



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.30 p.m. – 18.08 p.m.

Gibraltar, Friday, 18th May 2018

Contents

Prayer	3
Confirmation of Minutes	3
Communications from the Chair	3
<i>The House recessed at 3.33 p.m. and resumed at 5 p.m.</i>	3
Re-admission of Hon. Lawrence Llamas to GSD – Statement by Hon. E J Phillips.....	4
Procedure re making Statements to the House	5
Papers to be laid	6
Questions for Oral Answer	6
Infrastructure and Planning.....	6
Q323/2018 Redibike Scheme – Number of users.....	6
Q324/2018 Clamps and fixed penalty notices – Number of clamps placed on foreign vehicles; Fixed penalty notices issued to foreign and local vehicles, number rescinded.....	7
Q328/2018 Pay and display – Times and locations of unserviceable machines	8
Q329/2018 Commercial vehicles – Parking in public car parks and parking spaces; MoT and emissions testing	11
Q331/2018 Devil’s Tower Road car parks – Income from White Fleet vehicles	15
Q332/2018 Devil’s Tower Road car parks – Lifts.....	16
Q333/2018 Speeding fines – Agreement with Spain re local drivers.....	16
Q334/2018 Grand Parade car park – Underground scheme.....	17

Q335/2018 Rock Hotel – Collapsed wall..... 21
Condolences to Hon. G H Licudi..... 23
The House adjourned at 6.08 p.m. 23

The Gibraltar Parliament

The Parliament met at 3.30 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: Meeting of Parliament, Friday, 18th May 2018.
Order of Proceedings: (i) Oath of Allegiance; (ii) Confirmation of Minutes – the Minutes of the
5 last meeting of Parliament, which was held on 16th, 22nd and 26th March 2018.

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

Mr Speaker signed the Minutes.

COMMUNICATIONS FROM THE CHAIR

Clerk: (iii) Communications from the Chair.
10

Mr Speaker: Owing to the unavoidable absence of a number of Ministers – including the
Chief Minister, who is at this moment on his way back to Gibraltar – the House will now recess
15 until five o'clock this afternoon, which should give the Chief Minister in particular an opportunity
to get back. The House will recess until five this afternoon.

The House recessed at 3.33 p.m. and resumed at 5 p.m.

**Re-admission of Hon. Lawrence Llamas to GSD –
Statement by Hon. E J Phillips**

Mr Speaker: Earlier this week I received formal notification from the Leader of the Opposition that the Hon. Lawrence Llamas was re-joining the official Opposition, and the Hon. Elliott Phillips has indicated that he would like to make a short statement on the matter.

20 **Hon. E J Phillips:** I am grateful, Mr Speaker.

I rise in order that this House do hereby recognise and acknowledge that the Hon. Member Lawrence Llamas has formally, by vote of our executive, been re-admitted to our political family. It is therefore with pleasure that I confirm that he falls within the party's whip.

25 In the last few months, Mr Speaker, since the election of our new leader, the party has gone from strength to strength in recruiting and reaching out to former members and new –
(*Interjection by Hon. Chief Minister*) Have you quite finished?

Chief Minister (Hon. F R Picardo): No, I think I could be laughing for [*inaudible*].

30 **Hon. E J Phillips:** Mr Speaker ... reaching out to former members and new contributors and it has been exciting to be part of that renewal. We are excited about the upsurge in political activity amongst our younger members, who are committed, bright and enthusiastic about our renewal and are passionate about Gibraltar and how we can do things better.

35 The hon. Member's return – (*Interjection by Hon. Chief Minister*) Do I need to raise my voice, Mr Speaker, in order to drown out the noises across the other side, or is Mr Speaker going to intervene? (*Interjection by Hon. Chief Minister*) Mr Speaker, the hon. Member's return is a positive step in the right direction and his work on the street cleaning campaign and his education initiatives are demonstrative of the good work that has been done during his time out from the GSD.

40 None of us, Mr Speaker, emerge from the wombs of our mothers as perfectly moulded politicians – save, I suspect, for one person, the Father of the House, recently knighted, Sir Joe Bossano – and therefore I am sure we all appreciate that sometimes things happen in political life that are regrettable, or people would have done things differently on reflection. It is a sign of deep political maturity and understanding of our core values that has ultimately made political
45 engagement on this subject easier. The decision was a hard one but it is one which, in our view, was necessary.

50 It is right to reflect on the positive nature of the party's leadership in achieving this outcome, as well as recognising that there is one individual amongst us who deserves the respect of all, in my view. My hon. Friend Mr Feetham is a robust and consummate politician and a person with whom I have great professional, personal and political respect. The hon. Member continues to discharge his responsibilities to our community seriously and with the determination of a pit bull, and I for one look forward to his continued erudite and lively contributions in this place. Mr Feetham is unequivocal in his support for the party leader's agenda and, given the history, his support is the mark of the man and I applaud him.

55 Mr Speaker, we as a party have always put Gibraltar first and we are entirely focused on providing our community with constructive and critical opposition. Therefore, on behalf of Her Majesty's Opposition, I welcome Mr Llamas back to the fold and look forward to his contributions from these benches. Welcome back home.

60 **Mr Speaker:** Chief Minister.

Hon. Chief Minister: Well, Mr Speaker, it would appear that the game of musical chairs continues and that it is now becoming normal on the other side for people to play a game of political hokey cokey: in out, in out.

65 I rise to say that we shall, of course, be amending the motion which is before the House to include Mr Llamas in other select committees which he should have been on if he had continued as an independent Member, and we shall use that motion as amended, when the time comes, to remove him from the Brexit Select Committee. He contacted me to tell me that he expected that to be the case and of course it will be.

70 But, Mr Speaker, given the things that the hon. Member has said, we must reflect on the things that they said a few months past in relation to the motion that we put, some of the things that were said about the hon. Member and some of the things which the hon. Member said, because those things are indelibly imprinted in the collective political memory of this community.

75 The Hon. Mr Llamas accused the GSD of hypocrisy, of deplorable actions, of being confused and, under its current leadership, of being misled. Those are the things not that we say of them; those are the things he said of them. But he has gone back home now, like the prodigal son.

The things that were said of him, Mr Speaker, was that he was as if among a pack of wolves. Well, the wolves have now become pit bulls – a dangerous dog, as I understand it, under our laws. But never mind – I suppose that whoever drafted that sentence wanted to reflect praise but at the same time the fact that this particular breed is illegal and put to one side.

