



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.00 p.m. – 6.20 p.m.

Gibraltar, Wednesday, 22nd May 2024

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COMMUNICATIONS FROM THE CHAIR

Clerk: Meeting of Parliament Wednesday, 22nd May 2024.
(i) Communications from the Chair.

5

**Members of the Opposition to refer to Question numbers
to identify Supplementaries**

Madam Speaker: Just a very brief word.

When a Minister groups a series of questions together and in their answer they specify the question number that they are answering, I ask Members of the Opposition that imposing Supplementaries, they refer to the question number in respect of which the Supplementary relates. That will make it easier for the Minister to identify the information sought and importantly it will make it easier for the public to follow. Of course, if a Minister answers a series of questions non-specifically, then the direction does not apply.

Questions for Oral Answer

EDUCATION, THE ENVIRONMENT AND CLIMATE CHANGE

**Q430/2024
Hot school lunches –
Timeline for implementing**

Clerk: Answers to Oral Questions continued.
15 Questions to the Hon. Minister for Education, the Environment and Climate Change.
Question 430/2024. The Hon. A Sanchez.

Hon. A Sanchez: Could the Government confirm the timeline for implementing hot school lunches in all schools?
20

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, there is no specific timeline for the implementation of hot school lunches for schools. The Department of Education is actively engaged with the successful bidder in conducting a feasibility study to provide hot school lunches at the secondary schools as a pilot, and then review the outcomes with the intent to expand to other schools.
25

The aim is to commence a service to the secondary schools during the first school term of the 2024-2025 academic year. In other words, this coming September.
30

Hon. A Sanchez: Madam Speaker, does the Hon. Minister, would he be able to elaborate on the details of this, is he aware if this would come at a cost to parents? Can he specify any more details on this?
35

Hon. Prof. J E Cortes: Yes, Madam Speaker.

The intention is that it should be similar to what happened a few years ago before the company that did it went into administration. The cost would be borne by the parents.

One of the things we are negotiating, clearly, is to keep the cost down so that it will not be unreasonable. I cannot recall exactly how much it cost at the time, I think it was a few pounds, but that is the intention, that it would be paid by the parents or the carers of the children.

Hon. Dr K Azopardi: I think we have finished. Can I just raise a Point of Order, Madam Speaker? Yesterday, when we paused the session we paused at Question – I think it was 419/2024, if I remember rightly (*Interjection*) 418/2024. Obviously, we note that we started today at 429/2024 and the reason for that is because the Minister with that responsibility to answer those questions is not here and it is clear from what has just happened that, at least, the learned Clerk and Madam Speaker were aware of that.

It would be useful to us to also be aware of the batting order because it impacts on when Members on this side of the House are here, because it could have been that Members thinking they had a cushion of an extra 20 minutes might not have been here. It is a simple courtesy, I think, to Members on this side of the House to also be aware of how we are running the business and then the Members opposite can do that quickly via WhatsApp.

Deputy Chief Minister (Hon. Dr J J Garcia): Madam Speaker, just to clarify that this happens sometimes and it is unavoidable and I have been in this House for more than 20 years and it is not the first time that this has occurred regardless of who has been on which side. But if I understand it, I think, Madam Speaker and the hon. Clerk were not actually aware of it themselves. This is something which we found out now and I have had to react to the circumstances.

Hon. Dr K Azopardi: I am grateful –

Madam Speaker: What I would say to that, and I will let the hon. Member reply in a moment, is that it would be helpful if the House knew and the Opposition knew as soon as possible. I cannot put it any higher than that because I do appreciate that there may be Opposition Members who may be relying on the fact that we are continuing on from yesterday and may not be here and that may disrupt the issue.

So, all I would say is that I would urge Government Ministers to communicate to the Opposition and to the Chair as soon as reasonably practical.

Hon. Dr K Azopardi: With your indulgence, because you indicated that it would be okay for me to finish the point, I do not want to overextend it, but I fully appreciate what the Deputy Chief Minister says that sometimes these things happen. I appreciate that in a small Parliament sometimes matters emerge, but I would say two things about that.

We are now in the world of modern communications and the Members opposite can simply WhatsApp us just to let us know. That is okay, that would be enough for us to organise ourselves. Secondly, it would be hoped because I from time-to-time, express the hope that we would organise ourselves with a better way, with a clearer calendar going forward on these issues so that we all know where we are going on matters. Not just in terms of days of forthcoming sessions?

Madam Speaker: I am not going to ask, unless the Hon. the Deputy Chief Minister particularly wants to reply on the issue of calendar or better organisation, because I think that is a matter that was originally canvassed by me behind the Speaker's Chair and perhaps it is time to revisit those conversations. But now certainly is not the time for that.

I reiterate the comments I made earlier about giving reasonable notice as soon as possible, or as much notice as soon as reasonably possible, and we will move on with the questions now.

Hon. Deputy Chief Minister: Madam Speaker, if I may, certainly sometimes it is unavoidable and it happens. As I say, I have been here for more than 20 years and I have seen it happen on many occasions, but I do accept your view or your ruling that as soon as possible, as soon as we know, we should inform the Opposition. But working on diaries and diary management is something we are doing now in the Select Committee on parliamentary reform. So, hopefully, we will be able to address all these issues very soon.

Madam Speaker: I presume that the Opposition is in a position to continue with the questions as we have read now? (*Interjection*) All right.

Q431/2024
College of Further Education –
Site; educational programmes to be delivered

Clerk: Question 431/2024. The Hon. E J Reyes.

Hon E J Reyes: Good afternoon, Madam Speaker.

100 Is the Government able to update this House in respect to the site to be used and educational programmes to be delivered at a new College of Further Education?

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

105 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, as is known publicly already, the site for the new Gibraltar College will be on Devil's Tower Road adjacent to the Cross of Sacrifice.

The College continues to expand its educational offer, for example, into vocational courses and under its new Principal, Daniel Benrimoj together with the Department of Education, is working on developing this further to make the most of the new facilities as well as overseeing courses off-site. No details are yet available.

Hon E J Reyes: Thank you, Madam Speaker.

115 A couple of things, the Minister has obviously referred me back to a site that they had once expressed as a preferable site, which was near to the Cross of Sacrifice. Having wandered around the location I am intrigued as to where, physically, the building can fit in because I think it is part of the Royal Air Force enclosure if one goes a bit to the north from the Cross of Sacrifice, and towards the east of the Cross of Sacrifice is a car park.

120 So is it the intention to alter some of those buildings to benefit the College? Otherwise, I cannot figure a particular space where the College will fit physically?

125 **Hon. Prof. J E Cortes:** Madam Speaker, the designs are in the public domain. They have got full planning permission, so those designs are available on the Town Planning portal. Yes, they should be there. But in order to assist, the plan is that there would be a slight variation of the Commonwealth of War Graves Commission's demise to be able to move the building forward, then there is a considerable gap between that and the car park, but it all would also move partly into what is currently the car park to give a footprint which will be, in fact, larger than the current College.

130 **Hon E J Reyes:** Thank you for that extra information, and in respect to the educational programmes – I am just asking for clarification because the Minister has neither confirmed nor denied – is it still the intention to continue offering more like a community college-type of

135 programme which includes adult evening education courses and so on, you know? It is a question that I am asked every now and then and I thought it better to get a more formal answer on that issue.

Hon. Prof. J E Cortes: No problem at all, I am very happy to assist my hon. Friend, as everybody knows, after many years at school together.

140 Yes, the College will continue in its present format plus it will allow opportunity for young people to do A-levels and vocational courses. It also has a developing LSF and will continue to increase the offer of occasional courses including off-site courses where facilities may be available elsewhere as well as the traditional, what we normally call evening classes for adults. Absolutely, that is all in the plans.

145 The details, as I said in my answer, are still to be confirmed. There is new management, so to speak, and the plans are although they are now there, we are now beginning to meet with the College to allocate exactly where everything is going and to plan ahead. I am sure I will be asked questions in the future and I would be very happy to provide that information to the hon. Member.

Madam Speaker: Next question.

Q432/2024

Programme of investment on infrastructure – Each zone; anticipated costs

150 **Clerk:** Question 432/2024. The Hon. C Sacarello.

Hon. C Sacarello: Good afternoon.

155 Can the Government provide us with its programme of investment on infrastructure for each Zone in the 2009 Development Plan with anticipated associated costs?

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

160 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the Government has an ongoing programme of investment in infrastructure that spans multiple utility services. This has been delivering and continues to deliver both new and replacement infrastructure across the whole of Gibraltar. It is not possible to provide details with costs of future projects, especially as some will still need to be tendered out.

165 **Hon. C Sacarello:** I thank the hon. Member for his reply there. Over the next few years, there are a huge number of developments that are coming onto the market that would equate, roughly speaking, just looking at the large developments, Madam Speaker, to around 6,000 units. Each unit will have varying number of bedrooms where we take an average of three per unit. This of course does not include commercial or smaller developments.

There is a question coming, Madam Speaker.

170 There is an average flow, I am talking from a waste water perspective, of 150 litres per person per day of waste water. If you take those rough rule of thumb measurements, you get 18,000 litres multiplied by 6,000, it is 2.7 million litres of waste water potentially, assuming full occupancy of these, per day. Can our sewers cope with this?

175 **Hon. Prof. J E Cortes:** Madam Speaker, the bulk of the increase in development will be on the east side and already there has been a lot of infrastructure taken along to – can I say just to simplify – the *eastern end* of Devil's Tower Road and there is more work planned for connection

of services to that area. So, yes, the sewer will be able to cope with that with the additional works that are going to be carried out.

180 There is also a modernisation of the supplies to the Upper Town, some of the works which are currently ongoing and there are also plans to improve services in the Upper Rock in conjunction with the Ministry of Defence, which also still has an interest there.

185 In answer to the hon. Member's question, the answer is yes; and as I say there is infrastructure work planned particularly the connecting to the east side which is where a large amount of new development is going to take place.

Hon. C Sacarello: Madam Speaker, I thank the hon. Member for his reply.

190 If we assume, of course, that the system can cope perhaps the Minister would be able to inform us what the sewerage volumetric capacity limitations are, especially in choke points, given that I asked for the investment on infrastructure?

Hon. Prof. J E Cortes: Madam Speaker, I would need notice of that question in order to be able to obtain the detail which is not something that, I think, from the question as it is asked I can be expected to have. Yes, Madam Speaker, if the hon. Member will drop me an email I would be
195 happy to provide him with that information.

Madam Speaker: Next question.

Q433-34/2024
EV charge points –
Numerical targets; tender issuance; installation and management

Clerk: Question 433/2024. The Hon. C Sacarello.

200 **Hon. C Sacarello:** What is the Government's numerical target in terms of EV charge points to meet the required level of demand for EV vehicles triggered when the sale of new petrol and diesel becomes unviable under the Laws of Gibraltar?

Clerk: Answer, to the Hon. the Minister of Education, the Environment and Climate Change.
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Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes): Madam Speaker, I will answer this question together with Question 434/2024.

Clerk: Question 434/2024. The Hon. C Sacarello.
210

Hon. C Sacarello: The GSD welcomes the long overdue publication of the Government's electric vehicle-charging strategy. Will the Hon. Minister be able to provide certainty as to the intended date of issuance of the tender for the installation and management of EV charge points at various key locations around Gibraltar?
215

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

Hon. Prof. J E Cortes: Madam Speaker, in answer to Question 433/2024, the Government will ensure that the appropriate infrastructure and technology are in place to meet the demands of EV, of electric vehicles, whatever those may be in the future. The team is working on the appropriate planning for the transition of petrol and diesel cars to alternative energies such as publishing the Electric Vehicle Charging Strategy, I am confident we can meet the level of demand.
220

225 In answer to Question 434/2024, the tender is currently being drafted and the teams are working on this with the procurement office. I say 'teams' in plural because it includes the Department of the Environment with the Gibraltar Electricity Authority working together.

Hon. C Sacarello: Madam Speaker, would the hon. Member be able to elucidate as to – ?
(Interjection)

230 **Madam Speaker:** Which question are you?

Hon. C Sacarello: I beg your pardon, Madam Speaker.

235 Question in relation to Question 434/2024. Would the hon. Member be able to elucidate as to the date of the tender, when it will be issued at this stage?

Hon. Prof. J E Cortes: I am afraid not, Madam Speaker. This is a complex tender and there is a lot of tender work being done at the moment. I am anxious that it should be out as soon as possible.

240 **Hon. C Sacarello:** Madam Speaker, the Government declared a Climate Emergency in 2019 and the Act was published that same year. Decarbonisation of the vehicle fleet was a key part of that strategy. Why has it taken the Government nearly five years to come up with a strategy for this? Is that their response to an existential emergency?

245 **Hon. Prof. J E Cortes:** No, Madam Speaker. The Government is committed to that and is doing a lot of work, firstly in preparation of the strategy and as I think this House knows, the net-zero delivery body chaired by the Hon. Deputy Chief Minister, is doing a lot of work throughout Government Departments to respond to the emergency and to aim at the commitments that it has in its Climate Change Strategy. That work cannot be judged by the publication of one single document.
250

Madam Speaker: Still on 434/2024?

Hon. C Sacarello: Yes, still on 434/2024.

255 Could I ask the Hon. Minister why there are no proposed EV charge points for Town, Upper Town or the Eastside?

Hon. Prof. J E Cortes: Madam Speaker, the issue there is related to the ability to supply, and part of the tender will include the need to take the right amount of power to the different points. We have been working closely with the companies that run the petrol stations and we are hoping that they will be able to have fast charging points so that they will be able to be charged at least there. But the challenge is taking sufficient supply to the different points and part of the work that is being done by the teams that I mentioned is in order to address this.

265 **Hon. C Sacarello:** Finally, Madam Speaker, on 434/2024 again.

The document, while certainly interesting, is very light unfortunately on data confirming how much the total capacity required will be, and it omits any mention of any regional breakdown, such as the ones just mentioned, in demand and how capacity will be distributed and shared.

270 So to this extent, it seems like more of a document of intent rather than a strategy. Will the hon. Member be willing to share such data with me and this side of the House either now or sometime in the next few weeks, some core data with regard to capacity?

Hon. Prof. J E Cortes: Madam Speaker, the document is deliberately high level. The drilling-down into the detail is very complex and that is informing the tender document. So I know that

275 the information is being gathered, I do not have it here, I do not know how soon it will be in a form that is useful to share. But I have no problem; there is nothing secret here.

We know it is a challenge to supply electricity for charging points in different parts of Gibraltar. We are doing the maths and that is why the tender document is so complex and it will be fed in and once information is here. I am very happy to share either here or if the hon. Member contacts me separately.

Madam Speaker: Yes. The Hon. Mr Bossino.

285 **Hon. D J Bossino:** If I may, Madam Speaker, in relation to 433/2024, the Hon. the Minister, mentioned in his reply when he was referring to the needs, and I think he said ‘whatever they may be in the future’. From this standpoint, the question is how is that going to be determined with any clarity or any specificity because if one takes those words as they are, then it is rather nebulous. Would he not agree?

290 **Hon. Prof. J E Cortes:** I have said this before, I think, Madam Speaker.

I suppose there were similar discussions when horses were being replaced by petrol vehicles, you know. Are we going have a petrol station near the Moorish Castle? How many petrol stations will we need? And these things evolve and these things happen.

295 When I say whatever these are in the future, fortunately the North Mole Power Station has surplus capacity at this point in time, and the assessments that certainly I am no longer involved directly with the GEA – although I am indirectly when it comes to renewables – fortunately I am informed that we can confidently supply the demands that electric vehicles will have and there are intelligence systems where either in garages, in housing estates or in an electric vehicle hub, as happens in some cities, the software will ensure that it equates the amount and distributes it equally, so that there is no surplus demand.

300 So all the technical people tell me that we can deal with it. It is not easy, but as I said, when horses gave way to cars I am sure there were similar dilemmas that had to be considered.

Madam Speaker: Next question.

Q435/2024
Complement of buses –
Reduction

305 **Clerk:** Question 435/2024. The Hon. D J Bossino.

Hon. D J Bossino: Has there been a reduction in the complement of buses?

310 **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 number of buses has been the same since 2015.

