



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.03 p.m. – 5.45 p.m.

Gibraltar, Wednesday, 24th May 2023

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The Gibraltar Parliament

The Parliament met at 3.03 p.m.

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

[CLERK TO THE PARLIAMENT: S Galliano Esq *in attendance*]

Questions for Oral Answer

HOUSING, EMPLOYMENT, YOUTH AND SPORT

Q337/2023

**Employment Tribunal chairpersons appointed to claims filed in last four years –
Supplementary question**

Clerk: (vii) Reports of Committees; (viii) Answers to Oral Questions.
Question 1/2021.

5 **Clerk:** Meeting of Parliament, Wednesday, 24th May 2023.

Mr Speaker: The position as we left it yesterday was that the Hon. Daniel Feetham wished to put in a supplementary regarding Question 337.

10 **Hon. D A Feetham:** Mr Speaker, yes. The answer that was provided to Question 337 was ... I was referred to the Employment Tribunal judgments page. Of course, if I did the exercise of all those judgments, I could discern who the chairperson was in relation to all those judgments, but the question was in relation to claims filed. It is not judgments, its claims filed, and I think the Hon. Minister informed me yesterday that he would have the answer today.

15 **Minister for Housing, Employment, Youth and Sport (Hon. S E Linares):** Mr Speaker, I also looked on the website with my PA to see what exactly the hon. Member was on about, and he is right to say that in the judgments they sign off and we all know then who is the chairperson for that case. When it is to do with filing a case, it is not known and it is not published who the
20 chairperson is until the case is starting. Therefore, I cannot really give you the name of the chairperson before the case is heard, until the case starts. What the hon. Member has, which was the question, is ... the Chairperson who gives the judgment will sign off the judgment and therefore the hon. Member can know who the chairperson is, but not the one before, until it is given to someone, the case.

25 **Hon. D A Feetham:** That is an unsatisfactory answer. I do not want to start the afternoon by saying that, but it is.

I understand that when you file something, not automatically does it go to a chairman. I understand that, but a chairman is appointed at some point after the claim is filed. There is a
30 difference between that appointment at that stage and the judgment. Earlier than the judgment you will know who the chairperson is, and therefore, if it is that, for example, that information is

not easily ascertainable through the database that the Government has, maybe that is an answer, but it may be susceptible to criticism because you should be able to ascertain this information from that database.

35 I am sorry to say that the answer is not satisfactory for the reasons that I have explained. Is there, for example, a database from which you can extrapolate the information as to which person has been appointed as chairman in a particular case? If there is, then of course you ought to be able to answer this question.

40 **Hon. S E Linares:** Well, at the moment there obviously is not, and therefore what I will do is go back and ask why they are not putting it beforehand. That is what the hon. Member wants, that if there is a case filed in the database before the case even starts, they will say the chairman is A or B. That is what you want – correct?

45 **Hon. D A Feetham:** Maybe it is the language that the Hon. Minister is using when he says the case ‘starts’. The case starts when it is filed, okay? The chairperson is appointed prior to the hearing starting. Sometimes it will take a year and a half from when a chairperson is appointed to the actual hearing of the case.

The appointment of a chairperson in every single case, I think, is gazetted. The answer the Hon.
50 Minister could provide me if he was unhelpful would be go back to every single gazette that has been published and do the calculation, but of course we are amongst friends and I would hope that that is not the answer that he would provide me. But because it is gazetted, there has to be some form of database that will tell the Department how many cases are ongoing and who is the chairperson in each of those cases.

55 I do not even require disclosure of the name of the case. What I want to do is the analysis of who has been appointed in these various cases, as I explained yesterday, to just do an analysis as to whether the burden is falling on any particular person or not. That is the reason why I have asked this question.

60 **Hon. S E Linares:** Mr Speaker, I will go back and see if that is possible.

Mr Speaker: Next question.

Q337/2023
Hargraves Parade –
Plans

Clerk: Question 341/2023. The Hon. D J Bossino.

65 **Hon. D J Bossino:** What plans does the Government have in respect of Hargraves Parade?

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

Minister for Housing, Employment, Youth and Sport (Hon. S E Linares): Mr Speaker, there are
70 no specific plans at this moment in time.

Hon. D J Bossino: The hon. Member says ‘at this moment in time’. He gives the impression that there may be something in the offing. If it assists him, the reason why I ask is because information has come to Members on this side of the House that the Government is seriously considering
75 demolishing that area. He is frowning, so I suppose he will not be able to confirm that what I have just told him is correct, but can he comment any further beyond his prepared reply?

80 **Hon. S E Linares:** Mr Speaker, no, because at this moment in time there is not anything to my knowledge. I have not heard of demolishing or taking the place away. It is run by the GSLA. It is one of the properties where children play football, and they use it on a constant basis. I have not seen any plans or anything, which is what I have just answered.

85 **Hon. D J Bossino:** I thought that I had correctly identified the location, so to that extent his answer is helpful because it may be that we are talking at cross purposes. The question raised was in relation to the building opposite, which is a residential building. I think they are government
90 tenancies. In fact, there is a company, Wonderworks Media, which I think had a registered office there. It was in relation to that particular building block that the question was geared. It appears that the hon. Member thought I was talking about the Parade, where people play football, the football pitch. Can he expand further, now that I have clarified what I am talking about? I think that is the correct address, in fact.

90 **Hon. S E Linares:** Well, Mr Speaker, it is not the correct address. The Parade, as I took it, is the grounds in the middle, where the children play and all that. The hon. Member now has identified that it is the one on the south of the Parade, on which I do not have the information but I could go back and ask for it. The hon. Member has stated the Parade. I do not know about the others,
95 but that could be another question that the hon. Member can put next time.

100 **Hon. D J Bossino:** Yes, Mr Speaker, if I may, I will double check on the information in terms of the accuracy or otherwise of the address that I set out in the question formally filed, but I really do think it was accurate. I took it from a Companies House search that we carried out in respect of the company I mentioned earlier. I may need to pose a further question should there be any change. If not, I may pose exactly the same question, but at least the hon. Member will be advised of what it is I am talking about.

105 **Chief Minister (Hon. F R Picardo):** No, Mr Speaker, I am afraid that would not be in keeping with the Rules or acceptable. He cannot pose exactly the same question within six months. The Rules specifically say (*Interjection by Hon. D J Bossino*) that you cannot. What you can do is put the address of the property that he is referring to in the question, and then it will not be exactly the same question.

110 **Hon. D J Bossino:** Mr Speaker, that is exactly the point I have made. All I am saying is that the question may have to be posed and drafted in exactly the same way if, once I have double checked, the address is exactly the same. So in effect, it will be a different question because that is the way it has been interpreted by the hon. Member opposite, because I am talking about the building, as he put it, to the south of Hargraves Parade, but I will check. It may be that as a result of my
115 checking, the drafting will be impacted and it may be a different wording, so it would be a different question.

120 **Hon. F R Picardo:** Mr Speaker, the question is a very straightforward one: what plans does the Government have in respect of Hargraves Parade? Hargraves Parade is a place. He has had an answer in respect of Hargraves Parade. He has told us that he thinks he has got it wrong in respect of Hargraves Parade and that he will find the right address of the place that he is believing is going to be demolished.

125 The answer could have been simply to deprecate the hon. Gentleman and show him how foolish it was. You cannot demolish a parade. That is his question: are we going to demolish a parade? Well, no, Mr Speaker, as long as his question has the address of the place he says now is the place concerned, but it cannot be the Parade because he has had his answer in respect of the Parade.

130 **Mr Speaker:** With respect, I think you should investigate the address, and then, once we have identified the correct address, you will come to me and I will have a look at it and I will decide.

Hon. D J Bossino: Mr Speaker, I understand that all it requires is the addition, I am told by my colleagues here, of a 9 before Hargraves Parade.

135 **Mr Speaker:** Next question.

TRANSPORT

Q343-44/2023

Decibel levels –

Maximum allowable for vehicles; monitoring

Clerk: Question 343/2023. The Hon. E J Phillips.

140 **Hon. E J Phillips:** Mr Speaker, can the Government confirm if there is a maximum allowable decibel level for vehicles travelling on our roads?

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

145 **Minister for Transport (Hon. P J Balban):** Mr Speaker, I will answer this question together with Question 344.

Hon. E J Phillips: Mr Speaker, can the Government state what processes are in place to monitor decibel levels?

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

Hon. P J Balban: Mr Speaker, all vehicles registered in Gibraltar since 2008 are EU type approved and would therefore be subject to stringent standards on manufacture. This means that decibel readings for any such vehicles should be within prescribed EU approved levels.

155 As the hon. Member will be aware, since 2008 we require motor vehicles to be in possession of a Certificate of EU Conformity (CoC) and/or a Single Vehicle Type Approval Certificate. Although I am advised that there is no statutory maximum allowed decibel level, there are guidelines used by the Licensing Authority (DVLD). Furthermore, the motor vehicle's CoC shows the decibel level at manufacture so a retrofit exhaust would need to conform to the original standard. Motor vehicles emitting higher levels than the said original standard would be non-compliant and in breach of the Motor Vehicles Test Regulations 1987. Motor vehicles found to be emitting high noise levels may also be summoned by the Commissioner of Police to undergo a test of compliance under the provisions of the Traffic Act 2005. Any such test would be undertaken at the DVLD using specialised decibel test equipment. Pre-2008 motor vehicles that are not in possession of a Certificate of EU Conformity or a Single Vehicle Type Approval Certificate would undergo an age-related test if found to be emitting high noise levels whilst driven on our roads, or at periodic roadworthiness test inspections, in other words the MOT test.

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Therefore Mr Speaker, the relevant statutory authorities to monitor decibel levels for vehicles being driven on our roads that would ordinarily be considered a traffic offence would be the Royal Gibraltar Police; otherwise, whenever a motor vehicle undergoes its periodic roadworthiness test.

170 **Hon. E J Phillips:** Mr Speaker, I know he said there is no statutory level in Gibraltar, but he referred to the manufacturing standard level when it is assessed at ... Does he know what that decibel standard is?

175 **Hon. P J Balban:** No, Mr Speaker, I do not know what that decimal standard is. What we are saying is there are two scenarios. One is pre-2008 and one is post-2008. If it is post-2008, the assumption is that the vehicle that was purchased came through via the European Channel and would meet the criteria and requirements of those vehicles, so they would obviously be imported into Gibraltar and used. If it is pre-2008, because those standards were not the same, the MoD goes back and checks the year of that vehicle. If the vehicle was manufactured in 2000, then they
180 would be expected to conform to the noise levels of a vehicle manufactured in that year.

Hon. E J Phillips: My Lord – apologies, I was transported somewhere else and I have just elevated you for a period, Mr Speaker!

185 Mr Speaker, my understanding is that EC Regulation 540/2014 applies a legal sound limit in the United Kingdom of 72 dB for cars manufactured from 2016 onwards. Is he saying that we do not have that similar legal sound limit that was implemented in the United Kingdom, in Gibraltar? When I trawled through the Gibraltar Laws website, I could not find that regulation.

190 **Hon. P J Balban:** Mr Speaker, all EU directives were transposed, so I would assume ... I would really need to seek advice whether the number 72 is actually there. One thing that we have to be ... It is not – then obviously you know more than I do. Yes, okay.

Hon. E J Phillips: One of the complaints that I receive from constituents is in relation to loud, noisy exhausts, and that is why I have put that question, so that we can ascertain what processes
195 are in place and actually what is the limit, so that we can deal with it.

As he may know, the European Union – and, indeed, the United Kingdom, in fact – is looking at lowering that decibel level to 68 as from 2026 onwards. What I am trying to get at is whether the Government, if they are still on that side of the House later on this year or at the beginning of next year, will follow that same trajectory insofar as that limit is concerned, so that we can give
200 some reassurance to members of the public that this issue is being carefully monitored and that we are trying to reduce the noisy exhausts that drive around and irritate members of our community.

205 **Chief Minister (Hon. F R Picardo):** Mr Speaker, whichever Government is on this side of the House, it will be the Government of Gibraltar. Whichever administration will be up to the people of Gibraltar to decide later this year.

The question is a little more complex than the hon. Gentleman might at first blush have realised. If there is a treaty between us and the European Union on the creation of, in effect, a single market in goods, then the standards relating to goods – and cars would be a good – would
210 be the European standard, at least. There would be nothing stopping us going to the UK standard, but we would have to at least comply with the European standard. If we do not have a single market in goods with the European Union, then we would have to consider whether we want the flexibility to be able to have goods transit through Gibraltar or be in Gibraltar that are not meeting the standards of the EU or the UK. At first blush, there is no reason to want cars that are below
215 European standards to be in Gibraltar, but there may be a market in sales beyond Gibraltar which we might want to exploit in those circumstances. So it would require a policy consideration at the time that the decision came to be made in light of the international obligations such as they may be at that time.

220 **Hon. E J Phillips:** That is very helpful, to see the wider context, as he puts it. One of the points I would like to make, and maybe he can help me with this question as well, is it seems to me from

my own research – and I am sure that the Minister for Transport’s team will go back and look at this – that if we have not followed the standards that the European Union has sought to impose on member states and we are not following the standards that the United Kingdom, which is also following the EU standard that was referred to by the Minister for Transport, why haven’t we done that (1) since that EU regulation came in; and (2) that is why I was trying to find out what the standard was here at home.

Do we have these noisy cars on the road? And what are we going to do about it? Are we going to decide our own standard in respect of that decibel level? The reason why it is at 72 currently and why they want to bring it down to 68 is because the EC regulation actually sets out in detail the damage that noisy exhaust does to people’s health, so I would have thought it is a major issue, in terms of transport and looking after the health of members of our community, to drive down that decibel level in motor cars. That is the type of question I am trying to ask here.

Hon. F R Picardo: Mr Speaker, the reason he may not have been able to find reference to it, although the Government is aware and has confirmed that all EU directives which were required to be transposed by the date of our departure from the European Union were transposed, is that we were not in the single market in goods at the time we left the European Union. It is very likely that this particular directive might have been interpreted as being related to the single market in goods, although standards applicable to goods for sale in the European Union was something that did apply to Gibraltar, and therefore the hon. Gentleman opposite might remember the controversy surrounding Article 100A directives. I do not know whether he is aware of that. Article 100A directives deal with standards of goods on the market but not relating to the sale of goods and the free movement of goods, and Article 100A directives were deemed to apply to Gibraltar, so it depends whether the relevant directive was an Article 100A-type directive or not.

