

By Commander J L Ballantine OBE RD\* MCMI RNR – Chairman

### CHAIRMAN'S ANNUAL REPORT 2004/2005

There can be absolutely no doubt that the question that most concerned the Trust during this period was the proposal to construct a funicular railway from Casemates to the Top of the Rock.

The Notice of this proposed development was published the day before Christmas Eve 2004, and from thence onwards until the proposal was refused by the Development and Planning Commission in May 2005, a great deal of work fell upon the Trustees, as well as on other entities in Gibraltar to whom it became allied, in an effort to convince all concerned that this was not a good idea.

I do not intend to rehearse every move and every blow in this contentious issue, which has already been well documented in the media. Suffice to say that had it not been for the great efforts made by all concerned - and here I must highlight the efforts of my predecessor in office Joe Desoisa, who agreed to spearhead the efforts of the Trust - the petition which was launched against this project would not have been the success it was. Believe me this work entailed great dedication on the part of those concerned, and they must all be congratulated for a job well done.

I should also like to congratulate the good sense of the people of Gibraltar in general for supporting the joint efforts of the Trust, the GONHS and the ESG, for pinning their faith in us and for their perspicacity in being able to sift through the many aspects of the case that appeared in the press from both sides of this issue and coming to the conclusion that they did. It must be borne in mind that over 7000 signatures were collected in a very short period of time! Without their support our task would have been that much more difficult. Once again, thank you.

If this had not been enough to keep us occupied, the Trust continued to carry out its normal functions and the following other tasks were dealt with:



- **The Nelson Statue:** The proposal that a statue to Admiral Lord Nelson should be commissioned and unveiled in the bicentenary year of the Battle of Trafalgar was originally mooted by the Trust, which was subsequently asked by the Government to investigate the matter and make proposals. A number of sculptors were asked to submit proposals and estimates, and once these had been considered, the commission to produce the statue was awarded to Mr John Doubleday, a renowned sculptor. The matter was then passed to Government to deal with thereafter. The statue is sited just outside Referendum Gate, on the opposite side of the Cemetery, and was unveiled by the Chief Minister on Friday 28 October 2005, in the presence of the First Sea Lord Admiral Sir Alan West, the sculptor and other distinguished guests. Mr Doubleday offered to donate 50% of his professional fees to a UK charity of his choice and the other 50% to a local charity selected by the Gibraltar Government. The Trust is grateful to The Hon Fabian Vinet, Minister for Heritage and Culture, for the donation of £7500 to the Heritage Trust, as the chosen Gibraltar charity. This sum has been earmarked for the restoration works at the Sacred Heart School Chapel.
- **The Rooke Statue:** This was unveiled last year and several loose strands remained which need attention. One of these was the provision of an enclosure around the statue. This is now actively being pursued and will consist of short stubby iron posts joined by chains. The question of floodlighting is also under consideration, as well as the repositioning of two of the trees on the pavement in order to provide a better view of the statue.
- **Journals:** This year's journal is currently being printed and should shortly be available. At this juncture I feel I should pay tribute to Gibtelecom for sponsoring the cost of the journals in the past and for their commitment to continue to do so into the future. Journal No 2 will also be reprinted shortly. I cannot stress too much how helpful sponsorship of this nature is to the Trust, and long may it last. Similarly I must thank The Hon Solomon Seruya and his family for so kindly preparing and publishing a special edition of the Journal dedicated to the contribution to Gibraltar made by the Jewish community over the years. This is a most interesting volume and I commend it to you. The sponsors have very kindly donated the proceeds of the sales to the Trust. The Trust is very grateful for this.
- **Sacred Heart School Chapel:** Although the restoration of the stained glass windows of the chapel was completed there were insufficient funds available to renovate the external rendering of the Chapel walls. It was felt that to replace the windows without dealing with this aspect of the work could result in damage to the windows so further work was put on hold. I am pleased to report that funds for the external work have now been provided and a contractor has been asked to undertake this work as soon as possible. In addition to this, and



before the windows are replaced, there is some restoration work needed in the interior of the chapel. An estimate for this had been received and funds need to be identified to cover the expenses of this work. There is a glimmer of hope in the horizon and it may be possible that the necessary funds will be found in the very near future. I wish to thank our co-opted Trustee, John Langdon, for his professional input and advice on this project.

