



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.04 p.m. – 4.13 p.m.

Gibraltar, Wednesday, 30th May 2018

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The Gibraltar Parliament

The Parliament met at 3.04 p.m.

[MR SPEAKER: Hon. A J Canepa GMH OBE *in the Chair*]

[CLERK TO THE PARLIAMENT: P E Martinez Esq *in attendance*]

Questions for Oral Answer

HOUSING AND EQUALITY

Q390/2018 Disability Act – Commencement date

Clerk: Meeting of Parliament, Wednesday, 30th May 2018.

We carry on with answers to Oral Questions and we commence with Question 390. The Hon. D A Feetham.

5

Hon. D A Feetham: Mr Speaker, when does the Government intend to commence the Disability Act?

Clerk: Answer, the Hon. the Minister for Housing and Equality.

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Minister for Housing and Equality (Hon. Miss S J Sacramento): Mr Speaker, I refer the hon. Gentleman to my answer to Question 49/2018.

15

Hon. D A Feetham: Mr Speaker, can the hon. Lady just simply provide a clear answer to a very clear question? I am aware that the service users and others have been told that it would take the Government roughly about eight or nine months from the date on which the Act was passed last year to properly train people up in order to make sure that this Act runs effectively, but the nine months are up and I am asking her for a clear answer. When does she intend to commence this very important piece of legislation?

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Hon. Miss S J Sacramento: Mr Speaker, yes, this is a very important piece of legislation indeed, and that is why we did it. The hon. Gentleman, who was the Minister for Justice for four years, never did it and the party opposite, who were in Government for 16 years, never did it. So let's start on that premise.

25

I refer to the answer to my question from January, a few months ago, where I explained to the Hon. Mr Llamas, who I think understood the exchange that we had on the last occasion, that this is a huge piece of legislation that has tremendous implications for our community, and that is why it is so important that we get it right. As I explained on the last occasion – maybe the hon. Gentleman was not in the Chamber or maybe he was not listening to the answer that was provided – the Government has provided a very robust schedule of training because this Act

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primarily places responsibilities on the Government and it is absolutely imperative, given the importance of this, that we get it right and we deliver on it properly because that is what is more important. The Act is already there; it is a question of commencing it but commencing it properly.

35 I can allay the hon. Gentleman's fears because he can be assured, as I have said before, as I explained to Mr Llamas on the last occasion, that the Act applies to Government as Government policy as we have done since we came into Government.

In relation to a timeframe – and that way I am sure that we can circumvent further supplementary questions, because I know that he loves making very lengthy supplementary
40 questions which include statements – there is a precursor to one of the parts of the Disability Act, and that is the implementation of building regulations that we refer to as 'Part R'. I think we are actually ready on those. I know that the relevant Departments have been working incredibly hard on finalising them and ensuring that everybody knows what needs to be delivered on that and everybody is trained. We have also offered the training to the private sector, because this
45 particular section applies to them as well. I am fairly confident that that part can be commenced, I think, next week – if not next week, the week after – and I know that we have, I think, a final briefing to senior officials within the Government. I have seen exchanges from my office and I have seen a schedule, which is very comprehensive and a lot is being delivered during the course of next month, so it will be very shortly after that.

50 Because this is something that historically has never been given importance, the actual knowledge of the subject matter is not there in the Civil Service, so we have had to spend a tremendous investment in getting people to understand exactly what is required from them. This has meant considerable training at different levels of different people on different things on different parts of the Act to ensure that everybody understands it, to ensure that as soon as it is
55 in force we hit the ground running in the best possible way. That, as I explained in answer to the last question and as I explained when we read the Bill, has always been the plan in relation to this Act.

Mr Speaker, the hon. Gentleman opposite can rest assured that we are almost there in the process. It will not be much longer. I think we are talking of maybe a month, maximum two, but
60 that is the timeframe that the hon. Gentleman wanted and that is my answer, Mr Speaker.

Hon. D A Feetham: Mr Speaker, may I just drill down a little into that, with respect, very lengthy, rambling answer that the Minister has given – which really takes the biscuit, given that she prefixed her answer by saying 'I know that he likes these very longwinded supplementary
65 questions.'

She has had six years, seven years, because this is a manifesto commitment from 2011. She introduced this Act with great fanfare last year. It is now nine months. Can she guarantee to this House that within two months – that, I think, is the most important part of her answer – of today's date this very important Act is going to be commenced and that there will be no further
70 excuses from the Hon. Minister and the Government in relation to this?

Hon. Miss S J Sacramento: Mr Speaker, it is not a question of excuses. This is the plan and this is the timeline that was always envisaged in the process because of the complex nature of the legislation, which is not unusual when we are talking about pieces of legislation that are big,
75 that are complex and especially that will affect people in the way that this will.

I have said two months and I said that that is what I envisage it will take. It may be sooner, but if we think that the two months takes us right into the middle of the summer vacation, it may be that it will be at the end of it. But that is the timeframe that I envisage as a maximum. It will not go beyond, I think, the summer or the end of the summer. I think realistically we need to
80 think that August may be a difficult time.

I know that we are ready in relation to certain parts of it. In fact, parts of it can be commenced and can be commenced very quickly, and in particular we are aiming for some of it

to be commenced, I think, in the next couple of weeks. I have always said that it was probably very likely that we would stagger the implementation of the legislation.

85 So we are looking at a period of two months, but given where we are in the calendar I might say to this Parliament, Mr Speaker, so as not to be misleading, three as a maximum but we are obviously aiming for two.