Having said that, in all the time I have been in politics I have received many complaints about noisy bikes, but I have never received complaints about a noisy car. I have received complaints about cars that spew out black smoke, but I have not received complaints about cars that make noise, so I would be interested to hear from him the type of vehicle that is being referred to. Is it a modified exhaust etc?

Certainly the Collector of Customs does not permit, unless there is an exercise of discretion in exceptional circumstances, the importation into Gibraltar of any vehicle that is not EU compliant, in any event. So vehicles have, for the period that the Hon. Minister has suggested – indeed, longer – all had to be EU compliant in order to be able to be imported into Gibraltar, whether they are public service vehicles or private vehicles. Therefore, whether directly through the application of our law in the transposition of the relevant directive or by dint of the fact that the importation would not have been permitted unless the vehicle complied with EU standards, those standards have applied.

I do not see a reason why we would not want to apply a higher standard even in the future, but for the reasons I have indicated, I think it is for the policymakers at the time to make that policy consideration in light of the relevant international obligations, such as they may be.

Mr Speaker: Next question.

Q345/2023
Cycling helmets –
Policy re compulsory wearing

Clerk: Question 345/2023. The Hon. E J Phillips.

265 **Hon. E J Phillips:** Mr Speaker, can the Government state its policy on the compulsory wearing of helmets by cyclists on our roads?

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

270 **Minister for Transport (Hon. P J Balban):** Mr Speaker, there are four countries in the world that require and enforce the universal use of cycle helmets. These are Argentina, Cyprus, Australia and New Zealand. There are a few jurisdictions where partial rules apply. Furthermore, a few countries have legislated for mandatory helmet use but do not enforce these laws.

275 The cycle helmet debate is an extremely interesting one for anyone who wishes to embark on reading the massive amounts of literature on this subject. Before taking a position on this matter, it is necessary to look hard at the evidence and research and take advice from other nations. As we always say in cycling policy, we should not reinvent the bicycle wheel but must feel free to take advantage of the knowledge and experience of those who are much further ahead on that bicycle journey than we are.

280 Although the literature in this respect is vast, I will just refer to Cycling UK as the oldest national cycling charity, looking after cyclists since 1878, whose views are shared by the European Cycling Federation (ECF), and the World Cycling Alliance, whose president is well known to all of us, Sir Graham Watson. The common view shared between these organisations, as indeed most others worldwide, is that, and I quote from Cycling UK:

There is no justification for making helmet-wearing compulsory: it could undermine levels of cycle use and, in any case, the effectiveness of helmets is far from clear.

285 I will continue to use Cycling UK as my reference for my reply:

Cycling UK is opposed to both cycle helmet laws and to helmet promotion campaigns because these are almost certainly detrimental to public health. Evidence shows that the health benefits of cycling are so much greater than the relatively low risks involved, that even if these measures caused only a very small reduction in cycle use, this would still almost certainly mean far more lives being lost through physical inactivity than helmets could possibly save, however effective.

In any case, there are serious doubts about the effectiveness of helmets. They are, and can only be, designed to withstand minor knocks and falls, not serious traffic collisions. Some evidence suggests they may in fact increase the risk of cyclists having falls or collisions in the first place, or suffering neck injuries.

Neither enforced helmet laws nor promotion campaigns have been shown to reduce serious head injuries, except by reducing cycling. The remaining cyclists do not gain any detectable reduction in risk, and they may lose some of the benefits from 'safety in numbers'.

So instead of focusing on helmets, health and road safety professionals and others should promote cycling as a safe, normal, aspirational and enjoyable activity, using helmet-free role-models and imagery. Individual cyclists may sometimes choose to use helmets, either for confidence or because of the type of cycling they are doing. However, they should not feel under any pressure to wear them. For the sake of our health, it is more important to encourage people of all ages to cycle, than to make an issue of whether they use a helmet when doing so.

In the UK, the life years gained due to cycling's health benefits outweigh the life-years lost through injuries by around 20:1. Mile for mile, the slim chances of being killed whilst cycling are about the same as those for walking, and on average, one cyclist is killed on Britain's roads for every 29 million miles travelled by cycle.

Enforced helmet laws have consistently caused substantial reductions in cycle use (e.g. 30-40% in Perth, Western Australia). They have also increased the proportion of the remaining cyclists who wear helmets, yet the safety of these cyclists has not improved relative to other road user groups (e.g. in New Zealand).

Even if helmets could prevent all cyclist injuries (including non-head injuries), a UK helmet law would only have to reduce the level of cycle use by about 4.7% to shorten more lives through inactivity than helmets themselves could possible save.

Standards only require cycle helmets to withstand the sort of impact that a rider is likely to suffer if they fall from their cycle from a stationary position (about 12 mph). They are not and cannot be designed to withstand impacts with faster-moving cars, let alone lorries.

Cycling typically accounts for 7-8% of the head injuries for which children are admitted to English hospitals – just a quarter of these to parts of the head that a helmet might protect.

Government and other bodies concerned with health or road safety should simply aim to encourage people to cycle, regardless of whether or not they choose to wear helmets when doing so.

Enforced helmet laws cause deep and enduring reductions in cycle use, undermining its very substantial health and other benefits. Given that the risks of cycling are low – they are not greatly different from those of walking or other forms of active recreation – even a very small reduction in cycle use would be counter-productive to health and other public policy objectives, regardless of the effectiveness or otherwise of helmets. In practice, this disbenefit is potentially very substantial, not least because the deterrent effect is likely to be strongest among key target groups for physical activity promotion, e.g. women, teenagers, less well-off communities and ethnic minority groups.

Cycle helmets have in any case not been shown to be an effective way to reduce cyclists' injury risks. Indeed they might even be counter-productive, by encouraging drivers or cyclists to behave less cautiously, and/or by increasing the risks of neck and other injuries. By deterring people from cycling, they may also reduce the benefits that cyclists gain from 'safety in numbers'.

Enforcing helmet laws would require levels of police activity that would be grossly disproportionate to any possible benefits. Conversely, unenforced helmet laws make no long-term difference to helmet use, and therefore cannot provide benefits in any case.

Road safety policies should prioritise measures that reduce the risks that deter people from cycling – traffic speeds, hostile roads and junctions, dangerous or irresponsible driving, and lorries – and offering high quality cycle training for people of all ages, to give them the confidence and skills to ride safely on the roads.

Individuals should be free to make their own decisions about whether or not to wear helmets, with parents making these decisions in the case of younger children. Their decisions should be informed by clear information about the uncertainties over the benefits or otherwise of helmets.

Cycling UK supports politicians, celebrities and other role-models who choose to cycle un-helmeted. Far from 'acting irresponsibly', they help to boost the perception of cycling as a normal, safe, aspirational and stylish activity that anyone can do in whatever clothes they normally wear.

Schools, employers and the organisers of non-sporting cycling events (e.g. sponsored rides) should not impose helmet rules for their pupils, staff and participants respectively. These rules are not justified in terms of health and safety, they are likely to reduce both the numbers and the diversity of people who take part in cycling, and they may in some circumstances be illegal.

Mr Speaker, the ECF, founded in 1983, is an independent non-profit association and the European umbrella federation of civil society organisations advocating and working for more and better cycling. They harness the power of the European cycling movements to promote cycling as a sustainable and healthy means of transport and leisure. The ECF is not against helmets and recognises that some people feel more comfortable cycling with a helmet. However, the ECF is against claims that portray cycling as far more dangerous than it is and portraying helmets as offering far more protection than they do. For the record, the Ministry for Transport is a member of the ECF Cities and Regions Network.

The ECF's position on cycling helmets is as follows. Cyclists typically live longer and healthier lives. Serious head injuries are rare and the evidence in favour of helmet wearing and helmet laws is weak. The main effect of helmet laws has not been to improve cyclists' safety but to discourage cycling, undermining its health and other benefits. The ECF therefore calls upon authorities to focus on well-established measures to promote cycling and cyclists' well-being, recognise that the benefits of cycling far outweigh the risks, and refrain from promoting or enforcing helmet wearing without sound evidence that this would be beneficial and cost-effective compared to other safety initiatives.

I have a very keen eye on everything that involves cycling as an alternative means of travel. I am always keeping up with developments and constantly networking with technical professionals in this field. The Government of Gibraltar follows the advice of world experts and fully supports and endorses the views of the major players in this field. Therefore, the Government does not agree with the compulsory wearing of cycling helmets. The wearing of bicycle helmets should be down to personal choice, and in the case of young children, the choice of their parents or carers.

Hon. E J Phillips: Mr Speaker, there was a lot in that answer that might require unpacking, but I will try to stick to some of the general principles that he set out in the answer, and with a little bit of leniency I might need to ask a few more questions that I would ordinarily ask in relation to this particular subject.

As the hon. Gentleman will recall, we have had a number of engagements on this particular issue. I completely understand that the jury is out and there is debate on the question as to

315 whether a country or an administration should impose the wearing of helmets. In fact, I think on his side of the House there is a division on helmet wearing. I think the Hon. the Chief Minister himself and his Excellency the Governor when they have their jaunts up the Rock wear helmets, whilst he is well known not to, which I ... I will get to the question.

320 **Chief Minister (Hon. F R Picardo):** Will you just give way for a second?

Hon. E J Phillips: Yes.

Hon. F R Picardo: By choice, but not implying that it should be compulsory.

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Hon. E J Phillips: I accept that, and of course the Chief Minister is leading by example in relation to that. That is his view, of course. (*Interjection*) Let me finish the question. Perhaps if you can answer it then.

He has recited a lot of the evidence that peddles the view that there should be no compulsory laws to force people to wear helmets within our community, but what he must accept is that bike helmets are the effective strategy to prevent traumatic brain injury in cycling accidents. That is a fact, Mr Speaker, and I would ask that he accept that. Can he accept that?

Hon. P J Balban: Mr Speaker, just to take up the point 'leads by example', obviously that is via your standards. You think someone who wears a helmet, especially in a position perhaps like us ... We should be wearing helmets because we have to set an example? The example I am setting is one that ... I have total trust in what I do. I feel safe on the roads and there is no need to impose something. Cyclists have the choice. You can choose to wear a helmet. There is no law that stops you from wearing a helmet. The evidence is saying we should not impose.

340 There are certain accidents where if the cyclist falls on his head ... Because the helmets only protect the top of your head, if you get doored as you are cycling along and you get hit in the face, obviously there is nothing a helmet will do. So the next thing the Member wishes to push for is a full-face helmet, like a motorcycle helmet, just in case you get hit from the front?

What you have to look at is the evidence. Yes, if you are going to have a serious accident and land on the crown of your head, if you are wearing a helmet you have a better chance of survival. But if you look at the statistics and see how many people actually are affected by that and see how many pedestrians, statistically, suffer head injuries as a result of living on the streets like cyclists live on the streets, then you will see that the statistics are not that different. In fact, more people driving cars suffer head injuries – and fatal head injuries – statistically than people on bicycles. So what we are saying is should we all be wearing helmets? Cyclists – it is a question of risk – people in cars, people walking? Recently there was a tragic accident and a pedestrian was killed. Should we all be wearing a helmet when we are walking, just in case we are statistically unlucky and get hit by something?

355 I am not anti-helmets. In fact, I will wear a helmet when I feel unsafe. When I am doing a sport, when I am mountain biking or racing on a road I feel I want to wear a helmet, but when I am cycling to work and back at 10 kmph there is absolutely no need, and the evidence suggests that. I am quoting from the major players worldwide. I am not against cycling helmets; it is that the evidence is not there.

360 **Hon. E J Phillips:** Mr Speaker, I know that this could turn into a debate about whether or not we impose legislation in relation to compulsory wearing of helmets, and I do not want to do that, so I will keep these questions quite tight, and if we feel on this side of the House – and I am sure that it would – be welcomed by that side of the House that we have that debate, then I will put a motion in and we can then have a wider discussion on the question, which I think would be helpful.

365 Just one thing. He mentions helmets and I know in relation to the ones that he may have used himself, or others ... He is aware, is he not, that a hundred helmet manufacturers now have

developed and are producing and distributing multi-directional impact protection systems within helmets? So it does not matter which side you fall on, whether you are stationary or whether you have a head-on collision on the crown, these helmets now are being designed specifically to cater for any side impact at all. He has questioned the utility of the helmets based on the actual injuries sustained and the point at which there is a collision. Helmets nowadays are constructed for multiple areas of injury across the neck and the head. I would encourage him to look at the research in relation to what is described as Mips. That is the direction of travel – to use another pun – in relation to this issue. Has he heard of Mips?

And just linked to that, the Government has legislated for the compulsory wearing of helmets on e-scooters. He said, 'Should everyone walking around wear a helmet?' Well, clearly not, obviously, but how does he rationalise the e-scooter policy with cycling when cyclists may well be moving faster than e-scooters? Can he just rationalise that argument for me?

Hon. P J Balban: Mr Speaker, we have enjoyed conversations about this and I will be repeating what I have told him in a personal capacity, so that people in Gibraltar can actually hear what is going on.

Obviously you have googled it. You have looked at Mips, which – *(Interjection by Hon. E J Phillips)* Yes, but are you a cyclist? Do you cycle? Do you cycle to work? It is very easy to google and look at the latest helmet technology. Maybe we should be encouraging people, or in fact legislating for everyone to wear a Mips – pedestrian, car driver, cyclist and e-scooter user – then we would all be protected. Then we go to war like the jousters in the old days with the horses. I do not go to the street to battle on a bicycle. I use a bicycle to get from A to B, and statistically it is a safe thing to do.

My knowledge comes from numerous conferences, from engaging and networking with the professionals, with people who are not individuals; they are part of organisations, associations, world bodies, alliances. This is not just the Member of the Opposition going on to Google and saying, 'Oh, look, Mips ...' The hon. Member was saying have a debate. These things are common in cities that are not cycling cities, and this is what we are; these debates are something of cities which ... These debates do not happen in Amsterdam or in Holland. Cyclists do not waste time with these sorts of things. A debate for what? If you want to wear a helmet, you can wear a helmet. If you feel safe wearing a helmet, wear one. What you cannot do is impose on others. This is what we are saying. Everyone has the right to decide what they want to do. So it is fine to promote – you can do a health promotion, you can do what you want – but what we are saying is you have to accept that is counterproductive. We are just embarking on trying to get people to opt for cycling as one of the alternative modes of transport, and statistically we know that imposing a cycling helmet on someone is detrimental, so we are trying to kill it off in its embryonic stages, which is what we want.

