

LBR5 - Table of negotiations between the Council and the Twickenham Riverside Trust

This document sets out the sequence of correspondence and meetings held between the Council and the Twickenham Riverside the Trust ('the Trust'), covering a five-year period between 2018 and 2023. It is intended that this table provides an understanding of the extent and transparency of negotiations which have taken place and demonstrates the efforts which have been made to offer meaningful opportunities for the Trust to be involved with design development. There has also been additional minor correspondence between the parties during this period, however in the interests of proportionality, this has not been captured within the table.

No.	Date	Correspondence / Meeting	Appendix
1	10.07.2018	The Trust met with Council Officers	No Appendix
2	10.09.2018	The Trust met with Council, including Cllr Roberts	No Appendix
3	15.10.2018	Letter from the Trust to Council Letter to Leader of the Council Gareth Roberts 'The Trustees will consider any proposal the Council decides to put to the Trust. The Council must be aware, however, that the Trust is bound by its Objects, which are paramount in governing the actions of the Trustees.'	LBR5 Appendix 1 - Letter from TRT to LBRuT dated 15.10.2018
4	15.11.2018	Council Committee report to Finance, Policy and Resources Committee setting out the proposed approach to the Design Competition. Approval given for the competition, establishment of a local Stakeholder Reference Group ('SRG'), establishment of the Design Panel and costs for running the competition.	CD 1.1 - Report to the Leader of the Council 15.11.2018
5	06.12.2018	First Stakeholder Reference Group ('SRG') meeting Nine groups were represented including the Trust. Introductions were given, Terms of Reference were agreed. The group were given the opportunity to set out how they would like to elect their representative, and deputy, for the Design Panel.	LBR5 Appendix 2 - First Stakeholder Reference Group Meeting Minutes

		Groups were asked to send the Council their 'Principles for Development'	
6	17.12.2018	The Trust submitted its 'Principles for Development' document alongside all other groups who attended the SRG. These were directly incorporated into the RIBA Design Brief.	LBR5 Appendix 3 – The Trust 's 'Guiding principles for Embankment development' dated 17.12.2018
7	18.12.2028	Second SRG meeting Eleven groups represented including the Trust. Group appointed a Design Panel Representative and deputy. Discussion on the group's 'Principles for Development' was held. It was decided that the brief should not be too prescriptive, and that vehicular movement would be important.	LBR5 Appendix 4 - Second Stakeholder Reference Group Meeting Minutes dated 18.12.2018
8(a)	24.01.2019	Third SRG meeting Workshop on Design Brief Workshop held to create a brief for the Scheme Land. The principles were identified by collating feedback from every group, and then putting this into themes as below - Design/Architecture <ul style="list-style-type: none">- High quality- Appropriate style- Landmark development- Architectural statement on King Street and Water Lane- Complete site solution- Scale and massing sensitive to surroundings Open space/environment <ul style="list-style-type: none">- Town square- Event space- Increased and improved public open space- Riverside Park for pedestrian use- Improved Diamond Jubilee Gardens	LBR5 Appendix 5 - Third Stakeholder Reference Group Collated Comments dated 24.01.2019 AND Third Stakeholder Reference Group Brief dated 24.01.2019

8(b)		<ul style="list-style-type: none">- River – including flooding requirements <p>Uses</p> <ul style="list-style-type: none">- Appropriate mix- Buildings towards the rear with open space near the river- Create and designation- Residential and affordable units required- Food and beverage uses- Art and culture uses- Community and public uses- Recreation and sport uses <p>Access / connectivity / circulation</p> <ul style="list-style-type: none">- Improve pedestrian access- Car free development- Flexible traffic infrastructure to allow for events- Remove parking from the riverside- Retain access and servicing for Eel Pie Island- Improve cycle links and parking <p>Third Reference Group Brief</p> <p>SRG Reference Group Brief This document identified various themes/ideas suggested by local groups and the number of representatives who agreed/disagreed or were neutral about the suggestions.</p>	
9	06.02.2019	<p>Letter from the Trust to Council</p> <p>A statement to the Council concerning RIBA competitions and the development site. The Trust provides clarification of its ‘wholehearted support’ for the RIBA competition process and the Trust ‘s willingness to engage in each stage of the emerging process.</p>	<p>LBR5 Appendix 6 - Statement from TRT to LBRuT dated 06.02.2019</p>
10	21.02.2019	<p>Fourth SRG</p> <p>Agenda</p> <p>1. Workshop feedback from meeting 3</p>	<p>No appendix or minutes</p>

		<ul style="list-style-type: none">2. Update from first Design Panel Meeting from Representative3. Competition update4. Next steps5. AOB	
11	06.03.2019	SRG Representative feeds back to the SRG Group regarding the Design competition so far	No appendix or minutes
12	March 2019	<p>Memorandum of Information published by RIBA to invite expressions of interest</p> <p>This document includes the Trust 's 'Principles for Development' on pages 12 and 13 and gives detail to the following:</p> <ul style="list-style-type: none">- Design and Architecture – 'designs should fully understand the flooding issues.'- Open Space and environment – 'meet the requirements set out for the DJG'- Site parking and movements- Uses – including 50% affordable housing <p>It also notes the planning considerations including Flood Zones.</p>	LBR5 Appendix 7 - Twickenham Riverside Memorandum of Information dated March 2019
13(a) 13(b)	08.05.2019	<p>Fifth SRG</p> <p>Agenda</p> <ul style="list-style-type: none">1. Design Competition Update2. Traffic and Parking surveys – Council Highways3. Engagement of Twickenham Riverside Designs	<p>LBR5 Appendix 8 - Fifth Stakeholder Reference Group Minutes dated 08.05.2019</p> <p>AND</p> <p>Fifth Stakeholder Reference Group Presentation dated 08.05.2019</p>
14	June 2019	<p>RIBA Competition Invitation to Tender published.</p> <p>This includes in section 2.3 (Diamond Jubilee Gardens) key requirements and identifies the planning constraints and Flood Zones.</p>	CD 3.1 RIBA Full Design Brief
15	13.06.2019	<p>Sixth SRG</p> <p>Agenda</p>	LBR5 Appendix 9 - Sixth Stakeholder Reference Group Presentation dated 13.06.2019

		<ol style="list-style-type: none">1. Competition Update2. Traffic and parking survey results3. Parking strategy4. Servicing strategy5. Site movements6. Cycling and pedestrians	2019.06.12_ SRG Minutes
16	05.07.2019	<p>Email from the Trust to the Council</p> <p>“In accordance with the Objects of the Trust, the Trustees will not agree to any of the present footprint of the DJG ... being re-provided within an area affected by a 1 in 100 year +35% flood zone.”</p>	LBR5 Appendix 10 - Email from TRT to LBRuT re footprint dated 05.07.2019
17	10.07.2019	<p>Email from the Council to the Trust</p> <p>Following clarification from the architect team on the size of the current Gardens, the Council have measured the size of the existing Trust Management Area within the Gardens using Stat Map software and it is larger than 2250sqm figure which the Trust gave to Council. And Trust’s acceptance of this.</p> <p>Council suggests that 2600sqm is used for the purpose of the design competition, with further accurate measurements to come through design development.</p>	LBR5 Appendix 11 – Emails between LBRuT and TRT between 09.07.2019 and 10.07.2019
18	21.07.2019	<p>Email from the Trust to the Council</p> <p>Acknowledging Council’s offer to pay reasonable legal fees for negotiating and entering into an Option Agreement.</p> <p>Noting that they would prefer to wait until seeing the competition concept designs before meeting with the Council to progress negotiations.</p>	LBR5 Appendix 12 - Emails between LBRuT and TRT between 16.07.2019 and 21.07.2019
20	22.08.2019	<p>Seventh SRG</p> <p>Agenda</p> <ol style="list-style-type: none">1. Design Competition Update2. Engagement Period3. Traffic and Parking surveys update	LBR5 Appendix 13 - Seventh Stakeholder Reference Group Meeting Minutes dated 22.08.2019