90 **Hon. E J Phillips:** Just one supplementary question, Mr Speaker. In the Minister's answer to Question 49 the Minister referred to extensive training and awareness, which the Minister has again repeated today, and that I believe was undertaken just after we passed the legislation in this House. Insofar as her answer is concerned, can the Minister now confirm that all extensive training and awareness programmes have been completed? Because that is what seems to have held back having this legislation come into force.

95 **Hon. Miss S J Sacramento:** Mr Speaker, as I said in the answer to the first supplementary, there have been different kinds of training at different kinds of levels. We have initially had to undertake very basic training because there was such a lack of understanding of the responsibilities, and then we have delivered other training to build on that initial training. There is a final in-depth training briefing session which is scheduled during the course of the next month after that training, which could not have taken place without the previous training that we have undertaken. That is the kind of basic training that we need. And of course after that there will be continuous training, because it is something where things in this kind of field continue to develop and we all need to continue to learn how to deliver these things in a better way, particularly because technology evolves and there are always things to learn. But I think the final briefing that we have in relation to the legislation is scheduled during the course of next month and it is early next month, I believe.

Q391/2018

Housing (Rent Relief) Rules 2009 – Revision re allowance for children

Clerk: Question 391. The Hon. R M Clinton.

110 **Hon. R M Clinton:** Mr Speaker, further to the Public Service Ombudsman's 2017 Report and recommendations, specifically case 13, has the Government considered revising the Housing (Rent Relief) Rules 2009 in respect of the 60 pence allowance for children?

115 **Clerk:** Answer the Hon. the Minister for Housing and Equality.

Minister for Housing and Equality (Hon. Miss S J Sacramento): Mr Speaker, yes.

120 **Hon. R M Clinton:** Mr Speaker, I am grateful to the Minister for her answer. Can she give an indication to the House of when this revision might come in? And at what level is she thinking?

125 **Hon. Miss S J Sacramento:** Mr Speaker, the question was whether we had considered the recommendations and the answer to that is yes. I did not say that I had agreed with the recommendations and that it would be changed. That is a decision that has not been taken, but the recommendations have certainly been considered. We have looked at all the different permutations of the rent relief, because it is quite a complicated calculation, and it is not something where a decision to change it has been made – or certainly not to be changed right away.

130 **Hon. R M Clinton:** Mr Speaker, with your indulgence, the Ombudsman writes quite clearly that it is his view that the allowance for children seems somewhat unrealistic and unfair when compared with the allowances deductible for an adult. Would the Minister not agree that this really does need addressing?

135 **Hon. Miss S J Sacramento:** Mr Speaker, the Department did not agree with the observation made by the Ombudsman, and in fact I know that they met with the Ombudsman recently to discuss this. The reason for that is because the Department found that that decision and that conclusion had been made in isolation without taking other factors into account.

140 **Hon. R M Clinton:** Mr Speaker, if I understand the Minister correctly, she is entirely satisfied that the 60p allowance is in fact fair.

Hon. Miss S J Sacramento: Yes, Mr Speaker, because it is a 60p allowance in the context of other allowances that are allowed for rent relief and in the context of the level of rent that is paid on Government rentals.

145 **Chief Minister (Hon. F R Picardo):** They have obviously changed their minds about [inaudible]

Hon. Miss S J Sacramento: Yes, Mr Speaker, and I must say, to add to that, that while the rent to public housing only increased last year by 3% for the first time and rent has always been static, the rent relief continues to be the same as it always has been and as it was when they were in office.

Mr Speaker: Next question.

Q392-393/2018

Laguna and Moorish Castle Estates – Lifts; refurbishments

Clerk: Question 392. The Hon. E J Phillips.

155 **Hon. E J Phillips:** Mr Speaker, further to Question 163/2018, can the Government state whether the 37 lift shafts in Laguna Estate have been installed with lifts and are therefore ready for commissioning?

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

Minister for Housing and Equality (Hon. Miss S J Sacramento): Mr Speaker, I will answer this question together with Question 393.

165 **Clerk:** Question 393. The Hon. E J Phillips.

Hon. E J Phillips: Further to Question 164/2018, can the Government state that all refurbishments to Moorish Castle Estate have been completed?

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

Minister for Housing and Equality (Hon. Miss S J Sacramento): Mr Speaker, in answer to Question 392, there are currently 35 lifts that remain to be commissioned at Laguna Estate. Of

175 these 35, it is envisaged that four of them will be commissioned within the next two or three weeks. In relation to the overall works programme, the installation and subsequent commissioning of the lifts are on target to be completed by June 2019.

In answer to Question 393, I am happy to confirm that practically all works in relation to the items described in the original scope of works have been completed. The works that remain to be completed are either extra works or variations in the original scope.

180 **Hon. E J Phillips:** Mr Speaker, in relation to the answer to Question 392, can the Minister confirm that therefore there are only two lifts since January of this year that have been commissioned?

185 **Hon. Miss S J Sacramento:** No, Mr Speaker, that is not the case, because if the hon. Gentleman recalls, we are undertaking major refurbishment works of three of the largest estates in Gibraltar: Glacis, Laguna and Moorish Castle.

Hon. E J Phillips: I refer to Laguna.

190 **Hon. Miss S J Sacramento:** The hon. Gentleman may be referring to Laguna, but in the schedule of works by the subcontractor, as we have discussed in relation to previous parliamentary questions, works are scheduled in a particular way and, as the hon. Gentleman will know from my answers in Parliament, all the lifts from Moorish Castle Estate have now been commissioned. That is completed and now the people who install the lifts and commission the lifts – and it is a tremendously complex process because it involves something like, I think, eight entities who need to do things in a staged way – have now moved to Laguna so that we can expedite the completion of Laguna.

195 Mr Speaker, we are on track as per the schedule and we are on track for the dates that we have provided in this Parliament in the past.

