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8/4/14

THE DEVELOPMENT AND PLANNING COMMISSION

Minutes of the 6th Meeting of 2014 of the Development and Planning Commission held at the Charles Hunt Room, John Mackintosh Hall, on 8th April 2014 at 9:30a.m.

- Present:**
- Mr P Origo (Chairman)
(Town Planner)

 - The Hon Dr J Cortes (MEH)
(Minister for Environment & Health)

 - The Hon Dr J Garcia (DCM)
(Deputy Chief Minister)

 - Mr H Montado (HM)
(Technical Services Department)

 - Mr G Matto (GM)
(Technical Services Department)

 - Mrs C Montado (CAM)
(Gibraltar Heritage Trust)

 - Mr C Perez (CP)
(Gibraltar Ornithological & Natural History Society)

 - Mr J Collado (JC)
(Land Property Services Ltd)

 - Mrs J Howitt (JH)
(Environmental Safety Group)

 - Mr W Gavito (WG)
(Rep Commander British Forces, Gibraltar)
- In Attendance:**
- Mr P Naughton-Rumbo (DTP)
(Deputy Town Planner)

 - Miss K Lima
(Minute Secretary)
- Apologies:**
- Dr K Bensusan (KB)
(Gibraltar Ornithological & Natural History Society)

 - Mr C Viagas (CV)
(Heritage & Cultural Agency)

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Mr J Mason (JM)
(Rep Commander British Forces, Gibraltar)

Approval of Minutes

144/14 - Approval of Minutes of the 6th meeting of 2014 held on 8th April 2014

The Commission approved the minutes of the 6th meeting of 2014 held on 8th April 2014.

Major Developments

145/14 – BA12976 – Europa Point – Proposed football stadium and associated facilities

DTP advised the Commission that the applicant would be making a presentation followed by questions from the Commission. He also said that nine objectors will be addressing the Commission and answering any questions.

The Commission welcomed Mr Desmond Reoch (President of the GFA) and Mr Mark Fenwick (principle architect). Mr Reoch also introduced Mr Dennis Beiso, Mr Patrick Gomez and Mr Juan Carlos Velasco.

Mr Reoch told the Commission that the GFA has been open about their project since the beginning and that they have exceeded the statutory limit regarding public consultation. He said that they had opened an exhibition and have taken on board feedback received from the public.

Mr Fenwick told the Commission that as an architect he thought that stadiums are exciting buildings for the city and country that they are in. He said that Team 54 had become a symbol for the nation by obtaining a position in world sport.

Mr Fenwick said that in terms of size they have tried to keep the stadium as tight and small as possible. He said that the football pitch will be 105m by 68m and the area around the pitch approximately 7m. There will be 8000 seats with a concourse area behind, housing the evacuation routes, toilets, etc. Mr Fenwick also explained that the pitch orientation needs to be north/south as an east/west orientation is not permitted by either UEFA or FIFA.

Mr Fenwick confirmed that other locations have not been considered suitable for the following reasons:

- Victoria Stadium – Mr Fenwick said that it would not be possible to use the area for at least a year and a half due to construction. He said that the new stadium would result in the loss of the hockey pitch, stands, athletics area and petrol station. Mr Fenwick said that facilities for at least 30 sports will be lost. He also said that egress from the stadium would be to the east on to the only road connecting the frontier.
- Devil's Tower Road Camp – Due to the requirement for a north/south orientation, buildings would have to be demolished and this area is currently owned by the MOD.
- East Side Reclamation area – Mr Fenwick said that this is a commercially valuable site and that accessibility is not excellent. He also said that usually fans arrive at stadiums

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from the north, east and south, and that the west is usually used as an entrance for VIPs. He said that at this location the west would be the only direction from which the stadium could be accessed as the Mediterranean Sea is on the other side.

- Lathbury Barracks – He said that this area is MOD owned and is designated as a special area of conservation.
- Naval Ground – Mr Fenwick said that there is a main road running through the middle of where the stadium would be and that this would not be feasible.

Mr Fenwick said that he personally thinks that Europa Point is a magnificent site and an excellent location for the stadium. He said that this public building can become a catalyst for the area to become a balanced part of Gibraltar. Mr Fenwick said that a traffic study has been done and that there are three main routes to this area which validates the feasibility of the site. He said that the area is serviced by the north to south public transportation system. He also said that it would be possible for away and home teams to travel along different routes.