- **King's Bastion:** The restoration of this "jewel in the crown" is being conducted with its preservation, protection and refurbishment very much in mind. In co-operation with the Heritage Division of the Government, all works are being supervised and nothing is touched unless it has been authorised by those involved. I know that the Chief Minister, himself, has taken a great interest in this development and we have found an ally in him in this delicate enterprise of substantial heritage value. The old Generating Station has now been demolished and a better assessment of the restoration as well as of the necessary reconstruction works can now be made.
- **The Main Guard:** The offices of the Trust are, as you know, sited on the first floor of this building, and I am pleased to confirm that the Chief Minister has agreed to make the whole of the building available for the use of the Trust. Plans have been prepared and will shortly be submitted to the Chief Minister and to the Heritage Ministry for action. Again I thank John Langdon for producing these plans.
- **Trafalgar Cemetery:** Members will no doubt have noticed that a rose arbour has been created at the North Entrance to the cemetery. Four new benches have also been provided and installed on the top lawn for the use of visitors to the cemetery. This has all been made possible by the generosity of Mrs Betty Parkinson, who has donated the necessary funds to carry out these works in memory of her late husband who was always a great friend of Gibraltar. A plaque commemorating this has been installed on one of the entrance pillars to the north gate.

Greenarc have continued to look after the Cemetery; planting, weeding etc and generally keeping it in order. The Royal Navy have also given a hand on several occasions and recently painted the railings in readiness for the October remembrance service. We are grateful also to them for their financial contribution with which we have been able to replace some of the damaged border tiles.

A further plaque has been erected by the Trust at Southport Gates, with the help of a financial contribution by Taylor Woodrow, to bring to mind to the public that, although two officers who died in Gibraltar after Trafalgar are buried in marked tombs within the Cemetery, knowledge of the existence of a



communal grave for the ordinary seamen and marines who succumbed to their wounds after the Battle is scant. The Trust endeavours by this undertaking to inform people that the remains of these men lie close by. In doing so, we hope it will serve as a tribute to the memory of these men. I am grateful to Trustees Stanley Flower and Denis King for their invaluable efforts in looking after all matters related with this Cemetery.

- **Witham's Cemetery:** We have to thank also the Signals Regiment for the work they did in the summer clearing most of the overgrown vegetation.
- **Web Site:** The website has been established and can be accessed at [www.gibraltarheritagetrust.org.gi](http://www.gibraltarheritagetrust.org.gi). Once in use it is intended to make information available and updated on a regular basis and thus keep members readily informed.
- **Bicentenary Exhibition:** The Trust contributed towards the Nelson exhibition recently held at Casemates. As well as displaying certain artefacts, such as Nelson's shoe buckles and a replica of the Admiral's Nile medal, teachers within the Board designed a classroom inside the exhibition hall to help school children become better acquainted with this subject matter. Lessons on Nelson and his Navy and the Battle of Trafalgar and its consequences were delivered to over one thousand pupils who visited from all sectors of the education system. I congratulate and thank Trustees Denis King and Stanley Flower for these endeavours.
- **Victualling Yard:** The Government has asked the Trust to surrender the unexpired portion of the lease of the Yard and we are currently negotiating the terms under which this will happen. A loss of funds will result if the lease is surrendered, and plans for increasing the future income from this source will now be lost. The Government has agreed to compensate the Trust by the payment of the sum of £30,000 per annum, which will be available to the Trust once the lease has been surrendered. The Trust is also engaged in discussing with the Government a review of its annual grant so that much needed extra staff can be recruited to cope with an increase in the workload, as well as to plan ahead for the replacement of the Secretary when she retires in three years time. Unless these funds are forthcoming the Trust will find it very difficult to carry out its functions and responsibilities towards the protection, enhancement and preservation of Gibraltar's unique heritage. We look forward to a successful conclusion to our negotiations.
- **Parson's Lodge Battery:** has now been re-opened for over a year under the care of Terry Penfold. New safety rails have been erected and various restoration and maintenance projects have been carried out. New toilets have



also been added. The Trust is grateful to the MoD for providing the assistance of visiting regiments on the annual Marble Tor Exercise who have undertaken several jobs at Parson's Lodge and other heritage sites. Terry has now established a cafeteria where tea and other refreshments are served. Sunday lunches are also available during the winter months.