80 Mr Speaker, this is now the politics of anything goes, the politics of post-democratic principle or PDP for short.

85 Anyway, the hon. Gentleman said that Mr Llamas returns to his political home. I suppose that they are a broad church – so broad a church that they include more than one denomination, it would appear, and that the whole of the past few months is as if we were replaying that magnificent episode of *Friends* when Ross and Rachel got back together and just said, 'But we were on a break!'

Procedure re making Statements to the House

90 **Mr Speaker:** Let me make one matter clear, insofar as the Standing Orders of the House are concerned. This exchange of statements has been under Communications from the Chair. I am not going to allow that to become a precedent. When I have something to tell Parliament under Communications from the Chair, that is it: Members do not have a right to say anything then – certainly not to challenge me – unless they are prepared to move a substantive motion. That is the only way that it can be done. I am not going to allow, in the future, exchanges of this nature.

95 Statements can be made by Ministers and are made by Ministers by moving a suspension of Standing Orders. Insofar as other Members are concerned – in fact, insofar as Members generally are concerned – the only way that they can make a statement is if it is one of a personal nature. The statement made by the Hon. the Leader of the Opposition, I told him earlier today, is not a personal statement, it is a political statement, and therefore I have, as a matter of courtesy only, allowed him to make it. But it is not a precedent and I will not entertain any such proceedings in the future. It is inappropriate, certainly under Standing Orders, for the kind of statements that we have just had and I will not allow it in the future.

100 Let's carry on.

Papers to be laid

105 **Clerk:** (iv) Petitions; (v) Announcements. (vi) Papers to be laid – the Hon. the Minister for Health, Care and Justice.

Minister for Health, Care and Justice (Hon. N F Costa): Mr Speaker, I have the honour to lay on the table the Report and Audited Accounts of the Gibraltar Electricity Authority for the financial year ending 31st March 2016.

Mr Speaker, I have the honour to lay on the table the Annual Report of the Parole Board for the years 2016 and 2017.

Mr Speaker: Ordered to lie.

Questions for Oral Answer

INFRASTRUCTURE AND PLANNING

Q323/2018

Redibike Scheme –
Number of users

110 **Clerk:** (vii) Reports of Committees; (viii) Answers to Oral Questions.
We commence with Question 323. The Hon. T N Hammond.

Hon. T N Hammond: Mr Speaker, further to Question 587/2017, for the Redibike Scheme, can the Government provide a daily schedule with the number of users who have used the service since October 2017 inclusive?
115

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 set out in the schedule that I now hand over.

Answer to Question 323/2018

Oct-17		Nov-17		Dec-17		Jan-18		Feb-18		Mar-18		Apr-18		May-18	
Day	Rental	Day	Rental	Day	Rental	Day	Rental	Day	Rental	Day	Rental	Day	Rental	Day	Rental
1	6	1	0	1	1	1	3	1	0	1	0	1	3	1	1
2	4	2	0	2	2	2	2	2	2	2	0	2	9	2	2
3	1	3	0	3	1	3	1	3	5	3	0	3	2	3	0
4	1	4	8	4	0	4	0	4	0	4	0	4	0	4	0
5	3	5	1	5	1	5	1	5	2	5	2	5	4	5	1
6	1	6	1	6	0	6	4	6	2	6	0	6	2	6	2
7	7	7	1	7	1	7	1	7	0	7	1	7	3	7	5
8	5	8	1	8	4	8	0	8	1	8	3	8	3	8	1
9	3	9	1	9	5	9	1	9	6	9	5	9	2	9	3
10	1	10	1	10	0	10	2	10	7	10	0	10	0	10	1
11	2	11	6	11	1	11	0	11	7	11	0	11	1	11	
12	2	12	1	12	3	12	5	12	1	12	0	12	1	12	
13	6	13	1	13	2	13	3	13	1	13	0	13	0	13	
14	4	14	3	14	4	14	1	14	2	14	0	14	4	14	
15	5	15	3	15	3	15	2	15	1	15	1	15	3	15	
16	1	16	1	16	3	16	4	16	4	16	1	16	0	16	
17	2	17	0	17	0	17	1	17	4	17	0	17	1	17	
18	1	18	5	18	0	18	0	18	6	18	1	18	0	18	
19	0	19	3	19	0	19	5	19	0	19	0	19	2	19	
20	4	20	0	20	0	20	11	20	1	20	0	20	0	20	
21	4	21	1	21	3	21	6	21	0	21	1	21	0	21	
22	7	22	0	22	0	22	5	22	1	22	1	22	0	22	
23	1	23	2	23	4	23	1	23	7	23	0	23	0	23	
24	0	24	1	24	3	24	3	24	9	24	2	24	2	24	
25	1	25	5	25	4	25	0	25	0	25	1	25	0	25	
26	3	26	3	26	1	26	0	26	1	26	0	26	1	26	
27	0	27	0	27	1	27	9	27	0	27	2	27	1	27	
28	3	28	0	28	0	28	1	28	0	28	2	28	1	28	
29	0	29	0	29	4	29	2			29	0	29	2	29	
30	1	30	2	30	2	30	0			30	1	30	6	30	
31	3			31	2	31	0			31	3			31	

Q324/2018

**Clamps and fixed penalty notices –
Number of clamps placed on foreign vehicles;
Fixed penalty notices issued to foreign and local vehicles, number rescinded**

Clerk: Question 324. The Hon. T N Hammond.

120

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

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, I will answer this Question together with Questions 325, 326 and 327.

Clerk: Question 325. The Hon. T N Hammond.

130

Hon. T N Hammond: Can the Minister say how many fixed penalty notices for parking offences, by month, have been issued to foreign vehicles since the beginning of September 2017?

135

Clerk: Question 326. The Hon. T N Hammond.

Hon. T N Hammond: Can the Minister say how many fixed penalty notices for parking offences, by month, have been issued to local vehicles since the beginning of September 2017?

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Clerk: Question 327. The Hon. T N Hammond.

Hon. T N Hammond: Of the total number of fixed penalty notices issued since the beginning of September 2017, how many have been rescinded as having been incorrectly issued?

145

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

Hon. P J Balban: Mr Speaker, I now hand over a schedule with the information requested.

Answer to Questions 324-327/2018

Month	Clamps to Foreign Vehicles	FPNs to Foreign Vehicles	FPNs to Local Vehicles
Sep-17	239	320	1722
Oct-17	198	290	1847
Nov-17	155	174	1764
Dec-17	97	131	1262
Jan-18	93	155	1563
Feb-18	175	232	1987
Mar-18	71	123	1148
Apr-18	91	238	1892

150

Since the beginning of September 2017 a total 933 Fixed Penalty Notices have been cancelled.