21	04.09.2019	<p>Meeting between the Trust and the Council</p> <p>The Trust is given a preview of designs and consultation materials.</p>	Refer to Mr Chadwick’s Proof of Evidence ‘ LBR1B Appendix 1: Design Competition Engagement Report’ for the consultation boards.
22	06.09.2019	<p>Council meeting with the Trust</p> <p>Meeting to discuss the Trust feedback on designs and Options Agreement.</p>	LBR5 Appendix 14 - Minutes 29.09.2019
23	29.09.2019	<p>Email from the Trust to the Council</p> <p>“Trustees are unanimous in their decision that scheme number 1 [Hopkins Design] should be the preferred scheme among those that have been shortlisted.” The Trust noted that it looks forward to receiving further details of the proposal to enable it to ensure that it complies with the Trust’s objects.</p>	LBR5 Appendix 15 - TRT Written Letter to LBRuT dated 29.09.2019
24	14.10.2019	<p>Emails from the Trust to the Council</p> <p>Council reiterates offer to pay the Trust’s reasonable legal fees, estimated to be 50 hours.</p> <p>The Trust agrees to update the Council every 2 weeks as to time and costs.</p>	LBR5 Appendix 16 - Emails from TRT to LBRuT dated 14.10.2019
25	21.10.2019	<p>RIBA Final Interviews with Design Teams</p> <p>Design Panel final interview questions of shortlisted architects</p> <p>Every architect asked for more detail including in respect of:</p> <ul style="list-style-type: none">- Meeting the Trust’s requirements for the Diamond Jubilee Gardens- Servicing arrangements for Eel Pie Island- Flood defences and flooding	LBR5 Appendix 17 - Final Interview Questions
26	November 2019	RIBA announcement to shortlisted Design Teams that Hopkins are the preferred bidder as selected by the RIBA Design Competition Panel.	No appendix

27(a)	02.12.2019	Email from the Trust to the Council including a letter from BDB Pitmans	LBR5 Appendix 18 - Email from TRT to LBRuT dated 02.12.2019
27(b)		<p>The Trust sent a letter of advice received from their appointed solicitors setting out that the Trust needs to get approval from the Charity Commission to dispose of its interests. And that this process can take one month from the Trust’s submission of information.</p> <p>Advising the Trust to appoint a legal surveyor.</p> <p>The Trust requested a plan with precise indication of extent and location of Gardens.</p>	
28(a)	10.12.2019	Email from the Council to the Trust	LBR5 Appendix 19 - Email from LBRuT to TRT dated 10.12.2019
29(b)		<p>Plan provided showing flood defence line and outline for proposed Future Trust Lease/Licence Area.</p> <p>The Council noted that ‘while we do not intend to deviate from the concept design, we do expect further iterations through our conversations with you and design development.’ This would take place once Hopkins had been appointed.</p> <p>Council requested comments on the draft Heads of Terms</p>	<p>AND</p> <p>Indicative Gardens plan</p>
29	17.12.2019	Eighth SRG	LBR5 Appendix 20 - Eighth Stakeholder Reference Group Meeting Minutes dated 17.12.2019
		<p>Agenda</p> <ol style="list-style-type: none">1. Programme and next steps2. Role of SRG3. SRG’s informal feedback on preferred scheme	
30(a)	31.01.2020	Meeting held between Council and the Trust	LBR5 Appendix 21 - Minutes of Meeting Between LBRuT and TRT dated 31.01.2020
30(b)		<p>The Trust state they are in support of the scheme going ahead and that ‘it could be argued that the Hopkins design meets the redlines in terms of sqm provided and the requirements put forward by</p>	<p>AND</p> <p>Proposal provided by The Trust dated 31.04.2020</p>

		<p>the brief. The Trust have reviewed Council's proposed area for the Gardens and considered that it was questionable whether the space met their requirement, including the events space.</p> <p>The Trust presented Council with their 3 proposed lease footprints for the Council to consider:</p> <ol style="list-style-type: none">1. To remove the café and community building entirely2. To keep the existing built footprint but enlarge THE TRUST's land to include the Embankment and events space3. To remove the café and community building and enlarge THE TRUST's land to include the Embankment and events space. <p>Also proposed by the Trust</p> <ul style="list-style-type: none">- Get rid of existing management agreement and obligations for the Trust within it- Council to be responsible for all maintenance in perpetuity- The Trust to take and keep revenue from any events held on the space to help them achieve their aims- No obligations to hold events- Discretion from the Council's pricing structure <p>Council questioned the Trust's capacity to deliver a wide ranging events programme given that the current position is that Council financially supports the delivery of the existing 6 events per year.</p> <p>Council committed to reviewing the lease footprints proposed. The Trust committed to continuing work on the HoT's.</p> <p>Group agreed to aim for a full agreement being signed in six weeks.</p>	
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31	07.02.2020	<p>Email from the Council to the Trust</p> <p>“Council is broadly supportive of the Trust’s proposal which includes the Embankment, leaving the café/pavilion building within the design. They would request some amendments to the red line boundary, drawing it back from the Wharf Lane building as discussed in our meeting, and particularly near Eel Pie Island bridge where the Council needs to consider loading and accessing requirements and management.”</p>	<p>LBR5 Appendix 22 - Emails between LBRuT and TRT between 06.02.2020 and 07.02.2020</p>
32	20.02.2020	<p>Council report to the Finance, Policy and Resources Committee.</p> <p>Approval given for the appointment of the Design Team and capital budget required.</p> <p>Committee agreed to advertise the Council’s intention to dispose of the Diamond Jubilee Gardens under s123 of the Local Government Act 1972</p> <p>Sections 3.25 – 3.27 relate to the Gardens.</p>	<p>CD 1.2 Committee Report And CD 1.3 Committee Minutes</p>
33	27.02.2020	<p>Email correspondence between the Council, Ashfords (Council solicitors) and Pitmans (The Trust solicitors)</p> <p>Setting out the Councils legal comments on the HoTs and sending across a plan of the identified management area for the Trust to review.</p>	<p>LBR5 Appendix 23 – Emails between LBRuT, Ashfords (LBRuT sols) and Pitmans between 26.02.2020 and 27.02.2020</p> <p>AND</p> <p>Red Line Plan sent with email dated 27.02.2020</p>
34	02.03.2020	<p>Ashfords and Pitmans teleconference – Discussing points of difference and agreement on the draft Heads of Terms.</p> <p>Discussion covered:</p> <ul style="list-style-type: none">- Area of new property- Building licence- Target date for works completion- Penalty non-compliance- Developers Specification- Charging for the use of open space	<p>LBR5 Appendix 24 - Attendance Note Ashfords discussion with Pitmans on MoU and HoT’s dated 02.03.2020</p>

		<ul style="list-style-type: none">- Maintenance of facility <p>Agreement for The Trust to provide Council with a developer’s specification so that Council has some certainty in the design being progressed.</p>	
35	05.03.2020	<p>Email exchange between the Trust and Council</p> <p>The Trust note that the Trust and Council are strategically aligned and want the project to go ahead – setting out the agreed principles</p> <ul style="list-style-type: none">- The Trust to develop a succession plan- The Trust needs sufficient space to carry out events- The Trust is happy to agree an Events Framework with the Council and to engage proactively with Twickenham residents- The Trust to determine specification of the land through the next stage of the design development period- The Trust wants to change its own fees.	<p>LBR5 Appendix 25 - Emails between LBRuT and TRT between 27.02.2020 and 05.03.2020</p>
36	08.04.2020	<p>Conference call between all parties and legal representatives</p> <p>Plan</p> <ul style="list-style-type: none">- The Council stated its wish to attach an indicative red line plan to the Memorandum of Understanding and suggest that the plan proposed by the Trust and agreed with Council for a larger area above and within the flood plain used- To ensure there are not further delays to the scheme the Council was looking for more certainty from the Trust on the area proposed, with a process for agreeing amendments.- Council’s desire is to agree this before consultants are appointed	<p>LBR5 Appendix 26 - Conference call between all parties and legal representatives dated 08.04.2020</p>