With e-scooters – I knew you were going to come to e-scooters – it is absolutely normal. E-scooters, because of the nature of the device, have a high centre of gravity. They have tiny wheels, they are unstable. The research shows that there is 7% to 10% more chance of injury on a scooter than there is on a bicycle. It is a passive form of transport; it is a motor vehicle, it is driven by an engine. A bicycle is driven by a person. For you to keep up 25 kmph on a bicycle ... Try it. I will lend you a bicycle and you can try it. Keep going at 25 kmph for 20 km. You cannot do it. You can on an e-scooter, so the risks are completely different in that respect. I have looked at the research and it was gauged that it was something which was important to try to help and protect people in that respect, and the evidence supports it, but not when it comes to bicycles.

Hon. E J Phillips: *[Inaudible]* ... I should be doing and what he should be doing as Minister for Transport is having an exhaustive, extensive research process in relation to that. I am happy to work across this side of the House with him on this particular issue so we can analyse the evidence together, look at it, look at the structure of our roads and actually ascertain, maybe as a joint approach, whether helmets should be used more frequently in our community, whether

compulsorily or otherwise, but they are vulnerable road users, as he knows, and he referenced that in his tweet. So does he agree with that?

Hon. P J Balban: Mr Speaker, cyclists and pedestrians. Pedestrians are the most vulnerable on a road, so do we protect pedestrians as well? Do they wear armour to go into the street? Okay, so cyclists are the second most vulnerable. What makes a cyclist and a pedestrian vulnerable? The drivers. The fifteen or twenty thousand drivers in Gibraltar make the cyclist and the pedestrian vulnerable, so should we be looking at how people drive and how they speed or how they think of a car as an extension of their body, as opposed to a machine which is capable of killing? Of course they are vulnerable. A child is even more vulnerable, so do we protect a child with unnecessary armour? No, we do not.

For us to have a debate on cycling helmets ... We are saying how many people cycle in Gibraltar, how many people cycle to work in Gibraltar? So we are saying let's put it to the vote. Let's ask the 30,000 drivers what they think cyclists should do. Let's ask them should the cyclists wear helmets. What about cars? It just does not make sense. You are dictating in a sector of the community, and most of the cyclists in Gibraltar – sport cyclists – wear helmets anyway because they choose to. So all you are doing is pinpointing the commuter riders, exactly the ones we want to encourage so that people do not use their cars as much. That is what we want. We should be encouraging people to cycle, and unfortunately, statistically the research shows that by imposing cycling helmets you do the opposite. This is fact, and it is my job ... What I want to see is a greener Gibraltar, a healthier Gibraltar, people trying to opt for better modes of transport, and if it is walking, even better; walking, cycling, whatever, but not the private car. This is what we should be tackling. We have had this conversation before. We need to try to encourage people to change their mindset – so just when we are trying to change people's mindset, we want to enforce upon them cycle helmets. *(Interjection)*

I have replied about the policy of the Government, and the policy of the Government is as the rest of the world, except four countries. So we either spearhead this and become the fifth and say, 'Wow, look, we have broken records – we are the fifth country,' or we do as others do because of the research out there.

The last comment I will make is he or she who wants to wear a helmet is not stopped from doing so. I think that is the key message. It is a non-issue.

Mr Speaker: Next question.

Q346/2023

Active Travel Strategy and pop-up cycle lanes – Update

Clerk: Question 346/2023. The Hon. E J Phillips.

Hon. E J Phillips: Mr Speaker, can the Government update this House on its Active Travel Strategy and when pop-up cycle lanes will be rolled out?

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

Minister for Transport (Hon. P J Balban): We will not be needing many pop-up cycle lanes if we keep on talking about compulsory helmet wearing, I will tell you that.

Mr Speaker, pop-up cycle lanes have already been rolled out at the Frontier. Pop-up cycle lanes are used as a tool to verify the efficiency and suitability of future, potential, more permanent cycle infrastructure.

Hon. E J Phillips: I think it was ungenerous for him to start off the answer to that question with the suggestion that that is what we are trying to do, which is adverse to his policy. He knows we engage and we have a constructive relationship when it comes to this question.

Insofar as the identification of those lanes, are we having a consistent colour code? My understanding is that they are different through Kingsway than they are envisaged to be in other places in Gibraltar, in terms of the travel strategy that he has disclosed to me and shown to members of the community to canvass their views. Will it be consistently identified?

Hon. P J Balban: Mr Speaker, there is no need to have a specific colour code for the whole of Gibraltar. Kingsway is a project which was carried out before our time. It was done with certain specifications. We could not change anything about that project. Red in nature and red as a colour is a colour of warning. It is a colour that we have to be aware of. It is a no-entry sign, a stop sign. In traffic nomenclature and signage, red is a warning. So personally – and I share the opinion of many others – red for bicycle lanes really is a colour which ... Even the psychological testing on colours on infrastructure shows that it is not the best colour for infrastructure. We look at blues, we look at greens, we look at things that are more passive, and you see in other places sometimes where there is a conflict and where a bicycle lane that is blue leads into an area that is shared with a car, for example, sometimes they choose to paint that box in red or they choose to add some other sort of combination, so people are aware something has changed, something is different – be careful.

The transport strategy was very clear from the start that we were choosing blue for our lanes and that is the colour that we felt was best, but it does not really matter, as I have seen in cities where they have in certain places green and in other places red, and in places like Sevilla, which has decided to change path and gone from I think it is blue to green, and slowly they alter those colours. So there is no such issue in that respect.

Mr Speaker: Next question.

Q347-48/2023

Parking spaces –

Number lost in last two years; rationale for removing spaces at Bayside Road

Clerk: Question 347/2023. The Hon. E J Phillips.

Hon. E J Phillips: Can the Government state the number of parking spaces that have been lost over the last 24 months resulting from the Government's policy to reduce car use?

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

Minister for Transport (Hon. P J Balban): Mr Speaker, I will answer this question together with Question 348.

Clerk: Question 348/2023. The Hon. E J Phillips.

Hon. E J Phillips: Can the Government confirm the rationale for removing parking spaces at Bayside Road?

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

Hon. P J Balban: Mr Speaker, since May 2021, 24 months ago, there have been a number of pedestrian enhancements rolled out by the Ministry for Transport, as well as provision for sustainable modes of transport parking areas where one car parking space was removed at Line Wall Road to allow the space to be used by 10 bicycles and e-scooters in the heart of town for parking. This potentially means 10 fewer polluting vehicles on our roads.

The removal of 13 spaces at South Barrack Ramp has provided a safe passage for pedestrians, especially school children to and from the main school in the area, thus improving pedestrian accessibility to and from the school, bus stops and residential properties.

Eleven Residential Parking Scheme Zone 3 spaces at Prince Edward's Road were removed and relocated within the ex-Queen's Cinema car park to allow for a new demarcated footpath from Hargraves sports pitch to Forty Steps. The western section of this road has been segregated to allow for the safe passage of pedestrians, an area where it is deemed necessary to connect other existing footpaths in the Upper Town, as well as providing safe access to clubs and out-of-school activities.

Five Residential Parking Scheme Zone 3 spaces at Europa Road, close to the Garrison Gym, were removed and relocated on Windmill Hill Road to allow for the introduction of a segregated footpath in an area lacking pedestrian infrastructure due to the existing constraints on road widths in this location.

Bayside Road will see the loss of 18 free parking spaces, 15 pay and display spaces, two loading and unloading bays and five motorcycle parking spaces. This is as per the plans contained within the Gibraltar Active Travel Strategy released to the public in January 2023 for the introduction of the proposed cycle lanes. You must note, Mr Speaker, that more parking loss is envisaged in this area due to the upcoming developments in the area if approved by the DPC. However, this area is well serviced with ample parking within covered public car parking facilities such as World Trade Centre, Devil's Tower multi-storey car park and Ocean Spa Plaza, therefore the impact is minimum. The proposed developments are also catering for public car parking facilities.

Lastly, Glacis Road will see a loss of seven pay and display parking spaces and seven free parking spaces. However, four loading and unloading bays are to be re-provided to cater for the residents and businesses in this location, which also includes the re-provision of the motorcycle bay by Portland House.

In answer to Question 348, the removal of parking spaces at Bayside Road is in conjunction with the proposed plans contained within the Gibraltar Active Travel Strategy to introduce sustainable forms of transport infrastructure in Gibraltar.

Hon. E J Phillips: I am grateful for that answer by the Hon. Minister. I think, in conclusion, it is right that there is a drive towards reducing numbers of publicly available parking spaces, because I think what he said is that there are alternatives for members of the public to park their cars, should they wish to continue to use them, in other spaces. So he is satisfied, is he not, as Minister for Transport, that what some members of the public feel is a parking loss and a detriment to them ... that there are alternative locations for the parking of their vehicles available to them? Is that what he is saying?

Hon. P J Balban: Mr Speaker, there are certain locations where there is ample parking of different types. So where maybe we have lost free parking spaces, which are free for all, including people who are not resident in Gibraltar, there are areas now which can be paid for, so anyone can use the paid parking. For example, if we talk about Bayside Road, we have Ocean Spa Plaza, we have World Trade Centre and we have, within close proximity, Devil's Tower Road car park as well. So there is ample parking for people who want to use the facilities, and even when the GFA has the stadium down there, they will also be able to park.

Inevitably and invariably there will be some loss of parking spaces. You cannot make an omelette without breaking eggs. Do we want a sustainable future for Gibraltar? Do we want to encourage people to walk using more comfortable and safer pavements, to try cycling as an

alternative? Do we? Or do we want to proliferate car ownership by producing more parking spaces? When we can, we have tried to balance things out, and we have got rid of some parking spaces we have tried our best, if it is possible, to give parking spaces somewhere nearby, but it has not always been possible and it will not always be possible. This is why, when I brought it to the Members opposite – which I am very grateful for – and gave them the opportunity to see the transfer plan, I said very clearly this is not something that we have to be at odds on. This is something we have to do together, because if I am going to say I am going to get rid of, eventually, so many parking spaces in Gibraltar and the other side is going to say, ‘Paul, you shouldn’t be taking ...’ Where are we going to build the bicycle lanes? On stilts above? So I think in that respect, we must share that common ground.

The residential parking scheme is not yet completed, there are still a few more zones to do, but the whole idea of that plan was that once it is completed, everyone who lives in Gibraltar will be able to park within the zones, and that should liberate a lot of parking spaces which are lost, which are free parking spaces for people who do not live in Gibraltar. So that would be the final ...

We have done studies, we have looked, and Gibraltar has a lot of car parking spaces. As we build and people buy and move into their new affordable homes, they go into these homes with covered parking spaces. It is just a shame that people choose to buy another car to put in that space, as opposed to saying, ‘I will just have one car.’ But this is our challenge, I think – our challenge in common.

Hon. E J Phillips: I accept that it is a challenge in common and I am grateful that he shared the Active Travel Strategy with Members on this side of the House. He talks about unity between the Government and the Opposition on this particular question and I share a lot in common with what he says. But of course, one of the things that we may not have in common is the way in which he does it, and that is the reason why we have these arguments, sometimes, and questions put before the House.

I just wanted to find out from him what level of buy-in he is getting from the community. It is all well and good he and I agreeing on something – more cycle use, for example – but ultimately, when you lose 62 car parking spaces, which is what my hon. Friend here to my right added them to ... What kind of communication or participation does he have in talking to people about the reasons for the loss and persuading them and giving them the confidence to use other forms of transportation? That is principally the most important thing here.

The success of his project will depend on people buying into his vision. Not only that, but also how do we provide for those people who are unable to participate in his vision – the elderly, for instance? That is a big one coming from members of the community to me, who say, ‘I cannot be expected in my late 70s to be getting on a bicycle, cycling down to Morrisons and taking my shopping back home, for example, or going somewhere else where I can park in town and have easy access.’ We have to think about everyone in our community when we are trying to get to that vision and achieve that vision that he is trying to achieve. I just want to know what level of consultation he is personally doing with service users and those people who may have lost that type of facility in terms of those 62 parking spaces, because I think that is the most important thing here.

Hon. P J Balban: Mr Speaker, does the hon. Member genuinely and honestly think that I expect everyone, of all ages, to be cycling to Morrisons, regardless of their medical condition or their ability in terms of mobility? That is quite a statement to make.

Remember, cycling is not for everyone, but neither is driving for everyone because some people get to a certain age and cannot drive anymore because of eyesight or whatever. So what happens is that for those who want to cycle – and there are many people who do, because I am stopped ... You get all of this firing on social media of certain groups of people who keep on hitting the same minority group, and I am told continuously by people who follow and aspire that they want to see me achieving my goals. This is not the reality.

Just having more people walking and cycling means fewer cars on the road, which means that the few people who need to use their cars will hopefully be able to use them a lot more comfortably. Our problem is not car use. If we all had one car per household and we used it ... For how long does a car remain parked? We have all got cars here when we spend endless hours in Parliament. Those cars are parked up somewhere. We are not using them. What is really the use of our cars in our lives? Very, very little, so why do we need four or five of these cars? We do not.

The whole point of this is that those who want to cycle ... and there are many people who stop me and say, 'I would cycle but I genuinely feel worried, I do not feel safe. Please, if you can create these cycle lanes, I will go out on a bicycle and I will take my children. At least I will try it out. Then, if I feel unsafe on a bicycle, I will not.' There are a lot of people, and you will be surprised, people of all ages and all walks of life. So what we want to do is just encourage.

I keep telling people we have a port, we have an airport, we have a free bus service, we have taxis, we have roads, we have everything, we have pavements – what don't we have in Gibraltar? Gibraltar always wants to have a bit of everything. We do not have cycle lanes. Our cyclists are on the road with the cars. Why can't we enjoy ...? It is just like telling people, 'Walk on the road – get off the pavement and give it to the car.' Let cars park on the pavement – that will sort out our parking problems – and let the pedestrian just walk on the road.