- **Heritage Calendar 2006:** After two consecutive years of commemorating important historical events, it has been impossible to select a theme that can match these special issues. However, thanks to the Marrache Trust Foundation, the Trust has been allowed to use its collection of excellent pen and ink sketches depicting scenes of daily life in Gibraltar in the 1820's. The photographic input is by courtesy of Professor Clive Finlayson to whom the Trust is most grateful. I also thank Trustees Joe Desoisa, Denis King and Sam Benady for their work in producing the calendar.
- **Heritage page:** The Trust continues to publish a heritage page in the Gibraltar Chronicle on a regular basis in order to keep its members and the public informed of its activities. I thank Isobel Ellul Hammond for co-ordinating the end product.
- **Annual visit of FGHS:** This year the Friends of Gibraltar Heritage Society's visit was an enormous success, with over 90 members forming the party. It was natural that this number would come to Gibraltar due to the celebrations of the bicentenary of the Battle of Trafalgar. A very busy interesting programme was prepared for them by our Vice-Chairman, David Eveson, and from all reports, was much enjoyed and appreciated. Some of the highlights included a trip to the Naval Museum at San Fernando followed by a visit to Cape Trafalgar, where a wreath was laid, and locally to the unveiling of the statue of Lord Nelson by the Chief Minister. They participated in a number of other social and cultural activities including the Calpe Conference, which they much enjoyed.
- **Organised tours:** In connection with the bicentenary of the Battle of Trafalgar, the Trust had been asked for its participation in tours run by specialist theme tour organisers from abroad. The Trust accepted and Trustee Denis King accompanied several groups on site visits to the Trafalgar Cemetery and Rosia Bay and gave talks on aspects related to the Battle. Groups of schoolteachers also attended from Spain and were given guided tours by Denis King and Stanley Flower.
- **Rosia Tanks Development:** The Trust is bound to accept the need to build housing for those who cannot afford the inflated prices of the private housing market, but opposes any building, of any sort, in areas of Heritage value, such



as the Town area, where it has expressed its views strongly in the proper forum against the proposal to build a high-rise annexe to The Elliott Hotel. The real issue is that the proposed building would detract from what remains of the heritage of Rosia Bay, overshadowing Parson's Lodge and the Victualling Yard, and further despoiling the area, as well as undermining Gibraltar's efforts to be named a UNESCO World Heritage Site. It is deeply ironic that this project is announced just after we have finished commemorating Nelson's victory at Trafalgar.

As can be seen from the foregoing, 2004/2005 has been an exceptionally busy year which has severely taxed the time, energies and determination of the Board of Trustees, and by the looks of what lies ahead will continue to do so into the future.

There are projects that are ongoing at the moment and we shall have to see them to their conclusion and, no doubt, others will arise which will keep us busy as well. As a matter of routine the Trust provides a nominee, currently the Chairman, to sit on the Development and Planning Commission. This keeps him quite busy and there is an average of at least one formal meeting every month, with pre-meetings and occasional site meetings to investigate applications as necessary. At this and every forum the Trust will continue to express its views on the proliferation of tall buildings.

In addition to this, the Heritage Action Committee, chaired by the Minister for Heritage, meets every other month and deals with heritage matters, breaches of the rules etc. The Chairman and two other Trustees attend these meetings.

The Trust has recently been receiving a bad press in connection with two situations. Firstly, it was blamed for the felling of a tree of significant sentimental value to the Belilo family. The Trust has subsequently re-affirmed that it had no connection whatsoever with the decision to cut down the tree. Secondly, the campaigners against the Rosia tanks housing development were wrongly told that the Trust had been consulted and agreed with the project.

