



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

**AFTERNOON SESSION: 3.33 p.m. – 5.50 p.m.**

**Gibraltar, Friday, 15th September 2017**

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# The Gibraltar Parliament

*The Parliament met at 3.33 p.m.*

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

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

## PRAYER

*Mr Speaker*

## CONFIRMATION OF MINUTES

**Clerk:** (ii) Confirmation of Minutes – the Minutes of the last meeting of Parliament, which was held on 10th, 17th, 29th and 30th March, and 21st, 22nd, 26th, 27th, 28th and 29th June, and 12th and 26th July 2017.

5

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

*Mr Speaker signed the Minutes.*

## COMMUNICATIONS FROM THE CHAIR

### Display of new Mace and polished stalactite

**Clerk:** (iii) Communications from the Chair.

10 **Mr Speaker:** Hon. Members, I think that it is appropriate that I should draw attention to and highlight that at this meeting of Parliament, just five days after the celebration of the 50th anniversary of the 1967 Referendum, we have on display and are using for the first time the beautiful new Mace. 2017 is a very auspicious year in Gibraltar's history and the new Mace commemorates in a most tangible manner both this 50th anniversary and the bicentenary of this building. The Mace has two dates engraved on it – 1951, when the first Legislative Council  
15 was inaugurated by Prince Philip on behalf of His Majesty King George VI, and 2017 – together with the cyphers 'EIR', in lieu of 'GVIR' as in the case of the old Mace.

We are also displaying here in Parliament, for the first time in its new home, the other half of the polished stalactite presented by the late Mr Speaker, Sir Robert Peliza, to Madam Speaker Betty Boothroyd in 1994. I am reliably informed that it is prominently displayed in Mr Speaker's  
20 house in Westminster. This other half had been on display in the Gibraltar Museum since then. Engraved on both halves in letters of gold is the preamble to the 1969 Gibraltar Constitution, in itself a direct consequence of the 1967 Referendum. (*Banging on desks*)

I call the Chief Minister.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, can I say that I think that this is an entirely appropriate way to have commemorated the 200th anniversary of the erection of this building, but also, in particular, a way of representing the importance of this Parliament and its history in the Mace. In 1951 we were not a Parliament, but it is right that we show the longevity and the stability that democracy in Gibraltar has enjoyed in the way that we now have a Mace with us that shows the progress from the time of George V to the time of Queen Elizabeth II. It is quite something to think that Her Majesty the Queen has already become the longest-serving British monarch and that the Mace in this place did not have her initials on it but her distinguished father's initials on it.

If I may say so, Mr Speaker, I think that is an entirely fitting way of ensuring that the 200th anniversary of the building in which the Parliament finds itself is commemorated, as is your initiative, if I may say so, of displaying the other half of the stalactite with the preamble of the Constitution in a prominent place in the Chamber. I think that will be a fitting reminder that the sovereignty of Gibraltar is in effect in its people and this is the place of debate and democracy of its people.

So the Government entirely associates itself with the things that Mr Speaker has said about the new Mace and the display of the stalactite, and thanks Mr Speaker for having the idea of displaying the stalactite in this place and entirely supports that it should stay there for as long as Parliament is sitting.

**Mr Speaker:** Before I call on the Hon. Roy Clinton, the Leader of the Opposition, may I take this opportunity on behalf of all of us to wish you a very happy birthday. (*Banging on desks*)

**Hon. R M Clinton:** Thank you, Mr Speaker. Thank you, colleagues. Yes, it is an auspicious year for Gibraltar and myself: 50 years old and who would know it!

Referring to the Mace, far from being a 'fool's bauble', as Oliver Cromwell famously referred to it in 1653, the Mace is really instead a symbol of royal authority and without its presence in this House we could not pass legislation. The Mace is indeed a common and endearing ... enduring feature as well as endearing feature and tradition of parliaments of the Commonwealth and beyond. It has been the focus of protest – from the famous Michael Heseltine seizing and winging of the Mace in 1976 to perhaps the less well known chucking out of the window of the Mace in the Bahamas in 1965, at which point business really had to be suspended. Fortunately, in this Chamber we have no windows, and from our seated positions we would truly have to be athletic to grab the Mace – God forbid!

On a serious note, Mr Speaker, I really must congratulate the firm of Thomas Fattorini, and of course the Clerk, for a very well executed and beautiful Mace.

Mr Speaker, it is not just gilt metal but really represents the heart and the soul of this Parliament and the constitutional rights the people of Gibraltar have indeed fought long and hard for. I trust this Mace will grace this Parliament for at least the next hundred years, long after all of us have departed this Chamber.

Thank you, Mr Speaker.

**Mr Speaker:** The Hon. Marlene Hassan Nahon.

**Hon. Ms M D Hassan Nahon:** Mr Speaker, this year has indeed been an auspicious one for our community, not least in regard to the 50th anniversary of the 1967 sovereignty Referendum. The Referendum generation voted for freedom over fascism, democracy over dictatorship and strength over submission. That historic vote left an indelible mark on our narrative and was a pivotal step in our development of further civil autonomy as the British Gibraltarian people, and one of those more tangible links to Britain is the Mace, without which this Parliament could not meet.

75 In 1976, as the hon. Gentleman the Leader of the Opposition has just mentioned, the  
Conservative MP Michael Heseltine seized the Mace from its table and held it aloft while those  
on the opposite bench sang the Labour anthem *The Red Flag*. I can assure the House, Mr  
Speaker, that I will attempt to do no such thing, unless perhaps the learned Members opposite  
begin to sing *Time for Change*! Just over 10 years later, Labour MP Ron Brown picked up the  
80 ceremonial Mace and smashed it to the floor in protest of the poll tax. Again, I have not read any  
indication of a poll tax on the Order Paper, so Members can rest assured that I shall not threaten  
them with a Mace duel!

This Mace lies before us in the middle of this place, occupying the space between the  
Government and Opposition benches. This Parliament can often appear to be a place of  
85 frustration and division to levels that are deemed unnecessary by some of our bosses, the  
people of Gibraltar. Let the presentation of the new Mace be a symbolic reminder of our duties  
as Members of this House: the steadfast defence of Gibraltar's interests both inside and outside  
the House; upholding the values of equality, justice and tolerance; and always working together  
in a constructive manner for the benefit of the entire community.

90 Thank you.

#### PAPERS TO BE LAID

**Clerk:** (iv) Petitions; (v) Announcements. (vi) Papers to be laid – the Hon. the Chief Minister.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to lay on the table the  
Annual Report of the Gibraltar Regulatory Authority for the year ended 31st March 2017.

95

**Mr Speaker:** Ordered to lie.

I myself have the honour to report that, in accordance with Standing Order 12(3), the  
Ombudsman's Annual Report for the year ending 31st December 2016 has been submitted to  
Parliament and I now rule that it has been laid on the table.

#### Gibraltar aid to British Overseas Territories in the Caribbean

100

**Mr Speaker:** The Hon. the Chief Minister.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I want to start today's proceedings by pausing  
for a moment to address the damage done to the British Overseas Territories in the Caribbean  
105 by Hurricane Irma. In doing so, we will not want to ignore in this House the damage done to the  
rest of the nations in the Caribbean that have suffered devastation in the storm, and indeed to  
the United States.

The destruction of some of the British islands has been unprecedented. We have all seen on  
our television screens those terrible images. A new challenge now arises in order to keep the  
110 people of the BVI, Turks and Caicos and Anguilla safe and healthy. A relief effort has already  
been launched by air from London and a lot of the immediately necessary supplies are being  
flown into the region. In addition, the fleet flagship of the Royal Navy *HMS Ocean* has been  
deployed, as hon. Members will know. *Ocean's* tasking has changed from a Mediterranean one  
to an Atlantic one. For the Royal Navy the perfect staging post for such a rerouting has, for over  
115 300 years, been Gibraltar, and for that reason last weekend we saw *HMS Diamond* and *HMS  
Ocean* passing the baton of their respective taskings between them here in Gibraltar, the home  
of the Royal Navy in the Mediterranean.

Mr Speaker, the people of the Overseas Territories enjoy a singular partnership. We meet and collaborate regularly in a political group known as the UKOTA, the United Kingdom Overseas Territories Association. We also meet regularly together with UK Ministers as a Joint Ministerial Council each year in London, and before that at a pre-JMC meeting in preparation for that annual event. There are many similarities in the constitutional issues facing all the Overseas Territories. We may be at different stages in our constitutional development in some respects and there are many differences between us also, but the similarities make us kin in many respects.

Mr Speaker, many will recall that the pre-JMC meeting of UKOTA was held in Gibraltar in 2014 and I have a close relationship, together with the Deputy Chief Minister and the Minister for the Environment, with many of the chief ministers and premiers of the OTs and have been in touch with those who have suffered the worst of the devastation through their London representatives in the past days. The Captain of *HMS Ocean* and the governments of the Overseas Territories have been very clear in their praise for the donations that the people of Gibraltar have been able to make at short notice in respect of the call for support for these territories.

The work to be done now in these territories is reconstruction work. For that reason, through the Housing Works Agency, particularly with the collaboration of the Minister for Housing, Miss Sacramento, and GJBS, we have supplied all building materials that were surplus to our immediate requirements to go aboard *Ocean* to these territories in the Caribbean. That amounted to 14 pallets of building materials. The Gibraltar Health Authority, with the assistance of the Hon. Minister for Health, Mr Costa, has been able to supply 12 pallets of much needed medical supplies. We have also been able to supply 10 Ssangyong 4x4 pickup trucks, and, given the nature of the terrain to be negotiated whilst the reconstruction effort is underway, I am told that these are going to be very welcome indeed. Indeed, the Captain of *HMS Ocean* was emphatic when he told me that they were going to be the last thing into *Ocean's* massive hold as they would likely be the first thing out.

The donations made from Gibraltar by entities beyond the Government have been no less generous. Today, Mike Walliker, the Commander of British Forces in Gibraltar, set out the full list of additional materials provided in a letter of thanks to the people of Gibraltar published in *Panorama*. In addition to the donations from the Government of Gibraltar, Morrisons matched the purchases of the MoD with a donation of their own. All of Gibraltar's other merchants offered significant discounts to *Ocean* as she purchased much needed items to take to the Caribbean. Monsignor Paul Bear and Frank Bado organised the delivery of four pallets of clothes, including new clothing donated by the management of Marks and Spencer. The First 4th Gibraltar Scouts Group donated 16 pallets of clothes and some mobile phones. Portman Ltd sourced *Ocean's* last-minute requirements. Nats, Gib Air, Gib Oil and the AFRS supported at the airfield. Locally employed civilians from across the MoD worked tirelessly at short notice to achieve the turnaround that *Ocean* needed in order to get going quickly to the Caribbean, and Interserve, Gib Dock, Customs, the Royal Gibraltar Police, the Royal Gibraltar Regiment, the GDP and DGS enabled the logistics effort to progress everything as smoothly as it did. The St John Ambulance Association was also very helpful. Of course, Mr Speaker, that list will not be exhaustive and there will be many more who have helped and who we have left out in the list that the Commander of British Forces sent to *Panorama* in his letter and that I have set out here today.

Mr Speaker, Gibraltar has, as usual, been done proud by the efforts of its people to assist others in their time of need and has of course once again displayed the strategic significance of Gibraltar for the Royal Navy whenever it needs to quickly rearrange a tasking.

The work to be done in the Overseas Territories of the Caribbean is not immediate work; it is work that is going to take many months indeed, in some instances years, and if there is anything else that Gibraltar can do in this immediate hour of need of the British people of the British

170 Overseas Territories in the Caribbean, I am sure we will not be found wanting. (*Banging on desks*)

## Questions for Oral Answer

### HOUSING AND EQUALITY

Q451/2017

#### Government rental housing estates – Identified allocated parking

175 **Clerk:** (viii) We now proceed to Answers to Oral Questions. We commence with Question 451/2017. The questioner is the Hon. R M Clinton.

**Hon. R M Clinton:** Mr Speaker, can the Government advise for which Government rental housing estates tenancy agreements include identified allocated parking?

180 **Clerk:** Answer, the Hon. the Minister for Housing and Equality.

**Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, Edinburgh Estate, Chilton Court, Mid-Harbours Estate and the elderly flats at Sir William Jackson Grove.

185 **Hon. R M Clinton:** Mr Speaker, I am grateful to the Minister for her answer.

In the case where there are tenants with arrears, they enter into arrears agreements and they actually have allocated parking in their tenancy agreements, does she consider it correct that they should have their parking revoked when they have entered into an arrears agreement and are currently up to date on their rent payments?