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Hon. E J Phillips: I am grateful for the extensive answer to the question relating to lift shafts and installations throughout the housing of our community, but the truth of the matter is that since January, when 37 lift shafts remained empty, only two have been dealt with to this day, and now we are being told that June 2019 is the end date for the finalisation of the lifts, which is a bit of a sad state of affairs for the residents of Laguna, wouldn't she agree?

205 **Hon. Miss S J Sacramento:** Yes, Mr Speaker, all this in the context of estates which have never had lifts and had never been envisaged to have lifts. (*Interjections*) This is as a result of an investment by this Government in housing stock which had been neglected for so long. So not only have we refurbished the buildings; we have enhanced them by adding lifts.

210 I know that the hon. Gentleman has not been shadowing me in Housing for a long time, but I have explained this in the past. To install a lift is not a simple matter and it requires a lot of work. The final stage of this work is the commissioning of the lifts, something that is done by an independent contractor who has nothing to do with the subcontractor or the subcontractor's subcontractor who installed the lift; it is someone who carries out extensive checks on the lifts. The process to check just one lift takes approximately two weeks. That is just the commissioning of the lift, and that is before the lifts are installed and all the services are connected, because that in itself, as I just said, takes about eight different Departments to work together to deliver.

215 Mr Speaker, we are on track for the end date that we have said in this Parliament before.

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Hon. D A Feetham: Mr Speaker, with respect to the hon. Lady, she may have given a schedule of dates in answer to questions from Members of the House in the past, but of course this is a GSLP manifesto commitment of 2011 and I think it is legitimate for this side of the House to point out that seven years down the line there are an awful lot of lifts that still need to be

225 installed and still need to be commissioned. It is a matter of legitimate concern to the residents
of Laguna and other places and therefore it is a matter of legitimate questions to ask in this
House as to when the Government expects to finish it. We would not be doing our job if we did
not press the Government in relation to this, because of course this is a significant
inconvenience to people living in the estate.

230 Can I ask the hon. Lady this, so that I can undertake a comparison in my simple mind: how
many blocks have actually been completed in terms of lifts out of the total number of blocks in
Laguna?

Chief Minister (Hon. F R Picardo): Mr Speaker, the hon. Gentleman wants to talk about
235 commitments of the GSLP manifesto 2011. Our commitment was to refurbish the forgotten
estates and to add lifts. They had no similar commitment, so they are chasing our commitment
to add these lifts and they say that is their obligation because they are asked by people on the
estate to pursue when we are going to have these lifts commissioned. At Moorish Castle 17 are
already installed and commissioned, at Laguna 36 out of 71.

240 Mr Speaker, doesn't the hon. Gentleman remember that he was urging us to spend less on
the refurbishment and slow it down in 2014, in 2015 and in 2016? One is almost tempted to say
to the hon. Gentleman, 'But Hon. Eminem, we were just following –' (*Interjection*) Eminem. 'We
were just following your advice. We shall have to tell residents of Laguna that we slowed down
245 the process of refurbishment because you advised us not to spend so much on those estates
because you said that we were taking Gibraltar to ruin as a result.' But of course, Mr Speaker,
that is not the case because if we had followed his advice then the installation and
commissioning of lifts would be entirely impossible. Even in the timescale that the hon. Lady has
set out it would take 12, 14, 15 years. Indeed, in Moorish Castle and Laguna – I do not have the
number for Glacis, but I think in Glacis (**Hon. Miss S J Sacramento:** Not that many.) all have been
250 completed.

Hon. Miss S J Sacramento: No, they are completed.

Hon. Chief Minister: All in Glacis have been completed, so let's just, for the purposes of this
255 discussion, take it where hon. Members want to take it, which is not where things have been
completed. They do not want to take the debate to where things have been completed; they
want to take it to where things have not yet been completed, Moorish Castle Estate and Laguna
Estate. Seventeen out of 17 in Moorish Castle, 36 out of 71 in Laguna – that is 17 more in six
years in Moorish Castle than they installed in 16, and that is 36 more in six years at Laguna than
260 they installed in 16.

And so, Mr Speaker, I think the whole House will want to join me in congratulating the hon.
Lady and her predecessors as Ministers for Housing for the sterling work done to date and
encourage them to continue apace.

265 **A Member:** Hear, hear. (*Banging on desks*)

Hon. D A Feetham: Mr Speaker, I am sure that we can make some kind of a rap song or
something similar out of my next supplementary question.

270 **Hon. Chief Minister:** I have no doubt.

Hon. D A Feetham: What does he have to say to those people living in Laguna, where he
committed himself in his 2011 manifesto to finish that project within four years and yet he
completed a project at No.6 Convent Place (**A Member:** Hear, hear.) (*Banging on desks*) which
275 was not in his 2011 manifesto? No doubt living in plush luxury as Chief Minister of Gibraltar,

what does he have to say about him prioritising his own offices over and above where people live in Laguna?

280 **A Member:** Hear, hear.

Mr Speaker: Let me warn Hon. Members that they are beginning to deviate from the subject of the questions and that they are in fact beginning to debate – and I will not have it.

285 **Hon. D A Feetham:** Sorry, it is the symbiotic relationship.

Mr Speaker: I will not have it.

Hon. Chief Minister: Well, hardly symbiotic, Mr Speaker, because once he has gone I do not expect to have been gone too.

290 Mr Speaker, the hon. Gentleman makes it too easy because only in his understanding can the refurbishment of a three-storey office block take as long as the refurbishment of a completely abandoned estate like Laguna at the same time as you undertake the refurbishment of Glacis and of Moorish Castle – because we took them all on at the same time.

