



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

MORNING SESSION: 10.03 a.m. – 1.00 p.m.

Gibraltar, Thursday, 28th November 2024

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<i>The House adjourned at 1.00 p.m.</i>	<i>48</i>

The Gibraltar Parliament

The Parliament met at 10.03 a.m.

[MADAM SPEAKER: Hon. Judge K Ramagge GMH *in the Chair*]

[CLERK TO THE PARLIAMENT: J B Reyes Esq *in attendance*]

[ASSISTANT CLERK: K Balban Esq *in attendance*]

Questions for Oral Answer

CHIEF MINISTER

Q996-97/2024

**ASYCUDA customs entry system –
Technical problems; resilience and backup system**

Clerk: Meeting of Parliament, Thursday, 28th November 2024. Questions to the Chief Minister. Question 996. The Hon. C Sacarello.

5 **Hon. C Sacarello:** Could the Chief Minister please explain the reason behind the technical glitch of the ASYCUDA Customs entry system on Monday 18th November 2024 that took it offline and prevented HM Customs from clearing any inbound commercial traffic on the busiest day of the week?

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

Chief Minister (Hon. F R Picardo): Yes, Madam Speaker, and I will do so with Question 997.

15 **Clerk:** Question 997, the Hon. C Sacarello.

Hon. C Sacarello: Could the Chief Minister clarify what is being done to improve the ASYCUDA Customs entry system's resilience, and is there a back-up system?

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

25 **Hon. Chief Minister:** Madam Speaker, the server hosting the ASYCUDA platform suffered a technical issue during routine maintenance. As is common practice, this maintenance was carried out on a Sunday to minimise disruption to trade. To solve the issue and restore the data from the backup, access to an ITLD server was required. Unfortunately, further difficulties were encountered when accessing that server as well. Consequently, because of the size of the data involved, the restoration spilt onto the afternoon of Monday, 18 November 2024.

The Collector has requested a report on the matter. Notwithstanding, this has already resulted in contingency measures being put in place to pre-empt and avoid the technical issues that arose. In addition, the contingency protocol to declare and clear goods using paper form has been

30 revived in order to keep delays to a minimum. This would be in the unlikely event that the system was to fail again.

Furthermore, for the last few months, HM Customs has been working on upgrading the ASYCUDA platform to the latest version available. This will not only provide greater functionality and trade facilitation but will also bolster the system's resilience in relation to outages and
35 technical issues.

Hon. C Sacarello: Madam Speaker, I am very grateful to the Hon. Chief Minister for his extensive reply. Could the Chief Minister just confirm that there was not any external interference causing the glitch, that it was purely internal?

40 **Hon. Chief Minister:** Madam Speaker, I refer the hon. Gentleman to the answer I gave a few moments ago.

Hon. C Sacarello: Thank you for that. Madam Speaker, could the Chief Minister please confirm
45 who the Senior Technical Officer with overall responsibility for the ASYCUDA is, and are they suitably qualified to manage this equipment?

Madam Speaker: I assume the hon. Member is not asking for a name.

50 **Hon. C Sacarello:** No.

Hon. Chief Minister: Madam Speaker, there is an individual charged with management of ASYCUDA in Gibraltar. That person is so eminently qualified for this job that he was one of the people who was involved in the original installation of ASYCUDA in Gibraltar, which was a
55 groundbreaking development and is an example to other customs authorities of a one-window interface for people to be able to declare to customs, so I am able to give the hon. Gentleman the assurance that he seeks. I am surprised that he has sought that assurance because if he had spoken to anyone with any knowledge of using ASYCUDA, they would have told him that it functions almost without a glitch, although unfortunately, like all software systems, there may
60 sometimes be a problem. We have not had the problem, for example, that British Airways had recently, which stopped all of its flights for more than a day, but even the most resilient systems, unfortunately, sometimes come down.

Madam Speaker: Next question.

Q998/2024
UK-EU treaty –
Emergency fund to support businesses during transition period

65 **Clerk:** Question 998. The Hon. C Sacarello.

Hon. C Sacarello: In the event of a negotiated outcome, is there an emergency fund set aside to support ailing businesses during their time of transition, allowing them to re-orientate their business while retaining their employees?

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

75 **Chief Minister (Hon. F R Picardo):** Madam Speaker, there is no specific emergency fund set aside for this purpose, as these circumstances will not appertain and would, if they did appertain, not be within the definition of an emergency.

Hon. C Sacarello: Madam Speaker, could the Chief Minister provide an indication in this scenario of which sectors would likely be most affected?

80 **Hon. Chief Minister:** Madam Speaker, we do not accept such a scenario.

Hon. C Sacarello: Madam Speaker, I was talking about a successful outcome of the negotiation.

85 **Madam Speaker:** That was a hypothetical question, on which I did not intervene but it is a hypothetical question, so I am going to hold it inadmissible.

Madam Speaker: Next question.

Q999-1000/2024
Bassadone Group –
Office space rented by Government

Clerk: Question 999. The Leader of the Opposition, on behalf of the Hon. D J Bossino.

90 **Hon. Dr K Azopardi:** Madam Speaker, please provide the number of leases or other agreements together with the rental amounts entered into by the Government with the Bassadone Group in respect of Government office space.

Clerk: Answer, the Hon. the Chief Minister.

95 **Chief Minister (Hon. F R Picardo):** Madam Speaker, I will answer with Question 1000.

Clerk: Question 1000. The Hon. the Leader of the Opposition, on behalf of the Hon. D J Bossino.

100 **Hon. Dr K Azopardi:** How much has been paid by the Government in respect of the properties it is renting from the Bassadone Group in the dockyard area to date?

Clerk: Answer, the Hon. the Chief Minister.

105 **Hon. Chief Minister:** Madam Speaker, Government entered one deed of sub-underlease with the Bassadone Group in respect of government office space.

In the period from 1st July 2023 to date, the Government has paid a total of £610,866.69 in rent in respect of the property rented from the Bassadone Group in the dockyard area. Hon. Members will have been able to work out, relying on their excellent mental arithmetic skills, that
110 this amounts to a sum of £21,816.66 per month. The new arrangements will release upwards of £8,844,000 of capital value in the properties that will be surrendered by the departments moving to this new area. I should add that that amount of £8,844,000 is conservatively estimated.

115 **Hon. Dr K Azopardi:** May I just ask what is the square area that is being occupied in the dockyard area? And, if the Chief Minister permits me while he is consulting his notes, what is the term of the lease?

Hon. Chief Minister: Madam Speaker, if the hon. Gentleman will allow me to speak from memory and not hold me to it for the purposes of *Hansard*, I believe it is a 21-year lease which will have the usual break clauses in. I am afraid I do not have the areas broken down in a way that I can share. I have been very helpfully given the plans, which are to scale, but I would need a ruler in order to be able to make for the hon. Gentleman, from the scale, the exact areas, because I do not think I have been given the areas in the designs, I am sorry to say.

Hon. Dr K Azopardi: I see. And will the Chief Minister refresh our memory – because this may have been the subject of a question before but I cannot recall – what is the specific address of this property?

He mentioned in his original answer that £8 million of capital value will be released by the departments that have gone to the Bassadone Group property. Can he tell us which departments have gone there? And what does he mean by £8 million of capital value being released? Does the Government intend to sell these Crown properties?

Hon. Chief Minister: Madam Speaker, I can in fact confirm to him that it is 21 years. I did have that on another page of the supplementary information that he knows is helpfully provided by those who help us to prepare for these answers.

The address is 80A Queensway. I am trying to go through the list of questions that he has asked in the course of that one supplementary, Madam Speaker. I can tell him that I think the full answer to his supplementary as to the departments that will be moving is the Care Agency, the Treasury – I think that is part of the Treasury, not all of the Treasury; the hon. Gentleman will know that the Treasury has outposts in many different buildings – ITLD, the Department of Education and the Technical Services Department.

In the context of the answer that relates to £8,844,000, that is the capital value of the properties. In fact, there is another property that is also potentially released that will bring the total capital value to over £10.2 million. It is the intention of the Government to potentially put these properties out to tender with reserve prices that should produce that capital value, where there is not another call from another department to move from another area to one of these, and potentially release another building that might release even more capital value for the Government. For example, just looking at what we have here, I have already had it proposed to me that one of the units that becomes available as a result of this move is taken by another government department that released another freestanding building that is more valuable than the unit being released by one of the departments moving.

Hon. Dr K Azopardi: But does the Chief Minister think that is value for money? If the intention is to, in effect, put these properties out to tender to maximise the capital value of £8.8 million, they are paying £610,000 in rent to Bassadone for the property in Queensway. Over 12 years, that is already going to be £8.4 million, roughly speaking, so the Government is going to pay more in rent than the capital value it will deliver from the properties that are being vacated. Is that value for money?

Hon. Chief Minister: The excellent mental arithmetic skills that I referred to in the context of my first answer, Madam Speaker, seem to have eluded the Hon. Leader of the Opposition because that is for 28 months, not for a year. The question asked me how much had been paid in the period since we had started the lease, which was July 2023. I worked it out for him as approximately £21,600 a month, so it is slightly different.

We do believe it is value for money. We also believe it is the right investment in our people in the sense that Government is the owner-occupier – as he knows and he has, in some time in his career as a Minister, enjoyed/suffered this reality – of buildings that are old, that require a lot of expense. In some instances, the Government is unable to carry out the deep refurbishment required to these buildings in order to produce offices that we would consider to be modern and

170 fit for purpose for the people who do such an excellent job of working for the Government. Indeed,
we just have to look at this building to see how difficult it is to refurbish whilst we continue to use
it and the cost involved in refurbishing a very old building, going back to the brick and rewiring
etc. Moving to bespoke modern office buildings gives us a modern environment for those who do
the job that we need them to do on behalf of the public and also reduces the maintenance cost in
175 the long term and reduces the periodic maintenance investment required in the fabric of
buildings. So, we judge that this is, for all of those reasons, the right use of taxpayers' money and
a better way to house sections of the public sector. We do not discard the possibility of potential
new builds in the future, where the Government would be the owner-occupier of new buildings
that would not suffer the liabilities that I am referring to in the context of the majority of the
180 Government's existing estate. Madam Speaker, I hope that that answer satisfies the hon.
Gentleman as to our view in relation to properly, and in a modern environment, housing members
of the Civil Service and Public Sector.

Hon. Dr K Azopardi: I am grateful for the Chief Minister clarifying the level of rent per month,
185 which I had not taken a note of. I am pretty sure he had said £610 million from July 2023 (**Hon.
Chief Minister:** Yes, to date.) to date, but if there is a monthly figure of around £21,000, by
18 months it works out at £378,000, so I am not sure where the discrepancy comes from. Perhaps
he can clarify that for me.

190 **Hon. Chief Minister:** I will look at that. I think the lease date is earlier but there was a rent-free
period which is all rolled up and the rent comes to this, as I understand it, the £21,000.

Hon. Dr K Azopardi: Can he perhaps clarify, because given the answer he has given in response
to my supplementary about the old buildings, which I perfectly understand, but in terms of the
195 value for money question that people will be trying to work out themselves when they are hearing
that these issues are being done, has there been an assessment of the works that need to be done
to the properties that are currently being occupied by these departments, in terms of
refurbishment? Has there been an assessment? Paying £22,000 a month, practically, for the
occupation of a private office premises rather than occupying a place that you are not paying rent
200 on ... you have to do a calculation as to whether it is worth doing in that way. Has there been an
assessment of the kind of refurbishment that would be needed for the Government to remain in
these buildings?

Hon. Chief Minister: Yes, Madam Speaker, and that is what led us to this, because the costs
205 were increasingly astronomical. I do now have, thanks to those listening, the area, which I think
the hon. Gentleman might find helpful, which is 3,618m². My calculations whilst he was on his
feet suggest that that is 2p shy of £6 per square metre, which I think he will recognise as a very
decent rate. And so, Madam Speaker, for all of those reasons, because the cost of investment in
the Government's current properties, and indeed the opportunity cost, because not all of these
210 departments are in older buildings ... Some of them are, for example, releasing areas in New
Harbours which are very sought after; businesses want them, it helps businesses to expand or to
start up. I think we have two or three units in New Harbours that are released on here, where we
already pay a rent anyway. In the context of the way that Government calculates its cost per
department, we do think this is the right and appropriate value for money approach and
215 gives us very decent modern office space for the public servants that this community relies on and
whom we are investing in by taking these steps.

Hon. Dr K Azopardi: Madam Speaker, a final question, if I may, on this one. Can the Chief
Minister confirm whether those Civil Service departments are now in occupation of that building
220 in Queensway?

Hon. Chief Minister: We are in the process of the fitting out, Madam Speaker.

225 **Hon. Dr K Azopardi:** So, the Government has been paying rent since July 2023 – perhaps even for an earlier period – and has paid £610,000. Is the Chief Minister saying that the rent has been paid but the Civil Servants are not using the building?

230 **Hon. Chief Minister:** Madam Speaker, when you buy a house you start paying the mortgage whilst you refurbish it, unless you are very desperate and you move in without a bathroom, kitchen, curtains and all the rest of it. We are fitting out in this period. We are required to pay the rent whilst we fit out, and that would be normal in every single arrangement ever done in any circumstances. You get a short rent-free period but you cannot do the sort of fit out that you have to do to the standard that we require, the cabling that we require, in the rent-free period. That is the reason why we are paying the rent and fitting out at the same time.

235 I know that it is possible to raise this to a level of expectation that the Government is incredibly paying rent and the civil servants still are not in there, but when you actually descend to particulars and analyse how things have to be done, of course we are suffering costs whilst refurbishing, in exactly the same way as if we had done the opposite of what we are doing and we were refurbishing a building. If we were refurbishing a building, unless you had fewer people than you
240 needed use of a building for, you would have to put them somewhere else whilst you were refurbishing. So, as has been the case in every instance where the Government has rented – including the GSD Government when it did its now, if I may say so with respect to the hon. Gentleman, notorious sale and leaseback in respect of the hospital at Europort when they were paying the rent or interest on that sale and leaseback whilst the building was a building site – we
245 are paying because we need to pay to have possession whilst we are carrying out the fitting out before the Civil Servants can move in to the offices that they deserve to be working in, which should be modern and fit for purpose and which should have all of the attributes that you need today, including – I lose touch, Madam Speaker – Cat 6 cabling and all of the other stuff that is required in order to be able to move into a modern piece of office space.

