



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 4.03 p.m. – 4.58 p.m.

Gibraltar, Friday, 14th February 2020

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The Gibraltar Parliament

The Parliament met at 4.03 p.m.

[MR SPEAKER: Hon. M L Farrell BEM GMD RD JP *in the Chair*]

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

PRAYER

Mr Speaker

CONFIRMATION OF MINUTES

Clerk: Meeting of Parliament, Friday, 14th February 2020.

Order of Proceedings: (i) Oath of Allegiance; (ii) Confirmation of Minutes – the Minutes of the last meeting of Parliament, which was held on 20th, 22nd, 23rd and 24th January 2020.

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Mr Speaker: May I sign the Minutes as correct? (**Members:** Aye.)

Mr Speaker signed the Minutes.

ANNOUNCEMENTS

Tribute to Mr Lucio Randall

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Clerk: (iii) Communications from the Chair; (iv) Petitions; (v) Announcements – the Hon. the Chief Minister.

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Chief Minister (Hon. F R Picardo): Mr Speaker, we had the sad news last week of the passing of a former Member of this House, Mr Lucio Randall, with whom I had the pleasure and honour of serving on the Opposition benches. I think some of the Members here were also Members of this House at that time. He was a Member between 2003 and 2007.

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I think the whole community has felt the passing of Lucio Randall because he was a gentle and kind man, the sort of person for whom the word ‘gentleman’ was designed. I considered him a close friend and colleague, who was afflicted by illness in recent years and I did not see enough of him but nonetheless a close personal friend and a political colleague. I know he was also a neighbour to some others here as well, apart from being a colleague to others on this side of the House.

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Because he was a former Member of this House, I would ask the House to join me in showing respect for Lucio’s memory here, and for his family, by joining in a minute’s silence.

Hon. K Azopardi: Mr Speaker, if the Chief Minister would give way before we do that, I also would like to join him in acknowledging indeed our sadness at the passing of Lucio; and our condolences to the family – I think we have done so already on social media.

30 Lucio was someone who, as the Chief Minister says, was indeed a gentleman. When he entered the political arena, he was someone whom I dealt with in Government when I held the ministerial portfolio for telecommunications. He joined the political arena when I left it in 2003, but in that relay I saw him out and about in that political election.

I think we were all touched by the loss: our condolences to his family and indeed to the GSLP family.

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Mr Speaker: The Hon. Marlene Hassan Nahon.

Hon. Ms M D Hassan Nahon: Mr Speaker, I unfortunately never had the privilege of meeting this great man whom everyone describes as a gentleman, but I have also been hearing in the last week of the great conviction and drive that he had and of his key role within the GSLP and within our political trajectory within the last few decades. Personally, this is something that I find inspirational myself and I thank him for it as a relative newcomer to the political scene.

40 I take this opportunity to pass my condolences and those of my party to his family and wish them strength and faith at this difficult time, but to also take comfort and to celebrate the legacy that Mr Randall leaves, one that is to be proud of, Mr Speaker.

45 Thank you.

Mr Speaker: I too wish to associate myself with the sentiments expressed by all hon. Members.

Members observed a minute's silence.

Departure from European Union – Statement by the Chief Minister

50 **Clerk:** Statement from the Chief Minister.

Chief Minister (Hon. F R Picardo): I have no doubt that all hon. Members will agree that we should start today's session by formally recording, for *Hansard* and therefore for posterity in the documentary archive of this House, that this is the first time that the Parliament meets since our legal departure from membership of the European Union.

55 We are still, of course, in what is being termed the transition period as defined under the withdrawal agreement. Practical arrangements therefore remain, under the withdrawal agreement and the Gibraltar Protocol, as they were before our legal departure from the European Union.

60 Mr Speaker, there will be a need, no doubt, for me to address the House again in coming months on the many aspects of the negotiation of our future relationship with the EU. I shall be seeking to come here and inform hon. Members and the public as often as possible in order to ensure the greatest possible level of transparency in respect of such negotiations as we may embark on. For today, however, I want to do no more than simply record for *Hansard* that the debates in this House from today relate to our position outside legal membership of the European Union.

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Hon. K Azopardi: Mr Speaker, may I just respond on behalf of the Opposition to say that we certainly do agree with the Chief Minister that we should note that this is the first session of Parliament when we are outside the European Union and it is right to record it.

