



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.00 p.m. – 5.43 p.m.

Gibraltar, Thursday, 17th October 2013

## The Gibraltar Parliament

*The Parliament met at 3.00 p.m.*

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

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

## Questions for Oral Answer

### CHIEF MINISTER

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#### **Lobbyists and political consultants Involvement in Government projects**

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**Clerk:** Answers to Questions continue.  
Question 653, the Hon D A Feetham.

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**Hon. D A Feetham:** Mr Speaker, can the Chief Minister please state whether any Government Minister is aware of any lobbyist or political consultant to the Government, including any employee, consultant or agent of such lobbyist or political consultant, acting as intermediary on behalf of or having any role or interest in any company or entity competing for, or proposing, any Government project?

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

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**Chief Minister (Hon, F R Picardo):** No, sir.

*Sunborn*  
Cost of works

25 **Clerk:** Question 673, the Hon D J Bossino.

**Hon. D J Bossino:** Can the Chief Minister provide details of all costs related to the works required to be carried out on the *Sunborn* and those to enable the vessel to dock at its intended location at the Ocean Village Marina?

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

35 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the full extent of the works to be undertaken, both for the berthing of the *Sunborn* and in the immediate surrounds, are not yet fully finalised and I am not therefore presently able to provide the information being requested at this stage. It is anticipated – every one is now more enlightened than they were – that works should have been completed by early December. The information is therefore likely to be available for the Question and answer sessions of December or January.

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**Western Beach reclamation**  
**Report on progress**

45 **Clerk:** Question 675, the Hon. D J Bossino.

**Hon. D J Bossino:** Can the Chief Minister advise what progress has been made in relation to the Western Beach reclamation?

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, Government has appointed consultants to undertake an environmental impact assessment for the project and the final report is expected by the end of this month.

55 In parallel with the foregoing, Government has been finalising the design and costings for the scheme, but this may have to be fine-tuned once the findings and recommendations of the EIA assessment have been received. Tenders for the supply of materials for the project will then follow.

60 **Hon. D J Bossino:** Mr Speaker, the obvious question and I wonder if the Chief Minister could venture to answer is what timeline are we looking at in terms of the work starting: does he have an indication of what that may be? He may not.

65 **Hon. Chief Minister:** Well, Mr Speaker, because there is no EIA yet and this is not a straightforward EIA, because there are, as he knows, issues here relating to the runway which I think have been ventilated in this House before... It is not something where we can say we have advice that the EIA, although necessary, is not likely to bring anything to our attention that may require modification of plans. I would not wish to venture with a timeline at this stage on this particular project.

70 **Hon. D J Bossino:** I suspect I know what the answer is going to be, but one of the other issues which was ventilated the last time this was raised, in May last year, was that in fact there was a sort of cross-party position in relation to the desire that this project should continue despite the political consequences of proceeding with it. So, presumably the Government... and the implication must be that the answer is yes, that the Government is politically still behind that very much, very eager to continue with this project.

75 **Hon. Chief Minister:** The Government is, Mr Speaker. Is the Opposition?

80 **Hon D J Bossino:** Mr Speaker, as I said in the context of my question... I did say that there was a cross-party position in May 2012 – and I am sure that is still the case at the moment, Mr Speaker – but of course the Opposition is not here to answer questions.

**Hon. Chief Minister:** I am very grateful, Mr Speaker, because from that indication I will take it, unless the hon. Gentleman corrects me here or elsewhere, that there remains a cross-party position that we should go ahead with that project despite the political consequences.

**Barclays Bank**  
**Reduced operation and resultant dismissals**

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**Clerk:** Question 677, the Hon. D J Bossino.

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**Hon. D J Bossino:** Can the Chief Minister provide full details of the arrangements which the Government is entering into in relation to the dismissals which have taken place or are shortly to take place as a result of the recent decision by Barclays Bank to reduce its operations in Gibraltar?

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

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**Chief Minister (Hon. F R Picardo):** Mr Speaker, the Government is not entering into any arrangements in relation to or in respect of the recent decision by Barclays Bank to reduce its operations in Gibraltar. The Government has not had notice of any dismissals being proposed by Barclays, only of a large scale of redundancies. I have written to all members of Barclays staff in Gibraltar and expect to meet many of them to seek to assist them. A copy of my letter to Barclays Bank staff members in Gibraltar is now provided to the hon. Member in case he has not had a copy. The Government is hugely disappointed by the decision made by Barclays Bank PLC to exit the Gibraltar retail market, although we are pleased that the Bank will continue to service large corporate clients and the financial services sector. Barclays is reducing staff numbers in many jurisdictions and announced 3,700 job losses worldwide, a cost reduction of approximately £1.7 billion according to the bank, and the scaling back of operations in Europe and Asia. Unfortunately, Mr Speaker, in Gibraltar the reductions in staff and in the service provided affect loyal employees and clients, none of whom in any way represent the types of business which led to Barclays and other banks around the world finding themselves in such huge difficulties in the past five years or so. Instead, Barclays retail clients in Gibraltar and its loyal staff members provided exactly the type of business model that built Barclays into one of the seven biggest banks in the world; yet, unfortunately, Mr Speaker, the loyalty of clients and staff is being repaid by a withdrawal of service and a dramatic reduction in employee numbers. We will continue to work with staff members and Unite the Union, as well as Barclays Bank management, on all issues that arise from these decisions.



THE CHIEF MINISTER

6 CONVENT PLACE

GIBRALTAR

3<sup>rd</sup> October 2013

To All Barclays Bank Plc Staff Members in Gibraltar.

*Dear Barclays Staff Members,*

I am writing to express the Government's support to you at this difficult time.

From the first moment that Barclays' management announced that they were undertaking a review that might affect jobs and services in Gibraltar we have been talking with the Bank to try to persuade them to continue retail banking operations in Gibraltar and to minimise job losses. That has not been possible for various reasons unrelated to Gibraltar or the excellent work that you do.

Now that the final decision made by Barclays' management has resulted in the announcement of severe redundancies, the Government is continuing its moves to secure a number of things, some of which will be directly beneficial to you. These include – but are not limited to:

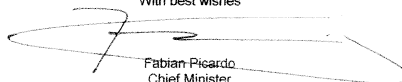
- (i) having government personnel available in the Bank to assist with finding alternative employment;
- (ii) ensuring Barclays respects your rights as an employee; and
- (iii) seeking to ensure that Barclays remains as flexible as possible when it comes to your redundancy payment and your release date should you find alternative employment.

At the same time we are working hard to seek new retail banking options for our community. This option may also result in many new job opportunities for which many of you are likely to be the best suited in our job market.

I am today meeting officers of Unite the Union that represents you to consider with them how best to assist you in this difficult time. Should you wish to contact my office directly to discuss any aspect of this matter, please feel free to do so by email on [denise.ghio@gibraltar.gov.gi](mailto:denise.ghio@gibraltar.gov.gi) or [giselle.taylor@gibraltar.gov.gi](mailto:giselle.taylor@gibraltar.gov.gi) or by telephone on +35020076122. In coming weeks I will be happy to meet with any of you who may wish to see me.

I want you to be aware of this on-going work and of our continued effort to protect your employment and our community's retail banking needs. I am confident we will be able to do both.

With best wishes

  
Fabian Picardo  
Chief Minister

Telephone (350) 200 70071; Fax (350) 200 76396.

115 **Hon. D J Bossino:** Yes, Mr Speaker, he does say that they are not ‘arrangements’ which the Government is entering into, but that is the way I described it. I do not know what is in his mind as to why he takes issue with that description.

I had seen a copy of the letter – and, in fact, I think it was posted on a Facebook page – but the fact is I have had a chance to consider the letter in some detail before coming to this House today, and I was going to quiz him in relation to some of the points that he makes.

120 My main focus – and I am not sure whether he saw our press release and saw my interview – was in relation to the fate of the employees, and that is something which certainly, as a Party, concerns us most at this stage as a matter of priority, given that the decision has already been made by this particular bank.

125 But he does say in the letter that the Government will be securing a number of things, some of which he says will be directly beneficial to you, and then he lists three items. Can I ask what would be indirectly beneficial to the employee?

**Hon. Chief Minister:** Mr Speaker, when we are ready to make announcements about things which are not referred to already publicly in respect of this matter, we shall do so; and the things which affect the employees directly are the matters already referred to in my letter, which he has seen and which he has come prepared to quiz me on, apparently.

130 I had not seen the hon. Gentleman’s interview or their relevant press statement in relation to this. Of course, we – across the House – are very concerned, not just, I am sure, about the employees but also about the service that Barclays provides; but the most directly affected individuals will be those who work in this bank... and as a result of decisions made by people outside of Gibraltar, because of problems created by people outside Gibraltar which have affected their balance sheet and the balance sheet of other banks, they are the ones who are now likely to find themselves in a situation of redundancy.

135 There are a number of measures that the Government is looking at, which he has seen listed here, which will be directly relevant to what can happen now in respect of those employees, and there are other matters that we are working on, which will hopefully also help to assist.

140 I would ask him, if he is truly concerned about the fate of, as he put it, those who work in the bank and may not have their employment protected going forward at this stage, that he should not press me further because there are sensitive discussions going on about some aspects of this.

145 **Hon. D J Bossino:** Mr Speaker, of course I do not know what is in the Chief Minister’s mind and what is going on behind the scenes, but I do have some questions which arise from the points that he raised in his letter, which I think can safely be in the public domain. If he thinks that in answering the question it will somehow prejudice anything, then by all means he ought to tell me and I will not necessarily insist. He wants me to give way – yes.

150 **Hon. Chief Minister:** Mr Speaker, even that might create a situation where people are able to detect what I do want to talk about and what I do not want to talk about.

155 Would he be happy to be briefed by me confidentially; not necessarily on Privy Council terms, but directly on this subject? I have no difficulty with *him* being aware of what it is that is going on and why it is that we are pursuing certain avenues.

**Hon. D J Bossino:** Mr Speaker, this is probably... In exercise of my personal judgement at the moment, I think what I will do is I will leave the matter. I will leave the matter... I will have that conversation with the Hon. the Chief Minister, and let’s see how he proposes to give me the information.

160 The difficulty I have with him giving me too much information confidentially is obviously that there may be items in that conversation that I may want to use publicly – this is a very public matter – but what I will do is not pursue the line of questioning arising from the points that I have in the letter and have that conversation with him, and then we will take it from there.

165 **Hon. Chief Minister:** Mr Speaker, given I have approached this on the basis that his real concern was the fate, as he put it, of those who work at Barclays, and I am very happy to share with him, very openly and without considering this a matter which we might want to comment on publicly... I think we need to suspend our political instincts to make comments about things in relation to an issue which affects the jobs of 100 people and I am happy to share with him the information that I have so that he is fully briefed, given his Shadow Cabinet responsibilities.

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**Sunrise Motel  
Purchase by Government**

175 **Clerk:** Question 678, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Government confirm if it has purchased the Sunrise Motel on Devil's Tower Road and whether this will be used to house the Moroccan and other immigrant workers who must vacate the Buena Vista Hostel?

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, Government has indeed purchased the Sunrise Motel building in Devil's Tower Road. The intention is to initially use this building for vacating the workers' hostel at Buena Vista.

185 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Hon. the Chief Minister say that it will continue to be used as a hostel indefinitely, or is the Government actually looking at another site to house the workers?

190 **Hon. Chief Minister:** Mr Speaker, a number of options are being considered in that respect.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Hon. the Chief Minister enlighten us as to what the options are?

195 **Hon. Chief Minister:** Mr Speaker, the hon. Lady has actually set out the options in her Question: the possibility of using this site indefinitely or creating a new hostel somewhere else.

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**Public servants  
Working hours**

205 **Clerk:** Question 679, the Hon. D A Feetham.

**Hon. D A Feetham:** Mr Speaker, what are the Government's current plans for changing the working hours of public servants?