**Unauthorised works** – There are quite a number of cases where unauthorised works are carried out on premises all over Gibraltar. It would be invidious to name any individuals but it must be stressed that action to rectify must be taken as a matter of priority. It is contended by the relevant department that it is not equipped, in terms of staff, to deal with this matter. There is nevertheless a necessity to address this question as a matter of urgency since not doing so will only encourage more illegal works being carried out. May we suggest that the current list is prioritised and action taken on a case-by-case basis, and not globally, so that the department can deal with it serially. That is 'one at a time' with a time limit for success!



A very good relationship exists with the Government's Heritage Division, headed by Professor Clive Finlayson, where the Trust and the Division co-operate on matters of common interest eg the recent exhibition " Sentinel of the Mediterranean – Gibraltar, the Navy and the Strait" at the Casemates Exhibition Hall.

The Trust is most grateful for the support it gets from its members and others without which their task would be almost impossible to carry out.

I would also like to express our thanks to our hardworking and ubiquitous Secretary, whose knowledge and experience is so fundamentally important, particularly to me, and who carries the brunt of the day to day business of the Trust, and of course to the Hon Treasurer for the meticulous way in which he runs our accounts as well as for keeping us on track with his good advice.

Finally, I would like to thank my long-suffering Board of Trustees who has borne the struggles and strife with great fortitude and resilience. I hope they will support me well into the future.



## CHAIRMAN'S REPORT

The Main Guard: John Langdon has been requested to seek information and plans etc from Carl Viagas, who has offered to help, and has been tasked with preparing plans and specifications. To my mind the following is what he needs as a brief, though other views could be sought and expressed and taken into account.

- Rook to be replaced with suitable tiles etc compatible with the age and dignity of the building.
- Walls treated for damp.
- The original columns to be revealed and refurbished.
- The interior, which is at present not accessible, should be left open plan for decision as to usage to be made later.
- Suggestion that the largest downstairs room could be used as a rest-room for members where newspapers and periodicals can be made available, and possibly incorporate vending machine for tea. Coffee, snacks?
- Secretary's Office to be sited on the ground floor for ease of access to the elderly.
- Provide a retail points for the sale of souvenirs, publications etc.

Once the details of the plans are completed this should be sent to Albert Finlayson, Principal Secretary at the Office of the Minister for Heritage.

Fundraising: This ought to wait until Joe Desoisa gets a firm reply from the Chief Minister regarding the railings to the Rooke Statue. Depending on this we can approach David Inker.

Victualling Yard: Nick Keeling has been sent a copy of the lease as requested.

Plaques: Vice Chairman is dealing with this.

Website: Mr\_Gonzalez has been asked to liaise with Isobel during my absence.

King's Bastion: The points on through walk, dome 1772 structures record of variety of tiles and Boyd's tomb marker are to be considered when detailed planning starts.

Public concern had been addressed and a piece for the Heritage Page has been included in the next page.

West Place of Arms: This is being raised at HAC, amongst other items.

Regimental Crests: Joe Desoisa is contacting the foreman who dealt with the Piazza to establish how many crests were saved and their location.

Eucalyptus Tree South Barracks: Will be mentioned to John Cortes.

Music Centre. South Barracks. Shutters etc: On the agenda of the next meeting of HAC.

Joe

As requested, please see hereunder actions as a result of the last Board Meeting held on 10 March.

