



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

**MORNING SESSION: 10.00 a.m. – 11.00 a.m.**

**Gibraltar, Thursday, 23rd May 2024**

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# The Gibraltar Parliament

*The Parliament met at 10 a.m.*

[MADAM SPEAKER: Hon. Judge K Ramage GMH *in the Chair*]

[CLERK TO THE PARLIAMENT: J B Reyes Esq *in attendance*]

## Questions for Oral Answer

### HEALTH, CARE AND BUSINESS

**Q394/2021**

#### **Shift patterns for Allied Health Professionals within the GHA – Supplementary questions**

**Clerk:** Meeting of Parliament, Thursday, 23rd May 2024.

We continue with questions on Health, Care and Business. Question 418, the Hon J. Ladislaus.

5 **Hon. J Ladislaus:** Madam Speaker, if I may have your indulgence: we have not asked the supplementary questions on Question 394 yet, and I wonder whether it is something that we could start with.

10 **Madam Speaker:** You are quite right. I had that before me yesterday and I have lost it now. I think it makes sense to start with that, and then we can move on to the questions proper. Does the Hon. Minister have the question? It is supplementaries on Question 394.

15 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Whatever the hon. Lady wishes to ask.

20 **Hon. J Ladislaus:** I am grateful for the provision of the schedule handed to me a couple of days ago. I note, however, that ... I specifically asked the question as to shift patterns, which, in the ordinary course, would usually mean any work that occurs outside of the usual working hours. Nevertheless, the shift patterns do not appear to be on the actual schedule itself. Would it be possible to be provided with those shift patterns, perhaps via email?

25 **Hon. G Arias-Vasquez:** Madam Speaker, the issue with the shift patterns is that they have on-call rotas which change every single week. We can provide you with a summary of the general patterns of how the shift patterns work but providing you with a rota might be difficult – if that makes sense.

**Hon. J Ladislaus:** Yes, I can appreciate the difficulties. The shift patterns would be fine and how those work. I am simply interested in the number of hours that are being worked consecutively. I am grateful.

30 **Hon. G Arias-Vasquez:** Madam Speaker, I will endeavour to provide that information to the hon. Lady.

**Madam Speaker:** Anything else? Next question.

**Q418-19/2024**  
**Seven-point plan for the GHA –**  
**Cost of reviews; learning points and changes implemented**

**Clerk:** Question 418. The Hon. J Ladislaus.

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**Hon. J Ladislaus:** Madam Speaker, what was the cost of all the reviews undertaken in 2021, broken down by area, which led to the Government's announcement of a seven-point plan to deliver a wide-ranging series of reforms to achieve the Reset, Restart and Recover of the GHA, and were any external costs incurred? If so, please provide a breakdown of internally or externally incurred costs.

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

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I will answer this question together with Question 419/2024.

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**Clerk:** Question 419. The Hon. J Ladislaus.

**Hon. J Ladislaus:** Madam Speaker, what has been learnt from the implementation of the 2021 seven-point plan and what changes have been prompted as a result?

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

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the total cost of reviews undertaken in 2021 broken down by area are as follows: Theatre and Governance Review, £8,400; Mental Health Review, £105,100.

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The seven-point plan has been instrumental in the recovery of healthcare delivery within Gibraltar post the pandemic. The increasing professionalisation of the GHA, which the seven-point plan promoted, has given us a strong and vibrant health system, which is the GHA. The GHA is now led by an experienced healthcare professional, in the Director General, and has implemented strong clinical and corporate governance at all levels within the organisation.

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What we have learnt is that strong clinical and corporate governance with clear lines of responsibility delivers the best possible healthcare with the resources available. The establishment of the committee structures within the GHA allows non-executive directors oversight of quality, safety, performance, workforce and finances with direct reporting of any issues back to the GHA board. In addition, the new divisional structure, the creation of the Statistics Office and the restructuring of PALs have all strengthened the professionalism of the GHA and its ways of working. The Research, Restart and Recover programme is something that we should all be very proud of and has delivered the likes of the waiting list initiatives in orthopaedics and dental, as well as the new service improvements which we are seeing being delivered with the new infusion centre and the new cath lab and oncology unit.

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The overriding lesson that we have learnt is that healthcare is never static. That is why I am consulting upon further changes to the GHA which will increase its professionalisation and build upon the seven-point plan.

75 **Hon. J Ladislaus:** I am grateful. I do not have any questions on Question 418, so the questions I am asking will be simply in respect of Question 419.

We have heard that the plan has had some successes and I have no doubt that it may well have had some successes. Nevertheless, given that the plan cost the taxpayers, we can see, a significant sum of money – £113,500, if my maths serves me correctly, which it rarely does – if we look at one of the key issues, you have now announced a further restructure and one of the issues is that the Hon. Minister will be sitting on the board within that. I quote from the last restructure something that the Hon. Chief Minister stated, which is very interesting. He stated that they were seeing a future – and this is because they had announced the reconfiguration of the GHA board and they had separated the functions of the GHA and the Ministry of Health and Care and it included the appointment of a new independent chair of the GHA board at the time. The Hon. Chief Minister stated that we could look forward to a future in which politicians can demand accountability from a board that does not include a Minister or other politicians. How does the Hon. Minister reconcile the new changes with that statement, which was a mere three years ago? Is it reconciling from the idea of stepping back from micromanagement of the Health Service?