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Madam Speaker: Next question. There have been seven supplementaries on this.

Hon. Dr K Azopardi: Madam Speaker, this adds a new dimension to the questions, if I can just be permitted one final question.

255

Madam Speaker: That is even worse. One more.

Hon. Dr K Azopardi: I am grateful, Madam Speaker. I understand that that you have to fit out the building, but in the course of the negotiations people might have expected that a better deal
260 could have been done to land this property, because we have paid already 18 months' rent, it still has not been fitted out and the Civil Servants are not there. How much longer is it going to take for the Government to be paying rent without the Civil Servants being there? Has the Chief Minister got visibility of the kind of time that we are talking about?

265 **Hon. Chief Minister:** Madam Speaker, I am always impressed by the Hon. the Leader of the Opposition's optimism of what he might hypothetically have been able to do. He has in the past told us that he would already have been able to do a deal – that he would no doubt have been able to do a better deal in respect of the Withdrawal Agreement and that he would have done a much better deal in relation to the Tax Treaty. All of the things that we have done, he would have
270 been able to do better. I am almost minded to see him in a frilly skirt, dancing next to me, singing 'Anything you can do, I can do better'. I have no doubt that in his philosophies and in his imagination he would have done better. We think we have done a very good job, actually. We

have got a very good rent. It is a very low rent per square metre. We think we have landed the deal right and we expect that Civil Servants should be able to move in in the next six months.

Madam Speaker: Next question.

Q1001/2024
New reclamation –
Location and commencement

Clerk: Question 1001. The Hon. the Leader of the Opposition, on behalf of the Hon. D J Bossino.

Hon. Dr K Azopardi: Madam Speaker, where will the new reclamation announced recently by the Chief Minister be located and when is it expected to commence?

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Madam Speaker an announcement on the new reclamation will be made by the Government at the appropriate time once the final designs and reclamation agreements have been respectively concluded and signed.

Hon. Dr K Azopardi: May I ask: these are reclamation agreements that the Government is entering into with parties it is negotiating with to undertake the reclamation, or are these commercial agreements with other entities to do some kind of reclamation or development together? Am I making myself clear, in terms of my question?

Hon. Chief Minister: Madam Speaker, only one party reclaims land and that is the Government of Gibraltar, because in doing so we create land, so all land created is created for the Government of Gibraltar. Once the land is created, the Government can then grant leases in respect of that land. We are looking to do an agreement for the creation of land for and on behalf of the Government of Gibraltar.

Hon. Dr K Azopardi: I see, but an agreement with commercial entities or an agreement with a provider who will undertake the reclamation?

Hon. Chief Minister: Madam Speaker, even a provider would be a commercial entity.

Hon. Dr K Azopardi: Let me try to be a bit more specific. You can do a deal with someone who will bring the trucks in and do the reclamation, or you can do a deal with someone who will participate with you in the development of the land or will develop the land that is produced by the reclamation. I am trying to ask: is the Government simply having discussions to reach agreements so that the land is produced, or is the Government also in negotiations to first produce the land and then agree how it will be developed? That is what I am asking.

Hon. Chief Minister: The Government is in negotiations, Madam Speaker, to produce the land, but the Government is also in other negotiations as well, in order to ensure that the Government, in the negotiation for the production of the land, gets the best deal for the taxpayer.

Hon. Dr K Azopardi: But if the latter is the case, which implies to me at least, and perhaps the Chief Minister can clarify, that the negotiations are entailing also the use and development of the land going forward. Won't the Government put whatever land is produced out to tender?

Hon. Chief Minister: Not necessarily, Madam Speaker. When I have spoken about this land, I have spoken about it in the context of the development of affordable housing, principally.

325 **Hon. Dr K Azopardi:** Principally, but not exclusively. Presumably when the Chief Minister makes his announcement, all of these issues will be clear, so that we do not have to dance around the subject in vague terms. Is that correct? When he makes his announcement, will not only the location be clear but there will be an identification of how the land will be used, not just for affordable housing if it is not going to be exclusively for affordable housing and will be used for other things? It will be clear in his announcement – is that the case?

330

Hon. Chief Minister: Absolutely, Madam Speaker, as is always the case.

Madam Speaker: Next question.

Q1002-03/2024

Persons naturalised or registered as British Overseas Territory citizens – Numbers since 2019 and countries of origin

335 **Clerk:** Question 1002. The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: Madam Speaker, how many persons were naturalised or registered as British Overseas Territory citizens since 1st January 2019, broken down by calendar year?

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

Chief Minister (Hon. F R Picardo): Madam Speaker, I will answer with Question 1003.

345 **Clerk:** Question 1003. The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: What were the countries of origin of those persons naturalised as British Overseas Territories citizens since 1st January 2019, broken down by country of origin?

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

Hon. Chief Minister: Madam Speaker, I now hand the hon. Gentleman a schedule with the information requested.

Answer to Q1002/2024

The number of persons naturalised or registered as British Overseas Territory Citizens since 1st January 2019 broken down by calendar year are as follows:

Naturalisation	
2019	91
2020	216
2021	116
2022	145
2023	135
2024	122

Registration	
2019	23
2020	41
2021	42
2022	24
2023	58
2024	26

Answer to Q1003/2024

The Countries of origin of those persons naturalised as British Overseas Territory Citizens since 1st January 2019 broken down by country of origin are as follows:

Naturalisation	
Algerian	1
American	10
Australian	7
Antiguan	2
Argentinian	2
Belarussian	1
Belgian	2
Bolivian	1
Brazilian	8
British National Overseas	3
Bulgarian	8
Canadian	4
Cameroon	1
Chinese	17
Colombian	2
Croatian	1
Cuban	5
Cyprian	3
Czech	5
Danish	6
Dominican	5
Dutch	6
Egyptian	2
Filipino	34
French	15
German	9
Greek	1
Guinean	1
Hungarian	8
Indian	38
Indonesian	2
Iranian	1
Irish	7
Israeli	39

Italian	22
Japanese	1
Jordanian	1
Kittitian	1
Latvian	1
Lebanese	2
Lithuanian	2
Malaysian	3
Maltese	4
Mauritian	1
Mexican	6
Moroccan	210
Nepalese	1
New Zealander	2
Nigerian	3
Norwegian	1
Pakistani	1
Palestinian	1
Peruvian	2
Polish	17
Portuguese	29
Romanian	14
Russian	12
Slovenian	3
South African	2
Spanish	182
Sierra Leone	1
St Lucian	1
Swedish	17
Swiss	4
Taiwanese	4
Thai	7
Tunisian	2
Turkish	1
Ukrainian	6
Uruguayan	1

Madam Speaker: All right. We will move on to the next question and come back to this for supplementaries in a little while.

Q1004/2024

**Statistics on government website –
Availability for period before 2015**

355

Clerk: Question 1004. The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: Why are statistics for the period before 2015 no longer available on the relevant page of the Government website?

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Madam Speaker, I am advised that the statistics for the period before 2015 appear to have been temporarily removed from the Government website due to an IT issue relating to damaged links following a website update. The document links to the online statistics tables before 2015 have now been restored and all data tables are back online.

Madam Speaker: Next question.

Q1005-08/2024

**Government departments, companies, authorities and agencies –
Clerical and non-clerical vacancies**

Clerk: Question 1005. The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: Madam Speaker, how many vacancies for clerical grades were there in Government departments on 19th November 2024?

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Madam Speaker, I will answer together with Questions 1006 to 1008.

Clerk: Question 1006. The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: How many vacancies for non-clerical grades were there in Government departments on 19th November 2024?

Clerk: Question 1007. The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: How many vacancies for clerical grades were there in wholly owned Government companies and/or statutory and non-statutory authorities or agencies departments on 19th November 2020?

Clerk: Question 1008. The Hon. the Hon. Leader of the Opposition.

Hon. Dr K Azopardi: How many vacancies for non-clerical grades were there in wholly owned Government companies and/or statutory and non-statutory authorities or agencies on 19th November 2024?

Clerk: Answer, the Hon. the Chief Minister.

Hon. Chief Minister: Madam Speaker, on the basis that the Personnel and Development Department advise that an open vacancy is a vacancy that has been advertised and the closing date has not passed, there are currently no open clerical vacancies. I am further advised that on the basis of the same definition, there are five open non-clerical vacancies.

Hon. Dr K Azopardi: Five clerical vacancies, but in respect of which one? I have asked in relation to Government departments, but also in relation to Government companies, statutory authorities and agencies, so in respect of what are we talking about?

405 **Hon. Chief Minister:** That definition applies in respect of all of those.

Hon. Dr K Azopardi: Yes. I am just asking where the five vacancies are.

410 **Hon. Chief Minister:** Broken down by where?

Hon. Dr K Azopardi: Yes, where are they? I mean are they in Government departments or are they in Government companies?

415 **Hon. Chief Minister:** Madam Speaker, from the information I have, I believe one is in the Government itself, in the Civil Service, and four are in the Gibraltar Health Authority, so in an agency.

420 **Hon. Dr K Azopardi:** But given the preface to his answer – I did not take a note precisely, but it sounded like, ‘We are defining vacancies as we have put a job out and it is still out there.’ No? So perhaps he can repeat it, so I can put the proper question, because I may have misunderstood what I am about to say.

425 **Hon. Chief Minister:** Madam Speaker, the way that the Personnel Department has advised that it is appropriate to answer this question is to refer to open vacancies. Open vacancies are vacancies which have been advertised and the closing date has not passed. That is what they are advising is how we should interpret the hon. Gentleman’s question in order to be able to answer it precisely, because that is what we think he is trying to get at and that is what I have been given for that reason.

430 **Hon. Dr K Azopardi:** Okay. That is not what I was trying to get at. I was not trying to get at how many jobs have been advertised. I thought it was obvious, but if the Chief Minister does not have this information I will table new questions next time. What I was trying to get at was there is an established complement and there will be people in post, and there will be a difference between the numbers of people in post and the established complement: what I would interpret as
435 vacancies in the established complement. I was trying to find out how many vacancies there are with reference to the established complement in respect of clerical and non-clerical grades. That is what I was trying to get at. Does the Chief Minister have that information? If not, I will ask again.

440 **Hon. Chief Minister:** Madam Speaker, the information that the hon. Gentleman now appears to seek is the information that he has sought in the past when his questions have been about vacant posts, which is why we have wondered what the change is. He has always asked about vacant posts. This time he has asked about vacancies, and that is why we were advised to give the answer about ‘vacancy’ – that is to say something that somebody is applying for. I do have some information; I am just not sure that I can interpret it properly for the purposes of giving him
445 meaningful data. I wonder whether he might put the question next month with the reference he has always used in the past of ‘vacant posts’, and we will know that he is once again seeking that information and not the other information. He could actually, if he wishes and it might be helpful, across the floor of the House ask both about vacant posts and open vacancies, and then we can give him both numbers.

450 **Madam Speaker:** Next question.

Q1009-10/2024

**Gibraltar Industrial Cleaners Ltd –
Privatisation or transfer of services**

Clerk: Question 1009. The Hon. the Leader of the Opposition.

455 **Hon. Dr K Azopardi:** Madam Speaker, is Government intending to contractualise or privatise any services currently provided by Gibraltar Industrial Cleaners Ltd or transfer its functions or services to another provider or entity or transfer its shares to private interests?

Clerk: Answer, the Hon. the Chief Minister.

460 **Chief Minister (Hon. F R Picardo):** Madam Speaker, I will answer with Question 1010.

Clerk: Question 1010. The Hon. the Leader of the Opposition.

465 **Hon. Dr K Azopardi:** How many entities or persons have expressed an interest in providing the service or managing the service currently provided by Gibraltar Industrial Cleaners, and with which entity is the Government in discussions in relation to those services or any other municipal waste services beyond those currently provided.

Clerk: Answer, the Hon. the Chief Minister.

470 **Hon. Chief Minister:** Madam Speaker, the Government has already confirmed publicly that it is exploring options to ensure Gibraltar's resilience in handling municipal waste, in particular in the context of the ongoing UK-EU treaty negotiations. We are working closely with Unite the Union and the relevant collective staff to provide assurances that the options which Government is considering do not envisage any material or adverse consequences for all current GIC employees.

475 Three entities have been in contact with the company in respect of possible future arrangements. There is, as yet, no agreement with any entity and the Government will be in close contact with the Union before finalising any arrangements. We are talking in detail to one entity but as no more than a preferred bidder at this stage. The negotiations have been led by the Ministry of the Environment and have involved numerous other Ministries, including the Deputy Chief Minister and me, at different times.

485 **Hon. Dr K Azopardi:** Question 1010 actually asks which entity is the Government in discussions with. Does he have that information, which is what I asked in my original question?

Hon. Chief Minister: I do, and I am not going to provide it, Madam Speaker.

490 **Hon. Dr K Azopardi:** Why would that be the case.

Hon. Chief Minister: Madam Speaker, because of what I said in the context of my answer, which is that we are talking we have spoken to three, one has emerged as the preferred bidder but we are not there with that entity yet. We could change horses if we have to. If the negotiation does not go in the right way, we commercially might need to do that in the context of driving the bargain, and so if we reach a conclusion with any of the three – and we are now pursuing it with one – we would then make the announcement about which of the three we have done an agreement with. But there is still a long process to go, and we are talking to the union in a lot of detail about this.

500 **Hon. Dr K Azopardi:** To be clear, I am not asking him to give me the name of the preferred bidder. What I am saying is can he give us the names of the three entities. That way, he would not prejudice those discussions.

505 **Hon. Chief Minister:** Madam Speaker, at this stage I do not wish to be drawn on that, but I am happy to tell the hon. Member behind the Speaker's Chair and I indeed am happy to agree – because I think this is a process that in this instance will have to be followed – that the Government statement, if an announcement is made, will set out the three that we spoke to and why and how we have come to the conclusion that X rather than Y or Z have been the ones selected.

510 **Hon. Dr K Azopardi:** In his original answer the Chief Minister used the phrase that he is in discussions with them – I think I took the note accurately – 'in particular in the context of the negotiations'. That is somewhat different to the press release that was issued by the Government that said it was exploring options to ensure Gibraltar's resilience in handling municipal waste in case of a non-negotiated outcome, so it is very specific to a non-negotiated outcome. The way that the Chief Minister has answered this morning suggests that it is wider than that. Is that the case? And if so, is it possible that there might be an arrangement with an entity even if there is a negotiated outcome?

520 **Hon. Chief Minister:** Madam Speaker, yes.