This is what we are trying to do. We are trying to make people choose this mode of transport.

The hon. Member says, 'No, we would do it differently.' Well, I am very interested. This is why I shared it with him. If new ideas across the floor of the House are 'We will build bridges, overpasses and underpasses', maybe if we had millions and millions of pounds to spend on it ... Other cities have done that in certain areas, but Gibraltar is very small – either we build the bicycle lane 20 cm further that way, or we just do not do it.

I can assure you that the research I have done on this is vast, and every time I go away to a conference I come back with other ways of doing the same thing. I genuinely believe in this, not just because I cycle, because if I did not cycle I would still ... It is because I think this is where cities are going.

Hon. E J Phillips: Given the loss of the 62 parking spaces, I wonder whether he has this information to hand: what loss of parking spaces does he expect in the next 12 months?

Hon. P J Balban: Mr Speaker, I would not be able to tell you exactly because, remember, there will be an election before the 12 months and we do not know, obviously, what will happen. I can only talk of the next few months. I do not know when the election is going to be, whether it is going to be two, three, four months, or what.

There will still be a few more parking spaces to lose, but not an awful lot more. Now I am looking at something they call bicycle streets, which gives us options to be able to lose not as many parking spaces on roads, if that is what we want. Again, remember this is a policy thing. What do we want? Do we want to proliferate the car and create bicycle streets, or do we want to create segregated bicycle lanes? There are options for us to do other things. As we roll things out, I am happy for the hon. Gentleman to ask me the same question and I will give him a rundown on how many parking spaces, but I do not see it as something negative, losing parking. There is no other way of doing this.

Mr Speaker: Next question.

Q349/2023

**Willis's Road car park –
Automatic doors**

Clerk: Question 349/2023. The Hon. E J Phillips.

660 **Hon. E J Phillips:** Mr Speaker, can the Government state how long the automatic doors at Moorish Castle car park have been broken and left open?

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

665 **Minister for Transport (Hon. P J Balban):** Mr Speaker, although the hon. Member has referred to the car park as Moorish Castle car park, the said is officially known and referred to as Willis's Road car park.

670 Upon enquiring with Gibraltar Parking Management Services Ltd as Government's appointed agents for the management and maintenance of government-owned car parks, we are advised that the doors may have now reached their end of life. I am advised that this is being actively looked into and we envisage that they will be replaced in coming months.

675 **Hon. E J Phillips:** Mr Speaker, I think I asked how long they had been broken and left open. I think that was the question I asked. I appreciate that it is end of life for these doors, but I did ask how long they have been in that state, effectively.

Hon. P J Balban: Mr Speaker, I was unable to get that information for reasons which I am happy to speak to the gentleman about behind the Speaker's Chair. (*Interjection by Hon. E J Phillips*) Because the person responsible for giving us these statistics is no longer with us, so we have had difficulty in getting the information required.

Q350/2023

**Europa Advance Road –
Completion of works**

680 **Clerk:** Question 350/2023. The Hon. E J Phillips.

Hon. E J Phillips: Mr Speaker, when does the Government envisage that the repairs at Europa Advance Road will be complete?

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

690 **Minister for Transport (Hon. P J Balban):** Mr Speaker, the works at Europa Advance Road will be completed once the pipe within Powers Drive has been replaced. AquaGib are currently working on this replacement and it is expected that this will take a further two months to complete.

Mr Speaker: Next question.

DIGITAL, FINANCIAL SERVICES, HEALTH AUTHORITY AND PUBLIC UTILITIES

Q352/2023

School intranet problems –
Update

Clerk: Question 352/2023. The Hon. E J Reyes.

695 **Hon. E J Reyes:** Can Government provide an update on any further works done, since the answer provided to Question 149/2023, to resolve several schools' intranet problems?

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

Minister for Digital, Financial Services, Health Authority and Public Utilities (Hon. A J Isola): Mr Speaker, to address the connectivity issues within the schools caused by the dissemination of passwords, an additional system has been implemented. This system effectively prevents unauthorised devices from connecting to and disrupting Wi-Fi and other network services. The system was rolled out in February, and so far a total of 3,840 device, including iPads, laptops and authorised personal devices belonging to teachers and staff, have been successfully onboarded. However, there are still some schools that require their devices to be enrolled on the system. These schools include St Joseph's, St Anne's, the College, St Bernard's and the Hebrew School. To ensure a smooth transition, we are actively collaborating with the Department of Education to address any initial challenges that may arise during this implementation phase. ITLD'S goal is to mitigate any teething issues and provide uninterrupted connectivity for all schools.

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Hon. E J Reyes: I am glad to hear that in a good number of our schools we seem to have overcome the problems.

The Minister has kindly listed the schools that still have not ... Does he have, hopefully, an estimated date by when they should be problem free? I know we are at the tail end of the current academic year, and having come from the teaching profession myself, I ... Everyone is keeping their fingers crossed that come the start of the 2023-24 academic year, everything will be in perfect order. I do not know what feedback, timing wise, the Minister has.

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Hon. A J Isola: Mr Speaker, I am informed that it will take approximately one week for each of the schools, so it is certainly our ambition that by the end of this academic year everything will have been completed, to start in September with everything in full working order.

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Mr Speaker: Next question.

Q353/2023

Water quality –
Independent analysis

Clerk: Question 353/2023. The Hon. E J Reyes.

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Hon. E J Phillips: For the record, it is my question. I am happy to ask it, and I am sure the record will be corrected.

Can the Government confirm whether or not it conducts independent analysis of our water quality?

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

Minister for Digital, Financial Services, Health Authority and Public Utilities (Hon. A J Isola): That is a much better-looking Mr Reyes, Mr Speaker. *(Interjection by Hon. E J Reyes)*

725 The current process for the analysis of water quality is that AquaGib, under contract with HMGoG, performs analysis to ensure that water quality is within parameters set by the Environment Agency Gibraltar (EAG). These parameters are set in accordance with the Gibraltar Public Health Act, which transposes EU Directive 98/83/EC on water quality parameters, and EAG consultation with the Drinking Water Inspectorate in the United Kingdom. As part of the agreement with the EAG, AquaGib performs audit checking of its sample process, which is sent to
730 Northumbrian Water in the UK, which then reports back on the validity of AquaGib's samples and results.

Mr Speaker: Next question.

Q354/2023

Escalator outside Hospital – Night-time operation

Clerk: Question 354/2023. The Hon. E J Phillips.

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Hon. E J Phillip: Mr Speaker, can the Government state why the escalator outside the Hospital is constantly running at night without sensors to provide for a power down/up option?

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

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Minister for Digital, Financial Services, Health Authority and Public Utilities (Hon. A J Isola): Mr Speaker, the escalator outside the Hospital previously had sensors operating but these were removed after two accidents which have occurred. After liaising with Otis, the maintenance service provider, an immediate decision was made to remove the rapid start/stop system due to these incidents. Discussions with Otis are still ongoing as to the best options moving forward.
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Hon. E J Phillips: Mr Speaker, I am grateful for the answer. One would have thought actually, insofar as conserving energy and going into a hospital ... I understand that there have been accidents, as he has described, but the rationale for the change now to removing them permanently and having that on ...
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I just wonder how many accidents did take place. Did he say two in his answer? I assume that those accidents were investigated to see whether they may have been contributed to by the individuals themselves. Is it the mechanism? I do not want to go into too much detail. Is it the escalator itself?

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One would have thought this is normal. They are all over the world. He knows, as I do, when you travel, in airports and throughout all parts of business life there are escalators in buildings that have this feature in order to power down and have a power-saving option. I wonder what his view is on that, because clearly that is what we should be doing, conserving that energy, right?

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Hon. A J Isola: Mr Speaker, I empathise with what the hon. Member is saying and you would have thought that we would not have these accidents, but having had two accidents, one of which was more serious than the other, the decision was taken to just remove the possibility of it happening again to some of our senior citizens as they are approach the Hospital.

765 The inevitable consequence will be that we are looking to switch these off at say eight in the evening and put them back on at seven in the morning, which will conserve the energy that we should not be throwing away by having them continuously running. That is a far simpler and easier option than somebody manually switching them off in the evening and put them back on in the morning if we cannot have the stop/start, because we are not going to have them running all night with no use. That seems to be the direction of travel we are discussing now with Otis, the managers.

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Mr Speaker: Next question.

Q355/2023
Obesity –
Rate in Gibraltar

Clerk: Question 355/2023. The Hon. E J Phillips.

775 **Hon. E J Phillip:** Mr Speaker, can the Government state the rate of obesity in the community?

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

780 **Minister for Digital, Financial Services, Health Authority and Public Utilities (Hon. A J Isola):** Mr Speaker, according to the 2021 health and lifestyle survey carried out by Public Health, 28.9% of the population are obese.

785 **Hon. E J Phillips:** Mr Speaker, that is, no doubt, a concerning statistic for the Minister for Health. I do understand that these reports often identify trends, particularly in public health, where over the many years that we have seen these reports, whether they have been published or not ... I have not seen this particular report on the website yet; I do not know what the reason is for that. I am grateful for the answer because otherwise he would have said, 'Do it yourself and read it, please, Mr Phillips.' I wonder, what is Public Health doing about promoting public health more strongly?

790 I went to the GHA board meeting, along with my colleague Mr Clinton, to hear from Prof. Geoghegan what has been happening in the GHA more recently. I think he characterised it as the good, the bad and the ugly – not good, not so ugly, but something in the middle. I was just wondering what Public Health are doing to encourage more healthy activity and healthy lifestyles, given that very concerning figure.

795 **Hon. A J Isola:** Mr Speaker, the Public Health Department is doing a number of things to reduce the rates of obesity, but the first thing I must say is that this is obviously the survey in 2021 – COVID – so it was self-reported and it was on the telephone, as opposed to what it would have been previously. There were 606 members of the community who self-reported their own weight.

800 So the first point is data – do we have good enough data? – and that is one of the areas where Public Health is working to better determine what the actual rate of obesity is and how serious the problem is, or is not. So that is the first aspect. The second aspect is they have undertaken a scoping exercise, reviewing the drivers of obesity within the cultural context of Gibraltar to see if that will help them to develop a strategy moving forward in terms of what lessons they can learn

805 from that scoping exercise.

They are also doing some considerable stakeholder engagement. They are meeting with the different parts – mental health leads, dietitian leads – within the GHA in order to have a multidisciplinary approach as to what they can do in terms of coming up with a more sustainable

strategy, including, of course, the surgeons, and what pathways and audits they have with the NICE standards. The Department of Education is also engaged with our schools in terms of education and what information we can give to our students of all ages in terms of the risk and the dangers of obesity within our community.

They are also engaged with a range of research projects exploring some of the drivers – food health servings, sugar content and all these other things that are important in terms of seeking to tackle obesity.

My own view is that the first point I made, in terms of data, is perhaps the most important to get an accurate and real picture of how serious or not the problem is, and then hopefully be able to pinpoint the areas where that is and attack those particular areas, rather than a generic scattergun approach across the whole of the community. I am hopeful that that will begin to develop a better way forward.

Hon. E J Phillips: One brief question, because I think it feeds in exactly. I entirely agree with what he says about this being driven by data analysis. My understanding is that during COVID there was a very strong argument in favour of collection of data because we were jabbing everyone in the arm, so we could then assess weight by comparison to height. I thought at the time that that was the Government's intention, that there was going to be a significant data-gathering exercise to get those data points, as he has articulated. Did that not happen? I understand now that this was a survey done by telephone, given COVID, but I took it from the previous Minister for Health and engagement with the then Public Health Director that this was going to be a concerted effort to get a snapshot of the health of the population by taking those very basic measurements so that we could inform the next report and indeed have a better analysis of the state of the nation's health.

Hon. A J Isola: Mr Speaker, I will check that. I know when I went to have my COVID jabs, nobody asked me my height or my weight – otherwise, they would have discovered that I was obese – so I do not know to what extent that may or may not have happened; perhaps with younger members of our community. But there is a general across-the-GHA drive to get better data across a whole load of areas, and I know that Public Health is particularly keen in this area too, for obvious reasons, as we have discussed. I will check on that point and come back to him.

Mr Speaker: Next question.

Q356-57/2023

Hip and knee replacement surgery – St Bernard's Hospital waiting times

Clerk: Question 356/2023. The Hon. E J Phillips.

Hon. E J Phillip: Mr Speaker, can the Government state the waiting times for partial or full hip replacement surgery at St Bernard's Hospital?

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

Minister for Digital, Financial Services, Health Authority and Public Utilities (Hon. A J Isola): Mr Speaker, I will answer this question together with Question 357.

Clerk: Question 357/2023. The Hon. E J Phillips.

855 **Hon. E J Phillip:** Mr Speaker, can the Government state the waiting times for knee replacements at St Bernard's Hospital?

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

860 **Hon. A J Isola:** Mr Speaker, the current waiting time for partial or full hip replacement surgery is 10 months. The current waiting time for knee replacement surgery is 10.5 months.

The GHA is presently working on reducing waiting lists across the board. An announcement will be made in due course. I have informed the House before that we have been working with the GHA for some time in terms of what we are going to be doing in trying to reduce some of these waiting times. Work is actively progressing on this front and I hope to be able to say something shortly in respect of that.

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Hon. E J Phillips: I am grateful for that because I think it is the primary question that is asked of me by, in the main, those more elderly members of our community, but increasingly I am seeing a number of people in their 40s and 50s approaching me, given the concern, because these are very painful conditions for people of a certain age, and now younger, I am given to understand. Obviously 10 months is a very long time to wait, particularly when there has been a very large lead-up time as well insofar as diagnosis, which is what I am understanding as well from this particular issue.

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Does he know when he will be making an announcement as to how they are going to drive down that figure? It would give a lot of people in our community who are waiting for this specific type of hip and knee surgery a lot of reassurance that they are going to be seen to. It is one that does crop up with me very regularly, I must say, Mr Speaker.

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Hon. A J Isola: Mr Speaker, a number of points arise from that question. I think I often say this when we talk about waiting times, that we have, actually, even with 10 months, which we believe is longer than it should be, a very good waiting time compared to the UK, where there are some 6 million people on waiting lists, with 8,500 just for these sorts of operations, with a waiting time average of over two years. We are at 10 months, they are over 24 months.

