



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

**AFTERNOON SESSION: 3.02 p.m. – 6.55 p.m.**

**Gibraltar, Wednesday, 13<sup>th</sup> March 2024**

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# The Gibraltar Parliament

*The Parliament met at 3.02 p.m.*

MADAM SPEAKER: Hon. Judge K Ramagge GMH *in the Chair*

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

## PRAYER

*Madam Speaker*

**Madam Speaker:** Almighty and merciful God, from whom comes all counsel, wisdom and understanding, we humbly ask you to guide and assist us in our deliberations and in our work. May all our efforts be directed to the welfare and good of our community and our country. May we act honourably in pursuit of true justice for all our people, now and for the future and for generations still to come. Amen.

## CONFIRMATION OF MINUTES

**Clerk:** Meeting of Parliament Wednesday, 13th March 2024.

Order of Proceedings: (i) Oath of Allegiance; (ii) Confirmation of Minutes – the Minutes of the fifth meeting of the 15th Parliament, which was held on the 21st, 22nd and 26th February 2024.

**Madam Speaker:** May I sign the Minutes as correct?

**Members:** Aye.

*Madam Speaker signed the Minutes.*

## ANNOUNCEMENTS

**Clerk:** (iii) Communications from the Chair; (iv) Petitions; (v) Announcements.

## PAPERS TO BE LAID

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

**Chief Minister (Hon. F R Picardo):** Madam Speaker, I have the honour to lay on the table Statement of Supplementary Estimates number 1 of 2019-21, and Statement of Supplementary Estimates number 1 of 2021-22.

**Madam Speaker:** Ordered to lie.

**Clerk:** (vii) Reports of Committees; (viii) Answers to Oral Questions.

## Questions for Oral Answer

### INDUSTRIAL RELATIONS, CIVIL CONTINGENCIES AND SPORT

**Q252/2024**

#### **Children's Play Parks – Maintenance and repairs; completion dates**

**Clerk:** Questions to the Hon. Minister for Industrial Relations, Civil Contingencies and Sport.  
Question 252/2024. The Hon. E J Reyes.

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**Hon. E J Reyes:** Madam Speaker, can Government provide details in respect of what maintenance and repairs it is currently undertaking in respect of all facilities provided at children's play parks, together with details of expected completion dates?

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**Clerk:** Answer, the Hon. the Minister for Industrial Relations, Civil Contingencies and Sport.

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**Minister for Industrial Relations, Civil Contingencies and Sport (Hon. L M Bruzon):** Madam Speaker, maintenance and repairs at the children's play parks are part of the ongoing programme. There are items identified as part of the daily checks and they are addressed immediately. Others might need the ordering of spare parts, although most of these are in stock. At present, there are no major repairs pending.

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**Hon. E J Reyes:** Yes, Madam Speaker, the reason why I asked that question is in previous sessions the Minister, or his predecessor, has explained to me there seems to be some sort of ongoing arrangement for maintenance, but in some areas it seems as if some works are pending for a rather long time which is why I asked what major repairs are they currently undertaking.

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So although the Minister has, rightfully, said what the programme is and so on and he has even added that mainly spare parts tend to be in stock and so on, it still does not answer what is there pending at the moment, that is what I am asking. What is it currently undertaking? Perhaps I am getting to the nitty gritty.

**Hon. L M Bruzon:** Madam Speaker, as I said, there are currently no major repairs pending.

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**Hon. E J Reyes:** I did not pre-empt my word 'repairs' with 'major', you know, it is for general repairs. Some may be minor, but it requires a part that could have been taken longer than expected. We have all been the victims of a supplier saying it should be here within the next fortnight, and two months later you are still waiting for it, so that is why I am being a bit pedantic in insisting in knowing what repairs are pending.

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**Hon. L M Bruzon:** Madam Speaker, again, the daily checks will obviously bring up areas which need attending to. As far as I know, the last pending repairs have all been dealt with and therefore there is nothing major, only the daily checks and whatever that might bring up.

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**Hon. E J Reyes:** Reluctantly, I have to accept that the Minister does not have any information. What I will do, Madam Speaker, because I do frequent a fair number of these parks, having

grandchildren and it falls upon my home duties. If I have a particular concern in a particular area, perhaps, I can discuss with you and I may be able to pose that question, homing in on just one particular repair that those parents and grandparents who frequent these parks, we tend to think may have been long overdue since Christmas time or whatever. But I will have to accept the answer for today.

**Hon. L M Bruzon:** Madam Speaker, members of the public are encouraged to write into the GSLA at [playgrounds@gsla.gi](mailto:playgrounds@gsla.gi) with any issues that they may have, so that may be addressed immediately.

**Madam Speaker:** Next question.

## EQUALITY, EMPLOYMENT, CULTURE AND TOURISM

**Q253/2024**

### **Equality Office Consultation Paper – Maternity leave transition to parental leave, proposed changes**

**Clerk:** Question 253/2024. The Hon. A Sanchez.

**Hon. A Sanchez:** Regarding Government Press Release 633/2019, could the Government provide a progress report on the proposed changes outlined in the Equality Office Consultation Paper, specifically regarding the transition from maternity leave to parental leave, incorporating paternity leave?

**Clerk:** Answer the Hon. the Minister for Equality, Employment, Culture and Tourism.

**Minister for Equality, Employment, Culture and Tourism (Hon. C P Santos):** Madam Speaker, there have been significant developments since this question was last asked in December 2023. The designing of a new and bespoke system of parental leave in Gibraltar, which gives parents more choice and flexibility particularly in how they care for their child in the first year, requires due and careful consideration.

There are a number of wide-ranging social and financial implications involved which require a close scrutiny and revision, and of course there are a number of legislative changes which also warrant a measured deliberation. The Government remains fully committed to fulfilling the manifesto commitment.

**Hon. A Sanchez:** Grateful for that answer. I have the press release here in front of me and it says that at the point when the press release was issued that the consultation and the work was at a very advanced stage; and given that it was issued in 2019 and we are now at 2024 could the hon. Member elaborate as to why the process is so delayed?

And given the importance of the issue and advancing this agenda, and eliminating obviously gender inequality and advancing this very important agenda, could the hon. Member perhaps give a time frame and a commitment as to when this would be implemented in legislation?

**Hon. C P Santos:** Madam Speaker, this press release was from September 2019. It was at an advanced stage. I have all the documentation and suggestions for policy and legislative changes. Needless to say 2020 put the world at a stop, so after COVID of course things have restarted; and as from my coming into office, we are working actively with all different stakeholders.

105 We are looking at having a working group with different Departments because this is something that is all-encompassing. It is not just for the public sector, which seems to be like an easier option, an easier move, but also the public sector. So we are actively working on it. My team at Equality is actively working on it.

110 We have just come from a Women's International Day celebration. This was one of the topics that we discussed thoroughly, because it is something that will affect not just men's parental rights and parental leave and paternity leave, but also will aid in the gender pay gap which is also an issue that we have been looking at during the year. This is something that we are currently working on, as I said it is something that we want to get started sooner rather than later, and it is something we are fully committed to.

115 **Hon. A Sanchez:** If I could just pick up on the point of International Women's Day and I understand the point that you made about COVID, but I just want to pick up on the fact that evidently, when we were not isolated and COVID did not just impact Gibraltar, it impacted everywhere else in the world; and yet we can see that our European counterparts are far more advanced in this area than we are.

120 So I do not really understand how we are falling so far behind on this. If we are to make a real difference in terms of equality, we really need to push forward in this and move past symbolic gestures. So I do urge the Minister, the hon. Member, to perhaps enlighten us with a commitment as to a time frame and when he envisages that this will go through.

125 **Hon. C P Santos:** Madam Speaker, as rightly mentioned, according to what country you are from Europe has different options and choices. The North Scandinavian countries, that we all idolise as having idyllic systems in place, their taxation is much higher than it is in Gibraltar, so they can have a very advanced parental leave programme.

130 We are looking at it so that it is the most beneficial, financially, for all sectors because it is at the end of the day a big change in legislation that will affect both public and private sector. So every country in Europe has different legislations that work for their country. We are looking for the best way that would work for Gibraltar for both, as I said, the public and the private sector.

135 So it will happen as soon as possible. I cannot tell you it will happen within the next three weeks or the next six months, but it is something that we are actively pursuing. This is actually the first and most important thing that we are dealing with currently at the Ministry of Equality. So the time frame is as soon as we can possibly make it happen and make it work for everyone who is going to be involved.

140 **Hon. A Sanchez:** Could the hon. Member clarify who the stakeholders involved are, the stakeholders that he is referring to?

145 **Hon. C P Santos:** We are forming a working party, it will have participation from the DSS, the Department of Social Security, who are involved in this as well as the Department of Equality; and then we also want to consult with the GFSB and the Chamber of Commerce, who will have their input with regard to what the private sector would require and how it would work for them as well.

**Madam Speaker:** Next question.

**Q254-255/2024**  
**Elite Funding Programme –**  
**Intention to fund young people; eligible criteria**

**Clerk:** Question 254/2024. The Hon. G Origo.

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**Hon. G Origo:** Madam Speaker, how does the Government intend to fund the Elite Funding Programme designed to support young people at international vocational schools?

**Clerk:** Answer, the Hon. the Minister for Equality, Employment, Culture and Tourism.

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**Minister for Equality, Employment, Culture and Tourism (Hon. C P Santos):** Madam Speaker, I will answer this question together with Question 255.

**Clerk:** Question 255/2024. The Hon. G Origo.

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**Hon. G Origo:** With respect to the Elite Funding Programme, what sort of criteria will be introduced to be eligible for this funding programme?

**Clerk:** Answer, the Hon. the Minister for Equality, Employment, Culture and Tourism.

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**Hon. C P Santos:** Madam Speaker, the Elite Funding, under the cultural umbrella, is a new scheme that this Government will introduce as part of its manifesto commitments during the lifetime of this Parliament. The Elite Funding Scheme will be based on the Dance and Drama funding model, the DaDA, and it will be for performing arts and is currently at the embryonic stage as we are drafting its criteria.

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**Hon. G Origo:** Madam Speaker, grateful to the hon. Member for that answer and could I ask then, in terms of the budget, how much funding is the Government willing to allocate to these vocational art studies?

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**Hon. C P Santos:** Well, currently, we are waiting the estimates process and see how much funding we can obtain, how we are going to work around it, and as I mentioned we are looking at the DaDA Funding Programme and we need to see what the different vocational academies cost and how much extra funding would be required, apart from what is already required as part of our scholarship programme that we already do for university courses.

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Some of these conservatoires have more expensive courses, some are covered by the normal standard tuition fees and then there are different courses that require different types of equipment. So this is an extra support for those who need extra funding with regard to the course fees or equipment required for the courses that is not covered, necessarily, by what we already offer under the Department of Education Scholarship Scheme.

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**Hon. G Origo:** Grateful. Madam Speaker, can the hon. Member please provide whether he has considered how many students the Government expects will be applying for such funding?

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**Hon. C P Santos:** I cannot confirm what number of students will get into vocational schools. This is quite a difficult process. The schools we are looking into are under the Royal Academies, the Conference of Drama Schools. As I said, it is the Dance and Drama Awards in the UK that we are modelling after, so there is a list of accredited schools.

We have invested a lot in the arts. We invest in the local dance academies as well as GAMPA, as we all know. This has already made training much more accessible for everyone. The standard of performance currently in Gibraltar is very high. The festivals that they take part in locally, every

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investment from private companies that are working in the arts as well, is making the standards go higher and higher.

200 This is why we feel we need to support these kids who are currently taking the name of Gibraltar all over the world that they are performing in. We have had kids in the Royal Ballet, in the Polish ballet schools, we have kids in the West End. So I do not know how many the number of kids will be, it is a very difficult process. In the past we have only had between two and three within a two- to three-year span. So we are looking at smaller numbers but this will be, as I said, through a process that will follow the DaDA funding, so not everyone will be eligible but everyone  
205 will be considered.

**Hon. G Origo:** Madam Speaker, grateful for that answer from the hon. Member. Could I ask then, as it was not clear from his previous reply, if the Government expects that it will introduce this funding programme for the next academic year, say September 2024? Or did he say that the  
210 intention is for Government to provide this funding during the lifetime of this Parliament at some point?

**Hon. C P Santos:** We are currently in the estimates period, so we need to wait for approval on that. But in my answer I said that this manifesto commitment will be during the lifetime of the  
215 Parliament.

**Hon. G Origo:** And finally, Madam Speaker, may I ask a question on 255 with respect to the criteria being applied: could I ask the hon. Member whether there is any criteria being applied with respect to age? For instance, will the Elite Funding Programme be available to youths, say  
220 between the ages of 12 and 18, or will this just be open to students who are going to international art schools over the age of 18?

**Hon. C P Santos:** Well, as part of the policy we aim to support young children between the ages of 16 to 24. This is following, as I said, the DaDA model and remember that as from 18 and above, we already have the current scholarship system which already supports these kids. So the Elite  
225 Funding Programme for this would be supplementary. It is not an exclusive programme which will fund the whole educational process. It will be an extra support, like an extra scholarship, to help fund their education.

**Hon. Dr K. Azopardi:** Madam Speaker, can I just ask, the hon. Member mentioned the DaDA formula, the dance and drama. For those of us uninitiated in dance or drama, can he explain how that works?  
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**Hon. C P Santos:** In the UK there is a series of vocational schools that fall under the Conference of Drama Schools, could be Mountview and the Royal Academy – not the Royal Academy, but  
235 Mountview and Trinity Laban, all these different accredited schools.

They, in turn, offer scholarships within the schools as well as the DaDA programme. DaDA is like an extra funding body that helps kids. The audition, they have to first of all get a place at one of these vocational schools and then they go through the process and the school awards a  
240 scholarship to who they feel is a successful candidate.

**Madam Speaker:** Next question.

**Q256/2024 (1)**

**Claims filed with Employment Tribunal –  
How many; appointment of chairperson**

**Clerk:** Question 256/2024. The Hon E J Reyes.

**Hon E J Reyes:** Can Government provide details on how many claims filed with the Employment Tribunal are awaiting the appointment of the chairperson as at 1st March 2024, together with details of when these claims were first filed?

**Clerk:** Answer, the Hon. the Minister for Equality, Employment, Culture and Tourism.

**Minister for Equality, Employment, Culture and Tourism (Hon. C P Santos):** Madam Speaker, the total number of claims filed with the Employment Tribunal awaiting the appointment of a chairperson stands at 27. I now hand over a schedule with the information requested.

**ANSWER TO QUESTION 256**

Claims awaiting appointment of Chairperson by date are as follows:

| 2022 |   | 2023 |   |
|------|---|------|---|
| Jun  | 1 | Jan  | 2 |
| Jul  | 1 | Feb  | 3 |
| Aug  | 4 | Apr  | 2 |
| Sep  | 1 | May  | 1 |
| Nov  | 1 | Jun  | 2 |
| Dec  | 3 | Jul  | 2 |
|      |   | Aug  | 2 |
|      |   | Sep  | 1 |
|      |   | Oct  | 1 |

**Madam Speaker:** Right, I propose we move on to Question 257 and once you have considered that, we can come back to it.

**Q257/2024**

**Casemates Square –  
Involvement of all stakeholders**

**Clerk:** Question 257/2024. The Hon. C Sacarello.

**Hon. C Sacarello:** In the Government's initial consultation with stakeholders involved in the refurbishment of Casemates Square in November 2023, not all stakeholders were consulted, contrary to their manifesto promise. Can the Government provide these other stakeholders with the reassurance that they will be included in all future discussions?

**Clerk:** Answer, the Hon. the Minister for Equality, Employment, Culture and Tourism.

**Minister for Equality, Employment, Culture and Tourism (Hon. C P Santos):** Madam Speaker, in line with our manifesto commitment, we met the stakeholders within a month of coming into office on 9th November 2023. We invited all those participants that operate under the leisure licence and have terraced outside areas whereby the refurbishment will directly affect the 16 in total of this.

Further to this, on 30th January, a request was made by my Ministry to have three representatives chosen for future meetings. We are, however, reviewing who the stakeholders are as the project moves further into fruition, given the diverse array of parties involved.

**Hon. C Sacarello:** Madam Speaker, I am very grateful to the Hon. Minister for his reply. However, the manifesto commitment does say that it is *all* stakeholders and not just stakeholders.

The reality is that the retailers were not consulted, at least the vast majority of these, and they harbour concerns that not only is Casemates Square in a shabby condition and hence putting off tourists from remaining there, but their concerns are that the consultation, if it does not take them into account, will only take into account the views of the restaurateurs. So, therefore, perhaps encouraging people to move on.

So they are concerned about the hang time and my question to the hon. Member is: will the consultation take into account their very valid concerns that the hang time and attraction for tourists who remain there before moving on to other areas will be taken into account?

**Hon. C P Santos:** There is no definitive list for Casement stakeholders, as such. I went through the initial list that I have of stakeholders that we usually deal with. I was then called by one of the retailers, who said I was under the impression that they were also coming to the meeting as people from the kiosks did attend the meeting, and I thought they were all under the same list.

So in the meeting request of 30th January, actually the meeting was going to take place tomorrow at midday, with the representatives for the beautification, I did ask to make sure that we have the retailers involved. In the meantime, I have also had a request from the retailers and residents, but not under the Casements Association, they fall under the Casements House Management.

I asked them if they wanted to attend together with the restaurateurs in the big meeting that I would hold with regard to the consultation of the beautification and they said they did not want to, they wanted to meet on their own as they had other concerns. This meeting will happen at the end of this month.

So I am meeting everyone; and as I said Casements and the design is expanding and we are getting a list of who we consider to be the stakeholders. At one point, it will be everyone, even people who are unaffected by the actual works within the balcony, but Casements is going to be beautified for all and for Gibraltarians and tourists alike.

So for us, it is about finding something that works for Gibraltar plc as a whole.

**Hon. C Sacarello:** Thank you, Madam Speaker; and I would like to thank the hon. Minister, who did allude to consulting and his intention to consult all other stakeholders.

But could I ask for a finer, in terms of the language, for a greater commitment, unequivocally, to ensuring that the retailers request for hang time and consideration so that tourists remain in that area, that that particular concern of theirs will be addressed?

Thank you.

**Hon. C P Santos:** I will address the concerns of the retailers when I meet the retailers, which is at the end of March. But of course, I will have every person's interests at the forefront of the beautification.

It will be about having tourists stay there to eat, to shop, to spend time and to have a positive experience about Gibraltar, and as I said the retailers came under Casements House Management,

not under Casements Association; and the Casements House Management is, as well, another manifesto commitment on page 47 if you want to search it and this is another part of the project.

**Madam Speaker:** Next question.

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**Q258-260/2024**

**Power's Drive Tunnel lost armoured decking tiles –  
Government replacement; restoration; storage; insurance**

**Clerk:** Question 258/2024. The Hon. C Sacarello.

**Hon. C Sacarello:** Has the Government replaced the lost armoured decking tiles lost to the fire at Power's Drive Tunnel in 2022?

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**Clerk:** Answer, the Hon. the Minister for Equality, Employment, Culture and Tourism.

**Minister for Equality, Employment, Culture and Tourism (Hon. C P Santos):** Madam Speaker, I will answer this question together with Questions 259 and 260.