295 The hon. Gentleman knows, but he wants to do politics – something surprising for somebody who has said that they are leaving politics at the next election. But nothing will surprise me from the author of the *Hansard* about ‘Alien Resurrection’ – that he would be the first one in his own mind to want to be resurrecting himself. But given that he wants to do politics, it ill behoves him to try and compare a small office facility with the largest residential estate in Gibraltar, which has only received tender loving care under the GSLP Liberal administration and which when it is finished – even though we would all have wished it to be finished earlier – will be an example to governments around Europe of what social or government tenancies should look like.

300 It will be an example of how to look after the environment of people who are tenants of the Government and it will show up the way in which they left us Laguna, Glacis, Moorish Castle and indeed the many other blocks and smaller estates which we have refurbished in the time since
305 we have been in office – something to be proud of, to go back to the people and say, ‘This is our record,’ whilst at the same time recognising the very hard work that has had to be done by the troop of people at the Gibraltar Electricity Authority who have had to put in additional cabling, which has delayed the works, as we have said on a number of occasions, but they have done the work as quickly as possible with the resources available to ensure that every single block in
310 Laguna Estate that can take one – and I think there is only one block that cannot take one – will have a lift.

Mr Speaker, that is a proud record of this Socialist Liberal Government whose symbiosis is *inter se* and not with them.

315 **Mr Speaker:** The hon. Member –

Hon. E J Phillips: Mr Speaker, please, one more question.

320 **Mr Speaker:** – is now in danger, because if he is going to ask a question which in my estimation is leading to a debate, then that will be the last question that he is going to ask.

325 **Hon. E J Phillips:** Mr Speaker, it is about the timeframes that the Hon. Chief Minister referred to; I think it is an appropriate question. How does the Chief Minister reconcile what he has just said in this House in relation to small projects when it is quite clear that when the Government wants to do something in terms of pushing through a revolution in education in 18 months whilst people in Laguna are waiting six or seven years for lifts ...?

Mr Speaker: The Chief Minister does not have to answer that question. Education has got nothing to do with the subject matter of the two questions, which are about Moorish Castle Estate and Laguna Estate. Education has got nothing to do with that.

Hon. D A Feetham: Mr Speaker, may I –

Hon. Chief Minister: Indeed, Mr Speaker, although –

Mr Speaker: If he asks a question that is relevant, not something that deviates from Moorish Castle Estate and Laguna Estate.

Hon. D A Feetham: Mr Speaker, may I? Surely –

Hon. Chief Minister: I am delighted to answer.

Hon. D A Feetham: No, because it may have an impact in relation to other questions.

Mr Speaker: Ask the question and I will decide whether it is relevant or not.

Hon. D A Feetham: May I just invite Mr Speaker to perhaps bear this in mind: that how a Government prioritises its spending, whether it chooses to spend on an office block or whether it chooses to spend and to complete residential units, that is surely and must be relevant because it is a question of priority.

Mr Speaker: That is relevant in the course of a debate but not at Question Time. That is introducing a new subject into the question and answer session. Look at the Rules. Check the Rules and you will see that I am right. In a debate by all means, of course that factor, No. 6 Convent Place, is relevant in a debate, but not at Question Time.

Hon. D A Feetham: Of course I accept Mr Speaker's ruling in relation to this, but may I also invite Mr Speaker to also bear this in mind: my hon. Friend Mr Clinton passed up to Mr Speaker some weeks ago, several months ago, some material from Erskine May which also says that the Government itself, in answers, should not introduce any irrelevant material and should keep their answers short.

Mr Speaker: Of course.

Hon. D A Feetham: So therefore, what is good for the goose must also be good for the gander.

Mr Speaker: Maybe the hon. Member has not been present in the House when I have repeatedly told Ministers in recent meetings that their answers are far too long and that they should stick to the point. I have been telling them and I have been saying what a pity that there is nothing in the Rules that enables me to control the situation. Maybe he has not been here on those occasions when I have made the point, but I agree with him. I agree that Ministers should not bring in irrelevant matters but I am not aware that this afternoon the Chief Minister brought into the answer his office at No. 6 – which is not just an office; when I go by I seem to see a building at the back which was not there when I was Chief Minister.

Hon. Chief Minister: Indeed, Mr Speaker, but I want to deal first with the point of order that the Hon. Mr Feetham raised, which was the Erskine May reference to rules on answers.

380 Those will have to be read, in the respectful submission of this side of the House, in the
context of the House in which those rules are made – in other words, in a House where hon.
Members who are in opposition ask short questions and therefore the Government is required
to give short answers. The Government cannot be required by the geese on the other side to
give a shorter answer than some of the diatribes that we get as supplementary questions,
because hon. Members would not be able to get away with questions of the sort that they put
385 here.

I make no challenge, Mr Speaker, to your rulings in respect of the supplementary questions
that are put, because the practice of this House is not the practice of the House of Commons of
Westminster; it is something, if I may say so without incurring the Speaker's wrath, between the
development of a question in debate style with a question at the end, and then an answer. The
390 derivation of the rule that we now understand – because no copy has been given to Members
on this side – that Mr Clinton decided to give a copy to Mr Speaker on, as if calling Mr Speaker's
attention to something – hardly the way that parliamentarians tend to deal with these issues –
would have to be read in the context of how the Erskine May rules are interpreted in the UK.

395 Dealing now with the substance of the supplementary, Mr Speaker, it is really quite
incredible to have an Opposition that tells you that you have to build faster when they think that
you cannot achieve it, but then turn into advising you that you are going too fast and that you
need to slow down when they think that you are going to hit the targets that you originally
committed yourself to. That is what they have done with education, as their record will show.