Mr Fenwick told the Commission that the stadium will only be taking over current open space which is used as a cricket field and shooting gallery. He said that the stadium will enhance the area environmentally and from a heritage perspective, and that it will create a new urban area for Gibraltarians. Mr Fenwick also said that it will become a multisport venue as the size of the pitch will allow the playing of other sports namely rugby, hockey, field bowls, etc. Mr Fenwick said that Gibraltar currently only has Victoria Stadium as a stadium facility and that it is too small to support the whole community. He said that having sports facilities in both the north and south districts is also good as part of a larger master plan.

Mr Fenwick referred to the current character of Europa Point saying that it is a place with magnificent views, a family area, an area with heritage value and a public sports area. He said that the stadium will enhance these features and will provide a facility for the community which can be used for school sports days, events and concerts. He also said that the retail area on the ground floor will also attract people.

Mr Fenwick explained that in terms of design, the stadium will be built on rock and that the corners of the façade which will be seen as you arrive in the area will be cut back. He said that a new plaza will be created on the western side and that the fortress wall on the south western and Harding's Battery side will be cut off and set back; this end of the building he said has been designed to imitate the effect of erosion on the cliffs and to resemble the edges of the castle on Gibraltar's flag. Mr Fenwick also told the Commission that a part of the outside wall has been cut out to allow fans on the western stand to see out from the stadium. He said that a transparent screen will be installed if necessary to protect from the weather. He also explained that the roof has been inclined to adapt the building to the location and the wind. Mr Fenwick said that they are considering a membrane façade which consists of a transparent textile which is lighter and can be seen through. He said that the outside of the stadium will be white and the inside red. Mr Fenwick also said that lights will not be seen from outside the stadium as these will be contained within the roof. He said that development will be in two phases; the stadium and the commercial units.

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Mr Fenwick also said that the possibility of sinking the stadium into the ground has been considered but that this would only reduce its height by 4m and the retail area will be lost. He also said that excavating 90m³ of rock would not be environmentally recommended. Mr Fenwick also referred to a plan showing the different sections of the stadium including retail areas, public areas and media areas.

With regards to the question of which stadium category is required, Mr Fenwick said that the GFA requires a category 4 stadium in order to be able to think of the future and the possibility of playing at the highest level. He also said that UEFA is now imposing this on all other nations as countries which currently have category 3 stadiums are being asked to raise these to category 4. He said that the difference in size between the category 3 and 4 will not be major. He explained that the main difference is that the category 4 stadiums have 8000 spectator seats and the category 3 has 5000. Also, the category 4 has more media areas including conference rooms, a lobby and mix zone. Mr Fenwick said that these areas could be used as a business centre. Mr Fenwick also said that a category 4 stadium also has to have parking area available for spectators, media vans and VIPs.

Mr Fenwick also advised the Commission that they are looking to have a stadium roof walk which the public can use to walk around the top of the stadium and as a viewing platform. There will be access to this area directly from the ground floor, making it unique in the world.

Mr Fenwick referred to the stadium as a community building, a place for culture, learning and enjoyment. He said that a library area could be created, as well as a place for pensioners. He said that it will be in use every day of the year either for cultural events, festivals, conferences, weddings, baptisms, etc. The sky boxes he said could also be used as meeting rooms. There will also be a top quality restaurant within the stadium.

In terms of sustainability, Mr Fenwick said that he is amongst the few architects who are achieving a lead gold, for example in the construction of stadiums in Qatar. He said that they are looking into methods of reducing energy consumption, implementing water harvesting and using environmentally friendly materials. He said that sustainability is key in all of his projects. Mr Fenwick also told the Commission that he believes in Blue Architecture which takes into account human requirements in terms of accessibility and movement through buildings.

With regards to the lighthouse, Mr Fenwick said that a new lighthouse will be created at the top of the stadium. He said that all technological requirements of a lighthouse will be provided.

Mr Fenwick said that the stadium is being designed specifically for this site and to not encroach into surrounding areas. He confirmed that his team will be taking all comments on board and that a more origami design is being considered as opposed to the original design, as they are looking at more façade breakdown and movement. He said that the sense of openness will be maintained as you arrive from the west by providing terraces on this façade.