		<p>so that there is a clear direction on the design development.</p> <ul style="list-style-type: none">- Council raised a concern that significant sums could be spent on developing a design which the Trust rejects at the final point.- The Trust respond that trustees are unanimous that they will not agree to an indicative plan at this point. <p>Specification requirements</p> <ul style="list-style-type: none">- Council requested that the Trust clarified the specification requirements, with detail, so that the Council could have certainty about the design and minimise changes required later on.- The Trust replied that it must act in accordance with its Objects and ensure improved open space would be provided.- The Trust suggested that detailed communication from the Council with the Trust will ensure that the Trust does not reject the final proposal.- The Trust agreed it would provide detailed requirements. <p>Liquidated Damages</p> <ul style="list-style-type: none">- The Trust suggested that Council pay a penalty of £10,000 per month to the Trust if the Council does not complete the construction of the Gardens within the stated timeframe.- Council recognised the need to pay liquidated damages if the Gardens were not completed within the stated timeframe, but that these must be based on genuine pre-estimated loss of income. <p>Finally the Trust stated that it did not want to agree an MoU and instead would focus on Heads of Terms.</p>	
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37	16.04.2020	<p>The Trust provided a list of minimum requirements.</p> <p>List of ‘minimum requirements’ given as the detailed specification from the Trust.</p>	LBR5 Appendix 27 - Minimum specification for Gardens
38	17.04.2020	<p>Email from the Council to the Trust</p> <p>The Council noted that the HoTs were being returned on that day to the Trust’s solicitors.</p> <p>Council returned the Minimum Requirement document with clarifications. Council suggest a meeting with the Trust and the Design Team to progress options.</p> <p>Council offered £40,000 grant, in £10,000 instalments over the first 4 years to enable the Trust to establish themselves and deliver their objectives in the new scheme.</p> <p>For security, the Council wanted to agree an indicative plan as part of the HoTs which must deliver 2600sqm above the floodplain or more than 2600sqm above and within.</p>	LBR5 Appendix 28 - Email from LBRuT to TRT dated 17.04.2020
39	30.04.2020	<p>Email from the Trust to the Council</p> <p>“The Trust is strategically aligned with the Council’s aspiration to improve Twickenham Riverside. In doing so we have to bear in mind our charitable objects, and our duty to the public to ensure that the re-provisioned open space is an improvement on that which is currently provided.”</p> <p>To be as certain as possible of approval by the Trust, the Trust requested that the Council should provide 2,600sqm of useable space above the flood plain.</p>	LBR5 Appendix 29 - Email from TRT to LBRuT dated 30.04.2020
40	22.05.2020	<p>Correspondence from Pitmans (The Trust’s solicitors) to Ashfords (Council’s solicitors)</p>	Without prejudice

		Email W/O Prejudice HoT's returned with comments.	
41	03.06.2020	Trust's 'minimum requirements' document provided to the Council with additional comments, in response to queries raised by the architects.	LBR5 Appendix 30 - TRT's Comments on Minimum Requirements Document dated 03.06.2020
42	04.06.2020	Plan provided by the Council to the Trust The plan showed: - Central events space - Area above the 1/100 flood plain 2574sqm and 1/100 +35% is 2189 - Total area of 3,100sqm above and below the flood plain	LBR5 Appendix 31 - Amended Gardens Reprovision Plan dated 04.06.2020
43	05.06.2020	The Trust met with Design Team (Hopkins) The Trust met with Design Team and discussed the rational for the concept design. The Trust raised issues regarding transport and servicing, and loss of parking. Conflicting views amongst members of the Trust as to whether the design is supported.	LBR5 Appendix 32 Meeting Presentation 05.06.2020
44	08.06.2020	Email from the Council to the Trust The Council noted that it was disheartened that some members of the Trust were focused on concerns regarding transport planning rather than open space. The Council considered that the proposed plan sent 4.06.2020 met the Trusts' charitable objectives – it offered an improvement on both size and function. Council requested detailed reasons as to why the plan was unacceptable in relation to the Trust's objectives so that Council could consider next steps.	LBR5 Appendix 33 - Email from LBRuT to TRT dated 08.06.2020
45	12.06.2020	Email from the Trust to the Council following the meeting 5th June and email 8th June.	LBR5 Appendix 34 - Emails between LBRuT and TRT between 08.06.2020 and 12.06.2020

		<p>The Trust reiterated requirements set out in the Design Brief</p> <p>Footprint: maintain/extend existing surface area for the benefit of the public, in a single form.</p> <p>Dimensions: of proportions that can support events and be enjoyed by a wide range of groups and communities.</p> <p>The Trust expressed the view that that the scheme was not compliant with the above requirements set out in the brief but noted that this was ‘irrelevant’ as the Council did not have planning permission or approval from Eel Pie Island Residents Association (another local group).</p>									
46(a) 46(b)	24.06.2020	<p>Email from the Council to the Trust setting out the Council’s offer</p> <p>The email summarised the communication between the Council and the Trust to date. It also summarised the requests made by the Trust to date and the extent to which the Council had agreed these, set out in a table.</p> <table><tr><th>Trust requested</th><th>Council agreed</th></tr><tr><td>To get rid of the management agreement and commitments within it.</td><td>To get rid of the MA with the key commitments captured in the Heads of Terms.</td></tr><tr><td>Not to pay for maintenance of the Gardens going forward (whereas under the current lease agreement, the Trust would be responsible for maintenance from May 2024)</td><td>To pay for maintenance indefinitely (a considerable ongoing financial commitment for the Council)</td></tr><tr><td>A new 125-year lease upon completion (which exceeds the remaining</td><td>To a new 125-year lease</td></tr></table>	Trust requested	Council agreed	To get rid of the management agreement and commitments within it.	To get rid of the MA with the key commitments captured in the Heads of Terms.	Not to pay for maintenance of the Gardens going forward (whereas under the current lease agreement, the Trust would be responsible for maintenance from May 2024)	To pay for maintenance indefinitely (a considerable ongoing financial commitment for the Council)	A new 125-year lease upon completion (which exceeds the remaining	To a new 125-year lease	<p>LBR5 Appendix 35 - Emails between LBRuT and TRT dated 12.06.2020</p> <p>AND</p> <p>Useable Space drawing</p>
Trust requested	Council agreed										
To get rid of the management agreement and commitments within it.	To get rid of the MA with the key commitments captured in the Heads of Terms.										
Not to pay for maintenance of the Gardens going forward (whereas under the current lease agreement, the Trust would be responsible for maintenance from May 2024)	To pay for maintenance indefinitely (a considerable ongoing financial commitment for the Council)										
A new 125-year lease upon completion (which exceeds the remaining	To a new 125-year lease										

		period on the current lease)		
		For the scheme to accommodate some key requirements in the design of the open space	To work up a key requirements document with the Trust, which could be agreed as part of the negotiation to give the Trust assurances it will be delivered as well as ongoing engagement with the architects	
		To run the Embankment event space and be allowed to keep income	To accept this <u>and</u> offer financial support to the Trust for succession planning and establishing a new events programme/ infrastructure	
		To set their own pricing structures and rates	To give the Trust the freedom to run their own events and set the rates	
		£10,000 per month in liquidated damages to be paid to the Trust if the gardens are not delivered within the long stop date	To the principle of paying liquidated damages while requiring on legal advice that they need to be a genuine pre-estimate of loss rather than a penalty clause	
		It also summarised the extent of the existing Gardens and was being offered to the Trust in the proposed scheme.		
			Current	Proposed
		Total footprint	Max. 2,550sqm	3,014sqm
		Events space	Approx 266sqm with overspill	2,189sqm