315 **Hon. D J Bossino:** The information that I have, Madam Speaker, is that there has been a reduction in the complement of buses. In other words, as I do not have the figures, I was given the figures, but I do not have them here with me. So in order to service the routes, I think, it requires 22 buses but then there is always a surplus of three or four just in case there is a breakdown, and we have heard of cases of infestation of cockroaches in some of the buses, which

320 has meant that some of the buses had to be removed but then that has resulted in a worsening of the service.

So can I delve further into that whether there has been a reduction? Can he acknowledge that what I am saying is, in fact, correct that there has been a reduction in the complement, in the sense that we do not have spare buses to replace those that are needed in order to carry out an efficient service?

325

Hon. Prof. J E Cortes: Madam Speaker, I have no knowledge of that.

There are 26 buses. I have no notice of a reduction of the service. At the moment, four buses are being treated for cockroaches as is well known and they are not in service. So they are spare, but they are no longer spare because they are being treated.

330

So have we not got spare buses? We do, but the reason why they are spare is that they have to be spare so that they do not have to be used. So I do not think there is a problem. I think the number of buses are adequately servicing the routes although, as I say, we are looking at improving the routes and we are looking at replacement buses.

But for the purposes of the question, there has been no reduction, there are still 26 buses.

335

Hon. D J Bossino: Madam Speaker, this question arises from the, answer that the Hon. Minister has given in answer to my supplementary question, so if I may, in relation to the cockroaches, I know it does not directly arise from the question in the Order Paper. Can he give us some information in relation to that? He talks about, in relative terms, quite a high number of the fleet that is available to the Gibraltar Bus Company infested with the cockroaches, which from the evidence that we have seen on this side of the House looks rather severe.

340

Does he have any information as to why that is the case? Because quite frankly, it is something which I think should be addressed, should not have happened in the first place, and should certainly be addressed as soon as possible.

345

Hon. Prof. J E Cortes: I do not think it is, if I may say, a logical supplementary, but I am happy to provide the information in the interest of the House knowing. Madam Speaker, there are cockroaches throughout the world, we all have heard that they will survive a nuclear winter.

350

It happens that there were four that became populated with cockroaches. As soon as this was detected they were taken off service. They have been treated now by the Environmental Agency. I have, today, seen the reports that it seems that the matter has been resolved. They are now going to be thoroughly cleaned to get rid of any of the treatment materials.

355

Why it happens? I think if we all look carefully even in our own houses, we will occasionally see cockroaches and they are very resilient. The warmer winters mean that they do not get killed off like they used to, so clearly it is a problem. But I am glad to say that, at the moment, they have been adequately dealt with and none of these infested buses have been on the streets taking passengers.

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Hon. D J Bossino: Madam Speaker, with your indulgence, I am told here to ask the question as to whether they are actually in the seats themselves, which is quite disgusting, because these things, I see one of the things I will –

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Madam Speaker: I am loath to go into a discussion on cockroaches when that was not the main question. I have indulged. The Hon. Mr Bossino with allowing him to put the question, but I think if the hon. Member wants to ask on cockroaches you should specifically ask the questions next time.

So if there are any other supplementaries on 435/2024 proper, please do go ahead, otherwise we will move on from cockroaches.

370 **Hon. D J Bossino:** There is a connection with the question and I would have asked the question in the Order Paper but it arose after the deadline. If needs be, I will file a question on it for the next session of the House.

Are the four replacement buses, which affect complement, back on the streets? In other words, those which were, dare I say, infected by the these particular insects?

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Hon. Prof. J E Cortes: No, Madam Speaker, as I explained, they have been treated, the treatment seems to be successful, it takes a few days for the treatment to take full effect and then they have to be thoroughly cleaned to get rid of the materials that that were used. So I think it will be a matter of days before they are back in service. But I could not tell, the hon. Member exactly how many, but we are almost back on track.

380

Hon. D J Bossino: In relation to the number of buses, he says that there has not been a change since 2015. In which direction was there a change in 2015? He says that the current number is 26 and I would ask him to provide this House with information as to what the number was prior to 2015.

385

Hon. Prof. J E Cortes: Madam Speaker, I do not know. In 2015 I was, Minister for Health and I did not have any sight on buses. I can obtain that information, but I do not have it to hand.

390

Madam Speaker: Next question.

Q436-38/2024
New cycle routes –
Safety audit carried out; timeline

Clerk: Question 436/2024. The Hon. D J Bossino.

Hon. D J Bossino: Has the safety audit been carried out on all new cycle routes?

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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, I will answer this question together with Questions 437/2024 and 438/2024.

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Clerk: Question 437/2024. The Hon. D J Bossino.

Hon. D J Bossino: Has a cycle audit been carried out?

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Clerk: Question 438/2024. The Hon. D J Bossino.

Hon. D J Bossino: Please provide the details in terms of timeline as to when the cycling infrastructure will be rolled out?

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

Hon. Prof. J E Cortes: Madam Speaker, my answers to 436/2024 and 437/2024 I am going to combine because they are quite similar and in answer to these two, together, all new cycle infrastructure has undergone Design Manual for Roads and Bridges (DMRB) compliant Road Safety Audits. This is paramount to certifying that the design adheres to the strictest safety standards

415 according to the relevant standards for the scheme. The audit team is independent of the design team which ensures an unbiased perspective on the proposed design and implemented routes.

In answer to Question 438/2024, significant progress has been made with regard to the implementation of cycle infrastructure in the last 12 months since Kingsway opened in March 2023 and the launch of the Gibraltar Active Travel Strategy in January 2023.

420 As you may appreciate, Madam Speaker, the implementation of cycle infrastructure requires a great deal of planning, design, stakeholder involvement, traffic studies, etc.

There are also certain aspects to the proposed cycle network to await the completion of proposed developments, such as Chatham Views and the ex-Rooke site before these pieces of the complex jigsaw puzzle can come to life. The infrastructure is not only limited to cycling but
425 improving roads, parking and walking facilities to each respective area. Underground services as well as drainage are also upgraded and enhanced within these projects.

There are plans to develop the infrastructure in a number of areas subject to the funding that will be made available following the budget debate.

430 **Hon. D J Bossino:** Question 438. Is the Hon. the Minister able to be more specific in relation to the answer?

One acknowledges many of the things he has said, but there is set out in very clear terms in Gibraltar's Active Strategy, which they published in 2023, which talks about the different phases that would be rolled out in the context of the cycling infrastructure. So can I ask him when these
435 are going to take place and where?

Hon. Prof. J E Cortes: Madam Speaker, 'when' is when the budget is made available following the Appropriation Bill and where there are a number of small areas and extensions, within the next few weeks there will be an extension down the Europort area which will extend the new cycle
440 lane which we created a few weeks ago, which goes halfway down that road to the level just before you get to Charles Bruzon House that will be taken to the roundabout.

Then as part of a private development on Europort Avenue there will be an extension to the north and south along that area, which will eventually link with the proposed cycle route around the Rooke site. Then the other one that I can recall right now, Madam Speaker, is the extension
445 of the cycle lane from Waterport roundabout towards the comprehensive schools in the area we know as *Los Patitos*. Some of us remember the *Patitos*, but those are the ones that I can recall right now. Exactly when, apart from the short one that I mentioned that is just weeks away, once the development there leaves the site it will depend on the funding availability for its timing.

450 **Hon. D J Bossino:** Again using by way of reference, the strategy: is it the intention, as an initial stage, to create and to construct what are known as pop-up cycle lanes as a Phase 1, then to have more permanent structure? Is that what each of these projects that he has referred to are likely to undergo? Is that the process?

455 **Hon. Prof. J E Cortes:** The first one I mentioned, the short stretch, will be a pop-up. Most of the others I mentioned would be more substantial. Where we want to extend and perhaps the funding does not stretch, then we can do pop-ups in areas where we had meant to do substantial ones.

Another area which I forgot to mention, Madam Speaker, is the area parallel to Rodger's Road, La Bateria that is one area that we also want to create a cycle lane; and there is another one,
460 which I have just remembered – the thing is as we talk I remember more – is one behind King's Wharf along the waterfront. And those which we cannot fund immediately to the higher standard would, at least initially, as many as we can, be pop-up ones.

465 **Hon D J Bossino:** Barring, I think, one of the initiatives that he has referred to the others, he says, are subject to funding and therefore after we debate and presumably pass by Government

majority the Appropriation Bill, happens in a few months' time. Now beyond that, does he have, because he has been very specific as to the plans that he has, some of which may not happen should he not have the funding but assuming, if I may, and I know that I may be delving into the breach of the rule as to hypothesis, but –

Madam Speaker: Well then don't. (*Interjections*) If you know, don't.

Hon. D J Bossino: A fair assumption given the reply that I have had, where the Government has specific plans and presumably he is going to be advocating for funding in order to carry these out. Assuming that he does get the funding, can he give a timeline as to when he expects these cycle lanes to pop up, for use of a better expression? I mean, can I offer this to him, would it be during the course of the next financial year?

Hon. Prof. J E Cortes: Madam Speaker, these things take a lot of planning, a lot of design, preliminary designs are ready, for one or two of them they are pretty advanced, but I cannot say exactly when. But I must say though, as I think I mentioned, that we are now asking developers to provide cycle lanes around the development. So some of the ones that I have mentioned, like the one in Europort for example, will not require public funding because that is a condition to the developer and the one in Rooke as well will be privately funded as part of the planning process.

Madam Speaker: The Hon. Mr Reyes had a supplementary.

Hon. E J Reyes: Thank you, Madam Speaker.
If I may, the Minister on his original ...

Madam Speaker: On 438/2024. Are we still on 438/2024?

Hon. E J Reyes: Yes, 438/2024 because the Minister, in his original answer, made a reference in respect of cycling infrastructure, he made a reference to car-parking spaces and so on.

Does he have any idea at this stage? Because the general public feels that each day we are losing more and more parking spaces. Does he have any idea, a ballpark figure, of how many additional parking spaces will be lost?

Hon. Prof. J E Cortes: A section of the general public feels that, another section of the general public may not exactly agree and may have different views and there will be a range of views.

No, we are trying very hard to avoid any significant loss of parking. I could not give any figures, but I do know that in most of the ones that I can think of there would be realignments and no significant loss of parking as a result specifically of the cycle lanes. But every project is different.

Madam Speaker: Next question.

Hon. D J Bossino: I have supplementaries in respect of 436/2024 and 437/2024 – (*Interjection*) I am grateful.

In relation to the cycle, the reason why I asked this on this basis, in other words distinguishing between the audit for the new cycle routes and the cycle audit generally, is because that is how it was distinguished in the strategy and he will recognise that, I am sure. But can I ask who is carrying out these audits?

Hon. Prof. J E Cortes: At the moment, they are in-house.

Hon. D J Bossino: By 'in-house' I assume it is the Transport Department, and the hon. Member prefaces the response by 'at the moment'. Is there an intention to change that in the future?

520 **Hon. Prof. J E Cortes:** No. I said 'at the moment' because I do not know whether, before my time with this portfolio, it might have been done by another entity. That is why I was referring to the past and not to any consideration for the future.

525 **Hon. D J Bossino:** He says that the audits were carried out as against by way of a benchmark, as I took it, I think he talks about the standards of the scheme. Can he enlighten this House as to what he is referring to when he says that?

Hon. Prof. J E Cortes: I do not have the details here. There are rules and regulations but I am not familiar with the detail.

530 Again, I am happy to supply that information if the hon. Member asks me outside this House or if he asks me another question in a future session.

535 **Hon. D J Bossino:** When the hon. Member is referring to rules and regulations is he, presumably, not referring to statutory rules and regulations? (*Interjection*) These must be, what are they, internal policy documents and guidelines which his Department has against which these cycle lanes need to be built?

Hon. Prof. J E Cortes: Madam Speaker, I refer to the Design Manual for Roads and Bridges, abbreviated as DMRB. There are standard industry manuals that define how these things should be done and that is what I am referring to.

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Madam Speaker: Next question.

Q439/2024

CEPSA petrol station access – Compliance with cycle routes policy

Clerk: Question 439/2024. The Hon. D J Bossino.

545 **Hon. D J Bossino:** Does the access to the new CEPSA petrol station comply with the Government's stated policy regarding cycle routes?

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

550 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, as part of the policy and through the publication of the Active Travel Strategy and the revised Highway Code, pedestrians and cyclists should have priority at junctions at all times. It must, however, be noted that the Gibraltar Highway Code is not law and is an advisory document that illustrates good practice. Safety considerations can, exceptionally, override this.

555 The proposed entry and exit of this site was approved through the Town Planning process with the relevant permits issued in January 2020. The entry is via Kingsway and the exit via the Eastgate Roundabout. This configuration works best as vehicles exiting on to the Eastgate Roundabout do not have to travel eastbound through the tunnels towards Beach View Terraces and back towards the frontier via the tunnel again.

560 If we can envisage that, Madam Speaker, if they came out where they come in, they would have to turn right and travel right through the tunnel, turn around and come back to the frontier. So the present system alleviates traffic congestion within the tunnel with its implications on safety and at the roundabout by Beach View Terraces.

I must stress, Madam Speaker, that the layout showing the 'Stop' and 'Give way' for cyclists was implemented and instigated by the tunnel operators with one goal in mind: the safety of cyclists and E-scooters using this infrastructure.

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This proposal was tabled at the most recent Kingsway Emergency Planning Group meeting, chaired by the Tunnel Manager, attended also by the Chief Technical Officer, the tunnel design team, the Royal Gibraltar Police, the Gibraltar Defence Police, Gibraltar Parking Management Services Limited, Gibraltar Fire and Rescue Service, Gibraltar Health Authority, Civil Contingencies, Road Tunnel Safety Consultants, the Ministry of Transport and the Technical Services Department.

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The matter was specifically discussed as there was a desire that cyclists *should* have priority at this junction. However, concerns of high vehicular movement and lack of line of sight, particularly for HGVs and buses as they are coming along, may not see a cyclist down beside them and if they have right of way and the HGV turns in, they might not see the cyclist. This resulted in the general consensus being the keeping of this stop for cyclists in the interest of cyclists and E-scooter safety.

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The decision was upheld unanimously by the Traffic Commission, which includes a cycling representative.

CEPSA has now been open for over a month and the existing arrangement seems to be working well. Nevertheless, the junction can be reviewed and any modifications or improvements can be revised accordingly in the future, if required.

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Hon. D J Bossino: Madam Speaker, a lot of thought has clearly gone into this and I assume it is because the Hon. Minister wants to ensure that the Government Status Policy, which I read briefly from the strategy, is that drivers and motorcyclists should *not* – and I accept it is *should* not – cut across cyclists going ahead when they are turning into or out of a junction; and presumably what the hon. Member is saying is that despite his best efforts that is what he wanted to achieve but it was impossible as a result, in effect, of safety considerations because of the traffic in the area.

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My question, therefore, is in that context: is it not almost impossible to achieve this stated aim as set out in the strategy in almost any junction? In other words, that the cyclist should always have priority over vehicular traffic, because the points he has made, without meeting all and sundry, if I could put in on those terms, will always trump the cyclist. And therefore the status policy of the Government is simply not workable.

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Hon. Prof. J E Cortes: Madam Speaker, the exception justifies the rule. These are exceptional circumstances. If we had not had the tunnel with that turn having to necessarily have these vehicles going back through the tunnel twice, then the entry could have been in reverse and then we could have done it.

595

I said in my answer that, exceptionally, we have to go against the recommendations that what we would like to do in the interest of safety. I think we have done it on this occasion but that does not mean that these circumstances will apply in every other occasion. So I do not think that the hon. Member is correct in his analysis.

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Madam Speaker: Next question.

Q440/2024
Disruptive foliage –
Walking experience plans

Clerk: Question 440/2024. The Hon. D J Bossino.

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Hon. D J Bossino: Are there plans to improve the walking experience such that foliage does not cause a disruptive effect?

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

610 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, I cannot provide a concrete answer to this because there is no reference to a specific area of Gibraltar.

We encourage walking as a preferred choice across Gibraltar, and surely the hon. Member is not suggesting we remove all foliage from Gibraltar.

615 Perhaps he could be more specific, Madam Speaker.

Hon. D J Bossino: I think the question, as posed, is sufficient for the Hon. Minister to answer. *(Interjection)* Well, I can give him examples from direct experience and I can offer to him Europa Road, for example. You see parents with prams having to negotiate – and this is caused by
620 Government and private premises where there are trees and other forms of foliage and bushes and all the rest of it that encroach on pavements and they are having to walk on the road in order to negotiate these.