DCM said that Government welcomes the level of public participation in this project. He said as a member of the Commission he would be considering this application as an individual. He said that in the original presentation the stadium was presented only as a place for football but that

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now it is being described as a multiuse stadium. He asked Mr Fenwick to explain why this has changed. Mr Fenwick said that it has been designed as a football stadium but that its size allows multiuse. He said that the GFA as owner of the stadium would have to allow other uses.

DCM also asked why it is necessary to have a category 4 stadium given that the main concern is with scale, massing, height and location. Mr Fenwick said that there isn't a document which states that it must be a category 4 stadium but that in view of the investment required it would be better as UEFA are asking other countries to upgrade from a category 3 to 4, and therefore, might be requested of Gibraltar in the future. He also said that the difference in size would not be substantial as the concourse size would not change due to safety requirements.

DCM also highlighted that the matter of sinking the stadium into the ground and excavating rock is being referred to as a disadvantage. However, he said that he sees it as an advantage for Gibraltar as rock is required for other projects and would mean that Gibraltar would not have to import it. He said that there is already a cafeteria and toilets in the area which are used by Gibraltarians and tourists, and that the general view is that perhaps sinking would be beneficial. He asked Mr Fenwick whether sinking the stadium could still be considered. Mr Fenwick said that sinking the stadium would bring environmental issues and would not be sustainable. He said that the main issue would be that the space at the base of the stadium for public use will be lost. He said that the possibility of allowing the stadium to have light during the day is important but that technically it would be possible.

DCM said that even Government projects are submitted to the DPC for recommendations and that given that this is not a Government project, the GFA will need to take recommendations into account and obtain planning approval. The Chairman said that the outline planning stage allows the applicant to consider points raised and submit a redesign. He suggested that perhaps the possibility of excavating rock and sinking the stadium should be one of the requirements to be considered by the EIA.

MEH asked Mr Fenwick what his views are on the possibility of converting Victoria Stadium into a category 3 stadium. Mr Fenwick said that there will be technical issues. He said that the athletics track will be lost, the orientation would not be north/south, the area will have to be closed for a while, and there will not be enough spectator areas and toilet facilities. He said that technically it would be difficult.

JC asked how it would affect Gibraltar football if the stadium were not a category 4. Mr Reoch said that UEFA have issued a statement in which they impose a timeframe for places like Andorra to upgrade to category 4. He said that it doesn't make sense to build a category 3 if they will have to upgrade in the near future. He also said that by having 8000 seats more away fans will be able to attend matches hence more visitors to Gibraltar. He said Gibraltar will benefit economically by attracting a bigger away following.

JC also asked why it is necessary to have a north/south orientation. Mr Fenwick said that this is an obligation because of the direction in which the sun sets. He said that this is recommended if the stadium is to be validated by UEFA and FIFA.

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DCM asked Mr Fenwick to clarify whether the orientation is recommended or obligatory. Mr Fenwick said that FIFA recommends it but would never force it.

JH said that the orientation really limits the possible sites and that if it is not obligatory, it should not be part of the discussion.

CP asked where the 150 parking spaces for VIPs will be provided. Mr Fenwick said that permission would normally be sought to provide them around the stadium on match days.

The Chairman questioned the need for parking spaces if we are all planning to avoid using private vehicles and promoting public transport and environmentally friendly means of transport are being promoted. Mr Fenwick said that parking is part of the list of obligations set by UEFA.

JC said that there seems to be a lot of retail space provided for within the design. He asked whether marketing studies have been carried out to assess whether there would be a need for these. He said that there is already a café and plans for a restaurant in the area. JC thought that ascertaining whether there is a need for the retail space would be valuable in determining whether the stadium should be sunk into the ground or not. Mr Fenwick clarified that by retail he does not mean just a row of shops but rather community or sports orientated facilities such as a library and a medical centre.

JC also asked whether reducing the size of the large units on the south elevation would affect the viability of the stadium. Mr Fenwick said that these are not part of the stadium and that as architect he does not need them but that it is up to the GFA whether to include them or not.

GM highlighted that in order to allow a view on to the straits, one of the stands will have less seating capacity. Mr Fenwick said that there will be seating on all sides. He said that the area of reduced seating could be used for away fans as it will provide a certain amount of segregation. He also said that this area could be used to place a platform over the seats for any concerts which might be held at the stadium.