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Notwithstanding that, what are we doing about it? Well, everyone who has passed the assessment that the hon. Member has referred to ... There are some pending the assessment, but those who have been assessed and told they are going to be operated on, almost all of them have by now received an operation date. You will have heard from other answers in relation to operations, and also you will have heard at the GHA public meeting that there are a large number of operations cancelled by the patients themselves.

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You will also have learnt about the launch of the new TSSU, which comes into action in about a month's time – and I would be very happy to show the hon. Member around, if he would like to go and have a look at it – which will also deal with cancelled operations, which will no longer happen, and will also increase the efficiency of theatre, leaving aside the fact that we are soon going to have a fifth theatre opening at St Bernard's Hospital. So the ability of the TSSU now to turn around equipment which can be sterilised means that you will not just have one a day – you can have two and maybe even three of that particular kind of operation using that equipment on the same day.

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So there is an awful lot of work going on to reduce waiting times, which are already pretty good. Where we also have a parallel work stream going on is on the assessments, people waiting – they have been referred and are waiting for the assessment – and we have a separate proposal as to how we are going to be tackling those, which I think the hon. Member will be very pleased to hear, as and when we are able to announce it.

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So I would say to those who are waiting that it is very much work in progress. They should have received a date for their operation to happen maybe this year or early next year. We are very

905 much on the road to recovery in terms of trying to reduce those waiting lists even further than they currently are at.

Mr Speaker: The Hon. Edwin Reyes.

910 **Hon. E J Reyes:** I thank the Minister for bringing the public at large a bit more up to date on that. It is interesting that the Minister said it is more or less an average of 10 months, or 10.5 months in the case of a knee replacement. Then he qualified it by saying post-assessment. A problem experienced by some patients is that they are deemed highly likely to need knee or hip replacements by their GP, who says, 'I will pass the information on to the consultant concerned.
915 You will hear back from them.' I have a particular case in mind of someone who has waited over six months and not heard anything back. That person then made some enquiries and was able to contact, eventually, some department or other at the Hospital and was told the waiting list for the assessment is about two years in length. It is a bit contradictory with the 10 months, so the Minister might, if I can beg him, wish to look into that. I think he already hinted in his answer that
920 he is trying to tackle the problem.

The other problem is we all know what patients can be like and how nervous some people can get. Is there a system that the Minister is aware of where once the orthopaedic department or whoever receives a request from a GP to have a particular patient assessed ... at least a routine letter or note is sent to that person saying their name is down on the list, just to reassure the
925 patient that they are down on the list and an appointment will be forthcoming as soon as possible? It leaves people a bit in limbo: has the paperwork gone from the Primary Care Centre to the specialist unit in the Hospital? That is what brings a big problem, and the uncertainty creates an amount of nervousness, especially ... I think unfortunately it tends to be the more elderly members of our population who end up needing knee and hip replacements. I do not know whether the
930 Minister would, please, for the patients' sake, be able to look into that.

Hon. A J Isola: Mr Speaker, I can assure the hon. Member that the GHA is all over this. I can tell him that the assessments we have are actively being followed through. I can tell the hon. Member that as a general rule of thumb, if we have a hundred people to be assessed, the normal
935 percentage of those who will require an operation is 25%, so the numbers needing an operation are actually very low compared to the numbers pending an assessment, because there are other ways of dealing with it. I did more than hint, I said there was a parallel workstream, in my answer to his colleague, that will be dealing specifically with the assessments. In other words, we have the number that are pending an operation, that have already been assessed and referred and are
940 now going to be operated on, and we have those that are pending the assessment, and both workstreams are being worked on actively by the GHA.

If I can help my hon. Friend in terms of the numbers, waiting times are currently, as I mentioned to my hon. Friend, 10 months for hips and 10.5 knees. In 2019 it was four months, in 2020 it was six months, in 2021 it was seven months. So that increase is the COVID increase that we are trying
945 to recover from to bring the waiting times to what we all consider to be a reasonable level, which is far less than the 10 currently.

So yes, it is actively being worked on, and I am comfortable that we are working in the right way to reduce that as far as we possibly and reasonably can.

950 **Mr Speaker:** Next question.

Q358/2023

**Drug overdose and excess alcohol consumption –
Numbers presenting at A&E**

Clerk: Question 358/2023. The Hon. E J Phillips.

Hon. E J Phillip: Mr Speaker, can the Government confirm the number of people presenting at A&E/hospital as a result of drug overdose or because of excess alcohol?

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

Minister for Digital, Financial Services, Health Authority and Public Utilities (Hon. A J Isola): Mr Speaker, the number of people presenting at A&E as a result of drug overdose or excess alcohol this year up to 15th May 2023 is 46.

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Hon. E J Phillips: That is from 1st January to ...? I am grateful. Thank you. Does the Minister have a breakdown between drug overdose and excess alcohol?

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Hon. A J Isola: Yes, Mr Speaker, 11 in respect of excess alcohol and 35 in respect of drugs.

Hon. E J Phillips: And does the Minister have a further breakdown insofar as the types of drugs that were consumed in order to induce overdose?

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Hon. A J Isola: Mr Speaker, I do not have that breakdown, but I would think I am able to get it for him if he would like that.

Q359-60/2023

Abortion –

Number performed locally; education and support available

Clerk: Question 359/2023. The Hon. E J Phillips.

Hon. E J Phillip: Mr Speaker, how many abortions have been performed locally since the House passed the legislation providing for the same?

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

Minister for Digital, Financial Services, Health Authority and Public Utilities (Hon. A J Isola): Mr Speaker, I will answer this question together with Question 360.

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Clerk: Question 360/2023. The Hon. E J Phillips.

Hon. E J Phillip: Mr Speaker, since the referendum on abortion and the coming into force of new laws making provision for the same, what exactly has been done in terms of education and support for members of our community who are considering pregnancy termination?

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

990 **Hon. A J Isola:** Mr Speaker, a total of 77 abortions have been performed since the House passed the legislation.

In terms of education and support, the GHA provides a comprehensive informational guide on abortion care that is accessible to the public via the GHA website. There is also a confidential telephone line for people to call for advice and support, in addition to individual counselling and support being available when a woman is considering an abortion.

1000 **Hon. E J Phillips:** Insofar as that comprehensive guide, what level of aftercare is available for women who have undergone terminations of pregnancy at the Hospital insofar as medical and surgical aftercare? Clearly there are going to be, in some cases, very significant impacts as a result of terminations, not only to mental health and the support that the women rightly require at that point, but also in relation to very specific medical and surgical issues that arise in the context of terminations as well. Does he have a bit more information as to the level of aftercare afforded to women in those circumstances?

1005 **Hon. A J Isola:** Mr Speaker, I believe the GHA Well Person Clinic at the Primary Care Centre is available to them throughout. Obviously the GHA is available to them throughout. They have consultations post, obviously, and those are given by appointment. If they need anything else, they would come through the Primary Care Centre, like anybody else. I am guessing there, so I would have to get more information to give you the specifics of what actually happens to individuals because I do not have that here with me.

1015 **Hon. E J Phillips:** Just one question, and if he does not know the answer, that is fine, we can pick this up in correspondence with each other. Is it the case that there is an automatic process of aftercare, that the patient is recalled to the Hospital for that check-up, or is it based on the need of the individual? I say this because termination, for almost all women, is a very difficult decision in the first place, but also during the process and after. Is there a very strong nexus between the GHA and the individual patient insofar as that follow-up is concerned, or is it just on the basis that if a particular patient feels they need support – medical, surgical or indeed the mental health support that is required – it is on the patient to come forward? I am just trying to ascertain the level of involvement from the GHA.

1025 **Hon. A J Isola:** Mr Speaker, when people are discharged from hospital they are given a plan, and I would expect it to apply here as I would to any other form of clinical intervention with any of the people we care for. So my answer to that I very strongly believe would be yes, but I will confirm that to him.

Q361-62/2023

Provision of goods and services to GHA – Companies contracted; price

Clerk: Question 361/2023. The Hon. E J Phillips.

1030 **Hon. E J Phillip:** Can the Government state in full the names of the companies that contract with the Government and/or the GHA for the provision of goods and services to the GHA?

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

Minister for Digital, Financial Services, Health Authority and Public Utilities (Hon. A J Isola): Mr Speaker, I will answer this question together with Question 362.

1035 **Clerk:** Question 361/2023. The Hon. E J Phillips.

Hon. E J Phillip: Can the Government state of those companies that contract with the Government and/or the GHA for the provision of goods and services the contract price?

1040 **Clerk:** Answer, the Hon. the Minister for Health, Digital and Financial Services.

Hon. A J Isola: Mr Speaker, there are many contracts which are entered into by the GHA for goods and services including provisions, foods, clinical equipment, staff, and industrial equipment. In the time available it has not been possible to detail the firms, but if the hon. Member is more specific in the area he is interested in, this will facilitate further information being provided.

We do not make prices for contracts public, as this is commercially sensitive information.

Hon. E J Phillips: Mr Speaker, just in relation to those contracts that are awarded by tender, are those figures made public? They are not in the case of the GHA?

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Hon. A J Isola: Names only.

Hon. E J Phillips: Names only. I am grateful.

Given what he said in answer to Question 361, I appreciate that the Minister might need further time to gather that data. Clearly the question has been framed in a fairly expansive way, I understand that, but the answer is not we cannot provide it or it is an excessive question that we cannot deal with; I think it is the time. I am happy – if the Minister can give me an indication as to the time that he or his Department will require to give me that information – to wait, rather than ask the question again. Is he prepared to accept that accommodation in order to provide that information?

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Hon. A J Isola: Mr Speaker, I would have to ascertain from the GHA the amount of time it would take. The hon. Member will understand that we buy things every day of the week, so whenever I give the information it is inaccurate as from the following day. Whether it is equipment or supplies, some of them may be on a rolling contract, some of them may be individual contracts.

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As the hon. Member will know, we buy potatoes, carrots and onions. Those are normally in one contract, but there will be many other different contracts which relate to the production of food by the Hospital. The same with industrial equipment, the same with services – many of our locums are on contract. So in terms of trying to go through that mass, it would take a team a very long period of time to go through the many hundreds of contracts and, where there is not a written contract, to put in place an understanding of what that contractual relationship is, because there will be services or goods, money being paid.

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If he can tell me what he is after, that would make it very much more doable within a reasonable timeframe. Otherwise, I would ask the GHA whenever they can to get that information for me, but I would not guess what time it would take to come back with anything that is tangible and readable for him. I hope you understand the nature ... There are 1,300 staff in the Hospital. To give you an idea, we have 400 people who come in every day to the Primary Care Centre, 100 to A&E, 440 a month into the minor injuries, plus the rest of the Hospital. We are consuming every day of the week in large volumes, not all under rolling contracts, and so that is a huge number of contracts. So if he can help by indicating what he is particularly looking at, I am very happy to make arrangements do that in a far shorter timeframe than I would if he says everything, because that is almost undoable.

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Hon. E J Phillips: I have listened very carefully to the answer to the question. I think all I was asking for are the names of the companies that contract with the GHA. I appreciate that I have not stipulated written contracts. I am quite surprised that there are contracts that do not have a

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written basis. (*Interjection by Hon. A J Isola*) It is quite surprising, but obviously I know that before he was Minister for Health there was a real issue about controlling expenditure within the GHA, for obvious reasons, and I know it was the Hon. Neil Costa, when he was in this House ... His mission at the time was to deliver efficiencies within the GHA.

I would have thought this type of information would be readily available, but I know he does not have the answer, given the stated reason for that, and I will try my best to break it down into categories that might be easily digestible for his Department, so that we can get this information in the House. But I am grateful for the answer.

Hon. A J Isola: Of course there is and has been a drive to document and contract everything that we buy or use. I can give the hon. Member one example. We ordered, about a week ago, some equipment for the ophthalmology unit to be able to do cataract operations, because the current one is end of life and we have to make sure we have the replacement ready by the time that end of life is reached. That contract was signed after the equipment was ordered because we wanted to guarantee that it was going to arrive by a particular date. When you are dealing with life and death, you do not have the luxury of being a lawyer and saying, 'I am not doing it until the document is signed.'

So I think we have to have an element of understanding, which is why I said that every day of the week it will be out of date the day after, because things happen the day before. It is very much a live environment, and that is the point I am trying to make, that it is continuously moving. So if he can guide me in a particular direction, that would be a lot easier.

Mr Speaker: Next question.

Q363-364/2023
Barclaycard and Revolut –
Withdrawal of services from Gibraltar

Clerk: Question 363/2023. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government advise the outcome of its discussions with Barclaycard given its recent decision to withdraw its services from Gibraltar residents but not to those of the Isle of Man or the Channel Islands?

Before I sit down, I would just like to mention I declared an interest when I submitted the question as being one of those clients affected.

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

Minister for Digital, Financial Services, Health Authority and Public Utilities (Hon. A J Isola): Mr Speaker, I will answer this question together with Question 364.

Clerk: Question 364/2023. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government advise whether it has been in touch with Revolut over its decision to suspend opening new accounts for Gibraltar residents?

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

1130 **Hon. A J Isola:** Mr Speaker, the Government has been in touch with the relevant counterparts in the United Kingdom government reference both Barclaycard and Revolut and is awaiting definitive feedback.

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

1135 I have a copy of the letter that Barclays has sent out to customers in Gibraltar. What they say is you need to provide a UK address, and they define a UK address as England, Scotland, Wales and Northern Ireland. Apparently residents of the Channel Islands and the Isle of Man got a similar letter, and then that was rescinded. But the letter that has been sent to account holders in Gibraltar says:

If you do not update your UK address, your card will unfortunately stop working on or after 30th May 2023 and we will close your account on or shortly after 21st June 2023.

1140 So there is a very tight timeframe in which, if there is any scope, to suspend this decision. Otherwise there will be a lot of people – although I cannot say, hand on heart, how many in Gibraltar, but I imagine a sizeable number – who will effectively be deprived of the facility of the card, which many people have had for years – certainly I have had mine for more than 30 years – with not much in the way of an alternative. There is that time pressure and I just wonder if the UK
1145 government is fully cognisant of the fact that there really is very little time left to either have a reversal of the decision from Barclaycard or complete confirmation from Barclaycard that they are not going to change their minds.