Normally, if there is a degree of consensus between that side and this side I would express it in terms that we would be happy to agree, but I am not going to use the word 'happy' because in the context of our departure from the European Union I believe that is not an emotional sentiment that forms part of our exit.

But I think it is important, as I have said also before, that now that we have passed that gate of exit, while we note that perhaps we did not want to get there, we are now realistic, constructive and positive towards the future. There is no point now in looking back, because that moment has passed. We look forward to engaging in this next process, albeit we note that these sessions of Parliament are now going to be held past the point of our exit. We certainly look forward, to use the Chief Minister's words, to the greatest possible level of transparency in respect of the negotiations as we go forward, and as I have said to him privately and indeed publicly, he will have our assistance if he wants it, our co-operation.

He mentions in his Statement that he looks forward to updating this House in a spirit of openness. We also understand that there may be things that are not for this House and that there is also a need for confidentiality, and that is for a different kind of process, but we will also, from this side of the House, perform our duty to scrutinise the arrangements that emerge both in terms of the updating of this House and in terms of whatever emerges in the context of our constitutional role as the Opposition for Gibraltar.

Hon. Chief Minister: If I may deal with the issues the hon. Gentleman raises, and then no doubt the other issues the hon. Lady will raise.

May I just take, first of all, a formulistic point which I think is important. The hon. Gentleman has risen, he said, to respond. It was a Government Statement, which admits of requests for clarification and question but not response, but I will take the points he has made as being points that seek that clarification.

I will start by agreeing with him that this is not a happy moment; I have been careful not to use that word or anything which might communicate such a sentiment in the Statement I have made this afternoon. But there is an intractable reality, which is that we have left the European Union, and on that we are agreeing not because we think it is a good thing but because it is a fact. It is, as we have said in the past, an unfortunate fact, but we have now crossed the Rubicon, we have lowered the flag – that has been pictured for the international community and we are now at a different stage. But there is no use crying over spilt treaties. That is the reality, and we now have to work to make the best of this new reality. I think that is what the people of Gibraltar have been good at, generation after generation. I have said before that I think that there is an opportunity in this moment also, even if it is not opportunity that we have sought, but that is the reality with which we are dealing.

Mr Speaker, the Deputy Chief Minister will be convening members of the Brexit Select Committee for a briefing of the type that he had been holding so many of before the election, for Thursday of next week, so I hope hon. Members will be available. The Deputy Chief Minister will be in touch with their offices, as has been the case in the past. It is during the course of those briefings that we seek to convey to hon. Members the information that we are unable to convey more openly to the community at this stage – although if such information as is imparted to hon. Members in the context of those confidential briefings becomes information that can be shared more openly and more widely, you will be assured, Mr Speaker, that I will seek your leave to make a further Statement to share that information from here if the House is in session; or it will otherwise be shared publicly, if the House is not in session, with the wider community.

Of course, hon. Members are elected to a role in opposition which requires them to scrutinise arrangements and all of the rest of it. We are delighted to be held accountable. I am, first and foremost, a parliamentarian and that is the role of parliamentarians – depending on

120 where they are sitting in this House, in some instances to execute and do, and in some instances to ask and check, and that is of course absolutely appropriate.

But the one thing I would say to hon. Members in this House – and it is a little the message I have tried to ensure that the whole of the community appreciates – is that there will be a lot of dissembling and positioning in the media beyond Gibraltar, in some instances for the purposes of positioning others in respect of Gibraltar, and in some instances for the purposes of positioning others not in respect of Gibraltar but in respect of bigger negotiations and bigger tectonic plates that are moving.

Hon. Members should feel free to pick up the phone and communicate to us – or in more modern forms, such as texting us – if they see something that genuinely concerns them. They should not think that the only way of getting to the bottom of an issue is to raise it publicly across the floor of the House. I have seen a lot of things which I know not to be true emerging as fact, only to see later facts demonstrate that they are unsustainable and untrue. There is a lot of politics being played out, not just the politics that we are used to, which is the politics of Spain and Gibraltar; there is a lot of politics *in* Spain and there is a lot of politics between Brussels and London.

Mr Speaker, my view and my position is that Gibraltar is best served where Gibraltar holds its nerve, knows what it wants and goes and gets it, and I have no doubt that we will achieve a good negotiated outcome for this community at the end of this process, unless others are not interested in a genuine negotiation and are going to pursue objectives that no one in this House would want.

Mr Speaker: Hon. Lady.

Hon. Ms M D Hassan Nahon: Mr Speaker, I thank the Chief Minister for his Statement recording the regrettable reality of where we find ourselves at this present time.