GM asked how important the design principle of removing a section to allow views is for the project. Mr Fenwick said that it is not critical but that it would make it unique. GM said that he would consider removing this from the design. JC said that he agreed with GM and thought that this design feature could reduce the atmosphere in the stadium during matches. The Chairman disagreed with JC and GM and thought that the feature adds to the architecture.

CP asked whether wind studies have been carried out. Mr Fenwick said that he is well acquainted with the area and that the roof has been inclined to allow the wind to pass over and across. He said that a wind tunneling survey will be done. Mr Fenwick said that he has previous experience in mitigating weather issues.

CAM said that Mr Fenwick had referred to the project as being important in enhancing heritage features in the area, despite the lighthouse being lost. She asked whether Trinity House has already agreed and whether assessments have been carried out on the effects of losing this

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lighthouse. Mr Fenwick said that he was not aware of the final decision but that the GFA has met with them and that the proposal is acceptable to them.

CAM also asked whether the wall walk will be done as part of the project. Mr Fenwick said that anything outside the stadium walls is not part of their project. He said that they have to consider how their building changes the area for the better and that the wall walk is one of their suggestions to improve the area. He said that stadiums are catalysts for ideas to improve the surrounding area.

DTP thought that the main issue is the proposed location and asked Mr Fenwick on what basis they came up with the list of possible sites. DTP also said that he was surprised that one of the reasons why the east side has been ruled out is accessibility, when the area is easy to walk to, there is a dual carriageway leading to the area and there is a long term project earmarked for the area which might create potential new access roads. Mr Fenwick said that he is only the architect and that he builds on the site that he is given. He said that he has his personal opinions on the site but that the decision is up to the GFA. Mr Reoch said that the east side was ruled out as it would not be made available to the GFA due to its commercial viability and economical value.

JH said that no mention has been made of solar or water features in the stadium design. She also said that in some European countries, for example Germany, they are looking into using UEFA accredited temporary stadiums and asked Mr Fenwick whether this could be an option for Gibraltar. Mr Fenwick said that these are not quality stadiums as they are built using scaffoldings, toilets are portacabins and columns in the middle of tiers impede spectators' views. He also said that temporary stadiums tend to become permanent.

JH said that it is clear that the community is being consulted but that they are only being shown one location. She said that it is almost a fait accompli and that perhaps if there would have been a choice of location, the community would be more supportive. She said that an EIA is necessary and that the project should not be allowed to proceed until this is done.

JC asked what would happen if there is a serious storm and international matches have to be postponed. Mr Reoch said that the recent Everton v Crystal Palace game was cancelled due to the high winds and that the same would be done if this happened in Gibraltar. Mr Reoch also said that luckily 'Fedra' type storms are not a usual occurrence.

The Chairman said that in case of an emergency there would have to be contingencies and traffic plans. Mr Reoch said that this is why they require three access roads.

Mr Fenwick told the Commission that they are looking to use solar energy for hot water and solar panels for electricity. He said that one of the stadiums which he has designed has the largest solar panel roof. Mr Fenwick also said that they are looking to introduce rain water harvesting. He said that they are required to obtain environmentally friendly certificates.

CP asked whether there are any plans for landscaping. Mr Fenwick said that there will be little space around the stadium for landscaping and that it will mainly be hard landscaping.

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GM asked Mr Fenwick if he could elaborate on the design criteria in terms of fabrics and materials which will be used. MF said that all materials will be climatically viable. He said that the roof will be aluminum, with insulation and double skinned. He said that for the facades they will be using latest generation textiles which will be tensed on a frame like a drum and transparent. He said that the material used will be transparent.

CP asked Mr Fenwick what are the reflective qualities of the textile that will be used. Mr Fenwick said that the façade will be of a matt finish and that light will travel through it. He said that reflection will be reduced.

CAM said that the projecting arm nearest to Harding's Battery casts shadow on the battery and asked Mr Fenwick whether it could be cut back further. Mr Fenwick said that it has already been cut back as much as possible but that the design has not been finalised.

The Commission did not have any further questions and thanked Mr Reoch and Mr Fenwick.

The Commission welcomed one of the objectors Ms Yael Benady.