190 **Hon. Miss S J Sacramento:** Mr Speaker, before I answer the supplementary, I wish to remind the Members opposite of their premise when we commenced the exercise on the recovery of arrears, where they were actually encouraging us to evict people from their homes. So let me start off by reminding them of that, where they were asking whether we would be evicting people and indeed encouraging us to do so.

195 The answer to the supplementary question is yes, because the policy of the Government is that people who are in arrears should not be entitled to benefits which are seen as luxuries. The distinction is drawn between someone's dwelling and everything else – everything else being parking, on the basis that one can afford a car and therefore one should be able to afford a parking space, sheds or berths for boats in the small boats marina.

200 A separate issue is whether in certain estates parking spaces are included in tenancy agreements. In the case where they are included in the tenancy agreement it is very simple. Because the starting point is that the tenancy agreement has been breached by failure to provide rent on a timely basis as is stipulated contractually, and the ultimate power that the Housing Department has is to evict the person, which we do not – which they would want to, but we do not – then what we do is we sever the issues so that the action taken is in line with the policy of Government.

205 The policy of the Government is that we are not going to evict somebody for failure to pay rent, because that would only cause problems for the person, the family and ultimately

210 everybody else, but someone is not paying the rent on their house, therefore their parking as well, so the Government's policy is that anything beyond the tenancy will not be entertained.

**Hon. R M Clinton:** Mr Speaker, if I can just pause on her last words 'anything beyond the tenancy will not be entertained', in this case does she not accept that these tenancy agreements actually include parking, and if the Government has entered into an arrears agreement and is  
215 accepting rent in future at the same rate as they were before, which included the parking, therefore the tenant will not be in breach?

**Hon. Miss S J Sacramento:** No, Mr Speaker, because they are in breach of the tenancy agreement and therefore the action taken by the Government is as a result of the breach of the  
220 tenancy agreement and the breach continues. An arrears agreement is a completely separate matter. The arrears agreement is in relation to the payment of arrears. The policy is in relation to not evicting a person from their dwelling.

On the basis of what was said, I think, on the last occasion of Parliament, where, as I recall, everybody in the Chamber was in agreement on the general principle that if somebody can  
225 afford to run a car and pay for the purchase of the car, its petrol, its insurance and its maintenance costs, then surely ... The amount of average rent in Gibraltar for Government tenancies is between £30 and £60 a month, and on that basis the policy decision was taken that if people can afford to run a car, which is a luxury, they can surely afford to pay their rent, and people cannot be subsidised by the rest of the taxpayers and all the other tenants who do pay  
230 their rent on time and people who have mortgages and pay their mortgages on time and everybody who is a taxpayer, because somebody owns a car but does not want to pay their rent.

Mr Speaker, we have been through this before. We discussed it at length at the last session and everybody was in agreement.

**Hon. R M Clinton:** Mr Speaker, the reason I have asked this specific question, for the  
235 Minister's information, is that we have come across actual instances where people are in arrears, are paying their arrears, are paying their current rent in future by direct debit, by agreement with the Government, and yet are being denied the use of their parking space which is in their tenancy agreement.

You have to distinguish these particular cases – and it is just an entirely factual question –  
240 from other estates, where there are no such allocated parking facilities, such as Laguna or Glacis or anything else. Do not get me wrong, Mr Speaker, it is not that we are against the Government collecting arrears, I do not think. All I am asking is in these particular instances where the tenancy agreement actually included an allocated parking space, from the correspondence I have seen there has been no indication that the tenancy has been revoked or any particular  
245 notice has been given to the tenant that their agreement has been revoked for a reason. They have entered in good faith with an arrears agreement prior to, may I say, the policy of collection at the moment revoking parking spaces, and now suddenly they are being told, 'Yes, we did say you had an allocated parking space; yes, you have entered into an arrears agreement; yes, you are up to date on your current rent; but no, you cannot have your parking space.' I am just trying  
250 to understand what process the Government followed for these particular estates where the tenant actually has, from what I gather, a right to the use of that parking space.

Again, Mr Speaker, it is not that I have any particular issue with the collection of arrears; it is just in these particular instances where the tenant has the parking space included in their  
255 tenancy agreement, what is the Government doing in respect of these?

I hear a sigh from across the floor, but if you are going to remove the parking space from these tenants where they are in arrears and are paying arrears in good faith, surely then you are going to adjust their rent downwards because now they no longer have a parking space which is associated with their tenancy, which they are paying for now.

260 It is a very simple question: has the Government gone through any particular process with these estates different to the others? Have they been sent any additional correspondence



different to the others in the sense that these actually in their agreements have allocated parking? It is as simple as that. I am not going into the issues of collection of arrears or anything else, as these particular estates ... What has the Government done different as regards the other estates in respect of those parking spaces? That is all.

**Hon. Miss S J Sacramento:** Yes, Mr Speaker, because the hon. Gentleman wants, of course, to run with the hares and hunt with the hounds.

Mr Speaker, there is no such thing, I think, as to entering into an arrears agreement in good faith. You enter into an arrears agreement because you have breached your original agreement, which was to pay rent for a roof over your head. So, if we are going to take about good faith and bad faith, then the starting point is that anybody in arrears has already acted in bad faith by not paying their contractual rent. That is one point, but, from everything that we have heard from the hon. Gentleman, what I think is the point he is trying to make is that people whose parking is included in the tenancy are somehow treated differently to other people in other estates whose parking is not included in the tenancy. If that is the hon. Gentleman's concern, then he can rest assured that there is no differential treatment, because in estates where the parking is not tied into the tenancy, people still need a permit to park in the estate, and if the person is in arrears they will not be granted a permit. So, if that is the question that the hon. Gentleman is asking, then he can rest assured that nobody who is in arrears will be able to avail themselves of the luxury of parking their car – which they can afford, but they cannot afford the rent – in a parking space, because they cannot do it in an estate where they have a tenancy agreement for the parking space or in other estates where they need a parking permit to do so.

So there is absolutely no distinction, Mr Speaker. The policy of the Government is that unless there are exceptional circumstances – such as people who may have disabilities or have a genuine reason for the use of the parking space for a vehicle or have a genuine reason for being in arrears, such as exceptional hardship – then everybody is, he can rest assured that everybody is being treated the same.

**Hon. D A Feetham:** Mr Speaker, may I? I rise because the hon. Gentleman, the Leader of the Opposition, brought me into several meetings where this particular issue has arisen, and I would ask the hon. Lady if she is prepared to take advice on this point: that the key issue here is whether somebody is in breach of the tenancy agreement. That is the key issue. If they are in breach of the tenancy agreement then the hon. Lady's rationale follows through and is sound. But if somebody is in breach of their tenancy agreement and then that breach is effectively ... and that dispute is compromised in an arrears agreement because the Government agrees to take x amount by way of arrears, that effectively means that that person, as long as he or she keeps to the arrears agreement, is not in breach of the tenancy. If that person is not in breach of the tenancy, then it is not open for the Government to effectively, as a matter of law, for the Government to then say, 'Well, actually, what I am doing is I am distinguishing between the tenancy and the parking,' because on these estates the parking is part of the tenancy. That is the point and I would just simply invite the hon. Lady to perhaps focus on that point and that ought to provide the hon. Lady with the answer.

**Hon. Miss S J Sacramento:** Mr Speaker, I perfectly understand the point that the hon. Gentleman is trying to make, but the hon. Gentleman also needs to understand that by virtue of the breach ... The hon. Gentleman, unlike the Hon. Mr Clinton, is taking a legal approach to this matter, and funnily enough, only an hour ago we were debating in my office the difference in approach by lawyers and accountants, so it is quite funny that we are having this as the first question this afternoon. But in any event, the Hon. Mr Feetham is taking a purely legal approach to this, and therefore the purely legal answer to that is very simple. By virtue of the breach of the original agreement, the Housing Department is perfectly entitled to stop that agreement,

sever the agreement, between the dwelling and parking, so we would end up with the same net effect of what we are actually doing now.

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**Mr Speaker:** Next question.

**Q452/2017**

**Government housing tenants –  
Employment status**

320

**Clerk:** Question 452. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Government confirm the number of Government housing tenants currently employed in (a) the public sector, (b) the private sector; and (c) unemployed?

325

**Clerk:** Answer, the Hon. the Minister for Housing and Equality.

330

**Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, this is not information that the Housing Department holds. For the Government to provide the answer would require a major administrative exercise and it is not possible to undertake that in the time allowed; and it would, in any event, require a disproportionate amount of resources.

**Q453/2017**

**Government rental housing –  
Refurbishment of interiors**

**Clerk:** Question 453. The Hon. L F Llamas.

335

**Hon. L F Llamas:** Mr Speaker, does the Government intend to refurbish the interior of Government rental stock in Moorish Castle Estate, Laguna Estate and Glacis Estate as it has done with Rodney House?

**Clerk:** Answer, the Hon. the Minister for Housing and Equality.

340

**Minister for Housing and Equality (Hon. Miss S J Sacramento):** Yes, Mr Speaker.

**Hon. L F Llamas:** Mr Speaker, does the hon. Member have a time line as to when these works will be completed in each block in each phase?

345

**Hon. Miss S J Sacramento:** Yes, Mr Speaker, but I do not have it on me. This is part of the ongoing refurbishment programme of the estates, so once the refurbishment is complete it means that everything has been completed, the external works and the internal works.

**Q454/2017**  
**Housing waiting list –**  
**Pre-December 2011 applicants**

**Clerk:** Question 454. The Hon. L F Llamas.

350 **Hon. L F Llamas:** Mr Speaker, can the Government provide details of how many people were on the housing waiting list prior to 8th December 2011 who are yet not legally owners or proprietors of a property, including (a) the year the application was accepted and (b) the number of rooms required?

355 **Clerk:** Answer, the Hon. the Minister for Housing and Equality.

**Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, the Housing Department holds a waiting list for Government rental stock. It is not a waiting list for legal ownership of property.

360 **Hon. L F Llamas:** Mr Speaker, the Government obviously, when they announced the affordable housing, were basing the applications for the affordable housing on those who were on the waiting list. So is the hon. Member able to tell us how many people are still on that waiting list, prior to them coming to Government in 2011, who have yet not either been able to purchase through the private sector affordable housing, or been given a Government rental?

365 **Hon. Miss S J Sacramento:** Mr Speaker, it is a different question, because there may be people who were on the Government waiting list who purchased, because not everybody purchases, and the affordable housing estates. The hon. Gentleman is asking me for a list of apples when I only hold the list of pears. It is not that I am not trying to be helpful to the hon. Gentleman, but the question that he is asking me is not an answer that the Housing Department will have, because people are free to purchase property on the open market if they wish to.

370 **Hon. L F Llamas:** But surely those who have purchased on the open market will no longer appear on the housing waiting list. Right?

375 **Hon. Miss S J Sacramento:** No, Mr Speaker, it is the formulation of the question that does not get the hon. Gentleman to the answer that he wants. By way of the supplementary that he made, now I have maybe a better idea of the answer that he wanted, so perhaps if the hon. Gentleman is more concise in the way that he formulates the question then I may be able to provide him with the information that he wants, but at this stage the hon. Gentleman is asking me what the waiting list for ownership is. Well, I do not know, Mr Speaker, because it is not information that I could know or could reasonably know. It is just data that is impossible to reliably have.

**CULTURE, THE MEDIA, YOUTH AND SPORT**

**Q412-413/2017**  
**Victoria Stadium –**  
**Payments received; lease**

385 **Clerk:** We now proceed to Question 412 and the questioner is the Hon. R M Clinton.

**Hon. R M Clinton:** Mr Speaker, what payments has the Government received in the period 30th March 2017 to 31st August 2017 in respect of the announced sale of Victoria Stadium to the Gibraltar Football Association on 18th April 2017?  
390

**Clerk:** Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

**Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker, I will answer this question together with Question 413.

**Clerk:** Question 413. The Hon. R M Clinton.

**Hon. R M Clinton:** Mr Speaker, can the Government advise if it has signed a lease for the sale of the Victoria Stadium to the Gibraltar Football Association; and, if so, what are the terms of that lease and the counterparties?  
395

**Clerk:** Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

**Hon. S E Linares:** Mr Speaker, the lease has, as yet, not been signed.  
400

**Hon. R M Clinton:** Mr Speaker, that was obviously not the answer I was expecting.

**Mr Speaker:** If you ask a question you should always know what the answer is going to be.  
405 *(Laughter)*

**Hon. R M Clinton:** Well, not this one, Mr Speaker! *(Laughter)* Unfortunately, I am not a lawyer, but there you go! *(Laughter)*

Mr Speaker, given that some time has elapsed since the announcement on 18th April, is the Minister confident that the original terms will be met as announced at that date – namely, two payments of £5 million in the financial year 2017-18 and one payment of £6.5 million in the financial year 2018-19? Does he have an idea when the lease will be signed and who the counterparties will be? And how does this affect the development of the Victoria Stadium, which is meant to be a £15 million investment by the GFA?  
410

415 Thank you, Mr Speaker.

**Hon. S E Linares:** Mr Speaker, as to his former question, absolutely. As to his second question, well, if they are going to do the investment, it is up to the GFA – he should ask those questions to the GFA.  
420

**Hon. R M Clinton:** Mr Speaker, would the Minister be able to identify who the counterparties to the lease agreement will be?