Hon. A J Isola: Mr Speaker, the point that we have we have raised quite firmly is precisely the
1150 point the hon. Member makes, that it is the discriminatory aspect of it. If they had removed the Crown Dependencies, then we would all be in the same boat together, however difficult that was to stomach. The challenge comes in that they are treating the Crown Dependencies differently to Gibraltar, and that is precisely the point we have made to Treasury, who are taking it up with a number of different people through the Barclaycard chain. You know what big organisations are
1155 like, they are big beasts and they do not move very quickly, and when they do, they do move very quickly, as they have done in this instance with the card. So to turn that around is difficult.

If I am going to be honest, I very much hope they do, but with the length of time it is taking, it seems to be less and less likely that there is going to be a change in that direction. But we are certainly pressing Treasury. They are fully aware of the consequences of this, in terms of the
1160 number of people who have been using them for 30 or 40 years and who will no longer have access to something they have become very accustomed to. In terms of financial services, there is an obligation to look after your client, and that is something we have also asked them to consider.

I have had a number of reports back from them in terms of the different people we have
1165 spoken to, because they started at the sanctions to check that it was not ... They did not know anything about it, so we knew that it was not linked to that, and they have followed through the different departments of Barclays to find the appropriate decision makers.

All I can tell the hon. Member is that as soon as I hear back from them I will be in touch with him to update him on the position, but there is absolutely nothing more I can do. We discussed
1170 this on a television programme recently. These commercial decisions of firms are one of the major reasons why we took the decision to set up the Gibraltar National Bank, so that we were safe from these sorts of decisions. But there are obviously still other things that we need to do to ring fence ourselves from some of the services like these, for which, as I also mentioned, we are looking at options as well.

1175 **Hon. R M Clinton:** Mr Speaker, I am grateful to the Minister and I sincerely hope that the UK Treasury have some success in impressing upon Barclays their responsibility to treat us fairly, as their customers, as they are doing with the Isle of Man and the Channel Islands.

1180 Just one question – and the Minister may or may not be able to answer – specifically on the Barclaycard, and then I just want to ask one supplementary on Revolut. The Minister is a lawyer, obviously. Given the conditionality of this letter, does he have a view as to whether this is actually a formal termination notice under their terms and conditions of two months' notice, given the conditionality of the nature of the letter, i.e. give an address or else? Is that something the Government has looked at, as to whether this is the correct form of termination letter to clients?

1185 **Hon. A J Isola:** Mr Speaker, the Government has not looked at that point and I do not think the Government would have any locus to do it. I have considered myself whether they are complying with or breaching their own terms and conditions. I would have thought they would have been carefully looked at by their lawyers before they issued the letter, to ensure that they were in compliance with the terms and conditions. I will ask that question, but I as I say, I do not have a view.

Mr Speaker: The Hon. Roy Clinton, do you want to continue with the Revolut thing?

1195 **Hon. D A Feetham:** If I can be allowed?

Mr Speaker: Yes, of course.

1200 **Hon. D A Feetham:** My own personal experience: I have had a Barclaycard since I was at university. In fact, my account has been suspended, even before the deadline they provided. I provided an alternative address because I do have a place in England as well, and yet they suspended the account, which was very odd. I am just making the point that the Hon. Minister perhaps could consider this as well. It is very odd, because the emails that were sent to everybody in Gibraltar were not predicated on the basis that you had to be tax resident in the UK; it was just an alternative address, a UK address. Habitually banks will provide services to people who may have an address within the jurisdiction but are actually tax resident or habitually resident elsewhere. That is the reality. I have made my own enquiries with Barclays and have not had a satisfactory answer, but that is the reason, I think, why my friend has been asking the question, because he knows that from my own experience they never respected the deadline.

1210 **Hon. A J Isola:** Yes, I was not aware of people, having given UK addresses, being suspended in any event. I was not aware of that. I am aware of a number of people who have sought to engage with Barclaycard, and it is nigh on impossible. I have been sent some reports that were sent through a chat line on the Barclaycard website which are quite unhelpful. So I will again raise that point in terms of the suspension as well. There is no mention of tax or residency, it is simply a UK address, so I am surprised that the hon. Member has had that issue.

1220 **Mr Speaker:** Mr Speaker, I will just move on to the question about Revolut – I never did have a card, so I have nothing to declare in that respect. Is the Minister aware of any particular angle in respect of Revolut? I have read in the financial press that Revolut is going through growing pains and I can speculate as to why they may cease taking on new customers in certain jurisdictions. I just wondered if the Minister has any insight as to why Gibraltar.

1225 **Hon. A J Isola:** Mr Speaker, no. The Revolut statement was very curious in the fact that it said they will review it in a couple of weeks, which I thought was very odd in terms of the statement they made, for the next few weeks. Simultaneously with that, there are rumblings in the UK as to whether they will be licensed or not by the regulator in the UK, and it seems they will not be. I do

not know why they issued the statement in the way they did, or whether they anticipate any change in allowing people back in. The Revolut one obviously stops new clients but respects the existing cardholders, which is different to the Barclaycard one, where in the Crown Dependencies they are able to stay but they are not taking any new clients; with us, they are not even allowing you to stay. I think these are the differences that are what we believe to be most unfair, and that is what we are working on with the UK government.

Q365/2023

**Mount Alvernia, Dr Giraldi and St Martin's –
Number of staff through recruitment agencies**

Clerk: Question 365/2023. The Hon. D A Feetham.

Hon. D A Feetham: Mr Speaker, as at the date the question is posed, how many people who work in Mount Alvernia, Dr Giraldi and St Martin's are employed by recruitment agencies, providing details of the agencies in question?

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

Minister for Digital, Financial Services, Health Authority and Public Utilities (Hon. A J Isola): Mr Speaker, there are a total of six staff members working at Mount Alvernia employed by recruitment agencies, two staff members employed via Meddoc, one staff member via Med Cleaning Services and three staff members via ABC Cleaning.

There are a total of 56 staff members working at the Dr Giraldi Home employed by recruitment agencies, 13 staff members employed via Meddoc, 39 staff members via ADA and four staff members via WE CARE.

There are a total of 19 staff members working at St Martin's employed by recruitment agencies, five linked through supported employment and 14 agency workers contracted via Gibraltar Joinery and Building Services.

Q366/2023

**St Bernadette's –
Plans to purchase new bus**

Clerk: Question 366/2023. The Hon. D J Bossino.

Hon. D J Bossino: Does the Government have plans to purchase a new bus for use at the St Bernadette's centre?

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

Minister for Digital, Financial Services, Health Authority and Public Utilities (Hon. A J Isola): Mr Speaker, yes, sir. I am informed that the Care Agency is looking into purchasing options with local suppliers to replace the current bus at St Bernadette's. The current bus is 16 years old and is beyond economical repair. The cost of repairs is approximately £12,000 and it is therefore not financially feasible to repair this one.

I am informed by the Care Agency that the hon. Member can be reassured that the service of transporting service users to the centre and back home has not been disrupted, as alternative arrangements are in place in the interim.

Hon. D J Bossino: Mr Speaker, I can vouch for that as somebody who has, as he can imagine, for obvious reasons, direct contact with that particular service. The reason why I raise it is because it is obvious for me and from complaints I receive from ... well, not users but certainly the helpers and bus drivers, that the buses – there are more than one – currently in use are in a very dilapidated and rickety state, to be as diplomatic as possible.

Is he able to provide further information as to when he thinks the new bus will be purchased and functioning? And secondly, if I may, Mr Speaker, is he able to provide information to this House as to the likely cost of that?

Hon. A J Isola: Mr Speaker, we are currently going through a tendering process with the suppliers of vehicles, so I do not have a price for him, and that has not been evaluated yet, so I cannot give him a delivery time either, I am afraid. At this moment in time they have invited the prices and they are waiting the prices, and then the order will be placed once the most competitive and suitable vehicle is identified. Will it be leased or will it be purchased outright? These are the sorts of things that are currently under consideration.

Hon. D J Bossino: I will not hold him to it – I know this is information which will be of interest to certain individuals and certainly to me – but is he aware, maybe even from experience, or is he able to give us some form of rough timeline? I know he has set out the process, but maybe he has an idea of what he would expect, the period of time we are likely to be looking at.

Hon. A J Isola: No, I do not have that, but what I can tell the hon. Member is that it is urgent for us and consequently in the pricing models, delivery times will be a relevant factor in terms of looking at which order is made.

Hon. D J Bossino: Finally, Mr Speaker, he talked about one bus. I understand that there may be a requirement for two. This I say only anecdotally, so I do not say it with any authority. Is he aware that the need of this particular centre is just for one new bus? Is that the position? I understood that they may require two.

Hon. A J Isola: Mr Speaker, I am not sure what the requirement is, but what I can tell him is that in my meetings with Care Agency we have discussed a number of vehicles and I am not able to recall if one of those vehicles is also for Saint Bernadette's or not. I do not want to put my foot in it, because it may be and it may not be, so I will ask the question as to whether one of the other vehicles we have been discussing with the Care Agency relates to Saint Bernadette's, or not. We have talked about other vehicles and I do not know if they are for Saint Bernadette's or not, so I do not want to give wrong information. I will get the answer to that and come back to him.

Mr Speaker: Next question.

Q367/2023
Crutches and fracture boots –
GHA returns policy

Clerk: Question 367/2023. The Hon. the Leader of the Opposition.

Hon. K Azopardi: Mr Speaker, what is the crutches and fracture boots returns policy at GHA?

1310 **Clerk:** Answer, the Hon. the Minister for Health, Digital and Financial Services.

Minister for Digital, Financial Services, Health Authority and Public Utilities (Hon. A J Isola): Mr Speaker, the GHA issues crutches and fracture boots through various departments on the basis of clinical need.

1315 The fracture boots are single-patient use, due to infection-control measures. For this reason, the public are advised to dispose of them when they are no longer needed and not return them to the Hospital.

1320 With respect to crutches, the GHA does encourage patients to return them to the physiotherapy department. The GHA is in the process of identifying a drop-off zone within the department. Crutches are then returned and checked that they are fit for purpose. They are then cleaned and reissued, where appropriate.

Hon. K Azopardi: Mr Speaker, I welcome that clarification by the Minister. The purpose of the question was because I was getting information that both in the case of fracture boots and indeed
1325 crutches, people were being told not to return them. So clearly that policy is not the case in relation to crutches, and perhaps that message should be more consistently deployed by those who are communicating with patients, because I am aware of some patients being told that crutches do not need to be returned.

1330 In relation to fracture boots, I understand the distinction he makes in terms that they have taken the view as a matter of policy, presumably based on advice, that as an infection control measure they are single use, but what is that based on? If it is acceptable to return crutches, why isn't it acceptable to return fracture boots? I am not understanding it, because presumably measures can be taken to cleanse anything nowadays in the sophisticated environment that we live in.

1335 **Hon. A J Isola:** Mr Speaker, I do not know the answer to that question as to why fracture boots for infection purposes cannot be returned but crutches can. I would have thought you could put them into one of our brand new sterilisers and that should do the trick, but that is the advice that obviously the GHA have had and that is reflected in the policy. I will enquire as to why it is fine for
1340 crutches to be returned, but not for ... I am guessing there is some good reason for that to happen, but I do not know what that good reason is, I am afraid.

Hon. K Azopardi: I would welcome that, Mr Speaker, not only because it seems to me massively environmentally unfriendly, because the fracture boots are plastic, normally to just chuck them if
1345 you if you cannot deal with it, but also because from my own initial inquiries – of course I am no expert in the field and that is why I field the question – it seemed to me that the NHS policy on fracture boots is not the same and that they do return them. So he may want to make inquiries and I would invite him to do so.

1350 **Hon. A J Isola:** Mr Speaker, I am grateful to the hon. Member and I certainly will.

Q368-69/2023

Rheumatology service –

Plans to improve; numbers treated for rheumatoid arthritis

Clerk: Question 368/2023. The Hon. the Leader of the Opposition.

Hon. K Azopardi: Mr Speaker, are there any plans to improve the rheumatology service available to patients?

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

Minister for Digital, Financial Services, Health Authority and Public Utilities (Hon. A J Isola): Mr Speaker, I will answer this question together with Question 369.

Clerk: Question 368/2023. The Hon. the Leader of the Opposition.

Hon. K Azopardi: How many patients has the GHA treated for rheumatoid arthritis in the calendar years 2021 and 2022, broken down by years?

Hon. A J Isola: Mr Speaker, the rheumatology service is currently being delivered by an experienced NHS consultant who provides both regular telemedicine consultations and regular face-to-face clinical sessions at St Bernard's Hospital. The service is additionally supported by a resident team, including a clinical nurse specialist and a non-consultant hospital doctor. The Clinical Director for Medicine and the Medical Director are looking at various ways of developing this service further. The GHA is also in the process of advertising for a substantive rheumatology consultant.

The number of patients treated for rheumatoid arthritis broken down by years is as follows: 2021, 213; 2022, 240.

Hon. K Azopardi: Mr Speaker, when he says there is a clinical nurse specialist, is this a nurse specifically trained in rheumatology?

Hon. A J Isola: Mr Speaker, no, I do not believe that is the case, not from what I have in front of me.

Hon. K Azopardi: Mr Speaker, that was indeed my information, so I was asking for confirmation. Obviously it is welcome news that the GHA is considering the substantive appointment of a permanent consultant rheumatologist, which is, I think, what he said. We would want to see if the Government has any idea of the timescale of that appointment.

At the moment, I understand that the visiting rheumatologist comes every three months or so, and although, as he says, he does conduct virtual consultations with patients, it is not the same. He will understand also that the patients are given specific medication which needs to be monitored by the rheumatologist. Sometimes it is a bit of a mixed bag to get advice from other doctors, so it would be welcome, certainly, for there to be a substantive consultant in that area.

Also, we would like to hear more information perhaps from the Minister on whether, given the clinical nurse specialist is perhaps not specifically trained in rheumatology, there are also plans afoot about the training of nurses in this area.

Hon. A J Isola: Mr Speaker, I think in the answer the hon. Member will have gleaned, from the reference that the Clinical Director for Medicine and the Medical Director are looking at various ways of developing this service further, an implicit acceptance that we could do better, and that is what they are seeking to do.

