
Francis E McInerny

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Secretary of State for Levelling Up, Housing and Communities,
Planning Casework Unit,
5 St Philip's Place,
Colmore Row,
Birmingham, B3 2PW
Rt Hon Michael Gove MP

18 November 2021

Dear Mr Gove,

The London Borough of Richmond upon Thames (Twickenham Riverside) Compulsory Purchase Order 2021

Compulsory Purchase of Land and New Rights in Twickenham Riverside

I object to this Compulsory Purchase Order on the following grounds

1. The land proposed to be provided by London Borough of Richmond upon Thames (LBRuT) to the Twickenham Riverside Trust in substitution for public open space currently leased to the Trust and known as Diamond Jubilee Gardens is not equally advantageous to the public.
2. The purpose for which LBRuT is proposing to acquire the land can be achieved by other means, namely voluntary agreement based on a land swap which is equally advantageous to the public.
3. The CPO submitted by LBRuT circumvents the legal obligations of the Trust under charities legislation, the Trust's purposes and the requirements of the Charity Commissioners in respect of this land swap, including that the land swap offered by LBRuT must be equally advantageous to the public as the status quo or equivalent in its amenity value.
4. LBRuT changed its legal submission during September 2021, after commencing CPO proceedings in June, necessitating further assessment on the part of the Trust and consideration of the amended terms presented by LBRuT. The land swap previously under negotiation was not the same as that shown in LBRuT's latest CPO documents.
5. One of LBRuT's principal ambitions for the proposed development on Twickenham Riverside is to provide high-quality open space on the river frontage. The proposals actually include inferior open space, as illustrated below:

Plans produced in September for Compulsory Purchase of the Diamond Jubilee Gardens show that, after accounting for a five-storey construction on part of the present Diamond Jubilee Gardens –

- a) approximately one third of what remains of the existing public open space on the riverside site would be paved over and
- b) half of the additional public open space would be paved over too.

This is shown in Appendix B and Appendix C presented to LBRuT's Finance, Policy and Resources Committee for the meeting on 20th September 2021, agenda item 180.

- 6. The land identified by LBRuT as provided in substitution for the existing Diamond Jubilee Gardens includes a tiered seating area with steps from a height of approximately 2.5 metres, making this unsafe for children and inaccessible for the elderly and visitors with disabilities. This is not properly described as quality open space with improved accessibility.
- 7. It is wrong to suggest or infer that LBRuT consulted the public prior to 2021 about removal of parking and/or traffic on The Embankment and adjoining roads.

The proceedings of LBRuT's Finance, Policy and Resources Committee on June 28th 2021 included a remark [by] a solicitor from Pinsent Masons, acting on behalf of LBRuT, regarding the design competition for selecting the architect to be appointed for the Twickenham Riverside scheme. He referred to the winning design with removal of parking and traffic from The Embankment as chosen by the public in preference to designs based on the status quo and suggested that LBRuT's Counsel was briefed accordingly in relation to settling the terms of the CPO.

In fact the design competition was held under rules requiring that the short-listed architects' submissions comply with design requirements (referred to as the design brief) set out in the Invitation To Tender, June 2019. The design brief states the requirement very clearly that parking is to be removed from the riverside. The design brief also assumes that a road link between Water Lane and Wharf Lane will provide access for east-west service and commercial traffic allowing for removal of (east-west) motor traffic from The Embankment. (Sections 3.2 and 4.3 of the ITT 2019)

- 8. On 28th June 2021, LBRuT's Director of Environment recommended to the Finance, Policy and Resources Committee that the Diamond Jubilee Gardens be acquired by Compulsory Purchase Order, with the stated purpose to keep the Council's project on schedule. This project is patently capable of delivery once negotiations have been properly conducted by LBRuT in the normal course with the Twickenham Riverside Trust, so the CPO is unnecessary.

My personal interest in the land described in the CPO as Diamond Jubilee Gardens is as a user and member of the local community. On very nearly every occasion I visit the Embankment in Twickenham I visit the Gardens. As a resident, along with other residents, I wish to see the public being able to continue to enjoy public open space for individual and family recreation, safely and to no less a level of amenity as is provided in the present Diamond Jubilee Gardens. The amenity of the Gardens is protected by charity law, the terms of the Trust, its Trustees and the Charity Commissioners.

This letter sets out grounds of objection to the CPO and is not a letter objecting to the Twickenham Riverside development proposal in its generality.

Yours sincerely

Francis E McInerney