

**DOCUMENT LBR1C**

**THE LONDON BOROUGH OF RICHMOND UPON THAMES**

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTIONS 226(1)(a) AND  
226(3)(b)**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976  
ACQUISITION OF LAND ACT 1981**

**THE LONDON BOROUGH OF RICHMOND UPON THAMES (TWICKENHAM  
RIVERSIDE) COMPULSORY PURCHASE ORDER 2021**

**AND**

**APPLICATION FOR A CERTIFICATE PURSUANT TO SECTION 19 AND  
SCHEDULE 3 ACQUISITION OF LAND ACT 1981**

-----  
**SUMMARY PROOF OF EVIDENCE ON BEHALF OF THE  
ACQUIRING AUTHORITY**

**DOCUMENT LBR1C**

**Mr Paul Chadwick**

**DIRECTOR OF ENVIRONMENT AND COMMUNITY SERVICES  
THE LONDON BOROUGH OF RICHMOND UPON THAMES**

**FOR PUBLIC INQUIRY JUNE 2023**

1. **INTRODUCTION**

- 1.1 My name is Paul Chadwick. I am employed by Richmond and Wandsworth Councils and my role is Director of Environment and Community Services. I am the Senior Responsible Officer for the Scheme.

2. **QUALIFICATIONS AND EXPERIENCE**

- 2.1 I am a Member of the Royal Institution of Chartered Surveyors and have been so for 34 years. I have over 30 years` experience of operating at a senior level in local government, being employed as Director of Environment for Richmond Council since 2009 and Direct of Environment and Community Services for Richmond and Wandsworth Councils since 2016.
- 2.2 I have a range of experience in project managing regeneration projects, including a detailed understanding of the Scheme Land which I have been involved in since 2007.

3. **SCOPE OF EVIDENCE**

- 3.1 My evidence:
- 3.1.1 Explains the Scheme Land and its history;
  - 3.1.2 Details the Scheme and its evolution, including consultation and engagement that has taken place;
  - 3.1.3 Explains the Oder Land, special considerations and special category land;
  - 3.1.4 Confirms that there is a compelling need for the Scheme, that the Scheme can be delivered and justifies the use of compulsory powers;
  - 3.1.5 Summarises negotiations with interested parties; and
  - 3.1.6 Responds to objections.

4. **THE SCHEME LAND**

- 4.1 The Scheme Land is a unique site within Twickenham, being the only site available for redevelopment which directly connects the town centre and the river in Twickenham.
- 4.2 Twickenham Riverside runs parallel with the river Thames connecting Richmond through Twickenham and flowing down through Teddington to the south of the borough. Twickenham is well connected by air, rail and road.

- 4.3 This Scheme Land consists of three retail units, with commercial space at first floor fronting King Street, the main high street in Twickenham, the associated car park closed to the public, highway (Water Lane, Wharf Lane, service road and the Embankment), the Diamond Jubilee Gardens, another small area of public open space and a number of derelict buildings.
- 4.4 To the east of the Scheme Land there are residential properties on Water Lane, with a largely pedestrianised commercial shopping parade adjacent in Church Street.
- 4.5 To the west of the Scheme Land are the Thames Eyot private residential properties, with associated private car park.
- 4.6 To the north the Scheme Land is the King Street shopping parade with residential above, the main high street in Twickenham.
- 4.7 To the south is the river Thames, and Eel Pie Island the only access to which is via a footbridge.

## 5. **THE HISTORY OF THE SCHEME LAND AND IMMEDIATE AREA**

- 5.1 My Proof of Evidence give a history to the Scheme Land dating back to the 1650's when Richmond House was built and including the how the Scheme Land has been underutilised since the closure of a public lido in 1980. The area remained largely derelict until 2005 when part of the Scheme Land was developed by the Council (playground and café area). This developed area was later extended by the Council in 2012 to create what is now the current Gardens.
- 5.2 As noted in section 4.2 of the Planning Committee Report (**CD3.37**), the play area, gardens and associated café (secured through various consents) were intended to be temporary only. Conditions were secured on the relevant permissions for the use and works to be carried out under those consents to be removed. The temporary consents were granted as a measure to secure short term use, to ensure that the future development of the site was not prejudiced, and to enable a more comprehensive permanent scheme to be designed, approved and commenced in the intervening period. Despite the temporary intention of the Gardens a lease was granted to the Twickenham Riverside Trust in 2012 (see Map K (**CD 4.3K**) for the Existing Trust Lease Area and Map L (**CD 4.3L**) for the full extent of the Gardens).
- 5.3 My Proof of Evidence also gives details of the previous scheme, which was developed on a smaller land parcel, and received 'minded to grant' at Planning Committee in 2018 but was subject to an