However, on a point of clarification, I feel duty bound to ask the Chief Minister whether he will genuinely embark, in the next few weeks and months, on a programme that will provide opposition with more of an insight, into the role that his administration is playing in the Brexit conundrum that we are seeing unfold, than we have experienced of late.

At the moment I think it is true to say that I and the Leader of the Opposition, whose parties both represent close to half of the Gibraltarian electorate, are learning what is going on behind the scenes primarily from the Spanish and European press. The Chief Minister has just alluded to the press emergence, but things get very difficult for us when we find that our primary source of development and information is the press itself.

So, on behalf, over here, of at least 20½% of the electorate, I ask Government for this clarification: will Government genuinely commit to sharing with opposition in the coming weeks and months its plans, its red lines and its guidelines, so that opposition, with Government, can truly navigate this crucial moment in our history, which affects us all, in the most unified way, which is what we need at this time?

Hon. Chief Minister: Mr Speaker, the hon. Lady has, I think, put her point as a point of clarification and I am going to ensure that I clarify what I have said and not enter into a debate with her, which I feel almost baited to do but I am going to try and avoid that.

Mr Speaker, of course the Government is genuine in offering the information that we have proffered – and the hon. Lady knows that that is the case because the hon. Lady and other hon. Gentlemen on that side of the House have been the beneficiaries of those briefings of the sort that we are offering during the course of the negotiations that they saw play out in respect of the withdrawal agreement.

I understand that we all have to do politics, but they will know ... and in some instances have said so, that they were very fully briefed about what was going on in respect of the withdrawal agreements. In some instances, if they felt that they saw things at the last minute it is because

things happen in negotiations, in particular in international diplomacy, much as they happen in everyday life, and in any negotiation things sometimes give at the last minute – and they were therefore briefed at the last minute before things emerged publicly.

175 But I want to be very clear in ensuring that the hon. Lady understands that they are not hearing, she is not hearing and the community is not hearing what is going on behind the scenes from press reports. They are hearing waffle, nonsense and piffle from press reports. None of what is going on behind the scenes has been contained in any newspaper in Spain, in the United Kingdom, in Brussels or in Gibraltar. There is speculation upon speculation because we are at
180 that stage, that phoney period in the negotiation, where the United Kingdom is putting together what it wants, the Europeans have more or less finished putting together what they want – and journalists need to write about something and they are speculating about what may or may not happen, they are talking to diplomats and politicians who are whispering in their ears and the others are conjecturing things. We are nowhere near the stage where Hon. Members are reading
185 in Spanish newspapers what is happening behind the scenes. They are reading nonsense that is being printed in Spanish newspapers. They are reading also direct interviews that are being carried out with politicians, where those politicians are properly quoted and they have been interviewed and they have given their views.

When hon. Members read that in newspapers they are reading it at the same time as we are,
190 although I do pride myself in being the first to read anything that mentions Gibraltar, if not more. But that is not something where hon. Members have any delay, other than their own assiduousness in pursuit of news, in knowing what is happening.

Please, hon. Members should not for one minute believe and should not convey to this community that there is something happening behind the scenes which is not being
195 communicated to this community in any way and which is coming out in newspapers. That is not happening. I want the hon. Lady to have that assurance because it is important that we do not go away thinking the opposite, and it is important that everyone be disabused of the contrary – although I do accept that printing an 85-page newspaper requires a lot of speculation, especially when the Premier League is on its winter break and La Liga is not at the top of its game and you have got to fill a lot of pages. I understand that, but there is none of that going on.
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These are, to a very great extent, for other governments, the planning stages. The Government of Gibraltar is much more advanced, I dare say, than most others.

In this respect, Mr Speaker, I would remind the hon. Lady of what I said in the course of an interview I gave to *Newswatch* a week and a half ago. No doubt that is news that she does
205 follow assiduously. I said something I would never expect to have said in respect of one particular individual. I said people should listen more to Adolfo Canepa and Joe Bossano than they should to the Spanish newspapers, but I did not expect to say that people should listen more to Peter Caruana than to some other sources of news. The Hon. Leader of the Opposition was with us when we were watching the interviews given by those three former incumbents of
210 the post that I hold and they covet, and I was particularly keen to hear the things that Sir Peter, Sir Joe and Adolfo Canepa, the former Speaker said because they were a very clear indication of how perhaps members of the public should view this.