Hon. Dr K Azopardi: I see, and would that be for the handling of the domestic municipal waste in Gibraltar as well as trans-frontier waste? Presumably the element of resilience that was alluded to both today and in the press release is not about the handling of waste or refuse in Gibraltar. Presumably resilience is about then dealing with the product of the collection of the refuse once you have got it. Will it be dealing with the dimension of exportation of the refuse, as well as the handling of the municipal refuse collection service in Gibraltar?

530 **Hon. Chief Minister:** Madam Speaker, this is about the whole value chain of waste. It does not start with collection; it starts with how we deal with waste in our homes and in our offices. It deals with how waste is produced, then how waste is collected, and then how waste is disposed of. Those issues become very acute immediately in the context of a no negotiated outcome, but they are also, although less acute, acute nonetheless in the context even of a negotiated outcome, because of the issues of sustainability that arise and how the management of waste is changing the world over, in particular in Europe. Even in a negotiated outcome the hon. Gentleman will know, like everyone in this community knows, that we rely on European solutions to manage the disposal of our municipal waste. Those European solutions are changing. They are becoming more expensive. They require different management of municipal waste, and sustainability is at the core of this. He will no doubt know, or should know, as he will have done his research before asking me this question, that this is about the whole value chain and the potential exponential increase in cost or potential huge problem that this community could face very acutely in a negotiated outcome, and acutely even in a negotiated outcome.

545 **Hon. Dr K Azopardi:** Is it the expectation or at least the hope of the Government that if it does reach an arrangement, this is going to produce cost savings for the taxpayer? And when did the discussions with the Union start? He mentioned, I think, in his original answer that they are in consultation with the Union. Did the consultation and discussion with the Union start before or after their demonstration outside No. 6?

550 **Hon. Chief Minister:** Madam Speaker, I did not get the first part of the question.

Hon. Dr K Azopardi: Whether we are going to save money.

Hon. Chief Minister: Those are two completely different questions, and I do wish the hon. Gentleman had dealt with in separate supplementaries. If I forget one of them in the context of answering each of them, please, the hon. Gentleman should feel free – with your leave, Madam Speaker, of course – to remind me.

The Government expects that this will produce a saving in respect of the huge, anticipated cost to come. In other words, there is a cost we have today; there is a massive cost coming in our direction, huge and massive in no negotiated outcome, massive even in a negotiated outcome because the cost of dealing with waste is growing, as the way of dealing with waste is changing because of the sustainability issues. Because landfill no longer takes compostable waste etc., all of these issues arise, so it is a question of mitigating cost increases. We are, I think, convinced that the approach that we are taking massively mitigates the potentially massive increase that is coming our way one way or the other.

The Government was not ready to start talking to the unions because we were not yet able to point to the key aspects of the negotiation which we would want to take to the Union in order to raise the issues with them. But the Members of the Union had concerns, which resulted in an exchange of information with the Government, which obviously did not satisfy the men of GIC. They, therefore, spontaneously demonstrated. The Union asked us for a meeting as a result of that demonstration, and I was very happy to host the meeting, after the demonstration, at my offices on Tuesday, where we had a very open, very positive exchange with the representatives of the members of GIC who attended. I was able to remind them, and they needed no reminding of the fact, that GIC was created by the GSLP Government between 1988 and 1996, that we wanted to do things which protected them, which guaranteed their terms and conditions of employment, that we would put that in writing, that we would happily listen to the concerns that they had about any issues, but that we did not yet have anything to put to them. The Union has sought, very reasonably, that we should consider not just the negotiation that we have ongoing and which we have not yet finalised with the third-party preferred bidder, but also their list of concerns, which they accept are based only on rumour and hearsay but which create concerns for them which they wish to have allayed. So we are in exchange of correspondence with the Union, to be able to allay those concerns and to work with the Union in the context of the negotiation, as we would have when the negotiation reached that level of maturity, to ensure that the protection that the Union seeks on behalf of its members, which is very likely identical to the protection that a GSLP Liberal Government will provide to the people who are employees of the GSLP-created company GIC, and ensure that those protections are enshrined in writing in any negotiation which leads to a contract being entered into, or indeed in ancillary documentation by which the Government guarantees terms and conditions of the individuals employed in GIC going forward.

Hon. Dr K Azopardi: The Chief Minister talks about the big cost coming, which I understood in his explanation to mean irrespective of whether there is an agreement or not. So, there will be a cost which may be higher if there is not an agreement or if there is. I am not sure which, because I am not as sighted on the detail as he is, no doubt, given his officials advising him on the issue, but there is a big cost coming, hence the discussions, though they may land an agreement with the entity. If that is the case, and they land an agreement with a private entity and there is a big cost coming, can he assure the people listening that that cost is not going to be passed on to private dwellings or businesses, directly or indirectly, by the private entity or by increases in taxation?

Hon. Chief Minister: Madam Speaker, the hon. Gentleman is a bit out of date. We are not anymore talking about people listening; we are potentially talking about people watching. One of the fantastic revolutions of the New Dawn was that cameras were finally invited into this place. I know that he sometimes still thinks that we are in the period 1996 to 2003, and some people no doubt still listen, but some are potentially also watching.

605 Madam Speaker, the Government does not wish to see any increased cost. We want to have one head to hit. We want to be able to ensure that all matters relating to waste are dealt with under one contract with one operator, and we want to mitigate the cost to this community. If there is cost to this community, it is impossible to say today how it will be defrayed and if he were standing where I am standing, he would have to give the same answer. For example, at home I have been doing very detailed recycling to try to understand what the arrangements that are now in place in most European countries entail and what will potentially have to be in place in Gibraltar. That is added cost to me: I have had to buy extra bins at home in order not to have different rubbish bags lying around the house. I have been put to cost and anybody who at home is going to have additional bins will be put to cost. It is impossible to provide any greater answer than that. Indeed, I am reminded of the attitude that the Hon. the Leader of the Opposition took in his fourth bid to become Chief Minister at the last General Election, in which he said, during the course of one of the many interviews that he gave, that he was unable to rule out whether or not taxation would go up if he became Chief Minister. Well, Madam Speaker, until we know exactly what those costs will be – and we will not know what those costs will be until we have been able to do an arrangement with a third party that might mitigate those costs – we cannot give a number to this community of what the additional cost to be defrayed between us all will be. That may be something that we can pay from the current resources available to us, or not. Indeed, there may be people who wish to pay for other services. I will give the hon. Gentleman an example. As a result of the experiment I have been doing in my own home – in respect of which the hon. Gentleman would be interested to know that future generations are much better at this than we are; my children really lead the way in my house in reminding me of where the yoghurt pot goes, where the top of the yoghurt pot goes, where the spoon goes and always remind me not to throw the kitchen spoon away and to put it in the sink – we have contracted privately with an entity that offers the service today, that comes to collect our plastic, cardboard and paper separately from the municipal waste that we put out. We have chosen to do that because we do not want to make the trek to the recycling bin, which we can do if we wish to. So, there are many different ways of skinning this cat. Things might be offered which you do not have to take up, but if you want a facility they will be taken up. But I can tell you for nothing that certainly it will not be possible, in the context of what is affordable value for money or indeed reasonable in the modern age, to expect that the dustbin will go up to the door of your apartment and ask you to collect today the plastic, tomorrow the cardboard, the paper, the glass, the cooking oil and the municipal waste. It would be impossible for anybody to believe that any serious political party that might want to use this issue as a carrot in a General Election could reasonably say that they would be providing that service on a daily basis in the same way, or indeed on any sporadic basis, in the same way that we collect municipal waste today. I would encourage the hon. Gentleman to continue down the route that he says he pursues of serious politics and not speculative politics, and not suggest that this was in any way something that is not the way it is going to have to be dealt with in the future in Gibraltar, as it is everywhere else in Europe.

Madam Speaker: Next question.

Q1011/2024
Eastern Beach incident on 10th November 2024 –
Update

645 **Clerk:** Question 1011. The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: Madam Speaker, can the Government provide information to the House on the alleged incident near Eastern Beach on Sunday, 10th November 2024 involving a Spanish state vessel and a number of RHIBs, and whether shots were fired?

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Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Madam Speaker, as I have previously stated, this forms part of an ongoing investigation and it would therefore not be appropriate for me to comment at this stage.

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Hon. Dr K Azopardi: I appreciate that No. 6 issued a statement to that effect, I think the day after, but as we are now almost three weeks on, I was hopeful that the Chief Minister would now have more information. Does he have some sense of when he would be in a position to inform the House about this matter in greater detail?

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Hon. Chief Minister: Madam Speaker, I am not happy to have to give the hon. Gentleman the answer I have had to give him, but I want to be very clear that if there is one thing that differentiates our law enforcement agencies from others is that our people do not shoot from the hip and we do not make statements which are not reliable. We are very careful when we are making statements about incidents of the sort, as everybody in Gibraltar would expect. Although he has the luxury – I am not criticising him for it – just like every other citizen, and I suppose I have the luxury, of being able to comment as a citizen on what we might see with our own eyes on a video that is widely circulated, when those videos are subject to very careful forensic analysis they might not demonstrate what it appears at first blush they demonstrate. For that reason, whilst that more detailed analysis is being done – and I want to be very careful with what I say – I am not able to tell the House anything other than a vessel from a foreign law enforcement agency spent time in BGTW on that night but it is not yet possible for me to say that shots were fired in BGTW or at all. I have seen the videos. The hon. Gentleman has seen the videos. If I was talking as a layman I would say it is f-r-i-g-g-i-n-g obvious that shots were fired, but when you analyse things forensically and you put the grid reference on and you analyse each apparent shot using the analysis that is necessary to confirm it is a shot in order to elevate matters beyond simply the observation of us as citizens, then you get the answer that I am giving, and therefore further investigation is required before being able to say more.

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As I started saying, Madam Speaker, I am not happy to have to give the hon. Gentleman that answer, but that is the law enforcement reality of where we are in order to ensure that our reputation and the reputation of law enforcement in Gibraltar in the context of this international issue is not in any way tarnished by shooting from the hip.

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Hon. Dr K Azopardi: I certainly agree that forensic examination and investigation have to be done to take Gibraltar to the position that it has at least proof, or as best evidence as possible, if it is going to elevate things. Certainly, if things have happened of that nature and shots have been fired, it does need elevation to a diplomatic level because these are serious and it would not be the first time, if you do have proof of it, because we have the February 2023 incident to hand, quite recently. So, I agree with the Chief Minister that that is the case, and I am sure he will agree with me that it does require elevation if that is the case.

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Given that this is a matter of public interest, with the Speaker's leave I ask him whether he can update the House at a future point, with some leeway, in a couple of months or so, to see where we are on the matter.

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Hon. Chief Minister: Madam Speaker, it is, of course, a matter for you to determine whether or not a question can be put. The hon. Gentleman, I think, is asking for my confirmation that we would not be objecting to it on the basis that it is within six months, and we certainly would not.

We agree that this is a very serious issue. The elevation, as he knows, is not something that is in the hand of the Government of Gibraltar; it is something which is in the hand of His Majesty's Government in the United Kingdom to make at the level of a diplomatic protest. But as a proud Briton, I would say that when His Majesty's Government in the United Kingdom raises a diplomatic process, it does so confident and sure of the ground on which it is relying, and indeed, as the Deputy Chief Minister and I have seen in our unfortunate expertise of having to see these things elevated with very detailed annexes which demonstrate that what is being elevated is forensically demonstrated so that there is no potential embarrassment or pithy comeback which we have to endure.

Madam Speaker, I am sure that there is nothing between both sides of the House on this issue, and I would therefore ask the hon. Gentleman to remember not just the February 2023 incident but also indeed the incident that we had with a jet ski being shot at with rubber bullets in the last 12 years, and another incident off the Eastside where a pleasure vessel was being pursued and was also the subject of rubber bullets being fired. On both of those occasions, once the forensic analysis had been done, including the analysis of the popping sounds that are heard to confirm against a digital audio signature that they are undoubtedly the sounds of rubber bullets being fired, those things were elevated.

The hon. Gentleman will also allow me to reflect, Madam Speaker, in the context of this answer that the question he has put has elucidated, in a recent statement by an individual who I regard as a friend of Gibraltar, who is the Mayor of San Roque, who is also a member of the Congress or Parliament of Spain, where he said that Gibraltar and Gibraltarians had to realise that members of the Spanish Guardia Civil were members of Spain's reputable law enforcement agencies and that we had to get used to the idea of a deeper interaction with them in the context of the treaty. I am not going to comment on why that was made. I consider Juan Carlos to be a good friend of Gibraltar, somebody who wants a treaty. He is now also the chairman of the Spanish Parliament's Foreign Affairs Commission, and so he will have been briefed, no doubt, by his party in government about how they view the state of the negotiations. I would simply, more in sorrow than in anger, reflect on the fact that incidents like the one that this House is having to consider in the answer to the Hon. Leader of the Opposition's questions, the incident with the jet ski, the incident in February 2023, incidents when agreements entered into by the national Governments of Gibraltar, Spain, the United Kingdom and the European Commission appear to be derailed by one officer of those law enforcement agencies, and indeed the historic issue going back 50 years, 60 years, does, of course, affect the psyche of the Gibraltarian. We cannot just blithely be told that the Guardia Civil is a reputable law enforcement agency of the Kingdom of Spain. I have no doubt that the Guardia Civil is a reputable law enforcement agency of the Kingdom of Spain. I have no doubt that there are very many good, honest, hardworking *Guardia Civils* and good, honest, hardworking *Policías Nacionales*. I also know that those making those remarks in Spain are alive to the fact that there are many who have failed to endear themselves to the people of Gibraltar in the past because of conduct that, no doubt being man bites dog and sporadic and ad hoc, have let down their very reputable law enforcement agencies, the Guardia Civil and the Policía Nacional, but they have done so having a further effect on the Gibraltarian human and political psyche.

Updates – Statement by Madam Speaker

Madam Speaker: For the avoidance of doubt, I will allow a further question in relation to updates. The Hon. Edwin Reyes will know that I held some of his questions inadmissible for this session because he was the hon. Member was seeking updates, and I appreciate that the Hon. Member cited comments from the Hon. the Chief Minister in which he said that he would have

745 no objection to questions being put as updates generally speaking, but for the reasons I shared
with the hon. Member, I think the chair has to be very careful about just allowing updates regularly
on any subject because it would open the floodgates to the same question being put ad nauseam
every month, just simply with a proviso that it is an update. So, generally speaking, I would not
750 allow that, but on matters of high public interest I will make an exception and I will allow updates
to be put, perhaps not necessarily every month but that is a matter for the Hon. the Leader of the
Opposition to assess.

