing for the post of Civil Contingencies Departmental Press Officer, the Board were very impressed with the Civil Contingencies experience of one candidate and the Press Office experience of another.

1785 The Board therefore recommended to the Board of the GDC that both should be considered for employment, on the basis that one was close to retirement age and only engaged on a three-year contract and the other, a young local person who, with the necessary press experience, would then fill the substantive post permanently.

Both were offered a post.

Based on the said recommendation from the board, Jasmine Dunham, a Gibraltarian graduate was recruited as 'Deputy Civil Contingencies and Departmental Press Officer', not 'Trainee Media Officer'.

1790 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister then confirm if Jasmine Dunham will automatically then be taking up the post of Civil Contingencies and Departmental Press Officer after three years?

1795 **Hon. S E Linares:** Yes, Mr Speaker, that is the intention.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister then confirm that this empty post, after three years, when Mr Green's contract is up, will not be advertised?

1800 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I know it is totally *alien* to the other side, but this is what is called 'succession planning' – something that we have found when we have been elected has been so absent in the structure of the Public Service in Gibraltar, that we are having serious difficulty in relation to very main senior posts.

So what you do when you have serious succession planning, is that you prepare yourself for what is going to happen at the end of a contract.

1805 In this instance, the hon. Lady has been very vociferous in her criticism of the Government, because the contract has gone to somebody who is not local and who is on a pension – she has made very clear her criticism in that respect. I suppose she is in a difficult position now that we have clearly made  
1810 arrangements for a succession plan where this post *will* go to a Gibraltarian who is not of retirement age, etc. We believe this is the right way to do things and she will be seeing this in many instances throughout the Public Service, where people will be applying for posts before those posts become vacant, so that they are in post, as designates or as deputies with people who are holding the substantive post, in order to take that post.

1815 This post in particular, Mr Speaker, she will know, given how many questions she has asked about the issue and how many press releases she has issued on the subject, is a new post and therefore the post and the post holder... The post is created, the post holder appointed and the succession planning starts with the appointment of a deputy, all from the beginning – something which we commend to the hon. Members should they ever, perish the thought, find themselves once again on this side of the House.

1820 **Clerk:** Question –

**Mr Speaker:** No, the Hon. Daniel Feetham.

1825 **Hon. D A Feetham:** So in that very long winded answer that he has given to the hon. Lady, (*Interjection*) the answer therefore to her question is that the post won't be advertised because you have got somebody who you have earmarked to take over that post at the end of the three years. That is the answer, is it not?

1830 **Hon. Chief Minister:** Mr Speaker, what the hon. Gentleman cannot do is say in one breath that the Government does not give enough information and then when he gets the information, say that he does not like the answer because it is long winded.

The position, Mr Speaker, I have made clear in the context of the answer which I gave which I thought was succinct, clear and precise and he called long winded.

He can go back to *Hansard* and look at what I said.

1835 **Clerk:** Question –

1840 **Hon. D A Feetham:** Sorry, it is becoming a sort of habit and I do not know whether the Chief Minister is actually leading on this habit or whether he is allowing his Ministers to play their own role in this.

The hon. Lady has asked a perfectly legitimate question. Now he has given an answer which effectively is this long winded speech, critical of the previous Administration. That is politics. But what we are here to do is to ask questions about Government policy, and it still remains in the air as to whether, after three years this post will be advertised or whether it will go to the person concerned.

1845 Look, the answer may well be it is impossible for the Government to actually make the commitment at this stage that the post will not be advertised because you do not know whether this lady is going to be suitable for the job. That is a possible answer. But at least I would invite the Chief Minister to provide an answer to it. That may well be the answer and I suspect it probably is.

1850 **Hon. Chief Minister:** Mr Speaker, look, what I am not here to do, and what Parliament is not about – and Question Time in particular – is about information being given which the hon. Members then say is too long winded, because they decide it is too long winded, and then to ask for a summary or ask for a yes or no answer.

1855 I am very confident that all the aspects of what the hon. Gentleman has raised were answered in the context of the first answers given by my hon. and learned friend, Mr Linares and by myself. Look, Mr Speaker, he can go back and look at *Hansard*: if he does not think that is the case, he can ask another question next time. But I am not going to give him answers in the format that he likes. I am not going to give him yes and no answers when he wants them. I will give yes and no answers when I believe they are appropriate.

1860 I believe that we have answered the question and we have provided the information which is what Question Time is about. If he does not like it Mr Speaker, that's politics – but I think that *Hansard* reflects exactly what the position is.