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**Clerk:** Question 259/2024. The Hon. C Sacarello.

**Hon C Sacarello:** Has the complement of the armoured decking tiles used for events such as the GMF been fully restored to the levels immediately before the July 2022 fire and, if so, where are they now stored?

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**Clerk:** Question 260/2024. The Hon. C Sacarello.

**Hon. C Sacarello:** Were the armoured decking tiles lost to the fire at Power's Drive Tunnel insured?

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**Clerk:** Answer, the Hon. the Minister for Equality, Employment, Culture and Tourism.

**Hon. C P Santos:** Madam Speaker, we did lose some of the armoured decking tiles as a result of the fire at Power's Drive Tunnel in 2022. The remaining substantial amount is still under storage in said location. These tiles were not insured, but Government recognises the importance of restoring and reusing these in a wider range of infrastructure projects, including events, and is therefore committed to finding suitable options to its use.

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**Hon. C Sacarello:** Madam Speaker, I am grateful to the hon. Member for his reply. Could I please ask following those three questions, what was the value of the loss incurred, given that they were not insured? Sorry, I will do it one by one, it would be easier if we do it ... Okay, let's start there.

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**Hon. C P Santos:** Can you repeat the question, please?

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**Hon. C Sacarello:** Sorry, yes. What was the value of the loss, given that some were lost and they were not insured?

**Hon. C P Santos:** I would need to be given advance notice of this question. I do not have the full value of this at the moment.

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**Hon. C Sacarello:** And in terms of the quantities lost, the hon. Member mentioned that they would be replaced. Do we know how many were and to the extent that they will be replaced, what cost will that be?

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**Hon. C P Santos:** Madam Speaker, I did not mention that these would be replaced. We have 7,000 m2 currently still in storage. We are not yet planning to replace what was lost, we are looking for ways that we can find other uses for what we currently have. Seeing how we can make best use of the remaining ones.

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**Hon. C Sacarello:** Thank you, Madam Speaker, just a couple more questions.  
First of all, when the hon. Member mentions to find what use it is, that assumes of course they were used for events such as the GMF. Is that assuming that there is no further GMFs planned in their term of Government?

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**Hon. C P Santos:** The GMF was held at the Victoria Stadium, however, it is not an option to do it currently there anymore. We have other venues that we can use for events.

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So, we can either sell the floor, we can either hire it out, we can sell part of it, we can keep parts for the different areas that we are going to be holding events in. Of course – as very much mentioned in our manifesto – we are not going to do the GMF as it used to be; but we are working together with local producers to continue offering different events that will be at no cost to the Government.

But the flooring, we are still ascertaining what the best use of it is and how we are going to use it better.

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**Hon. C Sacarello:** Thank you. Madam Speaker, could I ask the hon. Member that whilst this asset lies unused and there is a risk that a further fire could break out – albeit I presume the risk has been mitigated now – have these remaining tiles been insured?

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**Hon. C P Santos:** At risk of another fire? I am not quite sure, they were not stored next to a fireplace, they were in a storage area, so the risk of the fire is not necessarily something that is because of the area it was in. The fire happened because it was started by someone.

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So, yes, there is a risk if we store it absolutely anywhere and someone comes with a match. So wherever you store it, it will be at risk, I imagine. It is not like we are storing it in a place that is easily flammable.

So we have not insured it because Government does not tend to insure this type of materials. We insure for public liability and we insure people and not necessarily this type of materials; but we have preventative measures in place now so that no one comes and sets fire to the Tunnel again.

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**Madam Speaker:** Next question.

No, sorry, I said we would come back to the Hon. E J Reyes and the Minister will come back. Any supplementaries on 256?

#### Q256/2024 (2)

#### Claims filed with Employment Tribunal – How many; appointment of chairperson

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

405

Yes, a quick look at the answer the Minister gave me in respect of the claims that are awaiting appointment of chairpersons. Comparing the statistics provided with the last time I was given

figures, that relates up to only May of 2023, I am sad to note there seems to have been little progress because last time, in August, I was told that from August 22 there were four cases pending the waiting of a chairperson and that still seems to be the case.

410 Then when it comes to September 22 there is still one case pending; when it comes to November 22 we have only solved one and there is still one case pending. This is simply for the appointment of a chairperson, not that the case has been concluded.

The same for December 2022 only one case has been presented; and then as from January 2023 onwards, there has been no deduction in the list of the number of people waiting. 415 You know, for a person who feels aggrieved and therefore has filed a claim, to be to be waiting for so long, close to two years now, simply for the appointment of the chairperson does not seem to be justice, if one can use that word more in a layman's terms.

Can the Minister enlighten us as to why it is taking so long to appoint these chairpersons, given that in the past they had, optimistically, said they hoped to have resolved the problems and expedite matters with the appointment of a chairperson and so on. I look forward to hearing the 420 explanations from the Hon. Minister.

**Minister for Equality, Employment, Culture and Tourism (Hon. C P Santos):** The last time this question was asked, Madam Speaker, was in November 2023. The number was 53. The number is 425 now 27. We had quite a big backlog that we needed to get rid of. We have, since November, a total of 34 cases have moved on to the next stage. I am not quite sure whether the numbers mentioned are exactly the same cases or whether there are people, if you mentioned from May, if they are people who have moved on to the next stages.

We have been working on the backlog, so there are cases that are more complicated than 430 others: some settle, some do not, some need extra work. So we are moving forward as fast as we possibly can. Within the last four months, we have already subtracted 34 people which seems like quite a lot, at least from my side.

**Hon. E J Reyes:** Madam Speaker, the question may have been posed in November, but the 435 answer only gave us statistics up to May 2023. So it is 10 months on; that is a bit longer than a normal average human pregnancy, but that is just how it is. And the figures, I know the Minister was trying to work on the figures.

The figures are very simple awaiting the appointment of a chairperson and as from what date are they awaiting. One would presume you are awaiting the appointment of chairperson as soon 440 as you lodge or you file your request for a tribunal.

So, yes, brownie points given in that in November there were 53, or as from May 2023 there were 53 cases pending, and now the statistics I am given, which is only up to October 2023 there are 27 cases pending. But there has been no movement, like I said, very little movement, in the 445 second half of 2022 and no movement at all in the number of cases awaiting appointment of a chairperson in respect of the whole of 2023.

We are now towards the end of the first quarter of 2024. So for those who have a case pending the appointment of the chairperson, let alone the case starting which then carries on course, there does not seem to have been progress. I do not know why the Minister feels that we cannot justify or what excuse can we give to these people for the appointment of a chairperson? I would like to 450 hear the reasons why the chairperson has not been appointed.

**Hon. C P Santos:** Madam Speaker, thank you very much for the monologue pre-question, it was quite entertaining; and I must say I will take the brownie points that you have given me. I would rather you give me brownies and not brownie points *per se*, I enjoy those a little bit more. 455

There was, as mentioned, a backlog which we are working towards and to be perfectly honest there are cases that I actually met up with the employment tribunal chairpersons yesterday and we were discussing how cases were progressing; and the way that it works is that they are

assigned to a chairperson and according to how they move forward and the difficulty of the cases, this is how the numbers change and shift.

460 I must say that I still think that lowering the numbers by 34 is quite a good shift, but I imagine that you are never going to be happy until we get to zero, which is something that is idyllic. But if we keep having claims, we will keep on having to move these forward and move them from stage to stage according to how it best works for the individual in each case.

465 **Hon. E J Reyes:** Madam Speaker, when I posed the question in November 2023, I was given the statistics that only took me up to May 2023. This time round, I have had to wait for the six-month period to be up, but this time round I specified a date, I asked for as at 1st March 2024, and yet in the answer the Minister is only to provide me information up to *October 2023*.

470 So there is November, December, January, February. I mean we are for four and a half months of no statistics. Surely, I am not asking for anything complicated, I am just asking for someone to look in the file and say, right, how many cases are pending the waiting of a chairperson?

475 Can the Minister please provide me the missing statistics from October 2023 to 1st March or 29th February, being a leap year, of 2024, something like that. I am missing the information. If he does not have it with him now, Madam Speaker, I do not mind waiting until the Minister gets the answer and provides it later tomorrow and we file it as such in Parliament.

**Hon. C P Santos:** Madam Speaker, I will try and get this information. As far as the information given to me in November 2023 we had 53; then we have had five new claims in 2024 but these are still in the first stage. So they are not yet awaiting a chairperson.

480 I will ask my officers and as soon as I have some information, I will pass it on to you. But currently the information I have is up to November 2023.

485 **Hon. E J Reyes:** I am grateful, Madam Speaker. I see the Minister is trying to be co-operative in this respect. Having had the privilege, having sat on that side of the House before, I know I used to do my homework and before coming to this House I would check upon the answers provided by the public servants.

490 Have they understood the question in the way that, as a parliamentarian, I have understood it? And when you get to know your colleague on the opposite side of the bench, you know more or less what sort of things that person is looking for. I hope I can build up a nice rapport with the Minister, who is a nice person after all, but he seems to have a statistic of November 2023, which has not been tabled in this House, Madam Speaker, and that is a bit of a disservice since the question was asked to March 2024.

But I wait patiently and then we can lay it across the table in this House.

495 **Hon. C P Santos:** Thank you for the second act of the monologue, the complete works of Shakespeare are coming to Parliament today.

500 I do my homework, so I will not take insult to this and you know full well that I do. I am going to do a check whether there are claims from November and December 2023, as a double check, because this is the information I have up to now; and considering that they have given me stats for 2024 as well, I just want to make sure that there are none filed in 2023 of November or December, or what the case may be. Yes, as soon as I get that information, I will pass it on to you, and, of course, we have a lovely rapport already, the hon. Member and I.

**Madam Speaker:** Only if there is a specific question.

505

**Hon. E J Reyes:** I appreciate that, Madam Speaker, and I know we test your patience sometimes, but I am sure at some stage you will allow the Minister just to present information, between now until we adjourn *sine die*.

510 **Madam Speaker:** Next question.

**EDUCATION, THE ENVIRONMENT AND CLIMATE CHANGE.**

**Q261/2024**

**Education Health Care plans –  
Introduction through legislation**

**Clerk:** Questions to the Hon. the Minister for Education, the Environment and Climate Change. Question 261/2024. The Hon. A Sanchez.

515 **Hon. A Sanchez:** In light of Question W46 of 2022 and the Government's manifesto commitment, could the Minister provide information on when the Government expects to introduce plans known as education health care plans in Gibraltar through legislation?

**Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

520 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the Department of Education works very closely with the Care Agency, the Gibraltar Health Authority and parents and carers to form a team around the child, which works collaboratively with the child's needs as a central focus.

525 Interagency and interdepartmental professional collaboration is key when planning interdisciplinary support and holistic developmental plans. The Department of Education is committed to facilitating and nurturing the holistic development of children and to ensuring any additional support that professionals deem necessary is put in place to support pupil's needs as and when they are identified.

530 To address, discuss, progress and evaluate pupil's development, personalised learning plans are drawn up and managed by school staff as live documents which facilitate the implementation of each pupil's individualised, holistic plan. Education professionals reach out to allied health care professionals and to colleagues in the Care Agency as and when required, both at an operational level in a dynamic manner in response to pupil's developing needs as well as at the most strategic level, service wide.

535 This close interdepartmental working emulates many of the core principles of the Education Health Care Plans, the EHCPs, of the UK, while retaining a high level of responsiveness to change and adaptation to the child's evolving needs, which the UK system is currently lacking. As such, the Department of Education does not feel that there is currently a need to legislate for Educational Health Care Plans, although we will keep the matter under review.

540 **Hon. A Sanchez:** I am grateful for that answer. I am sure the hon. Member is aware that I evidently, can speak from experience, that at present what you do receive is an individual education plan, and you might receive *ad hoc* MDRs, and you might receive care plans from the Care Agency, but it is presently quite disjointed and is presently quite confusing for families.

545 What I am referring to is a manifesto commitment that you have, which indicates individual action plans for persons, and I quote:

... who suffer from disabilities and there should be a life plan which the family of disabled persons can rely on.

This is a manifesto commitment from one of your manifestos in 2015.



550 In relation to Education Health Care Plans, which the Hon. Member is evidently aware is reflected in the Senate Code of Conduct in the UK, specifically relating to the Children and Families Act. There is nothing that is legislated for which provides a legal document in our legislation which specifically brings all these Departments together and provides a more holistic plan for these individuals, these children and young people, in the way that I am describing.

555 So perhaps the Minister could look into this and revisit this to offer families a more holistic and multi-agency approach that works better.

**Hon. Prof. J E Cortes:** Madam Speaker, I will take that as a question as to whether we will do that.

Madam Speaker, this is not about not fulfilling those needs for every child. This is about not feeling, at this moment in time, that we need to specifically legislate.

560 I have been chastised by Members opposite for legislating too much. The Hon. Mr Clinton, for example, had a couple of goes at me for legislating to protect ivory. But it is not about the legislation, it is about how we implement these plans and how we work together. I am satisfied that we have made a lot of progress and that the flexibility of our current plan actually meets some of the criticism that the UK plan has and that we can develop this without the specific need to legislate; but if we find that there is a need to legislate, then clearly this is something we are willing to consider.

565 I am very happy to sit down with the Member opposite, to look at the detail, to see whether she is not satisfied with what we are doing and if we find that that legislation would help I suspect that, at this moment in time it is not necessarily going to help, then it is something that I have said and we will keep the matter under review and I am very happy to sit down with the hon. Member to discuss that.

**Madam Speaker:** Next question.

#### Q262/2024

#### Services from educational psychologists and school counsellors – Current waiting times for children

575 **Clerk:** Question 262/2024. The Hon. A Sanchez.

**Hon. A Sanchez:** Could the Government provide the current waiting times for children needing access to services from:

- 580 (a) Educational Psychologists, and  
(b) School Counsellors.

**Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

585 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the general process is as follows. In regard to educational psychologists, a request for consultation with an EP are made by schools. The psychologists will engage with the young person during their next visit to the school, in order of the priority as determined by the school. Typically, individuals identified by the school as being of high priority are seen within a month of the educational psychologist receiving a request. Less pressing matters are usually addressed within a term.

590 In regard to the school counsellors, referrals for consultation with school counsellors are made by schools or by the pupils themselves. Pupils can also request a drop-in appointment. School

counsellors assess all requests as quickly as possible and then assess the priority of the need, sometimes asking permission to refer the child or young person directly to Children's Mental Health or through the Care Agency where there is a case already opened at the Care Agency.

Therefore, it is impossible to give an idea as to how long a pupil would need to wait, this is done on a needs basis, and will also vary between secondary and primary sectors. The number of referrals will also vary throughout the year. It is important to note that the school counsellors also work directly with teachers and parents, as well as offering training to staff, so that parents and teachers also have the tools to help them support pupils to become independent and self-sufficient, which is the aim of any therapeutic service.

**Madam Speaker:** Supplementary.

**Hon. A Sanchez:** And would the hon. Member happen to have any information available with him regarding how many educational psychologists and counsellors are currently employed or are currently contracted by the Government?

**Hon. Prof. J E Cortes:** Madam Speaker, I do have that information. It is not, I think, a logical supplementary but I am happy to. There are currently two educational psychologists and there are two vacancies that are in the process of being filled, as far as I am aware.

**Madam Speaker:** Next question.

**Q263/2024**  
**Pupils on SEND register –**  
**Special educational needs identified; enrolled establishment**

**Clerk:** Question 263/2024. The Hon. A Sanchez.

**Hon. A Sanchez:** Can the Government provide updated details of how many pupils are on the SEND register with a breakdown by special educational needs identified and the educational establishment in which they are enrolled for the academic year:

2021-22

2022-23

2023-24

**Clerk:** Answer, the Hon. Minister for Education, the Environment and Climate Change.

**Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, there is a schedule on its way to the Members opposite with the information required.

**Madam Speaker:** All right, we will move on to the next question and then come back to that once the hon. Member has had a chance to consider the schedule.

**Q264/2024**

**St Martin's school staff/parent reports –  
Pungent odours**

**Clerk:** Question 264/2024. The Hon. A Sanchez.

630 **Hon. A Sanchez:** Can the Government confirm if reports have been made by the staff or parents  
of pupils at St Martin's School regarding the alleged persistent pungent odour emanating from  
various areas of the school?

**Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

635 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam  
Speaker, the smells were emanating from a number of the s-trap WC pans at St Martin's School.  
The fittings connecting these pans to the outlet were dislodged and allowed foul smells to escape  
from the system. All connectors were renewed and the foul smells were eliminated at the time.  
Further smoke tests are being undertaken to see whether there are more devices that need to be  
640 changed.

**Madam Speaker:** Next question.

**Q265/2024**

**St Martin's School rodents/droppings –  
Departments attendance; dates**

**Clerk:** Question 265/2024, the Hon. A Sanchez.

645 **Hon. A Sanchez:** Could the Minister confirm whether there have been any: (a) reported  
sightings of rodents or rat droppings inside St Martin's School and/or in the external areas of  
St Martin's School; (b) whether the relevant Department has been in attendance in relation to this  
issue; (c) the date of both the reported sightings and the Department's attendance, if applicable?

650 **Clerk:** Answer, the Hon. Minister for Education, the Environment and Climate Change.

**Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam  
Speaker, yes, reports of signs of rodents in St Martin's School were received by the Environmental  
Agency from the Department of Education on 10th January, 2024. The Environmental Agency's  
655 pest control team attended to carry out treatment on the morning of the next day.

The treatment, which is by the use of *Rodenticide* in safe boxes, will be continued for some  
months to ensure that the rodents are eradicated. Madam Speaker, if I may, I asked for an update  
before coming today and I am told that the last few inspections show no signs of rodents and no  
uptake of bait.

660 So, therefore, it seems that the matter has been resolved.

**Hon. A Sanchez:** Could the hon. Member state what type of rodents these were?

665 **Hon. Prof. J E Cortes:** I believe they were rats, Madam Speaker, possibly as a result of them  
being dislodged from the adjacent works next to the St Martin's School. Obviously there has been  
piling, there has been work there on the affordable housing development and it may have

disturbed sewers or whatever and that is probably what made them move into the area of the schools.

670 **Hon. A Sanchez:** And could the hon. Member clarify where exactly they were sighted within the school?

**Hon. Prof. J E Cortes:** I do not have that information here, I am trying to remember from seeing correspondence, but I would not like to just commit it to refer to my memory. I am happy to share that but I would need to ask and look at my notes.  
675

**Hon. A Sanchez:** And could the hon. Member clarify why the parents of the pupils in the school were not notified of rat sightings in the school?

680 **Hon. Prof. J E Cortes:** Madam Speaker, I am afraid that I do not know that they were not. I have not got that information. I had assumed that the information would have been shared, but I have no knowledge of that, and therefore not knowing that they did not inform them I would not know why they did not.

685 **Hon. A Sanchez:** Well, Madam Speaker, as Minister for Education I must stress that, perhaps, it is a point that he might want to take back to the relevant Department. It is key that the relationship with the school, between the school and the parents, is one that is built on trust, especially given that many of the pupils in the school face significant communication issues and they evidently are not going to go home and tell their parents that there are rats in the school.

690 So I think it is essential that if there are rats in the school that parents hear that there are rats in the school, we are talking about rats, we are not talking about crickets. So I think it is something that should be told to parents by the relevant authority, like the Department of Education.