90 **Hon. G Arias-Vasquez:** Madam Speaker, I am very grateful to the hon. Member for the opportunity to explain the thinking behind this. Indeed, I am perfectly aware of the Chief Minister's statement at the time and, as I have explained in numerous press releases and, indeed, in the interview that I gave to GBC at the time, this is a recalibration. I think it is very clear if you look at the seven-point plan, if you look at the annual review of the GHA, if you look at all the programmes at the time, that health is not a static concept. Health progresses constantly. As I have frequently said, what we are doing is recalibrating the relationship.

We have tried a relationship where the Ministry does not sit on the board and we do feel ... and, indeed, there were interviews Unite gave where they felt that there needed to be a closer integration between the Ministry and the GHA board, that they needed to work more hand in glove. I do agree because ultimately, as I explained the other day in response to another question that the hon. Lady asked, we are here and I am responsible to the taxpayer for every single penny that the GHA spends. There needs to be an integration between policy, accountability and the general running of the GHA board. So, we have tried complete independence and this is merely a recalibration of the relationship. However, as I have also explained, within the accountability agreement there is no intention that the Ministry, myself or any future Minister for Health, will ever interfere in the decisions of clinicians.

100 There needs to be policy oversight and it is felt that with that policy oversight it is best with the Minister sitting on the board so that the general direction moves in the same way, but the clinical decisions will be run by the clinicians, who are best placed to make those decisions. I have a law degree, Madam Speaker. I have, in no way, any medical background, so I have no intention whatsoever of making those choices for the clinicians we pay to make those decisions and choices.

115 **Hon. J Ladislaus:** I am glad to hear that there will be no clinical decisions made by lawyers because certainly none of us are qualified to do so.

I take the point that another strategy was attempted and that it was found that complete independence did not work. Nevertheless, were other strategies explored before the Minister decided to roll back completely on the initial policy to stop the micro-management of the GHA? In other words, could what you are trying to achieve have been achieved without having the Hon. Minister sitting on the board?

120 **Hon. G Arias-Vasquez:** Madam Speaker, just to unpick what the hon. Lady has said there, we have not rowed back completely from any policy. There is a difference in approach in that the Minister will sit on the board, but the approach is a similar one in that the Minister will not sit in the Hospital, the Minister will not be intrinsically involved in the day-to-day running of the

Hospital, the Minister will not be involved in the clinical decisions, and I cannot say that explicitly enough.

130 There will be an accountability agreement which sets out the red lines of what the Ministry should and should not get involved in, but there needs to be an oversight of the general direction and policy of the Hospital and that is exactly what we are doing. So, we are not rowing back; we are just trying to recalibrate the relationship once again in order to facilitate better movement in the same direction. I have described it in interviews previously like clutch control. So, we are just, at the moment, trying to work out what works and what does not, and we think that having a Minister on the board overseeing the policy of the GHA is the way that it should work better.

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**Hon. J Ladislaus:** Madam Speaker, I am grateful for that. On the subject of accountability, at the time when the seven-point programme was announced there were also new accountability arrangements announced and those included quarterly formal meetings, accountability meetings specifically, between the Ministry and the GHA. Have those meetings taken place to date?

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**Hon. G Arias-Vasquez:** Madam Speaker, not only have those meetings been taking place but I have bi-monthly meetings with the Director General in which the Director General gives me complete oversight of exactly what is happening in the GHA. So, yes, those meetings have not only been taking place but more meetings that were programmed have been taking place. We do meet on a regular basis and the DG is accountable to the Ministry in that way. However, it is felt, and as I have said, it is not only the Ministry that feels this, Unite the Union has also felt that there needs to be greater union between the Ministry and the GHA executive board.

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**Hon. J Ladislaus:** We hear that Unite the Union is happy about this move. Are the clinicians themselves happy about this move occurring?

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**Hon. G Arias-Vasquez:** Madam Speaker, this question or a very similar question was asked last week. The executives are on board with this move and the clinicians are happy with this move as well, we believe.

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**Hon. Dr K Azopardi:** May I just ask the Minister for information? How often does the GHA itself meet? Where the Minister sits, at the top of the structure, how often does that meet?

**Hon. G Arias-Vasquez:** As I have announced in the press releases, there was a meeting of the board in March, there is another meeting of the board in June and there is another meeting of the board in September, so it meets once every three months on average.

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**Hon. Dr K Azopardi:** I am just trying to understand it because I get lost in terminology. From my recollection – I do not have the Act in front of me, but I think the Act talks about a board but also talks about the Authority itself, the board being the management board and it has a different composition and it may have different frequency of meetings. What I am asking is not about the management board but the Health Authority itself. So, how often does the Health Authority meet?

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**Hon. G Arias-Vasquez:** Madam Speaker, all of this is, in fact, set out very clearly in the Act itself, so if the hon. Member were to pick up the Act it is set out very clearly, but in order to assist the hon. Member, yes, the GHA has an executive board which sits once every three months and then it has a management board. The management board does pretty much what it says on the tin and manages the daily running of the GHA.

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**Hon. Dr K Azopardi:** But for terminology reasons, so that we are all talking about the same thing, by 'executive board' she means what is called the GHA in the Act – is that right?

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**Hon. G Arias-Vasquez:** By the 'executive board' I mean what is meant by the executive board and that definition within the Act, yes.

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**Madam Speaker:** Next question.

**Q420-21/2024  
GHA restructure –  
Rationale; cost**

**Clerk:** Question 420. The Hon. J Ladislaus.

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**Hon. J Ladislaus:** Madam Speaker, specifically, what has occurred to prompt the recently announced restructure of the GHA?