400 They spend the first two years of this parliament egging us on in respect of education and
telling us we will not meet the deadline. The minute we demonstrate we are going to hit the
deadline, they say, 'Slow down, you're going too fast.' (*Interjection*) Then you have to deal with
an Opposition that says, 'Slow down, you haven't got the cash.' When you demonstrate seven
years in that you are still not in the bankruptcy that they predicted the first time that they
landed on the benches opposite, they say, 'Now hurry up,' in respect of Laguna. And when you
405 come with a price that is better than the price that they ever achieved for any Government
project, they say, 'You're selling yourself too cheap, pay more for the same thing.'

Mr Speaker, how true it is that nations get the governments they deserve, how true it is that
this is a nation with a Government that delivers, and how true it is that the hon. Gentleman is
absolutely right and what they need on that side of the House is an 'Alien Resurrection'.
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Mr Speaker: Question 394.

Q394-396/2018
Previously vacant flats –
Numbers now occupied; cost of refurbishment

Clerk: Question 394. The Hon. E J Phillips.

415 **Hon. E J Phillips:** Further to Question 167/2018, can the Government state that out of the 58
vacant flats that the 30 under offer are now occupied by tenants?

Clerk: Answer, the Hon. the Minister for Housing and Equality.

420 **Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, I will answer this
question together with Questions 395 and 396.

Clerk: Question 395. The Hon. E J Phillips.

425 **Hon. E J Phillips:** Further to Question 167/2018, of the remaining 28 vacant flats, can the Minister for Housing confirm that they are now occupied by tenants?

Clerk: Question 396. The Hon. E J Phillips.

430 **Hon. E J Phillips:** Further to Question 167/2018, can the Government state the total cost of refurbishing all 58 vacant flats?

Clerk: Answer, the Hon. the Minister for Housing and Equality.

435 **Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, of the 30, 15 are occupied.

Of the 28, 11 are occupied.

The majority of the remainder have been offered and accepted and are being refurbished, except for two which are beyond economical repair, one which has been advertised for expressions of interest as part of the regeneration project and two which are subject to legal proceedings.

440 The cost of the flats that we have refurbished amounts to £61,242.68.

Q397/2018

Homes for rental – Commencement date for building

Clerk: Question 397. The Hon. E J Phillips.

445 **Hon. E J Phillips:** Mr Speaker, further to Questions 168 and 269/2018, is the Government in a position to update this House on when an announcement will be made as to when the Government will build homes for rental?

Clerk: Answer, the Hon. the Minister for Housing and Equality.

450 **Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, my answer remains as that to Questions 168 and 269/2018 and an announcement will be made in due course.

455 **Hon. E J Phillips:** I am sure, Mr Speaker, that the Minister receives gentle reminders, to say the least, from Action for Housing in relation to this particular issue. It is certainly a matter that they have raised with us on numerous occasions.

This is a question that was asked back in January and I wonder whether the Minister could be more helpful in the answer. I appreciate it is difficult, but something that would help Action for Housing as a timeline, at least a staggered approach perhaps, Mr Speaker.

460 **Hon. Miss S J Sacramento:** Mr Speaker, the answer remains as it did a few moments ago. We do meet with Action for Housing regularly. In fact, very recently the Chief Minister and I met with them.

465 When we consider building homes for rental, it is not just because it is raised by Action for Housing; it is on the basis of my analysis and that of my Department of the figures and the waiting lists that we have.

470 **Hon. E J Phillips:** Of course, Mr Speaker, need is the most important aspect of this. Can the Minister amplify her answer by suggesting, whether in terms of that assessment, how she sees the need in terms of volume?

Hon. Miss S J Sacramento: Mr Speaker, I refer to my answer of a few moments ago and an announcement will be made in due course.

475 **Mr Speaker:** Can I inform the Hon. Minister that there was a query from either herself or on her behalf about whether I should allow this question because of the six months rule. Having regard to the answer – an announcement will be made in due course – I consider that the words ‘due course’ are elastic and I cannot accept that a Government Minister can stonewall, giving an answer to a question on the basis of saying ‘in due course’, and then not expect me to allow
480 another question pressing her for an answer within the six months period.

So, what I am saying is that if the Opposition want to ask a question on this subject at the next meeting, I will allow it –

485 **Chief Minister (Hon. F R Picardo):** Yes, Mr Speaker –

Mr Speaker: – because ‘in due course’ amounts to **(Hon. Chief Minister: Absolutely.)** stonewalling and there is a limit –

490 **Hon. Chief Minister:** No, Mr Speaker, because –

Mr Speaker: – to which you can stonewall.

Hon. Chief Minister: With the very greatest of respect, stonewalling is when you do not want to give an answer.

495 There are times when an answer that the Hon. Minister has given is absolutely the correct and true answer, and if Mr Speaker thinks it is appropriate for hon. Members opposite to put the question again before six months are up – and I have absolutely no difficulty with that – the Government will have to decide whether we consider that the same answer is appropriate at any time, without stonewalling, simply because nothing could make the Government happier
500 than to say we are ready to make the announcement, and when we are we shall delight in doing so.

We shall have to face one Member opposite us telling us we have not done it quickly enough, another Member opposite us telling us that we should not be doing it because we have not got the money and that we should be doing it in a slower order, but so be it, Mr Speaker.

Q398/2018
Rent arrears –
Amount owing

505 **Clerk:** Question 398. The Hon. E J Phillips.

Hon. E J Phillips: Further to Question 171/2018, can the Minister for Housing update this House as to the amount of arrears owing as of 11th May 2018?

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

Minister for Housing and Equality (Hon. Miss S J Sacramento): Mr Speaker, the figure of rent arrears owed continues to decrease and the balance as at the end of April 2018 is £4,829,692.28.

