



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.36 p.m – 6.40 p.m.

Gibraltar, Tuesday, 27th July 2021

Contents

Suspension of Standing Orders	3
Standing Order 7(1) suspended to proceed with Questions	3
Papers to be laid	3
Questions for Oral Answer	4
Employment, Housing, Youth and Sport	4
Q93/2021 Laguna Estate Children’s Play Park – Closure dates and necessity	4
Q94-96/2021 Sporting facilities – Outdoor cricket; new sports facilities; Europa rugby pitch	5
Q97/2021 Victoria Stadium – Memorandum of Understanding	6
Q98/2021 Government rental homes – Unlawful occupation	9
Q99-101/2021 Laguna, Glacis and Moorish Castle Estates – Refurbishments completion	9
Q102-103/2021 Tender homes 2018 – Remaining unsold; head leases handed over	11
Q104-5/2021 Government housing – Rent debt; arrears repayments	13
Q106-7/2021 Portacabin – Date details; Youth Club relocation	16
Transport	17
Q108/2021 Cycle pop-up lanes – Installation plans	17
Q109/2021 Highly polluting cars and motorcycles – Government actions	20
Q110/2021 Sustainable Traffic, Transport and Parking Plan – Disagreement and views	22
Q111/2021 JT Security – Cost and arrangements of traffic direction	23
Q112/2021 Speed limits – Impact analysis and benefits	24
Business, Tourism and the Port	27
Q113/2021 Redibikes scheme – Abolishment	27

Q114/2021 February's oil spill – Clean-up operation	28
Q115/2021 Parcel post – UK proportion over land	29
Q116/2021 Port Advisory Council meeting – Points of concern.....	30
Q117/2021 Flights to Morocco – Commencement of flights	31
Q118/2021 Crane falling into sea – Details and measures implemented	31
Digital, Financial Services and Public Utilities.....	32
Q133/2021 New Development Plan – Publication date	32
Q134/2021 Global minimum tax rate – Developments.....	32
Q135-6/2021 Travel passport and vaccination certificates – Government policy; access to EU COVID Digital Vaccination Certificate scheme.....	33
Q137/2021 GIB ordinary A-shares – Reason for purchase; Tier 1 ratio.....	35
Environment, Sustainability, Climate Change and Education.....	38
Q119/2021 Gibraltar Airsoft Association – Availability of facilities	38
Q120 and 130/2020 School students with nut allergies – Policies re precautions and provisions	38
Q121-22/2021 Modern foreign languages – Details of courses in secondary schools.....	40
Q123/2021 Harbour Views Road – Unlawful disposal of cigarettes.....	42
Q124/2021 Listing of private dwellings – Plans under Heritage and Antiquities Act 2018 ...	43
Q125/2021 The Mount – Planning and heritage safeguards during recent filming	45
Q126-27/2021 St Michael's Cave light and space audio installation – Planning and heritage safeguards; costs re installation and maintenance.....	45
Q128/2021 Nature Reserve entrance fee – Plans to increase	46
Q129/2021 Policy re masks in schools – Review	47
Q131/2021 Midtown Park play park – Health and safety standards.....	48
Procedural – Press release re subject matter of Question 132	49
Q132/2021 Director of Public Health – Expiry of contract	49
Deputy Chief Minister	53
Q138/2021 KGV site – Amount received by Government	53
Q139/2021 Freedom of Information Act – Extension to additional public authorities	54
Q140/2021 100th anniversary of City Council – Plans to commemorate	55
<i>The House adjourned at 6.40 p.m.</i>	56

The Gibraltar Parliament

The Parliament met at 3.36 p.m.

[MR SPEAKER: Hon. M L Farrell BEM GMD RD JP *in the Chair*]

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

SUSPENSION OF STANDING ORDERS

Standing Order 7(1) suspended to proceed with Questions

Clerk: Meeting of Parliament, Tuesday, 27th July 2021.
Suspension of Standing Orders, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I beg to move, under Standing Order 7(3), to
5 suspend Standing Order 7(1) in order to proceed with the laying of documents on the table.

Mr Speaker: Those in favour? (**Members:** Aye.) Those against? Carried.

PAPERS TO BE LAID

Clerk: Papers to be laid, the Hon. the Chief Minister.

10 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to lay on the table the Rates
of Tax (Amendment) Rules 2021; High Executive Possessing Specialist Skills (Amendment) Rules
2021; the Energy Deductions (Amendment) Rules 2021; the Energy Performance (Deductions)
(Amendment) Rules 2021; the Income Tax (Allowances, Deductions and Exemptions)
(Amendment) Rules 2021; and the Qualifying (Category 2) Individuals (Amendment) Rules 2021.

15 All of which, Mr Speaker, give effect to the measures I announced during the course of my
address on the Appropriation Bill.

Mr Speaker: Ordered to lie.

20 **Clerk:** The Hon. the Minister for the Health Authority, Justice, Multiculturalism, Equality and
Community Affairs.

**Minister for the Health Authority, Justice, Multiculturalism, Equality and Community Affairs
(Hon. Miss S J Sacramento):** Mr Speaker, I have the honour to lay on the table the Annual Report
25 of the Mental Health Board 2020 and the Annual Report of the Mental Health Board 2021.

Mr Speaker: Ordered to lie.

Questions for Oral Answer

EMPLOYMENT, HOUSING, YOUTH AND SPORT

Q93/2021

Laguna Estate Children's Play Park – Closure dates and necessity

Clerk: Answers to Oral Questions. We commence with Question 93/2021 and the questioner is the Hon. E J Reyes.

30

Hon. E J Reyes: Mr Speaker, can Government provide details of dates when the children's play park adjacent to St Anne's and Notre Dame Schools at Laguna Estate has been closed for public use since it was refurbished, together with details as to why such closures were necessary?

35

Clerk: Answer, the Hon. the Minister for Employment, Housing and Sport.

Minister for Employment, Housing, Youth and Sport (Hon. S E Linares): Mr Speaker, before the handover was completed a survey/snagging was undertaken and the protective rubber flooring in some areas was deemed to be of substandard quality. This was seemingly addressed but has been rejected once again as it is still not acceptable. The contractor has assumed responsibility and will replace the faulty/defective areas. Materials have been ordered with an expected completion and opening date of the end of August at the latest.

Hon. E J Reyes: Thank you very much, Mr Speaker, but in the meantime I believe the park had been open for some use, so although the Minister has given us the explanation of why he is chasing up the unacceptable snagging order, what were the actual dates then that the park was not available? This is what leads to the confusion of park users of why some days it is and some days it is not. Perhaps we can get the picture of *when* it was actually available?

Hon. S E Linares: Mr Speaker, as I understand it the park has not quite been available, only the parts where the football might have been, but not the actual playing area for the children where the rubber flooring was supposed to have been. Therefore we are in very close contact with the Tenants' Association because, quite frankly, we are not happy about how that has panned out.

We will not have substandard flooring for our children and therefore we have gone back to the contractor, as I said, and they will have to put it right – and not at the taxpayer's expense. They will have to do it at their own cost and we will not open the park until it is safe for the children to be there.

Like I said, when I say at the end of August *at the latest* it is because I am putting pressure on the contractor to finish these works.

60

Mr Speaker. Next question.

Q94-96/2021

Sporting facilities –

Outdoor cricket; new sports facilities; Europa rugby pitch

Clerk: Question 94. Hon. E J Reyes.

Hon. E J Reyes: Mr Speaker, can the Minister for Sport explain why there are no outdoor cricket facilities available at present in Gibraltar and which, therefore, has forced the Gibraltar Cricket Association to play all its outdoor games in Spain?

Clerk: Answer, the Hon. the Minister for Employment, Housing and Sport.

Minister for Employment, Housing, Youth and Sport (Hon. S E Linares): Mr Speaker, I will answer this question together with Questions 95 and 96.

Clerk: Question 95. The Hon. E J Reyes.

Hon. E J Reyes: Mr Speaker, can the Minister for Sport update this House with details of what facilities still require remedial or completion works at all the newly built sports facilities, together with details of revised expected completion dates?

Clerk: Question 96. The Hon. E J Reyes.

80

Hon. E J Reyes: Can the Minister for Sport provide a revised date by when the dip at the southern end of the rugby pitch at Europa Sports Ground will be satisfactorily repaired?

Clerk: Answer, the Hon. the Minister for Employment, Housing and Sport.

85

Minister for Employment, Housing, Youth and Sport (Hon. S E Linares): Mr Speaker, following the very positive meetings held recently, I am pleased to report that the sub-contractor in question will arrive in Gibraltar very shortly to complete all pending works at the Lathbury Sports Complex. It is still envisaged that this complex will be ready just in time or very soon after Community Use season 2021-22 has commenced.

90

Whilst in Gibraltar, the contractor will also complete the minor works required at the Europa Sports Complex, including the dip at the south end of the rugby pitch.

95

Finally, the contractor responsible for the installation of the cricket wicket has accepted that it was not fit for purpose and, as such, will repair at no cost to the taxpayer. This has been the underlying reason as to why the Gibraltar Cricket Association has had to play fixtures in Spain

Hon. E J Reyes: Thank you for those explanations, Mr Speaker.

I see in respect of Questions 95 and 96 the Minister has given us an indication he hopes it will be ready for the time of Community Use and locations for the 2021-22 season. But does he have any indication, after the good news that the contractor has accepted certain responsibilities, when will the cricket outdoor facilities ... When are those as such expected to be available?

100

Hon. S E Linares: Well, Mr Speaker, as I said, there are, I think, three parts to the outside pitches. One is Lathbury, in general, which needs to be completed and, like I said, I am happy that at least the contractor is now giving us what I would say is the *third* timeline because they have given us a timeline but obviously, due to COVID, they have not been able to travel to Gibraltar, and that has been the main reason why we are still struggling with these facilities. That is Lathbury, and that is one completion, because it will all be done together.

105

110 Whilst in Europa, there are two issues. There is the one that the hon. Member mentioned,
which is the dip at one end, and that will be done by the subcontractor that does the turf *and* the
main contractor. Then there is the other part, which is the wicket itself. The subcontractor that
put up the wicket at the beginning, which we thought was not fit for purpose, that contractor has
subcontracted to a specialist company that will be doing the wicket. We are hoping that they will
115 be here pretty soon to do the actual wicket because the wicket, as the hon. Member knows, is
probably the most important part of what is cricket.

Hon. E J Reyes: Thank you, and again I can reassure the Minister it is not 'probably' but it is
'definitely' the most important part in a cricket pitch.

120 **Mr Speaker:** Next question.

Q97/2021
Victoria Stadium –
Memorandum of Understanding

Clerk: Question 97. The Hon. E J Reyes.

125 **Hon. E J Reyes:** Can the Minister for Sport *now* provide this House with a copy of the
Memorandum of Understanding signed with the Gibraltar Football Association in respect of the
Victoria Stadium and its facilities?

Clerk: Answer, the Hon. the Minister for Employment, Housing and Sport.

130 **Minister for Employment, Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, I now
hand over a copy of the Memorandum of Understanding. I am happy to discuss any further details
if the hon. Member would like to speak behind the Speaker's Chair. This is a copy of the
Memorandum.

MEMORANDUM OF UNDERSTANDING
Regarding operational and management functions in connection with Victoria
Stadium and the Development Area

Between

1. GIBRALTAR SPORTS AND LEISURE AUTHORITY, a body corporate established under section 3 of the Gibraltar Sports and Leisure Authority Act, 2002 with offices at Bayside Sports Complex, Bayside Road, Gibraltar, GX11 1AA (GSLA): and

2. GFA NATIONAL STADIUM LIMITED, a company incorporated in Gibraltar with registered address at 57/63 Line Wall Road, Gibraltar, GX11 1AA and company registration number 117155 (GFANSL).

Background

(A) GSLA performs a number of functions and duties, among which are: (a) providing, operating and managing sports and leisure facilities and developmental programmes in connection with sport and leisure for the community, and supporting registered sports associations and educational establishments: (b) employing persons for the proper discharge of its functions; (c) administering and inspecting all facilities provided by it so as to ensure the effective and efficient operation of such facilities.

(B) The sports and leisure facilities operated and managed by the GSLA include the Victoria Stadium at 18 Winston Churchill Avenue, Gibraltar GX111 AA\ within the area of land bounded to the south by Bayside Road to the east by the CEPESA site at Winston Churchill Avenue to the north by the airport runway and to the west by the Tercentenary Hail and other GSLA facilities, and being part of Crown Property No. 1400.

(C) GFANSL is a subsidiary of GFA Limited (GFA), the national governing body of the sport of association football in Gibraltar. The GFA is a member of the Federation Internationale de Football Association (FIFA) and of the Union of European Football Associations (UEFA).

(D) Under a Deed of Agreement dated 29 March 2018 GFANSL was granted a Licence to enter and remain upon the area of land mentioned in (B) (and referred to in the Deed as the Development Area), during which time GFANSL and GSLA will share possession of the Development Area for the License Period of thirty-six months, in return for a capital payment (now fully paid), with a view to being granted a Lease and in the meantime converting the Development Area into a UEFA Category 4 National Football Stadium (Works). Any extensions to the Development License will be applicable to this MOU when read with (9) below.

(E) GFANSL wishes to ensure that the GSLA's present operational and management functions in connection with the Development Area are retained for a period not to exceed the Licensing Period (unless otherwise extended by the parties and subject to the provisions of this MOU).

OPERATIONAL AND MANAGEMENT SERVICES

1. GSLA will, at no cost to GFANSL, provide services within the Development Area in relation to the following areas: operation, general maintenance and supervision of facilities (except for and during GFA matches, whether local or international), safety (except for and during GFA matches, whether local or international), pitch maintenance, event management and tours.

2. GSLA has, at no cost to GFANSL and without prejudice to the generality of paragraph (1), the following specific responsibilities within the general areas identified in paragraph (1):

a. managing all Development Area events and superintending activities run by sports associations, schools and any other entities under GSLA remit and/or with active agreements/commitments (excluding the GFA, FIFA or UEFA):

b. ensuring that the Development Area is compliant with relevant requirements under all relevant legislation (including, without limitation, health, safety and environmental legislation and codes of practice);

c. managing the Victoria Stadium (and any other properties under the control of the GSLA within the Development Area) in relation to the pitch, the facilities in general and the maintenance of both:

d. managing access to the Development Area and crowd control on both event and non-event days, including managing all accreditation (except during GFA event days, when GSLA will be responsible only for allowing access to GFA-accredited media and other relevant individuals/entities for local matches after clearance by a GFA delegate):

e. cleaning of the Development Area and its facilities;

f. deciding staffing levels (including supervision of teams for non-GFA events) and external security agencies as appropriate;

g. liaising with external sporting bodies (excluding FIFA and UEFA), concert promoters, and other event owners to provide services for the delivery of third party events:

h. managing all safety and service delivery matters relating to Victoria Stadium operations:

i. liaising with external bodies (excluding UEFA) in respect of all VIP visits; and

j. insuring and maintaining in force insurance policies with reputable insurance companies to cover all relevant potential liabilities in the field of public liability, professional indemnity, third party liability, employer's liability and all other types of insurance cover as may be typically required (or be desirable) in connection with the operation of a sports and leisure facility.

STAFF

3. GSLA will, at no cost to GFANSL, deploy such existing employees as it, in its sole discretion but in consultation with GFANSL, considers necessary to meet its commitments pursuant to this MOU (see also 2f. above).

4. GSLA employees deployed to the Development Area pursuant to this MOU remain under the exclusive directions and instructions of the GSLA.

5. It is understood that the duties of the GSLA employees will not be altered from their present ones, and that the working group that has been established between the GFANSL and GSLA will work closely on scheduling etc. and similar staff matters.

6. Communication between GFANSL and GSLA regarding employee matters will be via nominated officers of the working group.

7. For the purposes of this MOU. GSLA employees are all those persons employed by the GSLA under a contract of employment and any person engaged by the GSLA as an independent contractor or persons employed by any sub-contractor engaged by the GSLA who are wholly or substantially engaged in the provision of operational and management services at the Development Area.

8. Nothing in this MOU authorises GFANSL to take any disciplinary or other action against a GSLA employee involved in the provision of the services. Where GFANSL alleges that a GSLA employee misconducts himself or is incompetent or negligent in his duties it shall advise the working group in writing of the allegation.

DURATION OF SERVICES

9. It is understood by both parties that, unless other-wise agreed by the parties, GSLA will not provide the operational or management services in the Development Area described in this MOU after the Lathbury Sports Complex becomes operational PROVIDED THAT GSLA will continue to provide such services in cases where the Works have not been commenced before the expiry of the Licence Period because of requests made by the GSLA and/or Her Majesty's Government of Gibraltar to delay the Works for any reason whatsoever.

10. GFANSL will, in any event, make best efforts to take over the Development Area's operational and management services as soon as practicable, and in any event no later than the expiry of the Licence Period SAVE where the Works have not been commenced before the expiry of the Licence Period because of requests made by the GSLA and/or Her Majesty's Government of Gibraltar to delay the Works for any reason whatsoever.

11. In tandem with the efforts referred to in paragraph 10. GSLA will hand over to GFANSL operational use of certain areas within the Development Area in their entirety, in consultation with GFANSL, so that the latter can manage these independently as soon as possible. It is noted by both parties that a good working precedent is the handover of the Annex building, where the GFA will house members of staff within office space.

12. Despite paragraphs 10 and 11. the parties acknowledge and agree that the GSLA shall, in consultation with GFANSL, continue to have uninterrupted use of the Victoria Sports Hall until such time as it is demolished or the GSLA no longer wishes to use it, whichever is the earlier.

AREA

13. The area to which this MOU applies is the Development Area defined in the Deed and delineated in red in the plan attached to the Deed.

SPECIFIC RESPONSIBILITY FOR GFA, FIFA or UEFA FOOTBALL MATCHES

14. The responsibility for admittance and marshalling of spectators during GFA, FIFA or UEFA football matches (whether national or international) shall lie with GFANSL.