They should not think and hon. Members in particular should not fall into the trap of thinking that there is somehow a party to this potential negotiation that holds the whip hand, and we
215 should not whip ourselves up into thinking that they do, because that would be the worst possible situation to put this community in, especially given that it is not true.

I hope that is helpful to the hon. Lady and I hope during the course of our continued Brexit briefings she will continue to be as engaged and positive as she was during the course of the withdrawal negotiations, which we all on this side of the House took a lot from, as we did from
220 the contributions by Mr Feetham. But I do of course appreciate that afterwards, when the lights are on and the cameras are rolling, she sometimes wants to put a different sort of spin on it.

225 **Hon. R M Clinton:** Mr Speaker, I wonder if the Chief Minister can clarify one point for me in his response to the hon. Lady when he talks about ‘waffle’ and other such news items coming out of various press reports. I would be interested to know his views on the Spanish Foreign Minister’s interview given to the *Financial Times* very recently, I think two days ago, in which they are quoted as saying:

We are living in the 21st century; what we have done with the fiscal treaty is probably much more important than we realise for our sovereignty. You do not want a zone of unfair competition next to your border.

Mr Speaker, in the Chief Minister’s view, is this waffle?

230 **Hon. Chief Minister:** Mr Speaker, there are people who are elected to this House who take it seriously and consider that what they should do here is help the community to advance, and there are people who obviously are more interested in trying to perniciously seek to pursue their own agendas. I will make no comment on who falls into what category; no doubt we each have different views as to who falls into what category.

235 But in the context of what I have said, I am here to be questioned or asked for clarification on my Statement, not in respect of my answers to the supplementary issues or clarifications that have been sought.

240 I saw an interview with the Spanish Foreign Minister in the *Financial Times*, I saw an interview with the Spanish Foreign Minister in *El País* and I heard an interview with the Spanish Foreign Minister in *Radio Nacional de España*. I thought that in parts what she said is very constructive and positive, and in parts what she said are things that I would not agree with.

245 I do not think it is sensible for me to go through every word that the Hon. Mrs Gonzalez Laya went through in an interview with Spanish newspapers, and in my view the hon. Member knows that the view of the Government, and indeed of the former Chief Minister, of the Tax Treaty is that it makes absolutely no concessions whatsoever in respect of sovereignty – although he, it appears, and a few others who have never garnered the support of this community in any meaningful measure, take a different view.

Questions for Oral Answer

HOUSING, YOUTH AND SPORT

Q123/2020

Gibraltar Football Association – Memorandum of understanding

Clerk: (vi) Papers to be laid; (vii) Reports of Committees.

250 (viii) We now move to Answers to Oral Questions. We commence with Question 123. The questioner is the Hon. E J Reyes.

255 **Hon. E J Reyes:** Mr Speaker, is the Minister for Sport now in a position to provide this House with a copy of the memorandum of understanding it signed with the Gibraltar Football Association and which was referred to by the Minister in his reply to a previous question?

Clerk: Answer, the Hon. the Minister for Housing, Youth and Sport.

Minister for Housing, Youth and Sport (Hon. S E Linares): Mr Speaker, prior to the last session of Parliament I had been informed that the document was all ready to be signed, which I misinterpreted as notification that it had been signed, and as such I informed the House that the MoU had been signed when in fact it was still in the final negotiating stages. I am happy to amend the record of *Hansard* to reflect this.

Subsequent to my answer, several minor pending items have been further raised and discussed, leading the GSLA to the signing of the final draft of the MoU as soon as possible.

I must stress at this point that this MoU will be signed between the Gibraltar Sports and Leisure Authority and the GFA, not the Government and the GFA.

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Hon. E J Reyes: Mr Speaker, I thank the Minister for the clarification and I accept that it is almost signed but not quite – the ink has not quite got to the dotted line yet.

In the final part of his answer, I always understood that it was going to be signed, obviously, by the GSLA – probably by himself as Chairman or the Chief Executive – but rather than have this item come up, would the Minister be in a position, once it is signed and so on, to simply forward me a copy and therefore, Mr Speaker, we do not have to bother you with this answer? I accept that he is trying to get the best deal possible on behalf of the GSLA as its Chairman, and therefore I would accept it if he simply, as and when it is signed, forwards us a copy and then if I need clarification I can always communicate with him thereafter.

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Hon. S E Linares: Mr Speaker, the answer would be exactly like I did in the last session of Parliament: for my part, I have no objection, but there are two parties to this MoU and therefore if the GFA is happy to share it I am happy to do so as well.