515 **Hon. E J Phillips:** Does the Minister have the percentage figure of that reduction from the last time that we asked this question?

Hon. Miss S J Sacramento: No, Mr Speaker, unfortunately I do not have it in percentage terms, but if the hon. Member recalls when we commenced the exercise, the figure in relation to arrears was just over £6 million.

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**Q399-400/2018
Fire Safety Review –
Publication of final report**

Clerk: Question 399. The Hon. E J Phillips.

Hon. E J Phillips: Further to Question 172/2018, can the Government state that the Housing Fire Safety Review Committee has finalised its report?

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Clerk: Answer, the Hon. the Minister for Housing and Equality.

Minister for Housing and Equality (Hon. Miss S J Sacramento): Mr Speaker, I will answer this question together with Question 400.

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Clerk: Question 400. The Hon. E J Phillips.

Hon. E J Phillips: Further to Question 172/2018, can the Government state that it will publish the Fire Safety Review when it is finalised?

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Clerk: Answer, the Hon. the Minister for Housing and Equality.

Hon. Miss S J Sacramento: Mr Speaker, the report has been finalised. This is an internal working document which will continue under review. The recommendations of the report will be announced as and when they are implemented.

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**Q401/2018
Housing waiting list –
Number on list since 2011**

Clerk: Question 401. The Hon. E J Phillips.

Hon. E J Phillips: Can the Minister for Housing state how many people on the waiting list as of 8th December 2011 are still on the housing waiting list?

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Clerk: Answer, the Hon. the Minister for Housing and Equality.

Minister for Housing and Equality (Hon. Miss S J Sacramento): Mr Speaker, there are currently 178 applicants on the waiting list who were there on the list on 8th December 2011.

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Hon. E J Phillips: Mr Speaker, the Hon. Minister may not have this answer, but does the Minister have the breakdown in relation to the numbers of rooms, the breakdown of the requests on the housing list, so RKB1 to RKB4, I think, or RKB5?

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Hon. Miss S J Sacramento: Mr Speaker, I have a breakdown, but glancing at it I do not actually think it is correct. So I am loath to give it to the hon. Gentlemen because I do not think it adds up. Thank you.

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Hon. D A Feetham: Can the Minister explain why, after seven years, there are still 178 people who were on the housing list on 8th December 2011 and are still on the housing waiting list, bearing in mind that of course it was a GSLP manifesto commitment in 2011 that everybody who was on the housing waiting list as at that date would be housed within four years?

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Hon. Miss S J Sacramento: Mr Speaker, there are a combination of factors. There are some people who have received offers of housing and not accepted what they have been offered. There are people who do not return the annual forms that require to be returned and their applications become suspended but for statistical purposes I have them for management purposes.

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While we want to ensure that we house everybody as soon as possible, particularly those who were on the housing waiting list in 2011, some more urgent cases have arisen and other people who may have been on the waiting list after 2011 have had to be offered housing before them.

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If I can add to that, Mr Speaker, as the Chief Minister reminds me, that is the procedure that Action for Housing wants us to do. When housing is allocated, we look at the person who is at the top of the list who needs it the most. So just because someone may have been waiting for a tenancy the longest, that may not actually make them the most urgent case requiring housing. And then we have to take into account people who are on the fast-track list, such as the medical lists and the social lists, who usually join the list later on but receive an allocation sooner because of their circumstances, be they their medical needs or their social needs.

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Hon. D A Feetham: Two questions, if I may, so that I do not have to rise again.

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What she is really saying in that answer is that it is a promise that was made in 2011 that should never have been made, because what she is saying is, 'Well, although we promised that we would house everybody, for a series of factors really it wasn't something that we could deliver on.' That is really, essentially, what she is saying in her answer and I would ask her to comment in relation to that.

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Does she have as well the statistical information so that we can properly analyse the answer that she has given where she has said some people have been offered flats and they have declined? And she has also said that there were statistical reasons as well why –

Hon. Miss S J Sacramento: Not returning the forms.

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Hon. D A Feetham: Not returning the forms – exactly, I beg your pardon – was another reason. Does she have the number of people there? Because of course if you are talking about three or four people who have been offered flats and have declined and three or four people who, because they have not returned the forms, have not been offered anything, that is *de minimis* in terms of the figure of 178. So she really, in my respectful view, needs to be backing up what she says with some concrete statistics in relation to the answer that she has given.

600 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I understand we have not got those detailed statistics here at the moment. The hon. Gentleman might wish to write and perhaps he might be able to have them. But we do have another statistic to hand, which is that at the end of the lifetime of that Parliament, 68% of the voting public disagreed with that interpretation that he has put, and unless they only disagreed because he was leading the party opposite it is very likely that they disagreed because they thought we had completed our manifesto commitment and gave us the highest ever return of votes in a General Election in a two-party race since the history of democracy in Gibraltar began.

610 **Hon. E J Phillips:** Mr Speaker, obviously I have been given a warning today in relation to relevance and I will strictly keep to that.

Just in relation to the 178 people who remain on the list after 9th December 2011, who obviously my learned hon. Friend says should have been housed by now given the promises made by the Government, how does the Government reconcile what it is saying today in relation to 178 people when it said at page 99 of its manifesto:

Everyone on the housing waiting list and on the pre-list on the 9 December has been housed or has received an allocation for a home on all lists bar one. This means that the following housing lists have been eliminated in respect of ... 6RKB 5RKB 4RKB 3RKB 2RKB

615 How can the Government now come to this House and say 178 people are awaiting housing in our community when in their manifesto in 2015 they say something completely the opposite?

Hon. D A Feetham: I am tempted to call for a recount on the 2015 decision.

620 **Hon. Chief Minister:** And even with a recount you would find that the result might have not changed.