**International Jazz Festival  
Breakdown of expenditure**

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**Clerk:** Question 602, the Hon. E J Reyes.

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**Hon. E J Reyes:** Can the Minister for Culture provide a detailed breakdown of all expenditure incurred inclusive of staff costs in respect of the first Gibraltar International Jazz Festival?

**Clerk:** Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

1875

**Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Yes, Mr Speaker. I now hand over a schedule to the hon. Member opposite with details of the expenditure incurred in respect of the first International Jazz Festival up to and including 13th July 2012.

Mr Speaker, I would like to add that the hon. Member in his clip of GBC recently stated that the cost of this would have been £100,000 and that he did the GNDO Festival at half the price. The fact is that he will see in the schedule, it has come to only £66,000, the Jazz Festival and that the GNDO competition that he did went up to £99,470.

**Schedule to Question No: 602/2012**

Advertising costs	£ 12,009.40
Flights & accommodation	£ 6,360.13
Media rights	£ 590.31
Performer's fees	£ 16,553.75
Jazz workshops	£ 2,300.00
Stage, management & presenter's fees	£ 19,875.00
Piano tuning and hire	£ 2,069.49
Other - t-shirts, tours, transfers, meals, photography	£ 4,685.43
Staff costs/overtime	£ 2,173.75

1880

**Hon. E J Reyes:** I am grateful for the schedule, Mr Speaker.

Under the heading of 'Stage, management & presenter's fees', is it possible to work out from there how much the stage set-up and relevant costs were, as opposed to management and presenter's fees, which would tend to be more of a contract for human resources? Is it possible to have some sort of further breakdown of that £19,875?

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**Hon. S E Linares:** No, Mr Speaker I do not have that with me; but yes, I am sure it is possible to give it to you, so if the hon. Member would wish to write to me or ask the question again, I will give it to you.

1890

**Hon. E J Reyes:** Mr Speaker, I do not want to be pedantic and I am grateful for the Speaker's comment before, but I think it is already implied in my question. I am more than willing to accept that the Hon. Minister does not have the information now, but as it has arisen out of the supplementary wanting further detail, can the Minister not take it upon himself that when he has a chance back in his office, he then provides me with information in a written manner?

1895

**Hon. S E Linares:** Mr Speaker, if he writes to me, I will give him all the information.

1900

**Hon. E J Reyes:** Mr Speaker, but my notice was I wanted 'a detailed breakdown'. Mr Speaker, I have already given due notice of the question. I am accepting he may not have it at this moment in time, but are we going to go through posing a question again, which I think has already been legitimately posed as quantifying that I wanted a detailed breakdown and not just a general breakdown?

1905

**Hon. S E Linares:** Mr Speaker, this is a rather detailed breakdown and I remember sitting just exactly where the hon. Member was sitting and every time I wanted more detail, I had to write in. So, if the hon. Member wants to –

**Hon. E J Reyes:** No, Mr Speaker, no, sorry to interrupt –

1910

**Hon. S E Linares:** If he wants more detail – because it gives a rundown of all the costs, he now wants specifically on one item to give him more details – if he writes to me, I will give him the details.

**Hon. E J Reyes:** Mr Speaker, I was trying to say I do not ever recall having told the Hon. Minister, when he sat on this side of the bench to write to me further. I recall having taken it upon myself to look into and provide him with further information.

1915 I do perhaps need, Mr Speaker's clarification: if I have asked for the detailed breakdown, is it incorrect for me to say that I want the details of the stage? For me, my interpretation is it is a construction or a hire of a *physical* asset, as opposed to management and presenter's fees which are human resources.

1920 **Chief Minister (Hon. F R Picardo):** Mr Speaker, this may have been provided by one entity who may have billed us for 'Stage, management and fees' and we have provided the detail that we have and we think is relevant. But we are not saying if we have the information, that we will not provide it.

1925 Mr Speaker, I know that there has been a debate about this previously, whilst I have been out of the House, dealing with other business, but look, Mr Speaker, the position of the previous Administration was we will not accept having to write to you, because we make a note, because we might forget and if we say in the House, we will write to you with the further information and we then forget, we are in breach of something we said in the House.

So the reason for asking the hon. Member to write is not to be difficult but simply because he will know that triggers the response. So if he writes, he gets the response.

1930 I imagine this is not information he needs urgently. There is also going to be another opportunity to ask questions in September, so he can ask it then. He needs to recall, first, that his Party Leader was the one who established, for that reason, which is not an unreasonable reason, that people write in and they get the further information if they wish it before the next House; and second, that before 8th December, he might have had to wait six months for the next session of the House, yet he only needs to wait until September.