I think the appointment of the substantive rheumatology consultant is an important step and obviously that will only happen if he has the appropriate necessary support staff to enable him to do the work he needs to do, or she needs to do, so I think the work that is being done ... The three months visit – I am not sure, I thought they were less than three months, but the face-to-face visits are supplemented by the telemedicine consultations, which I agree are not as good as face to face, and that is obviously what has led to the decision being taken to advertise the position of

1405 substantive consultant in that respect. So I am hopeful that we will improve in terms of our delivery to those patients who are suffering from rheumatoid arthritis and other diseases, and I hope that we will be in a position to do that shortly.

In respect of the qualification of the clinical nurse specialist, I will enquire to determine whether he or she is or is not.

1410

Hon. K Azopardi: And finally, Mr Speaker, in terms of physio in rheumatology, again my understanding is – and the Minister will correct me if I am wrong – that there is no physio support for rheumatology patients, or at least not as satisfactory as they would expect. Of course, he will understand that given the nature of the condition – it affects joints – physio support is quite important. Can I invite him, when he enquires about the nurse, to also enquire about physio if he does not have the information in front of him now?

1415

Hon. A J Isola: Mr Speaker, I would fully expect physio support to be available, but not perhaps to the degree that the hon. Member has made reference to. I will get that confirmation and respond to him because I do not have the information to be able to confirm that in front of me.

1420

Q370-71/2023

Spanish ambulance services –

Entities contracted and financial terms; cost in 2022 and 2023

Clerk: Question 370/2023. The Hon. the Leader of the Opposition.

Hon. K Azopardi: Mr Speaker, with which entity or entities have the Government or GHA contracted the supply of ambulance services in Spain for Gibraltar patients and what are the financial terms of that or those contracts and the duration of those contracts?

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

Minister for Digital, Financial Services, Health Authority and Public Utilities (Hon. A J Isola): Mr Speaker, I will answer this question together with Question 371.

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Clerk: Question 371/2023. The Hon. the Leader of the Opposition.

Hon. K Azopardi: What was the cost payable by the Government or GHA for the supply of ambulance services in Spain for Gibraltar patients in 2022 and 2023 up to and including 30th April 2023?

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

Hon. A J Isola: Mr Speaker, the GHA contracts the services of three Spanish ambulance providers. These are Ambulancias Andalucía S Coop, Helicopteros Sanitarios SA and Socorrismo y Servicios SL. These providers are engaged based on each company's commercial tariff rates. They are used by the GHA on an ad hoc basis as and when required.

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The total costs of the supply of ambulance services in Spain for Gibraltar patients were as follows: 2022, £392,322; to April 2023, £202,863.

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Hon. K Azopardi: Mr Speaker, just exploring the answer to Question 370, if I may first, so I understand ... From what he has said – and again, he will correct me – there is not a specific arrangement with these three operators beyond their standard tariffs. In other words, they will

1450 have arrangements and the GHA calls on these three operators to use ambulances and it is at whatever rates they provide them to everybody else. This is not a specific, unique, tailored arrangement for the GHA. Is that correct?

1455 **Hon. A J Isola:** No, Mr Speaker, the reference to those rates is that there is not a formal arrangement with the three of them, the same. What the GHA is working towards is to have one set of terms and conditions and the three of them can operate within those terms and conditions. They are currently working through a new contract for all three suppliers on the same basis, because there will be instances where one is going to take longer than another. If you can wait, you wait; if you cannot, you need to go to the next one along, to make sure you get them during
1460 the time that you need them. Those arrangements are currently under discussion between the GHA and the three different providers.

These ambulances are normally not emergency ambulances, they are normally non-emergency transfers. However, they do act as backup to the GHA if it is out on an emergency. Obviously, since
1465 Brexit the issues of non-EU nationals working in Spain on an ambulance is problematic and the arrangements that have been entered into enable that to happen in cases of emergency but nothing else, hence the need for these contracts.

Hon. K Azopardi: And to be clear, these costs that are being incurred in 2022 and 2023, the
1470 £392,000 in 2022 and the £202,000 in the first four months of this year – that, to a very large extent, presumably is responsive to the fact that Gibraltar ambulances are no longer able to cross the Frontier with our patients because of the decisions made in Spain. Is that correct?

Hon. A J Isola: Mr Speaker, as a result of the withdrawal of the United Kingdom from the European Union, ambulance drivers in Spain – I guess the same would be in Portugal if you are
1475 trying to get to a Portuguese hospital – are not able to work in Spain because they do not have the appropriate registration and qualifications. So in those cases where we have pre-planned visits to Spanish hospitals from Gibraltar patients, an arrangement is entered into with one of these three ambulance providers for them to come and do the transfer to and from. As I said, the Gibraltar ambulance is still operating in emergency cases.

1480 **Hon. K Azopardi:** Mr Speaker, I wonder if he has a breakdown of the numbers provided by the three providers. I wonder if he has it. If he does not have it, perhaps it would be helpful for him to write to us.

In terms of the 2023 cost, which is a four-month cost, over four months it is more than half of
1485 the cost for the entire year 2022, so just projecting it forward, you could end up quite easily, if that third of the year is reflective, at a figure in excess of £600,000. Is that a cost that we would hope to address if there is a treaty concluded with the EU?

Hon. A J Isola: Mr Speaker, I am not going to speculate as to what would or would not be
1490 covered by a treaty. These are costs that are incurred as a result of our departure from the European Union and obviously, in the interests of patients, it is cost that we necessarily have to incur.

Hon. K Azopardi: Perhaps I did not phrase my question properly. What I was really getting at
1495 is in the event that there is a treaty concluded, is it within the scope of what is being discussed and negotiated that we should return to the situation we had before, where our ambulances were allowed to cross the border with our patients?

Chief Minister (Hon. F R Picardo): Mr Speaker, for the reasons I have already indicated, it is
1500 not in any of our interests that we should discuss the detail of what is being negotiated. The hon. Gentleman knows, as the public knows, that we are looking at an extraordinary level of fluidity in

respect of persons and in respect of goods, if we can agree that, but I do not think it is in our interest at this stage to go into any greater detail or indeed to set out expectations in public that other negotiating parties would then know we would have to achieve in order to have achieved what we have said publicly we were going to achieve.

Hon. K Azopardi: Mr Speaker, can I ask about the contractual arrangements, if I may, assuming these continue as they are? Did I understand his explanation that the GHA is reviewing the current arrangements in the hope to standardise arrangements with the three providers, with perhaps one form of contract and one form of rates? Is that really what he was saying?

Hon. A J Isola: Yes, Mr Speaker. The GHA is presently in discussion with the three providers to enter into an agreement common to all of them, based on an ambulance service contract heads of terms which would be drafted by the GHA.

Mr Speaker: Next question.

ENVIRONMENT, SUSTAINABILITY, CLIMATE CHANGE AND EDUCATION

Q374/2023

Governor's Lookout Scout Activity Centre and Campsite – Works carried out and cost

Clerk: Question 374/2023. The Hon. E J Reyes.

Hon. E J Reyes: Can the Government provide details of works carried out, together with related costs, during the financial year 2022-23 at Governor's Lookout Scout Activity Centre and Campsite as indicated they would do through answer to Question 21/2023?

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 costs during the financial year 2022-23 at Governor's Lookout Scout Activity Centre and Campsite were £27,582.55. These costs relate to the completion of the perimeter security installation, general maintenance and upkeep of this, which totalled £22,233.60, and repairs to damages caused as a result of a break-in during the Christmas period, which was £5,348.95.

Hon. E J Reyes: Mr Speaker, because of my hearing difficulties, can the Minister please repeat the figure he gave in the initial part of his answer, in respect of the costs?

Hon. Prof. J E Cortes: Mr Speaker, the Scouts may have done other works raising their own funds, but the costs that the Government provided for were £27,582.55.

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

I do not think it would be correct for me to go into further questions looking forward, because some of it could be subject to what is in the confidential Estimates Book, so we will leave that for the Budget debate, with your leave, Mr Speaker, so that we make sure we are in keeping with the details provided.

Q375/2023

**St Martin's School hydrotherapy pool –
Whether now fully operational**

Clerk: Question 375/2023. The Hon. E J Reyes.

1545 **Hon. E J Reyes:** Further to the answer provided to Question 138/2023, can Government confirm that the hydrotherapy pool at St Martin's School is now fully operational?

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

1550 **Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E Cortes):** Mr Speaker, I am pleased to reply that the necessary works have been completed and the water testing results were received last Friday, confirming that it is now fit and ready for use. Arrangements will now be made with the relevant professionals for hydrotherapy to be available.

1555 **Hon. E J Reyes:** So, Mr Speaker, the good news is that following the water testing and so on, it is ready for use – but it is not actually in use yet. I think the Minister has hinted that it is probably going to be imminent. Perhaps I can pressure him a bit more for a date.

1560 **Hon. Prof. J E Cortes:** Mr Speaker, it was important to make sure that the system was working, that the water quality was correct, and the test only came in last Friday. There are meetings going ahead this week – they may have already been held – with physiotherapy and the other professionals who have to manage the children who use the pool, and those protocols are being sorted out – also, the GSLA, which kindly will be looking after the maintenance of the pool. Those arrangements are being made, so I am expecting that use will be made very soon indeed and I am
1565 happy to share that information when it actually happens.

Mr Speaker: Next question.

Q376/2023

**Cleaning materials in schools –
Reason for shortage**

Clerk: Question 376/2023. The Hon. E J Reyes.

1570 **Hon. E J Reyes:** Can Government offer an explanation as to why there seems to have been a shortage of cleaning materials in schools during the current academic year?

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

1575 **Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E Cortes):** Mr Speaker, I am informed that towards the end of the financial year some cleaning material orders were reduced as a result of increased product cost. This was done administratively by conscientious staff, but was corrected as soon as it came to my notice.

1580 There is now a system to ensure that this does not happen again. In any case, we have included provision in the Estimates soon to be before this House of an increase of £10,000 to this particular budget.

1585 **Hon. E J Reyes:** I am glad to hear that explanation, Mr Speaker, but can I perhaps try to get out of the Minister, when he says they were conscientious staff who tried their best possible not to be overdrawn on the budget, is he referring to the head teachers of particular schools or he is referring to perhaps a senior clerical officer at the Department of Education who handles the thing? I am trying to get at whether it happened across the board, generically, or it was just individual head teachers taking individual decisions.

1590 **Hon. Prof. J E Cortes:** Mr Speaker, this was centrally done, but it did not affect all the schools because some schools are smaller, have less demand and the orders are not so big.

Towards the end of the financial year, costs are going up, you have to meet your budgets, and therefore there was some reduction in some of the supplies. As soon as it came to me – and this is a system that will now be in place ... Supplies will not be reduced in future without referral to the Minister, so that there is not ... But I have to support the conscientiousness of the staff. It has now been resolved and, as a result, we have added to the budget for this coming financial year, which I am sure the hon. Member will welcome.

Mr Speaker: Next question.

Q377/2023

**College of Further Education classroom facilities –
Provision after move from John Mackintosh Hall**

1600 **Clerk:** Question 377/2023. The Hon. E J Reyes.

1605 **Hon. E J Reyes:** Can Government provide details of what classroom facilities will be made available to the College of Further Education for use as and when they move out of facilities currently being used at the John Mackintosh Hall complex?

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

1610 **Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E Cortes):** Mr Speaker, the Gibraltar College will be provided with the same number of classrooms currently being used at the John Mackintosh Hall complex. The classrooms will be provided within the existing College and new temporary outdoor buildings.

1615 **Hon. E J Reyes:** Perhaps using more layman's terms, when the Minister says temporary outdoor buildings ... what is colloquially known as portakabins – that sort of system?

1620 **Hon. Prof. J E Cortes:** Mr Speaker, these are lightweight buildings. It has been through the planning process. It was passed at the DPC last week, so the plans are public and I am very happy to make them available. There is also reconfiguration of the current College; it is not all new. It is going to be provided like for like.

Hon. E J Reyes: Within the good news, the number of classrooms and so on ... If we give up two classrooms, are the other two being provided ... end up with more or less the same internal area, or is there a big loss in availability of space in which to set up learning materials for students?

1625 **Hon. Prof. J E Cortes:** Yes, Mr Speaker, it has all been worked out and it is planned accordingly. The space used in the College annexe is not that large. It has been planned out and the plans are available, there in the public domain. This clearly is temporary because we are about to embark

on the new College at the Cross of Sacrifice site, so this is expected only to be in use for a short time.

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Mr Speaker: The Hon. Damon Bossino.

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Hon. D J Bossino: Mr Speaker, the hon. Member says this issue has been before the DPC. Are there any listed building related issues that impact on the expansion which is going to be going on that he has mentioned? He is shaking his head. I thought I would raise that point to give him an opportunity to explain the position.

Hon. Prof. J E Cortes: No, Mr Speaker, none of the listed fortifications are touched by the areas where this is happening.

Q378/2023

Bishop Fitzgerald and Governor's Meadow Schools – Completion dates and costs

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Clerk: Question 378/2023. The Hon. E J Reyes.

Hon. E J Reyes: Can Government update this House with estimated completion dates for the new Bishop Fitzgerald and Governor's Meadow Schools, together with details of costs so far and final estimated costs for these two new schools?

1645

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

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Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E Cortes): Mr Speaker, the target completion date for both schools is 18th June and they will open at their new sites at the start of next term. The costs are being met by the developer, Elford Ltd, and are estimated at £29.2 million for both.

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Hon. E J Reyes: Is the Department of Education, through government funding, going to incur any costs, for example in the kitting out of learning resources and so on that would come under Government of Gibraltar expenditure, or is the provision of learning resources within the classrooms already covered within the £29.2 million of the developer?

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Hon. Prof. J E Cortes: Mr Speaker, there will be some cost to Government, but nowhere near the level of the full construction and main kitting out, which is what the £29.2 million covers.

1665

Hon. E J Reyes: Thank you. So there will be some costs. Am I right in assuming that I could, by looking into it, find that information in the Government's estimates for the coming year because no expenditure has been incurred so far, so all the costs will be reflected in the estimates for the 2023-24 financial year?

1670

Hon. Prof. J E Cortes: I am not certain of that, Mr Speaker. I have to look into that. We are talking about loose items mainly, so it is not actual construction. There will be quite a number of legacy items being brought over from the old schools, the ones that are in good condition still. We are talking about loose items. It is likely in the Estimates Book, but I cannot recall exactly. I really do not want to mislead the hon. Member and I would rather find out and let him know during the course of the next couple of days.