Ms Benady told the Commission that all of the petitioners are proud of what the GFA has achieved and that they are objecting to the chosen location. She said that over 50 objections were received by the DPC and 5 of them have been chosen to address the Commission. Ms Benady read out the names of all of the objectors. Ms Benady also told the Commission that they have also carried out a petition against the stadium being built at Europa Point. She said that 1636 signatures were collected through their online petition and 5088 signatures through their on-street petition. She said that the aim of their petition is to ask the relevant authorities to please reconsider the chosen site. She said that by constructing the stadium at Europa Point there will be loss of vistas; there will be a loss of recreational area and the lighthouse; traffic issues; changes in iconic views; and loss of the cricket ground.

Ms Benady advised that the vast majority of signatures received online are from Gibraltar residents or people with links to Gibraltar. She said that signatures received online were not accepted again in the street petition and that when signing the street petition people were required to provide details of their address.

Ms Benady said that all of the petitioners have Gibraltar's interest at heart. She said that losing Europa Point would be heartbreaking and that this is the only flat open space left which is used by children, the elderly and families. She said that the newly opened park and café were welcomed by the community. She said that space in Gibraltar is limited and that there is a need for an area where people can relax. Ms Benady asked the Commission to refuse the project.

DTP said that according to the presentation by the architect the actual playground will not be lost. Ms Benady said that there will be a loss of recreational area even if the playground will not be lost.

JC told Ms Benady that she says that she applauds the GFA for their achievements but objects to the location chosen for their stadium; he asked her whether she thought that the stadium should

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not be built if another site cannot be identified. Ms Benady said that she finds it hard to accept that another area is not suitable.

The Chairman asked Ms Benady whether the presentation by the applicants has changed any of her views. Ms Benady said that their main point is that the stadium should not be at this location. The Chairman also asked her whether she does not see any advantage in the community being able to use the stadium in the future. Ms Benady said that she cannot see how it will be an advantage for the community, especially schools, as there are no schools nearby. She said that she did not see any value in the argument that children will benefit.

The Commission did not have any further questions and thanked Ms Benady.

The Commission welcomed Ms Kelly Power from Triay Stagnetto Neish on behalf of Trinity House.

Ms Power advised the Commission that the powers that Trinity House has derive from the UK Maritime Convention on Law of the Sea. She said that they are responsible for providing reliable efficient aid for navigation in the area and that the new stadium would block the light emitted by the lighthouse which is essential for safety and that by obscuring the light it would cause danger to mariners. Ms Power also said that under the regulations obscuring the light would be an offence and that their objection therefore, is mainly on the basis of a threat to the security of mariners. She said that the lighthouse's pivotal role is clear and that the possible threat to the security of mariners needs to be addressed. Ms Power said that anything taller than the lighthouse would affect the view from the sea and alternative measures would need to be taken at no cost to Trinity House. She also said that some would argue that vessels use electronic systems but that not all of them do.

Ms Power told the Commission that Trinity House is not objecting to the stadium for its intended purpose but has to object in terms of safety due to its effect on the lighthouse. She said that her client would have to be consulted if the lighthouse were to be relocated. She also confirmed that Trinity House is in discussion with the applicant but that until an agreement is reached, they have to maintain their objection.

CP asked Ms Power whether they have spoken to the Port Authority. Ms Power said that she believed that the GFA has recently contacted the Port Authority.

The Commission did not have any further questions and thanked Ms Power.

The Commission welcomed Mr David Dumas.

Mr Dumas told the Commission that he submitted his objection on 19 March 2014. He said that the Gibraltar Chronicle also run his letter as an opinion piece for which he has received many calls and congratulations for having gone public with his views. Mr Dumas said that he cannot believe that consideration is being given to the erection of a monstrous building. He said that they are designing what they think has to be built. However, he said that Gibraltar is small and that there are space limitations. He said that the GFA is unable to provide reassurance that the

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stadium can be used regularly and questioned whether it will be filled often enough and used as much as they say if the last match at the Victoria Stadium was only attended by 2000 fans. Mr Dumas told the Commission that since the border issues commenced people are staying in Gibraltar and that there is a need for recreational areas. He said that the border situation does not seem to be improving and if construction is allowed, this area would be out of bounds.

Mr Dumas also said that 240 bus rides would be necessary if all of the fans are to be transported via bus. He also said that the area is usually badly affected by bad weather. With regards to the library and medical centre which Mr Fenwick said could be built on site, Mr Dumas said that he thought that these are just temptations which the GFA feels might make people change their views. He also said that at the last music festival neither the pitch nor the stands were full and that the reality is that a larger stadium will not be needed for future events.