Next question.

Q1012/2024

**Payments to construction companies –
Breakdown for period 2018-24**

Clerk: Question 1012. The Hon. the Leader of the Opposition.

755 **Hon. Dr K Azopardi:** I am grateful, Madam Speaker, for that indication.

Can the Government provide a list of total payments in excess of £100,000 made by the
Government or any government-owned entity or the Savings Bank to any construction companies
in relation to construction, building works, demolition or land-related contracts, broken down by
company, identifying the specific entity, and by particular contract or works for each of the
760 following financial years: 2018-19, 2019-21, 2021-22, 2022-23, 2023-24?

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Madam Speaker, the information requested by the hon.
765 Gentleman is too voluminous to provide the timeframe available or at all. In fact, this would
require the extraction of every payment for any construction purpose for 72 months in respect of
a total of approximately between £3.5 billion and £4.25 billion, which is almost a forensic exercise,
unlike one ever carried out in the history of Gibraltar in any field, including criminal proceedings
or fraud.

770 **Hon. Dr K Azopardi:** Okay. Hopefully we will get there one day because the Chief Minister will
recognise that I asked a different question last time without putting a threshold, and in
supplementaries with the Chief Minister he mentioned that a threshold might be useful, so I put
a threshold thinking this would be it now. May I ask him, is it the threshold issue that is the
775 problem? I had understood, certainly from the exchanges that I had with him a few months ago,
that as long as I put a threshold it would be possible for an answer to be given to the Opposition
on this matter.

Hon. Chief Minister: Madam Speaker, this is not something we are trying to avoid doing; we
780 just think it is impossible for us to do. The threshold helps. In fact, in my prepared answer I have
£3.5 billion, and I said £3.5 billion to £4.25 billion, because that is worked out on the basis of
revenue and expenditure of approximately £750 million a year. Going back those numbers of
years, we end up in a situation where we have to go back all that way and check every payment.
Even payments as high as £100,000 is a hell of a lot of payments in that period. And so, what I
785 have suggested to my Parliament team, which was met with sighs - and I could hear the sighs from
the Ministry of Finance downstairs – is that we could do it going forward. That is to say, if we set
a threshold which is reasonable, we could then, in respect of every payment made going forward,
keep the record, and indeed, as I often say to hon. Members, if they are interested in information
and we are keeping it going forward, we can then add it to the data that is provided on the

790 Government website so hon. Members could see it, and then they could ask political questions about the data rather than having to ask for the data and then come back with political questions. Having now understood what this means, he might take the same view I have taken, which is to say, 'Okay, I understand now this is impossible.' It will require a team dedicated only to this, going through every payment made in the last 72 months and analysing whether it contained any construction element to it. That is the difficulty, and that is why I have referred to it as a forensic exercise, because, as he knows and it would have been the case when he was in government, once we are preparing an answer for this House, we have to ensure it is an accurate answer for this House, and so every payment will have to be analysed and looked at to confirm whether there is a construction purpose to it. The answer I was given, for example, was if we are making a payment out of a company for something that would appear unrelated to construction, the money may end up being used for a construction purpose. So, a payment of £100,000 to the car parks company ... There is no suggestion that there is such a payment; I am just trying to use the parameters and the reference. The hon. Gentleman's parameter is £100,000. He includes companies in his definition, so a payment of £100,000 to the car parking company, which may be for the running expenses of the car parking company ... The car parking company may spend £10,000 looking at repairing a joist, so we should have to tell the hon. Gentleman that £9,966 paid to the car parking company in 2018-19 was used to repair a joist. To get there, we have to go through the near £700 million of expenditure that year. That is the difficulty. But there is no reason – and I think I said to this the Hon. Roy Clinton in relation to stamp duty – why we should not try to look at whether we can do this. In the context of stamp duty, it is going to require a change in the law, but in the context of this it is just to add a note to everybody's practice that when they make a payment which they are told has been used for a particular purpose, to note it separately, add it and publish it at the end of each month. That, we could do. I am told, additionally, that it would be more helpful if we could do that starting 1st April, to keep it to financial years rather than just start it from 1st of January, which would be the last quarter. I am told it would be better to do it that way. I hope that is helpful to the hon. Gentleman.

Hon. Dr K Azopardi: Yes, well, it is helpful in terms of the conundrum. It is certainly helpful if they are going to do it going forward, so at least we know going forward it is there, but going back ... Let me try to explore the problem with this question, because obviously the Chief Minister has had discussions on it, but and I have not, so I am not I am not sighted on this and obviously it has been a while since I have been in government and in those days there was a lot of paper-keeping, although there were computer systems then. Are the systems now not dynamic enough for a Minister to say, 'I want to know, in respect of X Company Ltd, how many payments we have made – it is a construction company'? Is it not dynamic enough to provide that information: 'During that financial year I want to know whether the approved list of construction companies have received these payments'? Is it not dynamic enough to do that even in relation to the approved list of Government contractors and companies etc?

830 **Hon. Chief Minister:** Madam Speaker, I am just making a note of what he has said. The hon. Gentleman has not said 'payments to construction companies' in his question. (**Hon. K Azopardi:** Yes, I have.) No. He goes on to add 'in relation to construction, building works, demolition or land-related contracts broken down by company'. He narrows it down to construction companies and then broadens it into all of those other purposes, and that is the difficulty. If the hon. Gentleman had said construction companies, then I would have said, 'Okay, let's agree a list of construction companies and then let's look at what he really wants,' because if what he wants is just a list of payments to companies registered with the company as construction companies, without us having to dig into the purpose of those payments, I might be able to go back and see whether our systems enable an extraction of that. But then he goes into the purpose of the payment, and that then becomes the difficulty. Let me give the hon. Gentleman the obvious example: GJBS. We might sometimes make a payment to GJBS which is not related to construction, building works,

demolition or land related contracts. We might sometimes make a payment to GJBS, for example, when GJBS is providing a service to us, like payroll, which the hon. Gentleman knows they provide, or we are making a payment to GJBS for another purpose. That stymies us in being able to accurately answer just by giving him the payments we have made to GJBS. Those are the difficulties that we are experiencing in seeking to honestly answer the question.

Hon. Dr K Azopardi: I see. It might be language, so I will have another go at making my question tighter still, if I may, and hopefully the Chief Minister will be in a position next time to provide an answer.

Hon. Chief Minister: Will he give way?

Hon. Dr K Azopardi: Yes.

Hon. Chief Minister: If he wishes, we could have a conversation as he formulates his question, where I could bring into play the views of the Financial Secretary also of what he could ask for that we can actually give him. That might be a helpful way of formulating the question in a way that can be answered, and then we can look at how we deal with the future separately.

Hon. Dr K Azopardi: He will understand that I am keen to have this discussion because this is an important issue. We are trying to get information. I understand from the tone of the replies that the Government is not trying to be difficult but is explaining a problem in terms of the massing of data. I am keen to have that discussion, and following that, and perhaps with input from the Financial Secretary, it would be important for us to receive that information with his assistance.

Hon. Chief Minister: Yes, Madam Speaker, I think it is very potentially useful information in doing the analysis, for example, of GDP. If you look at how much of our GDP relates to construction, you would then be able to see how much of the money put into construction in a particular year came from the Government. I think it is therefore helpful in doing wider and broader economic analyses going forward. The Government is not saying no, it is just saying it cannot do it like this that far back.

Madam Speaker: Next question.

Q1013/2024

Treaty on new relationship with EU – Update re discussions

Clerk: Question 1013. The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: Madam Speaker, will the Chief Minister update the House on the ongoing discussions aimed at concluding a treaty on a new relationship for Gibraltar with the European Union?

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Madam Speaker, together with the United Kingdom Government, we continue with our negotiations with the EU unabated and progress continues to be made. We are not yet in a position to announce that agreement at the political level has been reached but, as a result of the intensity and ingenuity with which teams have worked since the

last ministerial meeting, in Brussels on 19 September, we are even closer today than we were then.

890 We are ready to continue intense negotiations on every day available to ensure we reach
agreement or the end of the road in the shortest time available, but we cannot negotiate alone,
we cannot negotiate matters related to sovereignty, jurisdiction or control, and we cannot agree
anything that is not safe, secure or beneficial. We have put on the table solutions that guarantee
the safety and security of the Schengen Area and the integrity of the Single Market and which do
not cross any of our red lines or our commercial and practical concerns. If those were accepted,
895 we could declare agreement reached tomorrow. I commend all negotiators on all sides for their
diligence and continued hard work and commitment. I am sure we will get there with good will,
good faith and good, old-fashioned hard work.

Hon. Dr K Azopardi: In terms of the substance of what remains blocking an agreement, would
900 I be right to think that there are still issues that affect mobility of persons as well as other matters
perhaps in relation to trade or other aspects? Or is the Chief Minister in a position to say to the
House that the bag of issues that contains the unagreed matters are of a specific theme, or are
they diverse in nature?

905 **Hon. Chief Minister:** They are diverse in nature, Madam Speaker. They are not related to a
specific theme. The hon. Gentleman will forgive me for having smiled when he said, 'Do they affect
persons or goods?' Given that the agreement we are negotiating is about circulation of persons
and goods, they affect both of those two very broad pillars and not just one; and, if I may say, with
respect to the many journalists who are reporting on this matter, they do not relate to the things
910 that catch the imagination that journalists are speculating are the thing that is stopping the
agreement from being declared. Actually, there are much more technical issues that need sorting
out, many of them I think the Deputy Chief Minister and I had never expected would be an issue
and that, if I may say so, I think the politicians round the table did not expect to be the issue. They
are deeply technical issues that need to be resolved, that are not related to what I might call the
915 age-old politics between Gibraltar and Spain, to use a catch all-phrase. They are technical issues
that are in place. I never discount those issues coming back. We all know what happens at five
minutes to midnight in a negotiation, or indeed at one second to midnight in negotiations that we
have been involved in, but at the moment we are dealing with much deeper technical issues.

920 **Hon. Dr K Azopardi:** I appreciate that. I put my question quite obliquely, let me just say, in
relation to persons and goods, because I recognise that in the context of a highly complex
negotiation the Chief Minister might not want to go further in terms of the detail of the themes.
So, that is the reason for it. I was inviting him to give as much detail as he felt he could give on the
issue. Perhaps he can reflect on that in case he wants to add anything on that issue.

925 May I ask him, in terms of process, does he envisage that the technical discussions will continue
now – we are four weeks away from Christmas – or will there be discussions that are programmed
to be more than technical and involve a political element at senior level?

Hon. Chief Minister: Madam Speaker, I do not think I can be drawn on that at this stage. I
930 would be delighted to be able to give him a clearer chronology, but because of the nature of the
issues that are in play, it is not possible to be clearer at this stage simply because they have to play
out and we have to find those solutions, and then we might be able to start to see the chronology
that we all want to see for further political meetings and the progress that we want to materialise
actually happen. That is not to say that it is not actively something that we hope is being resolved,
935 but it is requiring very deep technical analysis to resolve issues, which again I want to remind
people are not what we might call the perennial issues. These are different issues. They are about
how you interface with the two pillars of the *acquis* that we would be interfacing with.

Q1002-03/2024

**Persons naturalised or registered as British Overseas Territory citizens –
Numbers since 2019 and countries of origin**

Madam Speaker: Before we leave, the Hon. the Chief Minister's questions, does the Hon. the Leader of the Opposition have any supplementaries on Questions 1002 and 1003?

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Hon. Dr K Azopardi: Madam Speaker, I only had one question, I think. Of the persons on the list, naturalisation and registration, are those ordinary naturalisation or registration applications? Does he have a number of those that might have sought that following asylum applications?

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Chief Minister (Hon. F R Picardo): No, Madam Speaker, I do not have that information.

Hon. Dr K Azopardi: I see, well, then, I will put that question perhaps another time.

Can he confirm to me whether the decision making on these matters continues to be as I understand it to be, but perhaps he will confirm to the House that the decision making on these applications still continues to be, albeit under the Nationality Act – it says Secretary of State – that it is, in effect, devolved by convention?

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Hon. Chief Minister: I do not think, Madam Speaker, it has ever actually been devolved by convention. I think what happens is that the Secretary of State looks to the Gibraltar administration for the recommendation that all of the requirements of the British Nationality Act have been complied with. We also carry out what you might call the due diligence exercise and the know your client exercise, where we look at this commercially in terms of intelligence analysis of the individual, which is carried out by law enforcement in Gibraltar in conjunction with law enforcement beyond Gibraltar. So, by the time it gets to the Secretary of State, it would be very unusual for any case recommended by Gibraltar not to be proceeded with and would probably result, if it ever resulted, from information between the time of recommendation and it reaching the Secretary of State for final decision, or indeed, as is sometimes the case with intelligence, because new intelligence comes to light – not that we had not done the work on intelligence being provided, but that new intelligence comes to light in that period. I think it is true to say that in respect of the successive administrations of Gibraltar since the 1982 British Nationality Act, no recommendation by the Government of Gibraltar has ever been turned down by a Secretary of State, and that is a testament to the diligence of those working in the Civil Status and Registration Office and the way that they do their work, and indeed all of the parts of the administration of Gibraltar, which are quite joined up in respect of recommendations, because of course somebody needs to be in good standing in respect of payment of Social Insurance and taxation, with no criminal convictions – all of those things need to come together – confirmation of residence in Gibraltar for the minimum period etc., so that the recommendation that is made by the Gibraltar administration to the Secretary of State is sound. We have never failed in that respect. That is why this is an area in which Gibraltar, I think, has demonstrated its competence and its ability like in no other, but we have to be very jealous to ensure that that continues to be the case and always look very carefully in respect of the work that is being done. I say that having, if I may say so to the hon. Gentleman with respect, been able to claim the political scalp of now dealing with these things in a way that is modern and proper. He will know that when we were elected – indeed, at that time he was a critic of his former colleagues in the GSD because he was leading the PDP – we had found thousands of applications which had not been dealt with, and we dealt with them all, making recommendations in most cases, but in some cases not because there were reasons not to make the recommendation. The number were hugely, principally, people of ethnic Moroccan origin who had been in Gibraltar for 40-plus years and also many people of ethnic Indian origin who had been in Gibraltar for many years and had not had their applications dealt with, although they fulfilled the requirement of the British Nationality Act of being resident in Gibraltar for more

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than five years in order to be able to apply for British nationality. We have done all that. We now have a process.