I have given them a specific example, but it is Gibraltar-wide. I am surprised that he is questioning what I am saying or doubting it and maybe the hon. Member himself does not walk
625 enough. But I can tell you that I do, and this is my personal experience and this is something that many people have told me.

And in the context of the Government's policy which is again set out in their much-vaunted 2023 Strategy, it says on at least two or three occasions that they want to improve their walking experience and specifically deal with foliage. This is why I have asked the question in these terms
630 and I offer him the further opportunity, if I may, to make a comment in relation to this.

Hon. Prof. J E Cortes: Madam Speaker, I am really sorry that the hon. Member seems to think that I can read his mind. Are there plans to improve the walking experience, such that foliage does not cause a disruptive effect? That could be everywhere and anywhere that could be on the Upper
635 Rock that could be Main Street.

The hon. Member has identified a specific area where, clearly, they interfere with his walking. I would say, Madam Speaker, that I could outwalk him anywhere, because I do walk a lot, and I would be happy to challenge him to a walk. But, Madam Speaker, the specific areas that he is concerned about, if they are reported they will be acted upon right away. He need not hesitate in
640 sharing those photographs with me and I will make sure that they are dealt with right away in order to enhance *his* walking experience in particular.

Hon. D J Bossino: Madam Speaker, I will happily take him up on the offer, most definitely. He has offered for me to walk with him and he has offered that I send him photos.

645 I will certainly –

Madam Speaker: Perhaps I should walk with both of you as arbitrator just to make sure you are –

650 **Hon. D J Bossino:** The point would be very obviously, clearly and forcefully made when I send him the photos as soon as I possibly can, because I will do so; and the serious point here is that it is in breach of the strategy where it talks about, in terms of improving the walking experience, and under the section of maintenance it talks about 'as well as the cutting back of vegetation'.

And, I repeat, this is not just Government premises but also private premises. But it is actually quite bizarre that it happens, *(Interjection)* as I say, in many areas of Gibraltar. But can I ask him specifically: when they are talking about maintenance, who is meant to be carrying out this
655 maintenance?

660 **Hon. Prof. J E Cortes:** Madam Speaker, first, let me say that we have done a lot to enhance the walking experience by the national trails and we were recently praised by how we have improved Mediterranean Steps in time for that wonderful charity challenge that we have every year. So we have done a lot to enhance the walking experience, maybe not where the hon. Member, particularly, walks. I assure him that that is not deliberate in order to spoil his walking!

665 Madam Speaker, if the area is private then it is clearly up to the owner of the property. But obviously we – by ‘we’ I would say the Department of the Environment – would notify that owner and ask them to carry out the works. The works, actually, depending on the area, there are different horticultural contractors with responsibility for different areas and the work would be apportioned to them according to the area where the offending foliage happens to be growing.

670 **Hon. D J Bossino:** Is the hon. Member telling the House that, in effect, the maintenance programme and the monitoring of all of this is being carried out by his Department; and that will be expressed in either directly Members of his Department literally cutting off the relevant foliage which is impacting on the ability to walk on pavements – which in some respects it is actually quite serious as I have told him in my question, it could result in danger to the pedestrian because you

675 literally need to go on to the road and sometimes carrying a child and in that sense this is a serious point that needs to be considered.

But also, how is success of that being monitored? Because I am totally confident that I will be able to persuade him that, certainly in Europa Road – and it is not just the area that I walk many people walk up and down Europa Road – there is a massive issue. I cannot talk about other areas,

680 but I am sure that there is other evidence of that happening.

Hon. Prof. J E Cortes: Yes, indeed, green Gibraltar is growing of its own accord! Madam Speaker, I can assure the hon. Gentleman that any areas that he identifies – and I will make it a point today on my way home to have a close look at Europa Road – that those will be dealt with right away and I would be grateful for carrying out the work in alerting us to where that

685 is.

The work, as I say, would be carried out not directly by my Department, they would work on the Upper Rock, but in urban areas it is done by horticultural contractors and if there are areas of concern – and I have no reason to doubt the Hon. Member – then they will be dealt with.

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Madam Speaker: Next question. (*Interjection*) No, we have dealt with this long enough. Next question.

Q441/2024
Notre Dame School water ingress –
Measures to resolve

Clerk: Question 441/2024. The Hon. D J Bossino.

695 **Hon. D J Bossino:** Are there water ingress issues in Notre Dame School; and if so what measures are being introduced to resolve them?

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

700 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, there was water ingress at Notre Dame due to a latent defect on the waterproofing in one section. The rate of ingress was minor but because it had been concealed behind the plasterboard the damage was only evident after some time.

705 A repair was carried out to the single-ply waterproofing membrane at and beyond the affected area and to the pergola footings. The area was then flood tested satisfactorily.

The proprietary rooftop coating is on order and will be applied by the end of the month.

Hon. D J Bossino: The hon. the Member says 'one section'. Which section?

710 **Hon. Prof. J E Cortes:** The section in the southwest area where there is a pergola, which is the pergola I referred to.

Hon. D J Bossino: Is he saying that the issue is now totally resolved, no more water ingress issues?

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Hon. Prof. J E Cortes: I am saying that *that* area has been satisfactorily tested, according to the information that I have. I have been on site and as far as I am aware – but it still needs the rooftop coating. So at the moment repairs have been carried out to the single-ply waterproof membrane but there is still a need for the rooftop coating to complete the work.

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Hon. D J Bossino: The question is Notre Dame School and he has identified one section and he has given the answers to his House. Does that section relate to the gym, because the specific information that I have is that there are water ingress issues in relation to the gym and he talks about a pergola?

725

So I wonder if there are other issues which are impacting this building.

Hon. Prof. J E Cortes: The pergola is on the roof. I do not think that this would impact on the gym but it might well, but I would need detail. This is the information that I have been given by the contractors who are dealing with it.

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Hon. D J Bossino: Well, what the hon. Member is in effect telling the House is that he may not have been given complete information, but the information that I have may be completely wrong as well, that is also a possibility.

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Now, because we are talking about the school and the building, can I also ask him whether he is aware that there are also issues with water ingress which is having a rather serious impact in the car park down underneath the school building?

Hon. Prof. J E Cortes: Yes, Madam Speaker.

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Hon. D J Bossino: The hon. Member did not offer that answer in response, I imagine it is because he was thinking about the school, but the school is a building and the car park is under the school building. So in that sense, I would have assumed that in order to provide a complete answer he would have given that information in the first instance.

745

But given we are where we are, can he give information as to whether that water ingress issue has been resolved?

Hon. Prof. J E Cortes: I believe, Madam Speaker, that it has not but I believe they are looking at technical solutions, but it is not related to the problem in the school itself and I have answered according to the question.

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I would very easily have obtained further information if I have been told we are talking about the car park. The car park is not the school, otherwise I would have.

If the hon. Member, wants to ask me another question on a future occasion or wants to remind me to provide him more information, I have no problem at all. I know the problem is being addressed, but I do not have the full details.

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Hon. D J Bossino: The hon. Member says he does not have 'the full details' and he tells us that he has some details and he is saying that they are being addressed. I will take him up on the offer that he has proposed, is he able to state at least when he expects the issue to be resolved? Because it is it is having an impact on car users who use the facility to park their cars.

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Hon. Prof. J E Cortes: From my understanding, it is not the whole car park, there are some specific spaces. But, again, I think that the owners of those spaces have been, at least temporarily relocated but I am not sure, I would need notice of this. I do not know, exactly, when this will be resolved. I know that they are looking at technical solutions.

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But, again, I need notice of these questions if I am going to be more specific.

Madam Speaker: Next question.

Q442/2024
World War II Tunnel Project –
How financed

Clerk: Question 442/2024. The Hon. D J Bossino.

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Hon. D J Bossino: How is the World War II Tunnel Project being financed?

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

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Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes): Madam Speaker, the World War II Tunnel Project is being financed privately.

Hon. D J Bossino: I think the company is called Wright Tech Media Limited, are they the ones themselves providing the financing for this project? Is that the case?

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Hon. Prof. J E Cortes: Madam Speaker, the company that is doing the work is providing the finance. I know no more detail than that.

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Hon. D J Bossino: Is the hon. Member able to provide an answer as to, whilst the company itself may be providing its finance, whether it is itself receiving any financial assistance from the Government in *any form* whether through a Government company and all the rest of it?

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Hon. Prof. J E Cortes: Madam Speaker, to my knowledge, not in relation to this project. If the company has other arrangements on other projects, but not in relation to this project. At this point in time, I do not think so.

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Hon. D J Bossino: What are the contractual arrangements between the Government? I assume this is a Government site and it enters into contractual arrangements with Wright Tech Media. But what is it? They take over the site and they earn the profits and the Government spends absolutely no money in terms of the infrastructure?

I ask him this because he will recall that during the summer months he, with a fair bit of fanfare shall we say, and with another official of his Department announced the refurbished World War II tunnels and now we are having a second version of it. So I am just trying to understand what has happened there and what the current contractual arrangements are with this particular entity.

800 **Hon. Prof. J E Cortes:** Madam Speaker, in relation to that fanfare, I could have played one because I am still quite an accomplished bugler, so I could easily have played the fanfare. (A Member: Hear, hear) The Hon. the Leader of the Opposition is signifying by head motion that he might not agree, but I would not like to challenge him to a bugling competition like I have challenged the hon. Member to a walking competition because I think that one I would definitely

805 win. *(Interjections)*

But joking aside, that was Phase 1, we always said there would be further phases. I think I have answered the question adequately. If the hon. Member wants more details on contractor arrangements, I would need notice in order to delve into the detail.

810 **Hon. D J Bossino:** Could he at least say whether the site is being handed over to this company and then the Government participates, or does not participate any further in relation to that. Whether, for example, in relation to ticket sales and percentages and profits from that sale, and issues like that. Does he have absolutely no notion whatsoever in relation to, at least, the basic contractual arrangements?

815 **Hon. Prof. J E Cortes:** Madam Speaker, the danger to my being generous with information when I have not had a specific question and I have not got a direct draft in front of me, is that it could be seen that I am misleading the House in some way, so I hesitate before I answer.

820 What I can say is that the management of the site would be done by the entity that is refurbishing it and financing it under the supervision of the Department. The details of the contract, I would not hazard to say from memory because I would be in danger of saying something that is not correct. I would rather have the benefit of my officials preparing the proper draft or my asking them for more details.

I think I have answered this question, as I said before, adequately, plus.

825 **Hon. D J Bossino:** Is he himself – ?

Madam Speaker: Is the hon. Member ... I am trying not to remind you, but I cannot resist it because you keep falling into the trap. *(Interjection)*

830 **Hon. D J Bossino:** The rule is – and I have been admonished by this side of that. So the rule is that I –

Madam Speaker: I am not admonishing you, I am reminding you. *(Interjection)*

835 **Hon. D J Bossino:** The rule is that one refers to the hon. Member, initially, and then one can say, use –

Madam Speaker: If we are being technical, they are not hon. Members they are Hon. *Ministers*. You are hon. Members, but they are Hon. Ministers. But in any event, we should not start questions with he, she, you. It is not new to you. The Hon. Mr Bossino will know it is not new. I have raised this with *(Interjection)* the hon. Member before.

845 **Hon. D J Bossino:** The Hon. Speaker has ...

Madam Speaker: What is the question?

Hon. D J Bossino: Wind and sails come into mind.

850 The Hon. the Minister, can I ask him whether he is involved in, or has been involved in, the negotiation of the contractual terms; and are those contractual terms already determined? In other words, is there already a contract in place?

Hon. Prof. J E Cortes: Madam Speaker, I have been briefed about the contractual details. So if I am briefed by my official and there is a discussion in the office, in the widest of terms, this is a kind of involvement, but I have not led the negotiations and I believe that there is a contract in place for the management of the site.

Hon. D J Bossino: Can the Hon. the Minister also state whether the project has received the relevant regulatory and planning approvals; because there has been an announcement and I assume that all of that is already in place. If not, it is possible that the project, as announced, may not happen.

So the question is: can he state whether this project has received the required regulatory and other approvals and permissions?

Hon. Prof. J E Cortes: Some of the details for the finalisation of those aspects which may require it, will be before the Development and Planning Commission tomorrow, so it is expected that, I mean, you never know – but it is expected that that will be dealt with and all the heritage aspects have been covered.

Madam Speaker: The Hon. the Leader of the Opposition had a supplementary. (*Interjection*)

Hon. D J Bossino: Madam Speaker, is the Hon. the Minister seriously telling this House that as far as this project is concerned, we are still not in a position where we have full planning permission. Is that the case? Because it is conceivable, given his answer, that tomorrow or whenever – I think he said tomorrow – the DPC meets and determines it against the application as it stands.

Hon. Prof. J E Cortes: Madam Speaker, those aspects that require planning are before the Commission tomorrow, but there are other aspects which were not significant and did not require it. I do not think the project is at risk. Although I must say, Madam Speaker, that this is stretching the information being requested well beyond the question that I have already answered, I think, satisfactorily.

Madam Speaker: Yes.

Hon. Dr K Azopardi: Madam Speaker, thank you.

I just wanted to ask one question and this is not about the detail of the contracts, but just to get clarity about something that the hon. Member said on that side. He made reference to a Management Agreement so, to be clear, while not having the detail in front of him the arrangements that the Government have with this company is by nature of a Management Agreement, it is not a lease that has been granted by the Government to this company, is that correct?

Hon. Prof. J E Cortes: Absolutely, Madam Speaker, there is no lease involved, it is an agreement to manage the site.

Madam Speaker: Next question.

Q443/2024
Trees at the Mount –
Issue with termites

Clerk: Question 443/2024. The Hon. D J Bossino.

900 **Hon. D J Bossino:** More foliage! (*Laughter*) Is there an issue with termites affecting trees at the site of the Mount?

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

905 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the Department of Environment has not had reports of termites in trees in the Mount.

Hon. D J Bossino: The Environment Department may not have received formal reports, but is he saying that the Government, in whatever guise or himself, has not received any information as to termites affecting trees in the Mount? Maybe the Hon. the Deputy Chief Minister can assist, but actually the information that I have on very good authority is that there is an issue to the extent that the issue has been resolved. That is what I have heard, but that there was an issue of termites affecting trees in the Mount.

915 **Hon. Prof. J E Cortes:** Madam Speaker, I have no knowledge of that whatsoever. Although I must say that termites do not affect trees because termites do not eat living tissue. So the tree must have some damaged tissue before termites will deal with it. But I have had no reports.

Madam Speaker: Next question.

Q444-45/2024
Parson's Lodge –
Total cost of works

920 **Clerk:** Question 444/2024. The Hon. D J Bossino.

Hon. D J Bossino: What was the total cost of the works carried out at Parson's Lodge?

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

925 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, I will answer this question together with Question 445/2024.

Clerk: Question 445/2024. The Hon. D J Bossino.

930 **Hon. D J Bossino:** Please state whether a Planning Permit, Heritage Licence and Certificates of Fitness have been issued in respect to the works carried out at Parson's Lodge.

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

935 **Hon. Prof. J E Cortes:** Madam Speaker, the works at Parson's Lodge were at no extra cost to Government. The costs were covered by Knightsfield Holdings Limited from its annual contract fee. That was in answer to 444/2024.

940 In answer to 445/2025, the works were very limited in scale and primarily involved the tidying up of the site and the installation of exhibits. These were not considered to constitute development for the purposes of the Town Planning Act 2018 and therefore did not require planning permission. Similarly, no Certificate of Fitness has been issued as this would only be done if there had been works requiring approval under the Building Rules.

945 In respect of a heritage licence, none was required for the same reasons as given above. The changes were considered by the Heritage and Antiquities Advisory Council and were considered negligible so as not to require a licence. In any case the Ministry for Heritage supervised the changes throughout to ensure they were compatible with the Heritage and Antiquities Act 2018.

I understand that there may be further works planned for which planning permission and a Heritage Licence would most likely be required.

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Hon. D J Bossino: Question 445/2024.

955 Can the Hon. the Minister, provide information as to what further works the Government is considering carrying out in the site? Well, I say the Government, but I think he is shaking his head, I assume it is Knightsfield Holding which is the company that has custody of this site. But is he able to provide information in relation to that aspect of his answer?