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

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**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I will answer this question together with Question 421.

**Clerk:** Question 421. The Hon. J Ladislaus.

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**Hon. J Ladislaus:** Madam Speaker, what are the costs to date of the recently announced restructure of the GHA, and have any external costs been incurred in that regard? If so, please provide a breakdown of the internal and external costs incurred.

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

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**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, what we know is that healthcare delivery never remains static, as I have previously said. New drugs, new technology, patient expectations continuously evolve, and as a consequence the structure in which healthcare is delivered needs to evolve with it. My clear objective in announcing changes to the GHA is to ensure that it continues to improve and that its structure is fit for purpose and supports the evolution of clinical services. No internal or external costs have been incurred to date in regard to the recently announced restructure of the GHA board.

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**Hon. J Ladislaus:** I have only one question and it is on Question 420; I do not have any questions on Question 421. I am glad to see that there is no cost incurred to date and I hope that that continues to be the case.

We have already seen that £113,000 was spent on the last occasion and we remain of the view that it is an obvious U-turn from the policy three years ago. Is it, therefore, the case that the Government got it wrong last time and is now changing back?

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**Hon. G Arias-Vasquez:** Madam Speaker, there are two points that I wish to clarify in relation to that question. First and foremost, the costs that were incurred last time were costs that were incurred in relation to specific reviews of specific items within the GHA. For example, the theatre review was a review of the theatre, it was not a review of the structure of the GHA. We are being completely transparent in letting you know the costs incurred to date, but it is important to state that the costs incurred were not costs incurred for the review specifically of the Restart, Reset and Recover programme but were costs incurred to review the theatre, to make the theatre run better, and then separately there was a review of the mental health provisions, which we will

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225 debate in detail when we go to the motion, so I am not going to go into that. We obviously think  
that the mental health review was value for money because it significantly improved the services  
that were offered, as, indeed, has been reported by the board, but we will go to that separately  
when we debate that.

230 In terms of what the Opposition classifies as a U-turn, I have said it again and again, and I will  
repeat it – I cannot say it any more clearly: it is not a U-turn, it is a recalibration of the way that  
the board works. We are simply making it work differently, so that the relationship between the  
parties is a closer relationship. So, no, we do not believe it is a U-turn and we would not classify it  
as such.

235 **Hon. Dr K Azopardi:** Can I just go to what I was asking before because it is also relevant to the  
restructure. I pulled up the GHA Act and my recollection was not that ‘executive board’ was  
defined and, indeed, it is not, so I would just ask again, if I may. My recollection was correct that  
there is a GHA and then, of course, there is a board, so when the Minister made reference to what  
she calls the ‘executive board’ meeting every three months, she means the Health Authority itself  
– what is the Health Authority with a specific composition under section 3. That is what she means,  
yes?

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**Madam Speaker:** I am going to allow the question even though it is going back to the previous  
question, from which we have moved on, but I am going to grant the hon. Member that  
indulgence.

245 **Hon. Dr K Azopardi:** I am grateful, Madam Speaker. I thought it was relevant also to structure.

**Madam Speaker:** I am not sure that it is. I think that is stretching it, but nevertheless I will allow  
you to ask one more supplementary on the previous question.

250 **Hon. G Arias-Vasquez:** Madam Speaker, the Act is very clear. There are two separate boards  
and it has always been called the executive board. So, call it the Health Authority, call it... it has  
always been called the executive board. The executive board sits once every three months and  
then there is a management board which – again, as it says on the tin – manages the Hospital.

255 **Madam Speaker:** Any supplementaries on this question? We are moving on. If you can tie it  
into this question, I will allow it. It is a challenge. Does the hon. Lady have any supplementaries on  
this one?

Next question.

**Q422/2024**  
**New post office –**  
**Land-to-space ratios**

260 **Clerk:** Question 422. The Hon. C Sacarello.

**Hon. C Sacarello:** Do the plans for the new post office at the site near the rowing clubs adhere  
to the 80:20 ratio for land to space as laid out in section 4(1) of the Town Planning (Development  
Control) Regulations 2019?

265 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, based on the information provided by the applicant on the application form, the proposed building would cover 90% of the plot.

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**Hon. C Sacarello:** Madam Speaker, I think that is interesting given that the images shown certainly look as if it is 100%, but we will, of course, accept the 90%, which is, nonetheless, below the 80:20 ratio. I was going to ask the Minister for Justice, who is absent today, who is also in charge of postal services, if they were looking to, ironically, disapply the planning regulations for Government, but –

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**Madam Speaker:** You have not tabled that question, he is not here, so ask any supplementary –

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**Hon. C Sacarello:** Sorry, Madam Speaker, yes, therefore I am directing my question to the Minister for Business. Is it just being disappplied, this regulation, for government projects and not for commercial ones, or is it the case that the regulation is effectively defunct and that we need a new development plan, which is, after all, only five years late?

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**Hon. G Arias-Vasquez:** Madam Speaker, I will happily take this question in my capacity as Minister for Town Planning rather than for Business. The Regulations state that the Commission has the power to relax or dispense with the requirement. If you look at Section 3(3) of the Regulations, the Commission does have the power to relax that condition.

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**Hon. C Sacarello:** Yes, I understand that that is the case. Would the Hon. Minister be able to advance any information as to whether the new development plan is in the offing? Is it almost ready?