Q124/2020
Europa Sports Park –
Staffing, duties and costs

Clerk: Question 124, the Hon. E J Reyes.

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Hon. E J Reyes: Can the Minister for Sport provide details of staffing levels at the Europa sports facilities, indicating who provides the services, along with a list of duties contracted to be carried out and costs?

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Clerk: Answer, the Hon. the Minister for Housing, Youth and Sport.

Minister for Housing, Youth and Sport (Hon. S E Linares): Mr Speaker, staffing levels at the Europa Sports Park are still to be determined, as are the exact lists of duties and costs.

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Hon. E J Reyes: I understand, Mr Speaker, from that answer, that it is not yet settled – but in the interim period, since the facilities are being used, what is happening right now? Who is providing the staffing service and, generally speaking, what is their range of duties?

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Hon. S E Linares: Mr Speaker, the staffing funds will be determined by the management company, which will run the complex once this has been set up and registered. At this present time, we envisage that the contractor would give us the property, the assets, but the contractor is still partly running ... because of the snagging and all that, like I said last time.

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Hon. E J Reyes: Am I correct, Mr Speaker, then, in assuming that although the facilities have still not been fully handed over, due to snagging and so on, and in the process of setting up the

management company, due to its being operational as a sport facility ...? If someone needs to address something with members of staff up there, who should they approach at this moment? Is it the construction company or is it someone in the meantime, so that if one has a need to enquire about something, or something connected with the facilities, at least one has an indication as to which channel that person should head? Should it be to the CEO at the Sports and Leisure Authority, or is there already a separate body not accountable to the GSLA running the facility?

Hon. S E Linares: Mr Speaker, I would appreciate from the hon. Member if he states who are the ones who are affected or want the information, because at present, as I said, only the pitch is being used by rugby and they are the only ones training on the pitch itself, so there should not be any issues.

We are in the process now of, hopefully, allocating. And once we get the assets and some of the places and positions are in place, then we will allocate to all the other associations. At the moment, it is one of those things that people want to use it, and basically the contractor is still there and it is an interim period. Where people still want to use it, we discourage them from using it because of insurance issues and all that. At the moment it is not supposed to be in use, although cricket ... like I said, rugby are training on the pitch.

Hon. E J Reyes: Mr Speaker, my understanding from that is that, other than these arrangements with cricket, it is still not open for booking. (**Hon. S E Linares:** Rugby.) For rugby, okay. But one keeps on seeing, from different sports associations, their usual venues ... I know darts have been using the venues. Cricket has very recently been putting out announcements that their training facilities – although there may be just simply indoor nets, but it shows that ...

But for all these events, whether they are a formal rugby match, such as an international – we had the first international game of 2020 actually held at Europa ... But families, sports lovers, spectators attend and so on, and sometimes one wants to know where to address to ask for something, be it a concern on a health and safety issue, for example.

Hon. S E Linares: The Clerk of Works of GJBS was in the spot there. He is the one who is, for want of a better word, managing the place.

Q125/2020
Europa Sports Park –
Subsidence on rugby pitch

Clerk: Question 125, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Sport provide information in respect of what has caused the southern end of the rugby pitch at Europa sports complex to subside, together with details of when this will be repaired, along with expected costs?

Clerk: Answer, the Hon. the Minister for Housing, Youth and Sport.

Minister for Housing, Youth and Sport (Hon. S E Linares): Mr Speaker, the dip at the southern end of the rugby pitch is caused by differential settlement at the end of the concrete basement that protrudes under the dead ball area. This will be rectified during the first week in March 2020 when the specialist contractor is due to return to complete their works.

Please note this repair is making good a defect and will not be a cost to the HMGoG.

340 I would like to, off script, also say to the hon. Member that this has been why the key was not handed to us, like I said in the previous question, and why this type is snagging and why this was realised and now is being put right.

Hon. E J Reyes: I am grateful for that, Mr Speaker.

345 First of all, the good news is that yes, the repairs to the defects will not cost the taxpayer anything; it is part of the settlement.

Just one thing: I noticed the Minister said that it is an area, and I agree with him, where the dead ball area – that is the term used in rugby ... But I am led to believe that – I know it has been many years since I wore whites to play cricket – that was probably part of the cricket pitch and would be near the boundary line and it could make a huge difference to the fielders trying to stop a ball.