outstanding objection from the Environment Agency on the flood defence. It also gives a background to the current Scheme, including an RIBA Design Competition launched in 2019 which led to the appointment of a Design Team led by Hopkins Architects who have developed the current Scheme.

## **6. THE SCHEME AND ITS EVOLUTION**

- 6.1 My main Proof of Evidence explains the Scheme in detail and some of the positive public feedback received. It also contains a section on the evolution of the Scheme, which had to change from concept stage due to conversations with the Environment Agency on flooding matters. The Scheme remain substantially the same as the Design Competition stage and offers a compelling design solution to what is a complex site.

## **7. CONSULTATION AND ENGAGEMENT**

- 7.1 I explain in my main Proof of Evidence the extensive consultation and engagement that has taken place on the future of the Scheme Land, including two non statutory periods of engagement that took place before the submission of a planning application and the engagement that has been had with a range of different stakeholders.

## **8. THE ORDER LAND**

- 8.1 My main Proof of Evidence explains The Order Land comprises approximately 1.72ha and is made up of a number of land parcels. These include:
- 8.1.1 3 retail units and 1 office unit with communal space at first floor, at the northern end of Water Lane and eastern end of King Street (owned by the Council but currently held subject to leases).
  - 8.1.2 A car park associated with the King Street units, closed to the public in 2018 and owned by the Council.
  - 8.1.3 An area of derelict and disused land and buildings to the east of the Gardens (formerly part of the Lido, owned by the Council and not publicly accessible)
  - 8.1.4 An open air substation (held subject to a lease with UKPN)
  - 8.1.5 Parts of the Embankment, all of which were unregistered at the time the Order was made.
  - 8.1.6 Part of the Gardens designated as public open space (subject to a 125 year lease granted by the Council to the Trust in 2014)

8.1.7 Surrounding properties on Water Lane, Wharf Lane and King Street (rights to oversail cranes for the purpose of constructing the Scheme).

8.2 The Council considers that the redevelopment of Scheme Land and the surrounding area requires all of the plots identified within the Modified Order Land to be acquired in order to achieve the comprehensive and cohesive development envisaged.

9. **THE NEED FOR REVELOPMENT AND PUBLIC BENEFIT**

9.1 Delivering the Scheme facilitates the comprehensive redevelopment of the Scheme Land that will deliver a wide range of benefits.

9.2 The Scheme will make a significant contribution to the promotion and achievement of the economic, social and environmental wellbeing of the area, and my Proof of Evidence goes into detail on each aspect. It summarises the Social and Additional Value Assessment that the Council commissioned that identifies how the site could generate over £20m in measurable local impacts over a 30 year period. It also highlights the need and benefits of the Wharf Land building, that is an integral part of the Scheme.

9.3 This Council considers that this Scheme would uniquely deliver a range a benefits that fully justifies the need for development.

10. **SPECIAL CONSIDERATIONS AND SPECIAL CATEGORY LAND (INCLUDING EXISTING MANAGEMENT OF OPEN SPACE)**

10.1 The Order Land includes land interests owned by statutory undertakers, as described in the Schedule to the Order. Only UKPN owns an occupational interest within the parts of the Order Land on which the Scheme will be built – the sub-station within Plot 50, and which is to be re-located as part of the Scheme and UKPN's most recent response to the new Stopping Up Order (no objection made) confirms the Council's view that acquisition of its interest does not present any impediment to the Scheme.

10.2 Other occupational interests of statutory undertakers are within the land over which crane oversail rights are sought, the implementation of which will not affect the statutory undertaker's operations.