1935 But all that in the context of us saying if we have got the information, we will give it to you.

#### Environmental Monitor Specific duties of new post

1940

**Clerk:** Question 603, the Hon. E J Reyes.

1945 **Hon. E J Reyes:** Can the Minister for Culture and Heritage provide details of the specific duties assigned to the new post of Environmental Monitor, who now forms part of the Establishment of said Ministry, as set out under Head 38(iv) of the Estimates of Revenue and Expenditure for 2012-13?

**Clerk:** Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

1950 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, the officer in question has been transferred to my Ministry from the Ministry of Environment, in order to assist me with the Gibraltar Industrial Cleaners and Refuse Collection, which is another of my responsibilities.

1955

#### Culture and Heritage Agency Technical Grade 4 Duties and salary scale range

**Clerk:** Question 604, the Hon. E J Reyes.

1960

**Hon. E J Reyes:** Can the Minister for Culture and Heritage provide details of the specific duties and salary scale range assigned to the new post of Technical Grade 4, who now forms/will form part of the Establishment at the Culture and Heritage Agency, as set out in Appendix K, subhead (ii), of the Estimates of Revenue and Expenditure 2012-13?

1965

**Clerk:** Answer, the Hon. the Minister for Sports, Culture, Heritage and Youth.

1970 **Minister for Sports, Culture, Heritage and Youth (Hon. S E Linares):** Mr Speaker, the duties of the Technical Grade 4 Officer will be supervising all works done or that need to be done in all premises that come under the Ministry of Culture and Heritage.

The salary scale range assigned to that of a Technical Grade 4, which has been equated to HPTO.

I would just like to add, Mr Speaker, that it was an issue that came out when we were doing the Budget session, in Committee session, and I am grateful to the hon. Member, because in the actual

1975 Estimate Books there was an omission of Technical Grade 4, if he can remember. The answer therefore is that if he looks in the same Estimate Books and goes to the HPTO Grade, it is exactly the one of Technical Grade 4.

**Hon. E J Reyes:** Perhaps, the Hon. Minister can help us further.

1980 I recall from that there, he clarified the position saying that this was an officer that had been 'seconded' to him. Is it therefore that the person is on temporary secondment or the person has been transferred out of whatever previous Department he was in, and has now become a fully fledged employee of the Culture and Heritage Agency?

1985 **Hon. S E Linares:** Well, Mr Speaker, it is exactly that: it is secondment. That means that he has moved in for the period that we need him. He was in the – he is still a civil servant. He moves on a secondment basis to the Agency, doing the job that is necessary, as and when needed.

So at the moment, he is in the Agency doing the work, but he is a civil servant seconded into it.

1990 **Hon. E J Reyes:** Therefore, Mr Speaker, am I correct in deducting from there that it is a secondment for a period of time, be it short, long or whatever and would not necessarily follow that, should that person retire or leave the service, he would be automatically replaced through a post that would be advertised, as would be applicable to all other posts within the Establishment?

1995 **Hon. S E Linares:** Well, Mr Speaker, that has to do with the general restructure of the Agency that we are currently doing. It depends whether this officer or the work that this officer is doing currently will be needed in the future.

We have seconded him into the Agency for now and he is doing a specific job – how long for, we do not know.

2000

## HEALTH AND ENVIRONMENT

### Renewable energy projects Details

2005

**Clerk:** Question 617, the Hon. S M Figueras.

2010 **Hon. S M Figueras:** Mr Speaker, can the Minister for the Environment confirm details of the renewable energy projects his Government will be facilitating with the allocation of £1 million, as announced in his speech at this month's Budget session?

**Clerk:** Answer, the Hon. the Minister for Health and the Environment.

2015 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, there are various projects which are being assessed on technical and feasibility grounds which may be facilitated with the allocation of funds from that budget. The specifics are yet to be finalised the sum is therefore a token figure.

2020

### Energy from waste and sewage treatment plants Government policy

2025 **Clerk:** Question 618, the Hon. S M Figueras.

**Hon. S M Figueras:** Mr Speaker, can the Minister for the Environment confirm whether it is the Government's policy to deliver an energy from waste plant and sewage treatment plant within this term of office?

2030

**Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, it is indeed the Government's intention to proceed with the construction of a new Sewage Treatment Plant to comply with Gibraltar's obligations under the Urban Waste Water Treatment Directive.

It is also the Government's intention to develop more sustainable and integrated waste management systems, comprising high percentages of recycling and cost-effective residual waste treatment.