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, as has already been announced, and as set out in the GSLP/Liberal pre-election proposal for the future of the public sector, which was separate to the manifesto, the Government is currently undergoing a process of negotiation with the relevant unions towards a change in working hours which will provide for an increase in the opening hours of public counters all year round.

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**Hon. D A Feetham:** Mr Speaker, has there been any agreement reached with the unions in relation to this particular matter?

220 **Hon. Chief Minister:** No, Mr Speaker.

**Hon. D A Feetham:** Mr Speaker, so I take it from that that the Government is not in a position to proceed with a change of working hours, even if it were by introduction of a pilot scheme, for example, in relation to particular Departments – that is not going to happen until there is agreement with the unions?

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**Hon. Chief Minister:** It may happen, Mr Speaker, and a pilot scheme may be something that leads to an agreement.

230 **Hon. D A Feetham:** Is it the Government's intention then to introduce a pilot scheme? And if it is, can he provide some kind of framework, a time frame for the introduction of that pilot work, and perhaps refer to the Departments that are going to be the subject of that pilot scheme?

235 **Hon. Chief Minister:** Mr Speaker, a pilot scheme is something that is being considered with the unions, but it is being *considered*. It is not finalised, there is no list of Departments that will definitely be in the pilot scheme, and therefore I am not able to provide any more data at the moment – and there may *not* be a pilot scheme.

240 **Hon. D A Feetham:** Sorry, Mr Speaker, I perhaps had not understood the hon. Gentleman. I thought the hon. Gentleman had told me that there had been no agreement with the unions, but that nonetheless a pilot scheme was being considered independently of any consultation with the unions. Am I therefore, from the last answer that he has given me, right in saying that the pilot scheme will not be introduced unless there is also agreement with the unions in the process that the Government is undertaking at the moment in negotiations with them?

245 **Hon. Chief Minister:** No, Mr Speaker, a pilot scheme may be something that we agree to do with the unions or something that we decide to do ourselves, depending on where our negotiations with the unions take us.

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**Lobbyists and political consultants  
Payments by Government**

255 **Clerk:** Question 681, the Hon. D A Feetham.

**Hon. D A Feetham:** Can the Chief Minister please provide details of the amounts paid by the Government in respect of lobbyists and political consultants since Question No. 184/2012?

260 **Mr Speaker:** I think it is 1084.

**Hon. D A Feetham:** I beg your pardon, 1084.

265 **Chief Minister (Hon. F R Picardo):** Right. Mr Speaker, the amount paid by HM Government in respect of lobbyists and political consultants, since my answer to Question 1084/2012, is £176,379.12.

**Hon. D A Feetham:** Mr Speaker, I know that if I press him in relation to the identity of the lobbyists he is not going to provide me with an answer in relation to this, but can he provide me, at the very least, with a number in terms of the lobbyists amongst whom this £176,000 has been shared?

270 **Hon. Chief Minister:** Mr Speaker, I have given the answer in the form that it was given by hon. Members when they were in Government – by the hon. now the backbencher, then the Chief Minister. I see no reason why I should not give him the number that he has asked for, so I am happy to add to the answer that the number is six.

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**North Mole power station  
Allocation of tender**

280 **Clerk:** Question 682, the Hon. D A Feetham.

**Hon. D A Feetham:** Mr Speaker, can the Chief Minister please state whether the tender for the new power station at North Mole has been allocated?

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, this tender has not yet been allocated.

290 **Hon. D A Feetham:** Mr Speaker, the official notice that was published by the Government in the *Gazette* in relation to the tender for this particular project provided for expressions of interest by 31st May 2012 and the closing date for submissions for the tender by noon of 1st August 2013 – sorry, 31st May 2013 and the closing date was 1st August 2013. Can the Government please state, or the Chief Minister, why the tenders have not closed, in the light of the document as published by the Government?

295 **Hon. Chief Minister:** Mr Speaker, he has asked me a different question now to the one he asked me in his original Question as to the substance. He has asked why the tenders have not closed, rather than why the tender has not been allocated. Those are two separate things.

Even if tenders had closed by the end of August, it would take a considerable number of months to analyse and allocate the tender. These tender documents, when they come in, will not be a few scraps of paper. They will be very substantial, they will be much more than door stops, and they will require very careful analysis before it is awarded.

300 But in fact he has asked me something different now, which is why tenders have not closed, which suggests to me that he knows what I am going to answer – which is that the period for tenders to be submitted has been extended at the request of a number of tenderers, although a large number of parties have expressed a request that the period be extended in order to be able to comply with some of the technical requirements of the tender. Therefore the Government's technical officers and the officers of the Electricity Authority have advised that the period for the submission of tenders should be extended. I believe that the period of extension is three months. If he wants more details of that he can ask me and I will be able to provide that data.

305 **Hon. D A Feetham:** Yes. Of course, as Leader of the Opposition, it is my job to have some knowledge of the matters that appertain to the important issues of the day. He said three months: can he just tell me what formal date this particular tender then closes after the extension?

310 **Hon. Chief Minister:** Mr Speaker, I understand it will be January.

**Hon. D A Feetham:** He does not have a specific date, then; just January? If he does not, then it does not matter; I will not ask the question.

320 **Hon. Chief Minister:** I do not, Mr Speaker, but if he wants to ask me that next month, I will come armed with a specific date.

**Hon. D A Feetham:** Can he confirm that the tender terms remain as had... Well, we have not see the actual tender terms – we have seen the summary of the tender terms that was published in the *Gazette* – but can he confirm that those terms are still the terms and there has been no variation of the terms, in particular in relation to terms of payment for this particular project and also the award criteria for the project?

330 **Hon. Chief Minister:** If he gives me notice of the question, I might be able to tell him.

**Hon. D A Feetham:** Mr Speaker, he is the Chief Minister of Gibraltar. It is an important project. We now know, as a consequence of the Question that I have asked, that the timeframe for submissions of tenders has actually been extended, and I think it really naturally arises from the answer that he has provided, in the same way as it has been extended, I am asking has it been extended on the same terms or has it been extended on terms where there has been variation. In particular, I am interested in these two. Does he know the answer? Or, if he does not know the answer, I quite understand – I will ask the question next time round, but if he has the answer there or he knows the answer, then I think it is incumbent on the Chief Minister – bearing in mind that it arises out of an answer that he has given – to answer it.

340 **Mr Speaker:** Hon. Members should take care, when asking the same Question next time round, that the six months rule applies where supplementary questions are concerned as well.

**Hon. Chief Minister:** I am grateful, Mr Speaker.  
345 If I can just give the hon. Gentleman the answer – as I said when I got up, I do not have the information and I need notice of the question. If I had it, I would happily give it.

If the hon. Gentleman, instead of asking a Question that is a million miles from where he actually wants to go – because I can see that he has got some highlighted documents and he knew exactly where he was going – approach this on the basis of asking me the questions that he really wants the answers to, he would have had them. I see no reason for not having asked that question as his original Question, given that he knew where we were going, and I would then have the information and I could share it with him.

350 **Hon. D A Feetham:** Mr Speaker, I am tempted to suggest that he is slightly paranoid, but then again he will probably say, 'Simply because I am paranoid, it does not mean that you are not out to get me.'

Mr Speaker, I have identified the two areas which are of concern. I will ask, specifically in relation to the terms of payment, is this a contract that involves... or does the tender still involve the payment of a lump sum contract with milestone payments; or, for example, has that been varied where the Government may consider, as an example, a situation where the actual power station is leased to the contractor that is actually building it, and over a period of time, say 25 years, the contractor itself can then charge directly customers of Gibraltar for the electricity, which will involve the payment of the contractor without the need of the Government to fork out the money at this stage, which is a substantial investment?

Do the terms of payment that were advertised in the official notice still hold good – which is lump-sum contract with milestone payments; and then in terms of the award criteria, that it will be awarded to the most economically advantageous tender that meets the technical and environmental requirements set out in the tender document?

**Hon. Chief Minister:** Mr Speaker, I think I have answered by saying I do not have the information, but I think it is – (*Interjection*) No, no I asked you. Mr Speaker, the hon. Gentleman is confused. I asked him to ask specifically in his first Question. He has asked me a Question about whether the tender has been allocated. In fact, he wanted to know that which he was aware of, apparently, which is that the period for submission of tenders had slipped; and therefore, if he knew that, he knew that the answer to his Question was going to be no. But in fact, really, he wanted to fish for some other information.

But you know, Mr Speaker, all I was doing was advising him, and I know he does not like to take my advice but if he wants answers... If he just asks specific Questions, this Government is not going to duck providing that data. Not because, Mr Speaker, we somehow, when we see a question like this, become paranoid – and I have heard Oscar Wilde quoted so much more elegantly in the past – but because, Mr Speaker, of respect for this House.

I do not know the exact answers to the questions that he asked, and because of my respect for this House I do not want to say something that might unintentionally mislead it. It is straight forward: he has asked me what the questions are now, and I have told him I do not have the answer; I will come back, when he asks me the question next month, with the information.

But I can tell him this, for sure: in terms of the financial arrangements, there will not be an arrangement whereby the Government agrees that the cost of electricity will go up 5% a year for 20 years, as was the case in terms that *they* agreed for *their* new power station.

#### **Aerial Farm and Coach Park housing projects Ensuring local purchase of materials**

**Clerk:** Question 683, the Hon. D A Feetham.

**Hon. D A Feetham:** Mr Speaker, can the Chief Minister please state whether there are any conditions imposed on the successful tenderers ensuring that supplies and materials from Aerial Farm and Coach Park housing projects are purchased from businesses locally?

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, no such specific condition was included in the tenders. Nonetheless, the Government has and continues to encourage the successful tenderers to source as much of their materials locally as they are able to and to use local professionals in the delivery of their projects, as is the case on both such projects.

**Hon. D A Feetham:** Mr Speaker, bearing in mind that one of the successful tenderers is a Government-owned company, GJBS, can he perhaps enlighten this House as to what steps he has taken to encourage GJBS to purchase supplies from businesses locally?

**Hon. Chief Minister:** [*Inaudible*] Mr Speaker, the Government-owned company, GJBS, is in the same position as all other companies when it is a tenderer, and I have taken exactly the same steps as I have taken, and will continue to take, in relation to all of those who succeed in achieving tenders from the Government – encourage them, as I have said, that they should use local professionals and local suppliers for any of the jobs that they may be undertaking for the Government of Gibraltar.

**Hon. D A Feetham:** Well, but Mr Speaker, the word ‘encourage’ presupposes that the Government has done something about it. He cannot have encouraged these two companies for the very first time here in the House. Can he perhaps enlighten this House by what type of encouragement? What is the form that



420 that encouragement has taken? Has he, for example, had the directors of these two companies in his office and told them, 'Look, I would really like you to purchase from suppliers locally.'? What steps has he taken, in relation to this, that would exemplify the term 'encouragement', which is the one that he has used?

425 **Hon. Chief Minister:** Mr Speaker, nothing that would fall foul of European rules which if I had called them to my office and told them that they must take their supply from locals and that they must use locals, it would very likely be in breach of European rules, and he knows that these are actually European tenders, each of them.

430 So, Mr Speaker, I am not going to give chapter and verse of what I have done. He should just take it from me that I have encouraged the use of local expertise and local suppliers, and continue to do so, using all the arms of Government available to the Government within the rules set out in the Treaty on European Union.

435 **Talks with Spain**  
**Gibraltar's own voice, vote and veto**

**Clerk:** Question 685, the Hon. D A Feetham.

440 **Hon. D A Feetham:** Mr Speaker, following the editorial of the editor of the *Panorama*, Joe Garcia, on 4th October entitled 'No voice, no vote – no talks!' can the Chief Minister assure this House that Gibraltar will have its own voice, vote and veto at any 'ad hoc talks' held with Spain?