- 10.3 As part of my Proof of Evidence and in direct response to interested parties' requests for clarity on the terms used to describe the open space, (as it currently exists and how it would appear in the Scheme), the Council has prepared the following plans:
- 10.3.1 **Map A Existing Designated Open Space (CD 4.3A)** - this shows the existing Scheme Land that is used for public recreation, within the meaning of section 19(4) of the Acquisition of Land Act 1981, as shown coloured green and measuring 3,370sqm. On a precautionary basis this includes the Sunshine Café and its associated outdoor seating space, which is shown outline in red on Map A.
  - 10.3.2 **Map B Existing Functioning Open Space (CD 4.3B)** – this shows the Existing Designated Open Space together with existing highway within the existing Scheme Land which functions as open space but does not fall within the definition of section 19(4) Acquisition of Land Act 1981, as shown on coloured green and light green (respectively) and measuring 4,445 sqm.
  - 10.3.3 **Map C Future Designated Open Space (CD 4.3C)** – this shows the future designated open space within the Scheme, within the meaning of section (19)(4) of the Acquisition of Land Act 1981 as shown coloured green and measuring 4,387 sqm.
  - 10.3.4 **Map D Future Functioning Open Space (CD 4.3D)** – this shows the Future Designated Open Space together with the highway proposed within the Scheme which will function as open space but does not fall within the definition of section 19(4) Acquisition of Land Act 1981, as shown coloured green and light green (respectively) and measuring 6,005 sqm.
  - 10.3.5 **Map E (CD 4.3E)** shows the Scheme Land.
  - 10.3.6 **Map F (CD 4.3F)** shows the Lost Open Space, the Exchange Land and the Retained Open Space as they appear on the Modified Order Land.
  - 10.3.7 **Map G (CD 4.3G)** shows the flooding contours for the Existing Functioning Open Space as shown on Map B.
  - 10.3.8 **Map H (CD 4.3H)** shows the flooding contours for the Future Functioning Open Space as shown on Map D.
  - 10.3.9 **Map I (CD 4.3I)** shows the existing adopted highway.
  - 10.3.10 **Map J (CD 4.3J)** shows the revised adopted highway as proposed in the Stopping Up Order.
  - 10.3.11 **Map K (CD 4.3K)** shows the Existing Trust Lease Area overlaid on the Existing Functioning Open Space (Map B).

- 10.3.12 **Map L (CD 4.3L)** shows the Future Trust Lease/Licence area overlaid on the Future Functioning Open Space (Map D).
- 10.3.13 **Map M (Appendix LBR1B(5))** shows the Existing Diamond Jubilee Gardens area and footprint of the sunshine café (Map M).
- 10.3.14 **Map N (Appendix LBR1B(6))** shows the Future Functioning Open Space broken down into areas (Map N).
- 10.3.15 **Map O (Appendix LBR1B(7))** shows the existing flood zones on the Scheme Land (Map O)
- 10.3.16 **Map P (Appendix LBR1B(8))** shows the future flood zones on the Scheme Land (Map P)
- 10.4 These plans are also used as an aide to understanding the wider context of the Exchange Land and the assessment of “*equal advantage*” in accordance with Section 19(1)(a) of the ALA 1981.
- 10.5 My description of the Existing Designated Open Space as shown on Map A (**CD4.3A**) sets out two areas. The first and larger area is the existing Gardens as shown in Map M (**CD4.3M**) and area of open space directly in front of it. The second smaller and disconnected area is to the east and is an area of hardstanding, planting and seating which can only be accessed via a set of stairs.
- 10.6 The Gardens contain two artificial grass areas at their centre, with the shallow depth of soil unable to maintain growth of natural grass. These are located between two parallel hedges. At one end of the Gardens is a fenced play area containing a number of pieces of play equipment surrounded by an area of hardstanding and circulation space with benches, and at the other end is a large, paved area used for events. Adjacent to this there is a gravelled area for playing pétanque and a small Council owned café to the south, with a sandpit to the north. On the northern side of the Gardens there are a series of large trees that, along with a metal fence, form the boundary with the service road to the rear of the King Street properties.
- 10.7 My Proof of Evidence sets out descriptions of the open space within the Modified Order Land and shown on **CD4.02B** Revised Open Space Plan, including Lost Open Space (shown shaded red and hatched on the Revised Open Space Plan and Map F), Retained Open Space (shown shaded orange and hatched on the Revised Open Space Plan and Map F) and Exchange Land (shown shaded green and hatched on the Revised Open Space Plan and Map F).
- 10.8 Section 19(1)(a) of the 1981 Act requires three matters to be met in respect of any open space exchange land:-
- 10.8.1 it must be of an area that is not less than the open space land to be acquired;
- 10.8.2 it must be equally advantageous to the persons with a right to use the existing open space land and the public; and

10.8.3 it must vest in the persons to whom the acquired open space land was vested.