Hon. Prof. J E Cortes: Yes, I am glad that the hon. Member has clarified. It is not the Government doing the work it is done by Knightsfield Holdings. They have a contract for the site and they have a budget from which they do the work that they deem is correct and necessary.

960 I believe it is further restoration and expansion to part of the area which is currently not open to the public and further exhibits, but I do not have the details, Madam Speaker.

Hon. D J Bossino: Is the expectation that those works, if and when they were to materialise, are going to be drawn from the current budgets which Knightsfield Holding receives from the taxpayer?

970 **Hon. Prof. J E Cortes:** Madam Speaker, that is the expectation. If it was something massive and that the Government decided required more funding and was in a position to approve, then perhaps it could be requested and considered. But the expectation is that it will carry on as part of their contractual work.

975 **Hon. D J Bossino:** Now, in relation to the Certificate of Fitness, the information that I have, Madam Speaker, is that part of the premises is currently being occupied. In other words, that it is being used, I think, by an archaeologist as a residential area. If that were to be the case, would he not agree with me that the those premises which are being occupied ought to be the subject of a Certificate of Fitness because the Hon. Minister said that is one having been issued because one was not necessary?

980 **Hon. Prof. J E Cortes:** Madam Speaker, I explained that the Certificate of Fitness is required when there have been works requiring approval under the Building Rules. There is no archaeologist using it as a residential area. Occasionally, when there is a dig in Gorham's Cave, the area is used as a field base for work after hours, but there is no archaeologist living there; and there is also the Sub-Aqua Club, which has premises within there. But there is certainly not an area being used as anybody's residence.

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Hon. D J Bossino: Question 444/2024. The Hon. Minister's reply in relation to that question is about the cost of the works at Parson's Lodge are drawn from the fund that the Government gives to Knightsfield Holdings in respect of which he and I, across the floor of the House, have had our differences and certainly we have our concerns.

990 But is he able to be more specific? Is he able to say with exactitude how much money has in fact been spent by the company in respect of these works? But I imagine he will have an interest and will have some oversight in relation to that given the nature, the historical and heritage importance of this particular site.

995 **Hon. Prof. J E Cortes:** Madam Speaker, clearly I have an interest because of the nature of this to ensure that nothing is done there which contravenes the interests of heritage. But it is up to the contractor to use the contractual sum in order to fulfil their contractual obligations; and provided me, representing the Government, I am satisfied that the broad contractual obligations of this company are being carried out. I have no reason to have sight of absolutely every penny that they spend.
1000

Hon. D J Bossino: Madam Speaker, can the Hon. the Minister please provide ... he is explaining why he may not have oversight, why he does have oversight and he has an interest, but can I pin him down, please? Is he able to state – he may not have this information with him now – but if I asked him again or wrote to him, would he be able to provide the answer as to how much money has been spent by Knightsfield Holdings relation to this particular project?
1005

It is a very simple question, which is capable of a very simple answer.

Hon. Prof. J E Cortes: Madam Speaker, this is money spent by a private company. Therefore, I do not feel that I need to request or provide that information – provided they are keeping to the requirements of the contract. If I had any reason to believe that they were not keeping to the requirements of the contract, then matters might be different. But at this moment I am totally satisfied.
1010

Hon. D J Bossino: Which are the requirements of the contract which concerns the Hon. Minister, which he says they will need to comply with? He says he has no interest in knowing how much they spend in relation to particular projects so long as they keep within the requirements of the contracts.
1015

Which requirements are taxing the hon. Member when he gives that response?
1020

Hon. Prof. J E Cortes: The contract is a very wide one which includes the running of the museum, Parson's Lodge, the World Heritage Site, that is what I mean. Madam Speaker, I exercised a Government contract for 20 years. I think part of the time, the Hon. the Leader of the Opposition was the Minister overseeing my contract and never did he ask me for any detail. He had full faith in the way that I ran it. I did not have to provide anything and he never asked me for anything.
1025

So, I am perfectly satisfied with the current arrangement and the excellent work that has been done at Parson's Lodge, apart from the excellent work that the National Museum does in promoting Gibraltar internationally.
1030

Madam Speaker: Next question.

Q446/2024
Botanic Gardens Theatre contract –
Granted to whom

Clerk: Question 446/2024. The Hon. D J Bossino.

1035 **Hon. D J Bossino:** Has the contract for the running of events at the Botanic Gardens Theatre been granted; and if so, to whom?

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

1040 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, there has been no Government tender in respect of the running of the events at the Botanic Gardens Theatre.

1045 **Hon. D J Bossino:** This is somewhat of a predictable response. He knows where I am leading to this. The Hon. the Minister has answered in the way he has answered presumably because he says no Government tenders have been awarded. But presumably, a Government tender and a Government contractual arrangement exist between the Government and the company which has been the subject of debates across the floor of the House, which is called – the name now escapes me – Wildlife, I think it is Wildlife Gibraltar Limited, has carriage of the Alameda Gardens.

1050 The information which I have, Madam Speaker, is that that company has now entered into contractual relations with another company and I can give him the name, it is – I think it was Apex, I have got it in my documents here – Apex Management Limited, which is wholly owned and the Director, the sole Director of which is an employee of the Culture Agency and I think related to the hon. Member and he can confirm, or not, otherwise, Mark John Cortes.

1055 So is he honestly advising this House that he is not going be providing any answers in relation to this because it is totally distant from him as a Minister of the Government?

1060 **Chief Minister (Hon. F R Picardo):** No, Madam Speaker, that is not the answer that the hon. Member is giving. The hon. Member is giving the answer that the hon. Gentleman should have expected, which is that Ministers are answerable in this House for the actions, activities and work of Government entities; and the hon. Gentleman himself, in the way that he has explained where he is going, has confirmed that the tender he was asking about has not been granted by a Government body, a Government agency or any entity which is controlled by a Member of the Government.

1065 **Hon. D J Bossino:** The Hon. the Chief Minister and the Hon. Minister failed to answer the question. The question talked about the contract for the running of events at Botanic Gardens Theatre whether it has been granted, and if so, to whom. It is not about tenders, it is nothing to do with that.

1070 I am asking whether the contract for the running of events at the Alameda Gardens Open Theatre has been granted. The information that I have, is that it has been granted to Apex Management Services Limited and I have explained to him the ownership structure of that particular company which I think, from this side of the House, causes concern because the arrangements are too incestuously connected with the Hon. the Minister.

1075 But look, if it is the Government's position, and I ask them this: is it the Government's position that they are not willing to answer any questions in relation to this because it is completely arms-length and a theatre inside Gibraltar's Alameda Gardens has nothing to do with him or the Government. Is that their position?

1080 **Hon. Chief Minister:** Well, Madam Speaker, I think it is obvious to me that the hon. Gentleman has come here to follow the rules of advocacy. That is to say, never to ask a question that one does not know the answer to which, I think, is absolutely the prudent thing to do. But if he knows the answer to his question, why is he asking the Minister?

Because given the way that he has postulated his supplementary, what he has done is confessed to you that he knew that he was asking a question of a Government Minister in relation

1085 to a company that is not a Government company. That is to say: he is asking the Government what a company that is completely unrelated to the Government has done.

It is as if somebody got up, Madam Speaker, and asked *me* a question about what TSN had done in terms of granting the contract for water in their boardrooms. Well, the Government is not answerable for TSN in this House and the Government is not answerable for Wildlife Limited in this House because it is not owned by the Government, it is not controlled by the Government.

Therefore, I am grateful, Madam Speaker, that in setting out the questions he has in order to create all of the innuendos that he wished to create, which I am sure that he plotted this morning as he walked with his partner across the foliage down Europa Road, he was intending to create, seeking to cast aspersions of a man who has dedicated the past decade-odd of his life to Gibraltar and who in everybody's lexicon would be green but nothing else.

So, Madam Speaker, I invite you to confirm that the question is out of order because it asks the Government a question when the Government is not responsible for the company that it is alleged has granted the tender.

1100 **Madam Speaker:** Any more supplementaries, not by way of comment, by way of supplementaries?

Hon. D J Bossino: Okay, just one. Just one in relation to –

1105 **Madam Speaker:** One supplementary question.

Hon. D J Bossino: Madam Speaker, the hon. Member actually hooted the horn from a very snazzy car, I saw him this morning in fact. (*Interjection*)

1110 **Madam Speaker:** Searching for the question. I am sure I will find it.

Hon. D J Bossino: Yes, the point is that is the Government's position and quite frankly totally and wholly predictable. But it does raise a matter of public interest so in that sense I stand by the question. But the Hon. Minister is shaking his head, he needs to calm down a bit as to where I am going with this.

1115 The reality is that the individual that I have mentioned by name, and it is in public information, is an employee of Cultural Services. (*Interjection*) No, but of the agency as I understand. So in that sense, Madam Speaker, is that individual – and he can correct us if that is wrong, as I think the Hon. Minister is suggesting that it is wrong – not an employee of, in effect, a public servant; and if that is correct, is there not a concern that this individual will be dividing his time for the work he does for the Government in the context of culture and for his own private interest in relation to the open air theatre?

1125 **Hon. Chief Minister:** Well, Madam Speaker, I can now answer the hon. Gentleman's earlier question. He needs to get in touch with the Ministry of Defence. I will tell him why. When I hooted the horn this morning, he was walking past Trafalgar Cemetery, it is obviously *there* that the foliage is causing him concern. (*Interjection*) He just said that he had to hear my horn being hooted as he avoided the foliage.

1130 So first of all, he needs to get in touch with the Ministry of Defence in the context of the foliage. And second, Madam Speaker, he seems to have got his targets wrong completely because the individual who he has referred to by name, if not by relationship, but that is the aspersion he is trying to cast, is not an employee of a Government company. He is an employee of a private company and so all of the questions that the hon. Gentleman is asking about how this individual is going to divide his time and not divide his time are also not questions for the Government.

1135 But let us call a spade a spade. The Hon. Mr Bossino has wanted to get up, to cast aspersions in respect of John Cortes and his family, again. He has done it before in this House and every time

1140 they have done it they have hit a brick wall. The last time they did it, Madam Speaker, they made an allegation that the Hon. Mr Cortes was, somehow, profiting from Wildlife Limited, only to find that all of the money in Wildlife Limited is reinvested in the Alameda Gardens. None of it is taken as profit because it is a not for profit organisation.

Today, he gets up to make a different sort of disgusting allegation except, of course, he cannot get right the company that employs the individual has nothing to do with the Government and the company that grants the contract has nothing to do with the Government. He gets it wrong every time he gets up and he casts aspersions that fall back on him every time he tries to do it.

1145 I suggest to the hon. Gentleman that he does the politics of constructive opposition instead of the politics of disgusting casting of aspersions because he has tried it before between 2011 and 2015 and he fell flat. He has tried it again between 2019 and 2023 and he has fallen flat; and if he pursues that, all he is going to do is keep falling flat.

1150 **Madam Speaker:** Next question. (*Interjections*) This is not a debate. The question has been answered and I am not going to allow this to fall into a debate.
Next question.

Q447/2024 (commenced)
Upkeep of Cemetery –
Trimming of flora

Clerk: Question, 447/2024. The Hon. D J Bossino.

1155 **Hon. D J Bossino:** Please provide an update with regard to the upkeep of the cemetery, in particular the trimming of the flora.

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

1160 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, I am very tempted to make further comments, but I will not.

I will refer, Madam Speaker, to a letter I wrote to her predecessor on 4th July 2023 and I would also like to express my disgust at what I have heard here today. (*Interjection*)

1165 **Madam Speaker:** Let's carry on with this Question, 447/2024.

Hon. Prof. J E Cortes: I will carry on, Madam Speaker. My apologies. But the person who he has referred to is in London today and his wife is having heart surgery tomorrow. Thank you very much, Madam Speaker.

1170 Madam Speaker, the upkeep of the cemetery continues all year round. The trimming of flora is very much a part of this, although it is largely seasonal, as I explained at the recent meeting of this House, with peak activity after the first rains. These works are carried out systematically through the cemetery.

1175 Additionally, if there is a burial in an area which is not currently being worked on, or a visitor so requests, the operatives will work with the cemetery staff to clear vegetation in and around that specific area.

Hon. D J Bossino: Madam Speaker, the hon. Member –

1180 **Madam Speaker:** Supplementaries on this question. Let's stick to the matter. (*Interjection*)

No, I asked the Hon. Minister to adhere to Question 447/2024. (*Interjection*) I am not having an argument.

1185 **Chief Minister (Hon. F R Picardo):** Madam Speaker –

Madam Speaker: Does the hon. Member have a – ?

1190 **Hon. Chief Minister:** Madam Speaker, might this be a convenient moment for the House to adjourn for 15 minutes?

Madam Speaker: I think it might. We will come back at quarter to five.

The House recessed at 4.27 p.m. and resumed at 4.45 p.m

Q447/2024 (continued)
Upkeep of Cemetery –
Trimming of flora

Clerk: Question 448/2024. The Hon. the Leader of the Opposition.

1195 **Hon. D J Bossino:** Madam Speaker, I appreciate why it was suggested that perhaps we adjourn and break the House for a few minutes, given the heated nature of the previous exchange. I would have at least one supplementary in respect to my question, but I am in your hands, I am willing to ask.

1200 **Madam Speaker:** In respect to 447/2024? Right, one supplementary.

Hon. D J Bossino: As tame as I can possibly put it ... [*Inaudible*]. The question really is focused in respect of this aspect, which is the height, if that is the word – it has been used quite often during the course of this afternoon – of the foliage in the cemetery, which I know I have received complaints about, particularly from elderly people who are affected, by this. I have been, 1205 unfortunately, recently, and in fact I have taken a picture as a result of the representations that were made to me.

Is there any reason why those cannot be trimmed down? I was told that there was a concern on *his* part in particular that it would impact on the migration of birds. Is that the case?

1210 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, this comment came to me, the same lady approached my Department and said that somebody had pointed it out. It came to my Department and then we did find out that it was a Member of the Opposition who had told them to contact the Department. We thought it had been a member of staff. So I assume that this is this incident.

1215 Madam Speaker, as I explained at the last meeting, there is a flush of vegetation following a rainy season and then it takes a period of time to get through the whole cemetery. It is not true to say that there is any edict on not cutting back the vegetation because of migratory birds or anything at all. The instruction is that it has to be kept down, it is just that they may not have got round to that particular point.

1220 That particular person, if it is the same person, was approached by my Department, pointed out to cemetery management the area, and that very day or the following day the area where this lady wants to be able to reach the resting place of her loved one had been cleared.

1225 And as I said, any time any member of the public finds that they cannot access for the reason that they have not got round to that part yet, the members of the public can approach management and they will immediately deal with it. So there is no problem whatsoever and there is no such instruction, Madam Speaker. (*Interjection*)

Madam Speaker: Next question. I gave you one supplementary. Next question.

Q448/2024
Gibraltar Taxis Service –
Government satisfaction

1230 **Clerk:** Question 448/2024. The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: Madam Speaker, is the Government satisfied with the City Service operated by Gibraltar Taxis?

1235 **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 Government accepts that there is room to improve the City Service and is working proactively with the Gibraltar Taxi Association to achieve this.

1240 **Hon. Dr K Azopardi:** Well certainly I welcome that, the recognition that there is room for improvement and the Government is doing that. Of course, these are long-standing discussions, and it goes back to certainly in the recent spate of press releases between the Chamber and the Taxi Association in relation to this matter, there was even reference to measures being put in place by one of his predecessors, the Hon. Neil Costa, many years ago, almost like nine years ago,
1245 I think it was, or 10 years ago.

Now, can I just ask him to understand that? Is he in discussions with the City Service about increasing the number of taxis that would form part of the City Service? How many taxis form part of the City Service right now? Is he in discussions about increasing the number of taxis in the City Service?

1250 **Hon. Prof. J E Cortes:** Madam Speaker, the discussion is wide ranging. The Taxi Association is very frustrated at the bad name that they have in relation to the City Service, and I can tell you they are working *very hard* to try and improve things.

1255 Things have had to change. They were the ones who totally supported us when we have increased the fines for non-compliance with the city service. We have increased the availability of the Transport Inspectors in order to enforce it and I know that, for the first time in a long time, there have already been taxi drivers who have been fined for taking Rock Tours when they should have been on City Service and we have recently increased the fines, substantially, with the support of the Transport Commission.