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

445 **Chief Minister (Hon. F R Picardo):** Mr Speaker, this is an issue that the hon. Gentleman and I discussed in our meetings on 'Privy Council' terms at the times when he was being briefed by me and was supportive of the Government in our present issues with Spain, a period of *entente cordial* that seems to have passed, I am sorry to say.

450 Mr Speaker, I am therefore surprised that he has wanted to ask me this publicly, as he already knows the answer. It cannot be to reassure the public either, Mr Speaker, as the position of the Government in this respect has been made known publicly also, specifically in my ministerial statement of 5th September 2013.

In that statement, Mr Speaker, I said this:

455 'Have no doubt that the Government will be responding to all the lies and defamations spread about Gibraltar in a measured and responsible way at the appropriate time.'

– as in fact we then did Mr Speaker, at the United Nations.

460 'Indeed, it has been quite remarkable to see the Spanish authorities take over a year to react to the call for dialogue we have been making since last April on the "ad hoc" formula. Well, for whatever reason they may be taking that attitude now, we welcome the fact that the offer made by William Hague, a year and a half ago with our support, is now going to be progressed. I have worked closely with the Foreign Secretary to elaborate on this formula. And, tonight, I want to be crystal clear with you about this proposed dialogue. There is no question of the sovereignty or future of Gibraltar being raised or discussed at these talks. The Spanish government has accepted that in their Parliament earlier this week.'

– the first week of September.

470 'These talks will not be bilateral or quadrilateral. Again, the Spanish government has accepted that in their Parliament. Gibraltar will have its own distinct voice at any such talks. The Spanish government has of course also accepted that. And I can assure you that there will be no agreements on Gibraltar matters without our consent. As you know, the position of the United Kingdom and Gibraltar has been to create these "ad hoc" opportunities to meet, but to do so in the context of restating our strong commitment to the parallel trilateral forum for dialogue and the "double-lock" formula that Britain will not transfer the sovereignty of Gibraltar without our consent and will not negotiate sovereignty without our consent. This is in effect a veto allowing us to prevent any resumption of bilateral talks on sovereignty between the UK and Spain under the Brussels process or otherwise. There is therefore nothing to fear from the formula we have developed for these "ad hoc" discussions.'

480 That is the end of my quote, Mr Speaker.

**Mr Speaker:** Before the Hon. the Leader of the Opposition asks any supplementary questions, there is a matter that I wish to make clear.

485 The whole question of *ad hoc* talks with Spain is a very important matter of great public importance, but that does not mean that I am going to allow a debate under the guise of this question on the whole issue of the frontier problems.

And in case anyone should think that I am acting anti-democratically, I should remind hon. Members, as they well know, that there is ample provision in the Rules of this House for a substantive motion to be tabled on that issue.

The Hon. Leader of the Opposition.

495 **Hon. D A Feetham:** Mr Speaker, lest anybody get the impression from that statement that I was going to be asking about the frontier, I had absolutely no intention of asking about the frontier. This is a very specific question about the terms for talks with Spain, and I am well aware of what the Rules are, and from all the questions that I have asked so far, there has not been a debate in relation to any of those questions.

Now, Mr Speaker, there is a distinction, simply because the hon. Gentleman has briefed me on Privy Council terms does not mean that the public... that I am not entitled to ask a question on a matter of public interest, where the public still are none the wiser as to the precise terms of engagement with Spain in relation to these talks. And of course, he may be briefing me in Privy Council terms, in confidential terms, which means that I cannot refer to what the hon. Gentleman has said to me in Privy Council terms, but whether I am satisfied or I am not satisfied as to the explanation that he has given me, it is not possible for me to raise that publicly because he has briefed me on Privy Council terms.

Now, Mr Speaker, it is obvious from the editorial of Mr Garcia – a man who has been an editor of a newspaper for many, many years – that not everybody has been clear about whether Gibraltar had its own voice and its own veto in relation to these talks.

Now, the Hon. the Chief Minister being very clear, Gibraltar has its own distinct voice: may I ask, directly with Spain; and also may I ask this? He says there is no question of any agreement without our consent. Could he also confirm that not only will the voice be directly with Spain – in other words, it is not going to be Gibraltar via an interlocutor, the United Kingdom, then Spain – and that no agreement without our consent means the right to exercise a veto directly with Spain, and again not a veto exercised by the United Kingdom on behalf of Gibraltar?

515 **Hon. Chief Minister:** Mr Speaker, I want to start by thanking you for reminding me in particular, that this should not become a debate and I am going to therefore try and stick to just answering the question, despite the many things I would like to say around it.

Mr Speaker, the hon. Gentleman has whittled down all of that into two questions which are very direct. Is Gibraltar's voice going to be direct with Spain or via an interlocutor? Mr Speaker, that is the first time that I have ever heard that suggested. I do not think even Spain has thought of that in all the public statements that they have put out, or in any of the things that I have heard, and I may have heard more than they put out in their public statements, but there is so much in the public statements that it may be that everything is in the public domain.

525 There is no question of somebody saying that they have their own voice but only being able to have my own voice in speaking to the United Kingdom, I do not have my own voice in relation to the discussion, and I have to speak through the United Kingdom. Even in their wildest imaginings the Spaniards have not yet proposed that. I do hope that the hon. Gentleman has not planted a seed. Right. That is the first point.

530 The second, Mr Speaker, is this question of the veto. Mr Speaker, I would never put Gibraltar in a situation where we are one with a vote in a room of two, three, four or more others, because I would then be putting Gibraltar in a situation of jeopardy. Even in trilateral talks, Mr Speaker, I would not expect that things should progress by vote, because I would not be prepared to accept that something be imposed on Gibraltar because the United Kingdom and Spain, the other parties to a trilateral forum, might vote two votes against our one, unlikely though that may be. So the issue of voting in that sort of forum, I trust he will accept is not something which is safe, and not something that we should succumb to, and therefore when I tell him, Mr Speaker, that there will be no imposition of anything on Gibraltar – and I am replaying in my mind the same things that I told him when we met – I therefore do not believe that there should be any forum to which Gibraltar lends itself, where decisions can be made by anything other than consensus.

540 In other words, the hon. the backbencher, when he was Chief Minister, used to express it in perhaps other terms which was nothing is agreed until everything is agreed. I think actually, Mr Speaker, although that is a different way of representing it, that talking about a forum where if there were to be agreements – I mean we have not yet got to that potential discussion, let alone be considering whether you could reach agreements and how you could reach agreements – but it is not, I think in my view, Mr Speaker, safe, to use another term that became a term of art of the Hon. Sir Peter Caruana, to countenance any discussion where Gibraltar subjects itself to the decisions of others and therefore the discussions should be, things

that we can agree by consensus. And if we have agreed something by consensus in effect round the table everybody has a veto.

550 Why is that something that should go round the table? Well, Mr Speaker, these are not issues to do with sovereignty. They are not issues to do with the future of Gibraltar. These are *ad hoc* on particular technical issues.

555 We cannot pretend, Mr Speaker, to impose something on Spain round the table on an *ad hoc* discussion. If we want to impose something on Spain, we go to the international community and we shame them or we go to a court and we get a finding against them, and then it is imposed on them, in the same way it might be imposed on us in some way.

560 But in a discussion round the table, Mr Speaker, I do not lend myself to any potential situation where I might be voted down with my one vote for Gibraltar, although we have a very close relationship with the United Kingdom and I doubt that would ever happen, but I would never put us in that jeopardy, and that deals with his vote point.

And dealing with the veto point, Mr Speaker, I believe that by talking about, only progressing things by consensus what we are saying is that there would be no question of anything being agreed until all parties were *ad idem* on something and therefore each would have a veto.

565 Mr Speaker, of course there is the *de facto* veto which is that Gibraltar would not implement anything that other parties might agree, and that we saw, Mr Speaker, long before the advent of the trilateral, the United Kingdom and Spain, in an unfortunate period in our history, met together under the Brussels process and agreed something and the people of Gibraltar expressed their veto.

570 **Hon. D A Feetham:** Mr Speaker, I do not want this to turn into a discussion between lawyers because, really, it really was a very simple question that I asked. He talks about consensus and he talks about reaching consensus, but the question was a simple question just dealing with the question of the veto.

575 Can he confirm, contrary to the editorial of Joe Garcia in the *Panorama* newspaper, that Gibraltar will have a right of veto – a directly exercisable right of veto – at any *ad hoc* talks? That really is the question and it lends itself to a simple yes answer, if that is the position. It would be supported by us.

**Hon. Chief Minister:** Well, Mr Speaker, apart from the fact that we are not going to enter into a debate, I can see exactly what he is doing and why he is doing it and what it is he is trying to get me to say which he knows will cause an effect and a ripple.

580 All, Mr Speaker, I am therefore going to do is to come back to what I have said, which if he looks carefully at what I have said, I think is very clear to interpret. Everybody round the table where you do not move other than by consensus, is able to stymie any progress by not simply agreeing. Now in that analysis, Mr Speaker, given that he wants me to express it in a particular way, and I can see exactly what it is that he is trying to do by taking me to the fork in the road where I say one thing or the other, and what the consequences could be of taking fork A or fork B. If he does not understand that everybody  
585 round the table therefore has a veto, he does not want to understand that.

590 **Hon. D A Feetham:** With respect, I am sorry but all he does is just, really, create alarm bells in my mind when he answers in the way that he has answered. He talks about consensus. I ask a very simple question about will the Government have a direct right of veto exercisable directly in relation to anything that can be agreed at these *ad hoc* talks? And then he talks about that I want to take him down a road, that ‘I know what the consequences are if I answer in a particular way.’ Well look, if he is thinking in that particular way, it is because he does not want to give me a straight answer. People can hear and can make their minds up about this exchange, but if he does not want to answer a straight question with a straight answer, it is because there is something more than meets the eye and hence why he is talking about  
595 consensus.

I will give him another opportunity. Will the Government have a right of veto directly exercisable in the context of *ad hoc* talks with Spain?

600 **Hon. Chief Minister:** Mr Speaker, it is obvious that he only understands the language of the playground, so I am going to express it in the language of the playground. *Yes*.

605 Because he needs to understand that when adults sit round a table to talk and agree things by consensus, until they all agree there is no agreement, therefore all of the adults sitting around the table have a veto before any agreements go, and they do not have to talk to each other when they are sitting round a table through each other, unless Mr Speaker they are going through a difficult period in their relationship.

But, Mr Speaker, let us look at what Joe Garcia actually said: a man who he does not often quote with authority as I do – he was my first Party leader, as he might care to recall. In fact, a man who editorialises

a newspaper he does not often send his press releases to, but anyway, never let the hon. Gentleman be in the position where he does not clutch at straws when he wants to.

610 The editorial says this: ‘Why should anything be imposed on Gibraltar which its people do not want?’ I could not agree with you more, Mr Speaker, could not agree with Mr Garcia more, and would there be a Gibraltarian who would agree that anything be imposed on Gibraltar which its people do not want? And he ends with a pithy phrase, ‘no voice, no veto – no talks’. Well, Mr Speaker, he is absolutely right. Why should anything be imposed on Gibraltar which its people do not want?

615 If he goes back and reads the *Hansard* of what I have said, that is exactly what we are saying. Nothing will be agreed until everything is agreed. The people of Gibraltar would have to agree to anything that might be discussed round the table, nothing would ever be imposed on Gibraltar at least whilst I am Chief Minister, Mr Speaker. But look, as far as he is concerned, he came back from holiday to tell us that after a week of bullying, he would remove the blocks and go to quadrilateral talks. Perhaps we could discuss in  
620 detail what that means.

625 **British Gibraltar Territorial Waters  
Incursions by Spanish vessels**

**Clerk:** Question 686, the Hon. D A Feetham.

630 **Hon. D A Feetham:** Mr Speaker, can the Chief Minister state how many incursions, excluding innocent passage, there have been into British Gibraltar Territorial Waters by Spanish state vessels on a monthly basis since the answer was given to Question 510/2013?

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

635 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I will answer this question together with Questions 687 to 689.