350 I wish him the best in the future and if he wants a pedantic person to go round with him to help look at all these little nooks and crannies, we can go and share sports views again and take our magnifying glasses with us to look out for these things.

355 **Hon. S E Linares:** Mr Speaker, in fact, it does not even go to the boundary because it is an oval and it is just the corner, which does not affect the actual cricket. But yes, I understand what the hon. Member is saying, so I invite him to come one day and we will both go there and see it.

360 **Hon. K Azopardi:** Mr Speaker, can the Hon. Minister confirm or perhaps provide information: is the snagging process now complete? And have any other defects been noticed?

Hon. S E Linares: Mr Speaker, in the last Parliament I did highlight one of them as well, which was the flooring outside, which was slippery – so that is another part that is being done again not at the cost of Government.

365 At the moment I would say that there are a few bits and pieces that might need fixing once they go through the whole of the area, like toilets, piping and electricity. This is a snagging period. That is why I envisage ... The key should have been given to us, but if these things have cropped up we would rather not get the key and get a final product which is a final, totally finished product.

Q126/2020

Albert Risso House – Warden facilities

Clerk: Question 126, the Hon. E J Reyes.

Hon. E J Reyes: Further to the answer provided to Question 13/2020, can the Minister for Housing provide an estimated date by when residents of Albert Risso House will benefit from the same warden facilities as already exist in other rental homes provided by the Government exclusively for senior citizens?

Clerk: Answer, the Hon. the Minister for Housing, Youth and Sport.

380 **Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, residents of Albert Risso House will, as from 1st March 2020, benefit from security services during extra hours within their facilities. Representatives of the estate have already been informed.

385 **Hon. E J Reyes:** Mr Speaker, I thank the Minister for that extremely good news for those residents.

Without going into the difficulties that one encounters when dealing with committees and so on, the Minister was careful in using words to say that the residents have been informed. Can I safely deduce from there that they have been informed and they have agreed and accepted? Typical human nature – sometimes you give an inch and they still want to have the whole mile, 390 so are we saying ‘subject to minor tweaking of facilities’ because they keep on comparing with other places and the grass always seems to be greener on the other side for many residents?

Hon. S E Linares: Mr Speaker, I had the honour of meeting one of the groups of pensioners yesterday – and it was not the Albert Risso ones – and they were really over the moon again 395 about the way in which we are, I am at least, dealing with it in the sense that we try to go through everything that they ask for. Sometimes what they ask for is not possible and we have to tell them that it is not possible.

In this case, I had the honour of meeting representatives of Albert Risso House today and they are over the moon again because this has been pending for a long time and what is 400 promised should be given. I am glad to say that the committee was really happy, over the moon to know that as from 1st March they will get what they have wanted for a long time. So, I am also happy, Mr Speaker. (*Interjections*)

Q127/2020
Varyl Begg Estate –
Maintenance of roof guttering

Clerk: Question 127, the Hon. E J Reyes.

405 **Hon. E J Reyes:** Is the Minister for Housing aware that weeds are growing in roof gutters at Varyl Begg Estate, and can the Minister further indicate what remedial works will be undertaken to clear this potential drainage blockage?

Clerk: Answer, the Hon. the Minister for Housing, Youth and Sport.

410 **Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, we are aware of this issue and it is being tackled. The matter was brought to the attention of the Chief Minister and the former Minister for Housing when they visited the estate.

The remedial works will include the erection of several access scaffoldings in order to enable 415 the safe removal of the weeds. This is currently ongoing.

Additionally, and as set out by us at the General Election, we will also shortly be commencing a phased full refurbishment of Varyl Begg.

Q128/2020
Laguna Estate –
Refurbishment works

Clerk: Question 128, the Hon. E J Reyes.

420 **Hon. E J Reyes:** Can Government provide updated details in respect of when the refurbishment works at Laguna Estate are expected to be completed?

Clerk: Answer, the Hon. the Minister for Housing, Youth and Sport.

Minister for Housing, Youth and Sport (Hon. S E Linares): Mr Speaker, the refurbishment works at Laguna Estate are already practically complete.

Hon. E J Reyes: I appreciate, Mr Speaker, that they are practically completed, but I have asked for updated details of when – an indication of dates. In the past, other Ministers for Housing have indicated a date for when different phases should be completed, or ready for snagging. Can we have some approximate dates?

Hon. S E Linares: Mr Speaker, ‘practically’ means very near, and I am sure that all that is needed is the cleaning up, so I would say sometime next week when they clean up the whole place. That means cleaning up when the scaffoldings are coming ... there is dust and things like that, which is complete. That is the stage we are at. So I would say next week.