... [*Inaudible*] saying that there are rats in St Martin's school to the parents, if you can assure us that the parents will be notified.

695 **Hon. Prof. J E Cortes:** Madam Speaker, I do not think that the current leadership in the school fails to communicate. These are issues that I have no problem with being shared. I will ask the school, it may be that it was shared and the hon. Member is not aware. In any case, there was no danger at any stage to anyone, but as I said my view is always that we have to have open channels of communication with parents, and that is the policy of the Government.  
700

**Madam Speaker:** Next question.

**Q266-267/2024**

**St Martin's School –**

**Hydrotherapy pool operational and being used by pupils**

**Clerk:** Question 266/2024, the Hon. A Sanchez.

705 **Hon. A Sanchez:** Can the Government confirm whether the hydrotherapy pool in St Martin's School is operational and is being used by the pupils of the school?

**Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

710 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, I will answer this question together with Question 267.

**Clerk:** Question 267. The Hon. A Sanchez.

715 **Hon. A Sanchez:** Can the Government provide a breakdown of the number of pupils receiving hydrotherapy in St Martin's Hydrotherapy Pool for the following academic year:

2021-22  
2022-23  
2023-24?

720 **Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

**Hon. Prof. J E Cortes:** Madam Speaker, the Government can confirm that at long last and following a series of complex remedial works, due largely to issues of design, the hydrotherapy pool at St Martin's School is now operational, with water quality testing conducted weekly to ensure the continuance of safe levels.

725 Sadly, as a result of these delays, no students have received hydrotherapy to date because of my insistence on erring on the side of caution in order to ensure safe use.

**Hon. A Sanchez:** Can the hon. Member state when the pupils will start using the hydrotherapy services?  
730

**Hon. Prof. J E Cortes:** Yes, Madam Speaker, we are now identifying the staff that will assist the children. They need to be trained specifically in this and that process is ongoing. So I am told that we will start straight after the Easter holidays.

735 **Hon. A Sanchez:** Does the hon. Member know if these hydrotherapy services will be available to *all* the pupils of the school, or only *some* of the pupils in the school?

**Hon. Prof. J E Cortes:** Madam Speaker, that would have to be assessed by the professionals who would decide for which children this is a suitable form of therapy, it is a matter for the professionals and not for me. I would leave it entirely in their hands.  
740

**Hon. D J Bossino:** Can I ask the hon. Member what were the defects and were those defects those which presented a challenge as to safety; and, if I may, what were the safety challenges which arose?  
745

**Hon. Prof. J E Cortes:** Madam Speaker, there were two main issues, as I recall. One turned out not to be the case. There was a suggestion that there might have been a contamination from sewage to the hydrotherapy room. That was found not to be the case. The sewage was not connected to that area and that was resolved after a lot of work and that was one area where there was that doubt. I thought that was a safety element.  
750

The other one, the latest one, which was resolved only recently, was a problem with the temperature device that prevented the air temperature within the hydrotherapy room of becoming too high. At one stage, the thermostat was not able to control it and we were having temperatures in the high 30s, which was obviously not safe and not comfortable for the children.  
755 Therefore, a decision was taken that it could not be used, even though the pool was perfectly functional. But that temperature was not one that was comfortable. That has now been resolved and now it is a question of getting the staff in place and we are ready to go.

**Hon. D J Bossino:** Are those items likely to be the subject of any claims which the Government may be considering?  
760

**Hon. Prof. J E Cortes:** This will have to be assessed as to whether they are attributable to design, construction and so on. But I do not have detailed information on that at this stage.

765 **Hon. D J Bossino:** Simply press it, because I think, just by way of clarification and for the *Hansard*, I think in the initial reply he attributed the faults to a design fault, I think the hon. Member said.

770 **Hon. Prof. J E Cortes:** Yes, that is the understanding that I have, but I think the question was whether this was actually going to lead to a claim and this would need to be assessed and obviously, there may be a counter view that it was not design. This expert would have to determine, before we can determine whether action needs to be taken; but it is possible.

**Madam Speaker:** Next question.

#### Q268/2024

#### Government plans for young adults – Settings/facilities for SEN and supported needs post-16

775 **Clerk:** Question 268/2024, the Hon. A Sanchez.

**Hon. A Sanchez:** Does the Government have plans to enhance post-16 settings and facilities for young adults with special educational needs or supported needs, to provide them with greater choice and opportunities once they transition from educational settings, such as St Martin's School at the age of 16?  
780

**Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

785 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the Government continues to look at ways of enhancing progressive pathways for all young people, including those with special educational needs and supported needs. Indeed, some new courses have been introduced this year at the Gibraltar College in liaison with St Bernadette's. Support is also given in finding employment. However, this will not cater for all young people with special needs and the Department of Education, together with the Ministry of Equality and  
790 the Care Agency, are studying ways in which to make wider provision.

**Hon. A Sanchez:** Could the Hon. Member elaborate on the ways in which they are planning to expand the provisions?

795 **Hon. Prof. J E Cortes:** Madam Speaker, these are possibilities in various directions. I cannot give all the information because there are other agencies involved and they are discussing this. I know, for a fact, that we are looking at improving the provision for residents and users of St Bernadette's.

800 Also, the new college in its new location will have more provision and an expanded LSF. So these are two of the areas. But for more details I would need to get information from other Departments. But those are the main areas.

I believe that there is also a move to increase the support given to young people in finding employment.

805 **Hon. A Sanchez:** The hon. Member mentions that there are more courses on offer at the Gibraltar College for the service users at St Bernadette's. But am I correct in saying that not every service user can join those courses?

Am I correct in saying that that is a decision that is taken by the Gibraltar College and that not every service user is eligible to attend those courses?

810

**Hon. Prof. J E Cortes:** I would not have thought that is the way it works. I would have thought that there are some young people who are more suited to certain courses than others; and I would have assumed that there would be a discussion in assessing the course available, the training available with the young person's needs rather than a blanket yes/no, without a logical sequence and a logical discussion. I am not aware of anything other than that.

815

Obviously, the course will have to meet the young person's need and the young person must be able to benefit from that course.

**Hon. A Sanchez:** So what happens to the young person that cannot benefit from that course, are there provisions for those young people that cannot benefit from that particular course? Which is what I am trying to say: are there provisions for the people that cannot benefit from that particular course?

820

Does the Government have provisions in place, plans in place, to cater for the individuals who have to leave St Martin's school because there is nothing else for them, and their parents perhaps feel that they would benefit from something else, just like their peers that are in mainstream settings and they do not have to leave school at the tender age of 16?

825

Does the Government have any plans to perhaps extend the leaving age of St Martin's School, offer something else, which is what my question is – enhanced post-setting education for persons with special educational needs, supported needs?

830

**Hon. Prof. J E Cortes:** Madam Speaker, this is moving to outside the area of Education. I have said what the Department can offer by way of education provision. The question refers to those young people who may not have at the moment suitable courses, or may not find those courses useful or suitable to them. That moves outside the realm of Education and my hon. Friend, the Minister for Equality, with your permission, Madam Speaker, is going to contribute to that discussion.

835

**Minister for Equality, Employment, Culture and Tourism (Hon. C P Santos):** Currently, together with the Minister for Health, we are looking at the relocation of St Bernadette's and Dr Giraldi's to a bigger venue. We are consulting with the Care Agency and all those involved with St Bernadette's to see how we can further what is offered in St Bernadette's, especially looking at the numbers of children coming up from St Martin's.

840

With regard to on my side of employment, we are looking at the Supported Employment Programme and as a part of employment as a whole. So, we are developing a programme which we are releasing within the next 10 days which is about up-skilling, and there are short courses that we are offering people who want to get into employment, who may not necessarily have the qualifications or the necessary qualifications, and we offering a series of short courses that will up-skill the individual.

845

This will be offered for those in supported employment, in rehabilitation, as well as people who are employed under the Employment Scheme. But more details of this will be released within the next ten days.

850

**Hon. D J Bossino:** There is a question which my hon. Friend asks specifically, I have my own question, but I think this needs to be pursued, which is that whether the Government is considering extending the leaving age for St Martin's School pupils.

855

Currently they are obliged, once they reach the age of 16, to move on to St Bernadette's and that may not be the solution for each and every pupil in that school. So we are exploring with the Government whether they are considering extending that or in building some flexibility to that leaving age.

860

**Hon. Prof. J E Cortes:** Madam Speaker, yes, there will be flexibility in extending the leaving age from St Martin's School. And I do know that some of the students in the college are over 18 and they are allowed to carry on there for a few years longer than they would normally in a mainstream school by way of supporting it.

865

So, the answer to that is yes, it has been considered and *de facto* in college there are young people who are over 18 who are those who can benefit from staying on that little bit longer.

870

**Hon. D J Bossino:** And if I may explore this point a bit further in the line of questioning that we have had from my hon. Friend. The Hon. the Minister said that he was unable to provide answers as to the things beyond. He mentioned two specific policy initiatives, those courses provided by the college and the employment aspects help which the Government provides. But he said that he was resisting providing an answer to the other things that are being considered because he would need to consult with other Departments.

875

If I could put it in these terms, if we filed a question for the next House, would he be able to consult with the other relevant Departments and provide us some specific answers in relation to other possibilities. We have had some information from the Hon. the Minister for Equality.

880

But what I am trying to establish is whether the Government is, at *this* stage, able to provide further information, or is it something which they are at an early stage considering? Have they reached a crystallised position as to what other facilities can be provided to these individuals?

**Hon. Prof. J E Cortes:** They are fairly early stages. It is interesting because clearly this is something that is important and it is as important to the Government as it is to the Opposition.

885

We are aware, and if I might digress slightly, we are going to, within the next few weeks, receive and publish the report that I commissioned on special educational needs and we are aware of the increased number of young people and we need to provide for this.

890

So, if the hon. Member asks a question, clearly we will provide whatever answer is available at the time. Will we have all the answers in two months' time, which is when we are next going to sit? I do not know, Madam Speaker, I am being perfectly honest. But if a question is asked, then a question will be answered.

895

**Hon. D J Bossino:** If I may, is the Government at this stage, able to assist this House in providing information as whether they have identified a new location for Dr Giraldi and St Bernadette's premises? Which is something which, at least at face value, we would welcome because I think those premises have already, as they stand, overgrown the requirements, but also it will certainly be a more pressing requirement given the numbers that are going to be coming through in the future.

900

**Hon. Prof. J E Cortes:** Madam Speaker, I believe there is another question in the Order Paper that covers that.

**Madam Speaker:** Next question.

I think that is the end of the questions of the Hon. Mrs Sanchez. So I will return to Question 263/2024, if the hon. Member has any Supplementaries, I will take them now.

No? Alright. Next question.



**Q269/2024**

**Devil's Tower Road cemetery–  
Subcontractor for general maintenance**

905 **Clerk:** Question 269/2024. The Hon. G Origo.

**Hon. G Origo:** Madam Speaker, can the Government confirm whether it engages a subcontractor for the general maintenance of the cemetery on Devil's Tower Road?

910 **Clerk:** Answer, the Hon. Minister for Education, the Environment and Climate Change.

**Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the Government can and does engage subcontractors for works at the cemetery. This can range from horticultural contractors, to minor works, maintenance works and major works such as refurbishments.

915 **Hon. G Origo:** Madam Speaker, I am grateful to the hon. Member for his reply. With respect to the jobs which are subcontracted, could the hon. Member confirm whether the general maintenance – that is the upkeep of the cemetery – is contracted to a private subcontractor?

920 **Hon. Prof. J E Cortes:** Madam Speaker, the general maintenance of the cemetery as a whole is not contracted to a private contractor. Private contractors are brought in for specific works, which may include maintenance. There is one contract for the horticultural work which was granted for the first time a few years ago but it is not a general contract for maintenance of the cemetery.

925 **Hon. G Origo:** Madam Speaker, I am grateful to the hon. Member for his expanded reply. Can I be a bit more specific in that respect, then, with regard to the cleaning of the cemetery, can the hon. Member confirm whether this is subcontracted?

930 **Hon. Prof. J E Cortes:** Madam Speaker, there is a contract as part of the general cleansing contract, rather not the specific contract, part of the general cleansing contract. There are requirements for the contractor, everybody knows it is Britannia, to carry out some cleaning and when it comes to cleaning of the vegetated areas that is contracted to a horticultural contractor.

935 I do not believe, certainly I am not aware, there may be other contractors who do some cleaning, but as I said it is not an overall contract. They are just different contracts which are managed by the cemetery management.

I do not know what the hon. Member is specifically referring to, if he can elucidate either now or later, then I may be able to assist more.

940 **Hon. G Origo:** Madam Speaker, I am grateful to the hon. Member for his answer and I am grateful that he has also explained that, with respect to the vegetation issues in the cemetery, that there is a specific subcontractor for this and relates to the premise of my question. The reason I asked this is because a few weeks ago, I had been approached by certain constituents who were rather concerned with the state of the cemetery. As they explained to me, everything appeared to be very badly overgrown and unkept, for what appeared to be at least a few months.

945 I then took the opportunity to personally go and see this myself and I must admit that I was quite shocked to the state I found it in. Frankly, I was quite lost for words. Large parts of the cemetery were overgrown and it meant that it was difficult, sometimes even dangerous, to approach some of the tombstones.

950 So in this context, given the concerns raised by constituents, would the hon. Member be minded to commit to a review of the current practices or arrangements in place with regard to

the cemetery maintenance contract, which you just alluded to, so that we can ensure that these issues do not reoccur again?

955 **Hon. Prof. J E Cortes:** Madam Speaker, the cemetery had no vegetation management whatsoever until we introduced it some years ago and it so happens that at a certain time of the year, coinciding for two weeks after the first rains, we are going to have this problem every year because there is a large seed bank in the ground. After the first rains, the vegetation will grow and no matter how fast you strim, there is always going to be a backlog until it is caught up.

960 So at the moment, if he goes back to the cemetery, he will find that probably between half and two thirds are now completely under control, and I believe that by the end of this week the whole of the areas will have been strimmed. So it is, specifically, at the time of year, if you visit within the two or three weeks after the first rains, you are going to have a lot of vegetation.

965 The contractors concentrate on removing those plants, there is one particular species, that can be quite prickly and those are removed immediately. Other plants, such as poppies and so on, which always beautify the area, are allowed; but it is an artefact of the time of year when these people visited the cemetery. It is not that it is abandoned in any way and they will be on top of it as from now.

970 **Madam Speaker:** Next question.

**Q270/2024**  
**Electric buses –**  
**Commencement of roll-out**

**Clerk:** Question 270/2024. The Hon. G. Origo.

975 **Hon. G Origo:** Madam Speaker, by when does the Government expect it will begin the rollout of electric buses, given that it has already identified the right bus for the job, as referred to in its 2023 manifesto?

**Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

980 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the tender for electric buses which at the time were considered the right bus for the job, was awarded on 4th December 2020. Given the time that has elapsed, I have decided with the support of the Procurement Office, that new and better vehicles may now be available and offer better value.

985 The new tender process has already begun.

**Hon. G Origo:** Madam Speaker, grateful to the hon. Member for his reply. Could the hon. Member please confirm whether he has an understanding of what the cost of the electric bus fleet will be to Government?

990 **Hon. Prof. J E Cortes:** Madam Speaker, a lot of money. I do not have the detail. The tender process has commenced in that meetings are being held in order to agree on the specifications, but I do not have that information.

995 **Hon. G Origo:** Madam Speaker, my understanding is from the hon. Member that the Government has identified the right bus for the job, or at least it has in its manifesto confirmed that it has found the right bus suitable for Gibraltar. So given that it has found the right bus and

given that in the 2020 tender we know that we are looking for eight new buses, how is it that the Hon. Member does not know how much it is going to cost for this new fleet?

1000 **Hon. Prof. J E Cortes:** Madam Speaker, I do not know how much the new buses are going to cost, and nor do I know how many we are going to buy. The idea is to phase it in to make it financially achievable, but to achieve the renewal of the fleet and a lesser environmental impact. But I do not have the information as to how much they are going to cost.

1005 How can I possibly have it if we are just starting the process now and we are looking for the possibility of new buses that offer better value and are better for Gibraltar. I do not have that information, Madam Speaker.

**Hon. G Origo:** And finally, Madam Speaker, I am grateful for the hon. Member confirming that the tender issued in July for the supply of electric buses, given the time lapse since then, is going to go out once again to the public, is that my understanding? In that vein, if the tender process has recommenced, will the buses be sourced by a local supplier?

1015 **Hon. Prof. J E Cortes:** Madam Speaker, the tender process will be published and then suppliers will bid. It is highly likely it will be a local supplier but the hon. Member is asking me to predict what is going to happen at later stages. I cannot answer that question, Madam Speaker.

**Hon. Dr K Azopardi:** Madam Speaker, if the hon. Member indicated that the tender had been awarded on 4th December 2020, can I ask why they did not proceed at that stage?

1020 **Hon. Prof. J E Cortes:** Madam Speaker, I was not the Minister for Transport at the time, if the Hon. the Chief Minister will kindly assist.

**Chief Minister (Hon. F R Picardo):** Because of the state of the Government finances in December 2020, Madam Speaker.

1025 **Madam Speaker:** Next question.

**Hon. D J Bossino:** Madam Speaker, if I may, please?

1030 **Madam Speaker:** Yes, the Hon. Mr Bossino.

**Hon. D J Bossino:** One question: the hon. Member very confidently states that, in effect, he is taking advantage of the delay and is saying that this bus will be new and better. In which I thought I took an accurate note ... He is shaking his head.

1035 My question was, assuming that the premise of the question is accurate, in which way is the bus better?

1040 **Hon. Prof. J E Cortes:** Madam Speaker, I am saying with the support of the Procurement Office, that new and better vehicles *may* now be available and offer better value. In the space of four years, by the time this process is finished, it would be closer to nearly five years and the way that the industry is developing, it is highly likely that there may be new and better vehicles, which may offer better value. But I cannot say that they will, I am saying that it *may*, absolutely.

1045 **Hon. D J Bossino:** I thought that what they said in their manifesto, unless he is challenging the way that this question has been drafted, and I have not identified that he has in replies, he says that the right bus has been identified for the job. But what (*Interjection*) ... Oh, in the 2020 tender?

1050 **Hon. Prof. J E Cortes:** Madam Speaker, at the time 2020, now it is likely that there are better buses and better value and therefore we are reissuing a tender. It is the right way to do this, Madam Speaker.

**Madam Speaker:** Next question.

**Q271/2024**  
**Net-zero delivery –**  
**Expected report presentation**

**Clerk:** Question 271/24. The Hon. G. Origo. (*Interjections*)

1055 **Madam Speaker:** Next question if you want to put it, otherwise I will ask the hon. Member to sit.

**Hon. G Origo:** No, Madam Speaker, I am just waiting for –

1060 **Madam Speaker:** Well, I am not, so put the question.

**Hon. G Origo:** Grateful. By when does the Government expect the net-zero delivery body to present its report to Parliament for the activities in 2023?

1065 **Clerk:** Answer the Hon. the Minister for Education, the Environment and Climate Change.

**Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, a report of the Net-Zero Delivery Body for 2023 will be laid in Parliament during the 2024 budget session. (*Interjection*)

1070

**Q272-274/2024**  
**Car Registrations – 1<sup>st</sup> January 2023 to 31<sup>st</sup> December 2023**

**Clerk:** Question 272/2024, the Hon G Origo

1075 **Hon. G Origo:** Madam Speaker, can the Government confirm the total number of cars registered between 1st January and 31st December 2023, stating how many were petrol, diesel, hybrid or electric?

**Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

1080 **Hon. Prof. J E Cortes:** Madam Speaker, I will answer this question together with Questions 273 and 274.

**Clerk:** Question 273/2024, the Hon. G Origo.

1085 **Hon. G Origo:** Madam Speaker, on 31st December 2023, how many owners of registered cars appear as the owner of one car, two car, three cars or more than three cars?

**Clerk:** Question 274/2024, the Hon. G Origo.

1090 **Hon. G Origo:** On 31st December 2023, how many households have one car registered to that household, two cars registered, three cars registered to that household or more than three cars registered to that household?

**Clerk:** Answer the Hon. the Minister for Education, the Environment and Climate Change.

1095 **Hon. Prof. J E Cortes:** Madam Speaker, in relation to the answer to Question 272, in relation to the total number of vehicles registered during the year 2023: diesel 29, electric 19, hybrid diesel 20, hybrid petrol 401, petrol 100.

1100 In answer to Question 273, the data in relation to this question are not available in the manner requested. They are being collated and will be available in coming weeks. Madam Speaker, I am happy to share that across the floor or will be asked again at a future meeting of Parliament and provide that answer, obviously with the Speaker's permission.

1105 In answer to Question 274, the following figures are the latest held as of March 2023. Numbers of cars per household: the first number I am going to give is the number of cars per household, the second number is the number of households. So, one car per household 9,864; two cars 2,279; three cars 576; four cars 313.

Madam Speaker, in future these data will be published on the Government website.

**Hon. G Origo:** Madam Speaker, I am grateful for those answers from the hon. Member.

1110 With respect to question 272 on the number of cars registered for the year of 2023, I can see that there has been quite an uptake in electrical vehicle registrations. If this trend were to continue, would our grid be capable of sustaining so many cars plugged into it for charging?

1115 In other words, what would the effect be to our grid if 23,000 more vehicles were charging once a week? Especially given that in recent weeks we have been subject to power cuts. So will the Gibraltar Electrical Authority be able to guarantee that our grid can sustain these increased pressures?

**Hon. Prof. J E Cortes:** Madam Speaker, yes, the last time we were attacked on electric vehicles, it was that there was not enough uptake. Now we are seeing an uptake we are being attacked for not being able to provide.

1120 Madam Speaker, I think this is a significant move, in particular when you look at the increase in hybrid which I think is a step towards fully electric. There are more in the last year, in 2023, there were more hybrid petrol cars and taking together hybrid diesel and hybrid petrol cars than the whole of the rest of the categories put together.

1125 Madam Speaker, the grid *can* take it. The grid, the L&G power station that we created, to the great consternation of the Members opposite, or the Members who were opposite then, was built in order to provide a tremendous amount of resilience. It is a question of providing the charging points, there are already, I believe, 73 electric vehicle charging points in Gibraltar both public and private and there is an initiative to increase this.

1130 Only this week, on Monday, the Net-Zero Delivery Body published its Electric Vehicle strategy. So we are confident that the policy will move ahead and that we will be able to provide. The world is moving in that direction, the industry is moving in that direction. We will not allow ourselves to fall behind.

**Madam Speaker:** Next question.

**Q275/2024**

**Renewable energy resources investment –  
1st January 2012 to 31st December 2023**

1135 **Clerk:** Question 275/2024, the Hon. G Origo.

**Hon. G Origo:** Madam Speaker, can the Government provide details as to how much money has been spent by it investing in renewable energy resources between 1st January 2012 to 31st December 2023, broken down by year.

1140

**Clerk:** Answer the Hon. the Minister for Education, the Environment and Climate Change.

1145 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the Government's investment into renewable energy resources over the last few years has been mainly conducted via Power Purchase Agreements, or PPAs, with private companies who own, manage and maintain the solar PV plants.

Since 2019, the value of renewable energy purchase has been:

2019 £75,997.80  
2020 £115,799.10  
2021 £155,014.40  
2022 £178,165.40  
2023 £204,555.20

1150 Ironically, in each of the 16 years the hon. Member's Party was in Government, including the eighth when the Leader of the Opposition was Minister and Deputy Chief Minister, the count for each year was zero.

This Government has also invested in PV installations on its own projects, such as the Europa Sports Complex, Lathbury Barracks, the Special Olympic Stadium and the Comprehensive School Complex. These investments have totalled approximately £6 million of which approximately £3.5 million came from EU funding.

1155 Prior to this, in 2012-13, Government also invested in solar thermal plants at the Tercentenary Sports Hall, Tangier Views and St Bernard's Hospital, as well as a combined PV solar thermal system at the GASA Swimming Pool. These investments came to a total of approximately £700,000.

1160 **Hon. G Origo:** Madam Speaker, grateful to the hon. Member for the answers provided. So is my understanding correct, because a lot of figures were thrown out there in response to this question, that the total amount invested in renewables by the Government for this period in question of 12 years is around, my calculations, £700,000? Could you please clarify that is the correct understanding?

1165

**Hon. Prof. J E Cortes:** Madam Speaker, I do not know how the hon. Member has worked out these figures. Is this by adding the figures that I have given?

1170 That is the amount of power that the Government has purchased and because they are PPAs the capital investment has been on the part of the parties that have installed the solar power, not directly the Government. The Government is buying it and that, obviously, is how they are funding the project, but it is that way around.

1175 **Hon. G Origo:** Madam Speaker, I am grateful for that clarification. So my understanding is that given that the Government has, to date, then spent around £600,000-£700,000 in purchasing this power, which then translates to the 1% output of renewable energy that we are currently

experiencing, does the hon. Member know how much it is going to cost us to reach 20%, 50%, 70% renewable energy as per the targets in the climate change strategy?

1180 **Hon. Prof. J E Cortes:** Madam Speaker, that is impossible to tell for a number of reasons. Firstly, well there are various possible ways in which this could be funded; and secondly, the technology is moving so fast that you cannot *pro-rata* it. There is no relation between the amount of solar power output in the installations that currently exist and those that there will be even now, or in one or two or three or four years' time; and therefore it is impossible to tell because the technology is just moving too fast.

1185

**Madam Speaker:** Next question.

#### Q276/2024

#### School cleaner vacancies – Government confirmation of change

**Clerk:** Question 276/2024. The Hon. E J Reyes.

1190 **Hon. E J Reyes:** Can Government confirm if there has been any change, as at 1st March 2024, to the 21 vacancies for school cleaners since the answer provided to Question 555/2023?

**Clerk:** Answer the Hon. the Minister for Education, the Environment and Climate Change.

1195 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, as of 10th February 2024 there was a total of 25 part-time, 20-hour school cleaner vacancies.

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

1200 These 25 part-time vacancies, I believe the Minister said, is it because we have had an increase of four and none of the 21 were previously filled, or were some of those posts filled and then other others have arisen?

I am trying to work out the pattern whether those 21 actually were reduced by a given number and then other vacancies occurred. The Minister might have some supplementary information.

1205 **Hon. Prof. J E Cortes:** Now, Madam Speaker, I do not keep tabs of the individual cleaner vacancies. So it could be that there are four more than there were last time rather than there has been any turnover. What I can say is that these are in the process of being filled.

1210 **Hon. E J Reyes:** Thank you. That is what I was going to work at, are we still in a process of filling in those vacancies and if we are, it seems, I know things cannot happen quickly overnight, but we do seem to be taking rather a long time to recruit part-time cleaners. There could be some setbacks that the Minister could enlighten us with.

1215 **Hon. Prof. J E Cortes:** No, it is a matter of process. The cleaners are employed using the complement of supply cleaners when vacancies arise after a period of time, if they have been there long enough, the more senior ones are moved into the complement and this is a process that takes place.

It is dealt with centrally. It is in process, so there is nothing sinister going on. These posts will be filled and, as I said last time, because I believe that the hon. Member was concerned that there

1220 were a large number missing from Bishop Fitzgerald; and I can confirm that, at the moment, Bishop Fitzgerald only accounts for one of the vacancies.

So there was no truth in that, Madam Speaker.

**Madam Speaker:** Next question.

**Q277/2024**

**Department of Education –**

**Pupil numbers by school year, gender, educational establishment**

1225 **Clerk:** Question 277/2024. The Hon. E J Reyes.

**Hon. E J Reyes:** Can Government provide details of the number of pupils currently enrolled in schools falling under the auspices of the Department of Education, broken down by school year, gender and educational establishment?

1230

**Clerk:** Answer, the Hon. Minister for Education, the Environment and Climate Change.

**Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, there is a schedule with that information making its way across the House.





**Madam Speaker:** Move on to the next question and come back.

**Q278-80/2024**

**Leaving school education before GCSE exams –  
Numbers 2019-2024 broken down by gender**

**Clerk:** Question 278/2024. The Hon. E J Reyes.

1240 **Hon. E J Reyes:** Can the Government provide details as to how many young people left full-time school education before undertaking their GCSE exams, broken down by gender for the following academic year:

- (a) 2019-20
- (b) 2020-21
- (c) 2021-22
- (d) 2022-23, and
- (e) 2023 up to date 2024.

**Clerk:** Answer the Hon. the Minister of Education, the Environment and Climate Change.

1245 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, I will answer this question together with questions 279 and 280.

**Clerk:** Question 279/2024, the Hon. E J. Reyes.

1250 **Hon. E J Reyes:** Can the Government provide details as to how many young people left school before undertaking their A-level exams, broken down by gender for the following academic years:

- (a) 2019-2020
- (b) 2020-2021
- (c) 2021-2022
- (d) 2022-2023 and
- (e) 2023 up to date 2024.

1255

**Clerk:** Question 280/2024, the Hon. E J Reyes.

1260 **Hon. E J Reyes:** Can Government provide details as to how many young people on Government scholarships left a University/higher education establishment before completing their undergraduate degree, broken down by gender for the following years:

- (a) 2019-2020
- (b) 2020-2021
- (c) 2021-2022
- (d) 2022-2023 and
- (e) 2023 up to date 2024.

1265

**Clerk:** Answer the Hon. the Minister for Education, the Environment and Climate Change.

**Hon. Prof. J E Cortes:** Madam Speaker, we really have our act together because the schedule has already arrived at the desk of the Members opposite.

1270

**ANSWER TO QUESTION 280**

**ANSWER TO QUESTION 278**

| Year         | Total number of Males | Total number of Females |
|--------------|-----------------------|-------------------------|
| 2019-2020    | 8                     | 5                       |
| 2020-2021    | 20                    | 6                       |
| 2021-2022    | 13                    | 9                       |
| 2022-2023    | 16                    | 12                      |
| 2023-to date | 10                    | 7                       |

**ANSWER TO QUESTION 279**

| Year         | Total number of Males | Total number of Females |
|--------------|-----------------------|-------------------------|
| 2019-2020    | 9                     | 14                      |
| 2020-2021    | 13                    | 17                      |
| 2021-2022    | 19                    | 21                      |
| 2022-2023    | 22                    | 25                      |
| 2023-to date | 13                    | 9                       |

**ANSWER TO QUESTION 280**

| Year         | Total number of Males | Total number of Females |
|--------------|-----------------------|-------------------------|
| 2019-2020    | 15                    | 7                       |
| 2020-2021    | 27                    | 12                      |
| 2021-2022    | 30                    | 19                      |
| 2022-2023    | 13                    | 11                      |
| 2023-to date | 4                     | 8                       |

**Madam Speaker:** All right, I will give the Members time to consider that and we will move on to the next question.

**Q281/2024**

**Transgender or gender diverse issues –  
DOE guidance/policy directions**

1275 **Clerk:** Question 281/2024. The Hon. E J Reyes.

**Hon. E J Reyes:** Has the Department of Education delivered any guidance and/or policy directions to school staff on transgender or gender diverse issues and can this House be provided with details?

1280

**Clerk:** Answer, the Hon. Minister for Education, the Environment and Climate Change.

**Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, a draft written policy reflecting practice exists and is under consideration. Our schools work on an ethos of caring for the emotional well-being and mental health of all our pupils as individuals and each pupil's emotional needs are important to us.

1285

We have had wide and robust training on general emotional wellbeing of students and the importance of building relationships and keeping the student needs at the centre. This is paramount for the understanding and inclusion of any diverse group. There has been training by UK experts, and in addition there has been direct work on the transgender issue on specific cases in both upper primary and secondary sectors, including a live link with experts during a training session last year.

1290

Where there are young people who need specific support, teachers can refer or signpost a young person for support to school counsellors. Where the support needs to be more robust or specialised in helping a student on considering their identity, pupils are referred to the Children's Mental Health Service.

1295

School counsellors are also available to help and give support to any Member of staff, as they do with any general or specific needs that a staff Member may identify.

1300 **Hon. E J Reyes:** Thank you, Madam Speaker.

I accept that the Minister has said he is working upon a draft, but whilst that is in progress and so on and despite all the support and availability by counsellors, is there any guidance at the moment that has been issued pending the full, or pending the finalisation and ratification of whatever draft will be taken on as policy? What guidance has been offered, so far, to school staff, which is what I ask?

1305

**Hon. Prof. J E Cortes:** Madam Speaker, I have offered no guidance. This is a professional matter, it is not for me to offer any guidance. What I have said is more than guidance. What I have said is that there has been specific training on this for teachers, including presentations by UK experts and live links during training sessions.

1310

So there is training going ahead, which clearly is more than just guidance. It is training teachers and other professionals in education in how to deal with diversity issues, including specifically as per the question, transgender issues and there is a written policy that we are learning as we go along which will reflect a lot of this training, which is being considered by the Department of Education and that will become the policy. But in the meantime, we are not waiting to have that policy in order to deal with these issues, and specific training has been provided to teachers in those sectors.

1315

**Hon. E J Reyes:** Madam Speaker, I know it is a working draft and so on, do we have a target date for when we hope to have this finalised. Academic years come and go so quickly, we are almost at the end of the second term now moving into the last term. Will it be completed within this academic year, so everything is hunky dory by the start of a new session in September?

1320

1325 **Hon. Prof. J E Cortes:** Madam Speaker, I have to insist, the dates of conclusion of this policy to me is of no consequence. What we have to do is make sure that children who have this sort of issue are properly dealt with; and I am absolutely confident that the excellent education system that we have, the excellent teachers and learning support assistants and the excellent educational psychologists and counsellors, will deal with these children in the way that they need to be dealt with professionally.

1330 If we have a policy that supports that and helps to guide persons in the future, that is absolutely fine, but I cannot accept the implication if such an implication there is, that because we do not have a written piece of paper telling us what to do, we do not know what we are doing – because we do. We care for our children, we have an excellent education system and all our children are safe and have excellent guidance.

1335 **Hon. E J Reyes:** Madam Speaker, the purpose of my questions were to try and gather information, there is certainly no implications and if there was any because of the manner I spoke, then let's eradicate that; and may I say that I hope the Minister concurs with me wholeheartedly, that whatever we do and in whatever manner we do it, we have to work, always, with the premise of what is in the best interest of the pupil. That for me is paramount and I say that as a proud member, now retired, of the teaching profession; and I know there are teachers there with whom I have shared many happy moments in unfortunately a building that no longer exists but it does exist in our hearts.

1340 What I am trying to get at from, you want to call them more political guidance or whatever, it is always nice to have a particular document. It is always nice to have a guideline, it is always the ideal thing to have a policy which can be referred to by the head teacher, especially when there are a few hundred members of staff who may all have slightly different opinions. And go, rightly so, to see the head teacher or the head of department or whatever, and the replies that they get, no matter how caring we are for each other. I know there is the pastoral system in schools which I am proud of, it works quite well, not only in relationship with pupils, but also in relationship with teaching members of staff.

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1350 That document that is the guidance for the head teacher who is *in loco*, he or she is the one there in the school and then they can refer to the a department where the Director of Education and his advisory staff continue further. What I was trying to get at is to say can at least the Minister, because I know sometimes he is keen to get things done and pushed on, there may be a little bit of pushing on my side, he might be tempted, I *aim* to have it ready for the end of academic year. I was hoping something like that, it is like buying a lottery ticket, but I will let the Minister reply.

1355 **Hon. Prof. J E Cortes:** Madam Speaker, I aim to have it ready within this academic year but I repeat that the fact that we do not have the piece of paper does not prejudice what we do in any way. I have every respect for the teaching profession and for my good friend from when we were children at school, the Hon. Mr Reyes, and obviously I have a colleague here who is a teacher.

1360 But the Hon. Mr Reyes has no idea how far education has moved since the day he was a teacher and how child-centred it is. It is absolutely a different type of education, a wonderful type of education and I have to end on those words because I have nothing but praise for our education system and our teachers.

1365 **Hon. Dr K Azopardi:** Madam Speaker, can I just ask the hon. Member, he has said that there is a draft of the policy. Can I ask on what basis has that been formulated, is that with an eye on the English guidance that has been issued, or is it something that has been produced locally with local factors in mind informed solely on that basis?

1375 **Hon. Prof. J E Cortes:** Madam Speaker, as with most of these policies, we use the English system as a basis and then we temper it with local knowledge and so that is the document that is currently being considered.

**Hon. D J Bossino:** May I ask the Hon. Minister in response to his question to question 277, where he provides a schedule that can take him to the St Martin's school numbers?

1380 **Madam Speaker:** Sorry, I am not doing supplementaries to the schedules yet. I have to revert to those, but I will come back to those once the hon. Member who put the questions has had a chance to deal with the schedule.  
Yes, next question.

**Q282/2024**  
**New National Theatre –**  
**Expected construction dates, costs, fundraising**

1385 **Clerk:** Question 282/2024. The Hon. E J Reyes.

**Hon. E J Reyes:** Sorry, I got lost for a brief moment. Can Government provide an update in respect of the expected construction dates, details of costs and fundraising achievements for the new National Theatre?

1390 **Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

**Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, as mentioned in answer to question 38 of 2023, this project is being led by the National Theatre Foundation, which is independent from Government.

1395 I am able to share that the Foundation is considering the current fundraising situation and will shortly be issuing a tender. In view of this, it would not be wise to publicly state the estimated costs provided to the foundation by the cost consultants.

1400 **Hon. E J Reyes:** I have to accept what the Minister is saying but, however, could he update the House in respect of expected construction dates? Is that possible at all?

1405 **Hon. Prof. J E Cortes:** No, Madam Speaker, this is not a Government project, it is a Theatre Foundation project. I am answering it because I am still part of the Foundation but I am not in a position here to divulge. Those questions can be directed to the Foundation and it is up to them to reply.

**Madam Speaker:** Question.

**Q283/2024**  
**Hawker's licence implementation –**  
**Next set to be issued**

1410 **Clerk:** Question 283/2024, the Hon. C Sacarello.

**Hon. C Sacarello:** Has the new regime for the issuance of Hawkers Licences been implemented, and when will the next set of said licences be issued under this regime?

**Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

1415

**Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the issuing of Hawkers' Licences continues to operate as it has up to now. Hawkers' applications can be submitted via the Environmental Agency's website or in person at the counter at 37 Town Range.

1420

Once an application is received, a letter is sent to the applicant confirming they have been placed on the waiting list. The Hawker's Committee meets monthly, where the applications are reviewed and approved on a case-by-case basis, dependent on what is being requested to be sold and the area the applicant has requested.

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Each licence has conditions ranging from the items that can be sold, to the location of the stall and the time at which they can operate. If a licence has been granted, there is a monthly fee of £21.50 and a further £21.50 per person working at the stall.

1430

**Hon. C Sacarello:** Madam Speaker, I am grateful for the hon. Member's reply. The reason why I asked the question in the first place is looking at their manifesto commitment on page 53. There is an inference there that there would be a new pilot scheme and that the licences were due to be issued in the spring of 2024.

Am I right in my understanding that the Hon. Minister is now saying that there is no new scheme and that this is merely a continuance of the previous scheme?

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**Hon. Prof. J E Cortes:** Madam Speaker, I could have answered no, Madam, to the new regime not having been implemented, it has not been implemented yet. We are still using the old regime and that is the one that I have explained. Consideration has been given for some time now to change it, but it has not happened yet.

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**Hon. C Sacarello:** And, Madam Speaker, would the hon. Member be forthcoming with dates as to when the new regime will start? It was meant to kick in in the spring and would he be able to elucidate on that?

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**Hon. Prof. J E Cortes:** No, Madam. Spring begins in a few days' time, I believe, anyway. But I do not have a date.

**Madam Speaker:** Next question.

#### Q284/2024

#### Sourcing clean energy from Morocco – Details of studies

**Clerk:** Question 284/2024. The Hon. C Sacarello.

1450

**Hon. C Sacarello:** Can the Government provide us with details of all studies it has undertaken into the sourcing of clean energy from Morocco via a submarine cabling system?

**Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

1455 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the Government has not conducted any such studies. It has, over the past few years, held discussions with a number of entities that would be able to install and fund such a cable, but no decision has been taken.

1460 **Hon. C Sacarello:** Madam Speaker, I am grateful to the hon. Member for his response. Given their difficulty in trying to establish or, in fact, reach anywhere near the 20% of their own self-set targets which they field year-in, year-out but have failed to meet for the past five or six years, this should be given serious consideration.

1465 Would the Minister be able to confirm how serious they are in considering alternative options other than just the photovoltaic, in particular, with regard to this cable?

**Hon. Prof. J E Cortes:** No, Madam Speaker, very serious in looking at alternatives. I am not saying that this is the best alternative, but we have not yet missed the target.

1470 **Madam Speaker:** Anything else?

**Hon. C Sacarello:** Thank you, Madam Speaker. Finally, I would just like to ask would any of the Brexit negotiations have been playing a factor in a relationship with Morocco in this respect?

1475 **Hon. Prof. J E Cortes)** Madam Speaker, I do not think that is a logical supplementary to the question. I am not looking at that at all.

**Madam Speaker:** Next question.

#### Q285-286/2024

#### Post Office customers parking on Bishop Caruana Road – Collecting parcels; relocation of spaces

1480 **Clerk:** Question 285/2024. The Hon. C Sacarello.

**Hon. C Sacarello:** Where will customers of the Post Office be able to park their vehicles when collecting parcels from the proposed new location on Bishop Caruana Road?

1485 **Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

**Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, I will answer this question together with Question 286.

1490 **Clerk:** Question 286/2024, the Hon. C Sacarello.

**Hon. C Sacarello:** Where will the 26 zonal car-parking spaces being lost to the new Post Office development be relocated to?

1495 **Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

**Hon. Prof. J E Cortes:** Madam Speaker, customers of the new Royal Gibraltar Post Office facility will, for the moment, be able to park their vehicles in the parking area in front of Bishop Canilla House, which is directly opposite. There is also a parking area directly north of Bishop Canilla House by the West One development. Both of these spaces will be lost in the medium term.



1500 The developer of the Rooke Site has agreed to provide parking spaces there, temporarily; and the Government is in discussion with the developer regarding the provision of long-term public parking spaces within the development. The transport team is looking at other options in the area to ensure that parking spaces remain available.

1505 **Hon. C Sacarello:** Madam Speaker, grateful to the hon. Member for his answer. Would he be able to elucidate on whether the 26 lost spaces that are replaced eventually, or temporarily, will be chargeable, or as in fee paying, or will they be zonal as they are now; and in relation to the Post Office ones, which I think is what the main answer referred to, would he be able to elucidate on timings because there was a lack?

1510

**Hon. Prof. J E Cortes:** Madam Speaker, the majority of the spaces lost will be pay and display and they will be replaced like for like in the temporary provision. The long-term provision is subject to discussion with the Rooke Site developers and we will see how that goes but, for the moment, the intention is to re-provide pay and display in the area, as I have explained.

1515 In relation to the time frame for the project, it is not my project, the project is the Hon. Minister responsible for postal services. I believe it is due to go to planning shortly, but I do not have that timeframe, I am not party to that information. I do not know whether we know when it is going to start.

1520 **Hon. R M Clinton:** Thank you, Madam Speaker. Just one question for the Minister.

If I believe I heard him correctly, he mentioned, obviously, the area beside West One will be lost because of the development due to go there. But I think he mentioned that the spaces at Bishop Canilla House would also be lost and I was wondering why that would be.

1525 **Hon. Prof. J E Cortes:** There will be loss, not necessarily all of them, but there will have to be a widening of the road there in order to account for the cycle lane that will be running along. So there will be a widening of the road, so there will be some spaces lost, but as I say they will be re-provided.

1530 **Hon. D J Bossino:** In terms of the long-term provision that he mentioned, is it exclusively going to be provided or going to emanate from the negotiations that they are currently undergoing in the context of the Rooke development? And is the intention simply to replace those 26 in number, or is the Government looking at providing further parking allocations?

1535 **Hon. Prof. J E Cortes:** It is early days, Madam Speaker. The negotiations on the Rooke Site are not being led by me, but they will provide, I suspect, I think the intention was to provide rather more parking than those 26. But that is not the only thing we are looking at, the transport team is looking at other sites in the area to try and provide some replacement in the medium term.

1540 **Hon. D J Bossino:** May I ask him to provide further detail as to which other sites they are looking at?

1545 **Hon. Prof. J E Cortes:** Madam Speaker, he may ask, but I am not going to let him know because there are other entities involved and we need to discuss those and negotiate them as well. So I do not think it would be fair to make them public at this stage.

**Chief Minister (Hon. F R Picardo):** Madam Speaker, before the House continues, I wonder ... We have been going for two hours, I wonder whether it might be more convenient to stop now for 15 minutes and then come back.

1550 It is my intention that the House should continue with answers to questions until approximately 7 p.m. this evening and then come back tomorrow and continue at about 3 p.m.

So I move that the House should recess for 15 minutes, if you agree?

**Madam Speaker:** We will recess for 15 minutes, but before we do that, when we come back I will take the Supplementaries to questions 277 and 280.

*The House recessed at 5.00 p.m. and resumed its sitting at 5.17 p.m.*

**Q277/2024**  
**Department of Education –**  
**Supplementaries**

**Clerk:** Question 277/2024. The Hon. E J Reyes.

**Madam Speaker:** Yes, we will begin with any Supplementaries there may be for Question 277.

1560 **Hon. E J Reyes:** Thank you, Madam Speaker. Very quick, minor details which I think the Minister will probably have at hand.

In respect of Question 277 I had asked for the details on the number of pupils currently enrolled. It may sound pedantic but there is a reason: these figures of pupils as at, because the academic year started in September and some pupils may have left since then, does the Minister have an indication, is it as a register taken, for example, at the end of February or something?

1570 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, I would have to check, but I suspect it is current because the Department does update its figures on a regular basis, but I could not say 100%.

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

I will tell you part of the reason why I asked that because in Questions 278 and 279, both referring to pupils who left during the course of academic year before completion of GCSE. Or, if we take Question 279 before the completion of A-levels means that pupil, at some stage, was registered in either years 12 or 13, and if we look we are taking 279 as an example. On the academic year 2023 to date, if 13 males have left and nine females have left I hope those numbers are not included as pupils currently on the, let's call it nominal roll for the answer 277. So the academic year for 277 could have started with a higher number and then ...

1580 When the Minister gets that information, it helps us tally because it can vary the figures by 20 or 30 pupils, especially in the upper years, mainly, we are talking of years 11, 12 and 13.

**Hon. Prof. J E Cortes:** Yes, I will obtain that clarification. There will have been new pupils enrolled as well. So, I think approximately the figures, no matter where they are taken, are going to be broadly similar. I do not know the purpose of this question, whether there is anything behind what he is trying to determine, but I will find out exactly when those figures refer to.

**Hon. E J Reyes:** Thank you for that. And one other minor thing. In Question 280 the Minister has kindly produced the figures ...

1590 **Madam Speaker:** Sorry, we have not moved on to 280 yet. I believe the Hon. Mr Bossino had a Supplementary on 277. So let us deal with that and then I will give you Supplementaries on 280. Yes, 277.

**Hon. D J Bossino:** Yes, I am very grateful, Madam Speaker.

1595 I asked the Hon. Minister to go through the St Martin's School numbers in his schedule and I would ask him to comment, and if he is able to provide any information in relation to this observation that I have, which is that in answer to questions that we have posed in relation to the new intakes at St Martin's, the numbers have shot up.

1600 I cannot remember the years, but from one academic year to the next, it shot up from around about the average of 6 or 7 to in excess of 20. Albeit, the low 20s, but still an excess of 20 and there was no explanation that the Government could provide as to why that was the case and then that had an effect on the size of the school, which had been recently built and all the rest of it.

1605 But in doing this analysis, the nursery admissions at St Martin's, if you join both genders, the numbers are a very high 43 currently, but then they drop down significantly. So in reception 2019, year 1, 7; year 2 slightly goes up to 15; and then year 3 goes down to 5, and so forth.

1610 But as far as the point that I want to make and I ask him to comment is: does he have a comment to make as to why it is that the numbers go down? Are those children improving and therefore going into mainstream? I know it is almost, maybe, an impossible question for him to answer across the floor of the House at this stage without posing a question.

I am to confer with his colleague, but maybe he gets the drift.

1615 **Hon. Prof. J E Cortes:** Madam Speaker, I catch the drift, indeed. Yes, there is a very simple explanation and this is because a lot of children start in St Martin's nursery reception and the idea is to get as many as possible into mainstream. That is successful to a large number of children, particularly now that we have learning support facilities in almost all the schools and therefore they will shift towards mainstream schools. So that is the explanation.

1620 **Hon. D J Bossino:** Would that be an explanation? Also, if I may, I have done a quick analysis of the Notre Dame lower primary school numbers where one sees an increase of those academic years from 73 to 75 to 81 to 92, and I know that Notre Dame has an LSF facility and I would ask whether that is the reason why they are absorbing children from St Martin's to that particular school?

1625 **Hon. Prof. J E Cortes:** That will be an element but this is a cross section and therefore this does not necessarily reflect everything because obviously this is a dynamic thing. There are some years where the intake is greater and if three years ago the intake, because there happened to be more children born in the equivalent year, is greater than that would be reflected.

1630 So some of it will be children moving from St Martin's, some of it will be people moving into the area – the Notre Dame area is an area with Beach View and now Hassan Centenary which is increasing population size, so the intake may be greater anyway or may have been greater those years for totally different reasons. So it is a combination of all.

1635 **Hon. D J Bossino:** May I also ask if the fact that they are permeating to other schools from St Martin's to other schools and one must assume that that must be because they are capable and have certain abilities which they did not have when they started off at St Martin's and therefore there has been an improvement.

1640 Does that assuage concerns that he may have as to future provision in other facilities, such as St Martin's and the Dr Giraldi Home? I know it is a topic that we will be discussing at the Select Committee when it next meets or when it meets during the course of this Parliament, but does it assuage his concerns in that respect?

1645 **Hon. Prof. J E Cortes:** I think it assuages, but it does not remove. So, clearly the more children who at an early stage are given the support they need to go into mainstream, the less pressure there will be on the other services, but it does not remove the issue completely.

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

1650 Still on the question of 277 where we have the statistics of the pupils, it sticks out a bit that in respect of year 12 pupils the Bayside School and Westside School numbers have a drastic change from year 12 to year 13 and it crossed my mind, well maybe it is because they are attending more classes in the college part or the consortium, because I look at the number of pupils on the College register they tend to be high.

1655 But for the college, it only provides for year 13 and normally A-level courses is a two-year course or A-level an equivalent, so that would require years 12 and 13, and yet there are no statistics for students in the college in respect of year 12. So I wonder why that year 12 for the college is missing or is the figure 130 and 125 under year 13 really a combination of both 12 and 13? I do not know, I cannot work it out.

1660 **Hon. Prof. J E Cortes:** Madam Speaker, I would need to find out. The change clearly in Bayside and Westside in which we have for Westside 123 females and two males, and for Bayside 125 males and one female, that is the last year of the single gender intake. (*Interjection*)

1665 So then they balance out in lower years because that is when the whole revamped system, part of our education revolution kicks in. But I need to find out whether they have pooled the figures for Gibraltar College, because the education system there is slightly different. They may have pooled the figures, but I will find out.

**Hon. E J Reyes:** Yes, thank you.

Madam Speaker, in respect of Question 280, I am grateful.

#### Q280/2024

#### Leaving school education before GCSE exams – Supplementaries

1670 **Madam Speaker:** All right, let's move on to Supplementaries for 280 now. (*Laughter*) I want to make sure everyone has finished on 277 (*Interjection*) but I think the Hon. Minister is keen to move on to 280 and I agree. So, 280.

1675 **Hon. E J Reyes:** ...unfortunate to see some numbers and so on. But let's look, for example, whichever one you want. Fifteen males left in 2019-20, it could be the case, and it happens unfortunately every year, that he is recorded as a pupil having left before completion of the course but really what that student has done is he has started a course on a particular subject, let's say without offending the Deputy Chief Minister, say he started a degree in history and then halfway through the academic year he feels, 'Oh, I have made a mistake, I really would have been better off doing geography' which he had also done quite well on in the humanities part of his A-level courses.

1680 So what happens is that pupil sometimes leaves halfway in the academic year and then rejoins the next year, coming to an agreement with the Department of Education where they alter the fees for a year and that family ends up paying for it and then he rejoins again.

1685 Does anybody have any indication where those figures provided they are – is 'total' the correct word to use? – total dropouts; or it could incorporate numbers of students who have decided to leave the course, but then later rejoin in another degree.

If he does not have the information at hand perhaps it is something we can bear in mind for the future to provide.

1690 **Hon. Prof. J E Cortes:** Madam Speaker, those are the minority. I believe that these are young people who have left university altogether. I will just double check but that is the way the question

was worded and the way that the Department was asked to answer it. I can check, but I think that that is what I am assuming.

1695 **Hon. E J Reyes:** I accept, Madam Speaker, he has answered a question in the way I worded it. It has not just sprung to mind, but if he does come across the information, we would be grateful. It helps, in fact, it actually helps to understand are there many pupils who take on a course because they had an impression of what the subject was going to entail and then in real life university, especially after the term you say, 'Well, it is not the same as the A-level and I am not as keen and  
1700 I am better off switching subjects.' Just useful information to bear in mind.

**Madam Speaker:** Right, next question.

**Q287/2024**

**D&D Consulting Limited –  
Annual collection of parking fines; contract entry and length**

**Clerk:** Question 287/2024. The Hon. R M Clinton.

1705 **Hon. R M Clinton:** Madam Speaker, can the Government advise how much is D&D Consulting Limited paid annually in respect of the collection of parking fines? When was this contract entered into and what is the length of the contract?

**Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

1710 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, no money is paid to D&D Consulting Limited and the Government has no contract with this entity.

1715 **Hon. R M Clinton:** Madam Speaker, if I remember correctly from our last discussion about this, it was Gibraltar Car Parks Limited that has the contract and we had a discussion; and I believe, Madam Speaker, it was agreed if I brought the question as to what the contract was, the Minister would be in a position to give me information. Is the Minister telling me he has no information at all about effectively what is a subcontract of a Government company?

1720 **Hon. Prof. J E Cortes:** Madam Speaker, I am saying that the Government has no contract, it is a subcontract and there is no payment. The money is given directly into the Government and as I explained last time, in the case of card payments, I believe, the only deduction is the fee charged by the bank for the transaction, but it is purely a post box and nothing else.

1725 **Hon. R M Clinton:** I am sorry, Madam Speaker, this is a company that is collecting money from the public and is remitting to the Government. Is the Minister telling us that this company is providing this service for free to Gibraltar Car Parks Limited? And if it is providing the service for free, why could not Gibraltar Car Parks Limited do it directly?

1730 The Government has the facility to take payments, the Tourist Office does, the Post Office does it, lots of Government Departments do it. Why in this particular case is this entity being used?

**Hon. Prof. J E Cortes:** Madam Speaker, the information I have is that it is not charging for the service and it is just acting, as I said, as almost an administrative wing of Car Parks. The system is working well, there are no complaints and there is no money lost.

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1740 **Hon. R M Clinton:** Madam Speaker, the Minister will forgive me if I am slightly incredulous because D&D Consulting Limited is a private company. It is not owned by the Government, it is owned by a private individual. Why is a private individual providing free services to the Government?

1745 **Hon. Prof. J E Cortes:** Madam Speaker, this is my information. This is a relationship that predates me and the information that I have given is the information I have been provided, that there is no fee paid.

**Hon. Dr K Azopardi:** Can I just make doubly sure that we have asked all the questions that are in relation to that. When he said that there is no fee, did he mean that there is no fee payable by the Government? Or is he also saying that there is no fee paid by Car Parks Limited to D&D?

1750 **Hon. Prof. J E Cortes:** Madam Speaker, the information that I have is that no money is paid to D&D Consulting Limited; from the information that I have is from anyone. That is the information that I have. All I can do is ask the same question again for the third time and I am pretty convinced I will get the same answer, but the information that I have is that no money is paid to them, it is an arrangement between Car Parks and themselves.

1755 **Hon. R M Clinton:** Madam Speaker, I am struggling to understand this arrangement. How does Car Parks or the Government get any comfort that the money will be paid over if there is no contractual agreement at all? I really do not understand how this arrangement works. I really would urge the Minister to exercise a little bit more curiosity as to how this came to be.

1760 How is a private company, owned by a private individual, providing free services to a Government company and we are led to believe, in this House, that it is done for free, for *gratis*, for nothing? But I really need to ask the Minister if he could really go back and ask this question, is there absolutely no *quid pro quo*, or is it that this company is providing the services for free but a sister company is getting paid in kind for services?

1765 If you look on the website you will see it is a sister company to another company that does get contracts from the Government. Is it that this is some sort of loss leader for other contracts? I do not understand how this arrangement could possibly work.

1770 **Chief Minister (Hon. F R Picardo):** Well, Madam Speaker, it is clear that there are more things in heaven and earth than are thought of in the hon. Member's philosophies. (*Laughter*) Just to come back to the Shakespeare that the Hon. Minister was referring to before.