Hon. T N Hammond: Mr Speaker, if I may just return one moment to Question 323: I ask simply whether the Minister has available to him, and I understand if he does not – whether he knows how many bikes in total are available within the Redibike Scheme.

155 **Hon. P J Balban:** Mr Speaker, I am not entirely sure. I think it is around 100, but I would need to get back to him if he wants a specific and accurate reply to that question.

Mr Speaker: Is there any other supplementary arising from that schedule?

Q328/2018
Pay and display –
Times and locations of unserviceable machines

Clerk: Question 328/2018. The Hon. T N Hammond.

160

Hon. T N Hammond: Mr Speaker, can the Minister provide a schedule for the times and locations that pay and display machines for public parking spaces have been unserviceable?

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

165

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

Answer to Question 328/2018

Pay & Display Machine Location	Dates out of service
Romney Huts car park	19-23 March 2018
Landport	2-8 April 2018
Ragged Staff	2-8 April 2018
Portland House	22-28 January 2018
Airport (Zone A)	12-26 February 2018
Airport (Zone B)	2-8 April 2018
Mid-harbours Marina	26 March — 1 April 2018
Line Wall Road	1-7 January 2018
Watergardens	2-8 April 2018
Grand Parade	1 January — 7 May 2018
Rosia Road	5-11 March 2018
Bayside Road	22 January — 18 March 2018

170 **Hon. T N Hammond:** On Question 328, the parking pay and display, I presume the dates from which the machines are dated as out of service are from the times at which the machines were reported, because clearly the Minister or his Department cannot know until they are reported. So could the Minister just confirm that that is correct?

175 **Hon. P J Balban:** Mr Speaker, that is right. It is either at the time when a user may complain that the machine is not working properly or when the person responsible for checking and auditing the machines himself goes out and realises the machine is not working properly – so either of those two scenarios.

180 **Hon. T N Hammond:** And, in general, is there a type of fault that tends to occur with these machines, or are they completely disparate, completely different things on every occasion? Does a coin get stuck and is that often a fault? I only ask if the Minister is aware; he may not be, I understand that.

185 **Hon. P J Balban:** Mr Speaker, there is a vast array of reasons why the machines may malfunction. I would not be able to give him the exact reasons on this occasion, but they could range from paper jams to coin hopper full, to other more technical issues with communication and with the 4G system etc.

190 **Hon. T N Hammond:** Mr Speaker, I know the machine in Grand Parade – or certainly a machine in Grand Parade – was unserviceable for in excess of four months. Is the Minister aware of why that machine took so long to repair?

195 **Hon. P J Balban:** Mr Speaker, the report I got back from that one – I did ask – was that there was a major malfunction. The machine was returned to the manufacturer's head office. It was then returned to the location, where it still failed to work, and therefore an engineer was actually sent out and the problem was finally established as a communication issue with the 4G antenna; and since then it was replaced.

200 That was an example of a major fault whereby a machine could not be set to work locally. It was sent abroad to be fixed, it came back and the technicians had to come to the fact they had missed the error was something to do with the local communications system and not the machine itself.

205 **Hon. T N Hammond:** Possibly a cheeky question from my perspective, and I know this will be available in the public domain but I am going to ask the question just the same: if a machine is unserviceable, would I be correct in presuming that the parking spaces remain available but effectively cannot be paid for, so they become free parking spaces?

210 **Hon. P J Balban:** Mr Speaker, there are two machines in every single location, so if one machine fails to work there is another machine that would work. There have been very few occasions indeed when both machines have been out, and if they have been out they have been for a very short time indeed within that specific day, but it is, in theory, possible that those machines could be out, and obviously we are alerted to that. Some of the latest machines actually will transmit the error straight to base. The brand new machines have that facility, so we get to hear very quickly that they are out of order or that something has happened with them. But in theory, if both machines broke, for the whole given day clearly cars would park and they would not be expected to pay if there is no way of doing so.

215 **Hon. D A Feetham:** Mr Speaker, unfortunately, I do think that these figures underestimate the nature of the problem, certainly at the Romney Huts car park, where I attempt to park virtually every single morning, so therefore I speak from personal experience.

220 Yes, there are two machines at Romney Huts car park: there is one as you come in that accepts the new pound coins, and there is one at the very end that accepts the old pound coins. In other words, the machine as you go in accepts new pound coins but not the old pound coins, and the one at the end accepts old pound coins but not the new pound coins. Also, the one at the end accepts credit cards, whereas the one at the beginning does not accept credit cards.

225 These machines have been problematical because every single time that it rains there is a problem with the machines, and where there have been significant problems as well, I can tell the ... Well, I am asking is he aware that there are significant problems with the credit card payment facility in relation to this one machine at the very end, because of course professionals who bring their cars in – indeed, other members of the public as well ... It is very rare that you go

230 around with a huge number of coins in your pocket from the day before, particularly if you are
parking there habitually every single day. You do not hog coins every single day. Certainly I do
not; I have got other things on my mind. (*Interjections*) I have things constantly on my mind – I'm
a very conscientious fellow, I have to say. Therefore, you rely on credit cards. This machine has
been consistently unreliable in relation to credit cards. (**A Member:** Both of them.) Both of
them. It has been consistently unreliable in terms of you put in two pound coins, for example,
235 but you cannot put a third in or a fourth. This is the type of nightmare that is facing certainly the
members of the public who wish to park at this particular car park. Is he aware of that? And if he
is not aware of it, what is he going to do in terms of finding out whether the veracity of what I
am saying to the hon. Member across the floor of this House is correct or not – which I am
absolutely certain is?

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Hon. P J Balban: Mr Speaker, we could do with someone like him to check the machines
regularly, because that would give me ... Clearly he uses the machines on a daily basis, so he is
probably more of an expert than I am.

245 One thing I will say, though, is the credit card machines are quite novel for Gibraltar, this way
of paying for parking at pay and displays, because that was only a recent development that we
have added. The new machines are fully capable of credit card facilities for that very reason –
because you do not want to carry around lots of coins in your pocket.

250 Gibraltar is a very unique place; not only do we accept the Gibraltar pound, we accept the
euro coins as well, and then we have our local pounds and UK pounds as well. So the machines
unfortunately do sometimes struggle with coins; it is a complaint I have heard of. The new
machines now filter out ... They will accept the Gibraltar coin as a third currency, so to speak –
they recognise the weights of the different coins – but they have caused difficulty in certain
respects.