		<table><tr><td>Play space</td><td>201sqm</td><td>304sqm</td></tr><tr><td>Pétanque</td><td>2 pitches</td><td>2 pitches with option for +1</td></tr></table> <p>It noted that Hopkins had revisited the design to offer 3,014sqm above and below the flood line with an event space above the 1 in 100 year plus 35%.</p> <p>Also that the Council considered that the Trust’s request to remove the pavilion building would be detrimental to the design in removing the benefits it delivers as a café and community space.</p> <p>Most of the proposed Gardens would be above the 1/100 flood line meaning that they would flood once in 100 years, and if that was the case then most of the local area would also be under water. So this need not impact the Trust ’s day to day ability to hold events.</p> <p>The terms of the Council’s offer were as follows:</p> <ul style="list-style-type: none">- A larger events space above the flood plain- Use of wider gardens area- A larger children’s play area with more equipment- 2 pétanque pitches- All the Trust ’s requirements met in the HoTs <p>Council asked the Trust how they could progress to find a solution without removing a building which delivers key benefits to the local community.</p>	Play space	201sqm	304sqm	Pétanque	2 pitches	2 pitches with option for +1	
Play space	201sqm	304sqm							
Pétanque	2 pitches	2 pitches with option for +1							
47	08.07.2020	<p>Meeting between the Trust and the Design Team</p> <p>Design Team presented slides showing existing Gardens and proposing options to meet the Trust’s minimum requirements in the new scheme for:</p> <ul style="list-style-type: none">- Pétanque- Seating- Climbing walls	<p>LBR5 Appendix 36 - TRT Meeting with Design Team Slides dated 08.07.2020</p>						

		<ul style="list-style-type: none">- Play stations- Events on the upper Gardens with layouts from past events- Scale comparisons showing what the various optional Gardens elements (such as pétanque courts) would look like on the open space. <p>Discussion with the Trust about options presented and what they want in the Gardens.</p>	
48	26.08.2020	<p>Ninth SRG</p> <p>Council gave a presentation setting out:</p> <ul style="list-style-type: none">- Project Update- Emerging design changes- Transport, access and servicing arrangements- Programme key dates and next steps <p>A 3D model image was used alongside the 2D plan to clearly show the new flood defence wall.</p>	<p>LBR5 Appendix 37 - Ninth Stakeholder Reference Group Meeting Minutes dated 26.08.2020</p>
49	28.09.2020	<p>Meeting between the Trust, the Council and the Design Team</p> <p>A meeting was held to discuss with the Trust the restrictions and challenges the Design Team were facing with regards to flood storage requirements and maintaining open space above the 1/100+35% flood level.</p> <p>3D model images and plans were shown.</p>	<p>LBR5 Appendix 38 - The Trust Meeting with Council and Design Team presentation dated 28.09.2020</p>
50	30.09.2020	<p>Tenth SRG Meeting</p> <p>Hopkins explained via a presentation the challenges in meeting the Environment Agency requirements for flood storage, balanced with ensuring the Trust's reprovided land is kept above the 1/100+35% level and meeting scheme objectives.</p> <p>The presentation shows the reduction in the built footprint on the site, through</p>	<p>LBR5 Appendix 39 - Tenth Stakeholder Reference Group Meeting Minutes dated 30.09.2020</p>

		<p>removal of the pavilion building, and condensing the Wharf Lane building through the loss of the Winter Gardens element.</p> <p>A discussion was held on how the revised scheme better meets a number of objectives regarding the open space.</p> <p>The Design Panel Representative raised a concern that ‘podium’ must be removed. And that the revised scheme reduced that area of public open space on The Embankment. Hopkins demonstrated that this was not the case as the revised design keeps the flood defence wall in the same position as the under-croft storage in the concept design and therefore the amount of public open space on the Embankment was not lessened.</p> <p>The built footprint had been reduced, not the open space.</p>	
51(a) 51(b)	20.10.2020	<p>Email from the Trust to the Council</p> <p>Response to designs shown at 28.09.2020 meeting.</p> <p>The Trust set out its ‘significant concerns’:</p> <ul style="list-style-type: none">- Land re-provided must specifically be 2600sqm not within 1/100 +35% flood plain- Trust noted that it believed there were alternative options available, including exploring and increasing space above and below the flood plain.- It was clear to the Trust that the design cannot be allowed to complete to RIBA stage 2 to set the layout and massing of the Scheme.- Believe that the new concept has moved ‘so far from original competition winning design’ that urgent dialogue is required- The Trust requested that detailed section information is given	<p>LBR5 Appendix 40 - Email from TRT to LBRuT dated 20.10.2020</p> <p>AND</p> <p>Appendix to The Trust correspondence dated 20.10.2020</p>

		<p>regarding the different measurements and levels across the site.</p> <ul style="list-style-type: none">- And also requested copies of correspondence between the Design Team and EA- “The world around us has changed significantly since the original design was drawn up....we believe the re-development could better consider how the project can reflect the evolution of how and when people are using the riverside.” <p>The Council considered that it had met the Trust’s requirements at this point, being the delivery of 2600sqm+ above and within the floodplain, whilst also meeting the minimum requirements which were set out.</p>	
52	29.10.2020	<p>Informal email from the Council to the Chair of the Trust</p> <p>Formal response to email at LBR5 Appendix 51 to be sent later. This email provided informal notice that the Council would be seeking in principle approval of the use of its CPO powers from the Finance, Policy and Resources Committee on 16th November 2020. It also noted that:</p> <ul style="list-style-type: none">- The Council wanted to reassure the Trust that it would continue to negotiate and prioritise reaching an agreement which suited both parties.- That the risk was the Council progressing without full possession of the site and without certainty that the Trust would sign an agreement- Powers would be passive and only used as a last resort should the Council be required to use them.- That using CPO powers was not the Council’s preferred route	<p>LBR5 Appendix 41 - Email from LBRuT to TRT dated 29.10.2020</p>

53	29.10.2020	<p>Email from the Council to the Trust setting out a response to the Trust’s email dated 20.10.20</p> <p>The Council noted that progress had been made on the HoTs but the parties had been unable to agree a redline plan. It further noted that:</p> <ul style="list-style-type: none">- The Trust’s position was that it could not agree to a redline plan until the planning application had been submitted- That this position posed a risk to the Council with regards to incurring significant design costs with no commitment from the Trust, and could require a complete redesign if the Trust were not supportive.- The Council proposed parties agree an indicative plan – with process for agreeing amendments. But the Trust refused this.- The Council reiterated that Scheme delivered an area of open space greater than 2600sqm above and within the flood plain <p>It recorded that the Council had previously offered the following:</p> <ul style="list-style-type: none">- More land than was currently covered by the lease- The removal of the Management Agreement which required the Twickenham Riverside Trust to take over the Council’s current maintenance responsibilities and costs from 2024- The Council to pay for maintenance of the gardens indefinitely- A new 125-year lease- The Trust to run events and keep the revenue generated by them- The Trust to set its own rates rather than adhering to the Council’s pricing structure which every other group must do	<p>LBR5 Appendix 42 - Emails between LBRuT and TRT between 20.10.2020 and 29.10.2020</p>
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54	04.11.2020	<p>Council email update to SRG</p> <p>The Council responded to concerns raised by some members of the SRG including a request to ‘move away from the concept design.’ The Council reported that</p> <ul style="list-style-type: none">- The Design Team were considering opportunities to make the footprint of the Wharf Lane building more efficient to soften flood defence wall, staying within EA requirements- The Design Team were exploring boat houses/storage in the south west corner alongside a pontoon- There was a misconception about public open space being reduced- Design Team considering two way working on Water and Wharf Lanes- SRG engagement to continue but wider public engagement sought to get wider views from residents- Further public engagement will identify any other changes required before the next design stage	<p>LBR5 Appendix 43 - Update from LBRuT to SRG dated 04.11.2020</p>
55	05.11.2020	<p>Emails between the Trust and the Council from 20.10.20 – 05.11.20</p> <p>The Trust notes that it hopes the use of CPO powers were not necessary – that</p>	<p>LBR5 Appendix 44 - Emails between LBRuT and TRT between 20.10.2020 and 05.11.2020</p>

		<p>this would be controversial and would be bound to be challenged.</p> <p>Council oversimplifies the Trust’s position and negotiations. The Trust did not consider itself able to consider the Council’s offer, as the proposals for reproviding the Gardens were bound to change.</p> <p>The proposals for the reprovision of the Gardens was ‘fundamentally unacceptable’ due to the design changes required as a result of accommodating the flood and rain water storage.</p> <p>The trust questions whether the reprovided Gardens were of equal amenity value due to the fact they include land within the flood plain.</p> <p>The trust noted that the ‘podium plan’ was not a plan that could or should be fixed. And suggested that the Council and Trust should engage in urgent and meaningful dialogue on changes to the design.</p>	
56(a) 56(b)	16.11.2020	<p>Finance, Policy and Resources Committee.</p> <p>Committee approved the in principle use of Powers but excluded the Gardens from this decision.</p> <p>The Chair of the Trust requested postponement of decision.</p> <p>Committee requested that further progress was made, and a decision would be revisited at the January 2021 Finance, Policy and Resources Committee.</p> <p>The Council and the Trust commit to working intensely before January.</p>	CD 1.4 and CD 1.5 Committee Reports
57	20.11.2020	<p>Meeting held between the Council and the Chair of the Trust</p>	Informal meetings – no minutes, no appendix