1775 There is an arrangement between the Government, Car Parks and the sister company, which the hon. Gentleman has referred to now, which is remunerated and which he is aware of; and that company which has a relationship, a remunerated relationship with the Government, has determined that the part of its group that is going to be used for the purposes of the receipt of monies which are then paid to the Government, is this company.

1780 There is nothing sinister, strange or peculiar about it, but the fact is that this company receives nothing from the Government for that arrangement. It is a simple straightforward relationship between the group, one of the companies of which has a relationship with the Government.

**Hon. R M Clinton:** So, Madam Speaker, if I understand correctly, the sister company the Chief Minister referred to is, I think, something called JNT Securities. So do they have a contract, and again I would appreciate if the Minister does not have the information with him that includes the collection of parking fees. If so, why on earth can the Government not collect itself? It has the ability.

**Hon. Chief Minister :** Madam Speaker, they do have a contract and we have debated it in this House before. We referred to it in this House before.

**Madam Speaker:** Next question.

**Q288/2024**

**Chief Executive of the Environment Department –  
Serious concerns on overtime**

1790 **Clerk:** Question 288/2024. The Hon. R M Clinton.

**Hon. R M Clinton:** Madam Speaker, can the Government advise to whom had the Chief Executive of the Environment Department (and her predecessor) raised her serious concerns as in 3.8.9, and I quote: ‘On the inordinate level of overtime earned’ by the management team identified by the Principal Auditor (3.8.1) in his recent report?

**Clerk:** Answer, the Hon. Minister for Education, the Environment and Climate Change.

1800 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the Chief Executive of the Environment Department and her predecessor raised these concerns with the former Chief Technical Officer, the former Chief Secretary and his predecessor, with senior officers in the office of the former, former – that is times two – Chief Secretary, with a former Principal Secretary, the current Principal Auditor and the former Principal Auditor.

1805 **Hon. R M Clinton:** I am grateful to the Minister. Would the Minister happen to have the dates on which these concerns were raised and in what form were they raised? Were they in writing?

**Hon. Prof. J E Cortes:** No, Madam, I do not have that information, but since we are several ‘formers’ back it obviously goes back for a number of years.

1810

**Madam Speaker:** Next question.

**Q289/2024**

**Trade links with Africa –  
Government detailed plans**

**Clerk:** Question 289/2024. The Hon. D J Bossino.

1815 **Hon. D J Bossino:** Please detail the plans the Government has to broaden its trade links with Africa.

**Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

1820 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the main avenue for future trade links with Africa will likely be through our links with Morocco. As Minister responsible for developing links with Morocco, I am exploring these avenues but they are at an early stage.

1825 We are expecting a trade mission from Morocco within the next few months and I will be travelling to Morocco in May to look into this further. Another avenue is through developing further our links with the Commonwealth and as this House knows, this continues to move forward.

1830 **Hon. D J Bossino:** I must say, by way of comment, I am surprised that it is the hon. Member who has answered this question, but of course it is a matter for the Government to decide how they distribute the questions posed by us. I would have thought that this would have been a more appropriate question for Sir Joe Bossano to have answered.

1835 But I am specifically bringing to his attention the speech which was given in the House of Lords very recently on 5th March, by Lord Waverley, who was a crossbencher, and he spoke about and I understand that he met the Minister for Business Development when he came to Gibraltar at the time and he says, and he makes a reference to the Bilateral Trade Agreements which the United Kingdom has, in this case with Sierra Leone, and he makes a reference when posing this question to the Foreign Secretary, Lord Cameron, about Article 12 of the Bilateral BTA between the UK and Sierra Leone, where basically it gives the UK Government the ability to extend free trade agreements to overseas territories. In this case, he was asking specifically about Gibraltar.

1840 Can I ask him to comment whether he can provide any further information in relation to this aspect as I thought this was of interest and it should be aired publicly?

**Madam Speaker:** Yes, the answer.

1845 **Minister for Inward Investment and the Savings Bank (Hon. Sir J J Bossano):** Madam Speaker because the Sierra Leone Government is very keen to see the Agreement it has with the UK extended to Gibraltar. There is a provision in this agreement, it is about something like 120 countries have got this agreement. It goes back quite a long time, from the 1970s on and all of them have got this clause 12, which allows the United Kingdom to extend the agreement to an overseas territory provided the counterparty accepts it.

1850 So we made representation directly to the UK Government Departments, that is I went jointly with the High Commissioner from Sierra Leone because they were quite happy to consent to the extension, the provision is there, and the position of the UK Government is that they do not think these agreements have produced much value for the UK and that they no longer see any point in extending them to anybody. I do not think they have extended it, ever. It has always been there, nobody has attempted to get it extended.

1855 I saw advantage in that and the principal advantage, of course, for us, is that since part of the Government's strategy is to make Gibraltar a place from which people invest in other countries, it gives a potential investor coming to Gibraltar, setting up a Gibraltar company and then investing with the Gibraltar Company in Sierra Leone, the comfort that he has covered and protected in terms of either remitting dividends or taking his money out again to the same degree that if he had been doing it from UK.

1860 If there is greater security on paper, at least, assuming that it is not insecure, then why should people come here if we were not able to do this and therefore it seemed to me that what I was asking of the UK was something that had no impact on them. We were not asking them to do anything other than deliver what the Treaty intended should be capable of being delivered when it was being drafted and when it was been signed. But since we have not been able to persuade them Lord Waverley that has connections with Sierra Leone, at the request of the Sierra Leone Government, has raised the matter in parliament.

1870 **Hon. D J Bossino:** So to make this point to him that it seems that the UK Government position in relation to the possibility which it has, as the hon. Member rightly points out, of extending free trade agreements under our pursuant to Article 12 to overseas territories, that it is in fact the firm policy of the Foreign Commonwealth Office not to extend these Bilateral Investment Treaty Agreements to British Overseas Territories.

1875 In fact, that note which Lord Waverley makes a reference to in his question to the Foreign Secretary, puts it in those stark and very firm terms. So what hope does the Gibraltar Government have of persuading the Foreign Office that it will change what seems to be a very firm policy in relation to non-extension?



1880 **Hon. Sir J J Bossano:** Well, it is not an approach to doing things that I would ever take, or have ever taken, and then Gibraltar would never have achieved parity by the criteria that the hon. Member has said. The UK Government said they would never allow it and it would never happen; and it did.

The UK has *many* times said no to things and said it would never happen until it happens. So it is something that we think is a value, and in this case we are lucky that the counterparty is the one that is actually pushing for this rather than us. So I do not see why there is any merit in going to the Sierra Leone Government and saying, give up trying to persuade them, because the opposition in Gibraltar thinks it is a waste of time and you are not going to be successful.

It is not something I would want to do.

1890 **Hon. D J Bossino:** No, I think the hon. Members need to calm down a bit. There was no political punch in the question. I am simply pointing out to the hon. Member what is a very firm position as set out by Lord Waverley in his question of the Foreign Secretary – and the question will be coming – whose reply was that he would be looking specifically at the point that he raised in his speech in relation to Gibraltar.

1895 Can I ask the hon. Member whether he has plans to open up these agreements, pursuant to the ability that the UK Government has under Article 12, in relation to other countries and now I raise the point beyond the one that I raised in my former question and beyond the continent of Africa. Is he is he considering other countries pursuant to which he wants to enter into and benefit from the Free Trade Agreements which the UK Government has with other countries?

1900 **Chief Minister (Hon. F R Picardo):** Madam Speaker, I am afraid that the hon. Gentleman in the last limb of what he said, which was actually the question, has confused investment agreements and free trade agreements, which are two completely different things. But if I may just address the preamble of what he has said and in that way answer his question.

1905 The Government of Gibraltar is hugely grateful to Lord Waverley for the work that he does in supporting Gibraltar. Just yesterday, Lord Waverley, as a crossbencher, asked Lord Cameron, the Foreign Secretary, a question in relation to Gibraltar, also in the Lords, in seeking to assist Gibraltar in the context of the treaty negotiations.

1910 As Hon. Members know the relationship between Lord Cameron and the Deputy Chief Minister and I, is extraordinarily close. We work very closely with him and his team, and Lord Waverley is one of those people who I would say is one of our best friends in Westminster, in the Lords.

The fact that he was asking this question in relation to the investment agreement, which is the issue that Minister Bossano was referring to, is a reflection also of his work for Sierra Leone. He was not asking just from the Gibraltar point of view, he was asking, as the Hon. Minister has said in the context of Sierra Leone.

1915 But what he might have said about the Foreign, Commonwealth and Development Office's attitude to the extension of investment agreements to overseas territories is not the position of the Foreign, Commonwealth and Development Office. It is his view, from the crossbenches, of what the Foreign Office's position is. Now, as far as we understand it, that is not an accurate reflection of the position of the FCDO and indeed Lord Cameron said he was going to go away and look at that in the context of Gibraltar, and indeed there are some instances where the FCDO may have a view in respect of overseas territories, which may be different in the context of Gibraltar, not least because of Gibraltar's different geographical reality. For example, the European Union and our future relationship with the European Union, where the attitude of the FCDO and of the British Government has been different in terms of the options given to other overseas territories and the options given to us.

1920 If I can come now, finally, to the last limb of what the hon. Gentleman has referred to, when he has tried to spread his wings beyond Africa, he has talked about our desire to be piggybacking, if I can paraphrase, in respect of UK Free Trade Agreements beyond Africa. The fact is that we are

1930 already a part of Free Trade Agreements extended to us beyond Africa in the context of the post-Brexit reality of the United Kingdom.

We have debated those things in the House. We are part of the FTAs already, for example, with from memory Japan and other territories, or we have the option to form part of them and I must remind him that an investment agreement, as the Hon. Sir Joe Bossano has explained, is *one* thing and an FTA is *another*. And if I may say so, with respect, I think that now in spanning the whole of the globe, we are going a little beyond the scope of the original question, but of course it is a matter for you, Madam Speaker.

**Hon. D J Bossino:** Madam Speaker, I would ask him to do one thing for me. I would ask him to disabuse me of the confusion which he says that I have. That confusion, I think, arises from the manner, perhaps, in which the question was raised in the House of Lords.

Now, is the Government's position that it is the UK Government's position in relation to Bilateral Investment Treaty Agreements, which is very clear and will simply, and it is the policy of the UK Government in respect of Bilateral Investment Treaty Agreements, not to extend those to overseas territories which include Gibraltar, but that the policy is less than clear as far as Free Trade Agreements are concerned.

Those two were conflated by the question in the House of Lords, but I would ask him – he is shaking his head and I am sure he will now provide us with the information. I simply, as innocently as I possibly can, want to ask him to disabuse me of the confusion which he says that I have fallen into.

**Hon. Chief Minister:** Well, Madam Speaker, unfortunately, despite the fact that they attribute to me such greater powers than I ever have or purport to exercise, I am not answerable for how a crossbench peer poses his questions and the Government does not have a position on what the position of the Foreign and Commonwealth Office *is* in respect of investment agreements.

The Government has a view, not a position, of what the Foreign Office's response to the Government has been and it is entirely contrary to what the hon. Gentleman has said. Indeed, it is entirely contrary to what – I am talking just about investment agreements at the moment – the face of the investment agreement says, because the investment agreement actually – and an investment agreement is a treaty – provides that the Foreign and Commonwealth Office or the United Kingdom, as the High Contracting Party, *may* extend to overseas territories, right?

So the United Kingdom, as a High-Contracting Party, is abrogating to itself the possibility to be able to extend to the overseas territories the benefit of the investment agreements and therefore because those are the work of the FCDO, in part, one would imagine that their position is not what the hon. Gentleman says he reads is Lord Waverley's position of what their position is.

But our position, in that respect, is that they have not told us that and neither are we answerable, in this House, for Lord Waverley's view of what the Foreign Office's position is on anything; and on FTAs, Madam Speaker, the position could not be more explicit and demonstrably so. Because on the face of them they provide for the extension to the overseas territories and the reality is that a number of them have already been extended to Gibraltar.

So I am afraid, Madam Speaker, that the hon. Gentleman is asking me for a treatise on something on which I am not required to be answerable in this House, other than to try to clarify for him his views and understanding of the things that have been discussed in another place, and which are the responsibility of another Government.

**Hon. D J Bossino:** Madam Speaker, looking at people's faces around this room I think they are just as confused as I am. The hon. Gentleman has gone round the houses to try and wriggle out of something which is very obvious unless what the hon. Member is saying is that what Lord Waverley said was not true.

It is a quote and I ask him to comment on this, and a mere system. If I read the relevant bit, I think I have already done so. Lord Waverley says – this is him talking when he says, however, a

recent official note, it is not a view, it is not my view, it is not Lord Waverley's view, not Sir Joe Bossano's view, he refers to an official note from the FCDO made the Government's position clear.

1985 That is him and he quotes – and I will not quote the entirety of what he refers to the House of Lords to – but says: 'It is not the policy of the UK Government to extend Bilateral Investment Treaty Agreements to British overseas territories'. He is very clear, this is not a view, it is the official UK Government's position about non-extension. He says I have confused it and I may have done and I accept that, and I attributed that comment to Free Trade Agreements; and as I understood it, he is saying – I *thought* he was saying – that this only applies to Bilateral Investment Agreements.

1990 Now, what is the position? And I would ask him please to clarify because everybody is confused? I am confident that here, everybody in this Chamber is confused by what the hon. Member has just said. I ask him to comment on the quote that I have just given to him of what Lord Waverley says – yes, he is right, Lord Waverley says, and there is no reason to doubt that what he said in the House of Lords is accurate and correct and the truth, the FCDO says in its  
1995 official notes in relation to this issue.

**Hon. Chief Minister:** Madam Speaker, I do not recognise that any of my Ministers appear confused by what I said, (*Interjection*) but we are all very confused by the way that the hon. Gentleman has confused his Bilateral Investment Agreement with his Free Trade Agreements and what it is that this Government is answerable for in this House; and we are not answerable for the things that he tells us – because I have not got it in front of him, but I will take him at face value – that Lord Waverley said, in the House of Lords, that a note from the Foreign and Commonwealth Office said that he quoted in the House of Lords. We are not answerable for that.  
2000

I can tell him, Madam Speaker, that in the discussions that Joe Bossano and I have had with the Foreign and Commonwealth Office, no one has told us – in respect of investment agreements, not Free Trade Agreements – that their policy is not to extend them to the overseas territories. But, look, they have not said the word overseas territories, they have said 'Gibraltar'. They have not said, 'We are not going to extend this to Gibraltar because we are not going to extend it to the overseas territories.'  
2005

2010 They have said, 'Look, we need to understand the rationale, we are prepared to look at this in detail.' So, Madam Speaker, I hope that has made it abundantly clear to him and to those who he thought from what he interpreted of the looks on the faces he said he had looked at, to reach the conclusions that he said he had reached, in a way that is now abundantly clear.

2015 **Madam Speaker:** Next question.

**Q290/2024**  
**Migrations of Barbary macaques –**  
**Measures to prevent**

**Clerk:** Question 290/2024. The Hon. D J Bossino.

**Hon. D J Bossino:** This is a much more important matter. Are any measures to be put in place to prevent any further migrations of Barbary macaques?  
2020

**Clerk:** Answer, the Hon. Minister for Education, the Environment and Climate Change.

**Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Not from Sierra Leone, Madam Speaker. (*Laughter*)

2025 Firstly, Madam Speaker, the full application of the Schengen Acquis, which requires that the Macaque's passport be stamped before it can roam in Schengen, I guess, Madam Speaker. (Laughter)

2030 It is in the nature of the Barbary Macaque to travel. In the wild in North Africa, groups can travel for many kilometres and young males, in particular, tend to roam in search of new home ranges and other macaque groups. This occurs in Gibraltar also, as we have frequently seen in the past. The movement of the young male, now known as Sir Kingsway, was perfectly normal behaviour.

2035 It is likely that the wide-open stretch of land of the isthmus, now largely covered by the airfield, but formerly also open habitat, has in the past served as a barrier as the macaques avoid open ground where they would be exposed, in their native habitat, to predators and tend to move in woodland, shrubbery or under the shelter of cliffs or their man-made equivalent buildings, walls and other artificial structures.

2040 The construction of the Kingsway Tunnel and associated works has changed the landscape, providing the kind of shelter that macaques seeking new territory will be able to travel along. The macaque team, led by Mark Pizarro – and I must, Madam Speaker, compliment Mark and team members Dale Laguea and Damian Holmes for their work in retrieving the animal – and accompanied by the tunnel managers, have identified three locations where the monkey may have climbed over some fencing and where the top of the fence is not overhanging, which they cannot climb over.

2045 Works are planned to resolve this. In addition, one section of roof on a building by the frontier fence and from which a macaque could jump into Spanish territory, will have works done to similarly prevent access. The Tunnel Team will also be extra vigilant as they monitor the camera network and immediately report any macaque activity near the tunnel.

2050 **Hon. D J Bossino:** We hope, from this side of the House, that it is not the only species which can freely travel to the country to the north, but that will depend (Interjection) sorry? That is right! And also to associate ourselves with the comments that the Hon. Minister made in relation to Mr Pizarro and his team and the wonderful work that they did, because it seems that we clearly have the expertise on *this* side of the Frontier which those on the other side were unable to muster and deploy.

2055 Can I ask him whether that is the totality of the measures which are going to be put in place to try and prevent a repeat of this, because I wonder when Sir Kingsway returned to his pack, whether he has shared notes with his other colleagues as to how best to access Spain and have tapas across the way.

2060 Are there any measures beyond the fence reinforcements which the Government may be considering to prevent a repeat of this and also presumably the fact that they can access the tunnel itself may be an issue which needs to be dealt with and addressed. (Interjections)

2065 **Hon. Prof. J E Cortes:** Madam Speaker, it is a risk, a risk that this monkey now knows the way and I was following it, obviously, and it was all over Spanish media and the hon. Member is absolutely right. The expertise we have here, I think, is unparalleled anywhere in the world on managing these animals and it will show. But there was great co-operation with the Spanish authorities, as I think we all saw it and we all welcomed.

2070 But the monkey was heading north. There was no way that monkey wanted to come back to Gibraltar (Laughter) and it is typical, they try to spread their wings. That monkey had no idea that there were no monkey packs further north. How would it know? So that is a risk, it could go and it could take others with it.

2075 The team tells me that they are satisfied. It is not impossible that they would find their way through. It is a good job that there was only one, had it been a whole group they would probably be resident now in Sierra Carbonera, it would be *very* difficult to get them back. But they tell me that those three locations which they have identified are the likely ones.

2080 They will not climb over an overhanging fence, they cannot do that and go over; and those two areas where that seems to be a problem, and that is being rectified if it has not been already, this answer was prepared a few weeks ago. I need to check. And there is another building which virtually overlooks the Frontier fence and that is probably where they jumped from. So the idea there is to put spikes, like the ones put for seagulls and so on, which they will not like to go over by way of deterring it. So those are the measures that I am told. It is not impossible now, though, that other monkeys will try and hopefully this one will not!

2085 **Hon. D J Bossino:** I am grateful that we are treating this in the manner that it ought to be treated. But I was going to ask him, if I can pull the string of the last comment that he has made, is the expectation – I do not know how this species works – but is the expectation that this is likely to happen again? Are we able to determine that this is more than likely to be a one-off, and that he just made a mistake?