Other cleaner technologies are therefore being considered, as it is recognised that there is a need to modernise our practices. We are therefore presently examining the range of technology options available for treatment of residual waste, which includes a sludge that would be produced by the sewage treatment plant and to assess the impact of adopting various technology scenarios on key criteria.

We are therefore not presently able to commit ourselves to a timescale for the delivery of these two projects, although we remain fully committed to their delivery, as soon as the results and conclusions of the various assessments are made available to us, and we are able to conclude our strategic planning for both projects.

**Hon. S M Figueras:** Mr Speaker, I am grateful for the reply.

Just by way of clarification, then the policy is to proceed with these projects, certainly within this term of office, even though you cannot commit, for the various reasons you have explained, to completing them within the term. Is that the situation?

**Hon. Dr. J E Cortes:** I think the answer is clear: we are committed, when we have all the relevant information. We cannot commit ourselves to a timescale for delivery. It is hopeful that the timescale will be as soon as possible, which therefore, by definition, would be almost within this term of office, but we cannot commit ourselves to completion by those dates, because we are still looking at all the options.

**Hon. S M Figueras:** I am grateful, Mr Speaker, one further question and it may well be that the Hon. Minister is unable to furnish the information, that he may need notice of the question even, but have any sites been identified or are being discussed right now for the location of these plants as and when the moment arises?

**Hon. Dr. J E Cortes:** A number of sites are under consideration, but depending on the technology we go for, some sites may be more suitable than others. So we are considering the sites at the same time as we are considering the technologies.

#### **Western Beach reclamation Managing environmental issues**

**Clerk:** Question 619, the Hon. S M Figueras.

**Hon. S M Figueras:** Can the Minister for the Environment provide details to this House of the measures being taken to manage environmental issues arising from the Western Beach reclamation?

**Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, a Construction and Environmental Management Plan has been produced to ensure that all environmental issues associated with the Western Beach reclamation are considered and, where necessary, mitigated.

It is worth pointing out that before the works commenced the Government – through its appointed consultants – commissioned an ecological survey of the area in question to determine whether there would be any significant adverse environmental effects arising from the proposed development.

Additionally, the appointed contractor was required to develop a Dust Control Plan and obtain a Certificate of Approval from the Environmental Agency as required by Regulation 4 of the Dust Control Regulations 2010.

The Construction Environmental Plan details various measures that are being implemented at Western Beach including, but not limited to the following: (1) watering down both backfill and any trucks leaving the site – the latter have to be completely covered so as to minimise dust emissions; (2) material being taken for deposition on site has been screened for contaminants beforehand; (3) in order to control any sedimentation on the seabed entering the water columns and affecting users of the adjacent beaches, a Floating Turbidity Control Curtain has been installed around the work area; (4) implementation of a Traffic Management Protocol to minimise disruption to pedestrians and beach users; (5) implementation

of a contingency plan for accidental spillages; and (6) placing a geotextile membrane in the inward face of the containment bund to minimise the migration of material into the marine environment.

2095

**Hon. S M Figueras:** Mr Speaker, I am grateful for the answer and for the detail, in particular.

Given I asked the question in the specific context of information that we have received, in relation to the presence in the area of a certain species of limpet and the action that has been taken to address any issues that may arise in respect of its presence in the area. Perhaps the Minister could provide further details.

2100

**Hon. Dr. J E Cortes:** Mr Speaker, there is a little bit of confusion here. The whole of the area around the airfield and in fact a number of other sites around the Rock – and here is where I should have brought my PowerPoint again – is the habitat of a European protected species, *Patella ferruginea*, the brown limpet, which is in fact of very restricted distribution. One of the main sites anywhere in the world is the Rock of Gibraltar.

2105

The location of the limpets that the hon. Member is referring to would be an issue in the proposed larger Western Beach reclamation, where the plan envisages – and that particular environmental survey, I do not believe has been completed, as I have not yet seen it – would envisage, in any areas where they might be found, there would be a relocation of the animals or the rocks where they are found.

2110

But the actual development at Western Beach which is currently ongoing which is the development of a car park, does not have – as far as I am aware – these limpets present.

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**Hon. S M Figueras:** Mr Speaker I am grateful for the answer and with your indulgence, I am not going to ask the question; I merely wanted to publicly, and in this House, congratulate, as I have done personally, the Minister for the Environment for his letter to *The Guardian* newspaper, clarifying the situation in relation to the carbon footprint. I have already communicated my congratulations to him, and commend him for that, because I think it is very important that certainly, as far as the rest of the world is concerned, we are seen to be doing what we are, in relation to the environment. (*Applause*)

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**Hon. Dr. J E Cortes:** I am grateful, Mr Speaker.

