

# **SUBMISSION TO PUBLIC INQUIRY**

## **1. Locus standi**

As a then resident of central Twickenham in 1955 I was a candidate in the local elections for the Central Twickenham Ward which included the Riverside. Unsuccessful on that occasion, in 1957 I was elected to another ward in the Borough of Twickenham. I have always seen myself as a “Twickenham Councillor”. That explains my interest in , and sense of responsibility for, the Riverside reaffirmed by the fact that I was Deputy Leader of the Council when we created the charitable Riverside Trust. As now the only Conservative on Richmond Council I feel it right to ask for my views to be considered.

## **2. Background**

In 1924 the Twickenham UDC was granted consent to purchase the Riverside for the people of Twickenham for “pleasure grounds and pleasant walks”. It is important to bear that in mind. Accordingly a Swimming Pool was built which was for many years successful; however it later became less popular and a marked drain on resources and was closed some forty years ago. Over the years a number of schemes was produced eg a Marks and Spencer Store, a Cinema etc none of which attracted real local support. The 2006-10 Council proposed a River Centre: the Electoral Reform Society was employed to conduct a ‘referendum’ on the proposal which was rejected by over 90% of the respondents. After a due competition, the 2010-18 Council employed architects who had successfully developed the riverside in Richmond but, once again, their proposals, even when modified, attracted opposition as well as a degree of support. However the then Council adopted the radical proposal to create an independent charitable Trust which was given a Long Lease to manage the Diamond Jubilee Gardens. The reason was the belief that no scheme would ever be sufficiently popular if the Riverside were to remain a ‘political football’ and the most assured way to obtain genuine community support was to hand decision-making to an wholly independent charitable body.

## **3. The present scheme**

The present Council embarked on another architectural competition and members of the public were invited to vote for their preference although the number of participants proved to be very disappointing. The Council then adopted the scheme which attracted most votes although a number of modifications was then added. This was the position at the time of the 2022 Elections. In line with Professor Dicey’s theory the Council does have a Mandate to proceed with a scheme provided it is as understood at the time of the Election.

My own view – and I wish to stress this very strongly – was that the scheme adopted was acceptable as a concept to be developed and considerably modified but the overall principles were accepted although they were by no means my desired outcome. The Trustees are bound by the terms of their lease to reject any alternative location for The Diamond Jubilee Gardens unless it is comparable or better than the present location. On the basis on professional advice the Trustees therefore rejected the Council’s proposal of an alternative site. This has my support – see para 5 below.

## **4. Compulsory Purchase.**

I accept that it is often right to consider Compulsory Purchase when an individual or organisation which does not specifically include the ‘public interest’ in its aims stands in the way of a project that demonstrably is in the public interest. However the Trustees are an independent charitable body created solely - and I stress ‘solely’ - to

further the public interest. Whereas I am sure this is not unprecedented in case law I believe it is right for a public body to avoid such action unless it would demonstrably be contrary to public interest to fail to do so

## **5. CONCLUSION**

- 5.1 I support the Trustees as they cannot possibly have any reason to reject an alternative site if it is indeed comparable or better. I therefore conclude their professional advice is, beyond reasonable doubt, correct.
- 5.2 I support the Trustees as I was a senior member of a Council which created them to act independently of the Council and in the public interest. They are therefore acting as the Council intended
- 5.3 At no time has this Council proposed to dissolve the Trust or modify its terms of reference. They therefore have no mandate to attempt to override the Trustees when they act in accordance with their duties as a charity
- 5.4 I wish to make clear that I do not know any of the Trustees and I have not had any dealings with them of any kind in the last two years.
- 5.5 I have a strong ethical objection to a public body seeking in effect to dispossess a charitable Trust created to promote the public interest. In no way could I subscribe to such action.

**(Councillor) GEOFFREY J. SAMUEL**  
**JP, MA, FCIM.**

**4<sup>th</sup> May 2023.**