**Chief Minister (Hon. F R Picardo):** Mr Speaker, if a lease has not yet been signed, then it is not possible to tell the House anything other beyond speculation as to who the parties may be. One of the things that may happen is that the GFA may decide to use what is known as an SPV, a special purpose vehicle, for the purposes of being the asset-holding company that they designate. The hon. Gentleman is asking us to speculate, and that is not a good basis on which to ask parliamentary questions.  
425

I should just say, Mr Speaker, that one of the things that he has asked in his main question and which he has repeated is for an indication of the terms of the lease. Well, Mr Speaker, the lease is a public document and he can obtain a copy of it, and he should not seek that a Minister stand here and read him a public document.  
430

435 **Hon. R M Clinton:** Mr Speaker, I am perfectly aware of the rule and, as the Chief Minister will by now know, I do do my homework and I did go to LPS – and there is no lease, as he knows, because no lease has been filed because, as he just said, there is no lease. Therefore – *(Interjection by Mr Speaker)* I beg your pardon?

440 **Hon. S E Linares:** You didn't even know about it five minutes ago?

**Hon. R M Clinton:** No, but it is entirely possible, as the lawyers in the House will tell us, that leases can be signed and not yet have been filed at LPS. There can be delays, which is why I tabled the question. Thank you, Mr Speaker.

445 **Hon. Chief Minister:** Mr Speaker, I know that he pretends to do his homework but I also know that he does not like the Rules of the House, which say that if a document is a public document he obtains it when it becomes public.

Mr Speaker, it would be impossible for anybody to persuade me that it is proper to ask a Minister to come here to read out a lease, even if a lease has been signed on a Tuesday, we have House on the Thursday and it becomes public on the Friday because that is the date that it is registered.

450 What the hon. Gentleman is doing is not his homework; what the hon. Gentleman is doing is trying to pretend to be the class pet or the class swat to ask questions just for the sake of asking them, when he knows that the information is going to be publicly available. He does it in relation to accounts of companies which are filed in Companies House. He does it in relation to other public information, just for the sake of saying 'I am asking questions about things' and is constantly asking us to provide him with courtesy copies in this House of things that are public and things that are on websites. Mr Speaker, that is not the right way to employ the resources of Government. It may be the right way for him to employ his resources and to get off his homework and do some homework.

460 I say that, Mr Speaker, wishing him, of course, the very best on this happy day for him when he reaches his first half century.

465 **Mr Speaker:** Next question.

**Q414/2017**  
**Beach evening market –**  
**Reason for absence this year**

**Clerk:** Question 414. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Government explain why the beach evening market was not carried out this year?

470 **Clerk:** Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

**Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker, the reason for not repeating the excellent beach evening market idea introduced by us last year was because we introduced the new Summer Nights programme, 'Summer Nights on Tour'. Therefore, it was felt that this would duplicate matters. Next year, Summer Nights could well be extended and both events combined. We will take the question as a positive comment from the hon. Member in respect of the beach market initiative and thank him for it.

**Q415/2017**  
**Bars and clubs –**  
**Entertainment licences**

**Clerk:** Question 415. The Hon. L F Llamas.

480

**Hon. L F Llamas:** Mr Speaker, is the Government considering extending the nocturnal hours on entertainment licences for bars and clubs?

**Clerk:** Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

485

**Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker, no, sir.

**Q416-418/2017**  
**Gibraltar Music Festival –**  
**Payments to organisers; contract with organisers; tender arrangements**

**Clerk:** Question 416. The Hon. L F Llamas.

490

**Hon. L F Llamas:** Mr Speaker, can the Government state how much the Government will be paying the organisers of the Music Festival this year?

**Clerk:** Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

495

**Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker, I will answer this question together with Questions 417 and 418.

**Clerk:** Question 417. The Hon. L F Llamas.

500

**Hon. L F Llamas:** Mr Speaker, can the Government disclose the contract between the Government and the organisers of this year's Music Festival?

**Clerk:** Question 418. The Hon. L F Llamas.

505

**Hon. L F Llamas:** Mr Speaker, can the Government explain why it did not go out to tender for the organisation of the Music Festival 2017, and whether it will be going out to tender in the future?

**Clerk:** Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

510

**Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker, in answer to Question 416, as I have previously indicated, the cost information is not yet available since invoices will be paid during the full course of this financial year. As always, the final costs are expected to be available in time for completion of the draft Estimates Book and will be debated by this House during the Budget session in 2018.

515

In answer to Question 417, HM Government does not have a single contract with one entity since there are various parts to the organisation of an event such as the MTV Gibraltar Calling. All these contracts are commercially sensitive, given the nature of the music industry.

In answer to Question 418, HM Government did not tender for the provision of services in 2012. It did so in 2013 in order to have continuity over a defined period and to give other event

520 organisers the opportunity to apply. In 2016, which was the end of the term of the four-year  
contract with the previous organisers, it was decided by Government that in order to move the  
Gibraltar Music Festival to the next level we needed to work alongside a major media partner.  
There could be no better international media partner than MTV for the organisation, branding  
and distribution of the Gibraltar event. Contacts had been established with MTV and it was then  
525 that MTV entered into direct negotiations to produce and brand the hugely successful MTV  
Gibraltar Calling Festival of 2017.

**Hon. L F Llamas:** Mr Speaker, is the Minister not able to at least provide a basic figure of what  
the value of the contracts entered into with third parties for the organisation of the event?

530 **Hon. S E Linares:** No, sir; I have just explained why.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, if it is of assistance, what the hon. Gentleman  
does have is that he has the cost in the Estimates Book and he is going to get the final cost in the  
535 Estimates Book, so he has that number. That number is going to be publicly available. He cannot  
have the breakdown of what goes to whom, because that is what is commercially sensitive. I do  
not think we have any problem whatsoever with sharing it with him if he wants, and any other  
Member if they want, but it is not something that can be made public, because of the commercial  
sensitivity. So he can have the breakdown on an undertaking not to share it with commercial  
540 entities that may be interested in undercutting others etc.

**Q419/2017**  
**Queen's Cinema –**  
**Current status and future plans**

**Clerk:** Question 419. The Hon. Ms M D Hassan Nahon.

**Hon. Ms M D Hassan Nahon:** Can the Minister for Culture give some information on the  
current status and future plans for the Queen's Cinema?

545 **Clerk:** Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

**Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker,  
HM Government is currently considering a number of commercial proposals which include a  
550 conference/theatre hall for the Queen's Cinema and Queen's Hotel sites.

**Mr Speaker:** Next question.

**Q420/2017**  
**Lathbury and Europa Point sports complexes –**  
**Fairness of tender process**

**Clerk:** Question 420. The Hon. Ms M D Hassan Nahon.

555 **Hon. Ms M D Hassan Nahon:** Can the Minister for Sport confirm whether Government will be  
following a fair tender process when allocating the necessary work required to build the sports  
complexes at Lathbury and Europa Point?

**Clerk:** Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

560 **Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker, HM Government always follows a fair tender process when it is required. This has been the case with the building of the magnificent sporting complexes at both Lathbury and Europa Point.

565 **Hon. Ms M D Hassan Nahon:** Can the Minister give us some information as to when these tenders will be coming out?

**Hon. S E Linares:** Mr Speaker, the tenders came out, the tenders have been processed and we are at the stage now when one of the successful companies will be informed and start work immediately.

570 **Mr Speaker:** Next question.

**Hon. D A Feetham:** Mr Speaker, can I return to the question about the Queen's Cinema?

575 **Mr Speaker:** Yes, indeed.

**Hon. D A Feetham:** Mr Speaker, just on this question of the Queen's Cinema, the Government in 2013 announced some plans for the use of the Queen's Cinema in terms of theatre and other uses. Is it that the Government has abandoned those plans, or is it that the Government is looking at different plans? And can the Government explain why the delay in the development of Queen's Cinema, given the fact that those plans were announced as far back ...  
580 My recollection was 2013, but I will be corrected, if I am wrong, by the Hon. Minister.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I do enjoy being encouraged to do the things that the hon. Members opposite say that we should not be doing because we cannot afford them.  
585

The Government has been approached by a number of third parties on an unsolicited basis to seek to have the redevelopment of that site include the theatre but with the provision of other facilities above and around the theatre. The hon. Gentleman knows that we do not just enjoy the benefit of ownership now of the old Queen's Cinema but also of the old Queen's Hotel, which provides a larger plot. Really, on an unsolicited basis we have received a number of proposals, all of which are interesting and it is our obligation to consider carefully and then to determine how we decide what to do in the context of that theatre and the proposals that we have received, and whether – given that we have received unsolicited proposals which are very succulent, if I can put it that way, and still provide the theatre – whether we should perhaps go to a public expressions of interest procedure in respect of that site. That might be more beneficial to the taxpayer and would deliver the theatre too.  
590  
595

We are in negotiations with some of those who have approached us. Some of them represent entities from beyond Gibraltar and therefore negotiations are not face to face and quick, but they are potentially very attractive and they do nonetheless deliver the theatre project announced in 2013 and then set out in more detail in the magnificent manifesto – in fact, the only manifesto – in the 2015 General Election.  
600



**TOURISM, EMPLOYMENT, COMMERCIAL AVIATION AND THE PORT**

**Q421-424/2017**

**Monthly visitors to Gibraltar –  
Breakdown by land, sea and air**

**Clerk:** Question 421. The Hon. T N Hammond.

605 **Hon. T N Hammond:** Mr Speaker, what are the monthly visitor totals to Gibraltar from January to June of this year?

**Clerk:** Answer, the Hon. the Minister for Tourism, Employment, Commercial Aviation and the Port.

610 **Minister for Tourism, Employment, Commercial Aviation and the Port (Hon. G H Licudi):** Mr Speaker, I will answer this question together with Questions 422, 423 and 424.

**Clerk:** Question 422. The Hon. T N Hammond.

615 **Hon. T N Hammond:** Mr Speaker, what are the monthly visitor totals to Gibraltar by land from January to June of this year?

**Clerk:** Question 423. The Hon. T N Hammond.

620 **Hon. T N Hammond:** Mr Speaker, what are the monthly visitor totals to Gibraltar by sea from January to June of this year?

**Clerk:** Question 424. The Hon. T N Hammond.

625 **Hon. T N Hammond:** Mr Speaker, what are the monthly visitor totals to Gibraltar by air from January to June of this year?

630 **Clerk:** Answer, the Hon. the Minister for Tourism, Employment, Commercial Aviation and the Port.

**Minister for Tourism, Employment, Commercial Aviation and the Port (Hon. G H Licudi):** Mr Speaker, the information requested by the hon. Gentleman is contained in the schedule being handed over to him now.

**Answer to Question 424/2017**

Total visitors arriving in Gibraltar in 2017 is as follows:

Month	Air	Sea	Land
January	12,406	919	676,555
February	15,421	609	718,653
March	19,283	10,227	776,988
April	24,457	40,965	696,403
May	25,812	66,638	830,927
June	24,612	38,406	823,550

635

**Q425/2017**  
**Employment Service –**  
**Notices of vacancies, terms of engagement and termination filed**

**Clerk:** Question 425. The Hon. E J Phillips.

640 **Hon. E J Phillips:** Mr Speaker, can the Government state the total number of (i) notice of vacancies, (ii) notice of terms of engagement, excluding variations, and (iii) notice of terminations filed at the Employment Service from December 2011 to date.

**Clerk:** Answer, the Hon. the Minister for Tourism, Employment, Commercial Aviation and the Port.

645

**Minister for Tourism, Employment, Commercial Aviation and the Port (Hon. G H Licudi):** Mr Speaker, this question is identical to one asked by the Hon. Mr Phillips at the last meeting of Parliament.

650 The statistics for the period December 2011 to the end of May 2017 were provided to the hon. Gentleman already in reply to Question W92/2017.

The figures for the period June to August 2017 are as follows: vacancies, 2,922; terms of engagement, 3,223; and termination, 3,292.