**Clerk:** Question 687.

640 **Hon. D A Feetham:** Can the Chief Minister state how many incursions, excluding innocent passage, there have been into British Gibraltar Territorial Waters by Spanish fishermen, where they have been unaccompanied by Spanish state vessels, on a monthly basis since the answer given to Question 511/2013?

645 **Clerk:** Question 688.

**Hon. D A Feetham:** Can the Chief Minister state how many incursions, excluding innocent passage, there have been into British Gibraltar Territorial Waters by Spanish fishermen, where they have been accompanied by Spanish state vessels, on a monthly basis since the answer given to Question 512/2013?

650 **Clerk:** Question 689.

**Hon. D A Feetham:** Can the Chief Minister state how many arrests have been made for illegal fishing in British Gibraltar Territorial Waters, on a monthly basis, since the answer given to Question 513/2013?

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

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I now hand the hon. Member a schedule with the information requested.

660

**ANSWER TO QUESTION 689**  
**Answer to Question 686 to 689**

	2013				
	June	July	August	September	October *
Major Incident (Class A)	5	12	25	8	3
Minor Illegal Incursion (Class B)	45	34	43	27	12
Fishing Incursions (Not accompanied)	43	38	36	58	28
Fishing Incursion (Accompanied)	0	7	1	0	0
Arrests for fishing	0	0	0	0	0

\* October up to and including the 10th of October

**North Mole oil storage tanks  
Assessment of planning application**

665 **Clerk:** Question 668, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Deputy Chief Minister say how will the information together with that provided by the various consultees that Government would naturally have at its disposal be used to make a proper decision in such a delicate request for resuming the storage of oil at North Mole with two additional storage tanks with a total capacity of 7,000 tonnes? How will the zone boundaries around this particular site be established?

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

675 **Deputy Chief Minister (Hon. Dr J J Garcia):** Mr Speaker, I will answer this question together with 668 to 670 and 672.

**Clerk:** Question 669.

680 **Hon. J J Netto:** Mr Speaker, can the Deputy Chief Minister say what European and local legislation will be considered for the application to rebuild the North Mole Oil Tanks. Furthermore, in relation to the European legislation could the Deputy Chief Minister confirm that apart from any other relevant EU legislation deemed necessary, the Seveso II Directive and in particular its land use planning aspects will also be taken into account at the time of making any planning decisions?

**Clerk:** Question 670.

690 **Hon. J J Netto:** Mr Speaker, can the Deputy Chief Minister say given his responsibility in Planning and Land matters how the overall assessment of the application by the Oil Company 'Nature' to rebuild the North Mole Tanks will consider the nature and severity of the risks presented by this waste oil storage installation to people in the surrounding area so that those risks are given due weight when making any planning decision?

**Clerk:** Question 671.

695 **Hon. J J Netto:** Mr Speaker, in relation to the application for the North Mole Tanks, can the Deputy Chief Minister say who is the competent authority in Gibraltar that will provide the hazardous substances consent for the storage of such amounts of oil, considering that this would exceed its control quantity of 2,5000 tonnes? Further to this, I would also like to know who on behalf of the Government is doing all the necessary consequence analysis for this application, and if the Deputy Chief Minister could provide me with all the documents to this effect including the risk and harm criteria used?

**Clerk:** Question 672.

705 **Hon. J J Netto:** Mr Speaker, in relation to the application to rebuild the North Mole Oil Tanks, can the Deputy Chief Minister say if in the corresponding consequence analysis of this application he has taken into account both existing facilities in the vicinity of the proposed site for the storage tanks, and future new installations such as the new permanent power station, and if so, could the Minister say which ones have been taken into account?

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

715 **Deputy Chief Minister (Hon. Dr J J Garcia):** Mr Speaker, yes this is a 'live' application which is currently before the Development and Planning Commission for consideration. A presentation on the project was given in public in the John Mackintosh Hall at the DPC meeting on 5th September 2013. No objections were received by the Commission.

An EIA screening report has been circulated and the Town Planner has provided a screening opinion on that report to members of the Commission. These reports and the application itself will be discussed in public at the next meeting of the DPC on Thursday, 24th October.

720 The Government does not want to inadvertently prejudice or predetermine those discussions through the answers that it may provide in this House, given that my colleague the Minister for Health and the Environment and myself are both members of the DPC as well.

725 The House will know that there is also a court case pending in relation to the explosion of the original tanks that this application seeks to replace. The application is to use the tanks for storage only and not for processing.

730 **Hon. J J Netto:** Mr Speaker, taking into account what the Deputy Chief Minister has said in relation to the various presentations and the EIA report that will be circulated for further discussion, but I do not think that he has answered the part of my questions in relation to the legislation which will be applicable for the purpose of consideration of this matter.

735 **Hon. Deputy Chief Minister:** Mr Speaker, this would involve the hon. Member being given legal advice by this side of the House and I can confirm that all applicable legislation will obviously be taken into account by the Commission during its consideration of the application.

740 **Hon. J J Netto:** Mr Speaker, with respect to the Deputy Chief Minister, I was very specific in saying or in asking my question, what are the ones that will be taken into account. So I am actually asking in my original question which has not been answered, so given that I have given notice of the question, given that I have been very specific as to say which are the ones that will be applicable either from a European context or from within a local context, I think I at the very least should have an answer to that question.

745 **Hon. Deputy Chief Minister:** Mr Speaker, I think some of this information the hon. Member is requesting will emerge from the course of the meeting. There may be instances where the advice to the Commission is that certain pieces of legislation are not applicable and that others are. What I can say is that obviously all applicable and relevant legislation is taken into account by the Commission in its deliberations, which I think was the question.

750 **Hon. J J Netto:** Again, Mr Speaker, with respect, this issue might or might not appear when the discussion takes place in the Commission, but regardless of what may or may not happen in the Commission, I have given notice of a particular question and he needs to say whether he is going to answer the question or whether he does not want to answer the question. The question being that when they are considering this matter in front of them what are the legislation which are applicable for consideration both at the European level and at the local level. Can he be more specific about the answers to my questions?  
755

760 **Hon. Deputy Chief Minister:** Mr Speaker, I can say that all relevant pieces of legislation will be taken into account in the deliberations of the DPC. I was told I remember when I sat on that side of the House that the Government was not the DPC and that they refused to answer questions about the DPC also on one particular occasion. We are quite flexible in that, now perhaps it is less relevant because all the proceedings take place in public. The media is invited, the public is invited, applicants are invited, objectors are invited, and all this information will emerge presumably during the course of the meeting.

765 **Hon. J J Netto:** Mr Speaker, he just said that all relevant legislation will be taken into account, one would have thought that that is an obvious answer, that all relevant legislation will be taken into account. Heavens forbid that they do not, but that is not what was the nature of my question, which I gave notice. I was very specific in asking what they are. Now, I do not expect him necessarily to be able to know what specific legislation they are to be taken into account at a local or European level, but I expect that the civil servants who do provide information to the Minister when he gets notice of my question he will be able to provide the answer, and so far I have not been given an answer.  
770

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I think that it is probably better to put it this way, and I think that the Hon. the Deputy Chief Minister is a member of the Commission and therefore may be embarrassed in this way.

775 The Commission may receive representations from those representing the applicant about which pieces of legislation are not applicable even if there is a view by someone else that they are applicable. That itself could be a live issue before the Commission. The Government therefore does not think it is prudent to say these are the pieces of legislation that individual members of the Government who happen to be on the Commission will decide are the ones that are applicable.

780 This is really for him to understand the fact that the Commission is separate to the Government. The Commission may take a separate view as to what is or is not applicable. The applicant may take a separate view as to what is or is not applicable and the way it is or is not applied to the application and that may lead to submissions by their counsel in front of the Commission or appeals from the decisions of the Commission about what is or is not applicable, but in any event, Mr Speaker, the hon. Gentleman is in effect seeking legal advice from the Government by saying, 'What does the Government believe are the

785 pieces of legislation which are applicable?’ Well, Mr Speaker, I do not think the Government is here to give him that advice.

790 **Hon. D A Feetham:** Mr Speaker, I think the hon. Gentleman is being unfair in the latter point that he makes. The hon. Gentleman is not seeking legal advice; the hon. Gentleman is seeking, is asking a very specific question, which is capable of a factual answer which is, what are the pieces of legislation that will be taken into account when coming to a decision? That is not legal advice; that is a question of fact in terms of the legislation that will be taken into account by the board in coming to a decision.

795 Now, I take the Hon. the Chief Minister’s point about the fact that the DPC may say, well actually, these six pieces of legislation are relevant and they may receive representation from parties saying well the fifth and sixth piece of legislation are not relevant for *x, y and z* reason. I understand that. Will he therefore, in the light of that and undertake that, when the process is complete, if the hon. Gentleman then asks the question, ‘What pieces of legislation did you take it into account when, or the board took into account when reaching the decision? Which were the applicable ones that the board took into account?’ that then the Government will answer the question, rather than prospectively, as the hon. the Shadow Minister is asking?

800 **Hon. Chief Minister:** Mr Speaker, I do not think that the hon. Gentleman has understood what it was that the Hon. the Deputy Chief Minister had said, and he will be very happy to hear me paraphrase it for him.

805 But first of all, let me just explain to him again that the Government is very clear that asking us what legislation is applicable to a particular piece of legislation – to a particular application, or anything else – is asking us for a legal opinion. I know that he has been in practice long enough to know that many clients may simply seek an opinion of what pieces of legislation are applicable to things. Mr Speaker, on a myriad of different issues, one is asked in practice, please advise what is applicable to a prospective application for *x, y, z* before the Planning Commission or what is applicable to a prospective application for something else in respect of some other Government or other type of application. So, Mr Speaker, we are very clearly at odds with each other as to whether that is a request for a legal opinion or not.

810 Now, what he will be happy to hear me say, Mr Speaker, because he does not appear to have understood it in this way from the Deputy Chief Minister, is that given that after 9th December 2011, all the proceedings of the DPC are in public, unless something is sensitive for security reasons or the other very distinct exemptions, none of which apply in this case as he knows. I know that the Hon. Mr Netto has scoffed, but he was talking about being very precise and asking questions about fact and it is a fact that after 9th December 2011, all proceedings of the DPC are in public, including the deliberations of the DPC. Well, Mr Speaker, for that reason the only thing that the hon. Gentleman needs to do is to pitch up on the 24th as he has been told and listen to the application and listen to the deliberations. (*Interjection*)

825 **HEALTH AND ENVIRONMENT**

**Upper Rock Nature Reserve  
Illegal traps**

830 **Clerk:** Question 580, the Hon. J J Netto. Five eight zero.

**Hon. J J Netto:** Mr Speaker, can the Minister for the Environment please advise the House if there are any statistics available of illegal traps found within the Upper Rock Nature Reserve on an annual basis, set by individuals trying to catch any of the animals within the Nature Reserve?

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

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the Department of the Environment treats any reports of illegal traps found within the Upper Rock Nature Reserve, or any other area within Gibraltar, very seriously.

840 To date, the Department has received only one report of an illegal trap being found within the Upper Rock as part of the Upper Rock Consultation Process. This matter was taken up by the Environmental Officers from the Department of the Environment as a matter of priority but no traps have been found to date. Systematic searches in different areas within and outside the Nature Reserve continue to take place as part of the Upper Rock Surveillance Monitoring Programme.

845

**Hon. J J Netto:** Mr Speaker, I am grateful to the Minister for that answer.

850 He mentions in his answer that there has been only one report so far given to the Department of the Environment I think he has stated. But despite the fact that may well be the case that there has only been one report, is the Minister satisfied personally, particularly him given his background knowledge of the Upper Rock Nature Reserve whether in fact there are more people on an annual basis actually going up there and putting illegal traps in the Upper Rock Nature Reserve, regardless of the fact that we only have only one particular person who made a report and is being looked into.