625 **Hon. Miss S J Sacramento:** Mr Speaker, in that statement that the hon. Gentleman has read, he clearly says that it excluded the people from the 1RKB list. I have a figure here – I am not sure whether it is right, but I will give it to them anyway. The bulk of the 178 people are actually on the 1RKB list and it is 125. I need to confirm that just in case that is wrong, but that is the figure that I have here on the breakdown of the 1RKB. In the breakdown of the 178 I am told that 125 make up the 1RKB. The rest, as per the statement that he has left out, all had offers. So, Mr Speaker, what I am saying now is perfectly consistent with what the hon. Gentleman has read out.

630 **Hon. Chief Minister:** [*Inaudible*] 33 of them.

635 **Hon. E J Phillips:** Mr Speaker, in other words, 33 people at the time were offered or allocated homes which they refused shortly after they were allocated. Is that correct?

Hon. Chief Minister: That is correct, yes.

640 **Hon. Miss S J Sacramento:** Subject to the figure of 125 being correct, which I think it is but I need to double check, and in fact I have here in my notes that a further seven currently have earmarks. So when we deduct from the 178 – which is the total figure that I have given – the 125 people on the 1RKB waiting list, which for these purposes, given what the hon. Gentleman has just read, does not count, then it is a minimal figure, which if you simply deduct one from the other leaves us with 33.

645 **Mr Speaker:** Thirty three?

650 **Hon. Miss S J Sacramento:** Yes. (*Interjections*) Sorry, 53. When we subtract the number of people who have earmarks ... The people within those 53 people have either had offers and have rejected them, have flats earmarked – that means that they have accepted them but we are waiting for them to come back from the refurbishment process and therefore they have not signed the tenancies yet – or people who are no longer in the system. Realistically, insofar as the commitment we are talking about 53 people.

655 **Hon. E J Phillips:** Mr Speaker, just taking that to its logical conclusion, the 53 families, as it were, because it is 2RKB, have been waiting since November 2015 to move into the homes that have been allocated to them. Is that correct, Mr Speaker?

660 **Hon. Chief Minister:** I do not think the hon. Gentleman knows what he is talking about in the context of this procedure. You get the allocation, you go and see the house, you think the Housing Department is an estate agency and you say, 'No, thanks, I'd like to see another one.' You get three chances to do that. That is what has happened, not that they have been waiting for two years but that they have had the allocations and then they have said they do not want them.

665 **Hon. E J Phillips:** One further question. If the Minister does not have this information I will be happy to write to the Minister to ask for this information, but in relation to the 53 individuals, would the Government be aware of when they rejected those allocations?

670 **Mr Speaker:** I do not think the Minister can possibly be expected to have that kind of detail with her. I think the hon. Member should follow it up. If he wants to, he can write to the Minister. I will even allow him to put a question at the next meeting of Parliament specifically on that. It is clear that the Minister does not have that information from what she has said so far.

675 **Hon. D A Feetham:** Mr Speaker, may I?

Mr Speaker: Yes.

680 **Hon. D A Feetham:** Mr Speaker, that is absolutely right and my learned Friend no doubt will drill down into these and ask statistical questions in relation to offers made, offers rejected and the other category that the Minister said, in answer earlier, that was part of the reason. But that still leaves 125 individuals that, from the answer the Minister gives, are looking for 1RKB – or the bulk of them are looking for 1RKB – who were on the waiting list in 2011 and are still waiting seven years after the event. That must indicate that there is a systemic reason why these individuals have not been housed.

685 I wonder whether the Hon. Minister can explain to this House why there was a promise in 2011 to house everybody if there were these systemic factors in 2011 – because they cannot have arisen just simply out of the blue in these last seven years. There were not those systemic factors in 2011 but there are suddenly systemic factors. You have a developing situation where these 125 individuals cannot be housed because there is not enough, as I understand it, housing of 1RKB in order to house them. And more importantly, because of course politics is about ... and if you are in Government you find solutions for people. More importantly, what assurances can the Minister give to these 125 individuals or couples that they are going to be housed sooner rather than later? And can she give some kind of a timeframe in relation to this, bearing in mind that they are waiting for seven years?

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Hon. Miss S J Sacramento: And thankfully, Mr Speaker, this is a Government that has built more houses in our first term in office than they ever did in 16 years. Logically, that in itself had

700 a knock-on effect on the waiting lists, particularly the flats that we built for our elderly citizens which gave us back 142 flats – approximately, maybe 140 – back into the stock.

Everybody knows our commitment to build, to continue to build affordable housing, and we have announced the allocations process for those, in that our first priority will be given to people who currently live in Government flats and who will deliver up vacant possession of those flats when they purchase. That, Mr Speaker, will have a tremendous effect on the waiting lists.

705 **Hon. D A Feetham:** With respect to the hon. Lady, she has not provided an answer and perhaps it is my fault – and I apologise; perhaps it was a long question. Let's simplify it and maybe the hon. Lady can provide me with a clear answer. *(Interjections)*

710 What has happened since 2011, when the hon. Gentlemen and Ladies opposite promised to house everyone on the housing waiting list then in 2011, to now make it impossible for the Government to have housed those 125? And how long will it take the Government to house those 125 people?

715 At the end of the day, Mr Speaker, we are talking about statistics yes, but we are talking about the lives of people behind those statistics, and those people deserve a clear answer to what is a clear question.

A Member: Hear, hear.

720 **Hon. Chief Minister:** Mr Speaker, absolutely right. The answer is as soon as possible. And what he has said is absolutely true of the 1,600 people who were on the housing waiting list when we were elected, who were not just statistics although that is how they treated them, and that is why we made sure that all of them got housed and we will continue our commitment to ensure that we provide housing for our community so that those statistics, which is what they were in their time, flourish into Gibraltarian families.