**Mr Speaker:** Any supplementary?

655

**Hon. T N Hammond:** Just returning to these questions and just for my clarification, I asked four questions and I definitely have the answer to three. Can I just confirm with the Minister that if I add the totals here I will get the answer to Question 421 and that there is not another sector that I have missed out somehow – I will have the total totals?

660

**Hon. G H Licudi:** Mr Speaker, I was expecting that particular supplementary from the hon. Member. I did not know whether it was a trick question, because he asked for visitor arrivals by air, by land and by sea and then he asked separately for all of them. So he has been given by air, land and sea and all he has to do is put them all together. I do not believe visitors arrive in Gibraltar other than by air, land or sea.

665

**Q426/2017**  
**Port rescue launch –**  
**Recruitment**

**Clerk:** Question 426. The Hon. R M Clinton.

**Hon. R M Clinton:** Mr Speaker, can the Government advise if the under-manning issue surrounding the Port rescue launch and the Gibraltar Port Authority has been resolved, and what were the matters concerning the recruitment of a seaman/mechanic vacancy that required the filling of this post to be considered by the full Cabinet?

**Clerk:** Answer, the Hon. the Minister for Tourism, Employment, Commercial Aviation and the Port.

**Minister for Tourism, Employment, Commercial Aviation and the Port (Hon. G H Licudi):** Mr Speaker, I have already alerted my hon. Friend to what part of the answer to this question is going to be.

The vacant post of seaman/mechanic was filled on 7th August 2017. This brought the Port launch to full manning levels. The matter concerning the recruitment for this post, which was considered by the Cabinet, cannot be disclosed for data protection reasons. I am, however, happy to brief the hon. Member on this behind Mr Speaker's chair.

**Mr Speaker:** Next question.

**Q427/2017**  
**Gibraltar Port Authority –**  
**Under-manning**

**Clerk:** Question 427. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Government state, since December 2011, on how many occasions has the Gibraltar Port Authority functioned with two crewmen as opposed to three?

**Clerk:** Answer, the Hon. the Minister for Tourism, Employment, Commercial Aviation and the Port.

**Minister for Tourism, Employment, Commercial Aviation and the Port (Hon. G H Licudi):** Mr Speaker, since December 2011 the Port launch has operated with two crewmen on two separate occasions, both being vessel recovery operations.

**Hon. L F Llamas:** Mr Speaker, does the Hon. Minister have the dates that those two occasions have been?

**Hon. G H Licudi:** Mr Speaker, 11th April 2017 and 13th July 2017.

**Q428/2017**

**Maxi Priest video and song –  
Government involvement re finance and production**

**Clerk:** Question 428. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Government provide details, if any, of its involvement in financing and producing the Maxi Priest video and song?

705

**Clerk:** Answer, the Hon. the Minister for Tourism, Employment, Commercial Aviation and the Port.

**Minister for Tourism, Employment, Commercial Aviation and the Port (Hon. G H Licudi):** Mr Speaker, the Gibraltar Tourist Board contributed the following to the financing and production of the video and song: flights for Maxi Priest, £248; accommodation for Maxi Priest, £300; production of music video, £6,775. This has proved to be excellent value for money.

710

Since it was posted at 10.30 a.m. on 3rd August, the video has been viewed more than 155,000 times. Many of these are unique viewers, meaning users who have watched the video once. A quarter of the video's watch time was from the United Kingdom; however, it has been watched on Facebook by Facebook users from as far away as New York, California and Ontario. Maxi Priest has since shared the original post on his own page. Overall, the post has been shared over 2,300 times, an online action that is at the centre of Visit Gibraltar's marketing strategy.

715

The long-term impact is tangible, as the video has directly resulted in an increase of 220 followers on the Visit Gibraltar Facebook page and 150 followers on HM Government of Gibraltar's Facebook page. This represents a new, extended and permanent audience for all other marketing, messaging and tourist information posted to both these pages in the future.

720

**Mr Speaker:** Before we carry on, I am going to allow the Hon. Marlene Hassan Nahon to raise a supplementary on questions relating to the MTV festival.

725

**Hon. Ms M D Hassan Nahon:** Yes, it does, so perhaps the Hon. Minister for Culture should be here – I think he may have popped out. Oh, here he is.

Mr Speaker, if I may just pick up on the question by the Hon. Lawrence Llamas at Question 418, when the Chief Minister explained that the opportunity was too good to miss and the branding of MTV was going to give us something unrivalled and all this. Why was it that, for example ... perhaps the same organisers of previous years of GMF could have taken the organising of the festival. When Neon Angel stepped in instead of MTV, the layer of Neon Angel, why couldn't that have been kept by the previous organisers?

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735

**Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Well, first of all, it was MTV's decision, not ours, and therefore we were quite satisfied that Neon Angel were also going to engage – and they did – with the previous organisers, so therefore there was not quite a problem in that Neon Angel, which were assigned by MTV ... and when I was negotiating with MTV and Neon Angel we made sure that the organisers who had previously done the GMF were going to be involved, and that has been the case.

740

**Hon. Ms M D Hassan Nahon:** Was there no interest for Gibraltar Government to keep to retain the previous organisers, who had done such a good job, and perhaps ...?

745

**Chief Minister (Hon. F R Picardo):** Mr Speaker, just for the purposes of clarity and understanding, the previous organisers were involved this year. The previous organisers have done a lot of the organisation this year. If the hon. Lady knows the characters, they have actually

750 been backstage most of the time. They have been people with whom Neon Angel and we have been liaising and with whom MTV have been liaising as well.

MTV organise it like they organise it and there is a reason for that, and it is a well-practised manner of organisation of festivals that they have. That does not mean that there is not a role for people from Gibraltar who have been involved in the past and who have specific local knowledge, understanding and expertise that they bring to the equation. Nobody can praise the former organisers more than the Government. The Government gave the former organisers the opportunity to organise from 2012 before it went to tender. It went to tender afterwards and they got it. They have done a magnificent job of organising the Gibraltar Music Festival, but to reach the international audience that we wanted to reach MTV was required and MTV does things the way it does things in the hundreds of festivals that it organises around the world. But the names of individuals who are involved in organising are very much the people who were also involved through Neon Angel and through MTV in the actual organisation of this year when it came to contracting scaffolding, stages etc., with different opportunities also arising for them as a result of the contacts that MTV and Neon Angel could bring and the lower costs that they are able to provide because of their wider reach in the market.

765 But if the hon. Lady is saying, 'Could you, Government, have done anything to get MTV to organise the MTV Gibraltar Calling International Music Festival with the three guys who organised the GMF?' the answer is we could not have done more, and therefore they were very involved.

770 **Hon. Ms M D Hassan Nahon:** Thank you for that. Can I ask, if I may, is it looking like the Government will want to continue this pattern of working with MTV in future years?

775 **Hon. S E Linares:** Absolutely. It has been a great success and we are looking to even do more with MTV, not only Gibraltar Calling but many other things that we are in negotiations and talking with them about, which will be of huge benefit to Gibraltar. This is a partner that has millions of viewers. And it is not only MTV, Mr Speaker. I must emphasise that it is Viacom. Viacom is a huge company which owns VH2, it owns all the MTVs, Nickelodeon, Channel 5. There is a lot that we can do with them, so I am quite pleased to continue that relationship, Mr Speaker.

780 **Mr Speaker:** Next question.

## INFRASTRUCTURE AND PLANNING

### Q429 and 437/2017 Upper Town escalator – Breakdowns and costs of repair

**Clerk:** Question 429. The Hon. T N Hammond.

785 **Hon. T N Hammond:** Mr Speaker, since 1st May 2016, on how many occasions has the Upper Town escalator been unserviceable, and for each occasion for how long was it broken?

**Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

**Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, I will answer this question together with Question 437.

**Clerk:** Question 437. The Hon. L F Llamas.

790

**Hon. L F Llamas:** Mr Speaker, can the Government provide a breakdown of the periods of time the escalators to the Upper Town have been out of use and the cost of repair on each occasion since they were installed?

795

**Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

**Hon. P J Balban:** Mr Speaker, the information requested by the hon. Member is in the schedule that I will hand over now.

800

**Mr Speaker:** It is a fairly lengthy and detailed schedule. I think we will move on with other questions and I am going to allow hon. Members to raise any matters in supplementaries after they have perused the schedule. Okay? Next question.

**ANSWER TO QUESTION NO 437/2017**

Escalator 1064739				
Month/Year	Breakdowns	Cause	Stoppage time	Cost
Sept 2013	1		Repaired same day	
Feb 2014	2		Repaired same day	
March 2014	2		Repaired same day	
April 2014	2	Call out owing to vandalism x2	Repaired same day	£49.94 /49.94
July 2014	1	Call out owing to vandalism cut	Repaired same day	£34.42
Oct 2014	1		Repaired same day	
Nov 2014	1		Repaired within 2 days	
Dec 2014	1		Repaired within 3 days	
Jan 2015	1		Repaired same day	
Feb 2015	2	Call out owing to vandalism x2	Repaired same day	
Mar 2015	2		Repaired within 2/3 days	
April 2015	4		Repaired same day	
Sep 2015	1	Misuse	Repaired same day	£63.17
Dec 2015	1		Repaired within 4 days	
Jan 2016	2	Rain water/silt	Repaired within 2 days	
Feb 2016	1	Call out owing to vandalism cut	Repaired within 4 days	£1,053
Mar 2016	1	Rain water/silt	Repaired same day	
Apr 2016	1		Repaired within 2 days	
May 2016	2		Repaired within 2/3 days	
Oct 2016	1	Rain water/silt	Repaired within 4 days	£127.49
Dec 2016	2	Rain water / Call out owing to vandalism	Repaired within 3/5 days	£167.00/136.18
Mar 2017	1	Rain water	Repaired same day	
April 2017	1	Rain water	Repaired within 2 days	

Escalator 1064740				
Month/Year	Breakdowns	Cause	Stoppage time	Cost (£)
Dec 2014	1		Repaired within 2 days	
Jan 2014	1	Call out wing to vandalism	Repaired same day	
Aug 2014	1		Repaired same day	
Oct 2015	1	Rain water/silt	Repaired same day	
Nov 2015	1	Rain water/silt	Repaired within 3 days	
Feb 2016	1		Repaired within 2 days	
Month/Year	Breakdowns	Cause	Stoppage time	Cost (£)
Jun 2016	1		Repaired same day	
Oct 2016	1		Repaired within 2 days	
Nov 2016	1		Repaired within 2 days	
Dec 2016	1	Rain water	Repaired same day	£136.73
Jan 2017	1	Rain water/silt	Repaired within 4 days	£3,739.69

805

**Q430/2017**  
**'No idling' signs –**  
**Progress re introduction**

**Clerk:** Question 430. The Hon. T N Hammond.

810

**Hon. T N Hammond:** Mr Speaker, further to Questions 196/2016 and 232/2017, can the Government say what progress it has made regarding the introduction of no idling signs, particularly in areas which were suggested by the Minister as 'hot spots' last time this question was asked, the Frontier and parts of the Upper Rock?

815

**Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

**Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, signs have been designed and the matter is tabled for discussion by the Traffic Commission at its next meeting later this month.

820

**Mr Speaker:** Next question.

**Q431-434/2017**  
**Fixed penalty notices for parking offences –**  
**Numbers issued**

**Clerk:** Question 431. The Hon. T N Hammond.

825

**Hon. T N Hammond:** Mr Speaker, can the Minister say how many fixed penalty notices for parking offences, by month, have been issued to local cars since the beginning of January 2017?

**Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

830 **Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, I will answer this question together with Questions 432, 433 and 444.

**Clerk:** Question 432. The Hon. T N Hammond.

835 **Hon. T N Hammond:** Mr Speaker, can the Minister say how many fixed penalty notices for parking offences, by month, have been issued to foreign cars since the beginning of January 2017?

**Clerk:** Question 433. The Hon. T N Hammond.

840

**Hon. T N Hammond:** Of the total number of fixed penalty notices issued since the beginning of January this year, how many have been rescinded as having been incorrectly issued?

**Clerk:** Question 434. The Hon. T N Hammond.

845

**Hon. T N Hammond:** Can the Minister say how many clamps for parking offences, by month, have been placed on foreign vehicles since the beginning of January 2017?

**Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

850

**Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, since the beginning of January 2017, 450 fixed penalty notices have been cancelled.

I now hand over a schedule with the rest of the information that the hon. Member requested.