1675 **Hon. E J Reyes:** Yes, I am content with that, Mr Speaker, if the Minister can find out. The reason why I ask is because in very similar terms when we spoke about the opening of Bayside and Westside, the Minister was able to provide details saying bricks and mortar is £x, and £x was the fitting of the classrooms. I am in no immediate hurry, but with an upcoming Appropriation Bill, if the Minister does have that information it will be extremely useful for both sides of the House.

1680 **Hon. Prof. J E Cortes:** Mr Speaker, it is a very different kind of project because it is being done by a private developer. There is interaction. I meet every two weeks to make sure that the project is on target, but the funding is different, so I really need to look into it in more detail and I am very happy to share it.

1685 **Mr Speaker:** The Hon. Roy Clinton.

Hon. R M Clinton: Thank you, Mr Speaker.
If my recollection is correct, I believe the arrangement that was entered into with the developer was that they would build this site in exchange for the St Anne's and old Bayside site. I am looking at Press Release 750/2021 and a figure of £21.2 million was mentioned. Is it that the
1690 Government now has to pay the difference between £21.2 million and the expected outturn of £29.2 million, which would indicate there will be £8 million that the Government has to pay the developer? Would I be correct in that assessment?

1695 **Hon. Prof. J E Cortes:** I do not think so, Mr Speaker. I think there were adjustments during the course of negotiations, but again I would need to consult. I would be very happy to provide that information. I am happy for the Hon. Mr Clinton to remind me later or drop me an email. I believe that that is not additional, but I need to find out.

1700 **Hon. K Azopardi:** Just following up from that, perhaps when he does ask, is it that the premium that was agreed in respect of the Bayside/St Anne's plot has been reduced by that sum to the extent that any cash that was going to be paid to the Government has been reduced by the added cost? Otherwise, there would have to be a renegotiation, as he says.

1705 **Hon. Prof. J E Cortes:** Mr Speaker, I need notice of that. It is not directly ... I can look into that certainly, but clearly it is not what I was asked, so I do not have that information here.

Mr Speaker: Next question.

Q379/2023

Takeaway and restaurant extraction filters – Frequency of inspections

Clerk: Question 379/2023. The Hon. E J Phillips.

1710 **Hon. E J Reyes:** Mr Speaker, can the Government state how often the extraction filters on takeaways and restaurants are inspected by the relevant government department or agency?

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, takeaways and restaurants with kitchen extraction systems are what the

Environmental Agency considers high-risk premises, which are inspected by environmental health officers every three months.

1720 As part of the routine food hygiene inspection, officers check extraction systems and their filters are cleaned and maintained to ensure the removal of hot air, smoke and fumes from cooking. Food business operators are required to maintain such systems to prevent grease and dirt build-up and to prevent cooking smells and noise from becoming a nuisance to those who live or work in close proximity.

1725 As and when required, or when there are particular concerns or complaints, the Environmental Agency works closely with the Gibraltar Fire and Rescue Service to provide further inspections.

Mr Speaker: Next question.

Q380/2023

**Street cleanliness –
Number of complaints received**

Clerk: Question 380/2023. The Hon. E J Phillips.

1730 **Hon. E J Phillips:** Mr Speaker, can the Government update this House on the number of complaints it has received in relation to street cleanliness?

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

1735 **Minister for the Environment, Sustainability, Climate Change and Education (Hon. Prof. J E Cortes):** Mr Speaker, official complaints through our reporting channels, that is to say phone calls and emails, have been 14 in total. All complaints, whether they are made formally or informally, are followed up by the Department.

1740 **Hon. E J Phillips:** Mr Speaker, I am grateful for the answer. He has obviously distinguished between formal and informal complaints, because obviously we all receive informal complaints from time to time. I do not know whether he has a running tally of informal complaints or whether they are logged in any way; sometimes informal complaints have a very strong basis and therefore should be actioned. I wondered whether he had any data on that.

1745 **Hon. Prof. J E Cortes:** Informal complaints are mainly what we pick up on social media. If any of the team in the Department or myself picks up a complaint on social media – Twitter, Facebook or whatever – we action it, but it is very hard to keep tabs on that. Unfortunately, people tend to use that medium. I do not mind them using it, they have every right to do so, but then they do not follow up with a formal complaint. And it is a little bit ad hoc because not everything on social media will be picked up by the Department, so I would encourage people ... If they want to put it on social media, they have every right to do so, but they should also follow the formal avenue because then we can log it better, action it better, and the reply might be more significant than the one I have had to give.

1755 **Hon. E J Phillips:** Mr Speaker, I understand the answer to the question. Of course the Government is reacting to social media. It is a form of media that is used these days for negative and positive reason, but I wonder whether the Government is doing much more than just listening to sometimes the echo chamber, as we have described it in this Chamber.

1760 I appreciate that many have expressed very serious concerns. Even yesterday, when I was walking up to Governor's Street, the centre bit between Cheers and Government Street was

strewn with rubbish, and this was 8.30 in the morning. That is just my example, but we receive many complaints, informal or formal complaints by email to us, and of course the Government receives those as well.

1765 I just wonder whether there is a more proactive way of dealing with this in terms of supervision of the contract that this community is paying millions for, because I think it is right, as the Government is held ultimately accountable insofar as that contract and the delivery of that service to our community. Of course we can point fingers at those doing the work outside the remit of the direct control of the Government, rather than the directors of the company doing the work, 1770 but is there any oversight, any scrutiny that the Government can put in place so that it can really have a proactive approach to street cleanliness, so that the complaints we see and the photographs we see can be a thing of the past – appreciating nothing in life is perfect, but at least have some form of proactive monitoring of street cleanliness in Gibraltar?

1775 **Hon. Prof. J E Cortes:** Mr Speaker, this exists. The Cleansing Department has environmental monitors, as has the Housing Department, and they are tasked with monitoring the cleaning and the effectiveness of the cleaning contract. So this exists. People are out and they will report anything that they spot to the cleaning company.

1780 As we know, something can be cleaned now and be dirty in half an hour's time, and that is the problem, so there is a lot of work that has to be done always in cleaning but also in hoping that people are not going to trash the place with trash, but there is a unit that does do that work.

Hon. E J Phillips: Mr Speaker, just one very small question. I have been very tempted, myself, when I am walking my dog in the morning, to post certain images of rubbish deposited – white 1785 goods, sofas, mattresses – in the area where there is a sign saying please take them somewhere else. The commendable work done by those enforcement officers who are attempting to get the evidence to ensure that these people are prosecuted for disposing very badly of sometimes dangerous materials on our streets needs to be dealt with. He agrees with me it must be a question of enforcement, but we have to stop this type of activity. It is very unsightly and in 1790 relation to tourism it must be doing a very damaging job, as has been seen recently.

I wonder what other measures the Government will consider insofar as this, apart from increasing the penalty that should be imposed on people.

Hon. Prof. J E Cortes: There is a big issue of civic pride and we know that is the case. The 1795 penalties are being reviewed. I meet with a number of government departments and NGOs in what we call the Litter Committee – we last met a couple of weeks ago – and we are looking at increasing the penalties, so that is the first step we are going to take. I think this is done by regulations, so it is something that is going to be gazetted within the coming weeks, and we are looking at other legal aspects.

1800 Obviously, education is a big thing and we cannot do enough to educate people. I would like to think that some of the posts on social media could be taken not just as a criticism of the state that people find it in, but also as pressure on those who carry out these activities and leave these goods and so on, for them to realise that it is not acceptable socially, no matter what side of the House you are on.

Q381/2023
Camp Bay public toilets –
Cost of renovation

1805 **Clerk:** Question 381/2023. The Hon. E J Phillips.

Hon. E J Phillips: Mr Speaker, can the Government confirm the total cost to the taxpayer of the renovation of the public toilets at Camp Bay?

1810 **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 total cost of the renovation of Camp Bay toilets was £169,579.43.

1815 **Hon. E J Phillips:** Mr Speaker, could he confirm how many toilets that comprised? It seems like a hell of a lot of money to spend on a toilet or two. I would be grateful if the Minister could give us a little bit more information about that.

1820 **Hon. Prof. J E Cortes:** No, Mr Speaker, Camp Bay is not one of the beaches I frequent, so I could not. I need to find out how many toilets we are providing. But construction costs these days are high, and this would have been the lowest of at least three quotes. This is what things cost.

Q382/2023

**Planning permission granted by DPC –
Benefits secured**

Q385/2023

**Abandoned and neglected buildings –
Incentives re repair and re-use**

Q386/2023

**Regeneration of Old Town –
Progress**

Q387/2023

**Social Security building –
Listing under Heritage and Antiquities Act**

Q388/2023

**Conservation and enhancement of heritage –
Government financial support**

Clerk: Question 382/2023. The Hon. E J Phillips.

1825 **Hon. E J Phillips:** Mr Speaker, can the Government confirm, out of all the developments completed over the last 12 years during their time in office or of those developments that are presently underway, what environmental planning gains or other additional public benefits have been secured by DPC granting planning permission of those said developments?

1830 **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 Questions 385 to 388.

Clerk: Question 385/2023. The Hon. D J Bossino.

1835 **Hon. D J Bossino:** Which new incentives will be provided for the repair and re-use of abandoned and neglected buildings?

Clerk: Question 386/2023. The Hon. D J Bossino.

1840 **Hon. D J Bossino:** What progress has been made on the regeneration of the Old Town since the beautification of Castle Steps and Governor's Parade?

Clerk: Question 387/2023. The Hon. D J Bossino.

1845 **Hon. D J Bossino:** Will the Government consider listing the recently vacated Social Security building under the Heritage and Antiquities Act?

Clerk: Question 388/2023. The Hon. D J Bossino.

1850 **Hon. D J Bossino:** In what way will Government provide financial support to projects in order to conserve and enhance heritage?

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

1855 **Hon. Prof. J E Cortes:** Mr Speaker, in answer to Question 382, over the last 12 years we have introduced or strengthened a number of environmental planning requirements for all new developments. These include requirements for all demolitions, or rooftop extensions or replacements to conduct a bird and bat survey ahead of any works to safeguard these species; the requirement for new developments and extensions to introduce bird and bat nests throughout
1860 the development to increase urban biodiversity; increased protection for existing trees and the requirement for replacement of any affected; requirements for increased landscaping and green areas; landscaping consultations with the Department of the Environment to ensure that this increase is consistent with our climate objectives by ensuring that species are suited to our Mediterranean climate and prevailing weather conditions at the site; strengthening the energy
1865 performance requirements for new and existing buildings through the energy performance of building rules and, most recently, introducing the near-zero energy building standards, which require all new-builds to meet higher performance standards and include minimum percentages of renewable energy; requirements for the inclusion of minimum numbers of electric vehicle charging points in all new developments; requiring dust control plans and construction
1870 environmental management plans for all major developments; provision of green and brown roofs; biodiversity gain assessments and compensation for any potential loss of biodiversity; and provision of cycle lanes. In respect of additional public benefits, the planning process regularly involves discussion with applicants for designs to be modified in order to avoid or minimise overlooking of other properties, encroachment into public spaces etc.

1875 In answer to Question 385, this is an ongoing discussion we are having with interested parties, which include private property owners, heritage stakeholders and the town planners. At the moment, the cost of repairs is borne by the owner or occupier. We are seeing increasing commitment from the private sector to engage in urban renewal projects. Improvements to the façade of a building are eligible for tax relief, which are requested and approved, and notices for
1880 improvements are issued on a regular basis by the Environmental Agency or on behalf of the Urban Renewal Officer, who is based at Town Planning.

1885 In answer to Question 386, I have previously highlighted some of the projects we are working on, with more to follow in this financial year, including placing interpretation material throughout the Old Town. We are proposing improvements to the Landport tunnel area, the Moorish Castle gatehouse and the former prison. As I have just explained, the Urban Renewal Officer continues to survey the old town and to issue notices for remedial action, with considerable success. The

new St Mary's School is a prime example of the best principles of urban renewal, giving new life to a building while keeping its heritage value. If he has kept himself up to date, he will have seen that the Government's example in renovating areas such as St Mary's and Governor's Parade and inviting interest in areas such as Road to the Lines is leading to a cascade of privately funded improvements in adjacent areas and further afield. There have been an increasing number of private urban renewal projects going through the planning system, all of which are closely scrutinised by DPC to ensure retention of the character of our Old Town.

In relation to Question 387, the vacated Social Security building, this will be considered should the Heritage and Antiquities Advisory Council so recommend.

And finally, in answer to Question 388, as the hon. Member knows, a budget is allocated every year to restore heritage sites. Recent and current examples include Southport Gates and the Tower of Homage as well as the restoration of the Convent façade. This year will see a continuation of such works, with funds allocated for heritage projects including the Mount and the Northern Defences. Indirect support has been provided in relation to other developments including Orange Bastion, North Gorge, the Ex-Casino development and St Mary's School by way of advice provided by the Ministry of Heritage. We continue refurbishing many of our city plaques as well as restoring and repainting our old street signs and installing interpretation panels which promote heritage. We work closely with many charities and volunteer groups, providing them financial support. One example recently was Alabare, a former servicemen's charity which worked on Lord Airey's Battery last year and on O'Hara's Battery a few weeks ago. We have other non-government entities working at Princess Caroline's Battery and the surrounding area. These are all supervised and financed by Government. The Gibraltar Heritage Trust is also supported financially, both directly and by assisting their projects, as are the Museum and the Garrison Library.

Adjournment

Chief Minister (Hon. F R Picardo): Mr Speaker, I am grateful to the hon. Member for that answer. I am conscious that we all have a function to attend in a few moments, so with the benefit of that first answer, I wonder whether we might now adjourn the House to tomorrow at three o'clock in the afternoon, when we will commence with questions addressed to me, but after which we can continue with supplementaries to the Hon. Minister and others.

Mr Speaker: I now propose a question, which is that this House do now adjourn to Thursday, 25th May at 3 p.m.

I now put the question, which is that this House do now adjourn to Thursday, 25th May at 3 p.m. Those in favour? (**Members:** Aye.) Those against? Passed.

This House will now adjourn to Thursday, 25th May at 3 p.m.

The House adjourned at 5.45 p.m.