- 10.9 In respect of the first test, the Existing Designated Open Space to be acquired (and which will be Lost Open Space), is 1,336sqm and the Exchange Land is 1,815sqm, 480sqm in excess of the Lost Open Space. The Exchange Land therefore represents a 36% increase over the Lost Open Space, significantly in excess of the requirements of the first test in section 19(1)(a) of the ALA 1981.
- 10.10 In respect of the second test, the Council must demonstrate that the Exchange Land is equally advantageous to the public. In assessing whether or not the Exchange Land is "equally advantageous", the Secretary of State will have regard to the functionality, including the quality, of the replacement land, its environment, the access to it and its overall size compared to the acquired open space, together with its proximity to that acquired land.
- 10.11 As detailed in paragraphs 10.7 to 10.12 of my Proof of Evidence, the lack of accessibility and the poor quality of the Existing Designated Open Space and its surroundings means that it is often a quiet and overlooked area which has previously attracted anti social behaviour, arson, criminal damage, littering, drug related issues and squatting in the derelict buildings, (located in the fenced off area adjacent to the Gardens). It is expected that through a careful lighting strategy, increased usage, passive surveillance from the new buildings and greater use of the Future Designated Open Space for a range of activities, that antisocial behaviour and other incidences would reduce.
- 10.12 The Future Designated Open Space would remove Derelict Areas, completely re modelling the Scheme Land and making much better use of the area. The Scheme would open up and significantly enlarge the open space so that it can be accessed from all sides and opens out onto the Embankment and the River Thames, achieving a total area of 4,387 sqm of Future Designated Open Space (Map C **CD 4.3C**), 1,815 sqm of which is Exchange Land, as well as other areas of landscaping and public realm.
- 10.13 The Scheme provides an Events Space in the centre of the Embankment which can be used for hosting events such as markets or outdoor cinema. As can be seen on Map D, (Future Functioning Open Space), (**CD 4.3D**), part of the Events Space forms part of the existing highway but will facilitate events by the introduction of necessary traffic management orders. This area is not part of the proposed Exchange Land but is considered to be part of the Future Functioning Open Space and as such contributes to the overall improvement as compared to the Existing Functioning Open Space.
- 10.14 The widening of Water Lane would allow the provision of a footpath that follows the slope on the southwest side of Water Lane down to the river level, as well as a level access route that connects from King Street into the upper level of the new Gardens given its close proximity, the Future Designated Open Space would be clearly equally advantageous in terms of its location, improved by the clear connection made between the High Street and Scheme Land.
- 10.15 The Future Designated Open Space also offers a number of different uses, appealing to all ages. It replaces the existing functions of the open space which include a children's play area, (in the new



space this will be increased with a larger variety of play equipment including sensory play elements), pétanque terrain, planting, seating and hard and soft landscaping.