**Answer to Question 434/2017**

Month	Clamps to foreign Vehicles	FPNs to Foreign Vehicles	FPNs to Local Vehicles
January	198	229	2382
February	164	190	2046
March	214	206	2037
April	201	234	1839
May	160	292	2018
June	200	255	2070
July	268	333	1899
August	302	369	2058

855

**Mr Speaker:** The Hon. Lawrence Llamas has a supplementary arising from Question 437.

860 **Hon. L F Llamas:** Mr Speaker, looking at the schedule given by the Hon. Minister, I recall earlier in summer, in June of this year, 2017, and later on, a month later in July, in the press, two stories regarding the Upper Town escalators where the escalators were unserviceable, and I cannot seem to find these on the schedule handed over, as the last repairs were carried out in April 2017 and January 2017, respective of both. Can the Hon. Minister provide any schedules or details regarding this latest breakage in the escalators and whether or not they are actually fixed?



865 **Hon. P J Balban:** Mr Speaker, yes. Towards the end of May 2017 there were issues because of the torrential rains that Gibraltar suffered. That was the last time the escalator actually broke down. At the moment the repairs are about to commence because spares were required to be brought into Gibraltar especially, and, as I said, they are about to be repaired in the next weeks or so.

870 **Hon. L F Llamas:** So therefore, Mr Speaker, the escalators have been out of use since May 2017 and, despite assurances given in July 2017 that they were a couple of weeks away, they are still unserviceable and will be fixed within the next four or five weeks. Is that right?

875 **Hon. P J Balban:** Mr Speaker, because of the fact of the spares ... It is not a question of not wanting to repair them; the question is an issue of the spares, and the company which is responsible for the maintenance of the escalators, Schindler, have had to look for these spares that were required because the damage was quite extensive so quite a numerous quantity of spares were required to be able to bring the escalators back to condition.

880 **Mr Speaker:** The Hon. Trevor Hammond. Do you have any ... *[Inaudible]*

**Hon. T N Hammond:** No, I am happy to ...

885 **Mr Speaker:** You don't have any on 434?

**Hon. L F Llamas:** Does the Hon. Minister know the extent of the cost of repairing this damage will be, or is it still under negotiation?

890 **Hon. P J Balban:** Mr Speaker, yes, the cost to repair both escalators will amount to £74,316.73. That is £51,237.18 for one of the escalators and £23,078.92 for the second escalator.

895 **Hon. L F Llamas:** Just one final supplementary, Mr Speaker. Given that obviously ... even though they are supposed to be exterior escalators and they should be able to withhold the weather, will the Government be investing in perhaps covering them up slightly or providing some form of shelter so that this expense is not incurred in the near future?

900 **Hon. P J Balban:** Mr Speaker, these escalators have been plagued with numerous issues and one of them was a lot of vandalism as well. In this last case what happened was that there were especially bad torrential rains. It was not the rain itself, the water is not the issue, the escalators can handle water without any problem; it is what the water brings with it. Unfortunately, it has dragged the silt, the sand and the debris, and that has been what has actually gone into the escalators and caused damage to the steps, and in fact shearing part of the mechanism away.

905 The escalators are designed to withstand the elements; it is just that the sheer volume of what is brought with the water that has caused the damage in this particular case.

The hon. Gentleman also asked the question whether anything is being looked at, and the answer is yes, we are looking at other ways of moving water to see if we can move water and channel it in a different direction, and in fact Technical Services is about to do some extra works

910 in the next couple of weeks to try to move water away from the escalator. But as I said, it is not the water, it is the debris that has caused the problem.

**Hon. T N Hammond:** Just regarding these latest works by Technical Services, which would seem to at least go some way to providing a solution to avoiding such extreme costs in the future, does the Minister have any idea what those works themselves may cost?

915

**Hon. P J Balban:** Mr Speaker, no I have not got an idea of what those works would cost at the moment.

920 **Hon. T N Hammond:** Mr Speaker, bearing in mind that the escalator has been now in position for ... well, certainly since about 2013, what is the anticipated lifespan of that escalator? Will we have to be replacing it in a year, in two years, in 10 years, or will we just be facing large bills to keep replacing parts on it year after year?

925 **Hon. P J Balban:** Mr Speaker, really it is a bit of an unknown. We do not know what damage is going to happen. If he had asked the question, perhaps I would have found out for him. I do not know how long it is envisaged escalators will last. I suppose they last as long as can be expected for these devices. Again, if the gentleman wants me to find out what the longevity expected is, I will find out. Other than that, it is impossible to say.

930

**Mr Speaker:** Next question.

#### Q435-436/2017

#### Development and Planning Commission – Applications not complying with Gibraltar Development Plan

**Clerk:** Question 435. The Hon. D A Feetham.

935

**Hon. D A Feetham:** Mr Speaker, since 2012, how many projects submitted for approval to the DPC have been granted planning permission in circumstances where the proposed project did not comply and/or was in breach of the Gibraltar Development Plan, identifying the project and the date the planning permission was granted?

940

**Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

**Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, I shall answer this question together with Question 436/2017.

945

**Clerk:** Question 436. The Hon. D A Feetham.

950 **Hon. D A Feetham:** Mr Speaker, since 2012, how many Government projects submitted for advice and guidance to the DPC have been proceeded with despite the proposed project not complying with and/or being in breach of the Gibraltar Development Plan, identifying the project and the date advice was sought?

**Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

955 **Hon. P J Balban:** Mr Speaker, in determining planning applications, whether Government or otherwise, the DPC takes into consideration the contents of the Gibraltar Development Plan 2009, which contains numerous policies covering a wide variety of issues. The DPC will consider each application on its merits and will consider whether the proposal complies with relevant policies of the Plan and will also consider whether there are any other material planning considerations to be taken into account.

960

When considering the extent to which development proposals comply with relevant policies, professional judgement is used and the Town Planning Department advises the DPC accordingly. The DPC then considers all relevant factors before making a decision.

965 Non-compliance with Development Plan policy generally is normally one of the main reasons  
for the DPC refusing an application.

Having explained the context of how the Development Plan policies feed into the DPC  
decision-making process, the hon. Opposition Member will no doubt appreciate that it is not  
possible to provide a list of applications as requested in his question. To try and review the  
reasoning for every decision made by the Commission since 2012 would be an extremely  
970 onerous task and would require significant professional staff resources to undertake and would  
divert resources from the day-to-day work of the Town Planning Department.

**Hon. D A Feetham:** Mr Speaker, I am asking a question – two questions, but certainly asking a  
question about one of the cornerstones of the Government’s policy in terms of openness,  
975 transparency and in terms of the Government’s policy and changes that they themselves  
introduced in relation to how the planning process is conducted.

I could give the hon. Gentleman the benefit of the doubt and say perhaps – I do not agree,  
but perhaps – that is applicable to the first question. I do not agree with that, but perhaps. But  
the second question is about Government projects submitted for advice and guidance to the  
980 DPC. And surely the Government, which has introduced this policy in the first place in order to  
improve openness and transparency in the process, would want to know how many of the  
applications or how many of the projects that it submitted for advice and guidance are projects  
that have not complied or are in breach of the Gibraltar Development Plan and that those are  
facts and that those statistics are available to the Government, and therefore that the  
985 Government would be able to share them with this House and therefore with the people of  
Gibraltar, Mr Speaker.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I do not think that the hon. Gentleman has  
really understood what the nature of the reforms made after December 2011 was.

990 So just so he understands why his question, first of all, cannot be answered and, second, why  
he should not have posed it: before December 2011 the DPC met in private; there was no public  
access to its reasoning; after December 2011 the DPC meets in public; therefore the question he  
is asking is about something that is in the public domain. He can sit in the Mackintosh Hall and  
he can hear the Town Planner say, ‘In the context of this application there was a concern that  
995 the Development Plan may be breached,’ or he can hear the development planner say, ‘In the  
context of this application, like every application filed by the Government, there was no breach  
of the Development Plan developed by the GSD, not the GSLP.’

So he is asking us, Mr Speaker, about things that happened in public. Mr Speaker, I  
understand that the hon. Gentleman has a busy practice and he cannot go to the Development  
1000 and Planning Commission and sit there as he and I might wish in the later life to enjoy heckling  
those who might be making the applications, but he is asking about things that have transpired  
in public, and advice that has been tendered to the Government in public.

There is not a record – in other words, there is not a video – that is saved of that, as there is  
of the parliamentary proceedings. We cannot go back to it. There is written advice. There are  
1005 hundreds of applications, Mr Speaker. There are minutes and it would be a question of going  
back to those – I think they are public too, they are online, Mr Speaker – and the hon.  
Gentleman, if he wishes this information, can do his homework, go online, access the minutes of  
every meeting of the DPC since the glorious revolution of December 2011 and work it out for  
himself. But he is asking the Minister or someone in his Department to do that for him when it is  
1010 available online.

The hon. Gentleman has risen and asked a question which has perked my interest too. Maybe  
in future we can just make a note in the event that the Government were ever to file an  
application itself that breaches the Town Plan or the development planners, it is today. I cannot  
recall any. Obviously, the hon. Gentleman cannot recall any, otherwise he would have raised  
1015 that with us. But however much of a political geek I am, I assure him tonight I am not going to be

going online onto all the minutes of the DPC to check the advice that has been tendered in public and recorded, and maintained in public by the Chairman of the DPC who is now the Town Planner.

1020 Can I just remind him, Mr Speaker, that as he led his party for that short period, in that time they took opposition to our reforms and they advised us at one stage to reverse the position and to go back into the manner that they operated the DPC, which was in private and without minutes in public and which would have elicited, had they asked the question of a GSLP Liberal Government that had maintained the GSD way of running the DPC, that is confidential. He is not getting the answer, 'It is confidential.' It is not statistics that is compiled, but he can compile it by  
1025 going online and reading the now public minutes of the now public meetings of the Development and Planning Commission. *(Banging on desks)*

**Hon. D A Feetham:** Mr Speaker, he says the short period of time that I was the Leader of the Opposition; I have to say it seemed like an eternity to me, but in any event!

1030 Mr Speaker, yes it is true that we had a different policy to the hon. Gentleman and yes it is true that when we were there these decisions were taken behind closed doors, but presumably they changed the policy and they opened DPC proceedings to the public in order to make it more open and more transparent.

1035 But let me just outline what the hon. Gentleman says so people understand him. What he is really saying is, 'I am refusing to provide you the answer of how many Government projects' – *Government projects*; those are the projects submitted by them to the DPC for advice and guidance – have been in breach of the Development Plan.' What they are saying is, 'Well, you go to every single DPC meeting. You look at the minutes of DPC meetings and you make your own findings in relation to that.' Mr Speaker, that, in my respectful view, is not the democratic, open,  
1040 transparent way of doing things and, quite frankly, I would expect in a mature, open democracy – which presumably that is what the hon. Gentleman, certainly under his stewardship, would describe democracy in Gibraltar – that he, first of all, would have those statistics at his disposal, because those are important statistics, and that he would be able to share it with this House because that is the function of this Parliament in order for the Government to provide  
1045 information that, quite frankly, is important.

Therefore, Mr Speaker, does he not agree that the answer that he has provided me is an answer that is not commensurate with the stated policy of his Government of openness and transparency in relation to the way these proceedings are conducted?

1050 **Hon. Chief Minister:** I never thought I would say this, Mr Speaker, but I do miss him. In his question, Alice has descended into the eighth circle of hell in Dante's Inferno, because he does not realise that the question he is asking is, with the very greatest of respect, utterly nonsensical; and it is nonsensical for a number of reasons.

1055 The word 'nonsense', Mr Speaker, means that what the speaker is alleging makes no sense. It makes no sense for this reason: he has accused us of not being transparent because of something that happened in public in broad daylight, and because of the record of that, which is available not just to every citizen of Gibraltar but to every citizen of the world on the worldwide web, 24 hours a day, on Christmas Day and on Jewish holidays – every single day of the year ...!

1060 The hon. Gentleman is saying to me that I lead a Government that is not transparent, not because the information is not public, not because the events recorded in the information did not happen in public, but because I, or one of the people employed receiving emoluments from the Crown, will not do the exercise for him of reading it all and making the list that he wants. That is not about an absence of maturity or democracy, or an absence of transparency; that is because of an absence of hard work on his part! It is because of an absence of his desire or  
1065 ability to download the minutes, read them and determine whether the Town Planner has said in public these things; and why is that true as much of every project as it is of every Government project, Mr Speaker, because every Government project goes through that process.

At least, Mr Speaker, every Government project goes through that process now after the glorious revolution of 9th December 2011, because Government projects did not even go to the secret DPC in the old days. Government projects went to the Development and Planning Chair in which the former Chief Minister sat to determine what his Government did or did not do. It did not go through an environmental filter, it did not go through the DPC, it was not consulted on with Heritage or [inaudible] You found out in the press release, Mr Speaker, that the Government was going to do something and you had to make up your own mind from the press release and your own reading of the Development Plan whether it breached the Development Plan.