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**Hon. G Arias-Vasquez:** That is quite a stretch for the supplementaries, but I am happy to answer the question, Madam Speaker, in any event. The development plan should be announced in the next few days.

**Madam Speaker:** Next question.

#### Q423-24/2024

#### EV charging –

#### Capacity allowance in new developments; security and equitability of supply

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**Clerk:** Question 423. The Hon. C Sacarello.

**Hon. C Sacarello:** Will developers be advised by the GEA in advance of selling their new properties what the capacity allowance for EV charging their development will be afforded?

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

**Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I will answer this question together with Question 424.

**Clerk:** Question 424. The Hon. C Sacarello.



310 **Hon. C Sacarello:** How will the GEA manage the security and equitability of supply in line with the increasing demands from privately owned EV chargers?

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

315 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, in answer to Question 423, yes, the Gibraltar Electricity Authority is committed to working closely with developers to ensure that they are informed about the capacity allowance for electric vehicles charging in their new developments.

320 Whilst the North Mole power station has sufficient capacity to be able to ramp up to deliver on anticipated demand, certain locations throughout Gibraltar face constraints in terms of grid capacity. These constraints will need to be managed in a way that balances the need of EV users with those of other critical services and which minimises costly infrastructure investments.

325 The Gibraltar Electricity Authority will be assisting in the development of EV charging strategies for different estates and car parks. This will involve an assessment of the existing capacity as well as determining what the maximum demand could be and advising accordingly. The charging strategy for each estate will most likely entail the installation of smart energy management systems that will control how much power a charging vehicle is drawing whilst taking into consideration the number of EVs connected at any given time. Residential estates may decide to allocate certain days to certain users so as to optimise charging times for residents, but in all cases  
330 the demands on the electricity network will not exceed the capacity at the location in question.

335 As part of the EV Infrastructure Strategy, Government will be contacting all estate management companies directly to advise them of this policy. Furthermore, the Town Planning Act 2018 requires that all new developments provide a minimum of 20% of all parking spaces with active EV charging – that is with an actual charge point – and the remaining 80% with passive EV charging, i.e. with cabling routes necessary to allow for future EV charging point introduction. In addition, new developments will be required to provide a minimum of one ultrafast charger within the footprint of their development to future-proof EV charging needs. The Gibraltar Electricity Authority will work with developers in advance of selling the properties, allowing developers to plan accordingly and ensure that their developments are equipped to meet the needs of residents  
340 with EVs, thereby catering for the future increased power demand.

345 The Gibraltar Electricity Authority is committed to ensuring the security and equitability of electricity supply for all customers, including those with privately owned EV chargers. To meet the increased demand, the Gibraltar Electricity Authority is implementing measures, such as upgrading infrastructure, expanding renewable energy sources and implementing smart grid technologies. Additionally, the Gibraltar Electricity Authority continues to work closely with stakeholders to develop policies and programmes that promote the fair distribution of resources throughout the use of smart energy management systems.

350 Following the publication of the Electric Vehicle Infrastructure Strategy in March of this year, how and when people charge is critical to developing said strategy to ensure this works for both users and the management of the wider electricity system. This strategy will become increasingly important with the rising number of EVs, which will result in an increase in total charging demand. It is undeniable that the daily peaks currently experienced on the electricity network would be exacerbated if a large portion of the EV charging coincided with those peaks. This would no doubt have implications for the electricity network, which would require costly upgrades.

355 In answer to Question 424, the use of smart grid technologies such as smart charging will enable a more effective use of our current network and make better use of our increasing amount of flexible renewable generation. It will enable people to charge their vehicles when it is most efficient for the electricity system. Smart charging will also allow the Government and the Gibraltar Electricity Authority to explore the introduction of time-of-use tariffs to incentivise EV  
360 users to charge at times of low demand. Enabling demand-side response will also mean that the

Gibraltar Electricity Authority can optimise EV charging across different sites to safeguard the stability of electricity network.

365 Vehicle to grid technology, where electricity is exported from the vehicle battery to the grid, is already in use at many charging locations in other parts of the world, with this now being considered as part of the strategy. This technology can assist in balancing electricity demand and consequently reduce the related impacts on the electricity system costs.

370 Government will continue to work with the Gibraltar Electricity Authority to maximise the opportunity for flexibility from EVs whilst protecting the electricity grid and customers. Government will, therefore, soon introduce legislation requiring all new charge points to have smart capability.

**Hon. C Sacarello:** Madam Speaker, I would like to thank the Hon. Minister for her lengthy and informed reply. Much of the information is already in the EV Strategy.

375 There are a couple of areas of where the language is nuanced. With regard to Question 423, I would like to ask... Under the home charging policy, it says – and this paragraph was read out by the hon. Member – that residential estates may then choose to allocate certain days to certain users in order to optimise charging times for residents, but in all cases the demands on the network will not exceed the capacity at the location in question. Does that mean that everyone will be able to charge their cars, assuming a 100% capacity and everyone charges their cars  
380 overnight ... that they will be allowed to? Or is it the case, as the next paragraph indicates, that estate management companies might advise about a policy to allocate certain days for charging? Will people not be able to charge their cars on certain days and have to wait till the next day to charge their car, or is it simply a case that it may just be more expensive in that case?

385 **Hon. G Arias-Vasquez:** Madam Speaker, I thought I had addressed that point in the answer. The answer is that it depends on the estate, it depends on the capacity of the estate and it depends on the capacity of the substation at each management estate. I cannot give a generic response because it depends on what the capacity at each individual estate is and what the grid capacity at each individual estate is. So, the specific answer to that question would be that it very much  
390 depends on the capacity in the area where the estate is located.