1260 It is a three strikes, and on the third one the licence will be suspended and that has the *full* backing of the Taxi Association. We have also increased the period of time where the City Service is available and probably as from next year it will be available for 12 months of the year and we are increasing the hours. I will shortly be bringing legislation to this House. I think part will be in Regulations, part will be by way of Bill in order to increase the hours and the availability of taxis.

1265 So, I think that the details are being refined and there are discussions this week on this. There will be more taxis available on City Service.

1270 **Hon. Dr K Azopardi:** Well, I am grateful for that background. I am not sure if the Minister – well, I am sure he has not answered the question that I had about does he know how many taxis are in the City Service? So I will just repeat that to give him an opportunity to perhaps deal with that.

1275 He is certainly right that there is dissatisfaction with the City Service and he says that the Taxi Association are aware of it and want to deal with it. I think a lot of people have experienced arriving at the Airport and not being able to get into a taxi, you get into a queue and so on. I will not repeat what has been said in press releases because clearly the Taxi Association has also explained that this is about short-term demand, which then pans out and then you have got normal numbers.

1280 But this is why it is quite important to understand the numbers of taxis that are actually in the City Service. Without understanding that, it is very difficult to meet the point made by those who are frustrated by the lack of taxis; or by the Taxi Association who talk about there being sufficient taxis and these being about peak demand. So unless the Government is aware about the specifics of the numbers of taxis, then it becomes difficult. So I will just repeat that, to give him the opportunity to deal with that.

1285 But given that it is about I think numbers as well as enforcement, what specifically would the Transport Inspectors be doing in relation to the issue of the assessment of numbers that are necessary to run this service efficiently as people would wish it to run?

1290 **Hon. Prof. J E Cortes:** Madam Speaker, the number 15 comes to my head, but I would need to confirm that and I am happy to share that information with the Hon. the Leader of the Opposition. If I do not remember, he can communicate with me and I will tell him tomorrow.

1295 The Transport Inspectors have to make sure that the drivers on City Service are not doing tours because they are excluded from doing so while they are on City Service. They also have to make sure – and they do log, they have trackers – that they do the number of hours required; and if they do not do the number of hours on any particular day for good reason – there could be personal circumstances or whatever – they have to make them up accordingly and they will chart that out and ensure that happens.

1300 But we are also considering the possibility of increasing the number of drivers on the City Service and we are discussing that now with the Taxi Association. We are also looking at the possibility of introducing an app which would make it more Uber-like, if you like, in order to be able to access taxis in a different, more modernised way. All these things are happening.

Hopefully, we will be able to come to agreement soon, but I can say that everybody is working in the same direction. I genuinely think that we are going to make progress here, Madam Speaker.

1305 **Hon. Dr K Azopardi:** Well, certainly, we would welcome the development of any kind of app, I am sure the listeners would also welcome something like that.

Can I ask him to consider, does he agree it would be a possible idea to also consider, given that there seems to be disagreement as to whether there are sufficient numbers of taxis, or at least the jury is out on that issue, and there are particular views being fielded by different people. But certainly what is true is that people turn up at the Airport and cannot get a taxi.

1310 Does he agree that it would be helpful and perhaps something an idea that would be taken on board by Transport Inspectors, for the Transport Inspectors that fulfil this kind of independent enforcement capability under the Transport Act to actually assess, almost survey for a period of time: the kind of demand that we are looking at; the kind of numbers of people that turn up and are waiting for taxis; the kind of experiences that people are enduring, for a period of time so that they are on a more informed basis – will then be able to assist the hon. Member in the negotiations and discussions he is having on this issue?

Hon. Prof. J E Cortes: Madam Speaker, data are always very useful and I believe some of this has started, but I have no issue at all with looking at how we could gather the information, or how

1320 we could gather *more* information which would be relevant to the improvements that we are seeing to introduce.

Madam Speaker: Next question? (*Interjection*)

1325 **Hon. Dr K Azopardi:** I had one more supplementary, if I may?

The Hon. Minister has given an indication of the nature of the discussions and his aspirations for reform. This is a long-standing issue, as he will understand, and frustrations have boiled over from time-to-time on this issue for a long time, and there has been correspondence in the newspapers from time-to-time on this issue.

1330 Can he give some idea to people who are listening, of a timescale for the reforms that he is aspiring to put in place?

Hon. Prof. J E Cortes: Madam Speaker, I think we could see this happening quite quickly. Already we have changed some of the legislation, we are working on other legislation to tighten up, and also to allow the City Service to be statutory further into the night. That, I think, will have to be a Bill so it will require the six weeks.

1335 So I think we are looking at several months, but I think that already in discussion with the Taxi Association, I can sense that there is more commitment, and I think that even now we are probably going to begin to be seeing some improvements.

1340

Madam Speaker: One.

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

1345 Is the Hon. the Minister satisfied that there are sufficient numbers of Transport Inspectors to effect the enforcement of these Regulations?

Hon. Prof. J E Cortes: At this moment in time, Madam Speaker, I think that the answer is probably yes. I think at the moment we are probably okay. I think we need to see how this develops and to see whether there is a need to review the numbers.

1350

Madam Speaker: Next question.

Q449/2024

Commonwealth Park Lift – Non-operational: times, periods, length

Clerk: Question 449/2024. The Hon. the Leader of the Opposition.

1355 **Hon. Dr K Azopardi:** Madam Speaker, how many times and for what periods, giving a breakdown of the number and length of each individual period, has the Commonwealth Park lift not been operational during the last three calendar years 2021, 2022 and 2023?

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

1360 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the draft I have before me says the detailed information is not available, but I am happy to say that because I am answering today and not yesterday, I have obtained some information so I will give it now, it came in from the contractor. No figures have been provided for 2021 but

1365 there were 46 instances in 2022, 58 in 2023 and 17 so far this year. Those are instances, the data has not included the length of time.

1370 If I continue then with the prepared answer, there is an existing maintenance contract for the Commonwealth Park Lift which includes after hours on-call service. Repair works are carried out on-site as and when required. Whenever the lift may have been out of service for any extended period of time – more than a day – it has been because of significant repair works being required or spares not being readily available.

It must be remembered that the lifts at both Commonwealth Park and Campion Park are subjected to a constant and high rate of usage.

1375 **Hon. Dr K Azopardi:** I am grateful for that information and this might be, I hope it will not have the tone, but this is the equivalent probably of the foliage question that frustrates my hon. Colleague here.

1380 The reason for this question is because I almost see, if not daily, frustration very often because I walk that path to work every day and then I walk back, and I see a lot of elderly people and a lot of people with prams who arrive at the lift and they see it broken down. I did specifically ask for this information because I did want it because I did not want to go on my anecdotal experience, although my anecdotal experience is that it has been broken down quite a lot. And indeed the hon. Member's statistics when he talks about 46 incidents in 2022, 58 incidents in 2023 that is almost like 4 a month.

1385 I do not know, it would be interesting to actually get a breakdown of (*Interjection*) when those incidents – yes, excuse the pun – have happened; and while he says in the prepared answer, and I appreciate it is prepared for him, but when he says in the prepared answer that it is about spare parts and sometimes it stays, I can tell him anecdotally, that sometimes it has been broken down for quite some time. It is beyond days.

1390 The point is that this information that the hon. Member has confirmed to this House has indicated that there are a *number* of incidents here.

1395 Now, will the Government engage with a contractor to try to understand a bit better what improvements can be made, either to the maintenance arrangements or to the lift mechanics itself – or is it something else? – to try to understand the causes of these things? Because while lifts break down, for there to be this number of incidents on a yearly basis seems to us on this side of this House as very high.

1400 **Hon. Prof. J E Cortes:** Madam Speaker, this is already happening and we have engaged with the contractor to try to resolve it. But do bear in mind, Madam Speaker, that the number of incidents does not mean that on any of those occasions it has been an incident that has resulted in the lift being out of service for a day or more.

1405 There have been some few occasions, one occasion recently when the lift was not operational was not to do with the lift, it was due to the need for maintenance to the wood on the stairs, so that is not related to the lift. But, certainly, this is being done. I must say, Madam Speaker, that the lift is subjected to vandalism on occasion and that does not help either.

But we are already engaged with a contractor to try and see whether there is something that can be done to reduce the instances.

Madam Speaker: Next question. One more?

1410 **Hon. Dr K Azopardi:** One more, yes, if I may.

1415 I was going to ask: is the hon. Member aware, given the high number of incidents and he says that discussions with the contractor, the maintenance contractor, is already ongoing. Does he understand the *nature* of those maintenance arrangements with the contractor? How often do they visit? Are they being paid for callouts on incidents? Or are they being given a bonus when the lift is operational for a longer period?

Hon. Prof. J E Cortes: I believe, Madam Speaker, subject to confirmation, that there is a retainer and then they get paid on callouts.

Madam Speaker: Next question.

Q450/2024
MT Theresa II oil tanker incident –
Enforcement/action by Environmental Agency

1420 **Clerk:** Question 450/2024. The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: Can the Government confirm whether any enforcement or other action has been taken by the Environmental Agency or any other Governmental body or agency in relation to the incident which saw thick, dark smoke from an oil tanker, namely the MT Theresa II, anchored off the North Mole on 27th April 2024?
1425

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

Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes): Madam Speaker, following reports of smoke emanating from the vessel on Saturday, 27th April the Duty Environmental Health Officer and the Port Authority were alerted.
1430

The Port Authority immediately contacted the vessel and instructed it to immediately cease boiler and engine operations. The Gibraltar Port Authority obtained a report from the vessel's Captain which was shared with the Environmental Agency. The Captain's report indicated that the release of smoke was due to an incorrect air-fuel ratio.
1435

The Environmental Agency is collating all available evidence and information to present to the Office of Criminal Prosecutions and Litigation to obtain charge advice.

Hon. Dr K Azopardi: I see. And given obviously the vessel long sailed, because I think it was reported that she was only here for about five hours, presumably sufficient details were taken as to the ownership, etc. and the mastering of the vessels, if the advice were to come back that they should be charging them there are sufficient details to pursue the matter. Is that correct?
1440

Hon. Prof. J E Cortes: Yes, Madam Speaker.
1445

Hon. Dr K Azopardi: And can I ask also, because it was reported at the time that the Environmental Agency was also investigating the possible impact of the fumes having regard to the air quality monitoring system. Does the hon. Member have any information that he could share in that regard?
1450

Hon. Prof. J E Cortes: Yes, indeed, Madam Speaker.

Data was extracted from the air-quality network and the conclusion was that there was nothing of significance in the provisional data that can be attributed to the incident. There were several peaks across 26th April, which were captured by some of the monitoring stations, but these were no bigger in magnitude than measurements on the preceding day.
1455

So it does not seem that it was picked up which is of some consolation because, although it looked horrendous, it clearly did not spread in any significant way to be able to be detected specifically at the air monitor. It probably rose and did not reach the residential areas where the monitors are located.

1460 So that, at least, is good news.

Madam Speaker: Next question.

HOUSING AND THE GIBRALTAR UNIVERSITY

Q451/2024

**Government Dwellings –
Measures to prioritise needs**

Clerk: Questions to the Hon. the Minister for Housing and the Gibraltar University.
Question 451/2024. The Hon. A Sanchez.

1465 **Hon. A Sanchez:** What measures is the Government implementing to prioritise the needs of individuals with disabilities and their families residing in Government dwellings, particularly those in flats that are unsuitable or inadequate for their needs?

Clerk: Answer, the Hon. the Minister for Housing and the Gibraltar University.

1470

Minister for Housing and the University (Hon. P Orfila): Madam Speaker, the Housing Department, as well as Government in general, takes the needs of individuals with disabilities very seriously. The Department undertakes, as part of its duties, the following measures: (1) we have face-to-face meetings with the individual with the disability and/or their families to identify the unsuitability of their Government dwelling; and (2) we liaise with the GHA Care Agency, Social Services or any other appropriate entity to identify and assess their exact needs and how they can be assisted.

1475

Representations are forwarded to the Housing Allocations Committee who may request medical or occupational therapy reports to properly assess the case. Recommendations are then made for inclusion on the relevant medical list, depending on the severity of the disability and unsuitability of current conditions.

1480

Hon. A Sanchez: Madam Speaker, although I understand the complexity and appreciate the complexity of the housing portfolio, I stress that there are constituents that come to see me with very serious concerns in relation to these matters, who seem to have been struggling with these issues for years. They do not seem to be new issues. They seem to have been dealing with several Housing Ministers now.

1485

Some of these constituents seem to have medical reports, patient risk assessments from the GHA, and some of which have assessed their situations as extremely high risk and in need of immediate action. Again, I ask the Hon. Minister, in situations like this, what is being done to relocate these families as a matter of priority to safeguard them?

1490

Hon. P Orfila: Madam Speaker, we try and reallocate people who have severe needs and who come to us through the Housing Committee, okay, that allocates severity of what you have, whether you need to be allocated immediate or not.

1495

In my months that I have been there, I have been very conscious of this and I do believe that, in fact, the ones that you have sent to me via email, I have acted upon immediately; and as far as I know that is our reaction. We *immediately* react to people who have the disability and we try and assist them as best as we can.

1500

Hon. P Sanchez: In the case when a family or a person has a risk assessment that categorises them as extremely high risk and in need of immediate action, as signed-off by a professional in

the GHA, does the Government Minister know how long it takes the Housing Department to allocate that family with a new reallocation?

1505

Hon. P Orfila: It could be immediate. It also depends on whether we have a house that fits the needs of the person available at the time. We have people who may need 5 RKBs and maybe we do not have any at the time; and the minute they do come in then we have to, obviously, bring the OT in, they have to assess the home or the house and then make it adequate for the needs of the person with the disability.

1510

So it is a process, it is not that you come in today and tomorrow. First we have to have the house that you require for your needs and for the size of your family. So there is a bit of a wait sometimes there.

1515

Hon. A Sanchez: What does the hon. Member mean by a wait? Are we talking about years, are we talking about five years? Would she categorise that as a reasonable wait, is that something that is acceptable?

1520

Hon. P Orfila: Madam Speaker, well, you started as being immediate. Immediate means there is no waiting, okay? If you are talking about people who have been on the list and have been waiting for a while, then they should be seen to very quickly now. But like I said, it all depends on a number of factors it is not just one factor that is contributory to finding them a house immediately. But those who are of immediate, we try our very best to sort that out as soon as we can.

1525

Madam Speaker: Next question.

Q452-55/2024

Essential infrastructure upgrading –

Costs; programme; commencement; implementation; management; participants

Clerk: Question 452/2024. The Hon. C Sacarello.

1530

Hon. A Sacarello: Following on from its recent announcements and press releases, can Government provide anticipated costs and their programme for upgrading the essential infrastructure at Road to the Lines?

Clerk: Answer, the Hon. the Minister for Housing and the Gibraltar University.

1535

Minister for Housing and the University (Hon. P Orfila): Madam Speaker, I will answer this question together with Questions 453/2024, 454/2024 and 455/2024

Clerk: Question 453/2024. The Hon. D J Bossino.

1540

Hon. D J Bossino: Please provide an update as to when the Road to the Lines scheme will commence.

Clerk: Question 454/2024. The Hon. D J Bossino.

1545

Hon. D J Bossino: Please provide details as to how the Rent and Repair scheme at Road to the Lines will be implemented and managed.

Clerk: Question 455/2024. The Hon. D J Bossino.

1550 **Hon. D J Bossino:** Please provide details of the criteria which will apply for the selection of participants in the Rent and Repair scheme.

Clerk: Answer, the Hon. the Minister for Housing and the Gibraltar University.

1555 **Hon. P Orfila:** Madam Speaker, the preferred bidder for the development of Road to the Lines has pulled out before the signature of an MOU. The site has been returned to the Housing Department, which will determine the best way forward after internal discussions.

Therefore, at this moment in time, I cannot provide you with further details in respect of Road to the Lines.

1560 On the Rent and Repair scheme, further information will be available in due course, as explained in greater detail during the course of the last meeting of the House.

Madam Speaker: Supplementaries?

1565 **Hon. C A Sacarello:** Madam Speaker, I would like to thank the hon. Member or Minister for her reply. I did not see any details provided on anticipated cost of the programme other than there is nothing in mind at the moment given that the preferred bidder has pulled out.

1570 With this in mind, is it the Government's intention to charge people for infrastructure, or in other words to let new tenants of the area take on board any infrastructural costs themselves? Or is it the case that there will be no infrastructure costs required by these new tenants?