255 The problem of the credit card issue, I do not know. I am always on top of looking at figures
and looking at how machines are performing, and complaints do come to the Ministry, as they
do to the Department itself and the company but I would most definitely have a look at that
with interest. Obviously, I accept that as a report and I will find out and see whether I can get to
the bottom of what happened. (*Interjection*)

260 **Hon. D A Feetham:** Well, Mr Speaker, can I publicly as well acknowledge the sterling work of
Minister Licudi's former PA, Pepi Lopez. I gather that she is a GSLP member who organises the
parking there – Romney Huts car park – excellently every morning and directs everybody to the
appropriate number to phone to make complaints every time there is something wrong with
these machines, and I can tell the hon. Gentleman that it is something that happens on a daily
265 basis.

Mr Speaker, comparing machines – in fact, the machine at the small boats marina works
perfectly. There is one there that works on credit cards. You have got to tab in the registration
number of the car and it is fantastic. That is never broken – I do not know whether it is because
it is a newer machine, but if I can urge the Government to effectively install that type of machine
270 at Romney Huts car park, which is a much more used car park than the small boats marina, then
I think that would be a constructive move in the right direction.

Hon. P J Balban: Done, Mr Speaker. Ten machines arrived literally this week. You are
absolutely right, they are new machines. These machines work extremely well, but
275 unfortunately they are subjected to a lot of beating, not only with weather and use, but we have
seen people who have put coins in ... or they rap the coins on the side, they bang the machine
and all sorts of things.

The one thing you mentioned – and I am fully aware that you park your car there, because
when we do our business I have noticed your car parked there, and they do work in the small
boats marina. (*Interjections*) Yes, those are the latest machines, the latest technology, and those
280

are the new machines that we are installing throughout Gibraltar. They will be, hopefully, *in situ* in a relatively short period of time.

285 **Hon. R M Clinton:** Mr Speaker, in the course of the exchanges the Minister has had with my colleagues as reference these new machines and the collection of the registration number of the car itself, I was wondering if the Minister could explain to the House what is the need to collect this data.

290 **Hon. P J Balban:** Mr Speaker, I asked the same question and the reason I was given is because it links the payment to a specific vehicle, so you cannot pass over credit to another vehicle – for example, if you have paid £10 and you have decided you have to rush off and you have ended up using just one hour, you then pass it on or sell it on to the person who comes your way. This is the way these machines are designed in the UK and we have the same system in Gibraltar. It ties the payment to the car.

295 **Mr Speaker:** Any other supplementary?

Hon. T N Hammond: Just one more from me, Mr Speaker.
Reference the latest machines that have arrived, is the Minister aware whether they function with SMS, so if you are running late you can actually text an advance to the machine, as we see in many other cities around the world?

300 **Hon. P J Balban:** Not yet, Mr Speaker. We are looking at different technology completely, as they do not run off that sort of machine. That is very interesting technology. It comes with smart IT technology and that runs through telephone systems and apps linked to telephones. It is something that we are actively pursuing as the way forward and obviously we have exciting innovations up our sleeves for the future.

Q329/2018
Commercial vehicles –
Parking in public car parks and parking spaces; MoT and emissions testing

310 **Clerk:** Question 329. The Hon. T N Hammond.

Hon. T N Hammond: Mr Speaker, what is the Government's view on the parking of vehicles for the purpose of conducting business in public car parks or in public parking spaces?

315 **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 330.

320 **Clerk:** Question 330. The Hon. T N Hammond.

Hon. T N Hammond: Can the Minister confirm that commercial vehicles are subject to exactly the same MOT requirements as private vehicles and that all are subjected to emissions testing?

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

Hon. P J Balban: Mr Speaker, with reference to Question 329, I would be grateful if the hon. Member could elaborate as to the manner of business that he is referring to. I would be very happy to furnish him with all the information at my disposal at a later date, although the conduct of business on the public highway may not necessarily fall under my remit as Minister for Transport and Traffic. As he may be aware, there are a number of forms for conducting business in public parking spaces.

With reference to Question 330, the answer is no, all commercial vehicles are tested one year after the date when the vehicle was first registered and thereafter annually, while private motor vehicles are tested four years after the date of first registration and thereafter biannually. Date of first registration is defined as date first put into service, whether in Gibraltar or elsewhere.

Exhaust emissions for all vehicles have always been part of the roadworthiness test. Furthermore, the Motor Vehicle Test Centre has purchased one new emission testing machine, commonly known as a smoke meter, and they are in the process of ordering two more smoke meters. These machines meet the requirement of Directive 2009/40/EC on periodic roadworthiness tests, which comes into force on 20th May this year.

Mr Speaker: May I elucidate one matter: in answer to Question 330, the Minister said ‘private motor vehicles ... four years after the date of first registration and thereafter biannually.’ Every two years is not biannually. Biannually is twice a year, every six months. I am a maths teacher by profession, but I think I should also correct the English when it is wrong. It should be biennially – every two years, biennially – not biannually.

Hon. P J Balban: Thank you, Mr Speaker, absolutely right. I will ask my staff. I was just reading off the paper, but you are absolutely right, it is every two years as opposed to every six months. *(Interjection by Mr Speaker)* Thank you.

Hon. T N Hammond: Mr Speaker, thank you.

Returning, if I may, to Question 329, I do understand that there are many purposes to which businesses may wish to conduct business on the public highway, in public car parks and in public parking spaces, which is why I referred the question to Government in general rather than a specific Minister.

On this occasion I think the Minister may be able to elaborate on elements of the type of business. For instance, in Grand Parade I know a lot of vehicles appear to be parked for sale. It is possible or likely that those vehicles are being sold by a particular business. What is Government’s view? Are those spaces paid for by a business, or does the business have a permit to use those spaces? How does that system work?

Hon. P J Balban: Mr Speaker, it is perfectly legal to place a private car on the public highway and advertise it for sale. How it is done specifically ... I do not know whether these vehicles are ... I cannot prove whether they all come from the same company, from one company, or they are individual sellers; or, if it is regarding the business which he is alluding to, how they are conducting their business in that respect – we would have to look at that. But it has been reported to me that the numbers that you call to ask about a vehicle are not necessarily the same number. So, if for example you had an advert with a company logo on it and phone the same number, then clearly you can assume that it is a business selling second hand vehicles on a public highway or in a car park, but I do not think that is the case. I do not really know exactly – and each specific case, I suppose, would be different; I have never sold a vehicle in that respect – whether that car still belongs to the individual and is being sold for that person and remains in that person’s name, or whether the car has been transferred to the person who the vehicle has been passed on to and now it is the property of the company. So again I think it is a very difficult question to reply to accurately in that respect.

Hon. T N Hammond: I appreciate that any private individual can place a notice on their car that it is for sale. However, it would appear to me to be more than a coincidence that in Grand Parade at the moment, previously on Ragged Staff, we have 18 or 20 vehicles all parked alongside each other, all for sale, but we do not see similar activity in other places of Gibraltar, so the random odd vehicle ... which is why it strikes me that it may be for business purposes.