2090 **Hon. Prof. J E Cortes:** I think we all recognise that the monkeys now are roaming much less into urban areas than they used to be. The macaque team is strengthened and has developed its strategies to keep them within the areas as much as possible of the nature reserve.

2095 I cannot say, it is impossible to say whether another one might decide to head north. I repeat, for all they know, the area north of La Linea is populated with monkey packs and they are trying to spread into new territory. They do not know that we are the only ones in Europe.

There was one comment, if I may, somebody actually suggested that they might want to reintroduce monkeys in the Coto Doñana, in Spain, but that has no traction whatsoever. So I think we will still be the only ones in Europe.

2100 **Madam Speaker:** Next Question.

**Q291/2024**  
**The Green Lane –**  
**Easy and safe access**

**Clerk:** Question 291/2024. The Hon. D J Bossino.

2105 **Hon. D J Bossino:** When will the Green Lane be made safe to allow for easy and safe access?

**Clerk:** Answer, the Hon. Minister for Education, the Environment and Climate Change.

2110 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the closure of Green Lane followed a major rock fall that took place in February 2010. A rock fall assessment and cliff stabilisation report was prepared by Golder Associates, a specialist firm of geotechnical engineers, and was received in May 2011.

2115 The report identified that there was a significant risk to all users of Green Lane and identified a series of cliff stabilisation measures along the full length of Green Lane. The cost of these works was identified as being £2.2 million in 2011, which equates to well over £3 million in today's market.

2120 The Government is committed to reopening Green Lane and has stated as much in our recent manifesto. It must be noted, however, that this represents a huge investment of public funds and it is necessary to balance these costs against the benefits, as the reality is that this is not and has never been a very heavily trafficked road and its remaining open is not entirely in the Government's hands as part of it is privately controlled.

**Hon. D J Bossino:** I am glad, although he has caveated the response on the basis of citing certain difficulties and issues, that the Government has the intention of opening it up, and in fact he confirms what the party opposite's position was in relation to this issue during the course of the last General Election.

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But given the passage of time – and I do not wish to be critical, we have the impression here that their heart is not really into this – and in fact he makes the point in his caveating bit where it is not a road which is commonly used. I would disagree, I think it can be a road ... and I think in terms of the private area, he is talking about the Rock Hotel section, which would be used more by tourists if available, and we do have interesting historical and artillery sites very close by and the wonderful views you see from there. I think it ought to be, from a touristic point of view, more easily accessible, or just accessible full stop.

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But can he give us a timeline as to when he thinks the Government will be in a position to open the road and/or at least – he is shaking his head – a timeline as to when he thinks that the works, the works which are valued at, he says £2.2 million, which is a significant sum I appreciate that, are likely to at least commence?

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**Hon. Prof. J E Cortes:** No, Madam Speaker. (*Interjection*)

I think I said it quite clearly that one has to balance these costs against the benefits and the reality is that if I had the £3 million to spend, I would not spend it on that. I think there are many more important things in relation to access to the Upper Rock, to improvements to the Upper Rock, so this is not going to happen any time soon, Madam Speaker, and I would not want to hazard a guess as to when it might be possible.

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**Hon. D J Bossino:** Is it, therefore, fair to comment and fair to say from this side of the House, that although it is a manifesto commitment – and one appreciates the things that he has said and the cost element – that it is unlikely to happen even in the lifetime of this Parliament? Or is he able to, at least, commit to concluding the works that need to be concluded and therefore open the road during the lifetime of this Parliament?

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They themselves keep on telling us that what they have in their manifesto are not aspirational measures, that they are cast-iron commitments which they will deliver during the course of the four-year term. So is he, seriously, now resigning from that and saying that in fact this is unlikely to happen because, as I said, fair enough, a priority consideration to take account of?

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**Hon. Chief Minister:** No, Madam Speaker, what we are saying is that it is not a priority for the first part of the lifetime of this Parliament, but it is a commitment for the lifetime of this Parliament. I am very happy to share with the hon. Gentleman that we are doing the spending round, as it would be called in the United Kingdom now, for what we will come to defend in this House during the budget debate, the Appropriation Bill during the course of June and July, which hon. Members will vote against, although he is purporting to seek that we include in the IDF this £2.2 million now.

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I can tell him for nothing that if the Minister were to come in the spending round to see me as Minister for Public Finance, as he will have to in the context of the spending round, to ask me to spend this £2.2 million in this financial year, the answer is going to be no. But that is not necessarily the answer next year or the year after that and this is a lifetime of this Parliament commitment.

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So he is completely wrong to suggest that what we consider to be our cast-iron guarantees are somehow going to be vitiated, because the Hon. Minister has given him the answer that he has given him, which is absolutely the right answer to have given him in the context of the first half of the lifetime of this Parliament.

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This is a commitment, a manifesto commitment, and it will be honoured during the lifetime of this Parliament. It does not mean it is going to be now and neither should they consider themselves to be time keepers of what our manifesto commitments are. Indeed, when they were in Government they specifically said to us that an opposition should not be a time keeper of the

2175 Government's commitments. Little did we know then that at the end of the lifetime of that Parliament, when all of the meetings of the Parliament were over, their leader then would say, at the end of the day, 'Our manifesto wishes are no more than that' ... Wishes and aspirations, not commitments.

2180 **Hon. D J Bossino:** The hon. Member has to have his dig and that is the way of the Chief Minister and we are used to it and it is almost water off a duck's back. But can I press him on this?

He is saying that if he is asked in the spending round to spend this money now, he is going to say no. Fine, understood. But given his commitment that this is going to happen and this, I assume, is not going to be an easy job to do when you are talking about cliff stabilisation in that stretch of roads, which I know very well, and is going to cost £2.2 million, it is going to take a fair bit of time.

2185 But given his commitment that it is going to be happening during the lifetime of this Parliament, i.e. four years, surely he must be able to say with confidence here and now that the answer, if it is raised in the spending round in the second financial year, will be an emphatic yes.

2190 **Hon. Chief Minister:** Madam Speaker, that is an absolute nonsense of a question for a simple reason. The hon. Gentleman has ascribed to himself the assumption, in cast-iron terms like everything that he does, that it is going to take two years; and that, therefore, the answer must be yes in the second spending round of the lifetime of this Parliament. It is an utter nonsense.

2195 Cliff stabilisation is complex, but it might be six months of complexity, it might be one year of complexity, or it might be three months of complexity. So the hon. Gentleman is reaching conclusions through extrapolations which are entirely nonsensical, as nonsensical as it is, Madam Speaker, that when I say something which is party political it is a dig; and then when he gets up to make preambular references in lengthy questions, it is just, when you pull him up on it, perfectly normal party politics, Madam Speaker, because this Parliament has to be alive.

2200 Well, Madam Speaker, I will do what he should recommend that I should do, given that he has consistently wanted me to fail at the job that I do. I will keep digging.

**Hon. D J Bossino:** Okay, let's try and get –

2205 **Madam Speaker:** A question. Let's get to the question.

**Hon. D J Bossino:** Madam Speaker, let's try and get somewhere here.

Look, quite frankly, the question that I have asked right now, I did not think was particularly long. I am sure the Chair would have called me to order, had it been.

2210 **Madam Speaker:** Is that an invitation? *(Laughter)*

2215 **Hon. D J Bossino:** It is certainly not. If I may put this to him, is he at least able to tell us that when the Hon. Minister Cortes – assuming he is still the Minister responsible for this area of policy – goes to him as the Minister responsible for Finance, either the second or third or fourth financial year – well, more the second than third – that his answer, in relation to this, will be yes?

**Madam Speaker:** That is a hypothetical question. I have been quiet up until now – *(Interjection)* because I was enjoying the exchange –

2220 **Hon. D J Bossino:** Is it? *Is it?*

**Madam Speaker:** But it is a hypothetical question. So we are going to move on.

2225 **Hon. D J Bossino:** Well, it is not a hypothetical question in the sense that – *(Interjection)*

**Madam Speaker:** Well, again, if you say, ‘What would you do if this happens at this time’, it is a hypothetical question. So either if you have another question which is not hypothetical, I will allow it, otherwise I am not going to allow this one.

2230 **Hon. D J Bossino:** No, Madam Speaker, the Hon the Chief Minister said that he is committed to doing these works during the lifetime of this Parliament. He is not willing to say yes, he has actually said the answer is going to be no – he was more than willing to answer that hypothetical question, if we accept that it is a hypothetical question, in relation to this financial year. He said if the Hon. Minister asks me in this spending round to incur this expense, the answer is going to  
2235 be no. Well, I have pulled that string – *(Interjection)*  
Oh, it is rhetorical, I need to ...

**Madam Speaker:** In any event, the fact that a hypothetical question was answered does not make it right to have been put in the first place; and now we are going to move on. *(Interjection by Hon. D J Bossino)*  
2240 Next question.

**Q292/2024**  
**Pedestrianised road leading to Botanic Gardens –**  
**When to be refurbished and beautified**

**Clerk:** Question 292/2024. The Hon. D J Bossino.

2245 **Hon. D J Bossino:** When will the – 292, yes, Mr Clerk when will the – stretch of pedestrianised road leading to the entrance to the Botanic Gardens be refurbished and beautified?

**Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

2250 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, at this moment in time there are no active plans.

2255 **Hon. D J Bossino:** Madam Speaker, has there not been a change in Government’s policy attitude in relation to this? I think when I have asked him this question in the past, in the previous House, the answer was much more positive. I do not have it with me, but much more, I do not know if the Hon. Member recalls himself, but much more positive in relation to this.

It is an area – and I must say from a person who walks through the gardens on occasions, that the botanical side of things is looking beautiful. It is looking really nice over a period, I think, of patient work, which I am sure he will recognise when I say that.

2260 But it is that that area, as I understand it, is Government-owned, which is a *long* stretch from the end of the Botanic Gardens to where the Queen’s Cinema used to be, that is in a particularly bad state; and I think it is also the area which, at one point, in the first term they introduced a dog park, I think it was, which I do not think was then much of a success.

2265 But can I press him in relation to that, as to if what I am saying is correct why is it the case that the Government has changed its approach in relation to this stretch of road?

2270 **Hon. Prof. J E Cortes:** Madam Speaker, there has not really been a change; that actually *is* a part of the Botanic Garden’s demise. It is just an area that at the time, 32 years ago now, it was decided that because of the scale of the work that needed to be done, the work would be concentrated inside and that area would have minimal management, which it does. There is removal of plants at certain times of year and the sweeping and cleaning and so on. But it is not



landscaped like the rest of the gardens. This is a potential area for expansion, obviously there are financial implications.

2275 What I answered at that time, that was when we were looking at the new development in Grand Parade with underground parking and a park on the upper area, and this was going to be an extension of that; and that project, at the moment, is paused. It could be picked up again or it could be that the management of the Botanic Gardens now feel that they have the resources to move in and do more landscaping in that area. But at the moment there is nothing active that I can share.

2280 **Hon. D J Bossino:** I urge him to push this because, as I said, I think it is a large stretch of land and it leads into the much prettier and beautiful and satisfying-to-the-eye Botanical Gardens. But can I also ask him not to limit the works that need to be done, they are not limited to landscaping, but also extend I think to tarmacking of the road, which is full of potholes and it is looking in a particularly dire state.

2285 **Hon. Prof. J E Cortes:** Madam Speaker, the area has had some work done to it. There was a wall that was collapsing there that was done not that long ago. So it is kept an eye on, but it is really for the management of the gardens to prioritise and it is a conversation that I have regularly.

2290 **Madam Speaker:** Next question.

**Q293/2024**  
**Motorbike engines –**  
**Noise**

**Clerk:** Question 293/2024. The Hon. D J Bossino.

2295 **Hon. D J Bossino:** What measures, if any, does the Government plan to introduce regarding noise which emanates from motorbike engines?

**Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

2300 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, measures are already in place. All vehicles, including motorcycles, are checked at the Motor Vehicle Test Centre where the decibel meter is used to ensure they comply with the noise levels that correspond to each vehicle.

2305 In the case of motorcycles, this is normally stamped on the manufacturer's chassis identification plate. Police also monitor this, where they utilise a decibel metre to test vehicles, which they stop suspected of emanating sound above the legal limit. They also bring the vehicles to the Motor Vehicle Test Centre to be tested by the centre. Vehicles found not to comply are issued with a Refusal Notice; and/or if brought in by the police, they are fined.

2310 **Hon. D J Bossino:** Madam Speaker, the reason why I raised this question is, for a long time I thought I was just morphing into a cantankerous middle-aged man but I have realised I was speaking to other people.

**Madam Speaker:** Is that a question? (*Laughter.*)

2315 **Hon. D J Bossino:** It is a statement for now, which is truthful, I am sure. But I have realised that speaking to other people, and younger people indeed, that they have raised the same complaint

to me. So you are literally on the road in Gibraltar and it is something which I think, I do not know, it is featuring more and more. You almost need to stop a conversation to allow the motorbike to go.

2320 **Madam Speaker:** I have to press you for a question, otherwise we are going to take too long.

**Hon. D J Bossino:** I am getting there ... of whatever make because the noise is so loud. So can I please urge him to look into this because he says that measures are already in place but can I ask him to consider the possibility that the measures which are in place are not achieving the aim that they ought to be achieving; and that certainly they are not as ambitious as they should be. The noise emanating from this particular vehicular traffic, is *far* too loud and in my view ought to be stamped out more vigorously and with much more ambition.

2330 **Hon. Prof. J E Cortes:** Madam Speaker for a moment, I did not – (*Interjection.*)  
I will assume there was a question somewhere in there, Madam Speaker. I thought for one moment he was calling me a cantankerous old man. (*Interjection*) No, I was corrected by my hon. Friend because, of course, I am not and I would not dream of calling him that, seeing that he is considerably younger than me anyway.

2335 Madam Speaker, I think that the Test Centre captures it when they come to them. I think it is a question of enforcement by the Royal Gibraltar Police and it is a matter that is repeatedly discussed with them.

**Madam Speaker:** Next question.

**Q294/2024**  
**Review of STTPP –**  
**Results published**

2340 **Clerk:** Question 294/2024, the Hon. D J Bossino.

**Hon. D J Bossino:** When will the results of the review of the Sustainable Traffic, Transport and Parking Plan (STTPP) be published?

2345 **Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

**Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the STTPP is currently being reviewed with a purpose of both assessing its success so far and updating it to reflect changes in the transport network since its publication. This process will take some months and the results will, of course, be published when it is completed.

2350 **Hon. D J Bossino:** I am grateful for the timeline which the hon. Member was willing to provide across the floor of the House. The stopwatches will start to run on this side of the House. But can I ask him, and it is indeed a manifesto commitment of theirs to conduct a review and hence the question, can I ask him how that review is being conducted? Is it being conducted in-house?

2355 As I understand it, from memory, the STTPP was devised by an outside company when in their first term, I think Mott MacDonald perhaps, for a cost of close to half a million pounds, but can I ask him, who is conducting that review?

2360 **Hon. Prof. J E Cortes:** Yes, Madam Speaker, at this moment it is being conducted in-house by the transport team. If, when the first review is completed or the first assessment is completed,

we find that we need more specialist assistance then we will look at whether we need to engage external experts. But at this moment in time it is the transport team. In fact, I was shown a very first draft this morning. It is proceeding well, and I am looking forward to that assessment. But at the moment it is being carried out internally.

2365

**Hon. D J Bossino:** How does that coincide, if it does at all – I am assuming it does because it is certainly the same subject matter – with the Active Travel Strategy, which is a more recent publication? So, we have had the STTPP, which was much proclaimed by them as something that would revolutionise – borrowing his word – traffic arrangements and transport arrangements management in Gibraltar in their first term.

2370

I think it was Mr Costa who spearheaded that particular initiative at the time, and then we have had the Active Travel Strategy under Mr Balban and now this review. How do these two things ... do they run in parallel? How does it work?

2375

**Hon. Prof. J E Cortes:** The Active Travel Strategy will now inform the STTPP so that they talk to each other. So the STTPP – it is a tongue-twister, no matter how many times I say it, Madam Speaker. The STTPP will be reviewed taking into account the Active Travel Strategy.

**Madam Speaker:** Next question.

2380

**Hon. D J Bossino:** If I may?

**Madam Speaker:** Well, if you are going to ... (*Interjection*) Yes, well, many a thing is said out loud that should not be. But anyway, I will accept that. If you ask a short question, yes, but I am not going to allow a long preamble because otherwise we are going to be here far longer than we need to be.

2385

**Hon. D J Bossino:** In relation to the possibility that outside help may be called upon, is it the intention, once the review has been conducted internally, that once that is completed and he has given us a very short timeline of a few months, that there will be a publication of the results of that review at that point in time, or will that be held back should it be decided that there is a requirement for external input?

2390

**Hon. Prof. J E Cortes:** Madam Speaker, I will take a view at the time of getting that review to see whether it is in a state that can be published or it needs further information. I suspect that we will be able to do it in that timeframe, but we do not know until it is done.

2395

**Madam Speaker:** Next question.

**Q295-297, 300/2024**  
**Cycling app/Cycle to work scheme –**  
**When set up; details; advance stop signs and cost**

**Clerk:** Question 295/2024, the Hon. D J Bossino.

2400

**Hon. D J Bossino:** When will the cycling app be set up?

**Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

2405 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, I will answer this question together with questions 296, 297 and 300.

**Clerk:** Question 296/2024, the Hon. D J Bossino.

2410 **Hon. D J Bossino:** Please provide details of the Cycle to Work Scheme.

**Clerk:** Question 297/2024, the Hon. D J Bossino.

2415 **Hon. D J Bossino:** Where does the Government intend to provide further advance stop signs – I think that is a mistake, it should be *lines* – and at what cost?

**Clerk:** Question 300/2024, the Hon. the Leader of the Opposition.

2420 **Hon. Dr K Azopardi:** Madam Speaker, does the Government presently wish to encourage cycling in Main Street?

**Clerk:** Answer, the Minister for Education, the Environment and Climate Change.

2425 **Hon. Prof. J E Cortes:** Madam Speaker, work on a cycling and walking app is ongoing. We do not yet have a date for launching. We are developing a Cycle and Walk-to-Work Scheme and will be consulting stakeholders as the drafting progresses.

2430 The Government hopes to pilot, in relation to question 297, these in some locations soon; and in relation to question 300, the Government will encourage cycling wherever it is safe for both pedestrians and cyclists. We will encourage delivery by bicycles and other non-polluting means in Main Street, but we do not feel at this moment in time that cyclists should be actively encouraged in Main Street and we will encourage alternative north-south routes for cyclists.

2435 **Hon. D J Bossino:** In relation to 295, whilst the hon. Member has not been forthcoming in terms of a timeline, is he able at this stage to state whether this is something which an outside company is likely to be doing for the Government? Or is it something which is going to be done internally?

2440 **Hon. Prof. J E Cortes:** The initial intention is that it should be done internally. Sometimes for some specialist apps expertise has to be sought from outside but the groundwork, so to speak, is being done internally.

**Hon. D J Bossino:** If I may, is this going to be a proper app, if I can put it in those terms, as opposed to the bus tracker which you access through the internet? I think the intention at the time was to eventually set it up as a proper app and that has never happened. Or is it too embryonic a stage for the hon. Member to answer that question?