I am always fascinated by the fact that people sometimes think it is taking a long time because it is taking, sometimes, months, maybe in some instances over a year where people are making applications that are a little more administratively exotic if we have to get information from places beyond our shores etc. In the context of what we inherited when we were first elected – I will say that we inherited it from them, if not from him because he was then leading the PDP rather than the GSD – our record now is really quite remarkable. The work that CSRO do, now led by Karl Triay so ably, but before that by others also so ably, and always with the staunch support of Dorian, who as we all know is an encyclopaedia of British nationality law, it is a remarkable achievement that that department has been able to demonstrate that Gibraltar can be trusted in respect of these issues.

Madam Speaker: Next question.

HOUSING AND THE UNIVERSITY OF GIBRALTAR

Q989-90/2024

Sunrise Motel –

Plans for extension; residents not willing to relocate from Queen's Hotel hostel

Clerk: Questions to the Hon. Minister for Housing and the Gibraltar University.
Question 989. The Hon. A Sanchez.

Hon. A Sanchez: Could the Government state when it expects the plans for the extension of the Sunrise Motel Hostel to be completed?

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

Minister for Housing and the Gibraltar University (Hon. P A Orfila): Madam Speaker, I will answer this question together with Question 990.

Clerk: Question 990. The Hon. A Sanchez.

Hon. A Sanchez: Could the Government provide an update on the solution it intends to offer to the residents of the Queen's Hotel hostel who are not willing or do not want to relocate to Sunrise Motel hostel?

Madam Speaker: I am going to interject here before the Hon. Minister gives an answer. I am aware that there has been a press release on the subject of Question 990 which was released after this question was filed. Given my ruling of 25th September 2024, which dealt directly with this issue, perhaps the Government could explain why they have taken this step at this moment.

Chief Minister (Hon. F R Picardo): Madam Speaker, yes, and thank you for the invitation to do that. It falls to me to rise to provide that explanation because, as the leader of government business and the person who is referred to in that statement – in fact, it carries a quote from me – I was reminded by the Press Office of your ruling and I had I was very mindful of it at the time that I made the decision that the press release should issue despite your ruling.

Your ruling was caveated on the basis that we should not issue press statements on matters which were the subject of Opposition questions in this House, unless the matter was urgent or of

1030 pressing public interest. The press release that we issued, if I can point hon. Members to the paper
record in Gibraltar, is today's *Gibraltar Chronicle* front-page lead story. It carries the whole of the
rest of page 17 and, indeed, with the four columns on the front page it would fill the whole of
page 17. I am going to do something I would not ever expect to do, Madam Speaker; I am going
to quote Henry Pinna of Action for Housing in that self-same article, where, in rebuking the
1035 Government, he refers to something we do not accept but which is his view, that there has been
a public uproar in respect of the issues relating to the hostel. And so, Madam Speaker, in the words
of Mr Pinna there was the public interest that you refer to in your ruling. In the fact that this is the
lead item in the *Gibraltar Chronicle*, I think the public interest is clear. In the fact that hon.
Members in the Opposition had issued, I think, two or perhaps three statements in respect of this
matter and had themselves attended the hostel and raised the issue previously in this House and
1040 subsequently and previously in press releases, I think certainly both limbs of your ruling were
made out. This was a matter of public interest, and because of the deadlines that were in place
for people to move – I have never recognised the use of the word 'eviction' as being appropriate
in the context of this matter – certainly the questions of urgency and public interest were engaged.
For that reason, Madam Speaker, mindful of your ruling, but particularly mindful of the caveats
1045 that you had included there, as previous Speakers had done, it was, in the Government's view,
appropriate, and we had to issue that statement. The information the Government had was that
the collection of signatures was going to start with a public move on Wednesday or Thursday, and
of course the Government's deadline for individuals to move out had already passed and
individuals needed the certainty and were calling for the Government to provide them the
1050 certainty that the arrangements we were proposing could be entered into and they would not
have to transfer at this stage, they could wait for the erection of the new facility before they were
required to move.

For all of those reasons, Madam Speaker, the Government would suggest that we have acted
properly and in keeping with your ruling in these exceptional circumstances that appertain and
1055 are demonstrated by the facts that I have referred to, but of course it is your view that will prevail
as to whether we have acted properly or not. We think we have.

Hon. Dr K Azopardi: Madam Speaker, may I make a contribution on this issue, with your leave,
to say this very briefly? The rights of these persons is a matter of public interest, very clearly, and
1060 indeed the Chief Minister is correct that there have been press releases issued by the Opposition
on the matter and it has been an issue of public comment. But addressing the timing issue, if I
may, the story is covered on the front page of the *Chronicle* today and it was covered late
yesterday, I think, by GBC and other media outlets on social media. We were in this House at noon
yesterday; it could have been the subject of a ministerial statement in this House, because we
1065 were here. Nothing that the Chief Minister has said addresses this point, which is that there is a
public interest caveat in your ruling, as has always been the case, and that public interest caveat
should be utilised when the House is not in session to make a statement on an urgent matter, but
when the House is in session, very easily either this question could have been taken earlier or the
Minister could have made a statement to the same effect as in the press release, showing
1070 deference to this House. I would say that, Madam Speaker, for your consideration, because it is
markedly different when the House is actually in session.

Hon. Chief Minister: Madam Speaker, if I could just address this issue of the statement: your
ruling is not about press releases or statements, it is about press releases. If we had come here
1075 with a statement at the beginning of the session, we would have been making a statement which
would have been issued as a press release the minute I sat down after making it, or the Minister
sat down after making it, ahead of the question. The ruling is about not heading questions off at
the pass. The Hon. Lady who has put the question now has the information, because it is in the
press release, but she also has the ability now to question us on it with the supplementaries, in
1080 effect, having read the press release. So, because we are so close to the question, I think less

damage is done, not more, and I would suggest, Madam Speaker, that what the Hon. Leader of the Opposition is talking about does not go to the nub of what your ruling dealt with, which was press releases in place of questions.

Madam Speaker, at the end of the day, you are the arbiter of these things here, and we will respect the view that you express as to whether we have acted properly or not. Of course, outside of this place I am the arbiter of what the Government has to do, and we do so with a view of the rules that you set in this place, trying always to respect that, but it is a very difficult balance as to what is urgent and what is in the public interest, especially when you know that people are going through concerns, that people in the hostel are going through those concerns, and assuaging those concerns where they are legitimate and proper and appropriate, and dealing with those issues, has to be more important than whether the Opposition gets to ask the question with or without the benefit of a press release. I have to weigh those in the balance when I am asked whether something is urgent or in the public interest, and be the arbiter of that as well, subject, Madam Speaker, to your views here, which we will, of course, respect.

Madam Speaker: The Hon. the Leader of the Opposition is right when he states that my ruling is silent as to whether the principles I set out apply when Parliament is sitting or not and there should be a difference, and perhaps that is something to address in the future. What we have before us now is clearly a question which was filed, which was held to be admissible, and there has been a press release post that question being filed. The general principles which I set out in my ruling are important to be borne in mind and they are general principles which I do not shy away from reinforcing at any time that I have. It is also right that there should be exceptions to the principle, but it is very important that those exceptions should be exercised only sparingly, only when necessary, and only on the grounds of urgency or pressing public interest. Clearly what is a matter, at least *ab initio*, on what is pressing public interest is a call that the Government makes, and in this case the Hon. the Chief Minister has provided an explanation premised on why this is a matter of public interest and why it was pressing at this moment in terms of timelines and people having to leave the premises. I accept that explanation, so I am not going to take the matter any further at the moment. The question, however, as filed, stands, and the hon. Member may wish to ask any supplementaries on that. *(Interjection)* Call the question, yes.

Clerk: Question 990. The Hon. A Sanchez.

Madam Speaker: I think the question was put. Yes, the question was put.

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

Hon. P A Orfila: Thank you very much for that, Madam Speaker. I am glad to see that there has been a solution found. We did meet several times behind the lens of a camera, of course. There were many issues that needed to be discussed. I am not here to amuse others, instil antagonism or score political points; what I do is try to find solutions behind the lens of a camera and not instigate uneasiness and confusion, worrying people unnecessarily.

The Sunrise Hotel ... I did go, and, like I maintain, everything was clean and well prepared because the developer wanted the people out of the Queen's. That was why we had to rush through this, because he wanted demolition to start. We met together with the Moroccan Community Association, the Moroccan Youth Association and many other Moroccan Gibraltarians we spoke to. We try to speak to the developer and push him to come to an agreement that this needed to be built before we put the people there, even though the Sunrise Motel was ready to take on board the people we had at the Queen's. The developer has come back to us and said fair enough, it is a very reasonable ... which should have been done before, actually, but it is being done, and now we are going to have the build of the extension before the people move across. In the meantime, of course, as we know, the Queen's Hotel is not in a very good condition, so we

are now committed to start refurbishing the Queen's Hotel in order for them to have a better life at the Queen's Hotel before they actually move into a new premises.

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Hon. A Sanchez: Madam Speaker, when the Hon. Minister says that she has had meetings, may I ask if any of the Hon. Ministers have had a meeting with the actual residents, with all of the residents of the Queen's at location, to hear from the residents directly and hear their concerns directly?

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Hon. P A Orfila: Madam Speaker, I do not have to go to the Queen's Hotel and talk to residents there. The residents walk down Main Street, the residents know me, the residents contact me, and of course I have had a lot of conversations with many people there. We all know that there were a couple of rabble-raisers who wanted the problem to escalate for their benefit and thankfully that has not happened. But yes, that is my answer.

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Hon. A Sanchez: Madam Speaker, can the Hon. Minister perhaps clarify why ...? It is evident that we have been raising the issue in Parliament for the last few months and the residents have had concerns for several months, but the answer that has been given is that the residents would have to relocate to the Sunrise Motel and there were no two ways about it. It seems only that there has been a shift in the Government's decision when there seems to have been uproar. This is what the Hon. Chief Minister has stated as the reason for the statement, and he has also said the press release has come out because the residents were distressed and concerned. I would argue that the residents were distressed and concerned a few months ago, and we have been asking these questions in Parliament. My question is why haven't meetings been held before, when the concerns were first put to the Hon. Minister and Parliament, and why has it had to get to the point where there has been such a public outcry for the Government to come to this decision?

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Hon. P A Orfila: Madam Speaker, it is very clear that anything that happens, no matter how small or how large, is going to be taken on board for political points by the hon. Members across the floor. Like I said, we have had concerns. I inherited the hostels four months ago. Since then, I can tell you, the hostels have had a very good clean up. I still insist that the residents who were there only became alarmed and distressed because all of a sudden there was an occasion for people to make political points, to make their voices heard, to bash their chests and say, 'We are so good and we are on your side.'

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Let us remind everyone that these fellow Moroccan Gibraltarians lived in Casemates in dire conditions, they lived in Devil's Tower Road cardboard-box rooms and then they were up in Buena Vista Road, in Buena Vista Hostel. When we took over, we put them into two three-star hotels. Of course, the places deteriorate with time, and it is time now for change. It is time now that they move to better premises, that they relocate. They will still have to relocate. We have just given them a further extension while the Sunrise Motel is being extended. It is going to be a very good hostel, with hostel conditions. Let us remember that we are talking about hostels, we are not talking about a hotel, and you do not acquire rights in a hostel. But yes, it has to be in good condition and we are now going to refurbish it for the length of time that they have to stay there. Whatever it takes, we shall improve on their standard of living until such a time when they move to the Sunrise Motel's extension.

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Hon. A Sanchez: Madam Speaker, I do not accept the Hon. Minister's point of Members of the Opposition trying to score political points on this issue. In fact, the only interest that we have in this issue is to make sure that the voices of these individuals and their concerns have been heard and addressed, which is what we have been trying to do in Parliament for several months. It is a shame that it has had to get to this level of public outcry for the Government to have to make a

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1185 decision which now allays their concerns, which suggests that it is the Hon. Ministers on that side who seem to be more concerned with political posturing and what the public thinks about them.

Moving on, could the Hon. Minister confirm, so we have clarity, how many residents are remaining in Queen's Hostel and are not willing to move down to the Sunrise at the moment?

1190 **Hon. P A Orfila:** Madam Speaker, we have no confirmation that there are people who are not willing to move to the Sunrise at the moment. I can understand why she feels the way she does, and she is within her rights to feel whichever way she wants to feel, but I did not go there. I spoke to the residents out of the camera. Like I said, I spoke to the community associations out of the camera because I do not want to score political points, because I have no need to and because I am also very concerned about the well-being of our fellow members of our community, and they know that; they know that very well. But, of course, we always have the one or two people who use it to their advantage. That is the way it is at times.

1200 Coming back to the hon. Lady's question, Madam Speaker, as far as I know, we have 21 people there, because they were so alarmed, so confused and so worried ... There was one particular gentleman, or a couple of them maybe, calling people, telling them to come over because they were going to be thrown out of Gibraltar because they had to be here. That is why we saw so many people in that photograph, people who, after four days here, went back to Morocco on the ferry. Now we have 21 people there. We have room enough so that when we start refurbishing the Queen's Hotel, they are able to be put into another room while rooms are being done up. So, at the moment and as far as my figures have been given to me, there are 21 who are still there and we are having no issues at the moment with them. In fact, we are trying very hard to establish people who should be there, people who have not been there for a while and whose names appear to be there. We are trying to put all the books in order, and at the moment we have 21 people who are quite happy to stay there for any length of time until we fix the Sunrise Motel for them.

1210 **Hon. A Sanchez:** Madam Speaker, because we have been to Queen's Hotel hostel and seen the conditions of Queen's Hotel hostel, something that the Hon. Minister claims she has not done, she has not been to the Queen's Hotel hostel location. As far as we can see, the conditions are quite questionable. They are not great living conditions and, as far as we know, even a couple of weeks ago the only washing machines that the residents had were removed, taken down to the Sunrise Motel, and they have been left without any washing machines to do their laundry. There are issues with the lighting, the water, the lift, cleanliness, and the list goes on. Can we have assurances from the Government that all of these issues will be resolved as a matter of urgency?