Mr Dumas also said that Mr Fenwick had made an interesting comment when he said that the architect can only work on the site that he is given. He said that there cannot be an objection to increasing the size of the Victoria Stadium especially if the petrol station is being moved. Mr Dumas also thought that the stadium might add value to the east side.

Mr Dumas also told the Commission that in respect of the requirement for three access roads, this is severely limited in the area from St Bernard's Church to Naval Hospital Hill as the roads are narrow and there is limited pavement. He also said that access through Dudley Ward Tunnel may be restricted due to weather and that the tunnels from Camp Bay to Rosia are very narrow.

Mr Dumas also referred to Section 22 of the Town Planning Act which states that the area, shape, character, height and length of a building should be considered. He also said that the Development Plan 2009 states that HMGOG is committed to redevelop Europa Point area for community and tourism uses. He said that general design and policies in the plan refer to topography, views and skyline. Mr Dumas also referred to policy GD24 on loss of open space and Policy T2 on detrimental effect on tourist attractions. Mr Dumas said that this project does not in any way fit into policy statements made in the Development Plan and that the Commission cannot justify acting against these policies and if they did, the decision would be susceptible to judicial review.

Mr Dumas said that the DPC are responsible for the protection of Gibraltar and urged the DPC to put aside the need for a stadium and consider the project on planning grounds. He said that if the project is not approved on planning grounds, other more suitable locations on the north side would be considered.

The Commission did not have any questions and thanked Mr Dumas.

The Commission welcomed Mr Clive Edwards.

Mr Edwards told the Commission that with what has been explained at the meeting he cannot understand how a category 4 stadium cannot fit anywhere else. He said that the residents of Gibraltar are the parent custodians of the land and referred to the first historic references to Gibraltar. Mr Edwards said that thousands of tourists visit Europa Point to experience the views

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of Africa. He said that the mosque fits into its surroundings and that the lighthouse is a powerful feature of the area. Mr Edwards also told the Commission that not everyone can visit the upper rock area due to accessibility issues and that Europa Point is an area that can be enjoyed by all. He said that if the stadium is constructed it will become a legacy for generations to come. He asked the Commission to consider the practicality of transporting 8000 fans to the area and questioned what would happen in an emergency situation. He asked the DPC not to allow themselves to be blinded by the over excitement of the GFA's achievement. He asked the Commission to remember that they represent the people of Gibraltar.

The Commission did not have any questions and thanked Mr Edwards.

The Commission welcomed Ms Rebecca Faller.

Ms Faller told the Commission that she would be addressing them on behalf of residents of the Europa Point area, the lighthouse keeper and residents of St Christopher's Court. Ms Faller said that everyone thinks that they know Europa Point but said that you don't really know it until you live there. Ms Faller explained that on Christmas Day 2013 all access roads were closed due to a storm. She said that this happens a lot and that no one is able to get in or out of the area. Ms Faller also said that the stadium building would be covered in salt crystals.

Ms Faller also told the Commission that the GFA throughout their press statements state that Europa Point is a heritage site. She said that there are underground caves beneath the area and that Trinity Lighthouse is the only lighthouse outside of the British Isles. She said that the lighthouse is an iconic feature which has existed for over 200 years. She said that the beam would hit the stadium and bounce so it would not be of any use and will be decommissioned. Ms Faller asked that what is the point of a lighthouse without a light. She also told the Commission that the family who has lived in the lighthouse cottage for over 30 years would be losing both their job and a house. She asked whether this is really necessary and asked the Commission to consider the knock-on effects of the stadium.

Ms Faller told the Commission that the GFA are advertising the stadium as the first stadium in the world to have a lighthouse. She said that it will be the first stadium in the world to be built on a heritage site and the first stadium that causes a historic lighthouse to stop functioning. She also said that a five storey monstrosity will be towering over the mosque. Ms Faller showed the Commission a photo of the lighthouse at night and asked them to consider whether they want that view to be lost forever.

The Commission did not have any questions and thanked Ms Faller.

The Commission welcomed Mr Tommy Finlayson.