- 10.16 The Future Designated Open Space provides 3,107sqm above the highest flood zone having less than a 1 in 1,000 annual probability of flooding, which includes the children's play area, pétanque terrain, chess tables and seating areas, as well as the top terraced lawn and space around the Wharf Lane building including the terrace outside the public house/restaurant and the second terraced lawn. Three layers of tiered seating (584sqm) are within flood zone 2 having between a 1 in 100 and 1 in 1,000 annual probability of flooding and the lowest terraced lawn. The Embankment, (including the Events Space) and River Thames Path (2,314sqm) are within Flood Zone 3 having a 1 in 100 or greater annual probability of flooding. Providing open space within and above Flood Zone 1 is all at the expense of buildable area, as the Council recognises the importance of open space to the community and has ensured that public realm is at the heart of the design. Maps G and H (**CD 4.3G** and **CD 4.3H**) show how the flood levels compare in relation to the Existing Functioning Open Space and the Future Functioning Open Space.
- 10.17 A detailed comparison of the Lost Open Space and the Exchange Land is set out in section 10 of Mr Bannister's Proof of Evidence (Document LBR1B). Mr Bannister also assesses the open space in a holistic context by comparing the Existing Functioning Open Space to the Future Functioning Open Space. In both assessments Mr Bannister concludes that the open space is more than equally advantageous to the public.
- 10.18 The date for assessing equality of advantage is the date of exchange i.e. the date on which the Existing Designated Open Space is to be acquired under a CPO, being the same date that the open space Exchange Land must vest in the persons in whom the existing open space is vested.
- 10.19 On the date that the exchange is made, the Exchange Land will not have been subject to the improvements identified above, (these can only be delivered once the Council has acquired the interests in the Scheme Land pursuant to the Order or by agreement, and then implemented the Scheme). The open space provision is anticipated to be completed within 24 months of commencement of development of the Scheme. **Appendix LBR1B(3)** includes an indicative programme for the delivery of the Future Designated Open Space. Further details on the construction programme are set out in paragraph 14.24 of my Proof of Evidence,
- 10.20 Regard may be had to improvements to the open space Exchange Land that are committed (i.e. for which there are committed proposals), as part of the assessment of equality of advantage at the exchange date. The Inspector can therefore take into account the improvements to the Exchange Land proposed within the Scheme which are to take place after the date of the exchange.
- 10.21 I consider that the Exchange Land is not only equally advantageous but is in fact more advantageous to the public, taking into account the improvements to be delivered as part of the Scheme. These

qualitative and quantitative advantages materially outweigh the practical limitation on the use of the Exchange Land pending the Scheme improvements.

10.22 In respect of the third test, once the Lost Open Space is acquired by the Council the Exchange Land will simultaneously vest in the Council. The Existing Designated Open Space is currently vested in the Council as freehold owner and on this basis the requirements of the third test are also met.

10.23 The Secretary of State has previously issued a notice of intent to issue a certificate under section 19(1)(a) in respect of the Scheme. The proposals contained in the section 19 Application (subject to the Proposed Modifications) will not, in the Council's opinion, detrimentally affect the public in any way as the amount of public open space will not decrease; indeed the open space Exchange Land will provide significant improvements to the quantity, quality and amenity of the space available compared to that which is currently provided at the Gardens.

10.24 Section 19(1)(aa) provides:-

**19 Commons, open spaces etc.**

*(1) In so far as a compulsory purchase order authorises the purchase of any land forming part of a common, open space or fuel or field garden allotment, the order shall be subject to special parliamentary procedure unless the Secretary of State is satisfied-*

*(aa) that the land is being purchased in order to secure its preservation or improve its management.*

10.25 Under the Scheme (and included in the Modified Order) this area will be greatly enhanced and its management significantly improved. The majority of the Retained Open Space is in the centre of the Scheme Land, within an area located immediately to the north of the new Wharf Lane building – the Retained Open Space included in the Order measures 1,428sqm square metres and all forms part of the existing Gardens (Plot 63) but as noted previously, the Scheme will in fact retain a larger area of Existing Designated Open Space. This area of the Existing Designated Open Space currently comprises the hard surface event areas, part of the artificial grass pitches, the pétanque terrain, part of the café and a tree belt along the northern boundary of the Gardens. **Appendix LBR1B(4):** Open Space Management Strategy sets out a framework for how the Council would manage the Future Functioning Open Space.

10.26 The Secretary of State has previously issued a notice of intent to issue a certificate under section 19(1)(aa) in respect of the Scheme. The proposals contained in the section 19 Application (subject

to the Proposed Modifications) would provide significant improvements to the quality and amenity of the Retained Open which will clearly improve its management.

10.27 Paragraph 6(1)(a) of Schedule 3 provides:-

**Commons, open spaces etc.**

*(1) In so far as a compulsory purchase order authorises the acquisition of a right over land forming part of a common, open space or fuel or field garden allotment, it shall be subject to special parliamentary procedure unless the Secretary of State is satisfied—*

*(a) that the land, when burdened with that right, will be no less advantageous to those persons in whom it is vested and other persons, if any, entitled to rights of common or other rights, and to the public, than it was before.*

10.28 The Modified Order Land includes steps leading down from the Embankment Promenade/Thames Pathway to the River. This area measures 12.60 sqm (plot 70) and is shaded blue on the Revised Open Space Plan. As noted above the Order seeks the acquisition of rights to oversail cranes over this area, for the purpose of constructing the Scheme.