I understand the Minister telling me that because there are different numbers it is difficult to investigate, but is it something that is worthy of investigation just to assess whether this is a business that is driving this practice? Surely it cannot be reasonable for a business to use public land to sell its business without an appropriate permit to do so. To make money out of public land in that way would seem to me inappropriate. Is it something that the Minister considers should be investigated by his Department?

Hon. P J Balban: Mr Speaker, clearly if it is one business conducting their business in a car park, then obviously it is something that needs to be looked at, as to who the vehicle is registered to, which I think is key to what the question is. If the vehicle is still registered under the person who has insurance and the logbook is in that person's name, is it a private vehicle or has he sold that vehicle to the company; and if the company is advertising, then the responsibility, should there be an accident, now falls with the company.

So it is a difficult one to get to the bottom of, but I will say, if it is of any of any use, as we progress with the residential parking scheme, naturally this practice could well cease because you would only be able to park that vehicle in the place where it resides. The plan at the moment for Grand Parade, the area in question that you are asking about, is white area, which is free parking, and as it is free parking anyone has a right to park there. As the schemes start developing, the use of that white parking may change in that respect.

But definitely I think if it is one company operating and conducting their business from a public area, then I think it is something which affects other users and other people wishing to park. I just do not know how easy it is to clamp down on that because we would need to check who the vehicle is registered to and whether it is actually a company selling it on behalf of someone else, or whether it is a company selling their own property.

Hon. D A Feetham: Mr Speaker, I think this is an important topic. In fact, the hon. Member, when he was explaining and justifying the multitude of parking spaces at Ragged Staff when we were complaining, 'Well, look, there are empty spaces there and they don't seem to be taken by zone 2 residents: what are you doing about it?' one of the things that the hon. Gentleman said, apart from, 'Well, it's at an early stage – let's see how it works out,' is that before, there used to be a number of cars there that were for sale – whether it was private business or whatever, they were there and they were parked almost on a permanent basis in a public parking space, taking the space from others who would use them.

Does he not agree with me that that is a practice that is potentially abusive, and that therefore if it is potentially abusive any Government that really wants to tackle the parking problem in Gibraltar has to tackle that kind of abusive practice, and that it would be entirely right for a Government to consider whether it should legislate in order to prevent it across the board? I know that it would be difficult, because you would have to do it across the board, because it is very difficult, for the reason the hon. Gentleman outlined in his answer to my friend, Mr Hammond, to determine whether it is a business or whether it is a privately owned vehicle, because in fact it could be a business but the logbook is still in the name of the private individual. But I think it is entirely proper, and does he not agree that it is entirely proper for the Government to consider whether it should legislate across the board in this area?

Hon. P J Balban: Mr Speaker, I will most definitely take that into account. It is something which I am aware of. The company that you are alluding to is clearly the one that works in the area. This does happen in other areas of Gibraltar with other businesses, because they are

430 servicing vehicles, or whatever. If it is abusive in nature, then it is something which we would look at.

I think there are many things to tackle in terms of parking. It is not just one thing. There are a myriad of things that need to be looked at and I think it is only reasonable to accept that this is also something that we need to look at as well, apart from all the other aspects, but obviously I
435 think it is something that needs ... I do accept that people could consider that ... and obviously it is clear what that side of the House would do if they were on this side, and obviously I will –

A Member: We don't have to do that just because they say so.

440 **Hon. P J Balban:** No. Yes, so it is something I am ... But it is clear from our side that obviously I am looking at every single thing regarding traffic and it is something which I am well aware of too.

Hon T N Hammond: Mr Speaker, in order that this discussion does not appear to revolve
445 around a single business, I would just like to add, and the Minister has mentioned the fact, that business activities do take place in other areas. I would like to refer specifically to the Catalan Bay car park, which frequently appears to have vehicles parked there, being serviced, being repaired, and as we approach the summer, clearly those parking spaces that are taken up by a business – if the business has no right to use those parking spaces, either through permit or
450 other means – would be invaluable as public parking spaces, because access to the beach does become very difficult.

Would the Minister similarly consider looking at the issue of the Catalan Bay car park and ensuring that the public parking spaces there are available to the public as opposed to business?

455 **Hon. P J Balban:** Mr Speaker, it is a widespread thing. It happens in Catalan Bay car park, it happens in others – I have just referred to the places that you have mentioned. There are mechanics at work on the street, there are others who store things in vehicles, there are others who wash cars in public parking spaces, others who put cars on sale; it is something which happens.

460 One of the tools which is at our disposition, that we use effectively, I think, is that of street cleaning. By street cleaning as often as possible it causes major disruption to businesses if they are operating from the car parks. In that respect it disincentivises that sort of behaviour. Clearly, if we could street clean every single week, for example, I do not think businesses would be interested in operating in that way. But it is something which street cleaning does tackle.

465 Obviously, we are very well aware of these practices and obviously we will consider ways in which we can assist in this respect.

Hon. T N Hammond: I do understand that street cleaning is clearly disruptive of a business that may be conducting activity on the public highway or in public parking, but the fact is it is
470 public parking and surely it should be available to the public – and therefore a more direct means of confronting a business that is conducting activity in this place might be more appropriate. Would the Minister agree with me?

475 **Hon. P J Balban:** Mr Speaker, as I said, I think it is a problem that we are very well aware of and there are so many things that are being tackled as part of the traffic plan, as part of traffic, it is just another thing that needs to be looked at and tackled. It is another one of the myriad of items that we need to find time to tackle.

At the moment, we are progressing with other residential parking schemes, which is taking a vast amount of time from the Department, apart from many other projects as part of the STTP,
480 so it is not something which is critical at the moment but it is definitely something that we are aware of and that we will need to give time to in due course.

Q331/2018

**Devil's Tower Road car parks –
Income from White Fleet vehicles**

Clerk: Question 331. The Hon. T N Hammond.

Hon. T N Hammond: Mr Speaker, what income is derived by Government for the parking of
485 White Fleet vehicles at the Devil's Tower Road car parks?

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

Minister for Infrastructure and Planning (Hon. P J Balban): Mr Speaker, annual income
490 derived for Devil's Tower Road car park for parking of White Fleet vehicles is: from Gedime,
£30,276; and from Bassadone, £108,000.

Clerk: Question 332. The Hon. T N Hammond.

Hon. T N Hammond: Mr Speaker, may I just go back to Question 331 briefly, the previous
495 question? Very briefly, Mr Speaker, would the Minister be aware of how many parking spaces
those companies occupy within those car parks?