725 **Mr Speaker:** Next question.

Q402/2018
New affordable homes –
Allocation and completion date

Clerk: Question 402. The Hon. L F Llamas.

730 **Hon. L F Llamas:** Mr Speaker, can the Government state when it intends to commence the allocation process for the new affordable homes and estimated completion date for these homes?

Clerk: Answer, the Hon. the Minister for Housing and Equality.

735 **Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, the allocation of the new affordable homes will happen as soon as we have final drawings, floor plans and prices. We are working to ensure we get the best prices for the purchasers.

As to the completion dates of these developments, these have already been announced and are available in the public domain. We do not expect these to slip.

740 **Hon. L F Llamas:** Mr Speaker, thank you. On the latter part of the question I just want to confirm whether those completion dates remain the same. And I just wanted confirmation that on the first part of her answer, does the Hon. Minister have an expected approximation of when

745 the process will commence – whether it will be on this side of summer or whether it will be in September or October – just because I get a lot of queries asking when the Government intends to commence the process.

I think it might be useful for our community to get frequent updates from the Government, just simply letting them know what is going on and how they intend to proceed.

750 **Hon. Miss S J Sacramento:** Mr Speaker, I am pushing my officials as much as possible to be able to give me information that I can in turn put out in the public domain, because no one is more eager than those of us on this side of the House to be able to make further announcements on these fantastic developments that we are making available to residents of Gibraltar.

755 As I have said, we have our commitment to the final date. I am not in a position right now to be able to say when we are able to make the next announcement. I am waiting for the information. I am relying on the technical professionals to provide it to me.

760 We cannot lose sight of the fact that this is a tremendous investment in housing. We are talking about three new developments and of course there is a lot of preparatory work that needs to go into that. We already have the preliminary visuals and those are in the public domain. We are at the stage where we need the technical drawings so that then those can be priced. It is a process that has commenced but that has not yet been completed. I am very eager for that process to be completed but I do not have a date as yet.

765 **Mr Speaker:** Next question.

Q403/2018

Bayview Terraces, Cumberland Terraces, Nelson's View, Beach View Terraces and Mons Calpe Mews – Numbers sold and finance ratios

Clerk: Question 403. The Hon. L F Llamas.

770 **Hon. L F Llamas:** Mr Speaker, further to Question 271/2018, can the Government update this House with a schedule detailing since December 2011, with reference to Bayview Terraces, Cumberland Terraces, Nelson's View, Beach View Terraces and Mons Calpe Mews, with a breakdown of sales details for each, as follows: (a) how many flats have been sold with 100% financing from the purchaser; (b) how many have been sold with a 50/50 ratio; and (c) how many have been sold at any other ratio and specify what the ratio is?

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

Minister for Housing and Equality (Hon. Miss S J Sacramento): Mr Speaker, in answer to (a) 106 flats; in answer to (b) 838 flats; and in answer to (c) there are 14 at 60%, one at 65%, four at 70%, two at 75% and one at 80%.

780 Mr Speaker, if I may, in relation to the last question that Mr Phillips asked me I have confirmation from my office that the supplementary information I had was incorrect, so I am glad I did not give out the figures. They looked incorrect to me at a glance but I now have confirmation that they were.

785 I am sorry about that, Mr Speaker. My office did not add them up properly, but Mr Phillips and I can discuss this at a later date.

Chief Minister (Hon. F R Picardo): Mr Speaker, I move that the House should now adjourn to – Have you got a question?

790 **Mr Speaker:** Do you have a supplementary? Yes, go on. The Hon. Roy Clinton.

Hon. R M Clinton: Sorry, Mr Speaker. If I may take the Minister to her last answer, in respect of (c) she gave various flats and different percentages. Can I ask the Minister: are these percentages between 60% and 80% discretionary? My understanding was the general offer was 795 50/50 or 100. These specific cases, are they tailored for individuals? How have these cases arisen?

Hon. Miss S J Sacramento: Mr Speaker, put into context that the question asks about Beach View, Cumberland, Nelson's and Mons Calpe, the majority of these estates were estates that 800 were sold by the previous administration.

The only reason I make this distinction is because there were slightly different rules. When co-ownership developments have been offered for sale, the co-ownership element of equity by the Government of up to 50% has always been offered and then it is up to the purchaser to decide how much of that offer they may want to take into account, and obviously that, in the 805 majority of cases, will be based on affordability. If the purchase price of a flat is £100,000 but it is offered to you on a 50% basis at £50,000 and that is all you can afford, then that is what you choose.

The reason I make the distinction between all these estates and the difference between them and Mons Calpe Mews is because the policy of the previous administration was to give priority in 810 allocation to those who bought a greater percentage of the home, so that the Government would have a lower equity. So someone who offered to buy a flat on a 100% basis would have a higher priority of allocation than somebody who could only afford to buy 50%. As a socialist Government, because we thought that was unfair, we did away with that rule and everybody has the same opportunity to buy in these estates. The difference is that you now no longer have 815 an advantage if you can afford to pay more towards the purchase price.

Hon. L F Llamas: Sorry, just one final supplementary. Does the Minister have a breakdown by development with these figures, or are they just global figures on the percentages?

820 **Hon. Miss S M Sacramento:** Mr Speaker, I do have a breakdown but it is quite lengthy. I am happy to show the hon. Gentleman later.

Hon. Chief Minister: Mr Speaker, I now move that the House should adjourn until tomorrow at 4 p.m. 825

Mr Speaker: The House will now adjourn until tomorrow afternoon at 4 p.m.

The House adjourned at 4.13 p.m.