Mr Finlayson told the Commission that he submitted his original views but was asked to avoid duplicating the issues raised by the objectors at the meeting. Mr Finlayson said that the DPC's decision should comply with the Town Planning Act and the Development Plan 2009. He said that this means that if the proposal contravenes the plan the DPC should refuse it and that if it is approved, an individual could take the matter to court. Mr Finlayson referred to the section in the

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Development Plan which refers to Europa Point and said that building a massive structure in the area would be against policy. He also said that other core policies would be contravened as the proposed design goes against policies on height, size and public vistas. Mr Finlayson also told the Commission that he had been invited by the lighthouse keeper to the lighthouse and that the view to Algeciras from the lighthouse would be completely removed. Mr Finlayson said that there will also be a loss of open space and that the natural environment will be affected. Mr Finlayson said that the Development Plan also refers to the protection of tourist attractions.

Mr Finlayson felt that there are still many unanswered questions and that the applicant should be invited to submit alternative proposals for other locations. Mr Finlayson said that he thanked Mr Fenwick for confirming at the meeting that the stadium would fit elsewhere. He also thanked him for saying that the category 4 stadium and orientation are recommendations and not required. He urged the DPC to reject the proposal on the basis that it is not the right location.

The Commission did not have any questions and thanked Mr Finlayson.

The Commission welcomed Ms Iabella Guillem.

Ms Guillem told the Commission that the GFA's UEFA membership has been cited as a good reason for losing an open space. She said that the Development Plan is against the loss of open space and that if HMGOG is already upgrading the Victoria Stadium, it could be upgraded to a category 3. She said that no small nation has ever qualified for playoffs and that there is no need for a category 4 stadium. She said that when one considers the progression of small nations within UEFA, the need for a category 4 stadium is not justified. Ms Guillem also said that not all stadiums have a north/south orientation and referred to Old Trafford as an example. Ms Guillem said that space in Gibraltar is limited and that there is no need for two stadia of UEFA standards. She said that if they are short of pitches they could build a flat pitch where the cricket ground is located.

Ms Guillem said that the colossal spread of the stadium and its height will overshadow the park and surrounding area. Ms Guillem referred to the development plan which refers to the loss of open areas and said that areas should not be changed to serve the interest of any organisation. Ms Guillem said that the GFA's interest cannot override this when so many people are against the project.

The Commission did not have any questions and thanked Ms Guillem.

The Commission welcomed Mr Trevor Hammond.

Mr Hammond said that after listening to discussions, much of what he was going to say had already been discussed. He said that he objects principally on the grounds of aesthetics and the area not being a fitting location.

Mr Hammond said that the Ministers should be commended for the open planning system. He said that he was humbled by the preparation of the objectors. He also said that the GFA

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submission was not a well prepared argument and that travelling for ten minutes to the Victoria Stadium because there are no sports facilities in the south should not be considered an issue.

Mr Hammond also said that he did not share the opinion that lowering the building will assist. He said that buildings have an impact on the area around them and that having a monstrous carbuncle in the area would have an effect from Europa Point to Jews Gate. He said that the building will never be invisible and that future generations will ask what we were doing with this.

The Chairman said that the Guggenheim in Bilbao for example was viewed as a carbuncle when they were considering it and that it has now become a landmark. Mr Hammond said that the design lacks imagination and that it looks more like an airport hangar than a stadium.

The Commission did not have any questions and thanked Mr Hammond.

The Commission welcomed Mr Michael Neish.

Mr Neish told the Commission that he had presented a letter to the DPC signed by 30 colleagues. He informed them that he had carried out a study of 27 category 4 stadiums in Europe and that results show that a number of them had less of a north/south orientation than the Victoria Stadium. He referred to Wembley Stadium and Old Trafford which are around 40 degrees off a north/south orientation, when the Victoria Stadium is only 20 degrees off. Mr Neish also said that Mr Fenwick has argued that the Victoria Stadium would be lost to sport but that he had also argued that the new stadium at Europa Point would be good for sport.

Mr Neish also referred to a statement made by UEFA on 7 April 2014 which referred to Europa Point as an iconic location. Mr Neish said that it will only be an iconic location until the stadium is built there. Mr Neish showed a photo of the area to the Commission with a white square superimposed where the stadium would stand. He questioned how anyone can argue that the stadium will not affect the area. He said that the GFA took a photo from the same location but has not made it public; he questioned why they had not published it.