Hon. P J Balban: Mr Speaker, I do not know whether they actually work a car per space or
500 whether they take up an area and they may perhaps be fitting three cars in the space of two.
Because they are using that area exclusively, they have ways and means of perhaps jumping
through windows into other vehicles to get them out. I do not think it is space per parking, so it
would be difficult to ascertain.

Roughly, there may be ... Do you need to know numbers of cars or numbers of parking
505 spaces?

Hon. T N Hammond: Number of cars would be –

Hon. P J Balban: Approximately, I think there are at least a couple of hundred for Bassadone
510 and just a fraction of that for Gedime, but I will need to find out. It is areas, I think, that is
more ... They fit as many cars into that area as possible.

Chief Minister (Hon. F R Picardo): But that is going to finish; that is going to end.

Hon. P J Balban: Mr Speaker, this was a temporary arrangement which was made to
515 maximise usage of the car park at Devil's Tower Road, because when we took office in 2011 we
found those floors which were underutilised and it was felt it made good sense for the taxpayer
to put those to good use, and I think that has in fact been the case. Now, as we look towards the
near future, this will end because the companies will be relocating to other areas that they are
520 purchasing. That will now release the parking spaces down in that car park for us to use in a
different fashion.

Hon. D A Feetham: Mr Speaker, may I ask for the air conditioning to be switched on. It is
quite hot – either that, or the male menopause is catching up.
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Hon. Chief Minister: That supplementary doesn't arise!

Q332/2018
Devil's Tower Road car parks –
Lifts

Clerk: Question 332. The Hon. T N Hammond.

Hon. T N Hammond: Mr Speaker, can the Minister provide a schedule for the times that the lifts at the Devil's Tower Road car parks have been unserviceable?

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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 set out in the schedule that I now hand over.

Answer to Question 332/2018

	Lift 1	Lift 2	Lift 3	Lift 4
January	18	0	18	4
February	20	12	27	18
March	31	1	21	31
April	30	1	8	30

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Hon. T N Hammond: Mr Speaker, does the Minister have an explanation as to why the lifts appear to be unserviceable so often in these car parks? Looking at lifts 1 and 4, for instance, they have been unserviceable for the entirety of both March and April of this year; lifts 2 and 3 have fared slightly better, but still a very poor record on serviceability. Is there a reason for this?

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Hon. P J Balban: Yes, Mr Speaker, there is a reason for this to do with water ingress, to do with the design of the building. Water has been coming through the lift shafts and causing major disruptions to the electrical system within the lifts.

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We have now managed to find ways of tackling this issue and major parts have been replaced. As far as I am aware, the lifts are working much better, but it was due to water ingress – that was the reason why the lifts were out.

Q333/2018
Speeding fines –
Agreement with Spain re local drivers

Clerk: Question 333. The Hon. T N Hammond.

Hon. T N Hammond: Mr Speaker, are any arrangements in place with the Spanish authorities for the transmission of speeding fines acquired in Spain to local drivers?

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

Minister for Infrastructure and Planning (Hon. P J Balban): Mr Speaker, Gibraltar has signed a memorandum of understanding with the Driver, Vehicle and Licensing Agency in the UK, which sets out the arrangements established between the DVLA and Her Majesty's Government of Gibraltar, including details of the services and standards being provided to comply with Directive

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560 (EU) 2015/413 facilitating cross-border exchange of information on road-safety related traffic offences. The aim of this Directive is to facilitate the cross-border exchange of information on road-safety related traffic offences within all EU member states, not only Spain, and thereby facilitate the enforcement of penalties.

565 **Hon. T N Hammond:** Would the Minister be aware of how many fines have been allocated to Gibraltar-registered vehicles due to offences in Spain since this agreement came into place?

Hon. P J Balban: Mr Speaker, no, not unless the question is asked specifically ... I think that question will have been asked by the press recently; I do not know whether that figure is available ... come back with that , okay?

570 **Hon. T N Hammond:** Possibly on the same theme: is the Minister aware of any foreign-registered vehicles who have been pursued in their own countries for offences that have taken place in Gibraltar?

575 **Hon. P J Balban:** Mr Speaker, he would have to ask that question specifically, and I can then find out.

Q334/2018
Grand Parade car park –
Underground scheme

Clerk: Question 334.The Hon. R M Clinton.

580 **Hon. R M Clinton:** Mr Speaker, further to Question 444/2017, in respect of the Grand Parade car park, has the Government reconsidered the possibility of an underground scheme; and what was the economic obstacle to the previous underground scheme if the then developer was committed to pay for the whole project?

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

585 **Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, the previous underground scheme was formally presented to the GSD administration and was not proceeded with at the time.

590 After a meeting between the Chief Minister and the ESG, GOHNS and the Heritage Trust, this Government is analysing once again the updated costings and technical information with regard to an underground scheme and will then take a decision one way or another.

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

595 So, just to confirm to the House, what he is saying now is that given the representations of the DPC, the Government is in fact reconsidering going underground.

Perhaps if I could take him back to the other side of my question – as to the economic viability, he has not answered my question.

600 **Chief Minister (Hon. F R Picardo):** Mr Speaker, that is not what the hon. Gentleman said. What he said was that after a meeting with the Chief Minister, the Government is reconsidering the position, having spoken to the ESG, GOHNS and the Heritage Trust, which is the position.

Hon. R M Clinton: Mr Speaker, I am grateful to the Chief Minister for his intervention. Perhaps he could share with this House what it was that these representative bodies have said to him that is causing him to have a change of heart on this project.

605 Again, I come back to the question of economics: what was it that was uneconomic about the proposal in the first place?

Hon. Chief Minister: He has made the assumption about the change of heart. I have not said that there is such a thing. I have said that there has been a meeting with the ESG, GOHNS and the Heritage Trust and that the Government are considering the position as a result.

Hon. R M Clinton: Mr Speaker, I will not labour the point any more, other than to ask one further supplementary. Can we take it, then, that the Government project that was presented to the DPC is effectively being put on ice for the moment until the Chief Minister considers whether he has or has not had a change of heart?

Hon. Chief Minister: No, Mr Speaker, he can go from here knowing that the Chief Minister has met the ESG, GOHNS and the Heritage Trust and is considering the position as a result of that meeting, which he has now been told on four occasions.

620 **Hon. D A Feetham:** Can the Chief Minister at least give this House a flavour of the arguments that were put to him by GOHNS and others as to why he is now reconsidering the position? Of course you can be asked to reconsider the position and do so simply because these are important organisations and the Government does not want to antagonise any of them, but I think that there must be some cogent arguments that were put to him in relation to this that at least has allowed him to say, 'Well, look, let me look at it again in the light of those arguments.' Or weren't cogent arguments put to him? I just ask.