855 **Hon. Dr J E Cortes:** Mr Speaker, I dare say that my knowledge of the Upper Rock Nature Reserve is probably more than just background, but having said that, I have no indication that there are more illegal traps on the Upper Rock now than there were in the past. I know of times in the past when there was definitely a problem there. This does not seem at this point in time to be so much of a problem, but clearly it is very difficult and this is why we are surveying regularly, and hopefully this is a true reflection of the fact that this is not a major problem but can become one at any point in time.

860 **Hon. J J Netto:** Mr Speaker, when the Minister says it is being surveyed, surveyed by whom, and how regularly?

865 **Hon. Dr J E Cortes:** Mr Speaker, it is surveyed by members of the Department of the Environment who are tasked with consulting other users of the Upper Rock, regular users of the Upper Rock and also visiting the Upper Rock to see if they detect anything untoward.

870 **Hon. J J Netto:** Does the Minister have a feel as to how many visits these particular monitors from the Department actually go to the Upper Rock Nature Reserve on a weekly, monthly basis?

875 **Hon. Dr J E Cortes:** Mr Speaker, I could not say without notice how often the officers of the Department go to the Upper Rock, but certainly the users of the Upper Rock which involves others, including volunteers who are very keen to ensure the protection of wildlife on the Upper Roc, are there on a daily basis.

**Hon. D A Feetham:** Yes Mr Speaker, just out of interest, what traps are we talking about here that are the source of concern?

880 **Hon. Dr J E Cortes:** Mr Speaker, given the fact that the Hon. Leader of the Opposition lives on the Upper Rock, I can assure him that the traps that I know about would not catch him. (*Laughter and interjection*) I will refrain from any further comment. The trap that I refer to that has come to my notice was a noose trap which would be aimed at catching rabbits.

885

**Mid-Harbour Small Boats Marina  
Water quality, protected species and habitats**

890 **Clerk:** Question 581 the Hon. J J Netto.

895 **Hon. J J Netto:** Mr Speaker, in relation to the Environmental Statement made by 'The Fourth Dimension' on the Government Mid-Harbour Small Boats Marina, can the Minister for the Environment say what measures, if any, will be introduced to improve the water quality in that area in order to comply with the EU Water Directive, given the presence of storm water culverts, which may affect the marine environment and the location of the two rowing clubs in this area?

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

900 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Questions 582 to 585.

**Clerk:** Question 582.

905 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment say if, further to the Environmental Statement on the Government project for the Mid-Harbour Small Boats Marina, a more definitive survey has been conducted or perhaps even will be conducted in relation to any protected species listed either in the EU Habitats Directive and/or the Nature Protection Act as a result of any



910 impact associated with the loss or disturbance of this Government project, and if so, can the Minister make a statement to Parliament to this effect?

**Clerk:** Question 583.

915 **Hon J J Netto:** Mr Speaker, can the Minister for the Environment say if any modelling of water flows has been conducted or will be conducted in order to ensure the best possible result once the project of the Mid-Harbour Small Boats Marina is finalised for the marine environment?

**Clerk:** Question 584.

920 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment say what mitigating measures, if any, will be introduced in order to minimise any impact from sediment plumes released and dispersed during dredging that otherwise would result in increased suspended solids concentrations in the water column during the construction phase of the Mid-Harbour Small Boats Marina?

925 **Clerk:** Question 585.

930 **Hon. J J Netto:** Mr Speaker, can the Minister for the Environment say whether it will accept the recommendation that is 7.04 Habitat creation opportunities, in the Mid-Harbour Small Boats Marina by the company 'The Fourth Dimension', in installing wave-attenuating revetments in the southern end of the development in order to provide opportunities for littoral and coastal habitats creation?

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

935 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, these questions all relate to water quality within the small boat marina. These issues are all dealt with within the Environmental Statement for the project of which the hon. Member has a copy, but nevertheless I will reiterate the points contained therein.

The deterioration of water quality within the small boat marina will be avoided through a number of initiatives.

940 Firstly in relation to the dredging, the total amount of silt that needs to be removed is actually considerably less than the initial estimates suggested, as a result the original proposal to vacuum up the sediment has been modified and the sediment will instead be moved to either side of the proposed caisson footprint using a clam excavator as opposed to suction. This will minimise any silt plume and particle suspension. It is expected that this action will be sufficient to keep levels of total suspended solids within the water column to a minimum.

945 Secondly, the Government has also taken on board the concerns relating to the storm water overflows and has modified the design of the small boat marina to maximise water movement within the marina basin whilst at the same time maintaining the maximum permitted wave height. This revision involves the inclusion of a number of submerged culverts, augmented by a number of smaller passages located at regular intervals between the breakwater caissons. These measures will allow movement of a sufficient amount of water through the marina and adjoining areas.

950 The measures described above have been approved and we are confident that they will ensure that the water quality status within the small boat marina does not deteriorate.

955 A monitoring programme is already operational in the immediate vicinity of the proposed marina and additional monitoring will be introduced to the area in order to ascertain that this is so and, should this monitoring indicate that water quality is being affected appropriate remedial steps will be taken.

There have been no further official surveys of the area. The survey conducted as part of the EIA process was definitive.

960 And in answer to the final point, the installation of wave attenuating revetments is a part of the marina design and will be included.

965 **Hon. J J Netto:** Mr Speaker, I am grateful to the Minister for that explanation. I think I have not heard anything from the Minister, unless he can correct me, in relation to if there are any protected species either included in the EIA Habitats Directive or the Nature Protection Act? Did he mention anything about that or have I missed it?

**Hon. Dr J E Cortes:** No, Mr Speaker, I did not specifically in this answer. I did refer him to the EIA which does cover that point, and which he has information on because he has a copy. There have been detected he will recall from the Environmental Statement that he is in possession of. There have been a number of individuals of *patella ferruginea* which are on the side of what is currently the revetment by

970 the Yacht Club and three examples of *pinna* species. Not all of these will be affected by the works. Those that would be affected would be removed as part of the works.

May I add, Mr Speaker, that they will be removed and replaced elsewhere in suitable habitat, of course.

975

**Barbary Partridges  
Population since 1990**

980 **Clerk:** Question 586, the Hon. J J Netto.

**Hon. J J Netto:** Mr Speaker, can the Minister for the Environment please advise the House what the population of Barbary Partridges has been since 1990 on an annual basis?

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

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Question 587.

990 **Clerk:** Question 587.

**Hon. J J Netto:** Mr Speaker, can the Minister for the Environment please advise the House of the number of Barbary Partridge chicks born since 1990 on an annual basis, and of those how many have grown into adulthood?

995

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

1000 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the Barbary Partridge is a secretive species. Due to the nature of much of the terrain within its breeding grounds in Gibraltar, the number of pairs is difficult or impossible to assess and population estimates are extremely difficult and would require very labour-intensive methods that would include complex mathematical modelling in order to achieve results that are approximate at best.

1005 Annual surveys and incidental observations do, however, provide a relative indication of numbers and these strongly suggest that numbers have dropped substantially during the current decade. Data from the Ornithological and Natural History Society annual winter bird count, a survey that includes all sites at which partridges are present in Gibraltar and kindly supplied to us by the Society, records the following mean values per decade: up to 1999 – circa 23 birds recorded; up to 2009 – circa 29 birds recorded; up to 2013 around 13 birds recorded. The total for 2013 was the lowest ever with 7 birds recorded. These are the number of birds recorded and, partridges being secretive, are taken to represent a proportion of the total number of birds present and obviously not the total population. Reports of small coveys on the Upper Rock recently give cause for cautious optimism, but the population is still extremely low, particularly on Windmill Hill Flats, its traditional stronghold.

1010 No such monitoring, relating to the second of the questions, has ever taken place. Partridge nests are normally extremely well concealed, so much so that one of the standard ways of locating partridge nests, in other areas of course, is with dogs. Dogs are not allowed off a leash within the Nature Reserve and cause obvious disturbance to partridges and other fauna especially when breeding. The resources, too, required to conduct such surveys with dogs or using any other methods have never existed.

1015 Furthermore, and most importantly, surveys of this type are not desirable because the retrieval of such detailed data would be extremely intrusive, whatever the method used and likely to lead to breeding failure among the partridges due to disturbance, the very opposite of what we want to achieve. So far I have referred to nests and chicks born alone. It is extremely difficult to monitor whether chicks fledge into adulthood following hatching as partridges are nidifugous meaning that the chicks leave the nest, wandering and foraging with their parents as soon as they have hatched.

1020  
1025 **Hon. J J Netto:** Mr Speaker, I think what we can take from the answer provided by the Hon. Minister is that the last count as far as birds recorded of partridges is down to seven. What he has not provided in his answer is why the decline of the Barbary Partridges, what has been the cause of that and we all have speculated in the past that this could be as a result of domestic and feral cats in the Upper Rock Nature Reserve.

1030 But can I ask the Minister, given that the last recorded number for 2013 is seven birds, have we now reached the stage where if anything positive is not done to maintain the species we will soon find

1035 ourselves that we will have no Barbary Partridges in the Upper Rock Nature Reserve and they will become extinct, unless of course Barbary Partridges of this particular genetic type are brought from Morocco. Can the Minister therefore answer my question, which is what are the natural enemy of the Barbary Partridges; what is being done to avoid that; have we reached a situation where, if this continues, by next year we will find there will be no recorded partridges in the Upper Rock Nature Reserve; and what does he intend to do about it?

1040 **Mr Speaker:** I am going to allow the supplementary for a very personal reason as well, I am very interested in the answer as an ornithologist myself, but I really think that the hon. mover of the question should have inserted those matters in the original questions. He was asking for statistical information only and not for considerations which affect those statistics. I am just saying that for guidance.

1045 I am going to allow it, but would he please keep that in mind in the future because there is no difficulty in injecting those considerations into his questions.

**Hon. Dr J E Cortes:** Mr Speaker, I will in turn answer this question, because I am keen to do so and have a very good answer to give. *(Laughter)*

1050 Mr Speaker, the hon. Member did not ask why the Barbary Partridges had decreased, otherwise I would have answered what, in theory, could be the reason, because in nature you can never give a hard and fast response. These things have been mentioned before here and elsewhere, they could include predation by feral cats and by yellow legged gulls, they will include the reduction of habitat due to the fact that about maybe 10 or so years ago, possibly more, control of the fire breaks was reduced in scale, disturbance is probably not the main reason.

1055 Clearly the numbers have dropped and clearly, were nothing to be done, we are risking extinction of the Barbary Partridge. The hon. Member might well recall conversations and correspondence to this effect, years ago, when he was Minister and I was a representative of an NGO. Fortunately I am now the Minister and therefore steps are in fact being taken.

1060 We have increased clearing of vegetation to increase the amount of habitat present, we are developing a strategy for the control of predators and I can announce that in a recent visit to Rabat, I have obtained the agreement of the authorities in Morocco, who will be providing us with numbers of Barbary Partridges of the right genetic strain to re-introduce into Gibraltar in order to be able to supplement the numbers and hopefully between that and the improvement particularly in habitat we will be able to support the population.

1065 Clearly, Mr Speaker, we are talking about nature. It could be that there are other reasons that we do not know possibly disease, I have no evidence to suggest that, and perhaps even these measures are not sufficient. But we are certainly giving it a bigger try than has ever been tried before.

**A Member:** Hear, hear.

1070 **Hon. D A Feetham:** Yes, Mr Speaker, just dealing with the point that Mr Speaker made of course, and I thought that I knew the answer because I think there has been exchanges in the past, but my hon. Friend could not have known what supplementary arises because of course he has to wait for the statistics, before the supplementary. It may have well shown an increase – that is highly, highly unlikely that it showed an increase. But we had an exchange a number of months ago in relation to this particular issue. It is an issue that is also close to my heart as well, as somebody that lives up there and likes to walk in the Upper Rock as much as possible with dogs, on a leash I may add.