So, Mr Speaker, the hyperbole of the accusation that the Government is somehow not mature and not transparent does not stand up to a four-year-old's scrutiny, because the accusation is about something that happened in public and about a record of it that is in public. It is just about the collation of the information.

But, Mr Speaker, I may have said that he led for a short time, though it seemed like an eternity for him; perhaps it is that on this side of the House we were having so much fun with him as Leader of the Opposition that time just flew.

**Mr Speaker:** Next question.

**Hon. D A Feetham:** Mr Speaker, may I?

**Mr Speaker:** Yes, one other supplementary.

**Hon. D A Feetham:** Thank you very much, Mr Speaker.

The analogy with Dante's Inferno, I am afraid, is more apposite to the way that the hon. Gentleman is insinuating, at times, the basic democratic principles and values in Gibraltar with some of the answers that he provides in this House and we have become accustomed to receiving across the floor of the House.

Mr Speaker, just so that I get it right, what the hon. Gentleman is saying – and I am asking him to confirm – is that he and his Government are simply not interested – *not interested* – in how many Government projects that have gone before the DPC for advice and guidance have been in breach of the Gibraltar Development Plan. Can he confirm that, because, quite frankly, that would be a most extraordinary state of affairs, it has to be said?

**Hon. Chief Minister:** He does test the limits of logic, Mr Speaker.

What is the basic democratic principle that is at stake here, because the hon. Gentleman has said that I am attacking basic democratic principles and he has attacked me for a lack of transparency? So which basic democratic principle of transparency is at stake in holding the meetings where the decisions the hon. Gentleman says he is interested in are made in public? Surely, the most basic understanding of transparency is to move something from behind a closed door to beyond a closed door, to the public arena. That is what we have done.

The hon. Gentleman says am I not interested, as Leader of the House and Leader of this Government, in knowing how many Government projects may have breached the Development Plan? I told him in an earlier Answer that he had perked my interest in that respect, but that I believed that there were none, Mr Speaker. If there is a Government project that has breached the Development Plan then advice in that respect, or notification in that respect, will be contained in the public minutes of the DPC meeting in which that project from the Government has been considered and all aspects of it determined.

So basic democratic principle number one, decisions should not be made behind closed doors where they can be made in the public domain: complied with after 9th December 2011, by taking the GSD's secret DPC and putting it in public. Basic democratic principle number two, records of meetings should be public where possible where it is not in the public interest that

1120 they should be otherwise confidential: complied with after 9th December 2011, in respect of minutes of those same DPC meetings.

Question from the former Leader of the Opposition: how many times have the DPC told you that a project breaches the Town Plan and how many times has the DPC told you that a Government project breaches the Town Plan? Answer to both: the information is available publicly online in the minutes of those now public meetings of the DPC and in the public record of those meetings, which includes the record of consideration of non-security sensitive Government projects.

I hope he now understands that the only basic issue at stake is his understanding of what is now public which was previously secret and which information is now available at his fingertips should he care to do the work. Therefore, Mr Speaker, all of the public in Gibraltar is able to know the answer to the questions he is asking and might even have known better than he has to ask a question about something that is already public.

**Mr Speaker:** Next question.

1135

**Hon. L F Llamas:** Mr Speaker, one supplementary? (**Mr Speaker:** On this?) On this. (**Mr Speaker:** Yes.)

Mr Speaker, can the Government confirm that it remains committed to sending and filing Government projects to the DPC for approval?

1140

**Hon. Chief Minister:** Mr Speaker, the answer to that question is that contrary to the advice of the former Chief Minister and contrary to the advice tendered by the party with whom he stood at the last general election, the Government remains committed to its policy to subject Government projects for guidance and advice to the Development and Planning Commission in its now public meetings, so that a public record can be maintained of the advice and guidance given to the Government in respect of each of those approaches.

1145

If I may say so, Mr Speaker, we have submitted to the DPC a number of projects which have resulted in guidance and advice from the DPC improving those projects and I am very happy that we failed to take the advice of the party that he no longer represents and that we have progressed that attitude of submission for guidance and advice of Government projects to date and will continue to do so.

1150

**Mr Speaker:** Next question.

**Hon. T N Hammond:** Mr Speaker, can I just seek clarification from the Minister, reference Question 434, that the fixed penalty notices which I specifically asked for are the £100 fines, and whether he is aware, is that the sum total of parking penalties paid, or is it possible that that is just the fixed penalty notices and that there are another number of other regular parking tickets that may have been issued at a lower rate? Just to clarify that so I can understand whether this does represent a total of parking penalties at £100 or whether this is a mix of parking penalties or whether there is only one parking penalty now of £100?

1160

**Hon. P J Balban:** Mr Speaker, as far as I am aware, this is a total amount of FPNs issued.

**Hon. T N Hammond:** Can I clarify that there are no other forms of fines for parking – it is only the fixed penalty notice now?

1165

**Hon. P J Balban:** Parking fines are all fixed penalty notices, as far as I am aware.

**Q438/2017**  
**Chatham Counterguard –**  
**Pedestrianisation at peak hours**

**Clerk:** Question 438. The Hon. L F Llamas.

1170

**Hon. L F Llamas:** Mr Speaker, is the Government considering pedestrianising Chatham Counterguard at peak hours?

**Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

1175

**Minister for Infrastructure and Planning (Hon. P J Balban):** If the hon. Gentleman reminds me of the question number, because we have been back and forth on the Order Paper.

**Mr Speaker:** Number 438.

1180

**Hon. P J Balban:** Number 438. Mr Speaker, Her Majesty's Government of Gibraltar is currently considering various options for the area but no final decision has been made. There are many potential advantages from such a measure for the businesses in that area and their patrons. There are also many potential disadvantages for residents of the area of Irish Town, Main Street, Crutchett's Ramp, Ocean Heights etc.

1185

**Mr Speaker:** Next question.

**Q439/2017**  
**Gibraltar International Airport –**  
**Bus service**

**Clerk:** Question 439. The Hon. L F Llamas.

1190

**Hon. L F Llamas:** Mr Speaker, does the Government intend to provide a bus service from Gibraltar International Airport?

**Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

1195

**Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, such a bus service is already provided.

**Hon. L F Llamas:** Mr Speaker, but as far as I am aware it is provided by a private company. I am asking whether the Government intends to provide a bus service which interacts and avoids having to have a service where people will have to swap providers and therefore purchase extra tickets.

1200

**Hon. P J Balban:** Mr Speaker, the present bus service being provided actually goes quite a far distance; it goes all the way to Boyds Street, so it does cover a lot of Gibraltar. Normally in any city there is a requirement to change bus; no bus route will take you everywhere you want to go. So the service does amply provide for persons wishing to travel to other areas, and because the service is already being provided, be it so, by a private entity we do not feel at this moment in time there is a need to provide a route extension or an extra route with the Government bus service.

1205

**Q440/2017**  
**Calypso Transport Ltd –**  
**Extension to route services and fleet**

1210 **Clerk:** Question 440. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Government disclose the agreement reached with Calypso Transport Limited for the extension to their route services and fleet?

1215 **Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

**Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, there has been no agreement reached by Calypso Transport Limited for the extension of their route services and fleet.

1220

**Q441/2017**  
**Rights for the disabled –**  
**Stickers on municipal buses**

**Clerk:** Question 441. The Hon. L F Llamas.

1225 **Hon. L F Llamas:** Mr Speaker, can the Government state the wording of the stickers removed from the municipal buses regarding rights for the disabled?

**Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

1230 **Minister for Infrastructure and Planning (Hon. P J Balban):** Yes, Mr Speaker, the sticker that the hon. Member is referring to concerning the use of the low floor seating area read as follows:

**Important Passenger Notice**

This is a priority area for wheelchair users and passengers travelling with prams.

This area operates on a first come, first served basis.

The bus driver has been instructed not to determine which of the eligible passengers is to use this area.



This sign will be replaced by:

**Important Passenger Notice**

This is a priority area for wheelchair users.

The bus driver has been instructed to require non-wheelchair passengers to vacate this area if required by a wheelchair user.

**Q442/2017**

**Government-owned buses –  
Monthly schedule of revenue**

1235 **Clerk:** Question 442. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Government provide a monthly schedule of revenue collected by the Government-owned buses since December 2011?

1240 **Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

**Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, the information requested by the hon. Member is provided in the schedule that I will now hand over.

Bus Fare Revenues

	2011	2012	2013	2014	2015	2016	2017
<b>January</b>		£25,737.86	£8,527.54	£12,461.49	£15,028.78	£25,271.88	£25,020.49
<b>February</b>		£24,967.06	£16,472.60	£20,546.34	£29,729.41	£33,454.01	£26,103.90
<b>March</b>		£35,067.64	£18,187.06	£38,583.56	£35,914.82	£30,981.44	£12,485.27
<b>April</b>		£30,898.20	£14,836.14	£19,196.40	£28,793.95	£22,756.67	£17,922.50
<b>May</b>		£46,066.14	£37,682.46	£38,170.17	£20,028.13	£21,515.34	£24,757.37
<b>June</b>		£59,408.50	£33,656.29	£20,077.01	£20,723.59	£29,088.61	£34,749.09
<b>July</b>		£55,269.84	£47,409.35	£32,627.04	£42,553.96	£44,646.85	£39,492.62
<b>August</b>		£42,873.97	£28,081.36	£24,095.31	£17,032.51	£32,223.51	£46,710.65
<b>September</b>		£24,203.26	£42,513.73	£41,794.15	£51,017.70	£54,129.87	
<b>October</b>		£22,312.30	£41,454.24	£55,759.75	£33,860.68	£54,424.07	
<b>November</b>		£18,365.37	£22,758.10	£6,439.35	£15,478.36	£29,589.35	
<b>December</b>	£30,596.70	£12,380.06	£12,187.47	£30,738.53	£12,008.78	£49,275.97	

**Q443/2017**

**South district parking at South Pavilion –  
Broken gate**

1245 **Clerk:** Question 443. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, can the Government state on which occasions the gate at the south district parking at South Pavilion has been broken and which company is responsible for its maintenance?

1250 **Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

**Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, the exit gate to South Pavilion Car Park has been broken now since March 2017. Sheriff Electrical Contractors Ltd is the company responsible for the maintenance of the gate.

1255

**Hon. L F Llamas:** Mr Speaker, does the Hon. Minister know when the gate will be fixed or replaced and what the cost will be?

1260 **Hon. P J Balban:** Mr Speaker, it was actually as a result of the cost that the works have not happened to date. When quotes were sought the cost was set out at £3,000.93, which was felt to be too expensive, so the company, Sheriff, was asked to come back with another solution, if possible.

1265 The other reason why we have not gone ahead with this is because as we are zoning the areas as we extend the residential parking scheme, one of the next residential parking schemes to take effect will be South District and the town centre. There may be a change in the use of this car park. Everything is being reviewed at the moment and if that were to go ahead then there may not be a need for such equipment at the entrance to the car park.

1270 **Hon. L F Llamas:** Does the Minister know, or can he give an inclination of, when the South District scheme may be coming into effect?

**Hon. P J Balban:** Mr Speaker, I would not like to risk committing to a date, but we are very advanced, in fact we actually move with both projects simultaneously – both the centre of town and South District. Really it is the case of whichever one is ready first.

1275 It is a lot of work involved in the mapping of the roads. We have to look at every single potential parking space; we have to see whether there are any areas that can be further developed to create extra parking spaces; we need to look at things like motorcycle parking spaces, disabled bays etc. So it is a very vast project which is difficult to put a finger on in terms of how long it will take to complete.

#### Q444/2017

#### Grand Parade –

#### Underground parking spaces

1280 **Clerk:** Question 444. The Hon. L F Llamas.

**Hon. L F Llamas:** Mr Speaker, has the Government considered alternative plans for providing further parking spaces at Grand Parade, such as going underground in accordance with the Gibraltar Development Plan 2009?

1285

**Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

**Minister for Infrastructure and Planning (Hon. P J Balban):** Yes, sir.

1290 **Hon. L F Llamas:** Is the Minister able to disclose its findings on these alternative projects?

**Hon. P J Balban:** Mr Speaker, although it is technically possible to go underground at Grand Parade, if ground were to be broken we would have to see what is found underneath. The idea is to minimise disruption to the residents of the area and going underground will drastically increase, obviously, the time it is going to take to develop.

1295 If you look at the site itself you will notice that the Grand Parade is actually on a hill, so there is an element the car park will be partially underground. Towards the east side of the Parade itself is where the car park is highest and at that point the car park, I believe, is around a storey below ground level. So the project does include partial underground work, but it would not include, and it would not be considered to go, fully underground.

1300

**Hon. L F Llamas:** Mr Speaker, has the Government costed the alternative of going underground versus the costing of building on top of Grand Parade?