GOOD INDUSTRY PRACTICE — FOOTBALL PITCH (PLAYING SURFACE)

15. With respect to the football pitch playing surface at Victoria Stadium, GSLA employees will, in consultation with GFANSL, use that degree of skill, care, prudence foresight and operating practice which would reasonably and ordinarily be expected from time to time of a non-specialised operator or facilities management contractor under the same or similar circumstances. The GSLA, will not accept any financial or other liability for damage done to the said pitch in the course of maintaining and operating it, save as may result from failure to exercise such degree of skill; care, prudence. foresight and operating practice.

NECESSARY CONSENTS

16. GFANSL shall ensure that it obtains all permits, licences. permissions, consents, approvals, certificates and authorisations (whether statutory or otherwise) which are required for the performance of any of its activities in the Development Area, whether required in order to comply with this MOU, legislation, or the Deed, and GSLA shall. to the extent necessary, assist GFANSL to obtain these.

ADDITIONAL OR ALTERNATIVE SERVICES

17. If an emergency arises. GFANSL may, at no cost to GFANSL, request GSLA, to use its best endeavours to procure that such additional or alternative employees as may be required by GFANSL to ensure that the emergency is dealt with and normal operation of the facilities resumes as soon as is reasonably practicable. GSLA shall not be obliged to provide any service that it is neither qualified nor competent to provide.

MISCELLANEOUS

18. GFANSL must ensure that GSLA employees are not impeded from accessing the Development Area in order to discharge their duties during events organised by the GFA. To this end, GFANSL will instruct its security providers and any other third party service providers not to hinder access by GSLA employees. Relevant accreditation must be provided to GSLA staff well in advance of the "lock down" period.

19. This MOU shall be interpreted in light of the Deed. but where an inconsistency arises between this MOU and the Deed, the terms of the Deed shall prevail.

NATURE OF MOU

20. This MOU is does not create legal rights or obligations on either party.

Mr Speaker: Next question.

135

Q98/2021

**Government rental homes –
Unlawful occupation**

Clerk: Question 98. The Hon. E J Reyes.

Hon. E J Reyes: Can Government inform this House how many cases of possible unlawful occupation of Government rental homes are currently being investigated by the relevant authorities?

Clerk: Answer, the Hon. the Minister for Employment, Housing and Sport.

Minister for Employment, Housing, Youth and Sport (Hon. S E Linares): Mr Speaker, the Housing Department is currently investigating three cases of unlawful occupation of Government rental homes.

Mr Speaker: Next question.

Q99-101/2021

**Laguna, Glacis and Moorish Castle Estates –
Refurbishments completion**

Clerk: Question 99. The Hon. E J Reyes.

Hon. E J Reyes: Can Government provide this House with an estimated date by when all refurbishment works at Laguna Estate should be fully completed?

Clerk: Answer, the Hon. the Minister for Employment, Housing and Sport.

Minister for Employment, Housing, Youth and Sport (Hon. S E Linares): I will answer this question together with Questions 100 and 101.

Clerk: Question 100. The Hon. E J Reyes.

Hon. E J Reyes: Can Government provide this House with an estimated date by when all refurbishment works at Glacis Estate should be fully completed?

Clerk: Answer, the Hon. the Minister for Employment, Housing and Sport.
Question 101. The Hon. E J Reyes.

Hon. E J Reyes: Can Government provide this House provide this House with an estimated date by when all refurbishment works at Moorish Castle Estate should be fully completed?

170

Clerk: Answer, the Hon. the Minister for Employment, Housing and Sport.

Minister for Employment, Housing, Youth and Sport (Hon. S E Linares): Mr Speaker, all original contracted works at Laguna Estate and Glacis Estate have now been completed. However, the
175 new lift installed at the northern end of Archbishop Amigo House in Glacis Estate is scheduled to be completed by the end of September 2021. The replacement of the flat entrance doors to Constitution House and Referendum House is projected to be completed by the end of the current calendar year.

In respect of Moorish Castle Estate, all original contracted works have been completed.
180 However, there are still some minor reinstallment works pending which are scheduled to be carried out very shortly.

Mr Speaker: It was not reinstallment, it was reinstatement of works.

Hon. E J Reyes: The Minister said there were still some works at Moorish Castle. Does he have
185 any idea what are the nature of those works, because I think he gave a very general heading, about 'minor' or whatever, but this is to do with the roofs, it is to do with the Lifts like he has highlighted for certain blocks down in Glacis Estate.

Does he have had some indication, please?
190

Hon. S E Linares: Mr Speaker, the answer to that is that in Moorish Castle, I think, they are at
the snagging, and looking out for ... Because if it is minor – and it is reinstatement, thank you, Mr
Speaker – works, it would not mean major works, and therefore I would suspect that these are
195 little bits and pieces like a tile loose, or whatever, which the contractor has left. And, again, the Housing Works Agency goes round looking that every detail is finished, so I would suspect that those are the minor works mentioned here.

Hon. K Azopardi: Mr Speaker, if the Hon. the Minister has said that the original scope of works
200 has been done in Glacis and Laguna – and just taking Glacis as an example – I am sure the Hon. Minister has been approached by tenants as we have. If you walk around Glacis, while the original works may have been done, it is clear that it still needs ongoing maintenance and if they had done the snagging, for example, there are hanging loose cables and bits and pieces. They are works of that type that it is obvious, on just a walk through the estate, would need to be done.

Has the Government taken that up with the contractor? If it is issues that have emerged *since*
205 the original works were done, what is the Government doing about those issues?

Chief Minister (Hon. F R Picardo): Mr Speaker, this question was about the refurbishment
works, and the Hon. Minister's answer has been about the refurbishment works to confirm, but
210 all of the works contracted have already been dealt with. That is why it is *not* an issue for us to take up with the contractor, and these are not issues of snagging. In many instances, Mr Speaker, there will need to be works which were not provided for in the refurbishment because they are works that emerge later, or they are works that are required, which could not have been envisaged at the time of the refurbishment.

So, Mr Speaker, the Government will continue to invest in our estates. We will continue a
215 programme not just of maintenance but also of improvement of our estates. In the case of issues like cables, we have had a difficulty which was not part of the refurbishment, but in wanting to tidy things up, in many instances the cables do *not* relate to Government services and utilities, they relate to services which are contracted by the tenants and, in some instances, we have given tenants notice that unless they provide access to their homes so that we can assist them with the
220 cables being hidden and no longer hanging, we will have no alternative but to cut the cables. In other instances we are trying to deal with it in different ways.

225 We have been in contact for many years with the Committee of Glacis Estate, and we have done excellent work with the Committee of Glacis Estate to ensure that the estate is in the best possible state. We will continue to work with tenants at Glacis Estate to ensure that we continue to provide the best possible refurbished and maintained estate for all tenants, as we have, Mr Speaker, in all of the estates, which we have refurbished, many of them already, including Glacis Estate and many to come.

230 Although, of course, when we spend money on those issues we are attacked here and, Mr Speaker, despite the answers that we give here, on social media, with the same issues that we have replied to here, despite those answers by Members opposite.

Mr Speaker: Next question.

Q102-103/2021
Tender homes 2018 –
Remaining unsold; head leases handed over

Clerk: Question 102. The Hon. E J Reyes.

235 **Hon. E J Reyes:** Can Government provide updated details of how many homes, inclusive of rooms composition, remain unsold from those which went out to tender in 2018 namely: 104 at Europa Walks Estate, 30 at Trafalgar Heights, 10 at Naval Hospital Hill, 5 at Lake Ramp (Buena Vista) and 12 at Prevost House and Phillimore House?

240 **Clerk:** Answer, the Hon. the Minister for Employment, Housing and Sport.

Minister for Employment, Housing, Youth and Sport (Hon. S E Linares): Mr Speaker, the details of properties on which –

245 **Mr Speaker:** You need to say that you are answering the question together with Question 103.

Hon. S E Linares: Sorry. I will answer this question together with Question 103.

Clerk: Question 103. The Hon. E J Reyes.

250 **Hon. E J Reyes:** Can Government confirm that the head leases for the homes sold by tender at: Europa Walks Estate, Trafalgar Heights, Naval Hospital Hill, Lake Ramp (Buena Vista), Prevost House and Phillimore House, have now been handed over to their respective Management Companies?

255 **Clerk:** Answer, the Hon. the Minister for Employment, Housing and Sport.

260 **Minister for Employment, Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, the details of properties on which completion sales are pending are as follows: in the Europa Walks Estate — two 2-bedroom houses and one 4-bedroom house; in Trafalgar Heights — three 3-bedroom flats; in Naval Hospital Hill — one 4-bedroom house; in Lake Ramp — all sales have been completed; and in Prevost House and Phillimore House — six 3-bedroom flats.

265 The head leases of the homes sold at Trafalgar Heights and Naval Hospital Hill have been transferred to the respective management companies. The head leases of the homes sold at Europa Walks Estate and Prevost House and Phillimore House have not yet been transferred to the respective management companies. The transfer of the Europa Walks Estate is in its final

stages. The head lease which includes properties at Lake Ramp, was transferred to the management company of the Ramps in 2012.

270 **Hon. E J Reyes:** Mr Speaker, in answer to Question 102, the Minister listed the houses as they remained unsold. Can the Minister shed some light whether ... I think in a previous answer, perhaps Dr Garcia was the one who gave me some details. Is he still going down the list, also of the original bids offering those, or have we exhausted that list and these will be coming out to tender once again?

275 **Hon. Dr J J Garcia:** Mr Speaker, yes, all of them have been allocated and it is a question of simply sometimes it is allocated to a particular individual then they come to complete, and it has to go to the next one. It is a process that takes time.

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

Just to double-check, so if someone is allocated but then he is unable to complete, for a variety of reasons that he and I can well imagine, there are still those in the reserve list which will not be coming out to tender, but rather there should be sufficient bids there to complete the transactions hopefully, the sooner the better?

285 **Deputy Chief Minister (Hon. Dr J J Garcia):** That is right, Mr Speaker, there is plenty of demand for each of them, so if the first one does not complete, it will go to the next one and they will carry on down the list. Eventually if there is nobody else on the list then it will come out to tender.

290 **Hon. E J Phillips:** Just one short question, Mr Speaker.

In relation to Question 102, does the Minister have any information as to how many of these who have acquired these properties have at least been able to take advantage of these offers, are freeing up or releasing Government tenancies?

295 **Hon. S E Linares:** Mr Speaker, I do not think there was a specific condition that you had to leave a Government house like we do with, for example, the affordable homes. So I would suggest that anybody who has bought there and is living currently, or has actually been successful in buying and leaves a Government house, they just have to give back their house to the Government. But there was not any sort of concentration of trying to sell it to people in the – (*Interjection*) I would not have it with me, no.

305 **Hon. E J Reyes:** Mr Speaker, yes, I understand what the Minister is saying and it is acceptable. But, just to clarify, although it came through as a supplementary, would Mr Speaker feel it would be in order if, after the summer recess, we posed that question more specifically of how many of those purchasers actually returned a Government flat, so that gives the Minister time to look at the record.

Would that be in order with Mr Speaker as well?

310 **Hon. S E Linares:** Mr Speaker, in order to help the hon. Member, I do not mind looking into the Department and finding out of those who have bought actually released a Government tenancy. I have no issue. I will write to the hon. Member if he so wishes.

Mr Speaker: Is that helpful?

315 **Hon. E J Reyes:** Even better, thank you, Mr Speaker.

Mr Speaker: Next question.

Q104-5/2021
Government housing –
Rent debt; arrears repayments

Clerk: Question 104. The Hon. E J Reyes.

320 **Hon. E J Reyes:** Can Government provide details as to how many tenants are currently in debt in respect of rents payable for Government housing as at 30th June 2021?

Clerk: Answer, the Hon. the Minister for Employment, Housing and Sport.

325 **Minister for Employment, Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, I will answer this question together with Question 105.

Clerk: Question 105. The Hon. E J Reyes.

330 **Hon. E J Reyes:** Can Government provide details as to how many tenants are currently in default of their housing arrears repayment agreements, with dates as from when these arrears are overdue, together with details of what action Government is taking against these tenants in order to recover the outstanding debts?

335 **Clerk:** Answer, the Hon. the Minister for Employment, Housing and Sport.

Minister for Employment, Housing, Youth and Sport (Hon. S E Linares): Mr Speaker, there are currently 1,126 tenants in debt in respect of rents payable to the Housing Department as of 30th June 2021, 369 of which are in default of their Housing Arrears Repayment Agreements.

340 As the hon Member would appreciate, many of these tenants tend to fall out of their repayment agreement for different personal circumstances. Therefore, and although the Department is continually in contact with each of these debtors, the point is that it is not uncommon for tenants' personal circumstances to change, resulting in periods where they go from adhering to their repayment plan, to once again defaulting on their monthly repayment agreement.

345 The Housing Department, Mr Speaker, takes continued action towards all such tenants in arrears with the aim to recover debt. By way of example, the Enforcement & Compliance Section undertake as part of their duties the following measures: face-to-face meeting with tenants; increased communication with tenants in arrears; revised arrears agreements; non-urgent repair works for tenants in arrears are not considered; tenants in arrears are not entitled to parking permits, sheds or berths; no inclusions or exchanges permitted to those in arrears; actively liaising with other Government Departments to take monies directly from wages; instigating legal proceedings when all voluntary arrangements have failed and there is no other method of recovery available; and currently exploring other means from where to recover these arrears.

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

360 The information provided mainly in respect of the question being asked in Question 105, I asked there for dates, because I know previous Ministers for Housing have also done as much as possible to try and get these arrears – something that I think is unanimously supported in this House. But I asked for dates, because although I understand what the Minister is trying to get at, that there could be personal circumstances; for example, a family may need to travel to the UK and be temporarily housed at a Calpe house, because they are undergoing certain medical treatments. So therefore, there could be a lapse in payment ...

365 Word of mouth says that there are those who tend to have debts outstanding from quite a number of years back, and are not even making some sort of effort to catch up. The reason behind

my asking for dates is to see whether they are relatively short-term debtors or whether they are sort of those very long-term debtors that may soon require more drastic and perhaps formal court actions, if need be, to recover debts which belong to the people of Gibraltar.

370 **Hon. S E Linares:** Mr Speaker, there are currently 555 tenants that have agreements. From the 1,126 tenants I can tell the hon. Member that 675 tenants are in arrears of less than £1,000. I capped it at £1,000 because, like the hon. Member says, if there is somebody who has not been able to pay for six, eight or 10 months even because of whatever circumstances – £1,000 I would think is already getting into default because of the amount. For example, in Mid-Harbours you pay
375 an average of £120 a month for rent, and then that accumulates and within 10 months it is £1,200. So this is where I am capping it off.

I can tell the hon. Member that there is another list which we have, which are long-term debtors and those amount to even up to £20,000. Quite frankly, those tenants I would suggest that they have not even paid rent for *years* ... And those are the tenants that I am looking closely
380 at the Housing Act for, in order to go and get all those debts back. These date from when the hon. Member's party was in Government as well, where these have been accumulating. In fact, it is ironic that many of them were housed in Mid-Harbours when they had very, very big debts; and what they were told was, 'You sign on this piece of paper, come into an agreement with us to pay your debts, and you are going to get a brand new house'! Well, they have got the brand new house
385 and the next day, or the next month, they were defaulting on their payments, and these are long-term arrears.

We need to recover those arrears and I am quite out for changing the law, if we have to, to make the law harder for those people who pay debts. (*Interjection*) And I hope that we will get the support from the other side, because I think it is totally unacceptable. I said it in my Budget
390 speech that there would be people – and, of course, we are bound by data protection and all that, but you would be very surprised at the people who owe money to Government, and they owe a lot of money, and this is totally unacceptable.

Like I said in my Budget speech, as well, if there are people who have never paid rent because they have not been *able* to pay rent because they are people in social, they are people who have
395 lots of children and they have no employment, we will be the first to help them out via rent relief. So I am just saying that this is part of a review that I want to do with the Housing Act to back us up, because I think it is totally unacceptable that these people owe so much money to the Government.

400 **Hon. K Azopardi:** Well, we all agree with that. Certainly if there are people who cannot pay because of social circumstances, they are in a different category to people who, if the Minister has identified or the Department has identified people who are simply *unwilling* to pay, that would be unacceptable, and of course he will have our support in that.

Is the Minister suggesting in relation to the answer the way he has given it, that he has got to review the Housing Act, that the Government feel that it does not have the mechanism available
405 to it to pursue some of these debts? Is that what he is suggesting? And can I just ask him, I do not know if he has got the number in front of him, but I believe that the historic answer has been given to us on this side of the House that the total number of arrears hovered around £4.8 million, or something like that. Is it still around that figure, or is it a different figure?

410 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the Government's view is that the amendments that we have already made to the Housing Act have enabled us to do more than we were able to do, but not enough and not everything that we need to do in order to be able to be as coercive as we need to be in the context of some of the *recalcitrant* debtors that we have in particular.

415 The Government has already, hon. Members may recall – I think before the hon. Gentleman was here – amended the Housing Act so that arrears of rent payable to the Government no longer have the benefit of the Limitation Act defence accruing to them. That was already dealt with.

420 But, in order to be able to be as coercive as we need to be, we need to have different powers under the Housing Act to the powers that we would usually have in the context of the recovery of debt. So we will be considering bringing to the House an amendment to the Housing Act.

425 In terms of the *amount* of debt, I think as the answer given by the hon. Gentleman has already disclosed, that in the period of the pandemic we have not been as careful to enforce in respect of any person falling behind in any particular month, and that has given rise to an increase in the amount, which is standing at I think £5.5 million, if my memory serves me right, Mr Speaker.

Hon. E J Reyes: Can I double-check some figures with the Minister?

430 From the 1,126 who can be classified as debtors, he said that 369 of those have already, on top of that arrears agreement ... The total number of people who have arrears agreements are 565, so if we take away the 369 who are still currently defaulting, that just gives us the number of 196 who are people with arrears agreements who are fully compliant. I think I have got that correct mathematical calculation.