Deputy Chief Minister (Hon. Dr. J J Garcia): Madam Speaker, I may be able to assist because I was dealing with the expression of interest for Road to the Lines and I think I have kept the House updated and informed as we have gone along and I had intended to do so in my Budget Speech, which will come later this year.

1575 But just to answer the hon. Member, the original plan had been that the proposed developer intended to add to the number of dwellings in Road to the Lines and we were told that in order to add to the number of dwellings the infrastructure needed to be upgraded to be able to cope. That would have been paid by the developer themselves and not by the Government.

1580 So, it is not a figure we can provide because it was not something the Government itself was going to do, it was going to be done by the developer as part of the award of the expression of interest.

Madam Speaker: Yes, the Hon. Mr Bossino.

1585 **Hon. D J Bossino:** Madam Speaker, in relation to 453/2024, which is my hon. Friend's question, this is for – (*Interjection*) No, 452/2024. I have asked questions about this in the past, but I would seek clarification from the Hon. the Deputy Chief Minister as to whether we are dealing with the same projects.

1590 In other words, I think I have asked questions about the northern defences in respect of which he gave a very specific answer as to who the successful tenderer was, and indeed he provided me with a name – a name I did not recognise, not a Gibraltarian name. Are we talking about the same projects, if I can start there?

1595 **Hon. Deputy Chief Minister:** Madam Speaker, there are two projects: one is the northern defences and expressions of interest went out for that one, it is still being considered, we have not publicly announced the outcome of that process.

There was a separate one for Road to the Lines. I did inform the House as to who was successful – or the preferred bidder, rather – it is that preferred bidder that has pulled out.

1600 **Hon. D J Bossino:** Is one able to extrapolate from the answer that the hon. Member, the Deputy Chief Minister, has given that the reason for that particular bidder departing from the scheme is because he was not willing or able to provide ... undergo the infrastructural costs of the area?

Is that what put off that particular private investor? Is that what, basically, in effect, broke the deal?

1605

Hon. Deputy Chief Minister: Madam Speaker, it is difficult for the Government to say *exactly* what led to the preferred bidder pulling out because there may be a variety of reasons and the Government may not be aware of the full picture.

1610 But the reality is that this is where we are now, where the site has been handed back to the Housing Department and there needs to be a degree of internal discussion as to what the next steps are going to be. I am sure once that has been agreed internally, we will be in a position to make an announcement and to provide more details to the hon. Member.

1615 **Hon. D J Bossino:** Is it still conceivable that this particular project will go to a private investor? And the reason why I am hesitating is because I will have further questions, supplementary questions, in respect of the questions I have posed with the Hon. the Minister for Housing.

1620 But I am still dwelling on the Road to Lines, because I am sure there is a connection. It is clear from the answer that the Hon. the Deputy Chief Minister has given the House. Is it the intention that the infrastructure works and the possibility of building extra dwellings will be privately led?

1620

Hon. Deputy Chief Minister: Madam Speaker, no decision has been taken this is the point I am trying to make to the hon. Member. There will be an internal discussion and we will need to see what emerges after that discussion has taken place.

1625 **Hon. D J Bossino:** If I can turn now to my questions, they have been bunched together.

I think in relation to 453/2024 where the Hon. the Minister says that further details will be provided in relation to Road to the Lines in due course. May I ask, what is the cause of the delay, if I can put it in those terms?

1630 In other words, is it because Government is still looking at the possibility of private investment which is the things that, the issues which are being considered by them, presumably, at cabinet level and certainly between the various Departments? Or is it something else? If she can assist the House?

1635 **Hon. P Orfila:** Madam Speaker, no, there is nothing sinister or ambiguous; nothing. (*Interjection*) It is just that we want to ensure that we all put our thinking caps around the table and really get the best deal for Road to the Lines. You know, there is nothing set in stone as yet and there are much discussions to be had.

1640 **Hon. D J Bossino:** The Hon. Minister is suggesting that I am suggesting, or sees an implication of a sinister motive. Nothing could have been further from my mind when I asked the question. I am simply asking a question based on the reply that the Hon. the Deputy Chief Minister has provided.

1645 For whatever reason, we do not have clarity, the possible private investment in relation to the infrastructure of Road to the Lines has fallen through and now they are entering into discussions among themselves as to what to do. I am just asking whether that is what is the cause of the delay. She just needs to answer yes or no. She can say yes, it has come back to my Department, I am now dealing with it, I am looking at different options.

1650 But the cause of the delay is that this private investor, who was going to be providing new dwellings and providing the infrastructure cost is no longer there. So now it could be that it could be a Government, a direct Government cost. I do not know! I am just postulating ideas and I do not think that her answer, at the moment, has been of particular assistance to the House.

1655 **Hon. A Orfila:** Madam Speaker, again, I am telling him that at the moment there is much to be discussed with Road to the Lines, okay? It is not something that we just want to throw out. I want to think about Road to the Lines, I want to see how best we can go ahead with this; and at the moment it is not because it is delayed for any reason, it is not delayed it came to Housing about a month and a half ago, maybe two months and I am speculating. We are all around the table, we still have to get together and see the best way forward.

1660 **Hon. D J Bossino:** I think the Hon. Minister, without realising, has answered the question. She said it has not been delayed because it came to Housing a month ago. In other words, there was going to be a private investor and now it is going back to the Government, and it is now on her to-do list in her Department.

1665 Now, I need to press her. This is a very specific promise which they made during the course of the election and which she has been making in the debate that she and I had on GBC and across the floor of this House. This is why I need to press her. There had been press reports about meetings that she is having with all and sundry and various Departments and various interest groups. What is she discussing?

1670 Can she provide this House with, at least ... I will not press her beyond this at this stage, with at least the points which she is flagging in her mind needs to be addressed. I cannot rely simply on her woolly words that there is much to discuss. We need more particulars because at the moment, it does not seem, with the greatest respect to the hon. Lady, that she knows what she is doing.

1675 **Chief Minister (Hon. F R Picardo):** Madam Speaker, we have given the hon Gentleman the answer that we have given. That is to say that the project that was going to go ahead is not going ahead, and therefore the Government is considering what to do next. He may wish to ask us more, he may wish to press us more, which he has told you he wants to do. Unfortunately, for him, the answer he is going to get is going to be identical every time.

1680 The Government is considering carefully what to do next in the context of this area, we want to make sure that we get it right given that the private investor is no longer going to go ahead with the project; (*Interjection*) and therefore opening our mind to him so that he can see what we are thinking and how we are thinking, is not going to be conducive to anything other than him seeking to have a window into our thoughts.

1685 **Hon. D J Bossino:** At least we have had a connection between the pulling out of the private investment and this going back to the Government.

Now, when I am asking about details it really goes to the fundamental question as to whether this particular policy of the Government, much vaunted during the course of the election campaign in press conferences and across the floor of this House, is going to happen or not.

1690 So what I am trying to establish at this stage is whether she has any concerns, for example, as to whether ... because one assumes my hon. Friend here asked a question about infrastructure costs. Is that going to be laid at the door of the potential tenant? And if that is the case it is going to amount to an extraordinary expense to that individual. So it is not going to work.

1695 So in other words, what I am trying to drive at is whether there are issues there of concern in *her* such that I would ask her to say, if there are, *which* ones those are – because I do not seem to be getting very far with her – such that it is possible when the Hon. the Chief Minister says we are considering what to do next, that one of those considerations is that this policy may not come to fruition.

1700 **Hon. Chief Minister:** No, Madam Speaker.

Hon. D J Bossino: By the negative response, is the negative response that there are not any issues? Is the negative response that the Government, whatever happens, is going foot the bill and will make sure that this policy will come to fruition?

What is the negative response in relation to?

1705

Hon. Chief Minister: The question that he postulated is to whether or not we felt that it was therefore not going to be possible for this policy to come to fruition, which I think was the first of the many lists of questions he went on to set out. But I thought I should answer the first given that it was negative, none of the others followed.

1710

Hon. D J Bossino: And the Hon. the Minister for Housing, who has responsibility for this area and not the Chief Minister, answer this: is she seriously telling this House that she has no idea whatsoever and is therefore not able to provide an answer to this House in relation to Question 455/2024?

1715

In other words, what are the details or the criteria – at least broad details of the criteria – in respect of the selection of participants in this particular scheme? Is she really telling this House that she is not, at this stage, able to provide answers in relation to that specific question?

Hon. Chief Minister: No, Madam Speaker, that is not what she is saying.

1720

Hon. D J Bossino: So what is she saying? It is not clear.

Hon. Chief Minister: Madam Speaker, what the hon. Lady has said is set out in her first answer to Question 455/2024. It is very clear, it is in writing and I am very happy to read it out to the hon. Gentleman again in case he did not understand it.

1725

On the rent and repair scheme, further information will be available in due course, as explained in greater detail during the course of the last meeting of the House.

– which was less than six months ago, incidentally.

Madam Speaker: Last question on this, there have been many supplementaries. One last one.

1730

Hon. D J Bossino: Yes, Madam Speaker, okay, we are not getting very far, brick wall after brick wall and –

Madam Speaker: Question (*Interjection*) if there is one?

1735

Hon. D J Bossino: Is the Hon. the Minister for Housing, who once again has political responsibility for this area, is she able to state what she means by ‘in due course’? The policy will presumably, or are they simply saying that they will implement it at some point during the lifetime of this Parliament? Are the timings as general and as nebulous as that?

1740

Hon. Chief Minister: Madam Speaker, when the Government enters into a manifesto commitment with the people, or it tells the House that something is going to happen, we can only really say it is going to happen on a particular date, if we *have* a particular date; or if it is our intention to do so then during the lifetime of the Parliament, because we have no life as Ministers, other than during the lifetime of the Parliament.

1745

So, therefore, the hon. Gentleman should know, as he was told last time, that we do not have a particular date in mind that we can give to the House. It would therefore be inaccurate for us to estimate, and therefore the answer that he has is that it will happen during the lifetime of this Parliament.

That cannot, by any stretch of the imagination, Madam Speaker, be referred to as nebulous given there is only 36 months left.

1750

Madam Speaker: Next question.

Q456/2024
New Housing Project designs –
Update

Clerk: Question 456/2024. The Hon. D J Bossino.

1755 **Hon. D J Bossino:** Please provide an update as to when the designs will be ready for the new housing projects the Government committed itself to build at the last General Election.

Clerk: Answer, the Hon. the Minister for Housing and the Gibraltar University.

1760 **Minister for Housing and the University (Hon. P Orfila):** Madam Speaker, the Government is in the process of evaluating options for the delivery of its manifesto commitments in respect of the new housing projects. The Government will make an announcement when it is ready to do so.

Hon. D J Bossino: Is that in due course now?

1765 Madam Speaker, the reason why I asked this question – I mean, there are various reasons – but the main reason is because she may recall that during the course of a press conference, again during the course of the election campaign, there was a very specific promise that designs would be available – I think it was, I need to check my records, I do not have them here with me – during the first half of 2024 and I am pretty sure that that is, in fact, accurate and the case. And I am sure she will recognise it herself.

1770 She is shaking her head but I will show to her that that is, in fact, the case. The first half of 2024.

Given that we are already at the end of May and very close to the first half of 2024, does she not feel that she has failed in delivering this particular electoral promise?

1775 **Hon. P Orfila:** Madam Speaker, absolutely not.

Hon. D J Bossino: Can she provide this House, and I do not hold much hope that she will, but can she provide this House with details and reasons as to what is holding back the provision of these designs?

1780

Hon. P Orfila: At this moment in time, I cannot answer questions because they are so ambiguous that I do not know where to go to with you any more.

1785 **Hon. D J Bossino:** With respect to the Hon. Minister, what is ambiguous is her answers and not my questions. I have asked her very specific and precise questions. Can I try again?

What major issues are preventing her from producing the designs in respect of the housing projects which the Government committed itself during the course of the last election? Because there is already a delay.

1790 **Hon. P Orfila:** Madam Speaker, there is no delay these have not yet been approved.

Hon. D J Bossino: I will go slightly around the houses, but why are they not being approved? What is causing the delay in respect of the lack of approval of these designs? They should have been ready, you have one month more to go.

1795

Chief Minister (Hon. F R Picardo): Madam Speaker, I do not know in what world the hon. Gentleman thinks that we live. Approving designs for housing estates is not, to use the vernacular, to throw an egg to fry. *(Laughter)* It is complex, it requires serious financial consideration, you are not just looking at an artist impression you are looking at a number of other issues, not least that the Government itself has agreed to subject itself to the planning process in respect to any erection that there might be in Gibraltar of housing and buildings.

So, Madam Speaker, these things require careful consideration and those are the things that are delaying approval of designs. I would have thought that that was obvious and that the hon. Gentleman did not have to ask us what it was that was complex about designing a new housing estate.

You know, the reality is that in the 12 years that we have been here we have already delivered more affordable housing than hon. Members delivered in the 16 years that they were in Government. So we have a good track record of approving these things timelessly and showing that the projects are delivered, etc. So he will no doubt want to press us further but there is little that his questioning is going to do to speed up a process that is technical and not simply argumentative.

Hon. D J Bossino: Why is it the case, then, that they promised the electorates in the time of the last election campaign that designs would be available in the first six months of 2024? Given that all the considerations, which the Hon. the Chief Minister has just listed, he would have been aware of those considerations as potential reasons as to why there may have been a delay.

Hon. Chief Minister: Madam Speaker, I have not said that the designs are not going to be available in the first six months of 2024. He has asked me why they are not available yet.

Madam Speaker: Next question.

JUSTICE, TRADE AND INDUSTRY

Q457/2024

Domestic violence and sexual offences – Access to therapeutic services

Clerk: Questions to the Hon. Minister for Justice, Trade and Industry.
Question 457/2024. The Hon. J Ladislaus.

Hon. J Ladislaus: Madam Speaker, are victims of domestic violence and/or sexual offences currently offered access to any therapeutic services? If not, why? And is the Government intending to address the lacuna in the provision of such services?

Clerk: Answer, the Hon. the Minister for Justice, Trade and Industry.

Minister for Justice, Trade and Industry (Hon. N Feetham): Madam Speaker, the Royal Gibraltar Police provides referrals for counselling through the Care Agency and the GHA, amongst others.

Victims of domestic violence and/or sexual offences are offered an array of therapeutic support under the Care Agency Therapeutic Team.

The therapy is structured under the following accredited programmes as per professional clinical practice with qualified practitioners: the Freedom Programme; the Voice Programme; the

DART Programme for families; the Trauma Based 1:1 Therapy; monthly Domestic Abuse Support Group for all persons having completed the above.

1840 With regard to sexual offences, counsellors from the Care Agency continue to offer one-to-one sessions for those victims.

Hon. J Ladislaus: I am grateful for the comprehensive answer. With what frequency, if the Hon. Minister has the information, are victims seen? So, for example, with what frequency is each of these programmes offered?
1845

Hon. N Feetham: Thank you, Madam Speaker.

I must say, when I received the question I really did not understand where the question was coming from given that the premise of the question seems to be, and it is phrased, that there is a lacuna on the provision of the services provided in this area.
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Therefore what I did, Madam Speaker, is I called the CEO of the Care Agency, Carlos Banderas, a man for whom I have a great deal of respect and I am not the only one. (**A Member:** Hear, hear) The man is, certainly everybody that I have spoken to, Madam Speaker, is nothing but full of praise for him and I expressed my concern. I must admit, I expressed concern by the premise upon which the question was tabled in this House.
1855

I met with him for a full hour. He has provided me with a detailed paper in support of the fact that this is a very well-conducted programme. He has told me categorically – and I have even made a note of it and it is annotated here – there are no waiting lists. He has categorically stated that there are no waiting lists. He has given me a table of the number of referrals that are going to the programmes that I have highlighted and just to give you some statistics: for example, in 2021 there were 33 referrals; in 2022, 34; in 2023, 84; and in 2024, 14.
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The referrals, I am told, come from families, from the GHA, from the E&A Department in particular, from charities and indeed from the Care Agency. I am comforted by the assurances that I have also received, Madam Speaker, that the programmes, as I have said, are very well conducted, that an assessment is made when referrals are made as to which programme the individuals are referred to, and depending on the assessment made, it may be one programme rather than another.
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Indeed, I am also told that somebody can start a particular programme, and for whatever reason maybe that does not suit their personal and family circumstances and they are moved on to another programme. Perhaps for the future, Madam Speaker, I am very happy and delighted, before a question comes to the House, if you want to reach out and perhaps we can have a discussion. It might make the business of this House easier.
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Hon. J Ladislaus: I am grateful. It is a very interesting answer and nobody is doubting Mr Banderas's achievements or success in these areas. But I asked the question because it has been brought up with me by constituents and therefore I felt compelled to ask it.
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In particular, an area which was highlighted as, should I say, lacking in support was the supports available to families of the individuals and how best they could be supported as a unit, so to speak. So, will the Hon. Minister, look further into that specific area? I would be grateful.
1880

Hon. N Feetham: Yes, indeed, Madam Speaker.