1305 **Hon. P J Balban:** Mr Speaker, the costs have been compared and it is a lot more expensive, clearly, to go underground and it is not something which we believe is feasible to do. So looking at all the options available to us, it is clear that this is the preferred option not only in terms of cost but in terms of disruption to the community, because the idea is to develop the car park in a way that is sensitive to the needs of the residents so they do not find themselves lacking in terms of parking for the duration of the works.

1310 So it is the best scheme that will mean that it will be done in stages to preserve the area and this is the best scheme that we have looked at.

**Hon. L F Llamas:** Is the Government able to disclose the comparison on each cost on going underground and above?

1315

**Chief Minister (Hon. F R Picardo):** Mr Speaker, absolutely not because the Government has not yet gone to tender to get somebody to develop this project for us. So we are not going to tell the hon. Gentleman what we think it costs because then we are going to be doing the taxpayer out of the advantage of competitive tendering in respect of this particular tender.

1320 But a lot of the work in respect of the economics of this project was done under the former administration and it was done also by a private entity, to such an extent, Mr Speaker, that there was no possibility of the project being viable without a public offering of bonds for the purposes of the public buying shares in this particular project to try to make it viable.

1325 That would mean also, Mr Speaker, that parking there would be very expensive indeed and that it would take a very long time indeed to develop the parking, and it will be very disruptive indeed. That is why the former administration did not start down the road of that development; that is why the private developer did not start down the road of that development; and further consideration of that macro-project underground would just mean that there is no development there whatsoever and the people who need parking in that part of Gibraltar, in particular at Alameda Estate, would be left without the benefit of having the parking that has been developed in many other residential areas in Gibraltar.

1330 So that is why the Government is committed to this project; that is why we think it is the right value for money; and that is why, Mr Speaker, we think it is exactly the right way to progress to proceed with this particular project now for that area.

1335 I must say, Mr Speaker, this is an area that has been tarmacked over for years and people now who do not live in the area seem to have fallen in love with that tarmac and do not want us to touch it.

1340 **Hon. Ms M D Hassan Nahon:** Mr Speaker, if I may, in light of the recent GBC report saying that Gibraltar has the highest amount of cars, has the Government thought about this in any way or decided to backtrack, perhaps, on more of these parkings? Are we not feeding these statistics and this culture and this way of life, which is obviously environmentally so unfriendly?

**Hon. P J Balban:** Mr Speaker, there are many issues that follow on the Traffic Plan. When we look at the way forward and how we wish to progress we want to have a residential parking scheme, which is what many people are keen on and it is the way we are moving forward.

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If you look at different areas of Gibraltar, there are areas of Gibraltar that benefit and boast of a lot of parking space relative to the households and the residents that live there, but there are other areas of Gibraltar which are found extremely lacking. So for us to provide an even playing field there are certain areas – and one of the worst areas is the centre of town and the Upper Town.

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The idea is that this car park will somewhat satisfy the requirements of those people living to the south of town and this is an area which obviously we are very keen on delivering for that purpose. There are other areas of Gibraltar which we are also looking at in terms of providing extra parking in that respect, but obviously the general principle, you are actually right, there are too many cars in Gibraltar, so that is something which the Traffic Plan has raised. But if we want to progress down the route of a residential parking scheme then it does not make any sense whatsoever to have certain areas of Gibraltar where they can have the privilege of ... look at Alameda Estate now – you can see it is clear that there is ample space for the residents of Alameda. When you look at people who live in the south of Main Street and even within the length of Main Street, and even the Upper Town, they are very short.

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So the idea is to try to, first of all ... the first thing that we need to do is to provide a little bit of an even playing field so that people have a chance to park at least one vehicle. Then obviously we need to look at multiple vehicles, which I think the problem in Gibraltar is the show of people owning too many vehicles.

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Another problem that we have is derelict vehicles. I believe that if we manage to control the amount of derelict vehicles in Gibraltar that will release a lot of parking spaces which at the moment are hidden out of sight because they are blocked up.

So that is the principle of the Plan in general.

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**Hon. Ms M D Hassan Nahon:** So, sorry, is the Government actively looking to introduce incentives for families and individuals to have less vehicles per household, for example?

**Mr Speaker:** I will allow you to answer that question, if you wish, but I am not going to allow a debate on a general policy regarding the number of cars that we have in Gibraltar, because what we have on the Agenda Paper is a specific question about Grand Parade.

**Hon. P J Balban:** Mr Speaker, suffice to say that the Government is looking at all options with regard to car usage in Gibraltar.

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**Hon. T N Hammond:** Mr Speaker, just going back to Grand Parade and the options that may or may not be available, and obviously not having the costs in front of me, I cannot really have any opinion on what the Chief Minister said regarding the possible projects. But it strikes me that it would certainly be far more desirable to have an underground parking facility at Grand Parade with the possibility even of turning the above ground area of Grand Parade into a park or something of that nature similar to what has been done at Commonwealth Park, where of course the party opposite envisaged having underground parking there. That did not transpire, but I understand technically it is far more possible to do it at Grand Parade because the water table is not an issue.

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So would the Government not – despite what the Chief Minister has said – go back and consider whether it is worth tendering for underground parking in that area, because clearly it would enhance the area to have something other than a tarmacked area at Grand Parade where cars park and would still provide the amenity and the necessity of parking in that area and other areas adjacent?

1395 **Hon. Chief Minister:** Mr Speaker, yes, it would in fact be very attractive indeed.

What we envisaged would be very attractive; it would be a lawn – almost like Commonwealth Park – that led into the entrance of the Alameda Botanical Gardens; it would have been a magnificent area – there would have been very little area for cars, it would have provided an absolutely lovely area for tourists in the context of the cable car and the development of that facility; it would not just have been attractive, it would have provided another lung for Gibraltar. I defended having a central park in Gibraltar, which is now known as Commonwealth Park. I sought the possibility of doing a car park underneath; it was not economically viable.

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1405 But there at Alameda what would really be attractive would be a magnificent park with additional trees, leading people either to the cannon area or to the other alternative entrance towards Alameda Botanical Gardens. It would have created a new area of greenery for residents of Alameda Estate and the areas around and I think would have been absolutely the best possibly option for Gibraltar, and very attractive indeed.

1410 It just is not economically viable. This is the problem; it is not economically viable. If it were economically viable, Mr Speaker, and if there were ways of making it economically viable then we would have done that, because that was our preferred option. It would still be our preferred option if there was any possibility of it being economically viable, but it is not economically viable.

1415 The question is, Mr Speaker, do you get £30 million of taxpayers' money and throw it away? Or do you do something which is economically viable and produces the facility that you need? In the context of Commonwealth Park, developing the facility going down would have cost well in excess of the – from memory, do not hold me to it – £18 million that the multi-storey facility cost. The multi-storey facility pays for itself because it is in the centre of town, it has rental parking available, it has sale parking available and the numbers work because building upwards allows you to reach the figure that you need to reach.

1420 Then what we did, Mr Speaker, was we restricted by one-third the size of the demise that Members opposite had given to the mid-town developers. So, for the same premium, they were left with two-thirds of their site, because we insisted that the deal done by them when they were in administration was not a good deal for the taxpayer, so we reduced their site by a third and on that third we built our multi-storey facility and we were able to deliver Commonwealth Park.

1425 I can have an absolutely attractive vision for that part of Gibraltar and I can fantasise about going down, but that is what it is in the context of the economics of delivery of a project like that. Unfortunately, I do not think that any Member of this House would think it is appropriate to begin a project simply because of the potential for an attractive area on top which is not economically anywhere near viable, whether there is a water table or tunnels and you can come in from Ragged Staff or not come in from Ragged Staff. In engineering terms, everything is possible; the question is the cost benefit analysis of the things that one does.

1430 Hon. Members opposite have been defined in the time that they have been in this House by seeking that the Government confirm that what it is doing is value for money, that we have the money to pay for it etc. – which we always do, to their chagrin and their insistence that there is no money and that we have frittered everything away. Well, we have not, Mr Speaker, but we have not because we do proper planning and we ensure that we deliver for the people of Gibraltar facilities that they need, and not the fantasies that they may have been persuaded to talk about for years but which has not delivered parking to the people in need, in Alameda Estate and in all that area.

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1445 **Hon. T N Hammond:** Mr Speaker, can I just ask the Chief Minister, because he threw out the figure of £30 million, whether that in any way reflects the actual cost of going underground, or whether that was a figure he plucked from the air? Because £30 million, whilst being a substantial amount of money, is not of course that different from what has been spent on the

small boat marina, for instance, which was in that ballpark, or even, as you say, the above ground car park at mid-town.

So I just ask, is £30 million an approximation of the figure or is it just a figure that occurred to him at that moment?

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**Hon. Chief Minister:** Mr Speaker, I told him I was not going to give the figure. What I am saying is if you look at the cost of the mid-town car park – and that is going up – then that is the sort of order of cost that you are dealing with. But I think it is far in excess of that, Mr Speaker.

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There are many reasons why the hon. Gentleman will see that the small boats marina pays for itself in a different way, but given that the ink is not yet dry on what we will disclose how that is dealt with, I do not want to say more about that because I am otherwise criticised for giving the House information when the ink is not yet dry in respect of agreements that I might talk about.

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But this is completely different; this is a car park. So to pay for a car park you sell parking spaces, you rent parking spaces or you allow a daily parking and charge for it and you might have commercial units around. You cannot do that, Mr Speaker, given the order of costs of what going down would cost there, given the exercises that have been undertaken – and I do not have the numbers with me because we did not have notice of that being a question – given the numbers that we have seen developed at the time that hon. Members were there, it is just not viable, it does not work, there is no way that you can have a cost benefit analysis that demonstrates viability for underground parking in that area.

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Hon. Members now seem to have decided that their latest hobbyhorse is to say, ‘You should go down instead of building one-and-a-half storeys or whatever it is, two storeys, there,’ in the context of the project and whether it is going to go to the DPC for consultation. Mr Speaker, there is a lot we can do underground. Hon. Members have developed car parks in residential areas, all of which have gone underground and we could have provided magnificent play parks for our children in Arengo’s and at Willis’s Road and in all those areas, we could have gone down.

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But in engineering terms, is it financially viable? It is not. I would love it to be and I would love to be the one announcing the additional park being provided at Alameda and Grand Parade, and not the suggestion that we are not providing something that we could provide, which would be, in my view of course, more attractive – and I suppose in everybody’s view, more attractive. It is just not financially viable. But we won the election so we were the ones who were charged with making decisions and doing the exercises and looking at the cost and then deciding to present to people one option or the other.

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**Mr Speaker:** Next question.

**Q445/2017**

**Grand Parade residential parking scheme and pay and display scheme –  
Total cost**

**Clerk:** Question 445. The Hon. L F Llamas.

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**Hon. L F Llamas:** Mr Speaker, can the Government disclose the total cost to prepare the residential parking scheme at Grand Parade together with the pay and display scheme installed at the same location?

**Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

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**Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, the total cost to prepare the residential parking scheme at Grand Parade together with the pay and display scheme was approximately £85,000.

1495 **Hon. L F Llamas:** Mr Speaker, does it not seem irregularly disproportionate to spend £85,000 in early 2017 to May and then announce a month later that they are planning to build a multi-storey car park or a two-storey car park at the same location? Is that not a waste of taxpayers' funds?

1500 **Hon. P J Balban:** Mr Speaker, with the previous question, we said that the idea of building the car park ... I did allude to the fact that the car park would be built in stages and the disruption will be minimal. So the residential parking scheme will continue regardless of the construction of the car park.

1505 **Mr Speaker:** Next question.

**Hon. L F Llamas:** Just one more question, Mr Speaker, because it simply does not make sense. If you spent £85,000 plus all the manpower in getting all these permits issued and now you are going to go back to square one and portion up the –

1510 **Mr Speaker:** You are not going to be brought back to square one? The scheme continues. You have just been told the scheme continues.

**Hon. L F Llamas:** Yes, the scheme continues but the parking spaces, which have been prepared, are going to be developed upon.

**Hon. P J Balban:** Mr Speaker, the scheme will continue so the permits that were issued will continue and people will be able to continue to use their permits and the pay and display will continue being there, so obviously there will be a reduction in the total amount of parking space logically because parts of the Grand Parade will be developed at certain times. In that case, what will have to happen is we will have to take a view on the free parking, which is parking that is non-regulated, not part of the residential parking scheme in terms of permit use, and so the residents can fully enjoy the scheme even though there is going to be some disruption. But the plan is to keep the disruption to a minimum and obviously I am very sure that the residents will understand because they will then see at the end of the day something extremely positive come into the area.