**Hon. C Sacarello:** Madam Speaker, Question 424 referred directly to new builds, so we are talking about new developments occurring in three years' time or so. Is the Hon. Minister suggesting that for the new builds the strategy does not cater for the rollout of EV chargers for all  
395 parking spaces and for all new apartments? Is there doubt in the ability of the GEA to roll this out for all new developments?

400 **Hon. G Arias-Vasquez:** Madam Speaker, once again, I thought this point had been addressed specifically in the answer to the question. The obligation is to provide 20% capacity at the moment but to ensure that all new builds have the capability of the 80% outstanding being met. So, in answer to that question – and I addressed that point specifically in the initial answer – 20% is the obligation that developers have at the moment, but they have an obligation to ensure the future 80% capacity is met.

405 **Hon. C Sacarello:** And that will be met by the GEA accordingly, will it?

**Hon. G Arias-Vasquez:** Madam Speaker, the way this works – and I am drawing from my previous life on this – is that it is incumbent on the developer to provide the capacity and to request from the GEA the capacity that is required.

410 **Hon. C Sacarello:** Madam Speaker, I would like to thank the hon. Lady for her reply. With regard to Question 424, what is the Government's plan to secure full supply to the estates, and by when would they expect to achieve this?

415 **Hon. G Arias-Vasquez:** Madam Speaker, Question 424 relates to government estates. Are you asking in relation to government estates?

**Hon. C Sacarello:** Government estates currently built.

420 **Hon. G Arias-Vasquez:** Government estates or private estates?

**Hon. C Sacarello:** Both.

425 **Hon. G Arias-Vasquez:** Okay. In relation to private estates, the ability is there for the management companies to approach us in order to try and include EV chargers within their development, and that is included in the strategy. Where the capacity is there, the private estates are able to draw on substations to include that capacity within their parking spaces.

430 As I have explained previously in other questions I have been asked, the difficulty that we have in government-owned estates is the number of parking bays that there are in the estates themselves and the interchangeability of the cars in the parking estates themselves, so it is a logistical exercise that provides the difficulty in some government estates to provide EV charging points.

435 **Hon. C Sacarello:** Thank you very much for that answer. As is already the case in some of the private estates, some people have applied and been allowed to install EV chargers and when the rest of the estate has applied they have been refused because there is a lack of capacity, which is probably normal. My question is, therefore, how is this, where private estates are involved, looking to be resolved? Is the onus on the management companies to use their sinking fund to pay for the extra supply through the GEA, or is this something that will be government funded?

440 **Hon. G Arias-Vasquez:** Madam Speaker, the instances that you are referring to are instances which I have already replied to in my answer. The GEA needs to look at the capacity of the grid and balance out the capacity versus the stability of the grid and the ability to provide that additional capacity. The ability to provide additional capacity would be, I presume, incumbent on the management estates. However, I do not know that because that was not specifically referred to in the question. If you want that specific information, I will have to go back and look at it. I suggest to the hon. Member that the question is quite vague and quite open. If he wants specific information as to the capacity of the grid and who has to provide that capacity, I suggest to the hon. Member that he specifically includes it in the question for next time.

450 **Hon. C Sacarello:** Madam Speaker, I think the question very clearly asked about the supply in line with increasing demands from privately owned EV chargers. Nonetheless, I will rephrase it for next time. Is it the case, therefore, that the Government is uncertain of how to deliver their EV strategy, given that there is no obligation for these estates to install such chargers?

455 **Hon. G Arias-Vasquez:** Madam Speaker, once again, we are also lawyers, not mechanical engineers. The level of specificity that the hon. Member is asking me I am more than happy to provide with advanced notice of the question. I do not believe that the question is specific enough for me to be able to answer that question directly.

460 **Hon. C Sacarello:** Finally, Madam Speaker, my last one on this. I fully understand that you are lawyers and not mechanical engineers, but nonetheless, you are Government. Is Government serious about implementing the EV strategy, or not?

465 **Hon. G Arias-Vasquez:** Madam Speaker, because we are Government we need notice of questions, so I strongly suggest that the questions be more specific in order to enable me to provide quite specific answers. I have never held back from providing information where that information is requested and available, so I would strongly suggest that the questions are broken down in a manner where I know exactly what the hon. Member is requiring me to answer and in that instance I will be able to answer fully the questions that the hon. Member is asking me.

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**Madam Speaker:** Yes, the Hon. Mr Bossino.

475 **Hon. D J Bossino:** If I may, Madam Speaker, at the end of the Hon. Minister's reply to my hon. Friend's Question 424 ... I think it was in the context of smart readers, where I think the Hon. Minister referred to the introduction of legislation. My question is: when is it the Government's intention to introduce a Bill to this House in that respect?

480 **Hon. G Arias-Vasquez:** Madam Speaker, we are looking at the strategy at the moment. As soon as the strategy is put in place and as soon as we have further clarity on some of these issues, the legislation will be introduced. I am unwilling to commit to a timeline at this point in time.

**Madam Speaker:** Next question.

#### Q425-27/2024

#### Building control approval and granting of planning permission Average times from application to approval

**Clerk:** Question 425. The Hon. D J Bossino.

485 **Hon. D J Bossino:** What is the average time taken from the submission of Building Control application to approval being granted?

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

490 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I will answer this question together with Question 426 and 427.