Mr Neish also told the Commission that the stadium will overshadow the children's park in the afternoon. He also said that in terms of access this is the furthest point in Gibraltar and that the fans will have to travel the whole of Gibraltar to get to the stadium. He also said that the stadium will be located at the furthest point from emergency services and that there will be traffic disruption. Mr Neish also told the Commission that the roads leading to the area are narrow and winding and that some do not accommodate two-way traffic and are often closed due to rock falls. He said that this would pose health and safety issues.

Mr Neish said that 8000 seats may not be filled at every match. If they were, 8000 people would have to be taken to the area by shuttles. If 47 people fit in one bus, this would mean that a total of 170 bus journeys would have to be made. Mr Neish said that more than one bus would be arriving at the stadium every minute and that if any were held up, traffic would build up. He also said that if an accident occurs traffic would have to be stopped which would mean thousands of fans walking towards the stadium in order to get there on time for kick off. Mr Neish also said

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that most matches would be on working day evenings and therefore, people travelling home from work would add to the traffic congestion. He said that there will be grid lock and that emergency vehicles would not be able to access the area. Mr Neish also said that the area around the stadium will be too small to contain fans after the match whilst they wait for the buses; hence people will walk along the narrow roads. He said that Gibraltar's infrastructure is not good enough to support a stadium of this size and that a traffic assessment should be carried out before taking decisions.

Mr Neish told the Commission that it is necessary to avoid bad planning. He said that Gibraltar has no experience of dealing with logistical issues of this magnitude and that it is not known how many fans will attend matches and suggested that perhaps numbers will start to dwindle especially if transport is an issue. Mr Neish suggested that the GFA should set their sights more modestly at first and make more level headed decisions with data and statistics in the future. He requested that other sites with better pedestrian access are considered, such as the Victoria Stadium which is within walking distance to the border and town. He said that the project should not proceed until all possibilities are considered and the public is informed. Mr Neish asked the DPC to reject the proposal.

The Chairman said that a traffic analysis will be carried out as part of the EIA which will become a public document.

JC referred to the photo showing the view from the lighthouse and said that he agreed that the view will be lost but said that at the moment no one enjoys that view. Mr Neish said that you can walk around the area and have the view from ground level. JC said that it is not possible to see the sea from the roundabout and that therefore, it is a different view. Mr Neish said that the impact will be even greater on the view from ground level as the stadium will be even nearer.

The Commission did not have any further questions and thanked Mr Neish.

DTP advised that the scoping opinion will be presented during the meeting to be held on 24 April 2014 and that matters to be considered by the EIA will be agreed. He said that the EIA is a public document and that there will be a public participation period.

JH suggested that the GFA could have saved time by presenting other alternative sites rather than asking the DPC to consider one site. The Chairman said that the EIA will consider other sites.

MEH said that the meeting was a historic occasion which illustrated the revolutionary change in the planning system. He thanked those present and the objectors for coming forward with their views. He said that previously objectors would not have had the opportunity to address the Commission or be present at meetings. With regards to the project, MEH said that he thought that the project is an incredible challenge and that he will be considering everything that has been said. He thought that the design looks more like a warehouse than a stadium and that it should be more minimalist. MEH said that alternative designs should be studied before they are discarded. He also said that alternative locations should be presented as these might be objected to by others. MEH also said that he was concerned with the extension to the south. He also agreed with DCM in that there is not an overriding objection to digging down. MEH said that although there

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does not appear to be any direct effect on the environment, he would like to see details of use of solar and wind energy and water consumption. He said that as it stands he is not in a position to accept either the design or location. He said that before making a decision he needs to see the results of the EIA. MEH also highlighted that under the EU Habitats Directive an Appropriate Assessment is required.

DCM also thanked the public for attending and said that it was an important reminder of the changes in planning. He said that he still remains to be convinced on some issues regarding the stadium and that a decision cannot be rushed. DCM said that his main concerns are with scale, massing, height and the possibility of digging into the ground. DCM said that there are too many unanswered questions which will hopefully be addressed by the EIA.

JC asked whether if the stadium is lowered the lighthouse beam would not be affected. Mr Fenwick said that he would have to confirm this. The Chairman said that this would be assessed by the EIA.

JH asked whether any work is being done on site at the moment. The GFA said that site investigations are being carried out. The Chairman asked the applicant to stop all works as investigation works also need permission.

There were no further comments.

Any Other Business

146/14 – Next meeting

The Commission agreed to next meet on Thursday 24 April 2014.