435 But then he said that 675 tenants have arrears of less than £1,000, and we are grateful for his calculations, that is about nine or 10 months' worth of rent. But if you divide that 675 from the huge number of debtors, it means we would still have 451 tenants who owe over £1,000.

440 I am grateful to the Minister who gave us an example of someone who could possibly owe us – well, not *possibly*, sorry, but *owes* over £20,000 – but that 451, does he have an indication, are we talking of just slightly over £1,000? Or are we talking of a figure that is perhaps closer to £20,000? Or perhaps the Minister needs more time in order to be able to give us some sort of breakdown. I have no idea whether the 451 are closer to the £1,000 mark in arrears, or closer to the £20,000 mark in arrears.

445 **Hon. S E Linares:** Mr Speaker, the figure that the hon. Member gives of 450-odd is actually 430 and those are *historic* arrears of people who, like I said, had been owing money to the housing since they were in Government. These are historic debtors and so the accumulation of debt by *them* are the ones that we need to recover.

It is an exercise that I am actually doing currently, which is to find out how many of those owe before 2011, because they owe a lot of money before 2011.

450 **Hon. E J Reyes:** That sheds some light. But he did mention that there was one example of someone owing around the £20,000 mark – those 430, so we know, are they closer to the debt of £20,000 or are they closer to the £1,000 debt?

455 **Hon. S E Linares:** Mr Speaker, there are lots who owe that amount of money. Like I said, the exercise that needs to be done – and I am doing it, because I believe that these debts are very historical. I mean, like I said, from the 430 there might be a few that owe £1,000 or a bit more, or in fact from the whole lot there are 675, like I stated. But there is a big chunk of people, 400-odd, who owe historical money; and those people are the ones I am saying that owe money and they can afford it. Nothing has been done since then and we are doing it now.

460 I am grateful to the Hon. Minister, for example, Minister Sacramento, who took action like for example taking the parking off, not allowing them to have a shed, not allowing them to have a berth. I can guarantee to hon. Members that I am looking at other ways and means to recover that money.

Mr Speaker: Next question.

Q106-7/2021

Portacabin –

Date details; Youth Club relocation

465 **Clerk:** Question 106. The Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Housing provide details as to the purpose of a 'Portacabin' situated between Brother O'Brien House and George Jeger House at Glacis Estate, together with details as from what date this Portacabin has been placed there and its estimated removal date?

470

Clerk: Answer, the Hon. the Minister for Employment, Housing and Sport.

Minister for Employment, Housing, Youth and Sport (Hon. S E Linares): Mr Speaker, I will answer this question together with Question 107.

475

Clerk: Question 107. The Hon. K Azopardi.

Hon. K Azopardi: Mr Speaker, when will the Laguna Estate Youth Club be relocated out of Glacis Estate?

480

Clerk: Answer, the Hon the Minister for Employment, Housing and Sport.

Minister for Employment, Housing, Youth and Sport (Hon. S E Linares): Mr Speaker, the Laguna Youth Club is being properly served at its present location. The Youth Service Team is delivering great programmes and projects and I am very satisfied with the current location and works delivered. Be that as it may, and since building a new Youth Club is a manifesto commitment I am happy to say that plans have already been approved and gone through the planning process. A Head of Charge has also been included in the Estimates Book and once funding is available, HM Government of Gibraltar will swiftly proceed to engage with a contractor to commence the works.

485

490 In respect of the portacabin, this is currently being used as a storage area for the youth club, since December 2017. The Youth Service Team is currently working on a possible solution for its removal.

490

Hon. K Azopardi: Mr Speaker, on the issue of the youth club, if I can ask that question. I do not if my hon. colleague has supplementaries on the portacabin, but on the youth club itself – two questions, really, if I roll them up it is easier. First of all, can he advise us of the location identified for the provision of a new youth club for Laguna?

495

Secondly, does he have any kind of idea of timescale for the commencement of the works necessary? I do not know if it is a new-build or a refurbishment of an existing building.

500

Hon. S E Linares: Yes, Mr Speaker.

Firstly, he has asked for the location. The location would be in the car park between the GibOil and the Laguna Club. There is a car park outside and there are already plans to do it there. That is the location that we would be using.

505

As to the timeframe. Well, the hon. Member should be thinking of, it is a manifesto commitment. We have to recover from the COVID-19 and when we have funds available for this manifesto commitment we will do so. At the moment, we are not in a position ... And, like I said, it is not urgent. It would be urgent if we will not be delivering the programmes that we are delivering from Glacis. We are using the youth club in Glacis and it is serving the purpose pretty well, because it is around the whole area that we have many children.

510

I am happy to say, like I said in my Budget speech, that these programmes are serving the young people very well, especially nowadays when, with COVID, they had been locked up at home.

They are delivering very excellent programmes and the delivery is just as good whether it is in Glacis or Laguna. So this is a manifesto commitment but not a priority until we have the funds.

515

Hon. E J Reyes: Mr Speaker, in respect of the portacabin, the Minister has confirmed that its present use is storage for the youth club. However, I am told that the original purpose when that portacabin was set there was to serve as a secure storage area for the contractor who was carrying out the refurbishment works, and so on at the Glacis estate. One can understand if that was the case then, on having moved the club to the Glacis area, you may as well take advantage of that ...

520

But is it not possible – given that the portacabin is taking up much value-needed and worth-its-weight-in-gold parking spaces – for that storage portacabin, which is used just occasionally, it is not something that is used every day by the youth club or the access users ... Is it not possible to relocate that somewhere and thereby release the much-needed parking space for the tenants within Glacis Estate, who will be entitled with adequate access to park there?

525

Hon. S E Linares: Mr Speaker, I am happy to say to the hon. Member that was a discussion that we had with the Tenants' Association only about three weeks ago, of which the new Committee from the Glacis Estate came to see me – as I do very often have meetings with the Tenants' Association, and that was one of the issues that they brought up. My answer to them was exactly my answer to the question, which is that I am trying to get the Youth Service who have things stored there, to see if they can find some other adequate place like the Youth Centre, or just taking away the things that they have inside the portacabin in order for us to remove the portacabin, so the removal of the portacabin is in hand. The only thing is that I have to co-ordinate that with the Youth Service.

530

535

Mr Speaker: Next question.

TRANSPORT

Q108/2021

Cycle pop-up lanes – Installation plans

Clerk: Question 108. The Hon. E J Phillips.

540

Hon. E J Phillips: Mr Speaker, can the Government state whether it has any plans to install cycle pop-up lanes to pilot test cycle lane efficacy?

Clerk: Answer, the Hon. the Minister for Transport.

545

Minister for Transport (Hon. P J Balban): Mr Speaker, pop-up bicycle lanes are a well-established means to trial out proposed bicycle lanes throughout many cities. These pop-up lanes saw a proliferation during COVID-19 lockdowns where cities scrambled to try to make in-roads and trial out segregated bicycle lanes. Where necessary and if valuable to do so, Government will install pop-up cycle lanes for this purpose.

550

Hon. E J Phillips: Mr Speaker, I am grateful for the answer and, obviously, 'where necessary to do so' was the key point of the answer to that question. I think many people of course admire the Hon. Minister, insofar as his abilities insofar as promoting cycling is concerned in our community; obviously, they were not shared by his predecessor, insofar as the discontinuing of the cycling

555 scheme that he himself, when he was previously the Minister for Transport, imposed in Main Street.

But what I would say is from his Budget speech there was no, if I can say, 'commitment' to the use of pop-up cycle lanes. Has he identified at this stage any areas that would benefit from testing out that proposition on our streets?

560

Hon. P J Balban: Mr Speaker, I do not think there is a need to commit to pop-up cycle lanes, because pop-up cycle lanes are a tool that one uses to see whether there is any viability or any grounds to actually have a proper segregated bicycle lane in a given area. So, again, it is still early days for me and I am just trying to get my feet under the table once again.

565

But, for example, if you look at maybe a road like, just for the sake of any road, like Europa Avenue, for example, which has been closed for years on end. If one was to see whether there is any real ability to be able to place a Cycle Lane there, then I would always propose a trial whereby you bring out all your street furniture, prepare a segregation area and try it out and see the adoption rate. See how cyclists use it and how they feel; and then see how it interacts with traffic flow. Based on that, you can then have a very good idea of whether it works.

570

This, during COVID, is something that cities employed, because there was no time to create real infrastructure, solid and permanent infrastructure. Again, it would have been cost-effective to do so. So by using these systems you could then trial and see whether it works or not. There are many roads that you can trial using pop-up cycle lanes in Gibraltar and then see for yourself whether they work or not.

575

Hon. E J Phillips: Just one further question. It is difficult to see where the Government is going with this area because in the Budget speech there was a real, if I can say, and I am not trying to be contentious, but a lack of commitment to this specific infrastructure, this pop-up cycle lane infrastructure in order to harness, as he said in his speech, and mark social change and help protect cyclists. Then you try to rationalise with what the Minister said later on in his speech by saying that there was very little in the way of infrastructure other than one cycle lane across the runway and some bicycle parking.

580

What I am trying to do is test the Government's policy insofar as also its commitment towards cycling. I understand the difficulties in Gibraltar, we all do, and I know those that advise him clearly have advised the Minister previously that there are clear difficulties installing infrastructure that allows for safe cycling, Mr Speaker. But what I am trying to elicit is what are the plans moving forward?

585

We all acknowledge the health benefits. What I am trying to ascertain from the Hon. the Minister for Transport is what are the actual plans that he is looking at at the moment to install those lanes?

590

Hon. P J Balban: Mr Speaker, there was part of your Budget speech ... that I did not agree with. There was a comment, and in fact you used the point you have just said about bicycling across the runway. You said it was like an admission that that was the only possible place to have a segregated bicycle lane, that is how you phrased it in your Budget speech ... which I do not agree with.

595

I think there are a lot of places in Gibraltar where there is potential for bicycle lanes, but we have to see exactly how we place them. We have to measure roads correctly, because we are looking at certain roads and we say, 'There is no way that we can add a bicycle lane within this road.' But what you do need to look at is the actual width and that is necessary girth of a given road and see how wide they really are, because there is a minimum road width ...

600

If there are HGVs that run along that road, then we give them a bit more space with their corners and curves. You need to allow a space for the road, to be able to turn around these corners. So, given, if you can find that space with the roads I can guarantee you something, if you look at the road, the dual carriageway outside the comprehensive schools, and look at the girth

605

610 between the central reservation and the barriers, four cars could fill it side-by-side. Look next time you are there, between the actual herding barriers and the central reservation, they are at least for four lanes, they are on one side of the road. So clearly there is scope there to have a section for cycling.

But what we do have to be very careful about is, and I was under the impression originally – and I have done a little research in this field – that a segregated bicycle lane was important to do, regardless of the length of the bicycle lane. So I thought to give safety, at least in a small place is better than no cycling at all. In the research you realise that in fact every time the bicycle lane joins the main road and the cyclist needs to look back and check there are no cars coming, there is a point of conflict. And, at that point of conflict, there is always a risk of a collision, or an accident, or a problem in that conflict zone between the cyclist and the road.

615 If you think about the runway, if you have ever cycled across the runway, when you get to the end of the runway heading towards the frontier and the Police post there, you notice it is quite an ask to look back for any cyclist. So at that point when you have to come back and veer on to the road, there is where you have to be most careful. So what we are looking at is extended areas and you need to find areas that you can link together, so that initially you may say: phase 1, you may see a section of different bicycle lanes. But then with phase 2 and phase 3 you need to find a link between them, so maybe you link a school to a Government estate, or a private estate, and see that at least you now have a link for children who want to cycle to school and you have the beginnings of some sort of routes where they can cycle, for example, from Montagu Gardens or from Gib 5, or from one of those estates to a school without having to meet a car.

620 So this is what you need to start looking at and those are the options that you need to start exploring to make it truly reasonable, and to make it truly meaningful, which is what you want to do. This is something that people do doctorates in, cycling infrastructure. This is not something which is as straightforward as painting lines on a road, because you can create more harm than good.

625 So, coming back to the hon. Member, to come full circle. Pop-up cycle lanes are a tool that we can use where we want to try and see whether something will work or not. In some places you know that they will work, in others it may be difficult. But that is our commitment and I am pretty sure – I have not got a copy of that section of the manifesto, and I stand to be corrected – but there is something regarding pop-up cycle lanes on our 2019 Manifesto. *(Interjection)*

630 **Hon. E J Phillips:** It is a fairly simple point and it is just to clarify, in fact, what the Minister thinks I said. In fact I did not say that the only lane that was available for Gibraltarians to cross the frontier ... it was actually exactly the words I was reading from his speech. That is exactly what he said. I did not say that. In fact, what he said was:

When it comes to cycling, Gibraltar has very little in the way of infrastructure other than one cycle lane across the runway and some bicycle parking.

635 That is what you said. *(Interjection)* Mr Speaker, that is what the Hon. Minister said. *(Interjection)*

640 What I would say, Mr Speaker, I think one of the major concerns amongst cyclists – and he knows, because I know that he has mentioned this in his speech, and I agree with him – is that people are scared to cycle in Gibraltar, and that is the key. What is it that the Government is trying to do to try and avoid the fear factor, because clearly that is the a big issue here, isn't it? On our streets it is very difficult. You and I cycle and I know many people in this House also cycle, but it is the question of how scared people are on our roads and what is the Government doing about that process to try and encourage much more cycling in our community in a safe way, especially amongst children?

655 **Hon. P J Balban:** When a cyclist is a commuter, that is when I think you really get into the nitty-
gritty and find out and realise what traffic does, and you are there at the peak times to try to get
to work and having to really defend yourself within this road network. That is when you realise
how things work. I agree. I think, one, if you ask any cyclist, and there are many people who have
bought bicycles during lockdown. Many people would ask me, because they are genuinely
interested in seeing how I get around, they say, 'Oh, that's good, I would really like to try that but
660 I am worried, I am concerned, I am scared' ...

That is one of the main points that keeps coming up. People are scared of going on the road.
They will do it on a Saturday morning, they may do it on a Sunday morning, they may do it in the
evenings, but they are scared. This was one of the reasons why originally I set up that ability to be
able to cycle down Main Street and Irish Town, because it was a place which was segregated, there
665 were no cars there, and people who want to try would be able to at least have a try at cycling. I
am glad the hon. Member has raised this, because what we need to do is make our streets safer.
I know there is a question later in which we will touch upon ways of making our streets safer – like
it or not, or think it is good or not, or popular or not. There are many things that we can do to
make our roads safer.

670 One of the things is to try to educate cyclists, educate pedestrians, educate road users and car
drivers, etc., to be able to respect each other. I think that is the most important key and that is
what will give us partly a Green Gibraltar, because if we can encourage people to adopt
sustainable, alternative forms of transport I think we are on a way on a path to be able to get to
where I think we all want to be. I think no matter how much we all love our cars, and we all own
675 cars, we all love to drive, but I think at the end of the day we really want, deep down, a Green
Gibraltar. By making our roads safer and encouraging our children to cycle, I think that is a good
step in the right direction to be able to slowly make inroads.

This is going to take many, many years. In Amsterdam it was 1960 when the amount of fatalities
on their roads meant that there was a massive upsurge of the people and they went out protesting
680 and saying, 'You have got to do something about this.' It is 2021 now and Amsterdam now, for
some years, has been a truly cycling city. We are in the Ice Age in terms of cycling. We need to be
patient, and I do not think it is 'you and us', or 'us and them', I think it is something which we have
all got to want. And we have to accept it is not just about cycling, it is walking as well. We have to
make walking pleasant, so people say, 'I will walk instead of driving 500 metres.' Why not?

685

Mr Speaker: Next question.

Q109/2021

Highly polluting cars and motorcycles – Government actions

Clerk: Question 109. The Hon. E J Phillips.

690 **Hon. E J Phillips:** Mr Speaker, can the Government state what it is doing to persuade drivers of
highly polluting cars and motorcycles from coming into Gibraltar polluting our streets and
increasing traffic on our roads?

Clerk: Answer, the Hon. the Minister for Transport.

695 **Minister for Transport (Hon. P J Balban):** Mr Speaker, EU Emission Standards are the strictest
and most respected in the world. All Member State vehicles need to conform with their own
roadworthiness tests which check that the vehicle conforms to these standards.

Cars and motorcycles that conform to these standards and have a valid roadworthiness certificate are permitted to enter Gibraltar in the same way that local vehicles are permitted to enter Spain, and hence the EU.

Hon. E J Phillips: Mr Speaker, whilst I am grateful for the regulatory lesson on those vehicles that can travel between our land border with Spain, obviously the point that this question is seeking to address is the fact that the volume of traffic coming from the frontier is clearly having an effect on the environment. The Hon. Minister for the Environment and I had an exchange as to the volume of traffic and what is impacting on our air quality.

Really the central theme in this question, of course, is what are the Government doing about that? Whilst he talks about the freedom of cars and traffic coming across our border, there must be schemes to avoid that flow of traffic so that our streets are freer. We have just gone on from one question, so that people have a sense of cycling around our community without the fear of being scared about doing so, Mr Speaker. So, therefore, one of the big issues that we have is the *amount* of volume, polluting trucks that are coming in from Spain, particularly 50 cc motorcycles that are highly polluting, and cars.

What I was trying to get at is, are there any initiatives for park-and-ride schemes or any other initiatives that the Government is looking at to try to avoid just that sheer volume coming across the frontier and affecting the air quality that we all breathe? The bad air that we are breathing.

Hon. P J Balban: Mr Speaker, as I said, what I was alluding to in my question about physically stopping cars from coming across the border, that would not happen because we have free passage in both ways. But I think that the STTPP is a document which sometimes is misunderstood or not given the credit that it deserves, because it is a blueprint. It is a blueprint for our future in terms of road traffic and it is in the environmental document. It is something which we all should be grasping at. But as partly hidden within the STTPP – and it is not so hidden, really – is the things that were happening, the initiatives that were going on, that were heading towards something that would eliminate or stop and reduce the amount of cars coming through the frontier.