		A regular informal meeting established with the Chair of the Trust to progress legal agreements and negotiations.	
58(a) 58(b)	28.11.2020	<p>Email from the Chair of the Trust to the Council, confirming the sub groups to work with Council</p> <p>Design Subgroup</p> <ul style="list-style-type: none">- Trustee and Architect- Trustee and Architect- Trustee and Events manager- Trustee and Maritime professional <p>Legal</p> <ul style="list-style-type: none">- Chair of the Trust- Secretary of the Trust- Trustee and Solicitor	<p>LBR5 Appendix 45 - Email from Chair of TRT confirming design subgroup dated 28.11.2020</p> <p>AND</p> <p>Email from Chair of TRT confirming legal subgroup dated 28.11.2020</p>
59	04.12.2020	<p>Meeting between the Council and the Chair of the TRUST</p> <p>Informal discussions on how to progress negotiations and challenges on both sides.</p>	No minutes, no appendix
60	09.12.2020	<p>Design Meeting 1 – the Trust Design Subgroup meet with Council and Design Team</p> <p>Attendees included:</p> <p>Design Subgroup</p> <ul style="list-style-type: none">- Trustee and Architect- Trustee and Architect- Trustee and Events manager <p>Hopkins led Design Team and Landscape Architects</p> <p>Council officers</p> <p>Topics included:</p> <ul style="list-style-type: none">- The gates off the service road- Boundary treatment of play space and service road- Pétanque terrain- Revisiting minimum requirement documents- How to run tickets events within the space	<p>LBR5 Appendix 46 - Design Meeting 1 Notes dated 09.12.2020</p>

		<ul style="list-style-type: none">- Options for the provision of public toilets	
61	15.12.2020	<p>Eleventh SRG</p> <p>Agenda</p> <ul style="list-style-type: none">- Design update- Response to concerns- Vehicular movements- Southwest corner and boat storage- Consultation with public <p>Design changes in response to feedback –</p> <ul style="list-style-type: none">- Wharf Lane building reduced and brought further back from riverside.- Improved accessibility and wider pavements- Two-way movement of Water and Wharf Lanes introduced alongside boat storage.- Wider public engagement to take place in January	LBR5 Appendix 47 - Eleventh Stakeholder Reference Group Presentation dated 15.12.2020
62	15.12.2020	<p>Legal meeting held between the Council and the Trust</p> <p>First meeting with the Trust’s Legal Subgroup to progress negotiations on the legal agreements.</p>	Without Prejudice
63	16.12.2020	<p>Design Team meeting 2 between the Trust Design Subgroup and the Council</p> <p>Landscape architects presented a series of plans showing various options regarding the number of location of pétanque pitches and the size and location of the children’s play space, which were also sent to the Trust to discuss at their meeting later that evening.</p> <p>The Design Team showed an area of 3,692msq of total space above and below the flood plain. And an events plan for the Embankment.</p>	LBR5 Appendix 48 - Design Team Meeting 2 Slides dated 16.12.2020
64	23.12.2020	<p>Legal Meeting between the Council and the Trust</p>	Without prejudice

		Second meeting with Legal Subgroup to progress negotiations on the legal agreements	
65	06.01.2021 – 11.01.2021	Liaison between Council and the Chair of the Trust HoTs sent to the Trust – and returned to the Council.	Without prejudice
66	07.02.2021	Email from the Council to the Chair of the Trust Council informed the Chair of the Trust of the structure of the upcoming legal report to Committee, to confirm he is happy with what has been presented. “We will report an update that the negotiations have been going well with reference to the legal and design meetings and that we have agreed in principle some draft HoT’s. We will state that there are a few items still to be drafted and happy for this to be said at Committee for clarification but it’s our understanding that we have come to a mutual agreement on all the key considerations.” We will outline the principles of the HoTs in the public report for transparency and there will not be an exempt report. <ul style="list-style-type: none">• Conditions• The new property• Works and landscaping specification• Longstop date• Repairs and maintenance• MoU Recommendations were given for review.	LBR5 Appendix 49 - Email from LBRuT to TRT Chair dated 07.01.2021
67	09.02.2021	Phone call between the Council and the Chair of the Trust Confirmation the Chair will discuss the report with the Trust prior to the meeting.	No minutes or appendix

68	14.01.2021	Council and the Trust – Legal Meeting Third meeting with Legal Subgroup to progress negotiations on the legal agreements	Without prejudice
69	17.01.2020	Email correspondence between the Trust the Council 15.01.20-17.01.20 The Trust thanked the Council for a ‘positive meeting’ and provided the following comments on the HoTs in the email trail as follows: <ul style="list-style-type: none">- The call option was reduced to 6 years from 10- Council’s use of reasonable endeavours upgraded to ‘Best’- The force majeure clause was discussed and a separate COVID 19 clause requested by the Trust was added- Any requirements originally captured in the MoU were to be captured within HoTs, not as a separate document.- Both parties keen to see markets use the riverside and this is additional to named events giving more flexibility on the number of events that could be held.- The Chair agreed he would speak positively about negotiations at upcoming committee meeting 18th Jan- Council would raise a PO for existing Trust solicitors bill. The Trust would get a quote for a surveyor as per Charity Commission guidelines.	LBR5 Appendix 50 - Emails between LBRuT and TRT between 15.01.2020 and 17.01.2020
70	18.01.2021	Council Report to Finance, Policy and Resources Committee Director of Environment advised the Committee that following the November meeting further negotiations and discussions had taken place with the Trust . ‘A refreshed relationship’ had been established.	LBR5 Appendix 51 - Report to Finance, Policy and Resources Committee dated 18.01.2021

		<p>Chair of the Trust confirmed ‘positive progress’ had been made and that the outstanding key element was that the Trust needed to meet Charity Commission requirements.</p> <p>He noted that the Trust was planning its own consultation and employing a surveyor to value the amenity of the existing and replacement land.</p> <p>The fact the Trust were planning to undertake their own engagement, following an extensive period of engagement undertaken by the Council, was a concern to the Council. As it had been given no information on the timescales and purpose of this.</p> <p>The Chair reiterated that ‘a very constructive approach’ was being taken by both parties.</p> <p>Powers to conclude and agree final agreements with the Trust were delegated to the Director of Environment.</p>	
71	January 2021	Public Engagement on Design See engagement report	CD 3.13 Statement of Community Involvement
72	11.02.2021	Council’s Design Team sent a specially commissioned sun shadow study to the Trust	LBR5 Appendix 52 - sun shadow study dated 11.02.2021
73	12.02.2021	Meeting held between the Council and the Chair of the Trust Informal discussions on how to progress negotiations and challenges on both sides.	No minutes or appendix
74	18.02.2021	Email from the Trust to the Council Noting points made by the Council for discussion at an upcoming meeting, which included: <ul style="list-style-type: none">- HoTs have not yet been returned as the Council was drafting a clause to capture additional land in SW corner which Council have	LBR5 Appendix 53 - Emails between LBRuT and TRT between 17.02.2020 and 18.02.2021