1075 But the last time that I asked questions about this, the Hon. Minister indicated that the main problem by far with the decline in numbers of the Barbary Partridge, which is after all an iconic species for Gibraltar appearing on our coins, was the question of the feral cats, and I asked him what he was going to be doing with the question of feral cats and he said we will make an announcement in due course.

1080 Now, can the Hon. Minister satisfy this House that the Government is getting to grips with the question of feral cats? I understand that it is a very, it is a very thorny issue, because of course as a proponent of protecting the species of Barbary Partridges, there may be people out there who say, ‘Well look, I am a proponent of protecting feral cats’, but the reality is that feral cats have been introduced by human beings into the Upper Rock into the Nature Reserve and if they are decimating, as indeed he said they were decimating, the population of Barbary Partridges, something has to be done about the feral cats and can he perhaps enlighten the House about that?

1085 **Hon. Dr J E Cortes:** I have got to repeat that in everything to do with nature and eco-systems, it is always probability, so it is likely that the feral cats are having a significant effect, and yes, I can say that we are getting a strategy together. I can say that clearly there are differing opinions, but I can also say that I have had very fruitful discussions on a number of issues with the Cat Welfare Society, and I am sure

1095 that we can come up with a programme that will not offend anybody's sensitivities and that will hopefully be beneficial to the Barbary Partridge.

1100 **Hon. D A Feetham:** But Mr Speaker, how far away are we in terms of the execution of that strategy, bearing in mind that I asked this question last year, and last year he was telling me that the plans were in progress? It seems to me from the statistics that the hon. Gentleman has provided that every year that passes the population has declined and as the Hon. the Shadow Minister for the Environment quite rightly pointed out that, it would be a shame, laudable as it is that the Government is seeking to introduce Barbary Partridges from Morocco, it would be shame if we lost, what are species that are indigenous to Gibraltar – they migrate from Morocco to Gibraltar, but the birds that we have at present here in the Upper Rock. It seems to me that every time in every year that passes it is less likely that we will have those indigenous birds.

1105 **Hon. Dr J E Cortes:** Mr Speaker, once again, I wish that the philosophy that the Hon. Leader of the Opposition is expounding now had been the philosophy of his Party when they had been in Government and I was telling them exactly what they are telling me now, and we would not be in this situation now. *(Banging on desks)*

1110 But being where we are, this is being incorporated as part of our plans for the Upper Rock Nature Reserve, I think we are only a short time away from that and the last thing I want to do, in bringing in partridges from Morocco, is bringing in partridges to become a cat's dinner, and clearly these things have to be taken side by side and taken together. But I think that by the time the next breeding season of the partridges arrives early next spring, hopefully the situation will be much improved for them.

1115 **Hon. J J Netto:** Mr Speaker, could I ask, in terms of the timetable ahead for the Minister, could he tell us when does he intend to implement the strategy and when is it that the new partridges from Rabat will be coming into Gibraltar?

1120 **Hon. Dr J E Cortes:** Mr Speaker, this morning we spoke about the Upper Rock Plan and how it is going to go to stakeholders in, hopefully, in December. That does not mean that actions that need to be taken and that can be taken in advance of the plan will not be taken.

1125 As far as importation from Morocco is concerned, we are progressing with the arrangements. Clearly dealing with what we are, there are often delays, but ideally we would want to have the partridges in Gibraltar sometime during the autumn, early winter. They would be kept in quarantine before they were released to ensure that they did not bring any diseases, so we would hope to be able to release these towards the end of the winter, but clearly it does depend on us actually getting the birds over. The agreement has already been arrived at. The *Eaux et Forets* High Commissioner was very supportive and they have confirmed in writing that they will be providing these birds, and my officials are now in the process of trying to arrange the importation, clearly with all the relevant health and other paperwork that would be required.

1135 **St Bernard's Hospital  
ICU patients with dehydration**

**Clerk:** Question 588, the Hon. Mrs I M Ellul-Hammond.

1140 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health say how many patients, while in the care at St Bernard's Hospital, since 9th December 2011, have been admitted to the ICU because of dehydration?

1145 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, could you repeat the number? I think my questions are slightly out of sequence. Which number? Is this Question 588? (**Mr Speaker:** Yes.) Okay, sorry, I had made my notes on partridges on my script, I do beg your pardon.

1150 Mr Speaker, this data started to be recorded in March 2012 and were not separately identified until then.

Since March 2012, no admission or transfers from other wards to the ICU are recorded with a diagnosis of dehydration. This also includes any admissions from the Care Agency.

However, three cases of dehydration are recorded from home admissions – one patient was suffering from self-neglect and two with severe diarrhoea and vomiting.

1155 If a response is required from 9th December 2011 to March 2012, given that the data was not collected separately, this would require going back to each individual case, file by file, and more time would therefore be required to answer that question.

1160

**St Bernard's Hospital  
ICU patients with dehydration**

1165 **Clerk:** Question 589, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health say how many patients, while in the care at St Bernard's Hospital, pay for an independent private carer, or from one of the two private care providers in Gibraltar, in order to attend to their basic needs of feeding and washing during their stay in the hospital?

1170

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

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, currently there are six patients in Captain Murchison Ward and 3 in Victoria Ward who pay for independent private carers.

1175

It is important to note that the responsibility of the nursing team is to provide care. However, some patients request the permission to bring in carers, paid or otherwise. This is only given when it has been discussed with the nurse in charge, and has been the case now for many years.

1180

**GHA Review Report  
Publication**

1185 **Clerk:** Question 590, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, further to the answer given to Question No. 282/2013, can the Minister for Health say when the GHA Review Report will be made public?

1190

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

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, I have explained on several occasions in reply to previous similar questions that the report will be published when I am satisfied that enough has been done to address the main concerns raised within it.

1195

We are progressing along this route, but we are not there just yet, but it *will* be made public.

**GHA management structure  
Unit General Managers**

1200

**Clerk:** Question 591, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health explain how the new three Unit General Managers system for the management structure of the GHA will work?

1205

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

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the GHA's management structure currently lacks focus in terms of service accountability for its Units, in that its services have been managed by many different directors on a segmented basis but no one in each Unit has had overall responsibility for organising its service delivery.

1210

We have three major services providing health care to the local population: St Bernard's with its acute services; Primary Care Services; and Mental Health Services, with the latter currently undergoing expansion.

1215 Each of these Units will have a General Manager, responsible to the Chief Executive, for the overall management of its services and its performance, including clinical and support service provision and financial and corporate management.

1220 The Chief Executive and GMs together with the Head of Nursing and the Medical Director will form an Operational Team with overall responsibility for delivering the GHA's services.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, will these Unit Managers be sitting above the Executive Directors in terms of line management?

1225 **Hon. Dr J E Cortes:** Mr Speaker, above the...?

**Hon. Mrs I M Ellul-Hammond:** The present Executive Directors.

1230 **Hon. Dr J E Cortes:** Mr Speaker, as part of the restructure, the whole system will change, and the Executive Directors will no longer form part of, the current Executive Directors, and indeed some of those posts will no longer form a part of the new operational management team. It is a restructure, after all.

1235 **Hon. Mrs I M Ellul-Hammond:** So, Mr Speaker, will the Unit General Manager for Hospital Services for instance be replacing the Chief Operating Officer and Medical Director and then there will be a separate Medical Director employed?

**Hon. Dr J E Cortes:** Mr Speaker, this is part of the restructure that is currently being undergone. The Unit General Managers will replace the role of the Chief Operating Officer.

1240 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, will the Clinical Nurse Manager for Primary Care remain and work under the new Unit General Manager for Primary Care Services, or will that position be made redundant?

1245 **Hon. Dr J E Cortes:** Mr Speaker, we are reviewing the management structure of the authority at the, what used to be the executive level, now called the operational management team level. We are not reviewing grades that are below that level, at this stage.

1250 **Hon. Mrs I M Ellul-Hammond:** So Mr Speaker, is the Hon. Minister saying that all the Executive Director positions will be made redundant but the clinical nurse manager positions will remain?

1255 **Hon. Dr J E Cortes:** Mr Speaker, I have said nothing about anybody being made redundant. I have clearly answered the question on how the system will work in my original response, I have volunteered further information for point of clarification, but I think that I have actually replied to the extent that the question was originally formulated.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, but what will happen to those who are currently in post? I think there are about eight Executive Directors and will they all be standing out and all applying for the three new management positions that will become available now?

1260 **Hon. Dr J E Cortes:** Mr Speaker, I do not know what they will do as individuals. What I will say is that the current executive is being replaced with a new operational management team, which is focused at running patient services at the financial efficiency and that is the thrust. I am not, I think, at liberty to discuss the individual situation of individual persons here publicly and certainly not without their permission.

1265 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, apart from the three Unit General Managers, will there remain a department for human resources within the hospital, and also will there be a director or management role or position solely for IT?

1270 **Hon. Dr J E Cortes:** Mr Speaker, at this point in time, we are addressing the operational management, the support services, which obviously include human resources, and IT will follow as part of the process we are considering.

1275 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health say who approved this new management structure of the GHA?

**Hon. Dr J E Cortes:** Mr Speaker, the GHA has approved it, and I as its Chairman as well as the Minister for Health. Mr Speaker, by GHA, I obviously include the board of the GHA.

1280 **Hon. Mrs I M Ellul-Hammond:** And finally Mr Speaker, can the Minister confirm then that the clinical nurse manager positions will remain?

1285 **Hon. Dr J E Cortes:** Mr Speaker, I have already said that we have not reviewed posts below the level of what used to be called and still at this point of transition is called the executive.

**St Bernard's Hospital  
Single-sex wards**

1290 **Clerk:** Question 592, the Hon. Mrs I M Ellul-Hammond.

1295 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health say when the wards at St Bernard's Hospital will become male or female only, as per the Government's manifesto?

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

1300 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the pressures on beds that this Government inherited have meant that this has not so far been possible, but it is on track to be delivered before the next general election. The timing will be reassessed in the light of the future opening of other facilities for the elderly.

1305 **New Mental Health facility  
Advertising vacancies**

**Clerk:** Question 593, the Hon. Mrs I M Ellul-Hammond.

1310 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health say when the vacancies for the workforce for the new Mental Health facility at the former RNH site will be advertised and what the composition and skill mix will be?

1315 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the details of the workforce plan are being finalised in consultation with the professionals.

1320 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, by when will the plans and the composition be finalised and decided?

1325 **Hon. Dr J E Cortes:** Mr Speaker, the intention is clearly that we are able to open the new facility when it is ready and commissioned. That is our plan and we are on target.

**Smoking  
Ban in outdoor eating areas**

1330 **Clerk:** Question 594, the Hon. Mrs I M Ellul-Hammond.

1335 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health advise whether he has considered the banning of smoking in outdoor designated areas for eating and whether legislation on this will be brought to Parliament?

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

1340 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, improvements to the Smoke Free Environment Act, as to many other Acts, are continuously being considered.

**Hon. Mrs I M Ellul-Hammond:** But Mr Speaker, is this consideration likely to be brought to this House as an improvement to the legislation?

1345 **Hon. Dr J E Cortes:** Mr Speaker, the consideration will not, the result of the consideration would have to come to this House if there is a need subsequent to that to amend or to propose to amend the Smoke Free Environment Act.

1350 **St Bernard's Hospital  
New Stroke Unit**

**Clerk:** Question 595, the Hon. Mrs I M Ellul-Hammond.

1355 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health say when the Stroke Unit will be set up at St Bernard's Hospital as per the Government's manifesto?

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

1360 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, discussions are taking place with the clinicians to determine the best model for stroke care for Gibraltar. This will include a visit from an expert in stroke management later this month. Following this, a timetable for implementation will be prepared. I trust that the hon. Members opposite will unanimously support this initiative.

1365

1370 **Electronic Health Record system  
Implementation**

**Clerk:** Question 596 the Hon. Mrs I M Ellul-Hammond.

1375 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, in response to the Hon. Minister's latest aim, yes, we will certainly support such an initiative for a stroke unit at St Bernard's Hospital.