One of those things was the residential parking scheme. At the moment, it is very easy for someone coming across into Gibraltar who works in Gibraltar, to bring in their car. They can come into Gibraltar and find free parking in many places and they are able to park, and that is what people look for – free parking encourages them to come through. With the residential parking scheme the plan was that every section of Gibraltar would be zoned, and all Gibraltar would eventually be zoned, so only people belonging to those zones would be able to park their cars, and in doing so there would be less free parking ... Well, there would be very little free parking for people coming across the border.

So what will happen, what was expected was that there would be a transition of either people will start looking for alternative ways of coming in, because if they want to pay for parking – and I think that is crucial. If people have to pay for parking, I do not think they would want to try to come in to have to pay for eight hours of parking. People come into Gibraltar to make a living and take it back out, and use as much of it as possible. So, by doing this, cars will then pay for parking. They would not want to and you may see more people walking in, or more people coming in by public transport, or they would be cycling in ... Whatever method that they saw fit for their abilities or their wishes. That is one of the schemes that was there, that would eventually ... My intention is to continue with the residential parking scheme, which is a very complex thing to develop because it needs a lot of study, you need to look at every single parking space and you need to measure. It is not as easy as it looks, like bringing out a plan and off you go. So this is why it takes so long.

The other thing was also to encourage people coming across the frontier, if they are going to come in with their cars to fill up, or whatever; or tourists. We have dealt with cross-frontier workers perhaps, but not with people who are going to come in anyway with their cars. So trying to siphon them into a facility like a park-and-ride, where cars can stop there and let their

750 passengers out, as happens in cities like Oxford. Oxford became a park-and-ride, there was a
massive uproar when it happened, because people generally wanted to get into the city of Oxford
in their cars ... Nowadays, it is the story of Main Street, telling people that Main Street will be open
for cars again. It will not happen, though, people will not accept it, so those are tools and ways
that we can address them ... And based on the results of those schemes, then you can see whether
755 we need to look at further initiatives.

But that is just to summarise two tools that we have to be able to reduce the influx of vehicles
coming through the frontier.

Mr Speaker: Next question.

Q110/2021
Sustainable Traffic, Transport and Parking Plan –
Disagreement and views

760 **Clerk:** Question 110. The Hon. E J Phillips.

Hon. E J Phillips: Can the Government state what ideas contained in the Sustainable Traffic,
Transport and Parking Plan that the former Traffic Minister did not agree with, and does the
current Minister concur with those views?

765

Clerk: Answer, the Hon. the Minister for Transport.

Minister for Transport (The Hon P J Balban): Mr Speaker, the position of the Government is
that we are all broadly in agreement with everything in the Sustainable Traffic, Transport and
770 Parking Plan. Every Minister has a different style of implementing policy. There are, however, no
policy differences between us.

Hon. E J Phillips: Mr Speaker, I am grateful for that because it was obviously very clear before
the Minister took over his new portfolio, again, that there were certain aspects of that plan which
775 his predecessor did not agree with and he was quite vociferous about it in interviews with GBC.
So I was just trying to drill down on what aspects of that fairly expensive plan – £500,000 a year,
as it is understood, from the Budget – that he did not agree with, or does agree with. Because he
did say in the previous question that the plan is misunderstood, because it is an environmental
document. But he says it is a complex document that is misunderstood. So what I was trying to
780 just ascertain as to the Government's policy, is that the STTPP is that document that has, as you
said, broad agreement. But those areas with which Mr Daryanani disagreed, are those areas that
the Hon. Minister disagrees with or orders that you agree with?

Chief Minister (Hon. F R Picardo): Mr Speaker, the Government answers for the Government's
785 actions, not to come here to answer questions about what hon. Members might like to think they
can ask us are the things that we each think about, each particular policy of the Government.
There is something called 'collective responsibility'. We answer *for* the Government, Mr Speaker.
The Government has a policy which is the STTPP, and that is the policy of the Government, and it
has not changed.

790 I am delighted, nonetheless, Mr Speaker, to hear the hon. Gentleman urging the STTPP upon
us, because he spent a lot of time in this House trying to tell us that the STTPP is wrong in many
regards and trying to pull us away from it. Today, he seems to have at last become an advocate
for the STTPP and, on behalf of the Government, given that the STTPP is our policy, I very much
welcome that.

795 **Hon. E J Phillips:** Mr Speaker, I know that the Chief Minister would like to create something
from nothing, but what I am trying to do is test their policy on the STTPP. Their former Minister
who was axed from the job has been *very* clear in what he has said, Mr Speaker, he does not agree
with certain parts of the plan. Now the current Minister is standing up and saying it is a
800 plan – which members of the public pay £500,000 a year for – which parts of it that Mr Daryanani
has expressed reservations about or does not agree with, whether the Minister agrees with those
or not?

It is a very, very simple question, I am not trying to be funny about it. I am not trying to have
any conflict between myself and the Chief Minister over the issue. It is an expensive plan, it is an
805 expensive implementation process of this plan. I am just trying to find out which areas under the
STTPP plan did not have the agreement of the former Minister for Transport?

Hon. Chief Minister: So, Mr Speaker, what the hon. Gentleman is obviously transparently
trying to do is to find what he thinks are the seeds of conflict between Ministers on a policy of the
810 Government. I mean, it is transparent, and it is obvious; and, Mr Speaker, it is so transparent and
it is so obvious that even if there were those seeds of conflict between us, we would have seen
him coming and we would not be giving it away. Because he wants to then use that to suggest
that there is a difference between Ministers and the fundamental issue, which is the STTPP, which
has cost so much money and therefore we have wasted public money. That is the thought process;
815 it is transparent, it is obvious, Mr Speaker.

But the one thing I have to say, Mr Speaker, is that the hon. Gentleman he sees there, the
former Minister for Transport and the current Minister for Tourism, has not been axed from his
job. He was a Minister, and he *is* a Minister. The thing, Mr Speaker, that the hon. Gentleman has
been trying to become since 2007 has not successfully become, and the only people who I can
820 think of who have been axed from their jobs were the 10 members who represented the party he
now represents who were sacked by the people of Gibraltar on 9th December 2011.

Mr Speaker: Next question.

Q111/2021

JT Security –

Cost and arrangements of traffic direction

825 **Clerk:** Question 111. The Hon. K Azopardi. (*Interjections by the Hon. Chief Minister*)

Hon. K Azopardi: Sometimes there are answers and sometimes there are not answers, and
perhaps the Chief Minister ... (*Interjections by the Hon. Chief Minister*)

I am going to try to ask the Question on the Order Paper if the Hon. the Chief Minister keeps
quiet from his sedentary position, Mr Speaker. I cannot ask a Question if the Hon. Chief Minister
830 continues to talk over me in respect of ... (*Interjections by the Hon. Chief Minister*)

Mr Speaker: Let us refocus and allow the Leader of the Opposition to ask the question.
(*Interjections*)

835 **Hon. K Azopardi:** Indeed, and thank you, Mr Speaker, that is exactly what I am trying to do.
(*Interjections*)

Mr Speaker, at what cost and under what formal arrangements are JT Security directing traffic
at the border queue?

840 **Clerk:** Answer, the Hon. the Minister for Transport.

Minister for Transport (The Hon P J Balban): Mr Speaker, JT Security do not direct any traffic at the frontier. In fact, these services are provided by GPMSL parking management officers. The Government of Gibraltar and GPMSL have an arrangement in place where they provide staff to marshal vehicles and direct traffic at the land frontier with Spain as and when required by the
845 Government of Gibraltar, and/or any duly authorised representative body of the Government of Gibraltar. The costs form part of the monthly fee which covers all aspects of this arrangement.

Hon. K Azopardi: Mr Speaker, the reason for the question is because I was on my way to Spain – and I do not go there that often, (*Laughter*) but I was there, and I was actually directed into the border queue by JT Security. It was a person wearing a JT Security uniform outside a JT Security van.
850

The Hon P J Balban: Mr Speaker, that was not a question, but I can guarantee that there is no contract with JT Security. What that person was doing with a JT Security uniform on, I will ask the company that we contract these services to as part of the arrangement. (*Interjections*) But no, it is GPMSL that deal with this.
855

Hon. K Azopardi: Is there some kind of relationship between GPMSL and JT Security? And the Hon. Minister spoke about a monthly fee, can he perhaps give us a bit of information on the monthly fee of GPMSL?
860

The Hon P J Balban: Sorry, I did not catch the last bit of the question, but if I may I will just elaborate on what you asked about JT and GPMSL. The owners of both companies are similar, as far as I am aware, so it could be perhaps that the officer forgot to change one uniform for the other. I do not know.
865

Then you asked another, but I did not hear that part of –

Hon. K Azopardi: Yes, what I then went on to ask is because the Hon. Minister, in his original answer was talking about GPMSL has ‘arrangements’ and it is all part of the monthly fee, and I was wondering what the monthly fee was.
870

The Hon P J Balban: Mr Speaker, I do not know what the monthly fee is, it would have been in the contract for some fee divided by the number of months the contract runs through. I do not know what the monthly fee is off hand, I am afraid.
875

Mr Speaker: Next question.

Q112/2021
Speed limits –
Impact analysis and benefits

Clerk: Question 112. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Following the Minister of Transport's latest statement saying he would like our roads to have a 30 kilometre per hour speed limit, has the Minister conducted any velocity and impact analysis to come to such a conclusion, and what benefits those would bring in terms of probability and severity of accidents?
880

885 **Clerk:** Answer, the Hon. the Minister for Transport.

Minister for Transport (The Hon P J Balban): Mr Speaker, no, there is no need to conduct any velocity and impact analysis tests to come to the conclusion that lowering the speed limit has a positive impact on road safety and the severity of accidents. We would, however, not implement
890 new speed limits without a wider consultation.

Hon. Ms M D Hassan Nahon: Mr Speaker, can I ask the Minister how his assertions tally with the Commissioner of Police's article the *Gibraltar Chronicle* about a week ago, I think it was, where he said that this will not work and that 30 kilometres per hour is too slow and will have a knock-
895 on impact on the volume of traffic, because if people are going slow it will slow things down, inevitably – that is a quote.

Would it maybe not have been appropriate to inquire with the RGP or the Commissioner of Police before making a statement like this?

The Hon P J Balban: Mr Speaker, first and foremost, I think we need to go back and see the grounding for this statement that the hon. Lady is talking about. This was as a result of an interview by the *Gibraltar Chronicle* when I took up the post as Minister for Traffic and Transport, and to say this was just a general interview about the things and initiatives that were happening, my thoughts on different things. We spoke about buses, we spoke about pedestrians and we spoke about
900 many, many aspects of the traffic plan, and parking ...

One of the things that we touched upon, perhaps the most sensational – and I think that was one of the most sensational things that came out, because it ended up as a headline – was the idea of reducing the speed of traffic. The reason, and we will come back to the previous question in the Order Paper, when we had spoken about the fear that people have of cycling in Gibraltar and what would make it better and make them want to perhaps try cycling? One of the things was speed and that is what people keep saying: 'If cars drove round slower then we would wish to try cycling.'
910

Now, I think the hon. Lady would have to ask the Commissioner why his views are that it would not work, because there are many reasons why this may not work. It could be reasons of whether more people will disrespect the 30 kilometres per hour and there will be more FPNs, more fines, and it will be impossible to be able to get those through the system. Again, you will need to ask the Commissioner of the Police. But I think that you need to look also at the grounding and whether the hon. Lady thinks that this is something that I just dug up and am saying, 'Oh, well, let's just reduce speed limits' or whether this was something which is well grounded. I think the evidence out there is usually in favour of reducing speed limits.
915

Whether some people will agree and some people will disagree, and that is what this is all about. Some people in positions like the Commissioner of Police may say it may not work, because he may feel that cars may not respect it and we would need to maybe place speed cameras throughout all of Gibraltar. That is something that may be a consequence of this and it may be something which might not be possible to do. So, again, we may need to look at ...
920

I do not think that anyone around – I *hope*, that no one in this House would disagree with the fact that reducing speed is something which is a stupid idea, or something that does not make sense because just by ... Really, we need to push this focus, because this is the only opportunity I may have, and it is recorded. The speed limit that we travel in Gibraltar, and it is only three roads
930 in Gibraltar that we will allow 50 – let's be clear, we are not talking about the M6 or the M1, we are talking about a couple of hundred metres-worth of road along Queensway and on Rosia Road, Winston Churchill Avenue and some parts of Europa Road.

But at 50 kilometres per hour, an accident – there is an 85% likelihood of a pedestrian or a cyclist fatality. At our speed limit, there is 85%. At just 30 kilometres per hour, there is a 10%
935 likelihood of a pedestrian or cyclist fatality, if that were to happen. If one of my friends, or one of my colleagues, or one of my children, or one of my family happened to have an accident, I know

at what speed I would rather they were having an accident, if they were cycling or walking and they were hit by a car.

940 So I hope no one is saying that this is a stupid idea because, 'We really want to go at 50 because it is more fun', or whatever. So, if you look at the evidence out there ... I mean, the United Nations, for example, the Child Health Initiative Global Ambassador, recommends that anything above 30 is a death sentence. So the United Nations are pushing for a reduction in speed limits, as is happening in Spain. 'El Pais' reported a bid to reduce speed and road deaths in Spain, and are rolling out 30 kilometres per hour throughout many cities in Spain. Then you have Ireland, you
945 have Paris, you have most cities in Europe ...

We talk about cities, where there is not a road going in each direction, we are talking of roads where there are three lanes in one direction and three lanes in the other. They are cities; we are a village. So imagine what Gibraltar is in terms of the footprint of Paris and that we cannot think for one minute that 30 ... It is a question of maybe having a medium 40.

950 Now, when you look at the applications that come to the Traffic Commission, and I am talking about on a monthly basis, one of the most popular requests we get in the Traffic Commission are people requesting road-calming measures. So people think that even when the speed limit is low there are cars going too fast. They want speed humps. So really the people themselves – and this is a bit like, 'I'm alright, Jack ... at the moment it is not speeding along my road, I want a speed
955 ramp if you cannot bring the speed limit down.' And we are committed in our manifesto for road-calming measures, it is something which we have in our manifesto, so I think it is something ...

We are seeing an incredible amount of speed ramps which are uncomfortable for everyone – uncomfortable for cars, for law-abiding drivers who have to go over the ramp as well, and it affects your suspension, it affects your car or the services it needs. It is uncomfortable for cyclists,
960 uncomfortable for a scooter. But these are sometimes the only way of bringing our speeds to a reasonable level, and it is the difference between the car and the pedestrian and the cyclist, which gives you the risk of fatality. That is the reason why I said we would look at this and see whether there was any mileage in this. Personally, I think it is a great idea because we are following others who are light years ahead of us in that respect.

965

Hon. Ms M D Hassan Nahon: Mr Speaker, I thank the Minister for his answer. I am sure you can imagine myself, as a mother of children who drive, as well, and for the general population. Of course a lower speed limit can translate to more safer measures and I do not disagree with him at all, but my point was about the difference in messaging. The Government talks about collective
970 responsibility. I think they also have a duty to have collective messaging.

When you have the Commissioner of Police saying one thing and the Ministry saying something else, my question is: would it not be better for both of them to send out a unified message; and can he understand how not sending out a unified message will cause confusion?

975 Will he be meeting with the Commissioner? Will they agree on a strategy, or a messaging strategy that will translate to the people from a unified position, which will make them understand what the actual thought process and the strategy going forward is in terms of our roads, and not different points of view?

The Hon P J Balban: Mr Speaker, it is an absolute shame that it has been as a matter and as a
980 result of certain things that have happened, that have brought this into light in a way ... It has not happened in the way that it should have been.

As I said, the *Gibraltar Chronicle* did a general interview. The line was speeds. GBC picked up on it and I think it has been a series of unfortunate events but I do not think anyone ... I have spoken to the Commissioner of Police about it, and we will speak about it. He is inside and
985 probably we need to discuss the reasons and how we could maybe work together with my colleagues, with a consultation. There are certain things that we know happen and, just like everyone around this table, I know that the Commissioner of Police, it is something which he is very, very keen on, seeing a safer Gibraltar. He does his campaigns, every week he has got his

officers out there catching people speeding, catching people drinking and driving, and so forth.
990 And everything to do with road safety is something which he is *very* proactive about.

I have a *very* good relationship with the Commissioner of Police and we do meet and we talk, and we will continue and we will see what the reasoning is. I am pretty sure I know the reason and it may be due to logistics, but one thing that we cannot deny and I do not think anyone can deny ... I know there is a lot of bantering on social media, and a lot of people who obviously you
995 can see. It is a shame because we need to move, I think, and I am happy by the response I have received today and I think everyone is in agreement with certain needs. No one has come up saying, 'This is a bad idea.' On the contrary.

So I think that we need to now focus and maybe review and see where we go, because it is part of what I think we *all* want, which is a safer Gibraltar, it is a greener Gibraltar and anything
1000 we can all do collectively I think will be positive to reach our goals.

Mr Speaker: Next question.

BUSINESS, TOURISM AND THE PORT

Q113/2021

Redibikes scheme –
Abolishment

Clerk: Question 113. The Hon. E J Phillips.

1005 **Hon. E J Phillips:** Can the Government state why it has abolished the Redibikes scheme?

Clerk: Answer, the Hon. the Minister for Business and Tourism.

Minister for Business, Tourism and the Port (Hon. V Daryanani): Mr Speaker, the Redibike
1010 scheme was discontinued at the start of the first lockdown, after advice from Public Health. This gave me the opportunity to look at the costs involved and uptake. The uptake was extremely low and the cost was very high.

I was looking at introducing new schemes, with more modern and trendy bicycles, with the view to make it more attractive to users. The next step was to put out an expression of interest so
1015 that the Government would not have to bear the cost for this project.