**Clerk:** Question 426. The Hon. D J Bossino.

495 **Hon. D J Bossino:** What is the average time taken from the submission of an online application to permission being granted?

**Clerk:** Question 427. The Hon. D J Bossino.

500 **Hon. D J Bossino:** What is the average time taken from the submission of a full planning application to permission being granted?

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

505 **Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, during the period 1st January 2020 to 31st December 2023, the average time taken from the date an application was validated to Building Control approval being issued was 167 days.

During the period 1st January 2020 to 31st December 2023, the average time taken from the date that an application was validated to outline planning permission being issued was 228 days.

510 During the period 1st January 2020 to 31st December 2023, the average time taken from the date an application was validated to full planning permission being issued was a 146 days.

515 **Hon. D J Bossino:** I think the answer to Question 427 was that from submission to full planning application it is 146 days. I am grateful to the Minister for the provision of that, which I will analyse in greater detail and carry out the mathematics, particularly because what I had in my mind was more on a monthly basis; I can more or less gauge it on my feet, but I would rather do it a bit more carefully later on. It strikes me, from my personal point of view, that the process in total can take a fair bit of time. Does she have any comment to make in relation to that? If she were to agree with me in the comment that I just made, could I ask whether the Hon. Minister has any intention, while she holds this office, to improve the turnaround of these separate applications?

520 **Hon. G Arias-Vasquez:** Madam Speaker, I am very grateful for the opportunity to expand on this. First of all, the one thing that I think is necessary to clarify is that these periods do not run separately, they run concurrently. So, it is not a case of it taking 167 days to get Building Control permission and then 228 to get outline planning. The two periods run concurrently. That is the first point to make, so I think that significantly reduces the time period that you need to work out in terms of months.

525 Do I think that it takes a long time? It takes a long time because every single department needs to be consulted on to ensure that, for example, the fire regulations are being met, health and safety is being met, the civil engineers are happy in Building Control, etc. When an application is received, it then goes out to numerous departments, so it is the time taken to consult with the different departments, with the Traffic Commission etc. That is the reason why it takes time and I am sure the hon. Member would agree that it is better that everyone is consulted and that the application is validated ... I hesitate to use the word 'validated' because it has been used in the reply, but that when the application is heard everyone has been consulted appropriately and thoroughly because these are important issues that we are talking about.

530 However, in response to your question as to whether whilst I am in this in this office I am looking at ways to improve that time, I think the answer that the hon. Member will get is that we are always looking at ways to improve, we are always looking at ways to cut down the times and we are fully conscious of the fact that the developers would like that streamlined. However, what I would need to stress is that the consultation process is what takes the longer time.

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**Hon. D J Bossino:** I understand what the hon. Member ... Minister – what is the formality? I am a bit confused; to be on the safe side, what the Hon. Minister – says. I do not think I caught what the Hon. the Chief Minister said.

545 **Madam Speaker:** You did not need to. Carry on.

550 **Hon. D J Bossino:** Basically, the cumulative time is around – if one takes the longest period that she has quoted, which is in answer to Question 426 – 228 days, which from my rough calculation is slightly in excess of seven months, give or take. She says that the Government will always be looking at ways of improving. One of the ways that the Government can do that, if I can drill down on that comment that the Hon. Minister has made, is by further expenditure on the public purse to, for example, employ more people, more civil servants. Is that what the hon. Member is looking at doing? We are hearing reports, in particular in the context of Building Control, where there is a complaint that they are understaffed, and that could be the reason why it is causing some delay,

555 if I can put it in those terms. Is the hon. Member looking at employing, for example, more staff in  
the various departments which could improve the ways, as she put it earlier in her answer?

**Hon. G Arias-Vasquez:** Madam Speaker, the Building Control and Town Planning departments  
560 are at full complement at this moment in time. I think, in the last week, to be perfectly transparent,  
there might have been someone handing in their notice and we are already looking at replacing  
them. Building Control is at its full complement at this point in time. However, there are many  
ways to look at how that efficiency can be improved. I am not going to commit to increasing  
complement, I am not going to commit to increasing the budget in that area, but we are looking  
565 at different ways in order to make that department, Building Control and Town Planning, work  
more efficiently.

**Hon. D J Bossino:** There is a lot to unpack from what the hon. Member has said. One thing is  
to say 'at full complement', but she is not willing to commit to increase the complement. It does  
570 not necessarily mean that she will not at some future point in time, if she is persuaded that it  
needs a greater complement, is the way I interpret what the hon. Member is saying. But when she  
is saying 'increasing efficiency' in her response, how is she proposing to do that? If one takes a  
snapshot of where we are now, there are delays. I think we can agree that across the floor of the  
House. There is an intention from the Government's policy position to improve the efficiency of  
the processes. The Government is not willing, it seems, at this stage, to increase the complement  
575 or spend more money on it to improve the efficiency of the system, so my question is: how does  
the hon. Member propose to do what she intends to do, which is to improve efficiency?

**Hon. G Arias-Vasquez:** Madam Speaker, it would make it sound that we agree that there are  
580 inordinate delays. The time that is taken is a time taken for consultation and, as I stated at the  
outset, I think the hon. Member would agree that different departments have to be consulted.