2445 **Hon. Prof. J E Cortes:** Ideally an app, but we are not certain yet. The bus tracker, even though it is not an app *per se*, is perfectly usable and nowadays with mobile devices, whether it is an app or you check it with your Google or Safari or whatever, it is perfectly adequate. But that decision has not yet been taken.

2450 **Hon. D J Bossino:** What information is it intended, this app, to provide?

**Hon. Prof. J E Cortes:** It is intended to provide suggested walking routes, suggested cycling routes and areas where bicycles can be parked.

2455 **Madam Speaker:** Any supplementaries on 296?

2460 **Hon. D J Bossino:** The hon. Member has, I am sure, I recognise that this is a manifesto commitment, the Cycle-to-Work Scheme, that is for the benefit of those watching and listening. I am slightly surprised that the answer that he has given is not particularly specific and that it seems that what the Government has embarked upon is a process of consultation.

Can I ask him whether he has a vision as to what he thinks, because it struck me as an interesting proposal, as to what he thinks this scheme is likely to provide?

2465 **Hon. Prof. J E Cortes:** Yes, Madam.

**Hon. D J Bossino:** Is the Hon. Minister able to elucidate this House as to what that vision is?

2470 **Hon. Prof. J E Cortes:** Madam Speaker, it is clearly important to consult stakeholders. There are groups very active in the cycling world. There are people who do a lot of walking and the idea is to ... This is not unrelated to the cycling and walking app because this is something that would be reflected there. It is a way of encouraging people to use alternative forms of transport to get to work.

2475 Encouraging cycling, making sure that there are provisions for parking of bicycles at critical places, sharing the health benefits of walking and cycling. A lot has been published on this, only very recently I saw an article on how walking extends people's lives, even if they spend the rest of the time sitting down. So it is this kind of thing which will encourage people to walk to work, and walk and cycle more than perhaps they do at the moment.

2480 **Hon. D J Bossino:** What tax advantages would the Government consider providing to employers in relation to this scheme?

**Hon. Prof. J E Cortes:** Madam Speaker, it is too early to be so specific, this is work in progress.

2485 **Hon. D J Bossino:** So, if I can press him on that, it is actually a fact that the manifesto is much more specific than what the hon. Member with the greatest of respect to him, has just given this House right now. It talks about tax advantages and leasing arrangements. So I would press him on that as to whether the Government has – it is in their manifesto, so they must have had an idea unless they are just meaningless superficial words.

2490 But if we are to take them to their word, this is a cast-iron commitment which they say, 'Ah, well, he says *pesao* from a sedentary position', but they are equally as *pesao* when they make their political points.

But can he say what tax advantages and leasing arrangements the hon. Members are considering to give to employers?

2495 **Hon. Prof. J E Cortes:** I am not in a position to say that this is part of the ongoing process. There will be other incentives to and it is possible that there will be businesses who will be able, perhaps, to give discounts depending on if you can log a walk or cycle, that sort of thing. All these things are up in the air, but I cannot go into any detail now because they are still in their earlier stages.

2500 **Hon. D J Bossino:** In the context of the engagement with, as he puts it, stakeholders: how is he proposing to engage? Because I do not think in that context he mentions employers, which I would have thought would be the most important party in all of this. How does he propose to engage with the interested parties that emanate from the employee sector?

2505 **Hon. Prof. J E Cortes:** Madam Speaker, like I always have done whenever I have had anything like this, by inviting representations, by providing an email for people to send information and comments to; by talking to, in the case of employers, to the organisations like the Federation of

Small Businesses and the Chamber of Commerce in the usual way that one engages, and certainly I have engaged and my colleagues have engaged when we are developing new initiatives.

2510

**Madam Speaker:** Anything on 297?

**Hon. D J Bossino:** In relation to 297, which relates to the question on advanced stop lanes, as I understand it there is only one which is currently in operation which is by Regal House; and he talks about some other locations. Can he be more specific in relation to that? Which other locations are the Government considering introducing this to?

2515

**Hon. Prof. J E Cortes:** Madam Speaker, I am waiting for my team to suggest the best locations where we should look to place these. I do not think it would be helpful if I just gave a list of possibilities.

2520

**Madam Speaker:** Yes.

**Hon. Dr K Azopardi:** So, in respect of 300?

2525

**Madam Speaker:** Did we finish with 297 then? Yes, alright, good. Yes, I was not complaining! *(Interjections)* Let's turn to 300. Supplementaries to 300.

**Hon. Dr K Azopardi:** I was moving on.

2530

**Madam Speaker:** I am grateful to the Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** So, in respect of 300, the hon. Member said that he gave an answer which suggested that they would encourage it if it was safe to do so, and so on and so forth. He did not discount it in Main Street, so what I am asking the hon. Member to reflect on, obviously, Main Street is a pedestrianised area, and his answer was not decisive one way or the other. There was a pilot scheme some years ago which his predecessor carried out in Main Street and they marked the road, and so on and so forth, that I thought had been abandoned.

2535

Now, Main Street is pedestrianised. It is either possible to cycle in it or not possible to cycle in it. Is it going to be encouraged or not encouraged? They must have taken a view as to whether it is safe to do so, permissible to do so. The purpose of the question is that some people have asked me, there is doubt as to the policy there and some people feel it is unsafe to encounter these cycles. So what is the Government's position in that regard?

2540

**Hon. Prof. J E Cortes:** Madam Speaker, the trick here is to de-conflict the two. So after a certain time when there are very few pedestrians in Main Street, then cycling is clearly more indicated. But my answer said that I would *not* encourage it in Main Street when there is a very busy pedestrian presence.

2545

In the case of delivery bicycles and so on, I think that is something that we can encourage, that would normally be during certain hours and not at the peak pedestrian use. So that is what we have to do. We have to de-conflict the two so that it is not dangerous, it is safe.

2550

**Hon. Dr K Azopardi:** But with respect to the hon. Member – and I know he is obviously trying to encourage, or not encourage, people – but that policy is not clear and it is unhelpful. Would it not be better, with the help of officials, to assess when there are times of the day when the street is sufficiently clear for there to be cycling and for them to say, 'Well, you can cycle in future from 9 p.m. to 6 a.m. and then you cannot cycle anywhere else.' Because otherwise it is completely unclear for people to think, 'Well, is it safe, or not safe?'

2555

2560 The Minister has said publicly that he will not encourage it when there is a lot of people. But is it a judgement call?

**Hon. Prof. J E Cortes:** Madam Speaker, this is exactly the sort of thing that is going to be caught in our Cycling and Walk-to-Work Scheme, where we will be consulting stakeholders in order to give these clear guidelines. So it is partly covered by the scheme that we are developing.

2565 **Madam Speaker:** Next question.

**Q298-299/2024**  
**Victualling Yard Aquarium project –**  
**Support of Government**

**Clerk:** Question 298/2024. The Hon. D J Bossino.

2570 **Hon. D J Bossino:** Is the Government supportive of the Aquarium project at the Victualling Yard?

**Clerk:** Answer, the Minister for Education, the Environment and Climate Change.

2575 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, I will answer this question together with question 299.

**Clerk:** Question 299/2024, the Hon. the Leader of the Opposition.

2580 **Hon. Dr K Azopardi:** Has the Government granted, or will the Government grant, a lease or a licence or other permission to use the Victualling Yard site for the purposes of an aquarium; and if so, on what terms?

**Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

2585 **Hon. Prof. J E Cortes:** Madam Speaker, as a preamble to my answer, clearly, the Government will support projects which are intended to improve the tourism product to Gibraltar. Having said that, the Government has a duty to ensure that such projects are in keeping with policy, that the relevant expertise to manage the projects is available locally and that the project will in no way affect our international reputation.

2590 There are some concerns, which were expressed recently when it was discussed in DPC, if I may just add that, for a project of this nature and the level of expertise required to ensure that such a project meets all the relevant policies, Government criteria and legislation. So we will await the answer to these questions as the planning process progresses.

In relation to question 299, clearly, it is too early to say.

2595 **Hon. D J Bossino:** I have not identified in his answer, although I get the sense that the hon. Member himself is not particularly supportive of this project, I will leave it at that. But I have not been able to identify, in his answer, an emphatic yes or no; and if I may say so, about their comments, this has been the way that the Hon. Member has chosen to answer pretty much *all* of his questions in this House this afternoon, but so be it.

2600 Is the Government supportive of this particular project; and I put to the hon. Gentleman, I am sure he is aware the concerns which have been raised by the gentleman he referred to earlier in relation to the Barbary macaque, Mr Mark Pizarro, the concerns that he has raised on public radio,

2605 where he has mentioned environmental concerns, concerns in relation to cruelty to animals and all the rest of it. I am surprised – and this is why I make the comment at the beginning of my question – that these are things which chime with the hon. Gentleman opposite. We know him, we have known him for a very long time.

2610 **Madam Speaker:** Either put the question or stop. Question?

**Hon. D J Bossino:** Can I ask the Hon. to press him to state with clarity and sincerity whether he and the Government, of which he forms a part, is supportive of this aquarium project – not any other project, *this* aquarium – and the intention to build an aquarium in the Victualling Yard?

2615 **Hon. Prof. J E Cortes:** Madam Speaker, I refer the hon. Member to the answer that I have just given a few moments ago.

2620 **Hon. D J Bossino:** No, (*Interjection*) I cannot allow the hon. Member ... (*Interjection*) No, this is disrespectful to this House. I have pressed him sincerely in relation to a point. He has been less than frank in relation to his answer and I need to press him. (*Interjections*)

The question is: is the Government supportive of this project, yes or no? It is a very simple question which is capable of a very simple response and not what he has fed this House in his formal reply. So I am afraid, Madam Speaker, that this point needs to be pressed further.

2625 **Chief Minister (Hon. F R Picardo):** Madam Speaker, the Government refers the hon. Gentleman to the answer given a few moments ago on behalf of the Government.

2630 **Hon. Dr K Azopardi:** Madam Speaker, in relation to my question which is: has the Government granted or will the Government grant a lease or a licence or other permission? The Minister said it was too early to say. Too early to say because it is going through planning? So, for example, is it that the Government's decision in relation to whether or not it grants a lease will be decided on the planning aspect? Because normally – and the hon. Member has been a Member of the DPC for a very long time. Normally the planning issue is one issue, but there is also the Government as landlord has formed a view.

2635 Can I put it this way? *If* planning permission is granted, will the Government grant a lease? So has the Government taken the decision that it will grant the lease subject to planning?

2640 **Deputy Chief Minister (Hon. Dr J J Garcia):** Madam Speaker, in order to assist the House, the position of the Government says that we will wait for the application to be considered in full by the DPC and see whether that full planning is granted or not. But I think my hon. Member also indicated there were other concerns on issues in addition to planning, which were also important and would also form part of that consideration.

2645 **Hon. Dr K Azopardi:** Issues not relating to planning, like what? Can the hon. Member give us a bit more detail?

**Hon. Prof. J E Cortes:** Madam Speaker, I refer to the answer that I just gave that it is important that these projects in no way affect Gibraltar's reputation, and that we have to ensure that all such projects meet relevant policies, legislation, etc.

2650 **Hon. Dr K Azopardi:** And I speculate: is it that those aspects relate to some of the criticisms that have been made in relation to the possible view that it might be seen to be a *cruel* project in that sense, in terms of how you treat the fish? Is that one of the aspects that the Government is concerned about?



2655 And can I ask, now that I am on my feet, to move it on as well: is it that the Government is in discussions with the relevant party in terms of the land issues, or are they not discussing it at all?

**Hon. Prof. J E Cortes:** Madam Speaker, I think that the answer that I have given, even though the hon. Members opposite do not think is clear, is very clear. We are in a stage, along a process and we are not in a position to say anything further than what I have already said.

**Hon. D J Bossino:** I will ask, no, I said it from a sedentary position I had not stood up yet. The Hon. Chief Minister, please, needs to calm down. (*Laughter*) I need to press him on this. I need please an answer to my question and then he repeats the answer in response to the Hon. the Leader of the Opposition. The hon. Member refers to reputational issues, this is serious!

2665 He has said it publicly across the floor of the House. What are these reputational issues? We can guess and we can speculate, but that is not good enough. The hon. Member needs to answer what are the reputational issues which are of concern to him and the Government?

**Hon. Chief Minister:** Madam Speaker, the hon. Gentleman has set out the tenor of the issues that concern us in his first answer, which the hon. Gentleman does not appear to like. But what are the reputational issues relating to aquaria? I suppose the same ones that relate to the aquarium in Seville, the aquarium in London, the aquarium in Barcelona, the aquarium in Madrid, the aquarium in Miami, the aquarium in New York.

2675 Some of them, obviously, are reputational issues that you can get over. But what we are not going to do, because it is not fair to anyone, is to conduct the negotiation with the party that was the highest bidder in a tender process across the floor of the House with *them*. So the hon. Gentlemen have the answer that we gave a few moments ago, and that remains the answer on behalf of the Government.

2680 **Madam Speaker:** Next question.

**Q301/2024**  
**Speed mileage indicators –**  
**Why removed**

**Clerk:** Question 301/2024, the Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** Madam Speaker, why have speed mileage indicators that had previously been installed in some roads and were visible to the driver been removed?

**Clerk:** Answer, the Hon. Minister for Education, the Environment and Climate Change.

**Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the speed detection radars have not been removed. Only one was removed at Winston Churchill Avenue on the approach to the runway as a result of the opening of Kingsway, as it was no longer needed as the runway crossing by vehicles was no longer allowed.

2695 **Hon. Dr K Azopardi:** I am not sure if we are talking about the same thing. What I meant by speed mileage indicators, for example, he says it has not been removed, so I will tell him more precisely what I meant. What I meant by the speed mileage indicators is those speed mileage indicators that were, for example, on Queensway and in Rosia Road that would *electronically* show the speed at which you were travelling before you arrived. Those were removed.

2700 My view was that they were helpful in terms of reminding people of what speed they were travelling and so that you could keep within the speed limit. Those have been removed. I do not know why.

2705 **Hon. Prof. J E Cortes:** Madam Speaker, the consensus on this side of the House from driving or walking in that area, or cycling in that area, is that they are still there and my answer tells me that the only one that was removed was the one to cross the runway, because vehicles are not allowed across the runway any longer. If there are some that are missing that we are not aware of, that is certainly the answer that I have been given.

2710 **Hon. Dr K Azopardi:** Well, I will certainly check the information that I have and if the hon. Member is happy to provide information to me outside of this House, I will write to him on that basis.

**Madam Speaker:** Next question.

**Q302/2024**  
**Governor's Parade Bin Store –**  
**Results of review**

2715 **Clerk:** Question 302/2024. The Hon. the Leader of the Opposition.

**Hon. Dr K Azopardi:** What was the cost of the bin store constructed on Governor's Parade and who advised as to its technical size or took the decision of the need for such a facility?

2720 **Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

**Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the cost of the bin store was £156,195.58. This was from the lowest tender submitted. The decision for this bin store was taken by myself on the advice of my cleansing division in the Department of the Environment, the reason being that the previous temporary structure was too small to accommodate the increase in refuse and recycling in the area.

2725 **Hon. Dr K Azopardi:** Does the hon. Member accept that while it might be functional, it is incredibly aesthetically unpleasing?

2730 **Chief Minister:** Beauty is in the eye ... (*Banging on desks.*)

**Hon. Prof. J E Cortes:** Madam Speaker, I was about to say beauty is in the eye of the beholder, so clearly the Chief Minister and I are at one; and not just on this I may add, Madam Speaker.

2735 There was a dire need for increased space for refuse and in fact this is one of the elements of discussion that we had with the Chamber of Commerce where we were concerned that businesses were placing rubbish on the street, on Main Street particularly, and not taking it to a bin store.

2740 The answer was, 'Well, there is not enough space.' So that is what drove the increase in space. Very difficult to find space for a bin store and we have tried many a time in many areas, and this was one that we took the hit or the loss, I think, of one maybe one or two car parking spaces, and created this bin store because businesses in the area were clamouring for it. Beauty is indeed in the eye of the beholder, but the necessity was clearly there.

**Madam Speaker:** Next question.

**Q303/2024**

**Felling of 102-year-old eucalyptus tree –  
How decisions are taken**

**Clerk:** Question 303/2024, the Hon. the Leader of the Opposition.

2745

**Hon. Dr K Azopardi:** I was biting my tongue about the bin store! (*Laughter*) I am not going to ask any questions on it.

Who took the decision to fell the 102-year-old Eucalyptus Tree on Rosia Road last month (*Interjection*) and how are such decisions taken?

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**Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

**Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, this is the question that I absolutely love.

2755

Madam Speaker, the tree had perished, it had perished about two years ago and the main branches had been cut back in order to prevent them falling.

Consideration was being given to using the trunk for a sculpture, but it was found that there was a large amount of decay in the trunk, exacerbated by the bracket fungus known as chicken of the woods, *Laetiporus sulphureus*, which causes serious damage to trees. This meant that it was not suitable for carving and the remaining trunk and branches a potential danger, so the decision was taken to remove it.

2760

The Department of the Environment's Green Areas Team meets with me every fortnight. While I chair these meetings I consider that I contribute my technical knowledge rather than any political direction. At these meetings, among other green area-related matters, all tree-related issues are discussed. When there are concerns about any tree, an assessment is carried out by the team and the Gibraltar Botanic Gardens, and decisions taken when the results of the assessments are presented.

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In the case of trees with suspected decay, the tree is surveyed with a specialised instrument known as a resistograph driven by a drill motor a long, thin needle is inserted into the trunk in order to gain an idea of its density, which allows the operator to identify areas of substandard structural integrity, such as decay.

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In every case where a tree has to be removed, arrangements are made for replacements to be planted. Madam Speaker, we perform many miracles in the Department of the Environment, but we still have to perfect the *Lazarus* trick for the common eucalyptus tree.

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**Hon. D J Bossino:** *Bueno pero* coming from him.

**Madam Speaker:** Yes, any supplementaries?

2780

**Hon. Dr K Azopardi:** I only have one. I will not be asking the hon. Member whether he has a resistograph in his home, although I was tempted.

Given the end of his answer, what plans are there now to replace the tree? Is it going to be another eucalyptus or is it something else; and can the hon. Member explain to us what will happen now?

2785

**Hon. Prof. J E Cortes:** Madam Speaker, there is already a tree in place just beyond it. It is very difficult to put it there because it is a large trunk and there is no way you are going to remove it and plant something there. So in the planter just behind, I believe the *Erythrina* coral tree has already been planted. I have not checked yet, but that was the information that I had. If it has not been planted, it is imminent.

2790

**Adjournment**

**Chief Minister (Hon. F R Picardo):** Madam Speaker, given the hour, I move that the House should now adjourn until three o'clock tomorrow afternoon, when we will start dealing with questions to me and then continue with questions to other Members. It is the Government's intention to deal tomorrow only with questions given the number outstanding and the time at which we will reconvene. So I move the House should now adjourn to 3 p.m. tomorrow.

**Madam Speaker:** I now propose the question, which is that this House do now adjourn to 3 p.m. tomorrow and I now put the question which is that this House do now adjourn to 3 p.m. tomorrow. Those in favour? (**Members:** Aye.) Those against? Passed. This House will now adjourn to 3 p.m. tomorrow.

*The House adjourned at 6.55p.m.*