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### **Barbary Macaque Management Plan Funding**

**Clerk:** Question 620, the Hon. S M Figueras.

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**Hon. S M Figueras:** Yes, Mr Speaker, can the Minister for the Environment confirm the nature and extent of the funding that either the International Primate Protection League and/or the Born Free Foundation have committed to in the delivery of the Barbary Macaque Management Plan when it is complete, as he referred to in his speech at this month's Budget session?

2135

**Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, as the question rightly suggests, the Plan is still not complete and a final decision of its contents is not possible yet, hence the International Primate Protection League and/or the Born Free Foundation contribution will depend on this.

2140

I will add that the initial discussions suggest that they will be assisting with interpretation material, publications and that kind of work.

2145

**Hon. S M Figueras:** As a point of clarification, is there... You say in relation to publications and the like, is the commitment that they will be assisting in the production of this material for distribution, but not a financial contribution to the implementation of the Plan?

2150

**Hon. Dr. J E Cortes:** It is possible there could be a financial contribution to the production of material, but that is something that is currently under discussion.



**Barbary Macaque Management Plan  
Relocation of macaques; contraception**

2155

**Clerk:** Question 621, the Hon. S M Figueras.

2160

**Hon. S M Figueras:** Mr Speaker, at this month's Budget session, the Hon. Minister for the Environment explained that, and I quote:

'the possibility of relocating macaques to adequate places abroad will continue to be an option and the use of contraceptive measures will be enhanced.'

2165

Can the Minister now provide further details by way of an update to previous questions in this House as to whether negotiations with parties interested in receiving apes abroad have progressed and, separately, what enhanced contraception measures are being planned and whether these have been attempted before?

2170

**Clerk:** Answer, the Hon. the Minister for Health and the Environment.

2175

**Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, Government is awaiting responses regarding the relocation of monkeys. It is, for example, in contact with both organisations we mentioned earlier – the IPPL and Born Free – who are looking themselves into appropriate opportunities.

The contraceptive measures being considered include contraceptive implants and also immunological methods. The latter has not been used in Gibraltar before, but has been used in other areas with monkey population problems, for example in Hong Kong.

2180

**Commonwealth Park car parking  
Location of Gibraltar Fair**

2185

**Clerk:** Question 622, the Hon. S M Figueras.

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**Hon. S M Figueras:** Yes, Mr Speaker, is the Minister for the Environment able to confirm whether a decision has now been taken by the Government in relation to the provision of car parking at the Commonwealth Park site and whether any consideration has been given to the location of the annual Gibraltar Fair once works have begun at the site of the Commonwealth Park?

If such consideration has been given, can he give us an indication of the potential locations being discussed?

2195

**Clerk:** Answer, the Hon. Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, one of the options being considered, but not yet finally determined is that car parking facilities will not be provided under Commonwealth Park, but at a nearby site.

2200

Initially, the number of spaces will be identical to those available now with up to double during the lifetime of this Parliament. The aim is to ensure that parking will be free for local residents only.

The Gibraltar Fair will be held at the Commonwealth Park site this year. Several possible sites are being considered for the Fair from 2013 onwards and Government will make an announcement in that respect next year.

2205

**Hon. S M Figueras:** Mr Speaker, I am grateful.

Focusing just momentarily on the parking for residents only, is it safe to assume that the system that will be employed in order to enable residents to park for free in these parkings, will be one similar to the system that is currently in use for the free bus service or something along those lines? Is there any discussion in that regard at all yet?

2210

**Hon. Dr. J E Cortes:** No, Mr Speaker, it is not safe to assume any of that. We have not determined that at this stage.

**Clerk:** Question –

2215 **Mr Speaker:** Would this be a convenient moment for a short recess?  
The House will recess for, say, 10 minutes.

*The House adjourned at 11.57 a.m. and resumed its sitting at 12.30 p.m.*

2220

**Government investment in equipment  
Details**

2225 **Clerk:** Questions and answers continue.  
Question 623, the Hon. Mrs I M Ellul-Hammond.

2230 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health tell us what equipment the Government intends to invest considerable amounts of money in, over the years, as he announced during a GBC 'Newswatch' interview on Friday, 18th May?

**Clerk:** Answer, the Hon. the Minister for Health and the Environment.

2235 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, on taking office, I was briefed by management on GHA equipment procurement issues and I was advised that, previously, Government had not committed to an orderly replacement programme for essential medical and building equipment, thus placing patient care at potential risk; and that requests for additional major and minor works had been ignored.