Hon. E J Phillips: Mr Speaker, I am grateful for the answer, insofar as Redibikes are concerned. It just strikes me when we are looking at the policy, insofar as cycling, of the Government ... I do not want to test the patience of the Speaker in going over old territory that has been covered by
1020 previous questions, but the point is that this Government has been encouraging cycling for a number of years. We suspend cycle lanes in Main Street, and we now abandon of course and discontinue – the word he used – the Redibikes, for the COVID reasons that he has articulated.

My question really is, on the one hand we need to encourage this type of activity and, whilst of course it must be cost-effective to have this facility available to the public and tourists alike,
1025 when does the Government foresee moving quickly with this project into the future? Because if we are encouraging cycling, and that is a core policy of Green Gibraltar and a child-friendly city, I would have thought that this type of policy is something that should take some sort of priority in the Government's initiatives for cycling more generally.

So I would be grateful to know a bit more detail as to when these new trendy bikes are going
1030 to be rolled out.

Hon. V Daryanani: We will make an announcement when we are ready. It will be my colleague the Minister for Transport who will be leading on this project if he wants to pursue it.

1035 **Hon P J Balban:** Mr Speaker, may I? As much as it has been because I am pro-cyclist, as we all know, I think a cycling scheme in any city is something positive, and it is something that you see in most cities. Unfortunately, I have rarely seen – I think there have been one or two schemes that actually make money. These things are not there to make money, they are there to provide a service. Although it hurts me, I have to agree with the hon. Member to my right. I think the technology is changing very quickly, so what was good last year is no longer good this year. So the problem we have is that, yes, it becomes very expensive and, amazingly, the fixtures start giving way, as happened to previous incarnations of similar schemes; and they find tricks on how to take bicycles away. Now there are electric bicycles and there is a new life out there of ways of getting around in this new world of ours with electrification.

1045 So it came to the point where, I agree, Redibikes was a scheme which had outgrown its usefulness, and I think now there are other systems out there which we need to make a collective decision on because now may not be the right time to invest in such a scheme. Again, I would love a scheme to be in place, but again is it the right time? Because if people are scared of cycling on our roads at the moment, is it the right time to invest money, if they are scared? Or should we concentrate our efforts on infrastructure and giving people that comfort to be able to get the cyclists? These cycles must also be possible for tourists to be able to use them with a credit card, and our scheme was not, it was one of the older versions whereby you had to be a member of the club, and you had to be online. So it had its limitations.

1050 I think we have evolved from there now but I would question myself whether now is the right time to do this. I perhaps would like to see more people out there, more bravehearts out there on the two wheels before we invest – or ask somebody to invest – that sort of money again.

Hon. K Azopardi: Mr Speaker, can I just ask, as the Minister for Tourism answered the question originally, is it because he answered the question because of this historic involvement in Traffic, or is it that the Government see the Redibikes scheme, or its replacement, as a tourism initiative and not a transport initiative? And can I just add that, given everything the Minister for Transport has explained in relation to his review on cycle lanes, etc., does the Government agree that it should be a transport-driven initiative, whatever replaces the Redibikes?

1065 **Hon. V Daryanani:** Well, Mr Speaker, to answer the first part of this question, the reason why I answered this question was because I was Minister for Transport at the time, and it has nothing to do with Tourism.

Mr Speaker: Next question.

Q114/2021
February's oil spill –
Clean-up operation

1070 **Clerk:** Question 114. The Hon. E J Phillips.

Hon. E J Phillips: Can the Government state the total costs to the taxpayer of the clean-up operation of last February's oil spill?

1075 **Clerk:** Answer, the Hon. the Minister for Business and Tourism.

Minister for Business, Tourism and the Port (Hon. V Daryanani): Mr Speaker, I can confirm that there has been no cost incurred to the taxpayer regarding the oil spill caused by the vessel *AM Ghent* in February this year.

1080

Hon. E J Phillips: Mr Speaker, just one question in relation to that. Is that because ... there clearly was some form of cost, but was that recovered by the Government insofar as the financial penalties that were imposed? Or how did it work in that way?

1085

Hon. V Daryanani: The hon. Member asked whether there has been any cost to the taxpayer, and the answer is that there has been absolutely no cost whatsoever to the taxpayer.

1090

Hon. K Azopardi: I think we would like to understand how that works. Is it because there has been a reimbursement from people who accepted liability? Is it that they accepted liability before any payment needed to be made?

What is the nature of the answer?

1095

Chief Minister (Hon. F R Picardo): Mr Speaker, the Government has had full reimbursement of all the costs to which it was put as a result of the oil spill and there has therefore been no cost to the taxpayer.

Hon. K Azopardi: Can I ask what was the amount reimbursed to the Government?

1100

Hon. Chief Minister: Yes, Mr Speaker, he can, and when he gives specific notice of the question we will be able to provide the information.

Hon. K Azopardi: So do I take it that the Chief Minister does not have that information today?

1105

Hon. Chief Minister: Mr Speaker, we do not have that information today, because we have not been asked that question today. *(Interjection)*

Mr Speaker: Next question.

Q115/2021
Parcel post –
UK proportion over land

Clerk: Question 115. The Hon. R M Clinton.

1110

Hon. R M Clinton: Mr Speaker, can the Government advise what proportion of parcel post from the UK is being received over land?

Clerk: Answer, the Hon. the Minister for Business and Tourism.

1115

Minister for Business, Tourism and the Port (Hon. V Daryanani): Mr Speaker, there is no parcel post being received over land.

1120

Hon. R M Clinton: Mr Speaker, I am grateful to the Minister for his answer, as I note that certainly between 2016-17 there was about a 50% drop in commercial air freight and I have been advised by staff working in parcel post that the post is arriving over land. Is the Minister actually certain as to his information, that no post is coming over land to Gibraltar from the UK?

Hon. V Daryanani: Mr Speaker, if the hon. Member is asking me whether there is currently any post coming over land, the answer is no. Currently there is no post coming over land.

1125 **Mr Speaker:** Next question.

Q116/2021
Port Advisory Council meeting –
Points of concern

Clerk: Question 116. The Hon. D J Bossino.

1130 **Hon. D J Bossino:** On 4th June 2021, it was announced that the Minister for the Port chaired his first meeting of the Port Advisory Council, can he provide further detail of what were the main points of concern raised at that meeting?

Clerk: Answer, the Hon. the Minister for Business and Tourism.

1135 **Minister for Business, Tourism and the Port (Hon. V Daryanani):** Mr Speaker, as this was my first meeting with the Port Advisory Council, the meeting took the form of an open agenda. A variety of issues were raised by members such as Brexit, opportunities to increase business, the Port's value proposition, the Port's size and capacity/limitations, marketing opportunities in the current climate and the impact of the pandemic. Mr Speaker, I have asked members of the Advisory Council to report back to me on their views on (i) the way forward for the Port; (ii) how we can market the Port more; and (iii) what further assistance can be provided by Government in their opinion for consideration at the next meeting. I intend to have regular meetings with this Council

1140
1145 **Hon. D J Bossino:** I would like to thank the Minister for his full reply.
Can I ask him just by way of clarification, did he say that he *intends* to have more regular meetings with the Council rather than he *tends* to have, because I think this was the first meeting?
On that basis, just to pull one further string, if I may, once he wants to clarify that point ... In relation to Brexit, one of the concerns that I raised during the course of my intervention in the debates in relation to the Appropriation Bill, was the issue about crew changes and the concern that some of the operators have in this context in relation to Schengen and the possible immigration controls, and I offered the Chief Minister the opportunity in his reply to deal with this issue. Can he expand on that at all, or is he not in a position to do so because we are currently in negotiations?

1150
1155 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I recognise that the hon. Gentleman said that in his Budget address and I did not specifically address it. The reason I have not is because I addressed the issue specifically on a television programme where I was specifically asked the question. I pointed to different parts of the Schengen regulation that provided for that. I think if the hon. Gentleman wishes, I can share with him the transcript of that part of my answer.

1160 **Mr Speaker:** Next question.

Q117/2021
Flights to Morocco –
Commencement of flights

Clerk: Question 117. The Hon. D J Bossino.

Hon. D J Bossino: Can the Government state when flights to Morocco will be expected to recommence?

1165 **Clerk:** Answer, the Hon. the Minister for Business and Tourism.

Minister for Business, Tourism and the Port (Hon. V Daryanani): Mr Speaker, presently, we are working to bring these flights as soon as possible and at reasonable dates. This is urgent and important for our Moroccan community but we are, of course, caught by the problems COVID continues to create.

Royal Air Maroc have indicated their desire and willingness to restart flights as soon as they are possible and viable.

1175 **Hon. D J Bossino:** Presumably, in relation to viability, the stumbling block must be COVID. Can he confirm that is the only stumbling block at this stage?

Hon. V Daryanani: Yes, Mr Speaker, COVID and the ensuing lockdown in Morocco, and the uncertainty that they have, they do not want to start something that they are unsure about. But I expect to have meetings with Royal Air Maroc soon after the summer.

1180 **Mr Speaker:** Next question.

Q118/2021
Crane falling into sea –
Details and measures implemented

Clerk: Question 118. The Hon. D J Bossino.

1185 **Hon. D J Bossino:** Can the Government provide details of the incident which occurred in the first week of July, this year, which resulted in a crane falling into the sea; and what measures have been implemented to prevent such an incident from reoccurring?

Clerk: Answer, the Hon. the Minister for Business and Tourism.

1190 **Minister for Business, Tourism and the Port (Hon. V Daryanani):** Mr Speaker, this incident is currently under investigation by the Health and Safety Inspector. I am therefore unable to provide any further information until the investigation has been completed.

1195 **Hon. D J Bossino:** Thank you.
Can the Minister state is he in a position to state now when he expects that investigation to complete, at all?

Hon. V Daryanani: No, Mr Speaker, but I can get back to him with that information over the next couple of days.

DIGITAL, FINANCIAL SERVICES AND PUBLIC UTILITIES

Q133/2021

**New Development Plan –
Publication date**

1200 **Clerk:** We now move to Question 133. The questioner is the Hon. D J Bossino.

Hon. D J Bossino: Can the Government state when it expects to publish the new Development Plan from the 2009 one?

1205 **Clerk:** Answer, the Hon. the Minister for Digital and Financial Services and Public Utilities.

Minister for Digital, Financial Services and Public Utilities (Hon. A J Isola): Mr Speaker, Expressions of Interest were invited for suitably qualified consultants to undertake the review and preparation of a new Gibraltar Development Plan, in August 2019.

1210 Consideration of the submitted bids was delayed due to COVID-19. However, the Procurement Board has now concluded its assessment and the Government is currently considering its recommendations.

As hon. Members are aware, Government is assessing which projects are critical in order to expend on these projects only. A decision has not yet been made.

1215 From the submitted bids, it is anticipated that it would take approximately 18 months to two years to complete the work.

Hon. D J Bossino: On that basis, does he have any idea as to costs at this stage?

1220 Secondly, all told, when does he expect that the whole process is likely to come to fruition? In other words, when does he expect that we will have the next development plan on his desk and ready for publication?

Hon. A J Isola: Mr Speaker, with relation to the cost, the bid has not yet been completed, and so I would steer well clear of detailing any costs.

1225 In respect of when this will be, the decisions that Government need to take, firstly, are if this is critical and if it is deemed to be, it would start sooner; if not, it would start later. So I could not wish to give him a date as to when we would hope this to be completed by.

Mr Speaker: Next question.

Q134/2021

**Global minimum tax rate –
Developments**

1230 **Clerk:** Question 134. The Hon. D J Bossino.

1235 **Hon. D J Bossino:** Following the OECD's recent statement establishing a new framework for international tax reform in which a global minimum tax rate of 15% has been proposed, can the Government provide details of any developments in this connection? Of course this question was filed before the Chief Minister made his announcement during his public address about the increase from 10% to 12.5%. But perhaps the Minister can provide any further developments in this regard?

Clerk: Answer, the Hon. the Minister for Digital and Financial Services.

1240 **Minister for Digital, Financial Services and Public Utilities (Hon. A J Isola):** Mr Speaker, the Hon. the Chief Minister explained the developments in his Budget speech in relation to this matter, and I have nothing further to add at this stage.

1245 **Hon. D J Bossino:** Mr Speaker is the figure of 15% set in stone? Is that the direction of travel?

Chief Minister (Hon. F R Picardo): Did the hon. Gentleman say the figure of 15%? Mr Speaker, that is a matter which is being considered in the G20, the G7 and the OECD, and we await development in that respect.

1250 **Mr Speaker:** Next question.

Q135-6/2021

Travel passport and vaccination certificates – Government policy; access to EU COVID Digital Vaccination Certificate scheme

Clerk: Question 135. The Hon. E J Phillips.

1255 **Hon. E J Phillips:** Mr Speaker, can the Government state the Government's policy in respect to the provision of recognised travel passport and vaccination certificates?

Clerk: Answer, the Hon. the Minister for Digital and Financial Services.

1260 **Minister for Digital, Financial Services and Public Utilities (Hon. A J Isola):** Mr Speaker, I will answer this question together with Question 136.

Clerk: Question 136. The Hon. E J Phillips.

1265 **Hon. E J Phillips:** Mr Speaker, are Government in discussions with the EU or UK so as to ensure that Gibraltar vaccinated persons can benefit with arrangements similar to, or can access, or be recognised by the EU's COVID Digital Vaccination Certificate scheme?

Clerk: Answer, the Hon. the Minister for Digital and Financial Services.

1270 **Minister for Digital, Financial Services and Public Utilities (Hon. A J Isola):** Mr Speaker, the Ministry for Digital and Financial Services has been working closely with the UK's Department of Health & Social Care to develop an app similar to the NHS COVID Pass. This work is already at a very advanced stage.

1275 The UK has agreed that Gibraltar can link to the NHSx Public Key Infrastructure (PKI) signing server as soon as it is made available, meaning that when our COVID Vaccine App is live, the QR code on our app will be serviced by the UK's PKI solution, verifying its authenticity.

When the UK completes its Interoperability Agreement with the EU, which it has not yet, Gibraltar will also benefit from this arrangement.

1280 In the interim, the Ministry for Digital and Financial Services has developed a COVID Vaccination Certificate, which follows the same format as the NHS COVID Pass. This certificate carries additional security features such as silver foil-printed logos, micro lettering and fluorescent ink.

We are also working closely with the Foreign, Commonwealth and Development Office to ensure that countries recognise Gibraltar's new vaccination documents as a valid form of demonstrating one's COVID-19 vaccination status.

1285

Hon. E J Phillips: Mr Speaker, I am grateful for the answer to 135 and 136. One of the issues, obviously, that presents people travelling during this intervening period before those certificates are established and there is interoperability, as the Minister for Digital Services has said: how will it work with those travelling, for example, tourists from Gibraltar, for instance, that might be travelling from Malaga into other parts of Spain or, indeed, the Balearics or the Canary Islands, where those countries will require translated versions of EU digital passports, insofar as the vaccination record is concerned? Has the Government thought about how that will work? Because I have had a number of people who have approached me in respect of those concerns as to whether they have the NHS certificate with the barcode and other features that the Minister has described.

1290

1295

How would it work though if, what I am being told, those countries and those territories are seeking e-recognition of that particular document? How does that work in the intervening period? Is it just wait and see how it works on the ground? Because that is the confusion among travellers at the moment, that is what I am being told.

1300

Hon. A J Isola: Mr Speaker, my understanding is that the NHS Covid Pass, which is a letter or certificate like ours, which is in English, is being accepted widely. The understanding we have is that ours, specifically for that reason, has been made in an almost identical format to that one, so that those receiving them understand what they are seeing when they see one, on exactly the same style paper from the same supplier, with exactly the same security codes and in very much the same format. So we are not translating those. My understanding is that there is no requirement to translate them and consequently these appear to be being accepted.

1305

We will wait and see, but our understanding is that the UK NHS COVID Pass is what people in different European countries are accepting as sufficient evidence of your vaccine record.

1310

Hon. E J Phillips: Can I just ask, obviously we are transitioning to that arrangement, but has the Minister received any reports other than ... I mean, we have had some reports about perhaps people not being able to board flights to, I think, Malta has been mentioned before. But, other than that, has the Minister received any reports of a sort of positive nature that people have been able to travel with the possession of the standard certificate letter that the GHA has been issuing until now?

1315

Hon. A J Isola: Mr Speaker, no. Other than the cases that the hon. Member is referring to, I have not heard of people having difficulty with either the GHA or now the NHS. The reason for following the NHS is obvious, our intention is to have the same app as theirs using their PKI to service ours. So following with them on the journey of the COVID pass is the first step towards full integration into the app.

1320

It seems extraordinary in this day and age that we should be having to have paper certificates, but that is what we have, and that is what we need to have until such time as they, firstly, fix their own PKI, so we can link in; and, secondly, when they reach the Interoperability Agreement with the EU, which hopefully will be soon.

1325

Mr Speaker: Next question.

Q137/2021

**GIB ordinary A-shares –
Reason for purchase; Tier 1 ratio**

Clerk: Question 137, the Hon. R M Clinton.

1330

Hon. R M Clinton: Mr Speaker, can the Government advise why it purchased £5 million-worth of Ordinary A-Shares in the Gibraltar International Bank on 25th March 2021; and what was the Bank's Tier 1 ratio before and after this injection of additional capital?

1335

Clerk: Answer, the Hon. the Minister for Digital and Financial Services.

1340

Minister for Digital, Financial Services and Public Utilities (Hon. A J Isola): Mr Speaker, as a result of the success of the Gibraltar International Bank in attracting deposits, the Bank has requested support from the Government of Gibraltar for the purposes of meeting its capital ratio regulatory requirements. This increased capital has been injected by the issue of the Ordinary A-Shares referred to by the hon. Member.

Mr Speaker, as deposits continue to grow faster than had been anticipated, it is likely that further capital injections will be required in the near future and a similar method of injecting capital will be adopted.

1345

Mr Speaker, we are not able to disclose the Bank's Tier 1 ratio before or after the capital injection. These regulatory requirements are managed by the Bank's executive.