Mr Speaker, can the Minister for Health say when the new Electronic Health Record system will be up and running?

1380 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, a tender package for the Electronic Health record is being prepared. The implementation date will depend on the successful tenderer.

1385 **Mrs I M Ellul-Hammond:** Mr Speaker, when did the tender notice go out, and by when do tenders need to be submitted?

1390 **Hon. Dr J E Cortes:** Mr Speaker, I said that the package is being prepared; it has not yet gone out, it should be out shortly.

1395 **Principal Nurse Lecturer  
Advertising vacancy**

**Clerk:** Question 597, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health advise when the vacancy for Principal Nurse Lecturer which is to become vacant soon will be advertised?



1400 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, a designate post will be established and advertised shortly with a view to facilitating a suitable practitioner to obtain the necessary experience for the role.

1405 In the meantime, the post will be temporarily filled by a well qualified professional following discussion with Kingston & St George's University, who are responsible for the nurse training programme.

1410 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, the Hon. Minister said advertised 'shortly' – shortly as in when, the next few days, few weeks, months?

**Hon. Dr J E Cortes:** Mr Speaker, shortly – shortly I could not be more short than that.

1415

#### **GHA Complaints Process and Gibraltar Ombudsman service Function**

1420 **Clerk:** Question 598, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health explain how the new GHA Complaints Process, in tandem with the Gibraltar Ombudsman service, works?

1425 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the new Complaints Procedure is not yet in place.

1430 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Hon. Minister say that once it is in place, who will be dealing with arbitration on site for small or informal complaints, or will all complaints need to be formally investigated?

1435 **Hon. Dr J E Cortes:** Mr Speaker, I do not think that that question is one that I need to answer. We are working with the Ombudsman and with the responsible people within the GHA in developing the complaints process. I answered quite honestly and truthfully, as would be expected of course, that the new procedure is not yet in place. I cannot discuss the new procedures details because they still have not been finalised.

1440

#### **Consultants' Contract Progress in negotiations**

1445 **Clerk:** Question 599, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health say what progress has been made on negotiating the Consultants' Contract, what has been the delay and when will the matter be resolved?

1450 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

**Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, discussions are proceeding.

1455 Meetings have taken place with Unite the Union and GGCA and their consultant representatives to define the relevant items for discussion/negotiation and a Heads of Discussion paper is currently under consideration.

Further meetings are planned and after those have taken place, later this month, I will be in a better position to indicate when this matter might be resolved.

1460 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I am conscious that those of us who are on either side of the House are able to move in and out and have a refreshment or otherwise have a comfort break,

but unless I move a recess neither you nor the Clerk are able to do so, so I would invite the House to recess for 15 minutes.

1465 **Mr Speaker:** The House will now have a short recess.

*The House recessed at 4.52 p.m. and resumed its sitting at 5.13 p.m.*

1470

## **EQUALITY, SOCIAL SERVICES AND THE ELDERLY**

### **Alzheimer & Dementia facility Advertising vacancies**

1475

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

1480 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Social Services say when the vacancies for the former RNH Alzheimer & Dementia facility workforce will be advertised and what will be the composition and skill mix?

**Clerk:** Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

1485 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, when a decision is taken, it will be announced.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister say again when the Alzheimer/Dementia facility is scheduled to open? Is it this autumn or at the beginning of the New Year?

1490 **Hon. Miss S J Sacramento:** Mr Speaker, I have never said that it would be ready to open this autumn. What I have said in this House is that it should be ready to open either at the end of this year or at the beginning of the New Year.

1495 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, so how many months is it necessary in order to put a workforce plan together, seeing that the hospital should be opening within the next two to three months?

**Hon. Miss S J Sacramento:** Mr Speaker, it is not a hospital; it is a residential facility, and once the plans have been finalised, appropriate announcements will be made as they are appropriate.

1500 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, these are plans for the facility or the plans for the workforce structure?

1505 **Hon. Miss S J Sacramento:** Mr Speaker, on the basis that the primary question relates to the workforce then my supplementary answer relates to the workforce.

### **Acting Nursing Co-ordinator, Mount Alvernia; acting Disability Team Leader Details of posts**

1510

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

1515 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, further to Question 144/2013, can the Minister for Social Services say whether the post of acting Nursing Co-ordinator at Mount Alvernia has been reviewed and whether it will become a permanent post?

**Clerk:** Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

1520 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, I will answer this question together with Question 602.

**Clerk:** Question 602.

1525 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, further to Question No. 145/2013, can the Minister for Social Services say whether the post of acting Disability Team Leader has been reviewed and whether it will become a permanent post?

**Clerk:** Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

1530 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, both posts continue to exist in the complement as provided for in the budget of income and expenditure for the current year in the same way as it existed in previous years.

1535 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, in relation to the acting Nursing Co-ordinator at Mount Alvernia, in February the Minister said that it was being filled on an acting capacity, so is this position still being reviewed eight months later?

1540 **Hon. Miss S J Sacramento:** Mr Speaker, that supplementary question is a different question to the substantive question, because the substantive question relates to the post and the post has always been there... well, has been there for the last couple of years, as provided for in the budget of income and expenditure.

1545 **Hon. Mrs I M Ellul-Hammond:** I will reiterate the supplementary, Mr Speaker. In February, the Minister said that this post was being filled on an acting capacity, and that the position was being reviewed. My question is, is this position still being reviewed eight months later?

**Hon. Miss S J Sacramento:** The answer is yes, Mr Speaker, but I still make the point that it is a completely different question to the substantive question.

1550 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, in relation to the post of acting Disability Team Leader, in February the Hon. Minister said that by the next sitting of Parliament, which was May, the Disability Service Review would have concluded. Can the Hon. Minister say what has been the conclusion of the review?

1555 **Hon. Miss S J Sacramento:** Mr Speaker, I think I said I would have hoped it would have been concluded, but the service continues to be reviewed and the status quo continues as it was then.

1560 **Hon. Mrs I M Ellul-Hammond:** So Mr Speaker, the Hon. Minister is saying that still eight months later the service and the post of the acting Disability Team Leader is still being reviewed?

**Hon. Miss S J Sacramento:** Yes, Mr Speaker, the Disability Service continues to be reviewed with the aim that it is much better improved by the end of it.

1565 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, and just one final supplementary on the Nursing Co-ordinator at Mount Alvernia: is this position at the moment being filled by a Care Agency member of staff or a GHA member of staff?

1570 **Hon. Miss S J Sacramento:** Mr Speaker, this is a Care Agency post and at present the person acting in this post is from the GHA, as indeed are other people in the Care Agency who are acting in the Care Agency and in the previous administration as well.

1575 **Residential Home Manager, Tangier Views  
Review of post; restructure of residential service**

**Clerk:** Question 603, the Hon. Mrs I M Ellul-Hammond.

1580 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, further to Question No. 146/2013, can the Minister for Social Services say what the conclusion of the review of the outstanding post of the Residential Home Manager of Tangier Views is, and what the new restructure of the residential service is?

**Clerk:** Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

1585 **Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, the review has not concluded.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, the Hon. Minister in February said that the review is almost concluded and a restructure is being planned for the new financial year. We are now nearly six months into the new financial year with still no restructure. Did the Hon. Minister perhaps mean next financial year?

1590  
1595 **Hon. Miss S J Sacramento:** No, Mr Speaker, things are being reviewed. As things are reviewed, other things come up. When one conducts a review in consultation with the staff and listens to the staff, things will take as long as they take, but as long as management and staff are working together and it is not an issue for the staff, then let the review take as long as it needs to take, to make sure that the outcome is the optimum outcome.

1600 **Hon. Mrs I M Ellul-Hammond:** So Mr Speaker, how much longer will the outcome be the optimum outcome, how much longer will that take?

**Hon. Miss S J Sacramento:** As long as it has to, Mr Speaker.

1605

### Waterport Terraces Day Centre Opening

1610 **Clerk:** Question 604, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, further to Question No. 463/2013, can the Minister for Social Services say when the Day Centre at Waterport Terraces will be opening?

1615 **Clerk:** Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

**Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, I will answer this question together with Question 605.

1620 **Clerk:** Question 605.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Social Services say if the vacancies for the workforce for the Day Centre have been advertised and how many staff will be employed to run the Centre and what will the skill mix be?

1625 **Clerk:** Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

**Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, there is no date at present for the opening of the Day Centre at Waterport Terraces.

1630 In Question 605, the hon. Lady has not specified which day centre she is referring to, and on the basis that she has asked other questions relating to Waterport Terraces Day Centre, I am assuming that she is referring to this facility in this question and the answer provided is on this basis.

Vacancies have not been advertised and no final decision as to workforce has been taken.

1635 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, yes, the Hon. Minister is correct, it is the Day Centre at Waterport Terraces.

Mr Speaker, in June the Hon. Minister said that the Waterport Terraces Day Centre would categorically be opening in a couple of months. What has been the delay?

1640 **Hon. Miss S J Sacramento:** Mr Speaker, I do not recall categorically saying that it would be opening in a couple of months; I recall having said that it would be opening shortly.

1645 Now, Mr Speaker, there are things that are being looked at because when one is responsible with the administration of public funds, one starts to look at the best outcome for the service, for the product and for the money being spent on it. Therefore, while it is still my desire to open it shortly and indeed very shortly, because for me everything I want to do very quickly, but these things take time, Mr Speaker, and more haste less speed, which is perhaps something that the previous administration could have employed when dealing with the Care Agency. **(Several Members: Hear, hear.) (Banging on desks)** But the hon.

Lady, Mr Speaker, can rest assured that when this facility is open, it will be a fantastic facility and I cannot wait to open it myself.

1650 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, I am sure the Hon. Minister did not mean to mislead Parliament, but if I can read from *Hansard* of June, the Hon. Minister said, 'We are now at a stage where I can say categorically (*Interjection*) that this centre will be opened in the next couple of months, Mr Speaker.' (*Interjections*)

1655 **Hon. Miss S J Sacramento:** Mr Speaker, I certainly would never intend to mislead Parliament (*Interjections*) and I did say that I did not recall what I said, but that I thought that I had said that it would be open shortly, Mr Speaker. (*Interjections*)

1660 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, again back in June, the Hon. Minister said, 'The facility itself is now ready and what we are doing is we are dealing with the staffing issues.' Four months later, does the Minister still not know how many staff need to be employed or what the skill mix would have to be and a date to advertise these vacancies?

1665 **Hon. Miss S J Sacramento:** Mr Speaker, we are going round in circles here because I have already answered that question. I have already said that I am looking at what is happening and as soon as it is ready, then everything will be announced as appropriate.

1670 **Hon. D A Feetham:** Mr Speaker, can the hon. Lady at least answer this, what has changed from the use of the word 'categorical' in June to now the hon. Lady being a convert to this principle of less haste, etc? What has happened between June and now for the hon. Lady to have such a seismic shift in the way that she approaches this?

1675 **Hon. Miss S J Sacramento:** Mr Speaker, there has not been any seismic shift as they are trying to imply. Because the intention is always to open things as soon as possible, (*Interjections*) but as properly and as responsibly as possible, and all that has happened is that we have reviewed our initial views on how this was going to happen, and we have changed our mind in a certain way of things – so what, Mr Speaker? We are just looking at it so that it is the most efficient and cost effective place that can be run, because we are responsible with the use of the taxpayers' money, Mr Speaker.

1680 **Hon. D A Feetham:** So Mr Speaker, this has nothing to do, for example –

**Chief Minister (Hon. F R Picardo):** If I might just add to that –

1685 **Hon. D A Feetham:** I am on my feet already –

**Hon. Chief Minister:** Then I will not be able to give you the benefit of what I am going to say –

1690 **Hon. D A Feetham:** Well, if he wants me to give way, I have asked him on a number of occasions and I will give way. He has not to me on a number of occasions, but I will to him.