In fact, when I had my discussions with Mr Banderas, because we could not actually pin down where it was that there was a lacuna, because it did seem to us that there was no lacuna given the comprehensive nature of the work that the Care Agency does, and I have written it down here in my own handwriting. He said 'Minister, should the question be specific to an individual case, then perhaps the hon. Member can reach out to you and therefore the Care Agency would happily look into it.'
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Madam Speaker: Next question.

Q458/2024

**Criminal convictions under 18 years of age –
Statistics**

1890 **Clerk:** Question 458/2024. The Hon. J Ladislaus.

Hon. J Ladislaus: Madam Speaker, can the Government provide statistics as to the number of children and young people under the age of 18 who were convicted of crime in: 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024 to date?

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Clerk: Answer the Hon. the Minister for Justice, Trade and Industry.

Minister for Justice, Trade and Industry (Hon. N Feetham): Indeed, Madam Speaker.

1900 The following numbers of children and young people under the age of 18 were convicted of crime in the following years, and I am just going give the statistics if I can, Madam Speaker:

2011 – Nil

2012 – 2

2013 – Nil

2014 – Nil

1905

2015 – 2

2016 – 1

2017 – 5

2018 – 10

2019 – 22

1910

2020 – 13

2021 – 18

2022 – 20

2023 – 32

2024 to date – 9

1915

Hon. J Ladislaus: I am grateful for that answer and it does, sadly, confirm what I suspected, which is that we can see a rise in numbers in recent years of under-18's convicted.

Could I ask the Hon. Minister whether he is looking into addressing the issue of a clear rise in crime within the under-18 age group, so to speak?

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Hon. N Feetham: Yes, the answer is, Madam Speaker, that yes, we are. It is a complicated subject, Madam Speaker. It is a subject that in many cases relates to the individual circumstances of the child, and therefore what I am proposing to do is to engage with my Ministerial colleagues in relation to care and youth and see whether we can have a multi-agency and Ministerial approach to the subject matter.

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Hon. J Ladislaus: I am grateful.

Can the Hon. Minister elaborate as to some of the strategies that are being looked at to be put in place, specifically?

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Hon. N Feetham: Madam Speaker, what I have said is that we will engage with our Ministerial colleagues precisely to sit down, and indeed articulate the appropriate strategies. It is a complicated subject, and therefore at this stage I am not in a position to actually say what the specific nature of the strategy will be.

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You will find that in terms of some of these offences, Madam Speaker, they relate to a handful of young persons. They also relate to specific areas such as, for example, burglary and serious

assault, and the words that certainly resonate with me when I have these discussions with my Ministerial colleagues within the Justice Ministry, which includes the Police and the Probation Services, that prevention is better than cure. But that is a simple statement to make. It is far more complicated than that, Madam Speaker.

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Hon. Dr K Azopardi: Madam Speaker, as someone who has practised in the criminal courts, at least in younger days, there is always problem children, regrettably. I have represented problem children through the criminal courts, people who have had a track record of offending who then become young men or young women. So that has always there.

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So I think, perhaps, it is important to try to get to grips with the causes of this and I am sure the Hon. Minister agrees. Can he give us a sense, though, because of the uptake of statistic, there is quite an increase really from 2018 onwards in the numbers he has given, a sense of the offences that we are talking about, so that we perhaps have a bit more information? No?

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Hon. N Feetham: Madam Speaker, if the Hon. the Leader of the Opposition tables the question then I am very happy to provide information. I do not have that information at hand right now. Or should the hon. Member opposite wish to email me requesting information, she does not have to wait for the question to be tabled in Parliament, I am very happy to provide that to her.

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Madam Speaker: Next question

Q459/2024

Domestic violence conviction – Statistics: number of offenders

Clerk: Question 459/2024. The Hon. J Ladislaus.

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Hon. J Ladislaus: Madam Speaker, can the Government provide statistics as to the number of offenders convicted of domestic violence offences for the following years: 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023 and 2024 to date?

Clerk: Answer, the Hon. the Minister for Justice, Trade, and Industry.

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Minister for Justice, Trade and Industry (Hon. N Feetham): Madam Speaker, I have been informed by the RGP that they are unable to provide the statistics with regard to offenders convicted of domestic violence offences for the specified years. This is due to the fact that if an offender is convicted of, for example, assault occasioning actual bodily harm upon a current or former partner, the conviction will be recorded as 'Assault occasioning ABH' with no mention of the victim or the victim's status in relation to the offender.

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In order to obtain statistics to answer the question the RGP would have to revisit every conviction for assaults from common assault to murder, sexual offences, harassment offences, etc. from 2011 to current day, and check the case docket for each to ascertain the relationship the victim has with the offender and whether it would qualify as 'domestic violence'. I am advised that this task could take months.

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Although the question relates solely to convictions and does not refer to 'incidents', I am advised by the RGP that they do keep statistics in relation to domestic violent incidents that they investigate where there may have been arrests but which do not necessarily end up in convictions. Cognisant of the operational independence of the RGP, I have asked the Commissioner of Police to consider if it will be possible to introduce procedures to keep a record of convictions which have come as a result of domestic violence incidents, Madam Speaker.

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1985 **Hon. Dr K Azopardi:** Certainly we are grateful for the explanation and we appreciate the enormity of the task given he has explained it, and that it would be impossible; and certainly we welcome, on this side of the House, the tail end of that statement which, hopefully, the RGP takes on board – given their independence – and so that it gives everyone a statistical base to understand the domestic violence convictions going forward.

He did say in his answer that they do keep statistics on *incidents*, but not convictions. Does he have those numbers for some years today?

1990 **Hon. N Feetham:** I do not have that information available to me but, again, I am very happy, if the Hon. Leader of the Opposition reaches out, to provide that information to him. Not a problem at all.

Madam Speaker: Next question.

Q460/2024
Sexual offences convictions –
Numbers

1995 **Clerk:** Question 460/2024. The Hon. J Ladislaus.

Hon. J Ladislaus: Madam Speaker, can the Government provide statistics as to the number of offenders convicted of sexual offenses for the following years? 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023 and 2024 to date?

2000 **Clerk:** Answer, the Hon. the Minister for Justice, Trade and Industry.

Minister for Justice, Trade and Industry (Hon. N Feetham): Yes, Madam Speaker. The following numbers of offenders were convicted of sexual offences in the following years:

	2011 – 7
2005	2012 – 6
	2013 – 6
	2014 – 2
	2015 – 5
	2016 – 6
2010	2017 – 10
	2018 – 9
	2019 – 7
	2020 – 4
	2021 – 1
2015	2022 – 6
	2023 – 7
	2024 to date – 2

Madam Speaker: Next question.

Q461/2024

**Royal Gibraltar Police Officer training –
Vulnerable witnesses; suspected offenders**

Clerk: Question 461/2024. The Hon. J Ladislaus.

2020

Hon. J Ladislaus: Madam Speaker, how many Royal Gibraltar Police Officers are trained in undertaking Achieving Best Evidence Interviews aimed at dealing with the most vulnerable of witnesses or suspected offenders?

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Clerk: Answer, the Hon. the Minister for Justice, Trade and Industry.

Minister for Justice, Trade and Industry (Hon. N Feetham): Madam Speaker, the Royal Gibraltar Police have confirmed that there are 15 officers who are trained in undertaking Achieving Best Evidence Interviews.

2030

Hon. J Ladislaus: Madam Speaker, if I may, why are all our GP officers not trained in AB interview techniques? This is actually an area in, if I may comment, which I have seen significant issues before in private practice, in criminal practice, and it is not the fault of the officers who may not have had an opportunity to train.

2035

So, I ask therefore, why are all officers not trained in such techniques?

Hon. N Feetham: Madam Speaker, when I received the question, given the fact that when the hon. Member opposite asks a question, she appears to be very well informed and given her professional practice, I would expect that to be the case. So, therefore, I reached out to the Commissioner himself and I asked the Commissioner what could be driving the question because the question is very specific and I imagine there will be supplementaries.

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The Commissioner assures me, and certainly I have not practised in criminal law as a professional prior to being elected, and I have no knowledge of this myself, but the Commissioner has assured me that the 15 officers are enough to be able to discharge the duties that are required to be discharged in this area.

2045

It is like saying, well is it good to have or is it that there is a lack of resourcing by the Police? I think given the other questions that have been tabled in this House in the past regarding resourcing issues, I think we would welcome the fact that if 15 officers is enough to be able to discharge the duties that are required in this area, but the Police should not be putting more resources into something which is not necessary.

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Hon. J Ladislaus: Is the training refreshed? And if so, how frequently?

Hon. N Feetham: Madam Speaker, in the supplementary information that I have available to me I note that all training is sought from external trainers. In 2023 the training to the RGP and officers on the Care Agency was conducted by an individual. This was a basic course for new interviewers and it lasted over five days. It was attended by Police Officers.

2055

Then I am told also that there is continued professional development for officers that are already trained. That is the information, again, that I have in terms of my supplementary information. If you want me to be more specific, again, very happy for you to email me outside this House, and I will endeavour to have the information made available.

2060

Madam Speaker: Next question.

Q462/2024

**Youth detention centre –
Where situated; specialist staff recruited**

Clerk: Question 462/2024. The Hon. J Ladislaus.

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Hon. J Ladislaus: Madam Speaker, are there plans for the introduction of a youth detention centre? And, if so, where would it be situated and would specialist staff be recruited?

Clerk: Answer, the Hon. the Minister for Justice, Trade and Industry.

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Minister for Justice, Trade and Industry (Hon. N Feetham): Madam Speaker, there are no plans at this stage.

Hon. J Ladislaus: Madam Speaker, given the numbers that we have just given and the fact that youth crime is very obviously on the rise, anecdotally just a few weeks ago there was an incident in the South District where 10-year-olds were held at knife-point by teenagers wanting to steal their money for a disco. So that is how serious things can get.

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Is the Government taking any steps to address these issues? Because many would agree that they cannot be left to worsen and if these young offenders are imprisoned, at some point at HMP, it could have a worse impact because it is not made for children? So is there anything in the pipeline, so to speak, to address this issue?

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Hon. N Feetham: Yes, Madam Speaker.

This has been the subject of a question in the past in Parliament. We have drawn attention to the fact that there is a manifesto commitment and I will just read out what the commitment is for the avoidance of doubt.

2085

We did say in our manifesto that we will consider, with relevant professionals in the field, the creation of a youth offender institution. So we will consider, with relevant professionals in the field, the creation of such a centre.

2090

I have sat down with my Ministerial staff in relation to this subject matter, because I agree with the hon. Member, it is something that deserves consideration; and the advice that I received and I am very happy to read out the advice, it is advice that was also given to my predecessor, the previous Minister for Justice Miss Sacramento, and this is advice that had been received by a Committee that was set up precisely to consider these very issues, and it reads:

The Committee was of the view that given the number of individuals involved and the projected cost, the creation of a secure juvenile detention centre is not the best fit for Gibraltar or the most effective use of resources.

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I have since sat down with the Probation Service, a Probation Officer. Again, I commend the great work which is being done by the individuals, highly professional, and the advice that I have received, certainly in my discussion, is consistent with what was I just read out; and in my discussions with the Probation Service – and indeed I have also sat down and discussed this very same issue with the Commissioner of Police – and I am reminded that it is a very complicated subject that it will be too simplistic to say that because numbers are high, well they could be high one year and they could be low in another. And, for example, if the hon. Member asked me the question, which I think is actually here in the next question, if I am not mistaken, whether there are any young offenders, in other words, below the age of 18, currently serving a prison sentence? The answer is no. There is no inmate below the age of 18.

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2105

The point has been made to me, and this is quite interesting, the reverse argument has been put to me that sometimes it is not in the best interest of a young offender to serve time in a youth detention centre and I made notes, again, from my discussions with the relevant professionals

2110 where I am told, for example, that there could be instances where you have a young person in a youth detention centre on his own. In other words, solitary confinement, Madam Speaker, the worst form of punishment for any adult, let alone a young offender.

When I have then asked the question, 'Well, how can that be different to, for example, the prison, being an inmate in the prison?' The answer that I have been given is, 'Well, in the prison you have got an education department, an ex-retired teacher that goes to the prison service to provide educational support to inmates.'

2115 I am told that inmates, including young offenders, if indeed a young offender would be in prison, could also have interaction in the gym. I have been told they can have interaction in the workshop and in the patio, obviously provided it is not with offenders that are there for serious offences.

2120 So I am not sure that the premise of the question *is* the right question. It is a very complicated subject and the advice that I am given by relevant professionals as it stands today is, again, prevention is better than cure. So all I can do, Madam Speaker, is continue to engage with those professionals that are better positioned than I am to be able to take a decision in relation to this.

2125 **Hon. J Ladislaus:** I am very grateful for the comprehensive answer and I do agree that there are some years that there will be more offending than others. Nevertheless, the numbers provided do suggest, from 2011 to 2016 we have 5 years, and between those years there were five convictions.

2130 From 2017 onwards, 2017 itself had 5 convictions, and thereafter the numbers rise exponentially, particularly when we get to 2023 at 32 convictions. Therefore, there is a clear pattern of increase as to the fact that these young offenders maybe on their own; and I take the point that the Hon. Minister is making that they are currently, we can assume, within the adult population because they are obviously in the patio and they are in the gym.

2135 There is evidence to suggest – and I have seen this myself in private practice as well – that these young offenders then learn from older offenders and unfortunately more hardened offenders, and they pick up things that perhaps they would not if they were not subjected to the general population.

Therefore, have any alternative solutions been identified, if a young offenders' institute is not the way forward for Gibraltar, have any other solutions been identified in talks?

2140 **Hon. N Feetham:** Madam Speaker, just to pick up on the statements that the hon. Member has made prior to asking the question. Of course, there has been an increase in numbers but they are still low-digit numbers. So, therefore, the original question that was tabled in this House was whether or not and when we would build the youth detention centre.

2145 That is a massive investment, Madam Speaker, it is a huge investment, not just in infrastructure, not just in construction but also in the maintenance of the detention centre, in the staff, it has to be staffed 24/7, there has to be shifts. So in the context of the numbers, and they are low-digit numbers, the answer is the one that I have given.

2150 You have then said, 'Well, is there an alternative strategy?' That is exactly, Madam Speaker, the sort of discussions and conversations that we will be having. Certainly, we believe that we need to pursue a strategy in relation to this and it may well be that if she tables the same question in the future, the answer might be we will *not* be constructing a youth detention centre.

Madam Speaker: Next question.

Q463/2024

His Majesty's Prison –

Adults, young people, children: convicted, serving sentence, awaiting trial

Clerk: Question 463/2024, the Hon. J Ladislaus.

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Hon. J Ladislaus: Madam Speaker, in total, how many individuals were detained at His Majesty's Prison on 13th May 2024? Please provide statistics broken down as follows:

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- (i) Number of individuals convicted and serving a prison sentence or awaiting sentencing
- (ii) Number of individuals awaiting trial
- (iii) Number of adults, and
- (iv) Number of children or young people

Clerk: Answer, the Hon. the Minister for Justice, Trade and Industry.

2165

Minister for Justice, Trade and Industry (Hon. N Feetham): Yes, Madam Speaker.

The Prison Service had a total of 30 inmates on 13th May 2024.

There are 17 individuals convicted and serving a prison sentence or awaiting sentencing.

There are 13 individuals awaiting trial.

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There are 30 adults over the age of 18.

There are no children under 18 and there are 6 young people under the age of 25.

Hon. J Ladislaus: I am grateful for the answer.

2175

Can the Hon. Minister – and I do not know whether he has this information – confirm what the prison's maximum capacity is?

Hon. N Feetham: Yes, Madam Speaker.