Hon. Chief Minister: Mr Speaker, obviously the arguments they put were much better than the arguments that *they* put. The arguments that those I met from the ESG, GOHNS and the Heritage Trust were much better than the arguments that Hon. Members put, because the Members opposite did not persuade us of the arguments that they put publicly in respect of this matter.

635 Gibraltar has very many good reporters, and my job is not to report to him the things that people say to me in meetings which are not public.

The Government is exploring some of the things that we were told. The things that we were told may or may not lead us to a conclusion once we have explored them. Once we have made a determination, we will make an announcement about our decision on how to proceed in that respect.

640 **Hon. D A Feetham:** Yes, but, Mr Speaker, I can understand GOHNS and the ESG having concerns about the Government project on environmental grounds – the impact that it might have on Alameda Gardens, for example. That is one thing, and the Government may decide, 'Well, we are going to reconsider our position in the light of those concerns,' but there may be other arguments that were put, arguments of an economic nature, of financial viability, of the viability of an underground project in that site in general.

650 I would just like the Hon. the Chief Minister to perhaps, rather than – I know it is difficult for him – adopting a fencing approach across the floor of the House in terms of how the Government answers questions from the Opposition, to just give us a flavour of what are the type of issues that have made the Government at least reconsider its original position – because what it is saying is, 'Look, we're not necessarily abandoning our intended project, but we are prepared to look at it again.'

655 **Hon. Chief Minister:** Mr Speaker, I am not trying to fence with him. It is not the favoured sport of pit bulls, as far as I understand. What I am trying to do is ensure that the process that the Government has embarked upon is not in any way tarnished by an attempt to take us in one direction or another before we have been able to make a final determination.

660 I think it is appropriate to say that we are reviewing aspects of what we have been told, and if those things that we have been told can be put to those who originally made the designs that were looked at in a way that might make the determinations that were made different, then it may be that the final design is different and the final decision is different.

665 I do know that the hon. Gentleman is pining for more parking in the Town area. (*Interjection by Hon. D A Feetham*) I really am not going to keep him waiting for much longer, but I should say he really should have bought at Midtown, like so many others did.

Hon. R M Clinton: Mr Speaker, regardless of the representations made by these interest groups, is the Chief Minister still of the opinion that it is uneconomic to go underground at Grand Parade?

670 **Hon. Chief Minister:** Mr Speaker, I have not been shown anything to suggest the contrary.

Hon. R M Clinton: Mr Speaker, would the Chief Minister not agree with me that if somebody, a third party, agrees to pay for the entire scheme and not a penny leaves the pocket of the Government, then it is entirely economic? Would he not agree?

675 **Hon. Chief Minister:** No, Mr Speaker, because the hon. Gentleman is failing to factor in so many aspects of what public planning is all about that he fails to even point in the direction of appropriate decision making in respect of an asset like Grand Parade.

680 For example, somebody can tell you that they are going to do something at an unrealistic price and you know that the special purpose vehicle (SPV) they are going to set up for that purpose is going to be bankrupt halfway through the project, and then you are either going to leave a big hole in the ground or you are going to have to use taxpayers' money to continue. Vide, Mr Speaker, the problems of the contract at the tunnel under the runway, which was underbid at the time that they were in Government, which led to extensive litigation; or indeed vide the projects that they oversaw by OEM at Cumberland etc., which resulted in that company going into liquidation, although they had loaned it £7 million and the taxpayer lost £7 million as a result.

685 So the fact that the third party says it will pay for something does not mean it is economic, and of course a third party that is solvent could pay for something and set up a parking which is economically viable at a rate of £15 per hour for parking – something that even the most determined parking pit bull might decide is not a good outcome for the taxpayer or for this community.

690 The hon. Gentleman postulates a hypothesis which is entirely wrong and I am surprised that the man, who has been an accountant, should not have seen the obvious *pitfalls* that such a proposal would have given rise to, even for the parking pit *bull*.

Hon. R M Clinton: Mr Speaker, I really must refute some of the comments the Chief Minister has made.

700 First of all, he, as a lawyer, will know above all that if you contract with somebody on a major construction project, the first thing you will ask for is, of course, a performance bond. But of course if the Chief Minister does not know anything about that, perhaps he should go back to Oxford and do a course on construction.

Mr Speaker, in terms of the viability of a project and certainly the record of the GSD Government, we can go back in time as far as he wants: we can go back to GibRepair, if we want.

705 I would love to read him the audit report on GibRepair when the GSLP were in Government, but we are not going to go back into ancient history, I guess.

Mr Speaker, if there is a project in which a developer puts up a performance bond to complete the project, then surely he must agree it is economic.

710 **Hon. Chief Minister:** Mr Speaker, the hon. Gentleman, as ever, enlightens me when he speaks in this House. Given that he suggests that the absence of knowledge of the need for a performance bond if somebody embarks on a construction project vitiates my knowledge of the law, I now know where the previously referred to 'greatest Gibraltarian of all time' must be: he must be back at Queen Mary College, because it was under his administration and carrying the political colours that he has always defended – not some of the others, the Labour Party, the PDP and the independents, but he has always been GSD – that the Government embarked on the OEM projects at Cumberland without the sort of performance bond that saw them being able to complete and saw the collapse of a company called Haymills and saw, as I told him a moment ago, the Government loan that company £7 million and a £7 million loss to the taxpayer.

720 Much as I would like to go back to the gleaming towers of Oxford, where I spent many happy days and perhaps one day will spend some more in the future, I daresay that those who taught me contract taught me a darn sight better than those who taught him accounts.

725 **Mr Speaker:** Next question.

Hon. D A Feetham: Sorry, Mr Speaker, may I have just one more?

Mr Speaker: Relevant?

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Hon. D A Feetham: Yes, absolutely. *(Laughter)*

Hon. Chief Minister: That'll be the day!

735 **Hon. D A Feetham:** Absolutely relevant, Mr Speaker!

A Member: He knows you well! *(Interjection and laughter)*

740 **Hon. D A Feetham:** Mr Speaker, I hope that after today's session you can give me one of those golden stars that my teachers used to give me. I did not receive one very often, I have to say – occasionally – but I have been well behaved, as we have all on this side of the House.

Mr Speaker, just picking up on the hon. Gentleman's last question, if you did have a performance bond in this particular case, would it not meet the concerns of the Chief Minister in his reply as provided to this House?