Board Meeting held on 10 March 2005 – Action by the Chairman: -

- (1) The Main Guard - Call meeting of 'Buildings Committee' Chairman, Vice-Chairman, JD and JL. Chief Minister keen on receiving recommendations on what needs to be done to this building. View ground floor and enquire as to when AMCO will vacate the premises. Plans to be prepared in the meantime.
- (2) Fundraising - FOGHS situation changed with David Inker as new Treasurer/Membership Sec. Chairman to approach him for contribution towards Rooke statue railings as suggested by JD.
- (3) Victualling Yard – deed. Remind N Keeling.
- (4) Plaques – checking & refurbishment – ongoing project by Ministry of Tourism (RG) – include in Agenda and raise at HAC meeting
- (5) Website – check situation.
- (6) King's Bastion – (a) dome, through walk (walls), 1772 structures, record of variety of tiles, Boyd's tomb marker – bring up at HAC.  
(b) Public concern regarding the Trust's position – not made public. Chairman will draft piece for Heritage page.
- (7) West Place of Arms – conservatory abutting wall – b u at HAC.
- (8) Regimental crests (ex John Mackintosh Square) – enquire re whereabouts.
- (9) Eucalyptus tree opp South Barracks – pruning – find out situation – Greenarc/J Cortes/Govt
- (10) Music Centre, South Barracks – shutters – inspect with Carl Viaqas.



**THIS DEED OF SURRENDER** is made the                      day of  
Two Thousand and                      **BETWEEN JOSEPH L BALLANTINE**  
**CDR OBE RD MCMI RNR** of 1 Electra Flats, Scud Hill, Gibraltar **AND**  
**DAVID EVESON** of 308 Mediterranean Hotel, Gibraltar the Chairman and  
Vice Chairman respectively of the Trustees of the Friends of the Victualling  
Yard Charitable Trust acting on behalf of the Trustees (hereinafter referred to  
as "the Lessee") of the one part and **AURELIO FALERO**, a Director of Land  
Property Services Limited of 50 Town Range, Gibraltar for and on behalf of  
His Excellency The Right Honourable Sir Richard Luce, Knight, Privy  
Counsellor, Deputy Lieutenant, Governor and Commander-in-Chief of the  
City of Gibraltar (hereinafter called "the Lessor") of the other part.

**WHEREAS:-**

1. By Deed of Lease made in duplicate on the 23<sup>rd</sup> day of May One Thousand Nine Hundred and Ninety-six (hereinafter called "the Lease") between the Lessor of the one part and Alexis J G Almeda and Lt Col (Retd), Edward A Guerrero OBE Chairman and Vice Chairman respectively of the Trustees of The Friends of Victualling Yard Charitable Trust acting on behalf of the Trustees (hereinafter referred to as "the Predecessor Lessee") of the other part **ALL THOSE** premises known as Rosia Victualling Yard and being part of Crown Property No. 1210 and Crown Property No. 1211 the extent whereof is more particularly coloured in red in the plans annexed to the Lease and hereto (hereinafter called "the Demised Premises") was demised by the Lessor unto the Predecessor Lessee **TO HOLD** the same for the term of Twenty years from the First day of March One Thousand Nine Hundred and Ninety-six subject to the payment of the rents thereby reserved and to the performance and observance of the covenants conditions and stipulations therein contained.
2. The Lessee has agreed to surrender unto the Lessor the Demised Premises on the terms and conditions and for the consideration hereinafter contained and referred to.
3. The Lessee is the successors in office of the Predecessor Lessee.

**NOW THIS DEED WITNESSETH THAT** in consideration of the premises and of a commitment given by the Lessor by way of side letter to provide the Lessee with a yearly grant, the Lessee as beneficial owner hereby surrenders unto the Lessor **ALL THOSE** the Demised Premises comprised in and demised by the Lease to the intent that the term thereby granted may merge into and be extinguished in the reversion of the Demised Premises immediately expectant thereon and the Lessor in consideration of such

surrender hereby discharges and clears the Lessee from all and any claims under the covenants in the Lease contained or in any way relating to the Demised Premises hereinbefore surrendered.

**IN WITNESS WHEREOF** the parties hereto have hereunto set their respective hands and seals the day and year first above written.

Signed Sealed and Delivered  
by the **LESSOR** in the presence  
of:-

Signed Sealed and Delivered by  
Joseph L Ballantine CDR OBE RD MCMI RNR and  
David Eveson  
for and on behalf of the Trustees of  
The Friends of The Victualling Yard  
Charitable Trust in the presence of:-

on

I