**Hon. Chief Minister:** That's okay... [*Inaudible*] (*Laughter*)

1695 **Hon. D A Feetham:** Well, Mr Speaker, can the hon. Lady then assure us that this is nothing to do with the Government's priorities for funding, that the hon. Lady... this is not a situation, as indeed those of us who have been Government Ministers may have at one time or another experienced, where the Government has to lay down priorities and the cause of the shift from categorical to the position that she adopts now is that she has been told either by the Finance Minister or probably more likely by the Minister for Employment, Mr Bossano that there is no money for this particular project at this present time?

1700 **Hon. Chief Minister:** Well, Mr Speaker, let me deal with what I was going to deal with and as Minister for Finance also deal with that point. That is not the position, Mr Speaker. There is money for this project and for more.

1705 Mr Speaker, that is what prudent management of finances of the Government delivers. Instead of spending £24 million initially on an Airport that cost £80 million, we are able to ensure that we deal with issues like this.

But I think, Mr Speaker, it is very unfair to have done what the hon. Lady did in the report quote that she purported to take from *Hansard*. In fact I think the important thing is to look at the whole of the

1710 *Hansard*. It starts at page 19 of the relevant day at line 195, Mr Speaker, and the first reference to a time when the facility will be open when the Hon. the Minister spoke was to say this, after having said it would open shortly:

‘I think that, realistically, Mr Speaker, the answer to that is within a couple of months.’

1715 There then ensued a very long debate, Mr Speaker, before – (**Mr Speaker:** Debate! Debate!) indeed, Mr Speaker, indeed I am very sorry to say – and it was only then, at the very end of that process, that the quote that the hon. Lady has referred to appears, and I think it is fair, Mr Speaker, to put it in context for those, I was going to say ‘listening’, but today it may actually be watching, and that is the phrase at line 1190, Mr Speaker. This is where the Minister said:

1720

‘We are now at a stage where I can say, categorically, that this centre will be opened in the next couple of months, Mr Speaker. For me, as far as I am concerned, I would wish for it to be opened tomorrow; I would in fact wish for it to have been opened yesterday. But these things happen, Mr Speaker, they are not easy to do and to do them properly, we need to do them well.’

1725

So in fact, Mr Speaker, the Minister is exactly where she was then: she wants to ensure that this is done properly. We do not want another fiasco, Mr Speaker, like the Mental Health Centre, where there was a lot of speed, very little haste and the whole thing has meant that the whole facility has had to be redesigned and more good money thrown after bad.

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**Hon. D A Feetham:** Mr Speaker, with respect, he has left out the first sentence of that paragraph, which he has just read:

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‘We are now at a stage where I can say, categorically, that this centre will be opened in the next couple of months, Mr Speaker. For me, as far as I am concerned, I would wish for it to be opened tomorrow; I would in fact wish for it to have been opened yesterday. But these things happen...’

What she is saying is –

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**Hon. P R Caruana:** Lamenting the two months’ delay.

**Hon. D A Feetham:** Exactly. She is lamenting the two months delay, but she is saying that it will categorically be opened within the next couple of months. Because I have to ask a question, is that not the case?

1745

**Hon. Chief Minister:** Mr Speaker, the hon. Gentleman is reaching new heights of misunderstanding. He gets up and says, ‘What you have not done is read the first sentence.’ Actually, Mr Speaker, I read the whole of the first sentence that he then re-read. I know, Mr Speaker, that sometimes he and I have difficulty understanding each other, but I thought we could hear each other, and therefore, Mr Speaker, I have nothing more to add, other than the Government’s intention is to open this centre as soon as possible, but to do it properly and that is requiring a bit more time than anticipated.

1750

I understand that they might want to urge us to do this. They did not do it in their time, Mr Speaker. It was closed for a very long period of time. In fact, it was closed for three years after it was completed in their time. Yes, well, nothing was done with the unit for three years and therefore, Mr Speaker, we will take this as their encouragement that our policy of doing this day centre there is one that they encouraged to such an extent they now adopt it and wish to have it delivered as soon as possible.

1755

Thank you for that backhanded compliment: we are on our way.

1760

**Alzheimer & Dementia facility  
Conversion of former John Mackintosh Wing**

**Clerk:** Question 606, the Hon. Mrs I M Ellul-Hammond.

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**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Social Services say who advised on the conversion design and layout of the former John Mackintosh Wing into an Alzheimer & Dementia facility?

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**Clerk:** Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

**Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, I will answer this question together with Questions 607 to 609.

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**Clerk:** Question 607.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Social Services say when the plans for the conversion project of the former John Mackintosh Wing into an Alzheimer & Dementia facility will be submitted to the DPC?

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**Clerk:** Question 608.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Social Services say if the John Mackintosh Trust has approved the change in design of the new project at the John Mackintosh Wing of the former St Bernard's Hospital?

1785

**Clerk:** Question 609.

1790

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Social Services say if building approval has been sought on the works being carried out at the former John Mackintosh Wing and whether it has a certificate of fitness?

**Clerk:** Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

1795

**Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, the John Mackintosh Wing will not be an Alzheimer & Dementia facility. It will be a residential facility for frail elderly which will include people with Alzheimer's.

The John Mackintosh Trust has been fully apprised of the developments at the site and the change of plans. The changes have been accepted by the Trust.

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A team comprised of Government project managers, Care Agency and GHA management have been involved in the re-design of the layout, the plans have already been submitted to the DPC and Building Control Department.

As with all HMGOG projects, building approval has been sought on the works being carried out. The works are not complete and as such a certificate of fitness cannot yet be issued.

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**Alzheimer & Dementia facility, former John Mackintosh Wing  
Advertising vacancies**

1810

**Clerk:** Question 610, the Hon. Mrs I M Ellul-Hammond.

**Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Social Services say when the vacancies for the former John Mackintosh Wing Alzheimer & Dementia facility workforce will be advertised and what will be the composition and skill mix?

1815

**Clerk:** Answer, the Hon. the Minister for Equality, Social Services and the Elderly.

**Minister for Equality, Social Services and the Elderly (Hon. Miss S J Sacramento):** Mr Speaker, when a decision is taken, it will be announced.

1820

**Hon. D A Feetham:** Mr Speaker, yes, I understand that when she said that when a decision is taken, it will be announced. Is she saying that there has been no decision as to the composition and skill mix of the workforce or has that decision been taken but the Government really is not in a position to, or does not want to announce it at this stage? Because a considerable amount of work presumably must have gone into, and the Government must have an idea of the composition and skill mix of the workforce needed for this particular facility, I presume.

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**Hon. Miss S J Sacramento:** Mr Speaker, the question was in relation to advertisement of the composition and the skill mix and that is the basis on which I formulate my question. Yes of course work has been done in relation to the general number of staff that will be required for this. When you work in these types of environment there are certain ratios that apply depending on the level of dependency of the beds. We have a general idea but it is indeed as the hon. Member said we are not in a position to announce it now.

1835 **Hon. D A Feetham:** With respect to the hon. Lady the question was, 'will be advertised', and then there was a second part of the question, 'and what will be the composition and skill mix', so effectively it is two questions in one. Hence why I have asked my supplementary. But she has answered it.

1840

## TRAFFIC, HOUSING AND TECHNICAL SERVICES

### Traffic and parking management Role of Mott MacDonald

1845

**Clerk:** Question 611, the Hon. S M Figueras.

1850 **Hon S M Figueras:** Mr Speaker, can the Hon. Minister for Traffic say whether Messrs Mott MacDonald are playing an active role in the management of Gibraltar's traffic and parking in any capacity during the time that the Government awaits preparation of the Sustainable Traffic and Transport Management plan?

**Clerk:** Answer, the Hon. the Minister for Traffic, Housing and Technical Services.

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**Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, Mott Macdonald are the Government's appointed consultants, engaged to assist with the development of Gibraltar's Sustainable Traffic, Transport and Parking Plan. Their role is to provide specialist advice on matters relating to this with the purpose of delivering the plan. This does not mean that they are involved in day-to-day management decisions regarding traffic and parking matters.

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**Hon. S M Figueras:** Mr Speaker, can the Minister say, having taken notes certainly of what he has just said in his answer, whether any traffic management situation or decision is run by them for any kind of advice or whether that has been the case, since they have been taken on to prepare the plan?

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**Hon. P J Balban:** Mr Speaker, the traffic consultants are there to develop the plan for Gibraltar. They do not take decisions in that respect; that is taken by other persons, so the reply is no.

1870

### Eastern Beach multi-storey car park Details

**Clerk:** Question 612, the Hon. S M Figueras.

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**Hon. S M Figueras:** Mr Speaker, can the Hon. the Minister for Traffic provide more details in relation to the multi-storey parking facility at Eastern Beach, announced as part of the launch of the two housing projects at the Aerial Farm and the current coach park?

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**Clerk:** Answer, the Hon. the Minister for Traffic, Housing and Technical Services.

1885 **Minister for Traffic, Housing and Technical Services (Hon. P J Balban):** Mr Speaker, in fulfilment of the Government's manifesto commitments to provide 300 parking spaces at Eastern Beach we recently announced that we would be constructing a new multi-storey car park on the site of the existing car park at the entrance to the beach. This will consist of a two-storey structure providing 147 spaces at ground level, 143 at the first level and 150 on the top open deck, thereby providing a total of 440 spaces. Preliminary works will very shortly be starting, with the intention being that completion is achieved prior to the start of the next year's bathing season.

1890 **Hon. S M Figueras:** I did not quite catch where exactly the multi-storey facility is going to go – in Eastern Beach certainly, but I did not quite get the detail. Perhaps the Minister will be so kind as to repeat it.

1895 **Hon. P J Balban:** Mr Speaker, the multi-storey facility will be positioned at the entrance to Eastern Beach.



**Hon. S M Figueras:** Mr Speaker, can the Minister say whether what he means by ‘at the entrance to Eastern Beach’ is on the east side reclamation bit, at the entrance to the beach, or – ?

1900 **Mr Speaker:** The existing car park.

**Hon. S M Figueras:** But, Mr Speaker, there are a number of car parks in the area, hence why I am driving at this point.

1905 **Hon. P J Balban:** Mr Speaker, it is actually where the existing small car park is, opposite Latinos on the Beach.

**Hon. S M Figueras:** Mr Speaker, one more supplementary. Is the Hon. Minister in a position to say to what use it is intended these parkings will be put? (*Interjection and laughter*)

1910 **Hon. P J Balban:** Mr Speaker, the facility is meant to be for parking vehicles! (*Laughter*)

**Hon. S M Figueras:** Yes, well, guided by the Chief Minister, I could have expected that the answer would be about as helpful as that!

1915 Clearly, I need to be a little more specific as is the pattern that has been developing for some time in respect of even more serious matters than parking.

Perhaps the Minister will indulge me once more and provide me with some information in relation to whether the parking facility will be used exclusively for the use of residents at the new Aerial Farm housing project or whether some of these will be available to the public for use attending the beach or the area. It was information of that nature that I was driving at, Mr Speaker.

1920 I am grateful for the Chief Minister’s interjection.

**Hon. P J Balban:** Mr Speaker, the housing project at the Aerial Farm will have its own parking so the intention of this new parking is for beach users and general public.

1925 **Hon. S M Figueras:** Yes, one more supplementary. Is it intended that this will be a paying car parking facility or free to Gibraltar residents?

**Hon. P J Balban:** Mr Speaker, there will be no charge for use of this car park.

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#### ADJOURNMENT

1935 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to move that the House do now adjourn until tomorrow at quarter past nine in the morning.

**Mr Speaker:** I now propose the question, which is that the House do now adjourn to tomorrow at 9.15 in the morning.

1940 I now put the question, which is that this House do now adjourn to Friday 18<sup>th</sup> October at 9.15 a.m.

Those in favour? (**Members:** Aye.) Those against? Passed.

The House will now adjourn to Friday 18<sup>th</sup> October at 9.15 a.m.

*The House adjourned at 5.43 p.m.*