1350

Hon. R M Clinton: Mr Speaker, I appreciate what the Minister is saying about Tier 1 and Tier 2 ratios, but surely the Government would have asked what the effect of the capital injection would be on the capital. Therefore, I would imagine the Minister will have the information available to him in terms of the adequacy of the capital injection as to whether the £5 million will be sufficient. That is my first supplementary, Mr Speaker.

1355

The second supplementary is: the Father of the House mentioned in answer to a previous question as to the roll-over of the £150 million facility, and he gave the impression, or certainly gave *me* the impression that it was either/or – either renew the £150 million facility for the Government *or* inject £5 million of capital. But it would appear, Mr Speaker, that the Government has in fact done both, renewed the £150 million *and* injected the £5 million of capital.

Can the Minister shed any light on that aspect and, of course, my previous question?

1360

Hon. A J Isola: Mr Speaker, in respect of the first part of the question, the information in respect of the financial aspects of the bank and its needs are always managed by the Financial Secretary or myself, so he would have possibly that information. It is not something that I would ordinarily be engaged with.

1365

In respect of the second question that the hon. Member asked, in respect of the either/or, my understanding is that it is neither one nor the other. I cannot recall precisely what, but I am being informed that it is not either/or.

1370

The amounts that we are giving, we are staggering over a period of time because the assessment made at the time by the Financial Secretary was wait and see as to how the deposits in the bank would hold as a result of COVID, and whether they would increase, stay the same, or decrease, which would have an impact on the amount of capital the bank may require. As a result of that, we found that deposits have continued to increase, hence the need for the increased capital payments which had been made and will continue to be made in the amount of £5 million each.

1375

Hon. R M Clinton: Mr Speaker, I have two further supplementaries. In respect of the staggering of capital contributions to the bank, obviously we have seen £5 million in the financial year ended

31st March 2021, and we have seen in the estimates book an extra £5 million for the financial year ended 2022. Is the Minister aware of any other projected capital injections going ahead? If so, up to what quantum are we are talking about in terms of injections?

1380 Then, secondly, I do not think the Minister mentioned in his Budget speech, although he talked about the growth of deposits, he has not mentioned the profitability of the bank. Can he advise the House that the bank is indeed still profitable and that this injection of capital, in fact, has nothing to do with unforeseen losses, let's say, in the year 2020?

1385 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have already answered that question during the course of the debate here yesterday. I said that the £5 million was required because of the capital adequacy of the bank needing to be dealt with in the context of greater deposits and the bank being more profitable. There is no question of the bank not being profitable, or there being any losses, which is an issue that does not even have to be raised, especially after I have said the
1390 opposite.

Hon. R M Clinton: Mr Speaker, with the greatest of respect to the Chief Minister, the profitability of the bank would be in question when we are talking about capital ratios. He just mentioned the growth in deposits, but also an erosion of capital would also require an injection
1395 of capital, which is the simple question I am asking the Minister.

Hon. Chief Minister: Mr Speaker, given that I said yesterday that it was *not* because of a loss of profit, *not* because of losses, *not* for any of those reasons but because of the increase in deposits ... I mean, I am just becoming concerned, Mr Speaker, that just like he missed the
1400 sausages at Morrisons, just like he forgot about the issues to do with Barclays Bank, just like he missed the references to Community Care, as he accepted, etc, etc., Mr Speaker, he missed the part that I told him that related to exactly the question that he is asking now.

The hon. Gentleman can ask a question about something that is not public; the one thing that he certainly cannot do is to get up in this House and to ask again about something that the House
1405 was told yesterday, Mr Speaker.

Hon. R M Clinton: Mr Speaker, I do not think the Chief Minister told us whether the International Bank made a profit or not, so I was asking the Minister, not him, about what he also forgot to tell us, Mr Speaker, about the mistake he made in projecting our debt forward for next
1410 year, by £50 million – which, in his Statement, he did not mention, Mr. Speaker. So do not accuse *me* of missing things out.

Hon. Chief Minister: Mr Speaker, the hon. Gentleman is utterly and completely wrong about that, as he is about everything else; and I will tell him why.

1415 First of all, he has now asked the question of the Hon. Minister, which was answered yesterday. He completely missed it. When he goes back and checks *Hansard* he will see he is as wrong about that question, which he has just asked the hon. Member, as he is in saying that I made a mistake about projecting our debt forward.

In fact, Mr Speaker, there is no such mistake. The hon. Gentleman is completely wrong about
1420 that, too. What there was, was a typographical error in the *summary* page. In other words, the page that perhaps somebody who is not an accountant might rely on, in the context of the estimates book that we gave him, which is 100 pages longer than the estimates book they used to give us. In the second print, Mr Speaker, not in any of the pages which involve any of the columns, Mr Speaker, which involve any of the estimates, which involve any of the calculations, is
1425 there any mistake whatsoever that has been changed. None whatsoever. So it is completely wrong, Mr Speaker, to suggest that somehow we made a mistake about extrapolating forward what our debt may be.

1430 He might like to reconsider the way that he has put that question, Mr Speaker, because he has not just got the issue wrong, he has even put the question wrong, Mr Speaker. I am starting to believe that he gets everything wrong, even the things that he pretends to authoritatively talk about, given his profession as an accountant, for which I have always had him in the highest regard. But, as I demonstrated yesterday, and if he wants to insist on this point, I will demonstrate again, Mr Speaker, he has got wrong the question to the Minister about how the £5 million comes to be required, because I already indicated it to the House. And he has got wrong, Mr Speaker, his question – which he has been wanting to put for some time, I know – about the summary pages in the first print of the book, which he told us should have been sufficient going forward, because he did not even want the second one.

1435 I am not surprised, Mr Speaker, given the performance that he and the others put in when we got to the Committee stage, the most important stage in analysing the spending of this community for the next year, where they were *obviously* looking at the pages for the first time. I think, apart from Mr Feetham, Mr Speaker, I did not see any indication that anyone had given any regard to those pages before. When he was asking his questions, he took us to a part that he said he had checked in preparation of his speech. None of the others, Mr Speaker, they were obviously looking at these pages for the first time! *(Laughter)*

1445 These are the sorts of amateurish reality that Gibraltar has to face in the context of an Opposition that costs us a quarter of a million pounds and gives us zero value for money, Mr Speaker. That is the reality.

Mr Speaker: Next question. *(Interjection)*

1450 Does the Hon. Leader of the Opposition wish to ask a question? *(Interjections)*

Hon. K Azopardi: Mr Speaker, to be clear, the typographical error that the Chief Minister refers to in the summary of the Budget book was in the region of £50 million, despite his assurance to the House that there was nothing changed in the book that affected the numbers.

1455

Hon. Chief Minister: Mr Speaker, they really do, I think, rate themselves as gluttons for punishment.

1460 The hon. Gentleman has just got up and asked something which I have explained in detail. Now, what I told the House is not what the hon. Gentleman said. I said that there were absolutely no changes to any of the columns on estimate or actual expenditure. *That* is what I told the House. If the hon. Gentleman understands what that means, it means that all of the pages that contain columns which relate to forecast expenditure and actual amounts, those are the ones that were not changed.

1465 To anybody who knows what this debate is about, they will understand what that means. There are summary pages provided at the front of the book which are there to aid those who may not be able to interpret the rest of the book. There was a typographical error in one of the summary pages, full stop, Mr Speaker. Full stop.

1470 I would have thought, Mr Speaker, given that the number is the exact number that we have been telling them about ... In other words, it is not that we got it wrong in the number that we have been telling them about, it is that the *summary* did not contain the number that we have been telling them about, and that we have been highlighting, that they would immediately – if they had simply opened the book – be the first ones who spotted and highlighted it for us. Instead, they did not notice, because they did not have any regard to the book. They did not look at any of the reconciliation between the columns and they did not work out, Mr Speaker, that the summary was wrong. The *summary*. Not what we were saying and not what we were talking to.

1475 So, exactly, Mr Speaker, what the Leader of the Opposition has said is exactly what did not happen. The statement I made to the House remains *exactly* correct. Exactly correct, Mr Speaker. And if they cannot work out, given that they have got an accountant who says that he can interpret the book and he can reconcile everything, that there was a typographical error in one set of the

1480 book – in the summary page, not in any of the columns – then, frankly, Mr Speaker, they are not what they pretend to be, especially when it comes to accounts and the estimates.

Mr Speaker: Next question.

ENVIRONMENT, SUSTAINABILITY, CLIMATE CHANGE AND EDUCATION

Q119/2021

**Gibraltar Airsoft Association –
Availability of facilities**

Clerk: We now return to Question 119 and the questioner is the Hon. E J Reyes.

1485

Hon. E J Reyes: Mr Speaker, can Government provide details in respect of what facilities it will make available to the Gibraltar Airsoft Association and when it is expected this will be by?

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

1490

Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E Cortes): Mr Speaker, there is a tremendous number of organisations, be they sporting or cultural, with pending requests for premises. Our community is very active in these areas and our size is limited. The Airsoft Association is one of those organisations and will be provided with premises as soon as is possible.

1495

Mr Speaker: Next question.

Q120 and 130/2020

**School students with nut allergies –
Policies re precautions and provisions**

Clerk: Question 120. The Hon. E J Reyes.

1500

Hon. E J Reyes: Can Government provide details in respect of the policies applicable to all schools in respect of precautions and provisions for students with nut allergies?

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

1505

Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E Cortes): Mr Speaker, I will answer this question together with Question 130.

Clerk: Question 130. The Hon. Ms M D Hassan Nahon.

1510

Hon. Ms M D Hassan Nahon: Does the Department of Education have an equal policy for nut allergies across all schools?

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

1515 **Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E**
Cortes): Mr Speaker, the Department of Education has done extensive work in developing a draft
policy in this area covering both the primary and secondary sectors. It is important to note that it
is almost impossible to ensure that all schools are nut free. The overarching drive of the policy is
to create an environment without nuts in primary schools, whilst making staff in all schools nut
aware. Paramedics from the Gibraltar Ambulance Service have already provided anaphylaxis
1520 training to members of staff at Bayside School and St Martin's School as part of this drive.

Hon. Ms M D Hassan Nahon: Mr Speaker, I thank the Hon. Minister for his answer. From what
I understand, which is why I was asking whether there was an equal policy, there is a very militant
nut-free zone in primary schools but not in secondary schools. If we take the same child who has
1525 gone from primary to secondary, that child will then suffer the lack of nut-free zoning in the
secondary schools to the extent that, from what I understand, kitchens in Home Economics – or
Food Tech is what it is called these days – are actually providing ingredients including nuts for the
Home Economics periods. Does the Minister not think that is dangerous or irresponsible? Again,
we are talking about the same children who go from a nut-free to a non-nut-free zone.

1530 **Hon. Prof. J E Cortes:** Mr Speaker, I need to take up the question of Home Economics. I am not
aware of all of the breakdown of the ingredients that they use. I will certainly take that up.

The emphasis is more in primary schools in the sense that it is easier in primary schools because
we are talking about young children and we are working through parents to control this. In
1535 secondary schools, particularly with the older students, who can pop out and buy whatever they
want and then come back, it is more difficult to actually have it prescribed. So, even though nuts
are discouraged, the emphasis there is on knowing what to do if there should be an incident. I can
confirm that it is discouraged and I have said this is a draft policy which is being finalised and will
be in force, hopefully, very soon after September.

1540 **Hon. E J Reyes:** Mr Speaker, I was going to ask – because I thought I heard the Minister say
right at the beginning of his answer to my question that we had a draft policy – if it is a draft policy,
what exists at the moment? Are there just guidelines? And if it is a draft policy, is the Minister
hopeful that there will be a formal policy and not just a draft by commencement of the school
1545 year? Can we deal with that first, and then I will add something else?

Hon. Prof. J E Cortes: Yes, Mr Speaker, I think the hon. Lady referred to the fact that it is quite
prominent in the primary sector. In the secondary sector, because of the age of the students, it is
tackled in a slightly different way. Yes, it is absolutely the intention to agree this policy across the
1550 board, which will include, obviously, as we do with all our policies, discussion with the teachers'
union. The emphasis has been in ensuring that in those schools where I think there may be one or
two cases of nut allergy that may have been identified, the staff are well trained in being able to
deal with it in the hopefully unlikely event that we should have an episode of anaphylaxis. This is
why the training has been carried out in advance of the policy, because this is something that we
1555 do take very seriously.

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

I was going to add: is the Minister aware that we have a particular pupil who is now in
1560 secondary school but has come through others school systems whereby the management of those
schools were aware of his nut allergies and so on, and moving into secondary school it seems there
has been a failure of communication because that student was asked to bring in ingredients for a
Home Economics lesson, in which the student had to bake, and one of the ingredients he was
expected to bake was going to be a walnut cake? It gives the impression to parents that if for years
you notified school authorities that your son has a nut allergy, how can your son now be asked to
1565 bring walnuts to bake a cake, which the teacher will probably expect him to sample later?

Hon. Prof. J E Cortes: Mr Speaker, I was not aware of that incident. It is certainly something that I will look into. The school is aware and therefore they should be taking all the necessary steps in order to ensure that he does not come into contact with that, and it is certainly something that I am grateful to the hon. Member, and indeed the hon. Lady, for raising the issue of Home Economics, and I will make sure that this is dealt with.

Mr Speaker: The hon. Lady.

Hon. Ms M D Hassan Nahon: Thank you, Mr Speaker.

I understand the Hon. Minister's plans and attempts and the challenges that he mentions about getting food from outside, but what exactly is the challenge in saying, in two weeks' time or in a month's time or tomorrow, whenever, 'From now on, this school is nut free, in order to protect the lives of anybody who is allergic'? And of course, if anybody violates it ... But at least we are minimising completely – not completely, but we are minimising the possibilities of any nuts coming in, and we are bringing it down. What is the challenge of simply saying ...? Why do we need so many draft documents and papers? Why can't we just do it immediately to try and help those who really need to be protected?

Hon. Prof. J E Cortes: Mr Speaker, it is not like that at all. The draft policy will not just include 'Don't bring nuts into school', it will also look at how to deal with an incident of this nature and also how to deal with the peers of this child and their own interaction with this child, which clearly they must understand. Some children may not be as understanding and would need to be dealt with because they could possibly, as a joke, want to bring that child into contact with nuts with that sort of really terrible potential consequences. This is what the policy would need to deal with.

What I was referring to was that, particularly in a secondary school, even if there is a 'Don't bring nuts to school' policy, which is essentially the message that is being put across already, there are children who are nevertheless going to bring them to school and the policy has to encompass how we deal with that, how we discourage it and how we cope in the event of some contact of that child with nuts.

Mr Speaker: Next question.

Q121-22/2021
Modern foreign languages –
Details of courses in secondary schools

Clerk: Question 121. The Hon. E J Reyes.

Hon. E J Reyes: Mr Speaker, what modern foreign languages courses are currently being offered to secondary school students for the next academic year, and why has there been a cutback in language courses offered compared to the past few years?

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

Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E Cortes): Mr Speaker, I will answer this question together with Question 122.

Clerk: Question 122. The Hon. E J Reyes.

1610 **Hon. E J Reyes:** Can the Minister for Education provide statistical information in respect of the number of students currently studying modern languages courses at our secondary schools, indicating at what level these courses are being taught?

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

1615 **Hon. Prof. J E Cortes.** Thank you. Mr Speaker, in respect of Question 122, I hand over a schedule with the information requested.

1620 Our secondary schools will continue to offer Spanish and French as additional languages. The recent change is in the offering of Italian at GCSE level, a subject which was being offered in one school but not the other. When the exercise for the equalisation of the Key Stage 4 curriculum was undertaken by the Advisory Service and the senior leaders of the two secondary schools, they recommended the discontinuing of Italian GCSE. This is a change that comes into effect in the 2021-22 academic year. Italian is a subject that has traditionally seen very few students undertake in our schools, but the opportunity to follow this course is also one that can be undertaken by students at the Language School at the Gibraltar College, should they wish to do so.

Answer to Q122/2021

Answer to Question 122

Subject	Year	Level	Bayside	Westside	Gibraltar College
Spanish	7	KS3	211	204	N/A
	8	KS3	204	193	N/A
	9	KS3	199	184	N/A
	10	GCSE	191	175	N/A
	11	GCSE	197	190	N/A
	12	A Level	56	54	4
French	13	A Level	43	10	8
	7	KS3	211	204	N/A
	8	KS3	204	176	N/A
	9	KS3	199	164	N/A
	10	GCSE	13	23	N/A
	11	GCSE	11	21	N/A
Italian	12	A Level	7	2	0
	13	A Level	0	1	0
	7	KS3	0	0	N/A
	8	KS3	0	0	N/A
	9	KS3	0	0	N/A
	10	GCSE	15	0	N/A
	11	GCSE	0	0	N/A
	12	GCSE	0	5	0
	12	A Level	3	0	0
	13	A Level	8	0	0

1625 **Hon. E J Reyes:** Thank you, Mr Speaker. The reasons are that should a student wish to do a course available at the College, it probably comes under the umbrella of adult education, and if that is the case, is the Department of Education willing to pay the enrolment fees for those students?

1630 **Hon. Prof. J E Cortes:** Yes, Mr Speaker, if there should be any young person at that stage who wishes to undertake Italian, this will be dealt with by the Department of Education.

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

1635 One small, minor thing. In the schedule that the Minister has kindly passed about, where he gives me the statistics for Bayside, Westside and Gibraltar College, obviously in Gibraltar College, looking quickly here at the section for Italian, where we have zero at GCSE and A-level, obviously this just refers to those who are students in full-time education and does not include any figures of those enrolled under the Adult Education Programme?

1640 **Hon. Prof. J E Cortes:** Yes, Mr Speaker, I am happy to provide that information. For evening classes at Gibraltar College we have four doing GCSE Spanish, two doing GCSE French and six doing GCSE Italian.