We are talking about construction here; we are talking about significant projects here. Yes,  
there is a time taken to get back to applicants but that time is time taken for consultation. Do we  
think that that time could be improved? Absolutely. Do I think that there are different ways that  
that could be improved? Absolutely. Are we constantly in discussion with the town planners for  
585 that to be improved? Absolutely. Have we improved the number of town planners in the last 11  
years? Absolutely. In fact, we have doubled the number of town planners in the last 12 years. Is  
there a need to consistently improve the Town Planning and Building Control departments?  
Absolutely. Are we looking at them? Yes. Does that mean that we will increase the complement?  
Possibly. I am not going to commit to increasing the complement or otherwise. We will first look  
590 at streamlining the application process. We are looking at ways that we can make the process  
more efficient. For example, one thing that takes time is the communication between Town  
Planning and the Traffic Commission. Does that communication need to be made more efficient?  
Does the Traffic Commission need to meet more often? What is the role of these different  
Commissions in the present day and age? So, when I say we are looking at efficiencies, it is not  
595 necessarily only looking at complement, it is looking at where the time is taken to respond to  
applicants and looking to see whether that can be improved in different ways. If there is a need,  
we will look to increase our complement but it is not necessarily the way that it might need to be  
done – if that answers your question.

**Hon. D J Bossino:** Yes, it has answered the question, but may I ask the hon. Lady whether she  
600 is able, now, to give us an indication as to when she thinks those efficiencies and those  
improvements, which she says she is looking at, will come into play? I will keep on asking these  
questions, when the rules allow, because she has said things which I think are still slightly woolly.  
I will ask her and I will make an attempt at pinning her down as to timings: when does she think  
605 that she will be able to come to this House and provide answers as to the efficiencies that she  
wants to implement?

**Hon. G Arias-Vasquez:** Madam Speaker, this is an ongoing process, it is an ongoing discussion with Town Planning and Building Control, so no, unfortunately I cannot commit to a date.

610 **Madam Speaker:** One more.

**Hon. D J Bossino:** In relation to Question 425, specifically with Building Control, and it is a specific question, how many engineers are available in that particular department? I understand that that is one of the causes of delay.

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**Hon. G Arias-Vasquez:** Madam Speaker, that specific answer can be obtained from the estimates in the Budget Book. However, again, if notice is given of the question, I will bring the Budget Book myself, I will do the research myself and I will provide the hon. Member with the answer.

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**Madam Speaker:** The Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** In relation to Questions 425 and 426 specifically, the hon. Lady mentioned in her answer, to I think it was the first supplementary, that these time limits, the 167 for Building Control and the outline 228, they need to be considered concurrently – it is not additional. I can understand that in relation to Questions 425 and 426, but surely that is not the case in relation to Questions 426 and 427. In Question 426 it is 228 days for outline planning and then 146 days for full planning application. Certainly, from my days chairing the Planning Commission, unless things have changed, while in those days some people would make an application for full planning permission, the vast majority would first do outline. Is it the fact that the answer really is that, insofar as Questions 426 and 427, they are not concurrent, they are consecutive, or that it overlaps in relation to some applicants but not others and that it may be that in the case of some applications the outline application may have taken an average of 200-odd days and then on top of that, obviously, there is then a process to do the full planning application? Or is it that she has defined the ...? I did not quite catch the original answer. I cannot recall it exactly because I do not have it in front of me. Did she define it from submission after the outline was granted? If it was not like that, if it was more generic, can she give us, perhaps, a bit more information about that understanding and how those processes work?

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**Hon. G Arias-Vasquez:** Madam Speaker, the answer to the question provided is an average of everything. In order to answer that question fully, we have to understand that sometimes applications go straight to full planning and sometimes applications go to outline planning and there is a mix of them both, so when we have given those figures we have given an average and Building Control applications can run concurrently to either outline or full – it depends.

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One thing that I have forgotten to mention in reply to the hon. Member opposite is that these periods include statutory periods for objections, so these periods will also have built into them a statutory period in which notice periods are given to residents, for example, in the area. There is a statutory period built into the application in which people can object and then there is a statutory period in which people can file applications. So, built into this and built into the consultation which I referred to earlier are also statutory periods which allow residents of Gibraltar to object to different parts of the building application.

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So, in answer to the Hon. Leader of the Opposition, it is an average that has been provided and that average can run concurrently with the Building Control application. I understand the premise of your question, but the Building Control application can run either concurrently with outline or with full, or there can be outline and then full, but given that what we have provided is an average that can be either. Obviously, if you go straight to full planning it will take longer because further checks have to be done and the time periods also have to be built in, but if you have an application

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which goes first to outline and then to full, the statutory periods for objectors have to be built into both those applications, oftentimes.

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**Hon. Dr K Azopardi:** So, when the hon. Lady said that they were concurrent – I understand what she is saying about averages – in fact, just taking an average, if you go to outline first it is possible, indeed probably likely, that it is going to be longer because if you then do the full planning application you have to add that period on. The point about my supplementary is that it seems strange, to me, to have a shorter period as an average for full planning application to the outline, because otherwise, certainly in my experience, if that were the case, everyone would just go to full planning. Some people do, as the hon. Lady does say, but the reality is that, actually, it takes longer sometimes to get the outline, the in-principle approval. Once you get the in-principle, it is quicker to get the full, but because people do the outline first and then do the full, inevitably, does she agree that while these are averages, in reality, if you are first doing the outline, you might be doing it concurrently to the Building Control application but it is not concurrent to the full, so if you are then doing the full it may take longer than the periods she suggests? So the periods in Questions 426 and 427 may, in fact, be consecutive as an average.