10.29 Paragraph 6(1)(a) of Schedule 3 to the 1981 Act requires that the land "*when burdened with that right, will be no less advantageous to those persons in whom it is vested and other persons, if any, entitled to rights of common or other rights, and to the public, than it was before*".

10.30 The steps from the Embankment promenade will be no less advantageous to those in whom it is vested nor to the public, when burdened with a right to oversail cranes.

10.31 I am confident that the use of the Embankment promenade steps as open space can continue throughout the construction of the Scheme and will be no less advantageous than it currently is.

10.32 The Secretary of State has previously issued a notice of intent to issue a certificate under paragraph 6 of Schedule 3 in respect of the Scheme. The proposals contained in the section 19 Application (subject to the Proposed Modifications) would be no less advantageous to those that are entitled to rights over Plot 70.

**11. NEGOTIATIONS WITH INTERESTED PARTIES**

11.1 Despite efforts and progress made by the Council in seeking to acquire all interests by agreement, it is clear that in order to deliver the Scheme, compulsory purchase powers must be used. Given the third party interests within the Modified Order, it is unlikely that the Council will be able to acquire all of the necessary interests by agreement within a reasonable timeframe.

11.2 In my Proof of Evidence I summarise the negotiations and current situations with interested parties including the following:

- 11.2.1 King Street properties tenants
  - 11.2.2 Eric Twickenham Ltd
  - 11.2.3 UKPN
  - 11.2.4 The Twickenham Riverside Trust
  - 11.2.5 Port of London Authority owned land
  - 11.2.6 Properties where right to light is impacted
  - 11.2.7 Land parcels where oversailing rights are sought
- 11.3 In summary, the Council has successfully negotiated and accepted the surrender or Agreement for Surrender of its leasehold interests in the King Street properties, with only short mutual break options in place for the remaining tenants. It has also successfully negotiated an agreement with Eric Twickenham Ltd in respect of a small parcel of land to the rear of King Street where it is proposed that access to their property will be maintained at all times and will not be impaired. Furthermore, all discussions to date between the Council and UKPN have indicated that an agreement by private treaty will also be reached.
- 11.4 The Twickenham Riverside Trust holds a 125-year lease (from 2014) over the Existing Trust Lease Area which measures 2,510sqm and is shown on Map K (**CD 4.3K**). There has been a significant amount of engagement with the Trust at each and every stage of the design development process, following their approval to include the Gardens within the Scheme Land. Negotiations with the Trust are summarised within my proof, and further detailed in LBR5 which sets out the sequence of correspondence and meetings between the Council and the Twickenham Riverside Trust covering a 5 year period between 2018 and 2023.
- 11.5 Part of the Scheme will be constructed upon the Embankment, which is part owned by the PLA. This land is not proposed for freehold acquisition within the Order as it is highway although in any event negotiations with the PLA are advanced and are further detailed in my Proof of Evidence. The Order does include rights to oversail by cranes for construction purposes over the PLA's land and letters have been sent, and followed up, between August 2022 and March 2023 but with no response received.
- 11.6 The Scheme has the potential to impact rights of light and the Council has instructed consultants to engage with property owners in respect of the acquisition of these rights. Furthermore, the Council has sought in the Order the right to oversail cranes over various parcels of land surrounding the Scheme Land. The Council's appointed consultants accordingly wrote to the affected parties on 22 August 2022. In total there have been four responses elicited and continued efforts are being made to engage those who are yet to respond.
- 11.7 In conclusion the Council has had a number of successful negotiations with interested parties, but it is unlikely that the Council will be able to acquire all of the necessary interests by agreement within

a reasonable timeframe and therefore the Council must use its CPO powers to ensure the Scheme can be delivered.

**12. THE COUNCIL'S POWER OF COMPULSORY PURCHASE**

12.1 Following submission of the Unmodified Order and in accordance with good practice, the Council has continued to review the areas of land required to deliver the Scheme and made efforts to minimise the land proposed for compulsory acquisition.

12.2 The Council's review has identified that compulsory acquisition powers are no longer required in respect to a number of plots that are detailed in my main Proof of Evidence. For the reasons detailed the Council respectfully requests that the Order is modified (and the Modified Order Land is accepted), in accordance with section 14 of the Acquisition of Land Act 1981.