Hon. E J Reyes: And if the Minister wishes to indicate – or I can pose a question at the next session – for those phases that one can deem to be completed, I know the snagging has really dragged on ... Sometimes it is due to the availability of labour force and doing other phases.

Does the Minister prefer that I ask him a more specific question next month? Or does he have any other information at hand that he wishes to issue now and not wait, to bring a bit more peace of mind to Laguna Estate residents?

Hon. S E Linares: Is the hon. Member ...? Just specifically Laguna Estate? *(Interjection by Hon. E J Reyes)* Yes, I have no problem with him asking next month, and maybe it is complete.

Hon. K Azopardi: Mr Speaker, is the Hon. Minister over the moon that the refurbishment works have been completed now, after nine years?

Chief Minister (Hon. F R Picardo): Well, Mr Speaker, the whole Government, and indeed all of the Ministers in it, are delighted, over the moon, ecstatic and indeed entirely overjoyed that the work that had been required in these forgotten estates, which was undertaken by successive Ministers for Housing in the Government that I lead, has been completed.

But we, of course, did not entirely follow the advice of hon. Members opposite, which was not to do the refurbishment, to slow down the refurbishment, to have less spending on the refurbishments – because if we did, Mr Speaker, the moon would be very far away, we would never have got over it and we would be as under-joyed as the electorate was underwhelmed by their performance at the last General Election. *(Interjections)*

Mr Speaker: Next question.

Q129/2020

Scaffolding on Government homes – Removal following refurbishment works

Clerk: Question 129, the Hon. E J Reyes.

Hon. E J Reyes: Mr Speaker, can Government inform this House what action it is taking to ensure the prompt removal of scaffolds once refurbishment works are completed – for example, such as at 61 Prince Edward’s Road?

Clerk: Answer, the Hon. the Minister for Housing, Youth and Sport.

470 **Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, the responsibility for the prompt removal of scaffolding once refurbishment works are completed is down to the main contractor. However, at times there is a need for further works, inspections and snagging, which may delay the removal of access scaffolding.

475 **Hon. E J Reyes:** Mr Speaker, in a previous answer to questions, such as for example the ones in December, we were told that the works at 61 Prince Edward's Road were complete, and yet only in the last week has the scaffolding finally been removed.

I think what I understand the Minister is saying is that the work to be carried out in removing the scaffolds certainly pertains to the contractor, but the blockage of natural light to the flats there ...

480 And then if we use 61 Prince Edward's Road – which, by the way, has been cleared completely this week, but at the time that I posed the question the scaffolds had been taken down from against the wall and simply placed, taking up three, four or maybe even five parking spaces, on the other side of the road, much to the annoyance of not only the residents of 61 Prince Edward's Road but now to the annoyance of all the residents who have paid for their annual Zone 2 permit and have lost these parking spaces due to the contractor not moving them.

Rumour has it that the contractor leaves them there as free storage, waiting for the next contract to be issued, and therefore he just simply moves it from one place to another.

485 So my question was: whose responsibility is it, meaning within an official and competent authority? It is someone's responsibility to ensure that the public highway is not blocked.

Hon. S E Linares: Mr Speaker, I go back to my original answer, where it is the contractor who is liable and is responsible for taking away the scaffolding. Remember, the hon. Member did not even know that it was 61 Prince Edward's Road. He came here saying it was 63 in one of the questions and he even got the house wrong. Yes, again.

495 I do not see the political issue of this. And like the Chief Minister said – and he is right – does the hon. Member think that the Technical Services or Infrastructure will have to employ one or two people extra to go and inspect that the contractors actually move all of the things when they should be moved?

500 I think the hon. Member should be happy at the fact that all the scaffolding is now removed. The people have had the refurbishment done, they are happy living where they are, and that is where we are at this moment in time – so crying about the parking is, I think, rather irrelevant.

Hon. E J Reyes: Mr Speaker, first I would like to clarify that the question I posed in December, which referred to the particular building as number 63, was based on (1) information given by residents of the area who honestly believed they were living at number 63, and (2) my visit to the site.

510 If one knows that house numbers work from the north towards the south and the further south you go the higher the number is, knowing where number 59 is and knowing that there is a building between what is now referred to as number 61 ... One would safely assume, from at least having GCSE Mathematics level, that after 59 in odd numbers comes 61 and then comes 63. But anyway, I accept being corrected. Although I may have been a member of the cloth, I am certainly not infallible, so I am corrected on that.