**Q446-448/2017**

**Devil's Tower Parking –  
Revenue collected; lighting and electricity bills**

**Clerk:** Question Number 446, the Hon. L F Llamas.

1530 **Hon. L F Llamas:** Mr Speaker, can the Government state how much revenue is collected by Devil's Tower Parking by (a) general public vehicles, (b) private rental vehicles, (c) commercial vehicles?

**Clerk:** Answer, the Hon. Minister for Infrastructure and Planning.

1535 **Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, I will answer this question together with questions 447 and 448.

**Clerk:** Question number 447, the Hon. L F Llamas.

1540 **Hon L F Llamas:** Mr Speaker, can the Government provide a monthly schedule of the electricity bills for Devils Tower Parking since December 2011?

**Clerk:** Question number 448, the Hon. L F Llamas.

1545 **Hon L F Llamas:** Mr Speaker, can the Government explain why the lights at Devils Tower Road car park are on 24 hours a day, and, whether the lights used are LED?

**Clerk:** Answer, the Hon. Minister for Infrastructure and Planning.

1550 **Hon. P J Balban:** Mr Speaker, in answer to question 446, because the hon. Member has not given a timeframe for his question, it is not possible to answer this question accurately. The revenue collected by Devil's Tower Road car park based on a three-month average over the months of April, May and June 2017 are as follows: (a) general public vehicles – £8,910; (b) private rental vehicles – £6,553.84; and (c) commercial vehicles – £11,523.

1555 In reply to his question 447, the information requested by the hon. Member in relation to the electricity bills for Devil's Tower Parking since December 2011 are contained in the schedule that I will now hand over.

1560 In reply to 448, the lights used are indeed LED. The reason why all the lights are on 24 hours is that the company that installed the new LED fittings made an error with the fitting out which is currently being corrected. It was this administration that made the decision, immediately after we were elected, to ensure that these lights were not on all day, as had been the case under the former GSD administration. *(Banging on desks)*

1565 **Hon L F Llamas:** Mr Speaker, can the Minister just confirm when the LED lights were installed?

1570 **Hon. P J Balban:** Mr Speaker, I think it was – I stand to be corrected though, it could have been – around April of this year, April or May this year sometime. He will have to either ask this question in another moment or he can obviously write to me and I will give him the exact date. Again, it is just my recollection, I cannot guarantee; I think it was sometime between April or May this year.

**Mr Speaker:** Next Question. *(Interjection)*

Yes indeed.

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**Hon D A Feetham:** Mr Speaker, since when have the lights been on 24 hours a day?

1580 **Hon. P J Balban:** Ever since the date that the works were completed. The hon. Gentleman just asked me the date and I said I think it is somewhere around April/May of this year, so it has been since then.

Once that fault is corrected we should hopefully see a decrease in the cost of electricity in the car park as a result of the installation of LED lights.



**Q449/2017**  
**Abandoned vehicles –**  
**Locations and schedule for disposal**

**Clerk:** Question Number 449, the Hon. L F Llamas.

1585 **The Hon L F Llamas:** Mr Speaker, can the Government provide a schedule of abandoned vehicles which have been identified for disposal and the location of such vehicles?

**Clerk:** Answer, the Hon. Minister for Infrastructure and Planning.

1590 **Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, the information requested by the hon. Member is available in the Gazette.

**Hon L F Llamas:** Mr Speaker, what is in the Gazette may be vehicles which are currently being disposed of. However, going around Gibraltar, you see abandoned vehicles left, right and centre. Even in Devil's Tower Parking, I must say, Mr Speaker, that there are abandoned vehicles which are evidently there for a number of years, stifling even taxpayer revenue.

Is the Government actually physically enabling a policy whereby these vehicles are being dealt with? Because it does seem to me that there is a backlog on abandoned vehicles.

1600 **Hon. P J Balban:** Mr Speaker, the way this works is that there are campaigns and this is our main tool in this respect as a cleaning campaign, so we have a regular cleaning campaign that goes around different areas of Gibraltar and in those campaigns, the cars left behind, which generally are derelicts, are the ones that are gazetted for destruction and they are obviously placed in the *Gibraltar Chronicle*.

1605 If we had more space to actually place these cars – because there is a process; it takes quite a while to actually get a vehicle and dispose of it, I think it is around a six-week to eight-week lag, so if Gibraltar boasted a lot more space – we will probably get rid of cars a lot quicker, but unfortunately that is not the case, so we do find ourselves in some instances getting rid of the most derelict or those cars that we feel are most derelict. Unfortunately, issuing FPN's are leaving some cars behind, perhaps for the next cleaning campaign.

1610 So it is something which is part of, and is within, the ideology of the cleaning campaign. It is not just to clean around cars and keep our streets clean, which is obviously extremely important to us, but it is also a very good tool for us to be able to tackle the problem of derelict cars, which is quite a big problem in Gibraltar.

1615 **Chief Minister (Hon. F R Picardo):** Can I unusually emulate Members of the Opposition and ask you for your indulgence in going back to a question? The question on fixed penalty notices. Because I noticed that the Member opposite has informed the public that the number of parking tickets issued this year is 16,000, amounting to £1.6 million in fines, which of course is wrong, Mr Speaker, because the assumption by the hon. Gentleman in that respect is that every one of those fixed parking notices has been paid at the full amount of £100 pounds, when in fact some of them may be paid at different amounts and therefore his tweet is factually incorrect. In fact, it is utterly baseless, Mr Speaker.

1625 I ask him, at least rhetorically, given that I am on this side of the House and he is on that one, whether he is a proponent of allowing people to break the law and park illegally without being fined? And if he is suggesting that as a policy, Mr Speaker, whether he might be prepared to propose that explicitly to the public in Gibraltar, especially to those of us who push prams on a daily basis and find people illegally parked on the ramps available for that basis; or the disabled in our community who need to have the ramps clear of those illegally parked and sometimes fined for being there, who will not otherwise be able to perambulate our streets, if he were to

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be honest enough to propose a policy of allowing illegal parking without fines being attached to such vehicles, Mr Speaker?

1635 So, both in relation to the entirely incorrect mathematics and in respect of the apparent policy of proposed anarchy and chaos in respect to parking, I would be delighted to hear the hon. Gentleman's views.

**Hon L F Llamas:** The second question was rhetorical.

1640 **Mr Speaker:** Yes, next question please.

**Hon L F Llamas:** I have one more supplementary on 449.

1645 Mr Speaker, since the Hon. Minister has identified that the cleaning campaign, which I am glad somebody is taking on, is due to the lack of space, would it not be possible to amend the legislation in order to leave the derelict cars where they are *in situ* and place a notice on them and advise that their cars are being disposed of and then, in accordance, Gazette them and dispose of them from the location, rather than have to take them in and dispose of them in a compound which has obviously outgrown its needs?

1650 **Hon. Chief Minister:** Mr Speaker, it is not possible because before you dispose of a person's property, before the state asserts a right over a person's property, we are required under rules of natural justice to give notice to the world; and in the context of Gibraltar, notice to the world is publication in the Gazette.

1655 We would really be taking an extraordinarily draconian step if we appropriated somebody's property which is not otherwise improperly parked – for example, if it is in a proper parking bay – without giving that notice to the world which then enables us to go, 'Unless you, within 21 days, remove it or tell us that there is a reason why you cannot remove it,' it would be very difficult to justify in the context of natural justice to do that.

#### Q450/2017

#### Speeding offences –

#### Speed cameras, speed caught travelling and procedure followed

**Clerk:** Question number 450, the Hon. L F Llamas.

1660 **Hon L F Llamas:** Can the Government provide a schedule of how many offenders have (a) been recorded by the speed cameras as having exceeded the speed limit, (b) the speed at which each offender was travelling, and (c) the procedure followed in each case?

1665 **Clerk:** Answer, the Hon. Minister for Infrastructure and Planning.

**Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, the schedule I now hand over shows the number of speeding offences committed since the cameras went live on 8th May 2017, with the respective speeds indicated.

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Record Vehicles Caught Speeding (NOTE SPEED CAMS WENT LIVE)										
2017	Goods	57-59.99	60-69.99	70-79.99	80-89.99	90-99.99	100-109.99	110-119.99	120-129.99	130-140
May	60	103	124	24	3	nil	nil	nil	nil	nil
June	81	176	207	26	12	2	2	nil	nil	nil
July	357	567	814	163	64	10	8	4	0	2
August	220	406	546	98	41	13	2	1	2	1
September	8	18	28	8	0	0	0	0	0	0
October										
November										
December										

1675 The procedure is as follows:

For offences involving speeds not exceeding 100 kph the procedure followed is as follows:

(1) The registered owners of offending vehicles are sent a Notice of Intended Prosecution (Notice) informing them they have been caught speeding.

1680 (2) On receiving the Notice the owners are given the opportunity to declare whether they or another person was driving the vehicle at the time of the offence. They then have 28 days to respond.

(3) After 14 days if there is no reply from the first Notice a second Notice is sent.

1685 (4) The Notice is followed by a Fixed Penalty Notice that is sent to the driver or, in default, the registered owner. They have 28 days to pay the FPN in default of which the case is referred to the Magistrates' court for due process.

All offences involving speeds exceeding 100 kph, are processed directly by the RGP via the Report For Process method.

**Q456/2017  
Mount Alvernia –  
Relocation to the Rooke site**

**Clerk:** We now move to question 456, the Hon. R M Clinton.

1690 **Hon. R M Clinton:** Mr Speaker, can the Government advise if there are any plans to relocate Mount Alvernia to the Rooke site?

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

1695 **Deputy Chief Minister (Hon. Dr J J Garcia):** Mr Speaker, no, sir, there are no plans.

**Hon. R M Clinton:** Mr Speaker, I am grateful to the Minister for his answer. Are there plans to relocate it to any other site other than Rooke?

1700 **Hon. Deputy Chief Minister:** Mr Speaker, the Government has no plans to relocate Mount Alvernia. My colleague, who is the Minister responsible, has just indicated that.

1705 **Chief Minister (Hon. F R Picardo):** I know he is 50 but he does not have to worry about ...  
[inaudible] (Laughter)

**Q457/2017**  
**Crown land or property –**  
**Transfers and sales**

**Clerk:** Question number 457, the Hon. L F Llamas.

1710 **The Hon L F Llamas:** Mr Speaker, since December 2011, can the Government provide a schedule of Crown Land/Property transferred or sold via direct allocation and the consideration for each property?

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

1715 **Deputy Chief Minister (Hon. Dr J J Garcia):** Yes, Mr Speaker, the vast majority of commercial property allocated by the Government since December 2011 has followed a public tender process or public expressions of interest.

There are exceptional instances when direct allocations may be made, if this is judged to be in the social and economic interests of Gibraltar.

1720 It is difficult to supply this information across the board dating back to December 2011. However, in respect of major commercial projects, the following information has been identified to date:

Gibraltar Wine Vaults Ltd	94 Devil's Tower Rd	£350,000	Lease Agreement/Lease
Holiday Inn Express	21-23 Devil's Tower Rd	£530,000	Building Lease

**Q458/2017**  
**Ragged Staff Gates car park –**  
**Use of building**

**Clerk:** Question number 458, the Hon. L F Llamas.

1725 **The Hon L F Llamas:** Mr Speaker, can the Government disclose what is the current use of the building in the Ragged Staff Gates car park and what is its intended use in the future?

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

1730 **Deputy Chief Minister (Hon. Dr J J Garcia):** Mr Speaker, I assume the hon. Member means the Ragged Staff Magazine.

The Government has been using the property for the storage of the bicycles and ancillary equipment for the new bicycle hire service. This storage continued until 31 May 2017.

1735 A tender for the use of the premises as an entertainment venue with transport memorabilia was finalised on 1st June 2016. We are presently waiting for the successful tenderer to submit

planning proposals for the building so that the Government and the DPC may separately consider the matter further.

**Q459/2017**  
**NAAFI pool –**  
**Handover to Government**

**Clerk:** Question number 459, the Hon. L F Llamas.

1740 **The Hon L F Llamas:** Mr Speaker, can the Government disclose when the NAAFI pool will be handed over to the Government of Gibraltar?

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

1745 **Deputy Chief Minister (Hon. Dr J J Garcia):** Mr Speaker, the transfer of the Nuffield Pool is dependent on the completion of the relevant works at Four Corners, which are estimated to be completed by January 2018. This is part of the Lands agreement.

1750 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to move that the House should now adjourn to Wednesday, 20th September at 10 a.m.

**Mr Speaker:** The House will now adjourn to Wednesday, 20th September at 10 a.m. in the morning.

*The House adjourned at 5.50 p.m.*