**13. JUSTIFICATION FOR THE USE OF COMPULSORY POWERS**

13.1 The purpose of seeking to acquire the land and rights compulsorily is to facilitate the comprehensive redevelopment of the Order Land, and to enable the Scheme to go ahead. Compulsorily acquiring the Order Land would, in the opinion of the Council, meet its housing, planning and policy objectives and do so within a reasonable timescale.

13.2 The Council believes there to be a compelling case in the public interest for the making of the Order. The Council has a clear vision and plan for the use of the Order Land and the principle of the Scheme is supported by planning policy at both a national and local level. It is not considered that there are any planning or other impediments to the implementation of the Scheme, as planning permission has been granted and the funding required has been approved by Committee.

13.3 Single ownership and control of the Order Land is required to enable the Scheme to proceed. The Council is satisfied that it has made reasonable attempts to acquire outstanding interests by private agreement.

13.4 The Council has given very careful consideration to the reasons why it is necessary to include each parcel of land within the Order and has continued to interrogate its justifications after the making of the Order.

13.5 The Council has made the Order to ensure that the significant benefits of the Scheme can be brought forward in a reasonable timescale.

14. **NO IMPEDIMENTS TO DELIVERING THE SCHEME**

14.1 My evidence addresses how the Council does not foresee any impediments to the delivery of the scheme. To summarise key points:

14.1.1 Planning permission and discharge of conditions – with planning permission secured in December 2022 the discharging of planning conditions will follow at the appropriate time when a contractor is procured.

14.1.2 Funding – the capital budget to deliver the project was secured at Committee in January 2023. The position presented at Committee was a reasonable estimate for this stage of the project and included for inflation and contingency.

14.1.3 Stopping Up Order – is now waiting for the GLA to confirm if an inquiry is required. However, the Council's view is that as there were no statutory objectors and as objections received relate to the traffic management of the Scheme Land rather than the Order itself an inquiry should not be required. Should one be required the same Inspector as the CPO will be requested by the Council.

14.1.4 Traffic Regulation Orders – any necessary orders will be sought at the correct time and follow statutory process.

14.1.5 Flood Risk Permit – discussions have been had with the Environment Agency and no objections have been raised so there is no concern a permit would not be given.

14.1.6 River Works Licence – discussions have been had with the Port of London Authority and there is no reason to suggest a licence would not be given.

14.1.7 Construction – procurement will follow the outcome of the CPO process with most of the procurement documents already drafted. The high level delivery programme (**Appendix LBR1B(3)**) of my Proof of Evidence) is also addressed.

15. **OBJECTIONS**

15.1 A number of objections to the Order, Section 19 Application and Modified Order have been received. The Council's position in relation to each objection was set out in the Statement of Case and my Proof of Evidence responds to these themes.

16. **HUMAN RIGHTS AND PUBLIC SECTOR EQUALITY DUTY**

16.1 My Proof of Evidence addresses the relevant parts of the Human Rights Act 1998 as required by CPO Guidance and the Council is certain that the purposes for which the Order was made justify interfering with the human rights of those with an interest in the Scheme Land.

- 16.2 My Proof of Evidence also summarises the relevant duties under the Equalities Act 2012 and details two Equalities Impact Needs Assessments carried out on the Scheme. Both assessments set out a number of positive impacts the Scheme will deliver and are far greater than the negative impacts that have been fully taken into account and mitigation measure put in place. The Council considers that it has complied with the PSED in the process of developing the Scheme and deciding to make the Order.

17. **CONCLUSION**

- 17.1 My evidence shows that:

17.1.1 There is a need for the redevelopment;

17.1.2 That there is a compelling case in the public interest for the Scheme;

17.1.3 That the use of CPO powers is a last resort, following years of negotiations with interested parties; and

17.1.4 That there are no impediments to the delivery of the Scheme which is a key Council priority.

- 17.2 This Scheme is the best opportunity to deliver a solution for the Scheme Land that will benefit all residents. It has broad public support, meets local policy objectives and it is deliverable. The Council has done as much in its power at this stage to demonstrate there are no impediments to delivery and to negotiate with interested parties. Twickenham Riverside needs a whole site solution one that maximised the wide benefits for residents and makes the riverside a destination.