		<p>agreed will be added to the Trust lease.</p> <p>Confirmation requested that the Trust’s consultation is not required by the Charity Commission and is therefore separate from our legal negotiations. Agree that consultation must not be a referendum on the scheme.</p>	
75	19.02.2021	<p>Meeting held between the Council and the Chair of the Trust</p> <p>Informal discussions on how to progress negotiations and challenges on both sides.</p>	No minutes or appendix
76	21.02.2021	<p>Council to THE TRUST</p> <p>Confirmation Council will cover all reasonable costs of the Trust ’s solicitors in respect of the discussions about and consideration of and amends to the HoTs.</p>	LBR5 Appendix 54 - Emails between LBRuT and TRT between 18.02.2021 and 21.02.2021
77	26.02.2021	<p>Meeting held between the Council, Design Team and Trustees in relation to the Riverside Activity Space</p> <p>The Chair and two trustees met the Council and Hopkins to discuss the design of the boat storage and riverside activity space to ensure it is fit for purpose and discuss potential management.</p>	No minutes or appendix
78	05.03.2021	<p>Design Meeting 3 – Meeting held between the Council and the Trust’s Design Sub Group</p> <p>Agenda covered a landscape design update and headlines of the recently undertaken consultation results.</p>	LBR5 Appendix 55 - Design Meeting 3 Presentation dated 05.03.2021
79	19.03.2021	<p>Meeting between the Council and the Chair of the Trust</p> <p>Informal discussions on how to progress negotiations and challenges on both sides.</p>	No minutes or appendix
80	22.03.2021	<p>Letter from the Council to the Trust</p>	LBR5 Appendix 56 - Letter from LBRuT to TRT dated 22.03.2021

		<p>Letter sent to Chair of the Trust for his review before sending to the wider Trustees. The key points noted were as follows:</p> <ul style="list-style-type: none">- The Council noted that the results of the consultation were ‘terrific’, and the most supportive results of any scheme proposed for the Scheme Land- Following Chair intervention, progress on design and legal meetings has been good- Council have agreed a number of additional opportunities for the Trust including management of the ‘river activity space’ and recent discussions about use of parks spaces beyond the scheme itself for Trust related activities. The Trust have agreed to have a red line plan. Compensation has been agreed and a process by which the detailed landscaping is agreed.- But there is still a critical requirement to reach a full agreement soon as set out by the Committee members. <p>The letter noted the concerns of the Council that further progress on a full agreement has not been made. Concerns related to a lack of progress on an approach to the Charity Commission, understanding that this itself will be a lengthy process, as well as the Trust’s recent statement that they will hold their own significant consultation process.</p> <p>The Council requested that the Trust approach the Charity Commission as “Without progress in that way by then, it is difficult to see how we can do anything other than write into the report a recommendation for the reinstatement of the Trust `s lease holding into the protective CPO process. Which would in my view be regrettable and whilst it would not immediately lead to actual CPO proceedings, would be unreflective</p>	
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		of the good progress that has more generally been made.”	
81	26.03.2021	Council and the Trust legal meeting with advisors To discuss Trust comments on HoT’s and an agreement that the Trust will provide a ‘base design.’	Without Prejudice
82(a) 82(b)	29.03.2021	Trust email to the Council setting out the revised minimum requirements for the Design – termed as a ‘base design’. Following the Design Group meeting on 05.03.21, and agreement between Council and the Trust that a ‘base design’ would be agreed by the Trust (at the legal meeting 26.03.2021) to give the Council certainty on the design submitted to planning, the Trust shared their ‘revised outline schedule’, which represented the Trust’s feedback on the reprovision and future needs of the Gardens, as against the Hopkins design. Views discussed and agreed at a meeting 26.03.2021 to assist ‘design freeze.’ The Trust ’s requirements included the following: <ul style="list-style-type: none">- play areas- pétanque area- Chess/draughts table- Storage requirement – 40 ft container- Seating- Access- Bins- Utilities- Electricity points- Access to toilets- Events space on the Embankment- Landscaping	LBR5 Appendix 57 - email from TRT to LBRuT sending The Trust Requirements dated 29.03.2021 AND The Trust Requirements dated 26.03.2021
83	08.04.2021	The Trust response to the Council’s letter sent 22.03.21	LBR5 Appendix 58 - Letter from TRT to LBRuT dated 08.04.2021

		<p>The Trust note that since November 2020 there have been positive conversations – but ‘little forward movement’ from Council.</p> <p>The Trust are awaiting final HoT’s on the reprovioned land.</p> <p>The Trust is considering appointing a surveyor, noting that ‘this valuation is not strictly necessary, but would be best practice.’</p> <p>The Trust noted that it needed to receive the HoTs from the Council’s legal team; as soon as the Trust received these, they would move to appoint a valuer.</p>	
84	14.04.2021	<p>Informal meeting between Council and Chair of the Trust</p> <p>Informal discussions on how to progress negotiations and challenges on both sides.</p>	No minutes or appendix
85	15.04.2021	<p>Council email to the Trust</p> <p>Council sent tracked changed HoTs back to the Trust.</p>	Without prejudice
86(a) 86(b)	21.04.2021	<p>Council sent a red line plan of the re-provision area for the Trust to review.</p> <p>The Council sent a plan of the re-provided area for the Trust to review and provide to the Trust’s appointed surveyor. It included the following:</p> <ul style="list-style-type: none">- 3466sqm in main area- 317sqm additional riverside activity space	<p>LBR5 Appendix 59 - Email from TRT to LBRuT sending plan dated 21.04.2021</p> <p>AND</p> <p>plan dated 21.04.2021</p>
87	23.04.2021	<p>Chair of the Trust sends HoTs back to Council with comments</p>	Without prejudice
88	28.04.2021	<p>Informal meeting between Council and Chair of the Trust</p> <p>Informal discussions on how to progress negotiations and challenges on both sides.</p>	No minutes or appendix

		Discussion held on HoTs	
89	30.04.2021	Council sends HoTs back to Chair of the Trust with comments	Without prejudice
90	07.05.2021	Design Meeting 4 – The Trust Design Subgroup meet with the Council and Design Team	No minutes or appendix
91	14.05.2021	Informal meeting between Council and Chair of the Trust Informal discussions on how to progress negotiations and challenges on both sides.	No minutes or appendix
92	15.05.2021	Informal meeting between Council and Chair of the Trust Informal discussions on how to progress negotiations and challenges on both sides.	No minutes or appendix
93	03.06.2021	Chair of Trust emailed Council with dated of expected surveyors report Council asked for information on the report and any initial responses. The Trust email the Council confirming that surveyor report will be ready beginning of July, with a Trust meeting scheduled 14 th July to discuss it.	LBR5 Appendix 60 - Email from LBRuT 02.06.2021
94	11.06.2021	Informal meeting between Council and Chair of the Trust Informal discussions on how to progress negotiations and challenges on both sides.	No minutes or appendix
95	24.06.2021 - early July	Council sent all required design information to the Trust appointed surveyors All plans and detailed information including sunlight studies sent to the Trust’s surveyors.	No appendix

96	25.06.2021	Informal meeting between Council and Chair of the Trust with an additional Trustee	No minutes, no appendix
97	25.06.2021	Email from the Chair of the Trust to the Council Email confirming that the Chair would speak to the Trust’s legal team to advise them that the Heads of Terms as drafted were accurate. Noting that the Trust’s commissioned surveyors report was considered crucial by the Trust in determining the Trust ’s position – therefore he saw no point in further progressing the HoT’s until the report was received.	LBR5 Appendix 61 - Emails between LBRuT and TRT on 23.06.2021
98	28.06.2021	Finance, Policy and Resources Committee Two reports were submitted to the Committee. The first was an update on the scheme development, the second was the Decision to use Compulsory Purchase Order Powers. The CPO reports notes: <ul style="list-style-type: none">- 16th November 2020 the same Committee agreed to the principle of using the Council’s CPO powers to acquire land and any rights within the scheme area.- The report provided an update on negotiations with interested parties.- The report recommended that a CPO is made.- The report noted that the Council had continued negotiations with the Trust and had made a number of concessions including giving additional land, but was legally no further forward than January 2021 with the Trust needing to review their surveyors report, finalise legal agreements and then gain the approval of the Charity Commission.	CD 1.6, CD 1.7 and CD 1.8 Committee Reports