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Hon. Chief Minister: Mr Speaker, a performance bond is a very particular thing. As far as I am concerned, a performance bond is something which demonstrates ability to complete a project. It is not the sort of thing that we have been shown in respect of this project *ever* in the past. We have not seen performance bonds. We have seen letters that say, 'We have the money and we can do it.'

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The hon. Member who has just asked the question, Mr Feetham, knows what a performance bond is: it is a contractual obligation backed by a bank. The Hon. Mr Clinton, given that he has asked questions about performance bonds in respect of this project, may think that something on someone's letterhead saying, 'I have the money to complete the project, I have the backers and I'm ready to do it,' is a performance bond. Well, it is no more a bond than anything that

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Mr Llamas told this House two months ago and he no longer stands by in respect of matters that we have already been debating.

760 And what gives rise to the performance bond? This is the point I was making before. A business plan which is based on charging very high rates for the purchase and rental of parkings might give rise to a performance bond but it might not be something that the Government is willing to approve. I think if he were making the determination he might reach the same conclusion that I might reach looking at that sort of business plan.

765 That is why all I am doing is discussing in hypothesis. I am not going into the things that the Government is looking at in relation to this particular project, but if we were to go down a different road, it would have to be based on a robust business plan and performance bonds of the sort that are going to stand up to scrutiny and are not going to expose the taxpayer to the sort of difficulty that we have seen the taxpayer exposed to in the past in the context of the projects I have already referred to.

770 Just to go back to the way that he started attempting to make his supplementary, I think there are two people in this House who can take the role of Elaine Paige for the American agent and I forget which actress for the Russian wife of the other player in *Chess*, and sing to each other *I Know Him So Well*, the great hit from the late 1980s: it is him and me, and so, Mr Speaker, I can see where he is coming from.

775 **Mr Speaker:** Next question.

Q335/2018
Rock Hotel –
Collapsed wall

Clerk: Question 335. The Hon. Ms M D Hassan Nahon.

780 **Hon. Ms M D Hassan Nahon:** Can Government explain what it intends to do regarding the collapsed wall by the Rock Hotel?

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

785 **Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, whilst the Government's Technical Services team assisted with making the wall safe immediately after its collapse in October 2015, the wall is privately owned by the Rock Hotel and any other further works fall directly under the remit of the Rock Hotel.

790 There are no immediate safety concerns in the area at this moment in time and it is understood that the Rock Hotel is considering the redevelopment of the area affected by the wall collapse.

795 **Hon. Ms M D Hassan Nahon:** Mr Speaker, I hesitate to ask a supplementary but feel I must in the sense that I appreciate that the comeback would have been that it is private and it therefore does not fall within the remit of Government, but is there anything that Government has a duty of dealing with or being on top of when something actually ends up looking rather unsightly, even when it is a private piece of land?

Hon. P J Balban: Mr Speaker, the Government's remit at the time of the collapse was that the most important thing was the safety of the area. That was addressed effectively and the area is absolutely safe at the moment.

800 Because the Rock Hotel is, we understand, considering the redevelopment of the area because of the rock collapse, I do not think there is much more to do at the moment. It may not be as slightly as perhaps a wall was before, because it was also part of a wall and a very big tree that was there, but it is private property and they have plans for it.

805 **Hon. D A Feetham:** Just one question in relation to this: does the Government have any rights as a landlord in respect of this particular property? I have not looked at it, I have to say, but of course if the Government is the freeholder – the Crown in right of the Government of Gibraltar – there may well be clauses in the lease that could allow the Government to insist that this particular wall is repaired. I do not know, because I have not looked at the lease; I am just asking.
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Hon. Chief Minister: Well, Mr Speaker, none of us have looked at the lease because the tenant is looking at the redevelopment already and is looking to make proposals to, if necessary, the Government if it involves any element of change of use, or indeed to the DPC if it involves a new project.
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We have already had an indication from the owners of what they might initially be thinking of, but they have not yet firmed up, so it would be very peculiar indeed to require somebody who is in the process of doing something to do it at a particular speed which might not be commercially viable.

820 I think the important thing is to know that you do not need to have a wall there, given that there is now a stepping back – the wall is a retaining wall for the material that has now come down from there – and there is therefore an opportunity to do something which is different to a retaining wall.

825 It would not be fair for me to say anything else at this stage because I have been told by the owners what they are thinking of doing, but they may make a different decision. But I am quite happy to tell him behind the Speaker's Chair what it is that they may be considering.

Hon. R M Clinton: Mr Speaker, I am not sure if I recall correctly, but I believe Technical Services were involved at the time of the wall collapse in terms of cleaning up and making the area safe. Has the hotel, seeing as it is a private wall, made any compensation payment to the Government for this work?
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Hon. Chief Minister: Mr Speaker, I think the hon. Gentleman is wrong. Technical Services attended the scene and ensured that matters were dealt with in keeping with the safety requirements of the Technical Services Department, but the works were undertaken at the cost of the leaseholder.
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Mr Speaker: The Hon. Chief Minister.

840 **Hon. Chief Minister:** Mr Speaker, I move that the House should now adjourn.

Before I do, Mr Speaker, I would like to recognise that the Muslim community in Gibraltar, with the Muslims across the world, have now started their period of Ramadan, and that the Jewish community in Gibraltar will be celebrating their feast of Shavuot on Monday.

845 Indeed, to reflect for a moment in a manner that I am sure will unite the whole House, today the Father of the House is not with us because he has been to Buckingham Palace to be knighted by Prince Charles, the heir to the throne, and has emerged a knight. I give notice that I shall be moving a motion during the course of this meeting, which I do hope will enjoy the support of all Members, that he also be made a Freeman of the City of Gibraltar.

850 Mr Speaker, I do not know whether we have seen the last of the musical chairs, but I propose that we return on Wednesday next week at 3 p.m. to see what the lay of the land might be.

Condolences to Hon. G H Licudi

Hon. D A Feetham: Mr Speaker, may I also extend our condolences – and I am sure that I speak for everybody on this side of the House – to Mr Licudi on the sad passing of his father.

855 **Mr Speaker:** I associate myself with that. Gilbert Licudi's father was a friend of mine. We used to sometimes go to the opera together in Algeciras, so I used to know him well.
The House will now –

860 **Hon. Chief Minister:** Thank you Mr Speaker, can I just take the cue from the Hon. Mr Feetham. I have expressed my condolences to Mr Licudi personally today, but given that he has wanted to express them publicly I think it is right that on behalf of all his colleagues on this side of the House we also express our condolences to him.

865 **Mr Speaker:** On that note, the House will now adjourn until next Wednesday at three in the afternoon.

The House adjourned at 6.08 p.m.