2240 As I said in my Budget speech, Mr Speaker, the Government is committed to investing to resolve these issues. In this respect, whereas the 2011-12 Works and Equipment Budget was £800,000, this year it was £3.3 million.

The GHA's technical experts and clinicians are currently working on the list of equipment to be acquired, some of which will be replacement and some of which will be new.

2245

**High dose oxygen therapy  
Arrangement with Multiple Sclerosis Centre**

2250 **Clerk:** Question 624, the Hon. Mrs I M Ellul-Hammond.

2255 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health explain how the new arrangement with the Multiple Sclerosis Centre for the provision of high dose oxygen therapy to GHA patients will work?

**Clerk:** Answer, the Hon. the Minister for Health and the Environment.

2260 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, the arrangement is that the Multiple Sclerosis Therapy Centre will provide treatment to entitle patients on a self-referral basis.

The Centre remains an independent charity.

2265 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, what criteria will be used for patients to be able to use the hyperbaric oxygen therapy centre? How will patients know whether to self-refer. Is there any medical involvement at all?

2270 **Hon. Dr. J E Cortes:** Mr Speaker, the criteria are imposed and regulated by the Centre itself, which has its own checks and its own experts and every individual is entitled to go to the Centre, if they choose to do so.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, is the Minister saying that the Centre then diagnoses the condition and then refers the patient for treatment?

2275 **Hon. Dr. J E Cortes:** No, Mr Speaker, I am not.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, what is the involvement of the Gibraltar Health Authority in the Multiple Sclerosis Centre?

2280 **Hon. Dr. J E Cortes:** If any patient is an in-patient in the hospital, then wherever possible, ambulance transfer is arranged in order to facilitate it for the patient, but there is no involvement of GHA clinicians in the work of the Centre.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, who pays for the self referral treatment?

2285 **Hon. Dr. J E Cortes:** Mr Speaker, the Government has provided the Multiple Sclerosis Therapy Centre with a grant for them to be able to carry out their work.

2290 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, will this be an ongoing grant or is this a one-off payment?

**Hon. Dr. J E Cortes:** Mr Speaker, it is expected that it will be an ongoing process.

2295 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, are there any conditions attached to the continued payment of grants to the Centre?

**Hon. Dr. J E Cortes:** Yes, of course, Mr Speaker. These include the need for them to satisfy the Minister for Health of the fact that they are properly insured, of the fact that they are properly regulated by the network of similar centres in the UK and they have to provide regular information and provide details of numbers of patients and so on.

2300 So obviously, there are detailed conditions that they have to abide by.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister tell us how much the grant is, please?

2305 **Hon. Dr. J E Cortes:** It is £200,000. It is actually in the Estimates. *(Interjection)*

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health tell us what his GHA staff, in particular the consultant anaesthetists, think of the Government's policy to make available treatment at the hyperbaric oxygen therapy centre to all who need it?

2310 **Hon. Dr. J E Cortes:** Mr Speaker, the hyperbaric oxygen, as I am sure the hon. Member well knows, as she was present when it was inaugurated several years ago, in the Devil's Tower Road site, and obviously showed her support for the Centre in that way, hyperbaric therapy is a therapy which different clinicians have different opinions on. Some doctors feel it is extremely effective, some doctors feel it is not as effective, some doctors feel it is not effective at all.

2315 But ultimately, as it is a self-referral process, each person is the owner of his own body and therefore can choose whether to use this process or not. If people want to have oxygen therapy, they can go anywhere in the world to have it. The fact that Government is providing indirectly this service in Gibraltar just gives people an opportunity to use it.

2320 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister tell us if this form of treatment is offered under the NHS in the UK, and if it is approved as evidence-based treatment, under NICE?

2325 **Hon. Dr. J E Cortes:** Mr Speaker, I would have to research that question to be able to give a full answer, which I would be most happy to do in future, but I do not have all the details available.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, I understand that this treatment does bring relief, as the Hon. Minister suggested, and that I did support in my capacity as fellow charity. Even though it is not evidence-based or approved by NICE, it is welcomed that more people will be able to access this.

2330 However, Mr Speaker, will the Government consider giving a grant for private osteopathy, acupuncture, chiropractic treatment, reflexology, homeopathy and other complementary treatments that do bring benefit and relief to hundreds of Gibraltarians who are having to pay for treatment themselves at great expense?

2335 **Hon. Dr. J E Cortes:** Mr Speaker, I think that question is too far from the original to be considered a supplementary. It is asking for Government policy on a range of treatments which would have to be considered and discussed, with appropriate time and a view taken.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, is the unit under the clinical governance system of the GHA?