1220 **Hon. P A Orfila:** Madam Speaker, I have been to the Queen's Hotel, of course I have – not during this spate, but I have been there – because I have friends who are there. It surprises me – seeing the dire and diabolical condition that they were living in, it surprises me very much – that they wanted to stay in the first place. The reason why things had been shifted or moved was because the place was going to be demolished, remember, for a developer, so we wanted to make ready a place for them that was going to be suitable, healthy and clean, which we did. The Sunrise Hotel has had a complete facelift and it is ready to take on board anybody else should they want to move earlier. Of course, we enter into a compromise that everything is going to be fixed and that everything will be put back as it should be for their continued living conditions, so that they can live in conditions that are going to be far better. So, yes, we do enter into a commitment to that. Until such a time that the Sunrise Motel extension is built, they will be there because they want to be, because they can move to the hostel, if they want, at the Sunrise. But if they want to stay there, then we shall ensure that everything is put in place so that they do have suitable living conditions.

1235 **Hon. A Sanchez:** Madam Speaker, perhaps the residents did not feel they wanted to move because there were overcrowding issues at the Sunrise and the conditions at the Sunrise were not fit for purpose, as said by Action for Housing and a member of the community branch at Unite the Union. That might be the reason that they did not want to move down to Sunrise hostel.

1240 In relation to the plans for the extension of Sunrise Motel hostel, can the Hon. Minister confirm if these are ready and have been finalised?

Hon. P A Orfila: Madam Speaker, the Government will make an announcement on the extension completion date for the Sunrise Motel. This is expected in the early part of next year.

1245 **Hon. A Sanchez:** And given that the press release issued by the Government yesterday estimated that it is going to take about 18 months, do they already know who will be carrying out these works?

1250 **Deputy Chief Minister (Hon. Dr J J Garcia):** Madam Speaker, part of the premium for the development of the Queen's site was the provision by the developer of a refurbished hostel at the Devil's Tower Road, so it is the same contractor that will be doing the works at Devil's Tower Road.

1255 **Hon. C Sacarello:** Madam Speaker, I am very grateful for the Deputy Chief Minister's reply. Could he perhaps provide information as to when this arrangement was made, please?

1260 **Hon. Deputy Chief Minister:** Hon. Members will recall that there were several expressions of interest over the years for the Queen's Hotel site. This emerged as a result of the last expression of interest, where there were several proposals made, a preferred bidder was selected and the Government entered into negotiations with that preferred bidder. I do not have the dates in front of me, but this is the process by which it happened.

1265 **Hon. C Sacarello:** Which makes perfect sense, Madam Speaker, but also raises the question as to why the extension was not commenced and the application for planning permission was not filed much earlier, well in advance of this particular sector of our community being either evicted, or transferred, to the Sunrise Motel.

Madam Speaker: Question? Is there one?

1270 **Hon. C Sacarello:** Why wasn't it planned earlier?

1275 **Hon. Deputy Chief Minister:** Madam Speaker, there is a perfectly logical explanation for that. The development on the Queen's site is connected to the extension to the hostel. The developer wanted to make sure, first, because it was part of the premium, that they would obtain outline planning permission for their development before submitting permission for the hostel – because if the first thing did not happen, then the second one would not have happened as part of that chain of events – and that permission was only obtained a few weeks ago.

1280 **Hon. C Sacarello:** And so, Madam Speaker, why was it not the Government's position that the extension should be built first and allay everyone else's fears before they were asked to move out and before the permission was granted for the lease for this project?

1285 **Hon. Deputy Chief Minister:** Mr Speaker, very simply because the information available to the Government was that there was room at the Sunrise hostel for the residents that required to be accommodated, and that the majority of residents did not live in Gibraltar.

Hon. C Sacarello: Finally, Madam Speaker, was it a case, therefore, that the information provided was erroneous in that case, based on the number of people who could fit in?

1290 **Hon. Deputy Chief Minister:** Madam Speaker, in a sense, the information was correct but not accurate. The hon. Member has already explained, in terms of figures and numbers, where we were.

1295 **Hon. Dr K Azopardi:** Can I just ask on something that the Deputy Chief Minister has just said, when he says the information was that the majority of residents of the Queens Hotel do not live in Gibraltar? What is the basis for that information? Where does he think they live? What are they doing there if they are not actually living there?

1300 **Hon. Chief Minister:** Madam Speaker, would the hon. Gentleman agree to discuss this with me behind your Chair? I think it is in the community's interest that we no longer ventilate that aspect of this matter.

1305 **Hon. Dr K Azopardi:** I am certainly happy to have a conversation with him, but just stringing together the different answers, the Hon. Deputy Chief Minister said the majority of residents do not live there, the Minister for Housing indicated in one of her answers that the number was 21 once you took away the other balance, which suggests, from previous answers, that we are talking about 20 or 30 people. I am not really understanding why it is sensitive to discuss that, but if the Chief Minister wants to have that discussion behind the Speaker's Chair, then I would be happy to do that.

1310 **Hon. Chief Minister:** I am grateful, Madam Speaker, because there is great sensitivity there underlying all of the show that we have seen in the past month.

Madam Speaker: Next question.

DEPUTY CHIEF MINISTER

Q869/2024

Reciprocal measures at border – Impact on income from PAYE/SI

1315 **Clerk:** Questions to the Hon. the Deputy Chief Minister.
Question 869. The Hon. C Sacarello.

1320 **Hon. C Sacarello:** If reciprocal measures at the border are necessary, has the Government calculated the impact this would have on business and the subsequent loss in PAYE/SI that would result?

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

Deputy Chief Minister (Hon. Dr J J Garcia): Madam Speaker, yes.

1325 **Hon. C Sacarello:** Madam Speaker, I am grateful for the solid reply there. Would the Hon. Deputy Chief Minister care to elaborate and provide a little extra information on that?

Hon. Deputy Chief Minister: Madam Speaker, I know the hon. Member will understand that this is a very sensitive issue. There are implications in going into this across the floor of the House in great detail. What I can tell him is that the question has been looked at globally and also on a sector-by-sector basis in relation to the largest contributors, but I cannot go into that information in detail across the floor of the House. What I am happy to offer him, in fact, which we have offered and they have taken up in the past, is a detailed briefing on NNO and the plans for NNO, which would cover some of this.

Hon. C Sacarello: Madam Speaker, I very grateful. I would like to take up that that offer and thank the Hon. Deputy Chief Minister for it.

Madam Speaker: Next question.

Q870/2024

**Contingency preparations for NNO –
Composition of UK-Gibraltar intergovernmental committee**

Clerk: Question 870. The Hon. the Leader of the Opposition.

Hon. Dr K Azopardi: Madam Speaker, who, precisely, currently sits on the board of the NNO, the intergovernmental committee between Gibraltar and the UK on contingency preparations for a non-negotiated outcome?

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

Deputy Chief Minister (Hon. Dr J J Garcia): Madam Speaker, the ministerial NNO board is co-chaired by the UK minister with responsibility for Gibraltar and by me. In the absence of a UK minister, a deputy director at the Foreign, Commonwealth and Development Office will co-chair.

The board is composed of officials from the following. In respect of Gibraltar: the Office of the Deputy Chief Minister, the Civil Contingencies Department, the Gibraltar Law Offices and the Department of the Environment. In respect of the United Kingdom: officials from the Convent, British Forces Gibraltar, the Gibraltar Negotiations Taskforce at the FCDO and the Gibraltar Policy Unit at the FCDO.

Hon. Dr K Azopardi: Is this a permanent composition or is there a permanent composition and also an ad hoc component depending on what is being discussed in these meetings?

Hon. Deputy Chief Minister: Madam Speaker, yes, this is a permanent composition but there have been occasions when specific areas of policy are being discussed when experts are brought in to better inform the deliberations of the committee.

Hon. Dr K Azopardi: I see. How frequently does this committee meet? And are there meetings both here and in London?

Hon. Deputy Chief Minister: Madam Speaker, there are two levels. The first one is a ministerial board and then there is a more general board made up of officials, which as I said is chaired by a deputy director. There have probably been some 40 or 50 meetings so far. The intention is normally to meet every fortnight. The frequency of meetings may increase as the situation merits it.

Hon. Dr K Azopardi: So, if it is meeting once a fortnight and it has met 40 or 50 times, then it has been meeting for the last couple of years – would that be right? It has not met before, so what was the reason for its creation a couple of years ago?

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Hon. Deputy Chief Minister: Madam Speaker, I do not want the hon. Member to misunderstand the information I have given. That is a from memory, what I think the total number of meetings has been. There have been occasions when we have not been able to meet every fortnight for a variety of other reasons, including the pressure from the treaty side of the negotiations because some people are involved in both areas.

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The process started more than two years ago. I cannot give him an exact date, but if he tables a question I would be happy to supply that information.

Madam Speaker: Next question.

Q994/2024

Potential treaty outcomes – Advice to business sector

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Clerk: Question 994. The Hon. C Sacarello.

Hon. C Sacarello: Following its consultation with the business sector, will the Government be providing it with a select number of possible outcomes for both a deal and a non-negotiated outcome, in order that businesses can plan more precisely for the various possible outcomes?

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

Deputy Chief Minister (Hon. Dr J J Garcia): Madam Speaker, representatives of the business community are aware of the general scenario Gibraltar would face in the event of a treaty outcome to the ongoing negotiations. Indeed, many of the details the Government has sought to negotiate have been at the suggestion of businesses themselves. There have at the same time been numerous contacts with representatives of the business community over the years in order to discuss plans for a no negotiated outcome (NNO). In addition to this, detailed briefings, as well as several tabletop exercises, involving the private sector have also taken place. This operates on the basis of a reasonable worst-case scenario. If he comes to the briefing, he will get a better understanding of what I mean.

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Hon. C Sacarello: Madam Speaker, thank you very much to the Deputy Chief Minister for his response. I have no doubt whatsoever in my mind as to the hard work that has gone on and the conversations with the business community, in particular with the leading trade organisations. It is, however, the case that sometimes that information does not filter down to all of the businesses, and not all the businesses are part of these associations anyway, so they may not have access to any information that they disseminate and perhaps it would be more useful to be able to view this from Government, whether through the format of a press release or post on the Government website.

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Would the Deputy Chief Minister not agree that the possibility of laying out solutions – given the complexity of the negotiations and the different twists and turns, you could say – like some countries have in trade negotiations with other countries, where they have an A, B and C type of format for possible outcomes, so that companies can now look to at least back a winner, if you like, and come up with alternative plans of action with different outcomes? It is the case that businesses are finding it increasingly worrying as these negotiations become protracted and there

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is no finite date, understandably, for a solution or an agreement, and that they are reaching the stage where they need to hook their strategy on to something, and at the moment it is all rather tenuous.

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Hon. Deputy Chief Minister: Madam Speaker, it is true that sometimes the information we give to the business organisations may not filter down to the members. We do not have responsibility for that, but I accept it is something that could happen. But the Hon. Member will also know that we have issued a series of technical notices on very specific issues, some of them directly addressed to the business community as to what they need to do to prepare. In addition to that, we have also issued two booklets which were published and distributed all over Gibraltar but which are also available online in the Brexit section of the Gibraltar Government website. There is a considerable amount of information there. When businesses ask to see us, not necessarily the organisations, we meet them and they do get a briefing and a flavour of what NNO would entail, but there could be different grades of NNO, as he rightly says, and it is very difficult to pin down exactly what it is that might happen. If, when the hon. Member comes and looks at the brief which we intend to give to him, which is what the business community themselves have already received and understood, I think he will understand the scenario better and the planning that has been ongoing already, but it is very difficult to be specific because obviously the outcome is something we cannot predict.

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Madam Speaker: Next question.

Q994/2024

Queensgate –

Government support re proposals

Clerk: Question 995. The Hon. the Leader of the Opposition, on behalf of the Hon. D J Bossino.

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Hon. Dr K Azopardi: Madam Speaker, is the Government supportive of the current proposals regarding the Queensgate development?

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

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Deputy Chief Minister (Hon. Dr J J Garcia): Madam Speaker, it is not for the Government to be supportive or not supportive of a particular development in a conventional sense. Instead, there are administrative, policy and legal processes and procedures for prospective developers to go through. Queensgate received outline planning permission in September and also has the consent in principle of the Government as landlord. These two procedures were, as always, entirely separate consents.

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Hon. Dr K Azopardi: Madam Speaker, then the answer is yes to the question of whether they are supportive. I do understand the distinction between the planning process and Government consenting as landlords. The Deputy Chief Minister has indicated that there is consent, although he said 'in principle', from the Government as landlord. When he says consent in principle, is it because there has not been a development licence or a building lease granted over the land yet?

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Hon. Deputy Chief Minister: Madam Speaker, we are at the MoU stage of the process. That is why I say 'in principle', and also because the details and extent of the final design remain to be agreed, but in principle there is consent.

Hon. Dr K Azopardi: I see, and in the context of the Government still not having concluded the arrangements, the Government will be aware, as we are, that there have been concerns expressed by persons who have objected to the planning process and no doubt may have voiced those concerns also to Government qua landlord. Is the Government taking on board those concerns of people in its discussions with the proposed development?

Hon. Deputy Chief Minister: Madam Speaker, the consent of the Government as landlord may or may not kick in when the development has planning permission. As I said, they obtained outline in September. It is that a number of representations were made when the project first appeared before the DPC – I am talking about the planning aspects – and as a result of that the height of the building was reduced from something like 20 or 21 storeys to 15 or 16. That reduced, obviously, the concerns of people. It is also, I think, worth noting that when it went to the DPC, where there often are a variety of different opinions represented, including NGOs, nobody voted against the development as it is now at outline stage. I think there were two abstentions but nobody voted against development.

Hon. Dr K Azopardi: I understand, but that is a description of the planning process, and he is right to give us a description because it relates to the objections within the planning process, but my question was more directed to the Government in terms of its role giving consent in principle, because it has not yet concluded the arrangements. Will the Government factor in that there remain certain objections to the development in the context of its own negotiations with the developer on the building lease and or licence?

Hon. Deputy Chief Minister: Madam Speaker, the answer is we need to wait and see. It is very unusual for the Government itself to receive representations, and it tends, in my experience at least, to be that most of these representations are channelled through the DPC where they are then dealt with or addressed, as in this case, where the height was reduced by some five storeys. I think we need to wait and see what happens going forward, but the consent in principle is there.

Hon. Dr K Azopardi: I see, so would it be right to then conclude, by what the Deputy Chief Minister has indicated, that first they have not had those direct representations? I am assuming he is leading on the negotiations, so really I am asking him the direct question: has he received representations in relation to this matter by persons who have objected? And is it the Government's position that the Planning Commission acts as a filter and really the Government process will not be affected – the consent will not be affected by the views of residents?