		<ul style="list-style-type: none">- Efforts to acquire interests via agreement will continue.- The CPO was expected to be made in September.- Appendix E showed the land offered to the Trust via negotiated agreement <p>The Chair of the Committee concluded discussion by noting that the Council did not wish to resort to CPO powers and hoped that an agreement with the Trust could be reached by September, by which time, it would be ten months since the Committee deferred making a decision.</p>	
99	08.07.2021	Council meet Chair of the Trust and additional Trustee to discuss riverside activity area The Chair introduced another trustee who would be assisting with working up the plans for the riverside activity area.	No minutes or appendix
100	29.07.2021	Council and Design Team meet with all Trustees to give a design presentation All members of the Trust were invited to meet with the Design Team to discuss design updates.	No appendix
101	30.07.2021	Council email to the Chair of the Trust Notification that the Council still wished to reach a negotiated settlement but that otherwise it would make the order at the end of September 2021. In order to be able to do so, the Council must serve notices. The Trust was advised that they would receive a notice as part of the process.	LBR5 Appendix 62 - Email from LBRuT to TRT Chair dated 30.07.2021
102	20.08.2021	Trust Website Update <i>"The Trustees of the Twickenham Riverside Trust have yet to reach a decision on relevant aspects of the Council's proposals for redevelopment of Twickenham Riverside."</i> It hoped to be in a position to do so by the end of September 2021.	LBR5 Appendix 63 - The Trust Website Update dated 20.08.2021

		<p>The announcement noted that the Trust was “engaging intensely and having regular discussions” with the Council.</p>	
103	09.09.2021	<p>Chair of the Trust emailed the Council regarding conflict of interests</p> <p>The Trust gives confirmation that the Council appointed Trustee is not able to vote on whether they support the scheme at the upcoming meeting, due to a conflict of interest. Further advice is being taken on whether other The Trustees have a conflict of interest.</p>	<p>LBR5 Appendix 64 - Emails from TRT Chair to LBRuT dated 07.09.2021 and 09.09.2021</p>
104	15.09.2021	<p>Chair of the Trust emailed the Council regarding information on lost car parking</p> <p>Chair of the Trust asked for detail on car parking facilities for Eel Pie Island residents. Further information sent regarding the Committee report and transport plans.</p> <p>Council questioned why the Trust’s solicitors require information on the parking provision for Eel Pie Island residents.</p>	<p>LBR5 Appendix 65 - TRT Chair and LBRuT Emails dated 15.09.2021</p>
105	16.09.2021	<p>Council to Chair of the Trust</p> <p>The Council emailed the Chair to explain that there is a CPO report going to the September Committee in response to information that the PLA have only registered the southern half of the Embankment and therefore the northern half of the Embankment must be included.</p> <p>The Council provided clarification on the powers that the Council will be using and updated Open Space measurements.</p> <p>The Council reminded the Trust that the negotiated offer to the Trust remained the same, and noted that the parties should continue to put their efforts into agreeing this.</p>	<p>LBR5 Appendix 66 - Email from LBRuT to TRT Chair dated 16.09.2021</p>

106	20.09.2021	<p>Finance, Policy and Resources Committee report</p> <p>The report noted an update further to the June report, and asked the Committee to resolve additional recommendations regarding delegated authority to make minor adjustments to the CPO and Order Map and clarification on the use of powers.</p>	<p>CD 1.9 and CD 1.10 Committee Reports</p>
107	24.09.2021	<p>The Trust emails the Council that the Chair of the Trust has stepped down and been replaced</p> <p>The email notified the Council that the Chair of the Trust had stepped down and had been replaced.</p> <p>It also noted the Trust would review its surveyors report in light of the Council’s use of powers which would assist them in making a decision.</p> <p>The Trust requested Council shared its legal advice regarding its use of powers and asked if the Council is was advised by a legal team and if so, who that team was.</p>	<p>LBR5 Appendix 67 - Email from LBRuT to TRT dated 24.09.2021</p>
108	29.09.2021	<p>Council introductory email to the Chair of the Trust</p> <p>Council emailed congratulating the new chair and giving availability for a meeting</p>	<p>LBR5 Appendix 68 – Emails between Council and Chair between 24.09.2021 and 29.09.2021</p>
109	04.10.2021	<p>Trust correspondence with the Council</p> <p>Trust Chair confirms a date for a meeting and attendees.</p> <p>‘We very much appreciate and share your wish to be moving forward swiftly with this, so that the Trust can reach its decision.’</p> <p>Requested that the Council covers additional legal fees for the updated report.</p>	<p>LBR5 Appendix 69 - Email from TRT to LBRuT dated 04.10.2021</p>

110	08.10.2021	Informal meeting between Council and Chair of the Trust Informal meeting to introduce new Chair of the Trust and discuss next steps.	No minutes no Appendix
111	11.10.2021	Council confirmed to the Trust that it would cover the additional costs incurred by the Trust regarding fees.	LBR5 Appendix 70 – Email from TRT to LBRuT dated 11.10.2021
112	08.11.2021	Chair of Trust emailed the Council to inform that the legal advice received by the Trust indicated that they should object to the CPO. Chair of the Trust proposes to wait until after the CPO notification period has closed 22 nd November before meeting.	LBR5 Appendix 71 - Emails between LBRuT and TRT between 04.11.2021 and 08.11.2021
113	10.11.2021	Council emailed a response to the Trust email dated 08.11.21 The Council expressed surprise at the Trust’s objection to the CPO and request to further understand the Trust’s objections to see where we can address these. The Council expressed disappointment in respect of the Trust’s press release. The Council reiterated that the CPO was made as it could no longer wait for a response from the Trust on the negotiated deal. It was made clear that the Council still wished to negotiate. The Council requested confirmation as to whether the Trust still wished to negotiate with the Council for the voluntary surrender of the lease.	LBR5 Appendix 72- Email between LBRuT and TRT on 10.11.2021
114	21.11.2021	Trust confirmation to the Council that it had submitted objections to the CPO process The Trust confirmed it had submitted objections to the CPO process. The Chair requested a meeting to agree a framework for coming to a negotiated agreement and reflect on where both parties felt they were in the process and	LBR5 Appendix 73 - Email from TRT to LBRuT dated 21.11.2021

		agree how best to communicate with each other.	
115	22.11.2021	<p>Council emailed response to the Trust email dated 21.11.21</p> <p>The Council confirmed that it was pleased to hear that the Trust wished to continue to negotiate. The Council reiterated the offer which had been available since April 2021 including principles in HoTs and plan previously sent across.</p> <p>The Council made it clear that it was very happy to answer any outstanding queries and that it was ‘keen’ to reach a negotiated settlement. Having waited 7 months for a response on whether the Trust accepted the HoTs, the Council made clear that it needed to understand whether or not the offer was accepted, and if not, what changes would be required for us to reach an agreement.</p>	LBR5 Appendix 74- Emails between LBRuT and TRT between 21.11.2021 and 22.11.2021
116	30.11.2021	Trust sends its CPO objections to the Council	Without Prejudice
117	02.12.2021	<p>Council email to the Trust in response to submitted objections</p> <p>The Council requested to further understand the basis of the Trust’s objections.</p>	Without Prejudice
118	14.12.2021	<p>Trust emailed the Council regarding HoTs</p> <p>Email regarding HoTs and exchange land</p>	Without Prejudice
119	20.12.2021	Informal meeting between the Council and Chair of the Trust	No minutes, no appendix
120	07.01.2022	Council response to the Trust email of 14.12.21	Without Prejudice
121	25.01.2022	Trust response to the Council’s email of 07.01.22	Without Prejudice
122	31.01.2022	Trust email to the Council – to make Council aware of actions taken	Without Prejudice

		Trust make Council aware of the planning representations made, and that it has requested a meeting with the CEX.	
123	25.02.2022	Council email to the Trust the brownfield allocation of land.	Without Prejudice
124	07.03.2022	Resignation of two the Trustees by letter to the Trust and the Council Trustees letter of resignation sent to both Council and the Trust. 'It is with regret that we must submit our resignation as Trustees of the Twickenham Riverside Trust following the stated intentions of the Trust to actively campaign against the several elements of the development including the Wharf Lane Building which would essentially require a redesign. This campaign is contrary to our understanding, and the stated intention of the website, that the Trust intended to negotiate with the Council. This makes our position on the Trust untenable.' The letter sets out the reasons that the Trustees felt that their input was being marginalised and that it should be noted that four Trustees in support of the proposal have now stepped down in the space of a few months: three over perceived conflict of loyalty.	LBR5 Appendix 75 - The Trustee resignation dated 07.03.2022
125	31.03.2022	Trust emailed the Council regarding the inclusion of the Gardens within the proposed Scheme.	Without Prejudice
126	20.04.2022	Council meeting with Trustees to discuss respective positions. Agenda agreed with Trust <ol style="list-style-type: none">1. A summary of the Councils position2. A summary of the Trust `s position	LBR5 Appendix 76 - TRT and LBRuT Meeting Minutes dated 20.04.2022