1645 **Hon. D A Feetham:** A constituent asked me about this, so I would like to ask a supplementary. In relation to the table in the answer to Question 122, if we look at French for Year 10 in Bayside there are 13, and then there are 11 in Year 11. If one looks at Year 10 for Italian GCSE, there are 15, so there did appear to be more demand, at Year 10 level certainly, for Italian than French. Presumably this zero next to the 15 is because it was not offered by Westside. What I do not understand is, on the basis of these figures, how could anybody determine that there was little demand for Italian if it appears that the demand for Italian, certainly at Year 10, is higher than the demand for French at Year 10? Unless I am misreading the statistics.

1655 **Hon. Prof. J E Cortes:** Mr Speaker, if the hon. Member looks at the figures for Years 7, 8 and 9, which are zero for Italian and yet 211 and 204, 204 and 176, 199 and 164 at Bayside and Westside for French, it was an extraordinary year in that particular year, but there were zero taking up the subject in the two previous years, as you can see from Years 11 and 12, and then three and eight in Years 12 and 13. When you average those out, it is considerably less than French. Clearly, we are not going to discontinue Spanish – that would be illogical in a bilingual community. Clearly there is much less demand than French, and where we were equalising the offer on both schools, clearly there were timetable challenges that led to the unfortunate dropping of Italian, but we would not have done it had we not been sure that in the Gibraltar College there is still the opportunity for anybody who particularly wants to pursue the course to be able to do so.

1665 **Hon. E J Reyes:** Just one small thing to clear up. In respect of Italian in Years 7, 8 and 9 for Bayside and Westside, the Minister has put down zero (*Interjection by Hon. Prof. J E Cortes*) and for the College he has put N/A. I interpret N/A at the College as meaning that it is not available, or not applicable, but for Years 7, 8 and 9 it is because the students who have not yet taken on board any options subjects simply do not even have the choice. Should that zero not really be N/A – not applicable – to be factually correct?

1670 **Hon. Prof. J E Cortes:** Yes, Mr Speaker, I have no argument with that, but nevertheless, if you look at Years 10 and 11 and you add Bayside and Westside, you can see that the numbers there are still more than 15. I must point out that 15 is unusual in the context of all the other years. I do not know what happened that particular year, but it is without doubt – and the teachers confirm this – the least popular of the modern languages.

Mr Speaker: Next question.

Q123/2021
Harbour Views Road –
Unlawful disposal of cigarettes

Clerk: Question 123. The Hon. E J Phillips.

1680 **Hon. E J Phillips:** Mr Speaker, further to the Smoking Prohibition (Harbour Views Road) Regulations 2020, can the Government state how many people have been fined or prosecuted for unlawful disposal of cigarettes on Harbour Views Road?

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

1685 **Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E Cortes):** Mr Speaker, no fines or prosecutions have been issued for the unlawful disposal of cigarettes on Harbour Views Road.

1690 **Hon. E J Phillips:** Mr Speaker, as I encouraged the Minister to do the last time we spoke about this subject, during the debate on the Appropriation Bill ... I was there last week and what I can honestly say I saw was exactly what I saw before the regulations were in place, and that is the indiscriminate disposal of cigarettes, on which I know he shares the views that we have expressed in this House. In fact, he brought regulations in order to protect that area from disposal of cigarettes. As he knows, cellulose acetate and the impact that that has on the environment.

1695 I was just wondering, what are we going to do about enforcement in this area, because quite clearly, whilst you can impose regulations and publish them it is still going on, a disregard for the law in relation to this area. The Minister, I am sure, will share with this side of the House and many people in Gibraltar that it cannot continue to be the case that that area is littered with thousands – I am not exaggerating, thousands – of cigarette butts, and I would ask him whether he can answer
1700 what measures will be deployed now to stop this from happening.

Hon. Prof. J E Cortes: Mr Speaker, clearly I am not happy with the situation. It is an enforcement issue and the different agencies tasked with enforcing litter laws have been tasked with focusing on that area.

1705

Mr Speaker: Next question.

Q124/2021

Listing of private dwellings – Plans under Heritage and Antiquities Act 2018

Clerk: Question 124. The Hon. D J Bossino.

1710 **Hon. D J Bossino:** Can the Government state whether it has plans to list and protect private dwellings in Gibraltar under the Heritage and Antiquities Act 2018?

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

1715 **Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E Cortes):** Mr Speaker, yes, sir.

Hon. D J Bossino: Could the hon. Member expand on that?

1720 **Hon. Prof. J E Cortes:** Yes, Mr Speaker. There are already private buildings listed under the schedule. The churches, the places of worship, in fact, are private, not Government buildings for the most part, and they are listed. The Heritage and Antiquities Advisory Council has prepared a proposed list of those with particular heritage value. There will be a process of discussion internally, within the Government – I always discuss these issues with the Hon. Deputy Chief

1725 Minister, who is responsible for land and also has, as we know, a huge interest in heritage; we usually discuss these together and come up with proposals – and obviously there will have to be involvement with the owner of the property. There is one property that has volunteered to be added to the schedule and we are currently in discussions with them. They have approached us. In fact, I believe it is two properties, the owners of which are very keen to have their properties listed, and this would be assessed by the Heritage and Antiquities Council. Following discussion 1730 within Government, it is something that then can be added to the list.

Hon. D J Bossino: I am grateful for the reply. He did say in his Budget address that he had established a subcommittee of the Heritage and Antiquities Advisory Council and that they were preparing a vision document. Does this issue form part of that vision document? 1735

Hon. Prof. J E Cortes: Mr Speaker, I do not know. The subcommittee is working independently and they will then produce a draft which they will put to me, but I am not privy to the detail of those discussions. I let them get on with it. They are the professionals in the area.

1740 **Hon. D A Feetham:** Mr Speaker, may I? Does the Minister not agree that, in relation to this, time is of the essence because the longer buildings continue not to be listed – private dwellings, not only houses, but also places like, for example, the Rialto Theatre – the more at risk those buildings are of being altered in a way that would not be the case if they were listed? There is, I know, an application for planning in relation to the Rialto, for example, but I suspect that if the 1745 Rialto were to be listed then the planning criteria would be much more stringent than at the present moment in time, and therefore I ask the Minister to comment on whether he agrees with me that time is of the essence.

Hon. Prof. J E Cortes: Mr Speaker, I am delighted that the hon. Member is now encouraging me to list further buildings. It took 13 years and me to step in to get the new Heritage and Antiquities Act on the statute book, something that was started, I think, at the time when the Hon. Leader of the Opposition may have been the Minister responsible for heritage. 1750

Clearly, the longer buildings are left without any care or attention, the worse it is. I am not sure that all those eventualities would be covered by listing. Nevertheless, there is the other check of the planning system. If the hon. Member feels that there are any particular buildings that he feels should be considered, I would be very happy to receive those suggestions and have them considered. 1755

Hon. D A Feetham: Mr Speaker, I have some knowledge of listed buildings in the UK and certainly if the scheme is going to be similar to the scheme in the UK, once a property is listed – for example, it becomes Grade II – it becomes very difficult to make any alterations to that property, still less would it be possible to actually demolish the property. Therefore, the longer we continue without this listing scheme, the more at risk our buildings are. 1760

That is not to mean that the Minister is right to perhaps criticise us for not doing so when we were in government for 16 years – he is perfectly entitled – but it has moved on. They have been in government for 10 years. I think this is a jolly good idea and therefore I am encouraging the Minister essentially to do this as quickly as possible. Does he not recognise that listing properties would be a game changer from a planning point of view? 1765

Hon. Prof. J E Cortes: Mr Speaker, that is precisely why we updated the Heritage and Antiquities Act. My hon. Friend Steven Linares, as Minister for Heritage, undertook that process and I completed it, like I have done with one or two other projects that I took over from him. 1770

Mr Speaker: Next question.

Q125/2021

The Mount –

Planning and heritage safeguards during recent filming

1775 **Clerk:** Question 125. The Hon. D J Bossino.

Hon. D J Bossino: Can the Government advise whether planning and heritage safeguards have been followed and put in place in connection with the preparations of the Mount in relation to the filming which has recently taken place there?

1780

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

Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E Cortes): Mr Speaker, yes, sir.

1785

Hon. D J Bossino: Can he advise the House what safeguards those are, or were at the time of the filming?

1790 **Hon. Prof. J E Cortes:** Mr Speaker, it was determined that the activity in relation to the filming did not encompass any lasting material change to the property.

Mr Speaker: Next question.

Q126-27/2021

St Michael's Cave light and space audio installation –

Planning and heritage safeguards; costs re installation and maintenance

Clerk: Question 126. The Hon. D J Bossino.

1795 **Hon. D J Bossino:** Can the Government advise whether planning and heritage safeguards have been followed and put in place in connection with the light and space audio installation at St Michael's Cave?

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

1800

Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E Cortes): Mr Speaker, I will answer this question together with Question 127.

Clerk: Question 127. The Hon. D J Bossino.

1805

Hon. D J Bossino: Further to the recently launched light and space audio attraction at St Michael's Cave, can the Government state: (1) the full cost to it of the attraction; (2) which company installed the attraction; and (3) whether there is an ongoing maintenance or other similar contract in respect of the attraction, and if so, what is the duration of this contract and the cost to Government?

1810

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

Hon. Prof. J E Cortes: Mr Speaker, with regard to Question 126, yes, sir.

1815 The project has been carried out by Wrighttech Ltd, working with the UK specialist firm, Pixel Artworks. There has been no cost to Government other than that of minor adjustments to the flow of visitors, as costs have been met by the contractor. Maintenance is entirely at the contractor's expense. There is a contract for a period of 10 years, whereby there is a monthly sum payable to the contractor, dependent on the number of visitors.

1820 **Hon. K Azopardi:** Can I ask the Minister, in case he has this information with him ...? He says there is no cost to the Government for the works or indeed the maintenance, but in terms of the works that were done, does he have a figure for the kind of investment that the company put into the project?

1825 And then, secondly – if I could just roll up the questions it would be easier – he says that there is a monthly or annual sum payable to the manager, Wrighttech, depending on the number of people who visit the site. What are the parameters of the payment? Is there a minimum payment? Is there a maximum?

1830 **Hon. Prof. J E Cortes:** Mr Speaker, I do not have the figure here. I can consult and obtain it. I think we are talking possibly about six figures or just under. It is a major investment. There is a monthly payment to the supplier of the service, Wrighttech Ltd, on a scale. The detail I have here – and I can research further for the full details – is that there will be a payment of £2.95 per person for the first 250,000 visitors in a given year, and 60 pence for each visitor between 250,001 and 1835 480,000. That is the sliding scale.

Hon. K Azopardi: So, 60p for anything over 250,000 up to 1.4 million people?

Hon. Prof. J E Cortes: No, up to 480,000.

1840 **Hon. R M Clinton:** Mr Speaker, can I just ask the Minister to clarify? We are assuming these visitor numbers are to the cave itself, not to the Reserve in general? That is correct, yes?

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

1845 **Hon. K Azopardi:** Sorry, I just have a final question. The parties to the contract obviously would be right Wrighttech, and on behalf of the Government side, is it the Government directly or through a Government-owned company; and, if so, which?

1850 **Hon. Prof. J E Cortes:** Mr Speaker, I would have to check this but I believe it is with the Government directly. I am very happy to check that, but I believe it is. I do not believe there is any other party involved in this.

Mr Speaker: Next question.

Q128/2021
Nature Reserve entrance fee –
Plans to increase

1855 **Clerk:** Question 128. The Hon. D J Bossino.

Hon. D J Bossino: Can the Government provide details of the entrance fee increase to the Nature Reserve, which is understood to be effective from 1st July 2021?

1860 This point was clarified by the Government in a press release of 7th July, where they said that there was not going to be an increase, and I assume that is going to be the answer.

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

1865 **Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E Cortes):** Mr Speaker, there has been no such increase. I did, though, in order to assist, mention in my Budget speech that we will likely be implementing an increase and we will be discussing this with stakeholders before we do so.

1870 **Hon. D J Bossino:** I think that was clear from the spirit of the press release. It indicated that the direction of travel was that there would be an increase, although it would not be imminent as at the time of the press release. Can I ask the Minister when he thinks that ...? I know there is a process of consultation which he has promised he will be embarking upon, but when does he think that that increase will be taking effect?

1875 **Hon. Prof. J E Cortes:** Mr Speaker, in my Budget speech I said no later than 1st April 2022. I would like to introduce it earlier, I think the product deserves it, but I do understand that the industry requires time in order to contact at all their subcontractors, and therefore I suspect it will be fairly close to then, although I would perhaps like to bring it forward to 1st January. These are things that I will be discussing in detail, taking into account the views of the stakeholders.

1880

Hon. D J Bossino: I am grateful for that. I think I made the point in my own submission that a lead-in time is very important for tour operators.

This may be an unfair question, but can I ask him whether he has a view as to where he is likely to pitch that entrance fee, or is he not willing to disclose at this stage?

1885

Hon. Prof. J E Cortes: Mr Speaker, I have a view but I do not think I should reveal it now, when we are discussing the matter.

Mr Speaker: Next question.

Q129/2021
Policy re masks in schools –
Review

1890 **Clerk:** Question 129. The Hon. K Azopardi.

Hon. K Azopardi: Mr Speaker, will the policy of requiring masks in schools for certain students be reviewed?

1895 **Clerk:** Answer, the Hon. the Minister for the Environment and Education.

Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E Cortes): Mr Speaker, the Department of Education will always liaise with the Director for Public Health and will review the policy in line with the latest evidence.

1900

Hon. K Azopardi: Mr Speaker, I am grateful. Obviously, the school term is still some time away and COVID is a moving picture. I understand that, but if the situation is more or less as it was at

the end of the current academic year, the one that finished in July, does the Minister still envisage that there would be a requirement for certain pupils to be wearing masks? And, if so, why?

1905

Hon. Prof. J E Cortes: Mr Speaker, the latest situation was that masks were strongly encouraged in certain situations, particularly where there was a large flow of people, in corridors and so on. It was not mandatory. We are not, at this moment, minded to change that, but as the Leader of the Opposition has said, we are five or six weeks away from the start of the new term. Things change very quickly with COVID and we will certainly assess the situation once again before term starts, as ever in discussion with the teachers' union.

1910

Mr Speaker: Next question.

Q131/2021

**Midtown Park play park –
Health and safety standards**

Clerk: Question 131. The Hon. Ms M D Hassan Nahon.

1915

Hon. Ms M D Hassan Nahon: Were health and safety standards applied when placing the small play park in the new Midtown Park?

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

1920

Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E Cortes): Yes, Mr Speaker, health and safety standards were applied to the design and construction of the play park at the Midtown Park.

1925

Hon. Ms M D Hassan Nahon: Mr Speaker, the reason why I ask the question is because I have had representations by parents of children burning their fingers on the steel slide. Perhaps the Minister can give us more information on who was contracted to deliver this park and what standards exactly they used.

1930

Hon. Prof. J E Cortes: Mr Speaker, on the question of the hot slide, representations were made to me as well and we immediately reacted by providing shading over the slide, which stopped the direct sunlight and therefore the metal slide no longer heats up like it used to.

1935

The play park has been checked and certified by an approved independent inspector from the UK, Play Inspection Company – they are specialists in this field – and the play park complies with all relevant safety requirements.

Hon. D A Feetham: Mr Speaker, did that certification take place before or after the large boulders were inserted into the playground, which were then taken out by the Government?

1940

Hon. Prof. J E Cortes: The boulders were taken out after some local consideration by the people on the ground, and then the inspection subsequently was carried out and confirmed that that had been the correct move.

**Procedural –
Press release re subject matter of Question 132**

1945 **Mr Speaker:** Before we proceed to Question 132, the hon. Lady has brought to my attention that a press release virtually on the same subject of Question 132 was issued by the Government today. Would the Hon. Minister care to comment, because you know there is a convention?

1950 **Chief Minister (Hon. F R Picardo):** Yes, Mr Speaker. The convention is that unless there is a pressing matter of public interest the Government will not issue a statement outside the House in respect of a question that is pending in the House, but when the Government is pressed by all media on that subject and it is a pressing issue of public interest, the Government, in compliance with the convention, will issue the statement. (*Interjection*)

Mr Speaker: Yes, of course.

1955 **Hon. Ms M D Hassan Nahon:** Mr Speaker, considering that, throughout our time in this place, when there are pressing issues such as EU statements and other things – Brexit, COVID – that have to be made, the media waits for parliamentary intervention by the Chief Minister, for example ... Given that the Government knew very well that this question was actually going to be answered today, not tomorrow or the next week, for the sake of an hour or two hours, why exactly did the
1960 Government feel the need to put out a statement when they could have very easily, like they do when they want to come to this place, let the media know and referred them to Parliament?

1965 **Hon. Chief Minister:** For the simple reason, Mr Speaker, that the convention is that unless there is a pressing public interest we would do that, and the pressing public interest here came from all of Gibraltar's media. In fact, Members opposite issued a statement on this issue asking for answers, even though they might have known also that there was a pending parliamentary question before we came to this House. The media actually published statements that were relevant to this question and said that the Government had not provided answers. This was leading to speculation from members of the public and the Government considered it essential that instead of just coming here to answer the hon. Lady's question we should also provide the
1970 information to the public urgently because it was needed urgently, because it was causing an issue of concern.

1975 These are judgements exclusively for the Government, Mr Speaker. Because she had a pending question, the issue actually was put to me, so that I could make the decision in compliance with the convention, and because I believe that the public were raising questions about this matter and they needed to be told quickly – and hon. Members must have agreed, because they issued a public statement in that respect also – the Government felt that it was not necessary to wait to give her the answer in this House. Given that she was interested in the answer, I am sure she will have been pleased to have got the answer and to have the opportunity to put supplementary
1980 questions now, rather than wait – not like the cases that she refers to where I give a statement to this House, but to wait to hear the formulaic reading of the first answer by the hon. Gentleman in order to put supplementary questions. If anything, Mr Speaker, she has had an extra hour to prepare for her supplementaries.

**Q132/2021
Director of Public Health –
Expiry of contract**

Mr Speaker: Question 132, please.