**Hon. Dr. J E Cortes:** Mr Speaker, once again, I say it is *not* part of the GHA; it is an independent charity, running its own centre.

**Hon. Mrs I M Ellul-Hammond:** Finally, Mr Speaker, if something happens to a GHA card carrying patient when or after receiving treatment at the centre, will the GHA be responsible or liable? Does the GHA mitigate the unit's risk?

**Hon. Dr. J E Cortes:** Mr Speaker, I do not think the GHA, the Gibraltar Health Authority, would be liable in that way. Whether there is any liability on the Government for any patient who goes for any form of private treatment in any centre in Gibraltar or elsewhere, I think the question cannot be answered as simply as that, because anybody has the right to go and take on any kind of treatment for any condition, so that would have to be the answer that I can give.

#### **St Bernard's Hospital Attracting local consultants**

**Clerk:** Question 625 the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Can the Minister for Health explain what he is doing to attract local consultants who are working in UK hospitals and further afield to come and work at St Bernard's Hospital?

**Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, all consultant posts are widely advertised in the relevant UK medical journals – usually the BMJ – so will no doubt be seen by any Gibraltarian consultants working in the UK. We do not routinely advertise in other European or Commonwealth countries or the USA – sometimes this the case – but many doctors stay in touch by following these UK journals on-line.

In addition any local doctors who are known to be working as consultants or who are training to become consultants in UK hospitals have been identified to the Medical Director. As an example, a local who is completing his training as a radiologist has recently been recruited to a consultant radiology position within the GHA. He will take up his post in the autumn.

Contact is maintained as much as possible with local doctors and I have myself had discussions with several, over the past few months. This, of course, is not just in respect of doctors at St. Bernard's Hospital, but also in respect of other areas of the GHA's work.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, then can the Minister confirm that the GHA is continuing with the GSD's policy in this regard?

**Hon. Dr. J E Cortes:** I cannot confirm or deny that. I have no idea what the GSD's policy is in that regard. I suspect that there was not much of a policy anyway.

#### **CT Scan at St Bernard's Hospital Replacement**

**Clerk:** Question 626, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, the CT Scan at St Bernard's Hospital is now seven years old. Can the Minister for Health advise if the GHA will be purchasing a new one?

**Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, as a result of the Government's commitment to appropriate funding, the GHA is in the process of revision and

2400 implementation of an orderly replacement plan for all its clinical equipment. At present, subject to Government approval, the CT will be replaced in 2013 or 2014, depending on its position in that replacement plan.

2405

**GHA new complaints process  
Details**

2410 **Clerk:** Question 627, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health provide details on the GHA's new complaints process, as announced by the Ombudsman on 25th June 2012, in a GBC 'Newswatch' interview and how it will be implemented?

2415

**Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, the new process, which will be initiated following the transfer of responsibility of complaints management to the Ombudsman, is in the process of being developed and will be subject of a meeting between the Ombudsman and myself. Once the process is approved, I will make the necessary announcement.

2420

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, will the current complement of staff working for the GHA's Complaints Department now be transferred to the Ombudsman's Office, as per the Government manifesto?

2425

**Hon. Dr. J E Cortes:** How we actually deal with it is part of the process, so therefore, as the process is still not completed, I cannot answer that question.

2430

**'Best before' dates on medication  
Making clearly legible**

2435 **Clerk:** Question 628, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health tell us what he plans to do after representations were made to him by the Gibraltar Senior Citizens' Association on 'best before' dates on medication to be clearly legible?

2440

**Clerk:** Answer, the Hon. Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, currently the GHA requires pharmacists to practise in accordance with UK standards for dispensing. However, enhancements such as 'best before' dates being more legible will be raised as part of a review of pharmacy practice later this year.

2445

By way of additional information, Mr Speaker, another request by the Senior Citizens' Association which was to provide benches outside the entrance at podium level of the Hospital has now been completed.

2450

*(Applause)*

**'GP Evidence-based Prescribing'  
Auditing of five medical treatments**

2455

**Clerk:** Question 629, the Hon. Mrs I M Ellul-Hammond.

2460 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, as stated by the Medical Director in his report for the GHA Board of 31st May, can the Minister for Health explain the 'GP Evidence-based Prescribing' where five medical treatments will be piloted and audited for a year?

**Clerk:** Answer, the Hon. the Minister for Health and the Environment.

2465 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, five drug groups that are known in the literature to be prone to being prescribed outside NICE guidelines by general practitioners will be subject to frequency of prescribing audit during this year.