515 But the gist of my question, Mr Speaker, is that someone has to be the competent authority to ensure that scaffolding that is no longer required because the works have been completed in sections that have been done is simply not left there much to the annoyance and disturbance of neighbours, and above all for the benefit of those who pay for the Zone 2 parking. (*Banging on desks*)

520 **Chief Minister (Hon. F R Picardo):** Mr Speaker, we are honestly genuinely grateful for the mathematics lesson and we will, of course, consider, at the instigation of hon. Members, the creation or designation of a competent authority for the clearing of scaffolding.

525 **Hon. K Azopardi:** Mr Speaker, the Minister, in his intervention and in his exchange with the hon. Member my colleague, asked – rhetorically, I think, at the time ... He wondered why my hon. colleague was raising these issues, saying that he wonders what the political issues are. Does he not agree that the political issues are financial, there are cost issues, there are issues of beautification, aesthetic issues and issues of access to the highway, potentially? All those issues are matters of public interest and should concern the Government, does he not agree?

530 **Hon. Chief Minister:** Mr Speaker, we do not agree that those issues arise, because we do not agree that there is an issue of access to the highway. The hon. Members opposite have not demonstrated that it is the case here, and they surely cannot be asking about a hypothetical because the rules do not allow them to ask about hypotheticals.

535 We do not agree that it is an issue of beautification, because scaffolding is used in order to beautify and therefore the absence of scaffolding may not enable us to beautify and may do the opposite.

540 We do not think that there is necessarily an issue of cost because, as the hon. Gentleman knows, his colleague started his question about cost by saying ‘the rumour’ is that there is a cost to the public purse when the scaffolding is there, and the hon. Member I think last time, or this time, clarified that there was in fact no cost to the public purse.

So, Mr Speaker, on all of the assumptions that the hon. Gentleman has made he is demonstrably wrong and we do not agree.

545 One thing, however, that is clear and is proved beyond doubt is that hon. Members wish to have the Government here this evening to enjoy themselves in order to rib us about questions relating to scaffolding, when indeed there is a lot more to do. This community will look at us and say, ‘Given where we are, what on earth are they doing spending 15 minutes on scaffolding that has already come down?’ Mr Speaker, it seems to me that scaffolding is not the only edifice at risk of collapse.

550 **Mr Speaker:** Next question. (**Hon. K Azopardi:** Mr Speaker –) Next question. I think we should move on.

Q130/2020

Unlawful occupation of Government rental homes – Investigations

Clerk: Question 130, the Hon. E J Reyes.

555 **Hon. E J Reyes:** Can Government inform this House how many cases of unlawful occupation of Government rental homes are currently being investigated by the relevant authorities?

Clerk: Answer, the Hon. the Minister for Housing, Youth and Sport.

560 **Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, the answer remains the same as my answer provided during the last session of Parliament.

Hon. E J Reyes: Mr Speaker, in the last session of Parliament, in reply to Question 14, which was a reply further to a question I had posed as Question 162/2019, it said that they were

565 dealing with a particular case. This is why I am asking. If it has not been concluded, what sort of progress has been made, Mr Speaker?

Hon. S E Linares: Mr Speaker, the answer I have got here is that there is currently one case of unlawful occupation, which the Housing Department is still dealing with.

570 **Hon. E J Phillips:** Mr Speaker, I think the answer to the December questions was that there were 24 suspected of unlawful occupation, 16 of which were asked to leave and they left, and the other five remaining were declared as lawful tenants and therefore zero was the balance, if my mathematics is correct. We are learning another lesson today. So I am not too sure where this one is and whether it reflects the position as of December 2019. Clearly it does not.

575

Hon. S E Linares: Mr Speaker, I refer the hon. Member to read the answer to Question 162 before any other comment.

Adjournment

580 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I move that the House should now adjourn – not least to allow Ministers to deal with more edifying and important matters – to Wednesday, 19th February at 4 p.m.

Mr Speaker: I now propose the question, which is that this House do now adjourn to Wednesday, 19th February at 4 p.m.

585 I now put the question, which is that this House do now adjourn to Wednesday, 19th February at 4 p.m. Those in favour? (**Members:** Aye.) Those against? Passed.

The House will now adjourn to Wednesday, 19th February at 4 p.m.

The House adjourned at 4.58 p.m.