1985 **Clerk:** Question 132. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Has the Director of Public Health's contract expired; and, if so, will his contract be renewed?

1990 **Clerk:** Answer, the Hon. the Minister for the Environment and Education.

Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E Cortes): Mr Speaker, the contract has not yet expired but will not be renewed. Dr Bhatti enters pre-end-of-contract leave at the end of this week. This is due to a medium-term plan to localise the post. A new appointee has been identified and is due to take up the post at the end of August. In the meantime, locum arrangements are being provided for.

1995 **Hon. Ms M D Hassan Nahon:** Mr Speaker, I thank the Minister for the answer that I read in the press just before. Was there was a competitive process for the new appointee?

2000 **Chief Minister (Hon. F R Picardo):** Mr Speaker, there is never a competitive process for the appointment of locums.

Hon. Ms M D Hassan Nahon: Mr Speaker, will the new Director of Public Health enjoy the same salary and conditions as the previous one?

2005 **Hon. Prof. J E Cortes:** Mr Speaker, the post of Director of Public Health is almost a hybrid post. On matters of policy the Director of Public Health reports to me, but there are overlapping responsibilities with the Gibraltar Health Authority and health in general – for example, as Chair of the Medical Registration Board – so the contract is one with the Gibraltar Health Authority.

2010 **Hon. R M Clinton:** Mr Speaker, can I ask the Minister how the recruitment process was undertaken? Did you use a recruitment consultant or did you advertise in a medical journal?

2015 **Hon. Chief Minister:** In exactly the same way that the GHA advertises for every consultant post of this type, Mr Speaker.

Hon. K Azopardi: Mr Speaker, just for clarity, is it the Minister's answer that the process for recruitment has happened, that the new appointee identified, who will take up the post at the end of August, responded to an advert in the usual way? Is that what she is saying?

2020 **Minister for the Health Authority, Justice, Multiculturalism, Equality & Community Affairs (Hon. Miss S J Sacramento):** Mr Speaker, the new Director of Public Health has been contracted for a period of 11 months and has been recruited by the GHA in the normal GHA way. I have not been involved in the recruitment of the individual themselves, but we obviously needed a successor to the Director of Public Health and that person has been recruited, interviewed and appointed.

2025 **Hon. K Azopardi:** Is the Government prepared to make an announcement in relation to the new appointee if the person has been identified and the person will come into the post at the end of August? The Government has made that public today. It is a month away. Why not make the announcement?

2030 **Hon. Chief Minister:** Mr Speaker, Sohail Bhatti has now almost finished his contract with us. Given that we are being asked questions about his replacement, I think this might be an appropriate moment for me to say that the Government has found working with Sohail Bhatti in

2040 these very difficult months a pleasure. We have worked very closely with him. We have been through really what I described yesterday as a hellish period, and I very much look forward to continuing contact with the person I regard to be my friend Sohail, as well as the person who was the Director of Public Health. I very much hope that history, when it comes to be written, will reflect that with his advice we made the right decisions at this seminally important moment for Gibraltar.

2045 Sohail Bhatti, as Director of Public Health, has gained prominence because of the pandemic that he has led us through in his role as Director of Public Health. Vijay Kumar, who was his predecessor, gained the prominence that any Director of Public Health in normal times takes, which is in providing advice on public health. The Director of Public Health is in that role like the many other consultants that we have in the GHA, and I cannot recall that we make statements about individuals who take up posts in the GHA when they take up posts in the GHA, unless we are offering a new service and the GHA wants to announce the service for the public health purpose of ensuring that people know that we are providing a new service at the GHA. I do not imagine that we would be making a public statement about the person who fills the role of Director of Public Health in the normal course of events, and neither would I have thought that this was a particularly controversial issue in any way. Frankly, Mr Speaker, I am surprised that we are being taken down the road of considering announcements of appointments of professionals in the GHA.

2060 **Hon. K Azopardi:** Mr Speaker, can I follow up on that, just to make this point? I agree with the hon. Member to a very large extent, but there are differences here, surely. First of all, the Director of Public Health, who probably in years past very few people would know, has acquired a degree of prominence in the community over the last 18 months – understandably so, because of the COVID pandemic. Secondly, because COVID is an ongoing matter, people want the reassurance that steps are being put in place and that an appointee has been found, and would probably want to know who that person is because that person is still required to fill that prominent role, together with the political leaders of the community represented by the Government. And, thirdly, it is understandable that there is a degree of social media speculation, because the current incumbent, Dr Bhatti, tweeted this morning, and that created the social media speculation.

2070 Can I say on this side of the House I take the opportunity also of commending his work during the pandemic, but that is the background to why these questions are, I think, reasonable and indeed should be answered by the Government, albeit that if this was a normal time you would not make an announcement about a particular consultant?

2075 **Hon. Chief Minister:** Mr Speaker, Mr Bhatti has made the announcement that he is going. I think it is perfectly normal. He has been a very prominent member of our community. He is now coming to the end of the working period of his contract and he has said how much he has enjoyed working with us and how much he has valued Gibraltar and values Gibraltar, something which I hope everybody will feel reciprocally about, because we should value the effort that Sohail Bhatti put into his work in Gibraltar. He made decisions and advised us to make decisions which at first blush appeared to many people to be controversial but then turned out to be the right decisions, and therefore he has acquired, as the hon. Gentleman has said, more prominence than perhaps other consultants or Directors of Public Health might have, because he is the one who has led us through the pandemic period.

2085 The locum who has been appointed, hon. Members may recall, is a lady called Natalie Wright, who has been involved in Gibraltar also during the period of the pandemic, and I very much welcome the fact that Natalie is going to be working with us – Dr Natalie Wright – again. She is not the person who has taken the job going forward. I would not want to be announcing someone's name without talking to them and clearing the fact that we are going to announce their name in the context of an appointment that has never led to an announcement before. We are appointing the Director of Public Health, not the next Mayor. Some people may have a

2090 different view as to whether they want their names to be announced in this post in a political
forum like a Parliament, but there is a locum, a locum who knows Gibraltar and has been involved
in the pandemic. There is somebody appointed now for the period at the end of the locum's
period, because, as is normal in every instance where somebody is appointed to a post, it is not
possible to go from one day to the next. That is perfectly normal, in particular in the area of health.

2095 The hon. Gentleman says that people need reassurance. Well, people have the reassurance
that there is a seamless transition from the current Director of Public Health to a locum who knows
Gibraltar already, and from that locum to a person who is appointed as the next Director of Public
Health. I do think not that announcing a name – probably so that people can go off and look the
person up on Google and decide for themselves whether or not whatever may be available on
2100 Google on that person is sufficient CV for our people to decide whether or not they think this
person is or is not the appropriate next Director of Public Health – advances matters any further.

I hope that hon. Members will accept that we have given them the assurance that there is a
seamless provision of advice to the Government in the Director of Public Health post being
provided for and that it would be inappropriate for us to share the name of the next appointee
without telling that person, who is not in Gibraltar, that their name may appear tomorrow on
2105 Google because it is going to be bandied across the floor of the House. It is very unusual indeed,
in particular in respect of posts in the area of Health, to be taking the name of an individual and
sharing it across the floor of the House.

Mr Speaker: I am sorry, I was not able to allow you to ask a timely supplementary; you are
2110 entitled to that. Ask the question now.

Hon. Ms M D Hassan Nahon: Mr Speaker, can I just ask the Minister for Public Health – if he is
answering – if the Chief Minister and the Minister for Health are hailing Dr Bhatti for having done
such a great job and making great decisions, why exactly his contract did not get renewed? Also,
2115 given that we are in the middle of a pandemic and people need reassurance and feel insecure
somewhat of public health policy or whatever it is, would Government be willing to confirm or
deny that the new Director of Public Health is Nick Cortes?

Hon. Chief Minister: Mr Speaker, I have just told the hon. Lady that we are not going to bandy
2120 the name of a Director of Public Health across the floor of the House. I do not know which part of
that she did not understand, but it is not Nick Cortes. Although I am not going to share the name
of the new Director, I can deny that it is Nick Cortes, somebody for whom this community has the
very highest regard, who is a magnificent microbiologist, who has a post already in the Gibraltar
Health Authority, because he is our consultant microbiologist, and without whose help we would
2125 not have been able to do the excellent work that our lab now does in respect of being able to test
for variants. We are now able to turn around testing variants extraordinarily quickly, and indeed
people might be interested to know that Nick was one of the people who helped us also to be able
to have the testing procedure that we have in place, which has led us to being able to test 301,000
instances – not people, instances of testing – as at yesterday. But it is not Nick Cortes.

2130 Mr Speaker, the fact that we have been hailing Sohail should not lead hon. Members to think
that we should therefore automatically have considered that his contract should be renewed. His
contract has come to an end. We have a policy, which I thought all hon. Members of this House
agreed, of localisation of posts. There is in the pipeline a Gibraltarian who may be able to do this
post, as long as he is up to the standard, and therefore we have not renewed the contract. It is
2135 that simple. If we had renewed Dr Bhatti's contract, then he would have been made completely
permanent in the job, he would no longer have a fixed-term appointment contract and the
Gibraltarian then would not have been able to take the post because Dr Bhatti would have been
able to stay for much longer. It is that simple. One thing does not deny the other, but given some
of the things that the hon. Lady has said about Dr Bhatti publicly, I am surprised that she is

2140 suggesting that she now wants to keep him. Perhaps it is another one of her many inconsistencies, Mr Speaker. *((Interjections))*

Hon. Ms M D Hassan Nahon: The Chief Minister is suggesting that I am a fan of Dr Bhatti, or not, and I am not here to project my preferences. I am simply trying to hold the Government to account for their decisions. It means nothing whether I have questioned or scrutinised the Government on a matter of the Director of Public Health. It means nothing and it is not right, it is misleading, for the Chief Minister to accuse me of being a cheerleader, effectively, for Dr Bhatti. It is not what I am doing. I am simply holding them to account.

2150 **Hon. Chief Minister:** No, Mr Speaker, the hon. Lady has not got it right. She has not even understood what I said. What I have said is that she has, in the past, been quite the opposite of a cheerleader of Dr Bhatti and that now her attempt to hold me to account is to ask me why we are not renewing the contract of the person that she has not been a cheerleader for does not make her a cheerleader for Dr Bhatti, and it is not irrelevant. It once again shows the constant
2155 inconsistency in everything that the hon. Lady does, except, on the one thing that she is consistent, when she thinks that something may be popular. If she thinks that something will be popular she will be there, cheerleading the popularity, seeking to jump on the bandwagon, bandwagoneering in the best tradition of those who do not care about the place in which they live and care only about themselves. That is the point I was making to the hon. Lady.

2160 **Hon. Ms M D Hassan Nahon:** Am I not entitled to ask a question – ? *((Interjection))*

Mr Speaker: Of course, and I am here to ensure that you are given the ability to ask the questions and to hold the Government to account. *((Interjections))*
2165 Next question.

DEPUTY CHIEF MINISTER

Q138/2021

KGV site –

Amount received by Government

Clerk: We now move to Question 138, and the questioner is the Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker –

2170 **Chief Minister (Hon. F R Picardo):** I recognise the theme song.

Hon. R M Clinton: Sorry?

Mr Speaker, can the Government advise the amount it received or is due to receive in respect of the KGV site which is now to be developed for a private residential project?

2175 **Clerk:** Answer, the Hon. the Deputy Chief Minister.

Deputy Chief Minister (Hon. Dr J E Cortes): Mr Speaker, yes, the premium for the KGV site is £3.8 million, of which 20%, or £760,000, has already been paid.

2180 **Hon. R M Clinton:** Mr Speaker, I thank the Minister for his answer.

Can he confirm that is in fact higher than the premium that would have been paid for the previous site as a residential home?

2185 **Hon. Deputy Chief Minister:** Mr Speaker, yes, I can confirm that the previous premium was £3 million, but that was in respect of both the KGV site and the Bishop Healy Home, which was next to it, so it was for a larger area. What the Government has done this time is split the site into two, so we now have a premium of £3.8 million for the KGV site alone, plus an additional £920,000 for the Bishop Healy Home. That represents a total of £4.72 million compared with £3 million for the previous one. *(Banging on desks)*

2190

Mr Speaker: Next question.

Q139/2021
Freedom of Information Act –
Extension to additional public authorities

Clerk: Question 139. The Hon. K Azopardi.

2195 **Hon. K Azopardi:** Mr Speaker, does Government plan to extend the application of the Freedom of Information Act to other departments beyond those gazetted on 1st June 2021; and, if so, when and to which other public authorities?

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

2200 **Deputy Chief Minister (Hon. Dr J J Garcia):** Mr Speaker, yes, the Government does intend to extend the application of the Freedom of Information Act to other public authorities beyond those gazetted on 1st June 2021. This will happen when the Information Commissioner has had the opportunity to review how the existing scheme is working and when he has notified the Government that other public authorities are now ready for inclusion in the listing.

2205

Hon. K Azopardi: I am grateful for that answer, but has the Minister, in the interface with the Information Commissioner – I do not know, presumably he is discussing the matter with the Information Commissioner in terms of understanding that process – got some idea from him how long that process will take? Obviously, I have mentioned it and the Hon. Minister will know that the schedule has only inserted three authorities, and it is a pretty small dip into the water of freedom of information. It involves, importantly, the Department of Education – that is a big provider of information that is quite significant – the Human Resources department and also the National Archives. But then beyond that, of course, there are many departments or public authorities out there, so it would be interesting to understand, first of all, has there been some kind of discussion on the timescale? And presumably it is a staged process too, so not everything will be done in one go because you also need to test the system, how it works, and see what the deficiencies might be, because you might need to underpin it with regulation or some kind of support structure.

2210

2215

2220 **Hon. Deputy Chief Minister:** Yes, Mr Speaker, that is exactly the point. When the Bill was first brought to Parliament, and indeed in subsequent press releases and communications, the Government made it very clear that this was going to be a cautious progression, that we did not want to repeat the mistakes that had happened elsewhere, particularly in the United Kingdom. As we know, Tony Blair, who introduced the legislation in the UK, or under whose premiership it was

2225

introduced, described it as the single biggest mistake he had made in his career, so we are determined not to repeat – (*Interjections*)

Hon. Deputy Chief Minister: After Iraq, but –

2230

Chief Minister (Hon. F R Picardo): After joint sovereignty.

Hon. Deputy Chief Minister: Indeed. (*Interjections*) So, we are determined not to repeat that mistake and to move in a particularly cautious manner.

2235

The legislation provides for the Information Commissioner to produce a report at least annually on how the Act is progressing and how it is working. Independently of that, I know that they are in discussion with different departments to see whether they are ready for inclusion in the legislation. So, although I cannot give him a firm date by which that will happen, it is something which is in hand and which will happen, and it will happen in a slow, cautious and prudent manner.

2240

Hon. E J Phillips: Mr Speaker, I recall debating with the hon. Member in the context of the Freedom of Information Bill, as it was then, and I think a similar question came up between 2015 and 2019 when I tried to press the Government as to Schedule 2 and which authorities it would include, and we got, effectively, a similar answer to what the Deputy Chief Minister is providing now.

2245

Can the Deputy Chief Minister at least say this: will the University of Gibraltar be included within that, and also the Gibraltar Broadcasting Corporation? I specifically pinpoint those two because I think in the context of the debate that we had we talked about broadcasters and we talked about universities in the context of certain universities in the United Kingdom, for instance, that were attempting to row back on their inclusion in their freedom of information legislation, namely Oxford, Cambridge and, I think, Bristol as well, and some of the other universities. Is the Government's position that the University of Gibraltar and the broadcasting authority, GBC, should be included within the framework?

2250

Hon. Deputy Chief Minister: Mr Speaker, the Government needs to take a policy decision on those specifically, but the legislation does allow for that to happen. In other words, there is a public authority as defined as a Government department, which are the ones that are in it, as the hon. Member knows, other bodies or persons that perform the functions of public administration, and then it can also be a person or body declared by the Minister to be a public authority. So, the legislation would provide for them to be included if we took a policy decision to do that, which we have not done as yet.

2255

2260

Mr Speaker: Next question.

Q140/2021
100th anniversary of City Council –
Plans to commemorate

Clerk: Question 140. The Hon. K Azopardi.

2265

Hon. K Azopardi: Mr Speaker, how is Government going to commemorate the 100th anniversary of the City Council this year?

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

2270 **Deputy Chief Minister (Hon. Dr J E Cortes):** Mr Speaker, the Government, through the Gibraltar National Archives, plans to hold an exhibition to mark the 100th anniversary of the City Council.

2275 **Hon. K Azopardi:** Mr Speaker, does the Government envisage anything beyond an exhibition, or is that it? I am sure the hon. Member opposite agrees with me that 1921 was a very significant date indeed in the evolution of our parliamentary democracy, and perhaps the Government would reflect – and it is something that they might want to consider further – on doing something beyond simply an exhibition, which I am sure will be very good because the exhibitions that the Members opposite have organised on historical events have been good, but perhaps it is worthy of a more significant event to mark that in the calendar.

2280 **Hon. Deputy Chief Minister:** Mr Speaker, in my capacity as Minister with responsibility for the Archives, the question was passed on to me and this is what the Archives is organising. Other Members may choose to organise things – I do not know whether the Ministry for Heritage is considering any event separately to this one – but certainly what the Government has planned at the moment, firmly in the calendar, is an exhibition which will be organised by the National Archives. It does not rule out other things happening as well.

2285

ADJOURNMENT

Chief Minister (Hon. F R Picardo): Mr Speaker, I move that the House should now adjourn to tomorrow at 3.30 in the afternoon.

2290 **Mr Speaker:** I now propose the question, which is that this House do now adjourn to Wednesday, 28th July at 3.30 p.m.

I now put the question, which is that this House do now adjourn to Wednesday, 28th July at 3.30 p.m. Those in favour? (**Members:** Aye.) Those against? Passed.

This House will now adjourn to Wednesday, 28th July at 3.30 p.m.

The House adjourned at 6.40 p.m.