2470 The five groups are: statins used in lowering cholesterol; proton pump inhibitors used in the treatment of gastro-oesophageal reflux disease; topical non-steroidal anti-inflammatory medications used in the treatment of bone and joint pains; selected serotonin re-uptake inhibitors, used in the treatment of anxiety and depression; and Plavix or Clopidogrel used in the prevention of heart attack and stroke after episodes of these illnesses or after a coronary stent procedure.

2475 **‘Bed Management Report’  
Not included in report to GHA Board**

**Clerk:** Question 630, the Hon. Mrs I M Ellul-Hammond.

2480 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health tell us why the ‘Bed Management Report’ from the Director of Nursing as part of his report to the GHA Board for the meeting of 17th July 2012 is missing, despite it being listed on his first page for reporting, right after ‘Primary Care Services’?

2485 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, the section on bed management, which was also not provided in the previous meeting, contains confidential patient-related information that is inappropriate for the meeting held in public.

2490 If I may add, the fact that it appeared in the index was a typographical error.

2495 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, I also note that the human resources recruitment and selection activity and the business plan vacancies, the control of expenditure by the controlling officer, the summary list of de-personalised complaints and minutes from the last meeting are also missing from the board papers. Will these be included in future papers made available to the public?

2500 **Hon. Dr. J E Cortes:** Mr Speaker, most of those referred to recruitment, which includes names of people who may or may not have been selected, to disciplinary procedures, which includes items which obviously have to remain confidential, and therefore any paper that includes that kind of information will not be presented in the public domain.

2505 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, if the information... in fact, the information *is* de-personalised and it is just a list of vacancies and HR activity, then why has that not been included in the papers; and also the control of expenditure by the controlling officer – will those finance figures be provided in future?

2510 **Hon. Dr. J E Cortes:** Mr Speaker, I will just answer that first and say that it does depend on the nature of the information and on whether there is anything that is sensitive, particularly in relation to patients or staff, although I must say I am surprised that the hon. Lady is asking for so much information in the public domain, when she clearly does not want us to have *any* of this information in the public domain and continue with secret Board meetings. (*Interjections and banging on tables*)

2515 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, that is not true. (*Interjections*) In fact, I have stated publicly that I welcome the Board papers being placed on-line. That is certainly a part of the new ‘open and transparency’ policy on the ‘in public’ GHA Board meetings and that *is* welcome. I was critical of the other aspect.

So, Mr Speaker, can the Minister confirm then that the financial figures will not be presented to the public in future?

2520 **Hon. Dr. J E Cortes:** No, I have not said that. There will be financial figures that can be and there will be figures that cannot be for a number of reasons. There could be commercial discussions going ahead; there could be finance in relation to sponsored patients, which includes patient information. It has to be screened and in order to avoid information which clearly cannot be in the public domain, we have to

2525 be cautious. But anything that has not got those aspects, then clearly it is our policy that it *will* be in the public domain.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister explain then why they were not included in this month's Board papers – the financial figures?

2530 **Hon. Dr. J E Cortes:** If they were not included in this quarter's papers in the public site, it is clearly because they fell into one of the categories that I have described.

2535 **Hon. D A Feetham:** Mr Speaker, does he *know* that to be the case because he has looked at those documents that have not been included, or is he making the *assumption* that that is the case?

**Hon. Dr. J E Cortes:** Mr Speaker, he believes he knows because he has looked at the papers, but I have learnt in these short months as a Parliamentarian that I have to be very careful when I say absolutely no, because I may have missed something.

2540 Therefore, I *believe* that that is the case, but I will have to read them all again before I said that I conclusively know that every single detail is like that.

**GHA 11-month contracts  
Details of any issued since 9th December**

2545 **Clerk:** Question 631, the Hon. Mrs I M Ellul-Hammond.

2550 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health state how many 11-month contracts have been issued since 9th December in the GHA and (a) how many are British; (b) how many are Spanish; (c) how many are Gibraltarian; (d) broken down by grades; (e) the length of time in which prior to issuing the 11-month contracts such an employee or employees have been working for the GHA; and (f) if it is the intention of the GHA to permanently employ such persons, upon the successful completion of the 11-month contracts?

2555 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

2560 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, the Gibraltar Health Authority has not issued any 11-month contracts since 9th December 2011.

**Clerk:** Question –

2565 **Hon. Chief Minister:** That may be a convenient moment for the House to break now for the lunch adjournment. I propose we come back, Mr Speaker, at 3.30 this afternoon.

**Mr Speaker:** Is that convenient to all the hon. Members? (*Members agreed.*)  
This House will adjourn until 3.30 p.m. this afternoon.

*The House adjourned at 12.43 p.m. and resumed its sitting at 3.30 p.m.*