Hon. Deputy Chief Minister: Madam Speaker, it is precisely the views of residents which has led to a reduction in the height and the massing. As I said before, it is very rare that representations are made directly to the Government. I do not recall whether on this particular occasion relating to this particular development there have been. There may have been on the original scheme which was submitted, which, as I said, was five storeys taller and had a bigger massing, but I do not recall whether after that there had been any specific representations made to the Government in its capacity as landlord. Certainly, we are looking closely at the DPC process and seeing what emerges from that, but they are entirely separate consents, as the hon. Member knows.

Hon. E J Reyes: Madam Speaker, the Hon. Deputy Chief Minister has on more than one occasion made reference that there has been a reduction in height, but is the Deputy Chief Minister aware that the objections in respect of the height are still there? Although it may have been reduced from the original plan, it is still not to the satisfaction of the neighbours. In fact, my latest understanding is that as it stands today, the proposed height of the building surpasses that of Trafalgar House next door, or Alameda House or the Alameda estate, and so on. I want to clarify,

1515 because we could get the impression that the Government has been supportive because the height has been reduced, but it is the Deputy Chief Minister fully aware and is going to take into consideration that landlords will give the go ahead, because the reduction of height still nowhere near meets the real concerns of the original objectors and more people who wish to object having come to light information, but apparently some process does not allow them to file these new objections?

1520 **Hon. Deputy Chief Minister:** Madam Speaker, the DPC process allows people to come forward and express their views within a defined timescale. The consideration of applications now happens in public – in fact, they are also live streamed – so the information is there and people can see for themselves and are entitled to object. The Government has approved in principle as landlord the consent for this particular type of development on that particular site. As I said, that approval and agreement in principle is subject to the final design and the extent of the development, which remains to be agreed. Essentially the point is that the Government does not object to that kind of development on that particular site – that is to say residential, commercial, an element of car parking, a dance hall for the Ministry for Culture and also specifically elderly residential. It is worth noting again that when this went to the Development and Planning Commission, at a meeting where I was not present, the general view of the Commission on the revised proposals, which reduced the height of the building, was that ... the outcome was that nobody voted against the development. I think it says something, having been in many of these meetings where all sorts of opinions and debates and deliberations take place, that in this particular case nobody there voted against it.

Madam Speaker: Next question.

EDUCATION, THE ENVIRONMENT AND CLIMATE CHANGE

Q961/2024

Main sewer system – Review and maintenance programme

Clerk: Questions to the Hon. the Minister for Education, the Environment and Climate Change. Question 961. The Hon. G Origo.

1540 **Hon. G Origo:** Madam Speaker, what sort of programme of regular review and maintenance work is in place, if any, of our main sewer systems?

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

1545 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, the Infrastructure section of the Technical Services department is responsible for the maintenance, upkeep and management of the public sewer network, which also includes the stormwater drainage system. They are very closely linked. There is a constant review of the main drainage systems, with surveys being carried on a regular basis to inform maintenance plans. In addition, as a result of developments there is continuous review of the existing network to determine its ability to cope with additional loading. This often results in the upgrade of the network to ensure it continues to function as required.

1555 The Technical Services department is also responsible for the longer-term main sewer relining programme, which aims to strengthen the main sewer and increase its hydraulic performance by insertion of a smooth inner liner. This annual programme has been in place for some time and will

shortly see the whole of the main sewer within the city walls being relined. This provides longer-term resilience to the network and improves its overall performance. In addition, Technical Services carries out regular desilting works to the system which again aims to improve the capacity of the network.

In respect of the stormwater system, there has been a concerted effort in the past few years to improve the overall performance of the network. This is reflected in the huge reduction of flooding and standing water on our roads during periods of heavy rainfall which we used to experience regularly in the past. The department continues to identify further improvements to the stormwater network to ensure that it performs as required.

The work carried out by the Infrastructure section is continuous all year round and includes desilting, relining, replacement of defective pipework, replacement of manhole covers, maintenance and reconstruction of manholes, liaison with developers, laying of new infrastructure as required, and review of the network to increase capability and provide resilience.

Hon. G Origo: Madam Speaker, I am grateful to the Minister for his comprehensive answer. I may not have got it from his reply: did he mention whether the entity or entities that carry out this regular review and maintenance work is a government entity or a private company? He did mention that the Gibraltar Technical Services Department does some part of the work, but I just want to understand whether, in respect of review and the maintenance works themselves, this is done privately or through a Government Department.

Hon. Prof. J E Cortes: Madam Speaker, it is a combination. The Technical Services Department has a section responsible for the sewers which can take on some work, but for major works it is often the case that there needs to be a subcontract in place, depending on the scale of the work and the area.

Hon. G Origo: Madam Speaker, if I may, because it is highly relevant to the line of questioning and I think a news article broke yesterday – I do not know if the Minister is aware but he must have seen it. I believe it was in connection with works which are taking place on Line Wall Road – is that correct? – relating to the sewer systems. My understanding, pursuant to the press releases, is that some works have been carried out in Line Wall Road which resulted in sewage having displaced through the network or made its way out into the wider sea. I believe the press release urged and advised not to bathe. It was even reported that someone bathing had vomited as a result of the smell and the stench in the area. I just wanted to understand whether the Minister can provide details on the extent of the damage of these repairs and whether this is connected to the recent tender given to Wastage Products Ltd to refix parts of Line Wall Road. I think that tender was issued about two weeks ago. A few questions there, but I am happy to break them down.

Hon. Prof. J E Cortes: Madam Speaker, what I would like to say is that the press release yesterday, in case there is some misunderstanding, did not refer to programmes of regular review and maintenance work, and therefore it was a separate issue that had arisen and was not directly related; indirectly, clearly, because they are sewers. I would just like to preambule my answer with that.

The issue that the hon. Member, whom I also welcome back after his absence last time round; I had not heard and I did exchange words with him and wish him well earlier this morning. The issue that the hon. Member raises is separate and I will explain it as best I can in the layman's terms that I have to use here. There was an issue of sewage seeping out through the walls at Wellington Front down to the area of the recreational clubs. That was identified as being as a result of damage to the sewer at Line Wall Road, the Lovers Lane area, which meant that that had to be urgently carried out. That is the result of the works being carried out at the moment. Clearly, the problem there is that in order to carry out the works the sewage flow has to be stopped because people actually have to go into the sewers. That means that the actual sewage flow is

1610 reduced, builds up and can overflow. That is what was found was going into the sea because these overflows are there for dealing with stormwater and so on. That is what caused that, and this is why the message went out yesterday. It was an urgent message to put out because as soon as it was identified that it was getting to the sea – it had not been predicted, but it is logical in retrospect – it had to be mentioned.

1615 I must mention that one of the reasons why these things happen is the pressure that builds up as a result of wipes that are still flushed. Even though everybody knows that you do not flush wipes, they still do, and that is causing huge problems. Sometimes, the sewage smells that we pick up here and there around Gibraltar, when you look into it there is a blockage caused by wipes, so I really have to call on the community not to flush wipes and similar down the toilet.

1620 I am not absolutely certain whether the tender that went out was related to these particular works. I suspect it may not have been, because a tender was going out anyway in relation to the ongoing maintenance relining, which is what I referred to in my prepared answer. I am not sure whether there is an overlap. It may be that because of the emergency of the works, there was a fast-track tender, but I do not have that information here. I think I have given enough information for the hon. Member to get a feel of what the issues were.

1625 **Madam Speaker:** Next question.

Q962-64/2024

**Pedal Ready cycling proficiency course –
Number of attendees to date; service provider; cost**

Assistant Clerk: Question 962. The Hon. G. Origo.

1630 **Hon. G Origo:** Madam Speaker, how many people have attended the Pedal Ready cycling proficiency course provided by the GSLA's summer programme to date, broken down by year?

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

1635 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, I will answer this question together with Questions 963 and 964.

Assistant Clerk: Question 963. The Hon. G Origo.

1640 **Hon. G Origo:** Can the Minister confirm who is running the cycling proficiency course for the GSLA?

Assistant Clerk: Question 964. The Hon. G. Origo.

1645 **Hon. G Origo:** What has been the cost of running the Pedal Ready cycling proficiency course in this year's GSLA summer programme?

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

1650 **Hon. Prof. J E Cortes:** Madam Speaker, this summer's GSLA Pedal-Ready cycling proficiency course was undertaken by Pedal Ready Gibraltar, a private business, at no cost to Government. In 2024 it saw 31 children in total participating in two separate courses over two days, in 2023 it saw

24 children in five courses over four days, and in 2022 it saw 43 children in five courses over five days.

Hon. G Origo: Madam Speaker, may I ask the Minister if he can elaborate on how this Pedal Ready cycling course comes at no cost to Government? My understanding is that this is a course provided by the GSLA, so it may be that inadvertently this course is funded by GSLA money which is budgeted by the Government. Can he explain the answer that he has just given?

Hon. Prof. J E Cortes: Yes, Madam Speaker. Pedal Ready organises the course and they charge for it, so it is the parents of the children who will pay. Facilities are provided. I think some of them are actually carried out on the podium of the secondary schools, but they are provided at no cost, but it is the families who pay for these courses.

Hon. G Origo: Finally, Madam Speaker, does the Hon. Minister know – he may not have this information – at what stage the Pedal Ready cycling proficiency course was given to this private business? I understand that in the past it used to be done by the RGP; they used to liaise with schools and do it privately. I am not sure whether that is still the case, so I wanted to know at what point the view was taken by the GSLA or the Government to give this out to a private business, when it is something that used to be done by the RGP.

Hon. Prof. J E Cortes: Madam Speaker, the RGP, I believe, has not done this for many years. I have no recent memory of this.

Madam Speaker: Next question.

Q965/2024
Use of HVO fuel in buses –
Test results

Assistant Clerk: Question 865. The Hon. G. Origo.

Hon. G Origo: Madam Speaker, can the Minister provide details and does he intend to publish the results from the tests conducted on the two buses using HVO fuel designed to significantly reduce air pollution?

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

Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes): Madam Speaker, a report on the results are being prepared by my Ministry team. I am informed that the test was very successful. An HVO 50:50 blend was used on two buses for a period of two weeks with various routes undertaken. Drivers and passengers did not experience any difference in trip comfort. Further, the emissions were reduced by just under 50%. Discussions are ongoing as to the next steps.

Hon. G Origo: Madam Speaker, thank you to the Minister for that answer. I do not know if he confirmed whether he was going to publish the results or not. He did say that they were producing them, but he can answer that in his reply.

I also wanted to ask whether he is aware – he said he is producing the results, but he may have had sight of part of them already – how this new HVO experiment would fare against low-emission

1700 buses. For example, my understanding is that the tests were carried out on Gibraltar buses which carried a Euro 6 or Euro 5 engine, which is on the end of the scale, so I wanted to understand how these tests would compare to new Euro 2 engine buses, which are the newer and cleaner engines. And then the question on that is: if it is not better to run a newer Euro 2 engine, then why are we doing this HVO experiment? Is it a capital investment issue?

1705 **Hon. Prof. J E Cortes:** Madam Speaker, Euro 2 is, in fact, worse than Euro 6. It is the other way round. Euro 6 is the cleanest. They are now developing Euro 7, but they are not out yet. No matter what engine burns it, HVO reduces the amount of carbon and other emissions by about 90%, so regardless of what engine you use, it is actually significantly cleaner. It is a more expensive fuel, but we are in discussions with the importers. If we are able to establish that it works well with no
1710 prejudice to the engines, and clearly it reduces pollution by so much, then we would be looking at converting all government vehicles to HVO, which would then reduce the cost. These are the discussions we are having at this point in time.

We are still planning to electrify as much of the fleet as we can. In fact, there is currently an electric bus in Gibraltar on trial, which I will be seeing tomorrow. If, for example, electric vehicles
1715 are not yet available for the specifications of our routes, then certainly we are looking at converting our buses to HVO, which will have a significant effect in emissions. So, it is something that is still in progress at the moment.

Madam Speaker: Next question.

Q965/2024
Europa Point World Heritage Interpretation Centre –
Update re plans

1720 **Assistant Clerk:** Question 966. The Hon. G. Origo.

Hon. G Origo: Madam Speaker, can the Minister provide an update on the proposed plans for the creation of a World Heritage Interpretation Centre at Europa Point, which was set to form part of a new walking route along Europa Advance Road?

1725 **Assistant Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes): Madam
1730 Speaker, there is already a World Heritage Interpretation Centre at Europa Advance Battery, an outdoor interpretation centre with reference to the World Heritage Site at Europa Point, and a third at the World Heritage Site monument on Europa Advance Road. These opened in 2016, 2018 and 2023 respectively.

1735 **Hon. G Origo:** Madam Speaker, the premise on which I ask this question resulted from an entry in the Government's manifesto which ran, at page 87:

NEW COASTAL CLIFF-TOP WALK

We will create a World Heritage Interpretation Centre at Europa Point displaying the archaeology and history of the caves and the Europa Point area. The centre will form part of a new walking route whose main feature will be a stunningly scenic cliff-top coastal path that will take you along Europa Advance Road to the two Gorham's cave viewing platforms.

1740 Whilst I can appreciate that these viewing platforms are already prepared [*inaudible*] – I think those relate to the flowers and the fauna along that area – is it the Government’s plan to do more with this coastal walking route? This is an initiative to increase interest, generate tourism and drive people who want to, to go and enjoy the scenic routes, but is it the Government’s plan to introduce stuff to complement these walking routes? We know and have heard in answers to questions that we have had that there all-time-high cruises, all-time-high flights, all-time-high visitors to Gibraltar, but then if we look at the Budget books and the Budget records, we have not been having the revenue generation that one would expect to have with these increased numbers.

1745 So, is it the Government’s intention to create other amenities – perhaps a tourist shop, restaurant, or some things that tourists can actually spend money on when engaging in these routes, interpretation centres and heritage sites?

1750 **Hon. Prof. J E Cortes:** Madam Speaker, I do not agree with the hon. Gentleman that we are not seeing the benefits of increased tourism. We are, and I think the figures will show that.

As regard to improvement in heritage sites in general, I will be answering questions later on from the Hon. Mr Bossino in relation to two wonderful new developments. I am hoping that the questions will end up with the Hon. Mr Bossino congratulating the Government on those initiatives. But to stick to the area of Europa Advance, the interpretation centres, and the outdoor interpretation centres in particular, do have reference to the World Heritage Site, as well as to the World Heritage Site’s primary purpose, which is the Neanderthals, but the World Heritage Site also has all the rest of its heritage, including the natural heritage.