The prison can accommodate up to 98 inmates.

2180

Hon. Dr K Azopardi: It is a small point, but may I just check the numbers the Hon. Minister has given me because I may have misunderstood because they do not tally for me? I think he answered that there is 30 people in prison?

Hon. N Feetham: Yes, 17 plus 13 is 30.

2185

Hon. Dr K Azopardi: Yes, but I thought he said there is 30 adults and 6 young people ...
(*Interjections*) Oh, I see, but they are over 18. I thought he was making a different point, I see.
(*Interjection*) There are no children. I see, I understand, okay.

2190

Madam Speaker: Next question.

Q464-65/2024

Removal from EU grey list –

When secured; what steps taken

Clerk: Question 464/2024. The Hon. the Leader of the Opposition.

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Hon. Dr K Azopardi: Madam Speaker, when will Gibraltar's removal from the EU's list of high-risk countries, the so-called EU grey list, be secured?

Clerk: Answer, the Hon. the Minister for Justice, Trade and Industry.

2200 **Minister for Justice, Trade and Industry (Hon. N Feetham):** Madam Speaker, I will answer this question together with Question 465/2024.

Clerk: Question 465/2024. The Hon. the Leader of the Opposition.

2205 **Hon. Dr K Azopardi:** Have the Government been informed what steps will be taken by the European Commission following the European Parliament's vote to refuse to remove Gibraltar from the EU's list of high-risk countries in respect of mechanisms to counter money laundering and terrorist financing, the so called EU grey list?

Clerk: Answer, the Hon. the Minister for Justice, Trade and Industry.

2210 **Hon. N Feetham:** Madam Speaker, the European Parliament's objection to the European Commission's decision to remove certain jurisdictions, including Gibraltar, from the EU's list was made on the 23rd April. The Government has not yet formally been informed on the steps that the European Commission will take to remove Gibraltar from this list.

2215 The Government has no reason to doubt the Commission's commitment to removing Gibraltar from the list. As to when that might happen, there are elections to the European Parliament taking place on 6th June to 9th June this year.

2220 Since the new legislature's business, this side of the summer recess focuses on constituent aspects of the European Parliament itself and the business related to the formation of a new European Commission. This includes the election of a new president to the European Commission.

The Government would expect that a new decision removing Gibraltar from the list could be sanctioned by the European Parliament at the earliest in the last quarter of 2024.

2225 Madam Speaker, I welcome the question from the hon. Member because this certainly gives us, on this side of the House, an opportunity, Madam Speaker, to read out the letter that we received, for the benefit of *Hansard*, from the European Commission, a letter dated 10th April. A letter on European Commission letterhead, a letter signed by the Commissioner with responsibility for financial services prior to the decision taken by Parliament, Madam Speaker, to block the very decision which the European Commission had taken. And if there are any detractors outside this House that believe that Gibraltar has not done enough in order to merit and justify us coming off the EU list, this should put it beyond any doubt whatsoever.

2230 Under letter to the Government of Gibraltar, that has not been made public, Madam Speaker, that we certainly, on this side of the House, feel that we are obliged to make the hon. Members opposite aware of the content and the people of Gibraltar reads as follows, Madam Speaker:

I have the pleasure to inform you that we consider that Gibraltar has addressed the strategic deficiencies in its regime to fight against money laundering and terrorism financing and will, Madam Speaker, will be removed from the EU list of high risk third country jurisdictions following the necessary regulatory procedures.

2235 The necessary regulatory procedures, obviously the ratification by Parliament which should have been a matter of course and a matter of formality. Then, the letter goes on to describe what happened prior to us coming off the FATF greyList and it carries on saying, Madam Speaker:

My services have taken note that Gibraltar has addressed all, Madam Speaker, all the strategic deficiencies identified by the Financial Action Task Force in its relevant action plan. After a careful assessment, Madam Speaker, my services consider that this removes the strategic deficiencies identified under Article 9 of the fourth Anti Money Laundering Directive.

I take this opportunity to congratulate Gibraltar for the actions taken and commend your jurisdiction, us collectively Gibraltar, Madam Speaker, for its continuous efforts in strengthening its framework for the combat against money laundering and terrorism financing.

I am looking forward to a fruitful and continuous co-operation of these matters.

I wish for this letter to be placed in *Hansard*, Madam Speaker.

2240 **Hon. Dr K Azopardi:** Perhaps the Minister would, apart from reading that letter, if he would perhaps provide us with a copy, that would be helpful as well. He has read it, so I guess the contents are out there now.

Hon D J Bossino: This *Hansard* does not capture his words.

2245 **Hon. Dr K Azopardi:** Does he want me to give way?

Hon. N Feetham: Yes, I am grateful for that.

No, unfortunately, I am not in a position to be able to give you a copy of the letter because I am advised – this is the advice that we have received – that there are ... I disagree with the advice, that this is a letter, the ownership of which does not belong to the Government of Gibraltar.

2250 So, therefore, given the advice that I have received, (*Interjection*) sorry apologies, but given the fact that I wanted to share the contents with the hon. Member, I have done what I have actually done now which is stand up, read it and therefore it forms part of *Hansard* and you can read that from *Hansard* should you wish to do so.

2255

Hon. Dr K Azopardi: Fair enough, but I take by that answer that it may not be addressed to the Government, but I am not going to press him to answer one way or the other, that is fine. (*Interjection*)

2260 **Hon N Feetham:** It is addressed to the Government.

Hon. Dr K Azopardi: Oh, okay, all right. Then perhaps he can tell me behind the Speaker's Chair so that I can understand that point a bit more. (*Interjection*)

2265 Certainly on this side of the House, as I think was the position, certainly, in the reported comments of Ministers, we were dismayed by that politically motivated manoeuvre to ensure that we were not taken off the EU grey list and I am sure the Hon. Minister agrees. With that I give him the opportunity to, once again, make that public as he wishes.

2270 Can I ask him on the issues that he has given us in the discussions, he said he has not been informed yet by the European Commission on what specific steps they can take. I assume, however, though, from what he has been saying that there are ongoing discussions with the Commission via the UK or directly? So perhaps he could answer whether there are ongoing discussions. And he indicated that he was hopeful that there might be a new decision put to the European Parliament, post the parliamentary elections so that there is a second attempt to remove us from the list during the last quarter of 2024.

2275 I am assuming, I have always assumed that it must have European Parliament approval to get us off the list, but has he been advised in his discussions with officials whether there is any other way of removing Gibraltar from the list other than with European Parliament approval should there be a problem second time around?

2280 **Hon. N Feetham:** In answer to that last question, the answer is no. I have asked if there is an appeal system. In other words, can we appeal this very unfair and unsatisfactory state of affairs where the matter is taken at a technical level by the European Commission and then because, procedurally, it requires ratification from parliament whether that means that effectively we are blocked and the answer is there is no appeal system.

2285 Unfortunately it is a difficult position to be in because it now requires the European Commission to be satisfied that if a decision were to be taken again that simply restates what they did previously, as I have read out in that letter, that they will have the majority support of the European Parliament to be able to seek gratification and if the Commission is not satisfied it puts

2290 them in a position where they might not be prepared to do that because it is not a technical assessment.

Also, Gibraltar is not subject to an evaluation by the European Commission with regard to this specific subject matter. In other words, there is no direct evaluation by the European Commission on matters relating to money laundering and terrorism financing, so to that extent the Commission relies on the FATF decision.

2295 Well, the FATF has already taken a decision to remove us. So we are none the wiser, unfortunately, Madam Speaker, on what the next step will be unless we have the full support of the European Commission and the Commission feels that the matter – if the matter comes before the European Parliament – the Parliament will ratify the recommendation or the decision made by the European Commission.

2300 **Hon. Dr K Azopardi:** And finally, can I just ask this, because if the expectation of the Minister is that – because of the ensuing parliamentary elections, and indeed there needs to be a fresh decision put to the European Parliament perhaps during the last quarter of 2024 – all of this will be very disappointing to the financial services industry, of course, because remaining on the list will have practical impacts on businesses and banking services, and so on and so forth, for many persons who are interacting with the financial services industry in Gibraltar.

2305 So, apart from engaging with the Commission will the Government be considering taking legal advice as to any legal routes of recourse that it might have in relation to this matter at European level, in the European Court of Justice, for example?

2310 **Hon. N Feetham:** Madam Speaker, that is an interesting question. Certainly, I will discuss that with the Hon. Chief Minister and see whether or not, through the good offices of Michael Llamas and indeed the Brussels Office, whether or not the matter is one that is justiciable as the Hon. the Leader of the Opposition suggests. But having said that, when I have asked the question, I have been told there is no appeal process. By that, I assume that they took into account whether or not we could appeal the matter to the European Court of Justice.

Madam Speaker: Next question.

DEPUTY CHIEF MINISTER

Q466/2024

Tennis Courts at the Mount – Availability for public use

2320 **Clerk:** Questions to the Deputy Chief Minister.
Question 466/2024. The Hon. D J Bossino.

Hon. D J Bossino: The one sole question. Are the tennis courts situated at the Mount available for public use?

2325 **Clerk:** Answer, the Hon. the Deputy Chief Minister.

Deputy Chief Minister (Hon. Dr J J Garcia): Madam Speaker, yes.
The tennis and padel court situated at the Mount will be available for public use.

2330 **Hon. D J Bossino:** Sorry, the question to the Hon. the Deputy Chief Minister was: are they available? In other words, in the present tense. But his answers *will* be available.

Can he explain further why the distinction? What is going on there?

2335 **Hon. Deputy Chief Minister:** Well, my understanding is that there are works going on. This is part of the master plan for the Mount, which was approved by the DPC in February 2022. That included works to those tennis courts, to have a tennis court, a padel court and some pickle tennis courts as well in an environment where we could change from one to the other.

Those tennis courts are not already yet, so once they are ready the idea is to make them available for public use. That is a policy.

2340

Hon. D J Bossino: If it may assist the Hon. the Deputy Chief Minister, because I am not sure whether the tennis courts which you can see from the Europa Road, in other words by the bus stop, whether those are going to be the tennis courts of the refurbished site. And he is nodding his head.

2345 They seem to be (1) in very good condition; and I am told, indeed, I have seen myself it is being used. So if it is not currently available for public use the first question is: how is it that it is being used? In other words, is it being used privately by private individuals? I have seen that myself and it has been reported to me that that is the case.

2350 Secondly, if I may ask, who is currently responsible for its upkeep because it seems to be in very good nick, in very good condition? I have I have been shown photos of tennis balls which are permanently there in very good condition, so it has all the vestiges and all the hallmarks of it being currently used. And given that it is not open for public use, I simply wanted to investigate that further and whether he has any information in relation to that.

2355 **Hon. Deputy Chief Minister:** Madam Speaker, the intention is this: the details of what will happen with it in the future is a matter for the GSLA and the Minister for Sport which is where this will be firmly housed. My involvement in the Mount is with the development, which includes the provision of the tennis courts, the padel court and the pickle court.

2360 My information from the project director at the Mount is that once those are ready they will be available for public use in the normal course of events as happens with other tennis courts anywhere else through the GSLA. So if people are using them now, it is as much a mystery to me as it is a mystery to him and I am unable to enlighten him on that point.

2365 **Hon. D J Bossino:** Will he be able to, at some point in time, perhaps if I write to him, provide information so that he can investigate the issue? And, therefore, the mystery that it is to him as it is indeed to me no longer is a mystery and we have facts in order to enlighten both of us, and the general public, as to what is happening there at the moment.

2370 Can I also expand on that further? Does he have an answer as to the upkeep of the place? I ask specifically in relation to that, does he have any comment to make in relation to that aspect? I repeat, the tennis courts are in very good condition and they have all the hallmarks of it being currently used.

2375 **Hon. Deputy Chief Minister:** Madam Speaker, I am told now that pending the redevelopment, the tennis courts can be booked through the GSLA and can be used. So the GSLA are responsible for its maintenance. So it may be that the actual refurbished ...

I have not actually seen that particular area of the Mount myself, so it maybe that the refurbishment, the addition of the new courts, has not happened yet. And while that happens, the old one is still in use.

2380 **Hon. D J Bossino:** The old one is the one that I identified before. In other words, it is in the same place, the old one will be the new one. It is just going to form part, okay.

So he is saying now that, I detect in his answer a contradiction. In other words, that whilst he was initially saying they are not currently available to the public, am I right in saying that in fact

2385 they are available to be booked by members of the public if they contact the GSLA, which is also the entity responsible for its upkeep and current refurbishments?
Is that the position?

Hon. Deputy Chief Minister: Madam Speaker, yes. The last part of his answer is correct.

2390 **Hon. D J Bossino:** Only the last part or the entirety of it? So as I identify my own question, it is the booking and the upkeep.

Hon. Deputy Chief Minister: Correct, the entirety of the answer.

2395 **Madam Speaker:** The Hon. Mr Reyes.

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

2400 Yes, the Minister in his answers has obviously tried to develop an answer as long as possible because I was going to ask, given that I have sat in that side of the House and had the responsibility for the Ministry for Sport, it may or may not help the Minister, and would he just undertake that he will look into it? I know that originally that tennis court did not fall under the responsibilities of the Gibraltar Sports and Leisure Authority, but that instead it has been handed over to the Gibraltar Tennis Association.

2405 Now that the Minister is talking about what is going to happen in the future, it *could* be that in this present day and age if someone is seen playing there, it is because the Gibraltar Tennis Association, as a key holder, still has that access. But my question is going to be – and if he does not have it now I will pose a question.

2410 In the future, when it is ready would, hopefully, everything fall under the GSLA so that, like other sports facilities, there is a central point of focus, a central location for booking and a central management? Whereas I can vouch for the efficiency of the GSLA and I think that would provide better value for money, if we can call it that, for the taxpayer.

2415 So my question is, would the Minister kindly bear that in mind and take it into account so that when he announces – maybe during his budget speech – whatever the final outcome is going to be, we have taken all the observation and avoids future questions on my part at least, which I know Madam Speaker would welcome the least questions that I ask as possible.

2420 **Hon. Deputy Chief Minister:** Madam Speaker, I am grateful for the hon. Member's constructive comments and suggestions that this matter will be run by the Minister for Sport, who is not here today, he is away on parliamentary business, and by the GSLA. And that is my understanding of the situation as well.

**Adjournment –
Thanks to Prime Minister Rishi Sunak**

2425 **Chief Minister (Hon. F R Picardo):** So, Madam Speaker, I now move that the House should adjourn to tomorrow at 10 a.m. I know that we will also have the opportunity to bid farewell to His Excellency the Governor at approximately 11.15 a.m. here, so I thought it might make sense for us all to convene at 10 a.m. so that we can continue with questions.

In moving the adjournment, Madam Speaker, I note that the Prime Minister, the Rt. Hon. Rishi Sunak, has just called a General Election in the United Kingdom for 4th July.

Madam Speaker, I want to use this opportunity to thank the Prime Minister for the support he has given Gibraltar and indeed that his predecessor have given Gibraltar during the lifetime of this Parliament. It is remarkable, but he has had two predecessors just in the lifetime of this Parliament

2430 in the United Kingdom, and successive Foreign Secretaries who have worked with me and the
Deputy Chief Minister and the whole Government on the work that we have been doing in
negotiating new arrangements with the European Union for Gibraltar's access to the EU, the fluid
access across the frontier work, which is ongoing. Although you would not necessarily be able to
tell that that was the burning issue of the day given the sorts of questions we have been hearing
2435 this afternoon.

Madam Speaker, to reassure everyone in Gibraltar that after the conversations I have had a
moment ago, I can confirm that we will be able to continue the negotiations during the period of
purdah this is an issue that enjoys cross-party support in the United Kingdom and that the work
continues to secure that treaty. And I am sure that whoever is returned to office after 4th July in
2440 the United Kingdom, the Government that I lead will be able to work well and closely together in
the interests of Gibraltar and its people and our continued, exclusive, British Sovereignty.

Thank you very much, Madam Speaker, and I move that the House should now adjourn to
tomorrow at 10 a.m.

2445 **Madam Speaker:** I now propose the question which is that this House do now adjourn to
tomorrow at 10 a.m. I now put the question which is that this House do now adjourn to tomorrow
at 10 a.m.

Those in favour? (**Members:** Aye.) Those against? Passed. This House will now adjourn to
tomorrow at 10 a.m.

The House adjourned at 6.10 p.m.