		<div><div><div>3. The Council's further proposed terms</div><div>4. Next Steps</div></div><div>Council stated that the CPO is a protective position and the Council wishes to focus on a successful negotiated route.</div><div>The Council cannot change the basic principles and fundamentals of the scheme. Can offer the Trust a proposal to assist it in delivery of its Objects to create active riverside, in response to the Trust's concern that it is losing a revenue stream of the café in the future scheme. Offer of £25k/per year for the first 5 years, £10k per years for following 5 years to make a total of £175k.</div><div>Council set out how the proposed reprovision of open space responded to the Trust 's objects.</div><div>The council reiterated its negotiated offer.</div><div>The Trust noted that they held a different position, and the proposal did not fulfil their objects. Trustees stated that the provision was voted against by Trustees. And they further rejected the revised funding offer.</div><div>Requested Council look at core Objections to CPO.</div><div>Trust raised concerns with perceived lack of amenity value of the Wharf Lane building, and degree and quality of open space.</div><div>Further concerns raised with highway running through replacement open space. The Trustees were very cautious about any provision on the Embankment level.</div></div>	
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127	16.06.2022	<p>Email from the Trust to the Council in respect of the appointment of a new Chair</p> <p>Secretary of the Trust notifies the Council that a new Chair has been appointed.</p>	<p>LBR5 Appendix 77 - Appointment of new Chair - Ted Cremin dated 16.06.2022</p>
128	19.07.2022	<p>Trust contacted Council requesting a meeting</p> <p>Having previously agreed to adjourn a meeting until the publication of the CPO Statement of Case, when the CPO inquiry was set for June 2022 the Trust requested to meet ahead of this for the Council to set out its response to the Trust’s objections, and to set out its Statement of Case.</p>	<p>LBR5 Appendix 78 Emails between LBRuT and TRT between 14.07.2022 and 19.07.2022</p>
129	14.09.2022	<p>Council response to the request for a meeting in email dated 19.07.22</p> <p>The Council agreed to meet with the Trust to discuss negotiations on the current scheme and detail of the HoTs. The Council made clear that any negotiations must be on the basis of the current scheme.</p> <p>The Council noted that the Trust had requested fundamental changes to the scheme including the removal of the Wharf Lane building and that the DJG should be removed from the scheme. Council was concerned that the Trust were asking for an entirely new scheme to be developed. Council requested a meeting for the surveyors and legal advisors to discuss differences in valuations.</p> <p>The Council further acknowledged the objections and complaints which the Trust made to the LPA and Ombudsman,</p>	<p>LBR5 Appendix 79 - Letter from LBRuT to TRT dated 14.09.2022</p>

		<p>some of which stated that the Trust had never agreed to the principle of development for the site.</p> <p>Council noted it was concerned that the Trust were not truly willing to negotiate on the scheme but for the Council ‘the door remains open’.</p>	
130	10.10.2022	<p>Trust response to Council email dated 14.09.22</p> <p>The Trust requested a meeting to discuss CPO objections and would be happy for surveyor representatives to be present if Council wish it.</p> <p>The Trust noted that it did not consider any negotiation on the reprovion plan had been held to date.</p> <p>It also noted it was entitled to receive a detailed formal response to the overall case.</p> <p>The Trust further stated that the previous Chair of the Trust had never recommended moving forward with the HoTs, until a surveyors report had been received.</p> <p>And that the Trust had taken a clear view on the balance of advantage between public open space and financial compensation, weighed against the disbenefits of the scheme. But the Trust did not feel there had been negotiation on the heart of the scheme – plan of reprovion and adverse impact of the Wharf Lane Building. It was difficult to see how the Council could demonstrate it had considered, tested and assessed alternative schemes.</p> <p>The Trust expressed hope that the Council would agree to the value of open discussion.</p>	<p>LBR5 Appendix 80 - Letter from TRT to LBRuT dated 10.10.2022</p>
131	29.11.2022	<p>Council response to Trust email dated 10.11.2022</p>	<p>LBR5 Appendix 81 - Letter from LBRuT to TRT dated 29.11.2022</p>

		<p>The Council noted that following the grant of planning permission on 24th November 2022, it was in a better place to discuss next steps.</p> <p>Council proposed that the Planning Report dealt with a number of concerns raised by the Trust in detail including:</p> <ul style="list-style-type: none">• Recommendation and outcome of the planning process• Land Use - Brownfield Site designation and the Gardens removed from this designation.• Improved quality and quantity of public open space and public realm• Stopping Up Order – as per the conditions.• Compatibility of the scheme with the TAAP• Requirement for affordable accommodation• Requirement of uses contained in the Wharf Lane building• Loss of existing open space in line with exception (b) set out in the Framework.• The siting, scale and massing of the Wharf Lane building and design of the buildings.• Environmental impact assessment not required <p>The Council observed that it had tried very hard to respond to the Trust through the design of the project, in order to meet the Trust ’s requirements wherever possible.</p> <p>It noted that the Council would not now be changing the proposed scheme, and that it therefore struggled to understand on what grounds further negotiation could take place if the Trust did not accept the approval of the scheme.</p>	
132	26.01.2023	Having received no response its email dated 29.11.2022 the Council further	LBR5 Appendix 82 - Email from LBRuT to TRT dated 26.01.2023

		<p>requested a meeting with the Trust which would include the Chief Executive (as previously requested by the Trust).</p> <p>Council suggested a meeting with all parties for an ‘open conversation’.</p> <p>Council notes that there ‘appears to be a strong feeling amongst Trustees that the proposed scheme does not meet the Trust’s requirements for its future open space.’</p> <p>Council put forward its position that the Trust and Council were aligned in principle, as stated by the previous Chair but that the Trust are objecting to the Wharf Lane Building and to the inclusion of the Gardens within the scheme.</p> <p>Council would be happy to discuss proposed responses to CPO objections in greater detail in hope some constructive solutions can be found and in reference to the Council’s request for the Trust to share the surveyors report and instruction for advisors to meet.</p>	
133	29.01.2023	<p>Trust response to Council request for a meeting</p> <p>Happy to meet with officers in February and have been awaiting such a meeting.</p> <p>However the Trust set out that it did not agree with the Planning report or how it sets out the planning context and did not agree with description of ‘negotiations’.</p> <p>Whilst the HoTs were close to agreement on how the open space would be managed and operated in the future, the Trust consider the re-provision to be unacceptable.</p> <p>The trust did not consider there had been dialogue or negotiation on a number of key elements.</p> <ul style="list-style-type: none">• Brownfield use	<p>LBR5 Appendix 83 - Emails between LBRuT and TRT between 26.01.2023 and 29.01.2023</p>

		<ul style="list-style-type: none">• differing assessments of improved quality and quantity of open space• compatibility of the scheme with the TAAP• Discussion on the siting, scale and massing of the Wharf Lane Building. <p>The Trust set out that the Wharf Lane Building was unnecessary and hoped that a practical dialogue would be had.</p>	
134	21.02.2023	Meeting between the Trust and Council including the Chief Executive. Setting out the Councils response to the Trust’s CPO and s19 objections.	LBR5 Appendix 84 - Meeting between TRT and LBRuT Minuted dated 21.02.2023
135	03.03.2023	Meeting between the Trust and Council Further to the meeting 21.02.23. An additional meeting setting out the Councils response to the Trust’s CPO and s19 objections.	LBR5 Appendix 85 - Meeting between TRT and LBRuT Minutes dated 03.03.2023
136	19.04.2023	Meeting between the Trust Council and Council’s legal advisors Regarding the statement of agreement – method.	LBR5 Appendix 86 - Meeting between TRT, LBRuT and LBRuT Legal Advisors Minutes dated 19.04.2023