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The main thing that we have not yet done, and we are planning the project at the moment, is the walk, which is intended to provide safe passage through the area. A lot of people walk in the area, me included, but I am not happy with the fact that there is not a proper pavement, and we are looking at how we can provide a walk on the other side of the wall, which will connect to the existing pavement. In some cases, it may have to be cantilevered. Clearly, it has to be safe. That project is being planned at the moment and that will link up these interpretation sites.

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In regard to additional interpretation, we are in the process of preparing 20 or 30 more heritage interpretation panels such as those that are around Gibraltar, which will increase interest for visitors and residents alike.

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Madam Speaker: Next question.

Q967/2024

Vehicles registered in Gibraltar – Measures to reduce numbers

Assistant Clerk: Question 967. The Hon. G. Origo.

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Hon. G Origo: Madam Speaker, is the Government considering any measures to reduce and tackle the vehicle numbers registered in Gibraltar; and, if so, what measures is it considering?

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

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Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes): Madam Speaker, the Ministry is co-ordinating a number of initiatives to reduce and tackle vehicle numbers. One is improving sustainable transport methods such as bus and taxi services to encourage citizens to not use their private vehicles. Secondly, it is leading by example and carrying out a review of the Government fleet in order to electrify and downsize as much as possible.

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Hon. G Origo: Madam Speaker, I apologise to the Minister for maybe not wording my question so precisely, but I was more concerned with the registration of vehicles and usage by the wider public of Gibraltar, not so much Government, businesses and entities – but he did carry out part of the question with the buses and taxis.

The premise of my question came as a result of some of the points that were raised at the most recent Budget address, one of which was a proposed car tax. Despite that measure having been withdrawn after the Government had reconsidered its position, I thought perhaps maybe the Government would then go back to the drawing board, reconsider the approach and see whether they were going to try to achieve a similar aim, because I do not think that the situation at hand has gone away. The problem is still there. There seems to be an excess number of cars; I think there are more vehicles registered in Gibraltar than there are people. Is the Government's position that this is no longer an issue and not something that it wishes to tackle, or is the Government engaging in an exercise to reduce the vehicle numbers?

Hon. Prof. J E Cortes: No, Madam Speaker, this is a question of encouraging. There are a couple of things here. One is encouraging alternative forms of transport. In my prepared answer I did not mention something which I am glad for the opportunity to mention now in response to the supplementary, which is encouraging walking and cycling. We have a number of cycle lanes that are being planned at the moment and we are also going to be, working together with the Ministry for Tourism, encouraging walking by providing signs at intervals and showing the distances and times between different points to encourage people to walk, visitors as well as residents.

In relation to cars specifically, there is still a ban on the importation of vehicles over a certain age. That will continue. We are, at the moment, using carrot rather than stick, but we just have to see how these things develop.

Madam Speaker: Next question.

Q968-69/2024
Gibraltar Parking Management Services Ltd –
Tow truck services

Assistant Clerk: Question 968. The Hon. G Origo.

Hon. G Origo: Madam Speaker, has there been a tow truck available for GPMSL employees to operate in the past 12 months without any gaps in the service?

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

Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes): Madam Speaker, I will answer this question together with Question 969.

Assistant Clerk: Question 969. The Hon. G Origo.

Hon. G Origo: When was the responsibility for providing tow truck services to Gibraltar Government assigned to GPMSL and why, and what arrangements were in place in respect of the tow truck services provided prior to the responsibility being assigned?

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

Hon. Prof. J E Cortes: Madam Speaker, there has been a service continuously operational other than perhaps on a very few occasions due to illness. GPMSL has always – I say ‘always’ relatively; for many years – provided a tow truck service as part of its operations. In September 2023 the Government’s tow truck service ceased to be operational. due to operational and financial considerations, it was decided to expand GPMSL’s existing tow truck services to cover all of Government’s requirements, including a 24/7 response to essential services. The six tow truck drivers were offered redeployment opportunities within other government departments.

Madam Speaker: Any supplementaries?

Hon. G Origo: Madam Speaker, thank you for the answer by the Hon. Minister. He did say a number of things, and I am just going to, whilst I stand and think on my feet, go through and process them. One was that the services provided by GPMSL have been largely continuous to the Government, but that the service really was not handed over until September 2023. So, is it fair to say that during that time, or prior to this assignment to GPMSL, there were more than one entity carrying out these services? In the instance where GPMSL did not have access to a tow truck or it was not operable, what was the position then? My understanding is that there must be other companies providing tow truck services, so if GPMSL could not provide the service to the Government, why didn’t the Government seek to obtain these services from some of the other companies?

Hon. Prof. J E Cortes: Madam Speaker I have to be cautious because a lot of this happened prior to September 2023 and I was not directly involved in Transport, so I may not have the direct information, which I am always happy to seek. With that caveat, GPMSL provided a tow truck – I assume they did it for private entities or individuals who had problems – and the tow truck drivers, I believe, were attached to the Royal Gibraltar Police at the time. Again, I am going on what I have heard, not my direct knowledge of the position. It became clear that the system operationally and financially was not efficient or effective, and therefore, as there was already a provider providing tow truck services to Gibraltar and to the Government and it was a company contracted to the Government, the decision was taken to expand that and absorb the work, which was relatively low in demand. It was not efficient to have this group of people there for relatively low demand. They have been redeployed into other vacancies in the Government and therefore there has been a saving in cost and the service now continues without, as far as I am aware, any problems.

Madam Speaker: Next question.

Q970/2024
Derelict vehicles –
Method of disposal by GPMSL

Assistant Clerk: Question 970. The Hon. G Origo.

Hon. G Origo: Madam Speaker. How have the derelict vehicles removed by Gibraltar Parking Management and Services Ltd in the past 12 months been disposed of? Have any of the derelict vehicles been sold; and, if so, what were the proceeds of sale and have any of those been retained by the Government or another entity? If any of the derelict vehicles were destroyed, how many were there, what was the cost of destroying them, and did GPMSL the Government or any other entity cover these costs?

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

1875 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, all derelict vehicles are towed to the premises of Metalrock Ltd, which is contracted by Government to dispose and provide a certificate of disposal. The vehicles are disassembled into constituent parts as part of the end-of-life vehicles process. To date, GPMSL does not retain or recycle any vehicle for its own or Government's use, as everything is disposed of. GPMSL is contracted to recover all derelict vehicles from public places and remove all derelict vehicles marked for disposal by DVLD. This service is also offered to government departments. All vehicles reported by the public requesting disposal of their vehicles is done free of charge. A total of 368 vehicles have been disposed of between July 2023 and June 2024, and an additional 67 vehicles from June 2024 to 1st November 2024. Government does not pay for derelict vehicles, as such payment is made for disposal of tyres and waste, electrical and electronic equipment, which would include vehicle parts.

1890 **Hon. G Origo:** Madam Speaker, may I ask the Hon. Minister to please clarify what he ended his response with by saying that most of these destructions do not come at a cost to the Government? I would imagine that in the process destroying 368 cars ... Similar questions were alluded to earlier on the disposal and movement of waste from Gibraltar to Spain. Is it that GPMSL does not incur any costs on this disposal because the cost of movement of this waste is under the head of another expense and that is why he is telling me now that there is no cost to destroying and breaking down almost 400 vehicles? I do not understand.

1895 **Hon. Prof. J E Cortes:** Madam Speaker, GPMSL provides this service as part of its contract with the Government and therefore cannot actually subdivide whether the person is rescuing my car because it ran out of battery at Europa Advance Road – true story – or taking or taking a derelict vehicle, so I could not specify that. There is, of course, the fact that within general waste electrical and electronic equipment – and there is also the question of tyres – there are payments made, as I have said very clearly, to Metalrock, but it is not for vehicles as such; it is a subsequent process that leads to that.

Madam Speaker: Next question.

Q971/2024
Taxi licence holders –
Numbers fined and reasons

1905 **Assistant Clerk:** Question 971. The Hon. G. Origo.

Hon. G Origo: Madam Speaker, can the Minister provide details as to the number of taxi licence holders who have been fined, giving details as to the reason for the fine where possible, broken down into the following years: 2021, 2022, 2023 and 2024?

1910 **Assistant Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate change.

1915 **Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes):** Madam Speaker, these are the figures for the number of fixed penalty notices issued to taxi licence holders for each of the years: 2021, zero; 2022, seven – all for city services offences; 2023, zero; 2024 as

at 1st November, 23 – 21 for not doing the city service and two for not displaying the identifying logo.

1920 **Hon. G Origo:** Madam Speaker, may I ask the Hon. Minister if he can explain whether there is a reason for the jumps in the numbers? I think in the first year he says it is zero, then it goes to seven, then it goes back to zero, and now it is 23. It seems, from an objective point of view, that some years we have good enforcement and some years they do not seem to be enforcing – or it would appear – anything at all. Can he please clarify why that appears to be the case?

1925 **Hon. Prof. J E Cortes:** Madam Speaker, I think this is a clear testament to the way that the new Ministry for Transport, since I was given that responsibility by the Chief Minister, is working and ensuring, in collaboration and with the full support of the taxi service, that taxi drivers do what they are supposed to do. That, together with other changes that we are bringing to the House by way of a number of Bills that that we will be taking forward, I have no doubt with the Opposition's support, will continue to improve the taxi service to be the one that Gibraltar deserves and the Taxi Association and the Government wish to achieve.

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Hon. G Origo: Madam Speaker, I hope that you will be patient and indulge me, because my initial intention was not to be highly critical, but the Hon. Minister has brought up the fact that new legislative changes have been brought to the taxi services and that is why he is taking the view that the service have improved. But I must note that yesterday I had a horrendous experience in trying to use the city taxi service. Having to attend Parliament at 12 o'clock midday, I had got ready by about 11 o'clock in the morning and decided to call for a city service. Having been on hold for 13 minutes, the answering machine told me that was the first in line. About two minutes later I was still first in line. The phone would sometimes ring, it would not be answered, and then I was first in line again, the answer machine would say. After 13 minutes, I hung up. I decided to call again. I think I did this exercise for another six minutes, and then I soon realised it was 11.30 and I had half an hour to get to Parliament. Given the situation – and it is no secret that I am currently carrying an injury – because of the time restriction, I thought the best option for me was to hop and make my way. My point to the Hon. Minister is: is this normal? Is it normal for 11 o'clock on a Wednesday morning, to call the taxi service, to be on hold for 26 minutes, to be first in line and not have my call attended to? Is this the reliability and the city service that the Minister thinks Gibraltar should really have, and is this the best that we have to offer? He has stated already that he has taken over the Ministry, changed the laws and improved the service, but from my experience, the service does not seem to have improved.

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Several Members: Hear, hear.

1955 **Hon. Prof. J E Cortes:** Madam Speaker, I will answer as much as I can, even though it is, I do not think, really a legitimate supplementary to the question. Out of deference to the affection that I have for the hon. Member opposite, I will give him an answer.

I do not think that is acceptable. I will take it up personally with the Taxi Association to see what is happening there. I would like to think that if it were not for the steps that we are taking, things would be even worse. The fact that we have this year fined 23 taxis for not doing city service ... Essentially, the likely reason is that they have been doing rock tours when they were supposed to be doing city service. I believe that is already making a difference. Clearly, the difference is not enough.

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The laws have not yet been passed on the Order Paper. We will be taking them up as soon as we do Bills in this House, and that will allow a number of changes, which includes the ability of having two vehicles, so that we can double up the number of trips and so on. The details will be with us when we discuss the Bills, and I am happy to discuss them with the hon. Member before

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we take them so that we he understands exactly what they will achieve, and hopefully to get his support. I believe that he is now responsible for Transport.

1970 So, there is work to be done, but I am absolutely convinced that the Taxi Association are committed to it and do not like having the bad name that some operators have given them. I am happy to work with them and with the hon. Member to make sure that that incident is not repeated.

1975 **Madam Speaker:** Next question.

Q972/2024
Motoring offences –
FPNs issued for mobile phone use and failure to stop at red light

Assistant Clerk: Question 972. The Hon. J Ladislaus.

1980 **Hon. J Ladislaus:** How many fixed penalty fines have been issued in the past 12 months for (1) driving whilst using a mobile phone and (2) failing to stop at a red light?

1985 **Assistant Clerk:** Answer, the Hon. the Minister for Education, the Environment and Climate Change.

Minister for Education, the Environment and Climate Change (Hon. Prof. J E Cortes): Forgive me, Madam Speaker, I got slightly distracted in sorting out a diary issue. My apologies.

1990 Between January this year and 11th November, 336 fixed penalty notices were issued for mobile phone offences and 43 were issued for traffic-light offences.

Hon. J Ladislaus: I am grateful for the answer, but I just query: I asked for the past 12 months – is there any reason why the Minister is unable to give me the statistics going back slightly further back to last year?

1995 **Hon. Prof. J E Cortes:** Madam Speaker, we are short of 12 months by one month and 15 days, so I do apologise. These were the figures that have been provided for us by the Royal Gibraltar Police, who are the ones who effect these. I am very happy to ask them to go back to 11th November 2023 if that would help. That would make it 12 months.

2000 **Hon. J Ladislaus:** That is the question.

Hon. J Ladislaus: I would be grateful, if possible, if the Hon. the Minister could get that information. I am just keen to see statistics and whether things are improving, or not, on the roads. I am grateful.

2005 **Madam Speaker:** Next question.

Assistant Clerk: Question 973. The Hon. E J Reyes.

Adjournment

2010 **Deputy Chief Minister (Hon. Dr J J Garcia):** Madam Speaker, if I may, the intention is to adjourn the House, so may I have the honour to move that this House do now adjourn to tomorrow, Friday, at 4 p.m.?

2015 **Madam Speaker:** I now propose the question, which is that this House do now adjourn to tomorrow at 4 p.m.
I now put the question –

Hon. D B Bossino: It is very tempting to say no. *(Laughter)*

2020 **Madam Speaker:** – which is that this House do now adjourn to tomorrow at 4 p.m. You know that the consequence of the hon. Member saying no is that we just carry on, so I wait with bated breath. Those in favour? **(Members: Aye.)** Those against? Passed.
This House will now adjourn to tomorrow at 4 p.m.

The House adjourned at 1.00 p.m.