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**Hon. G Arias-Vasquez:** Madam Speaker, in order to break that down, once again, the Hon. Leader of the Opposition is correct in saying that sometimes applications go to full and he is correct in saying that sometimes the outline planning takes longer because, in fact, that is where the meat of the application is often heard. But there are many times when between outline and full the application itself changes. If the application itself changes then that is what feeds in, and it is a very common occurrence that between outline and full the nature of the application changes or the height of the building changes. There are many things that can happen between outline and full that then cause a subsequent period to occur. If we look at the date for Building Control permits to be provided, the Building Control permit has to be provided on the full application. The figure is somewhere in between the two days, so I think that gives you an indication of the average time to hear an application, whether it is going to outline initially or full, but it is difficult to drill down to the level that the hon. Member is asking me for because the figures that we have here are averages and, as I have said, some applications go to outline and some applications go to full, so it is not necessarily an option available to us to drill down on these figures.

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**Madam Speaker:** Next question.

#### Q428-29/2024

#### Gender identity services for children – Impact of Cass Review; use of puberty blockers

**Clerk:** Question 428. The Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** Madam Speaker, what impact will the publication of the Cass Review on Gender Identity Services for Children and Young People have on the availability and access to such services to people resident in Gibraltar via the Gibraltar Health Authority?

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

**Hon. Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, I will ask this question together with Question 429.

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**Clerk:** Question 429/2024. The Hon. the Leader of the Opposition.



**Hon. Dr K Azopardi:** Has the Gibraltar Health Authority taken a decision, like NHS England, to stop the routine use of puberty blockers for gender dysphoria in children?

705 **Clerk:** Answer, the Hon. the Minister for Health, Care and Business.

**Hon. Minister for Health, Care and Business (Hon. G Arias-Vasquez):** Madam Speaker, the publication of the Cass Review has served to strengthen the approach that is adopted by the GHA. Even before the application of the Cass Review, the GHA was offering a holistic assessment of  
710 children and young people with gender dysphoria to create an individualised care plan. The assessment includes screening for neuro-developmental conditions, including autism spectrum disorder, and a mental health assessment for any allied conditions such as anxiety and depression. The GHA has never used puberty blockers as a routine, or even in exceptional circumstances, to manage gender dysphoria in children.

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**Hon. Dr K Azopardi:** I am grateful for that very clear answer in relation to Question 429. If I can just pick up on that before I ask about other things, I assume that that policy will continue, that there will not be a routine use of puberty blockers on gender dysphoria. Is that right?

720 **Hon. G Arias-Vasquez:** Yes, Madam Speaker, we can confirm that that will continue to be the policy.

**Hon. Dr K Azopardi:** So, to that extent there is no real impact of the Cass Review in relation to that. For the purposes of anyone listening who might not be familiar with the Cass Review, can I just say, as a sort of preface to my next question, that the review was commissioned by NHS  
725 England to make recommendations on how to improve gender identity services and ensure that children and young people who were questioning their gender identity or experiencing gender dysphoria received a high standard of care. May I just ask the hon. Lady to give us a bit more detail about the approach the GHA would take on the Cass Review conclusions and so on? I appreciate  
730 that she said that before the Cass Review had been published the GHA already had an individualised care plan, and, indeed, in previous questions to her immediate predecessor we had a discussion about protocols in this very sensitive area.

This is a notoriously difficult area, but I think the Cass Review is a very extensive and comprehensive report. It would be impossible to do granular supplementaries on it, but I am trying  
735 to understand a bit about having that review reported in a fairly detailed way, whether and to what extent the GHA will consider those conclusions in the context of planning its own services in Gibraltar, given that her predecessor did say – to, I think, me – in answer to a previous question, that there was management of the initial care here, but of course any delivery of substantive services would be in the United Kingdom.

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**Hon. G Arias-Vasquez:** Madam Speaker, I am very pleased to be able to say that a lot of the recommendations of the Cass Review were actually being implemented in Gibraltar before the Cass Review was published, as has been stated by the Hon. Leader of the Opposition. I believe that a lot of the recommendations that are contained in the report and in the more granular detail  
745 that has been looked at in the report will actually feed into the services that we provide.

To further answer the question, mental health practitioners are now specialising in this area. We have a consultant from the UK specialising in this area who is coming to Gibraltar to advise us specifically in this area because, as the Leader of the Opposition has rightly said, this is a very important area at the moment which is receiving a lot of attention. The GHA is very much looking  
750 to provide care plans to teenagers requiring these services. As I said, we are looking at a slightly broader perspective than simply this. We are looking at other issues which sometimes and often come hand in hand with these issues, as I have alluded to previously, such as autism spectrum

disorder and other conditions, but we are looking to also manage allied difficulties and conditions which are commonly co-morbid with gender dysphoria.

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**Madam Speaker:** Next question.

**Clerk:** The Hon. the Chief Minister.

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**Chief Minister (Hon. F R Picardo):** Madam Speaker, noting the hour, I move that the House should now recess to start the process of saying goodbye to David Steel, who has been Governor of Gibraltar for the past almost four years. I know it will be a sad occasion for many. He has served Gibraltar with distinction in the role that Her Majesty the Queen asked him to discharge among us and I know that today will be a sad day.

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I move that the House should now recess until five o'clock this afternoon. We would usually take my questions at three o'clock in the afternoon, but the jet that is to take Sir David is scheduled for ten past three, so accounting for the usual delays and in order not to keep the House, I would propose that we come back at five o'clock this afternoon.

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**Madam Speaker:** We will recess until 5 p.m. this afternoon.

*The House recessed at 11.00 a.m.*