

LBR6

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
ACQUISITION AND SCHEDULE 3 OF LAND ACT 1981**

**REBUTTAL PROOF OF EVIDENCE ON BEHALF OF THE
ACQUIRING AUTHORITY**

LBR6

**IN RESPONSE TO EVIDENCE SUBMITTED BY:
NS-016: BERKLEY DRISCOLL (TWICKENHAM ALIVE)**

1. **INTRODUCTION**

- 1.1. This is further proof of evidence (“rebuttal”) by witnesses for the Acquiring Authority in response to the statement prepared by Berkley Driscoll (Twickenham Alive) (NS-016).
- 1.2. This is not intended to be an exhaustive rebuttal of the contentions made in Mr Driscoll's evidence. This document only deals with certain points where it is considered appropriate and helpful to respond in writing. Where specific points have not been dealt with, this does not mean that those points are accepted and that they may be dealt with further at the inquiry.
- 1.3. This rebuttal addresses points raised by Mr Driscoll by theme and is broken into sections, with witnesses addressing points relevant to their area of expertise.
- 1.4. The same references and abbreviations as used in the main Proof of Evidence are used in this document.

2. **GENERAL (Paul Chadwick)**

- 2.1. This section is being addressed by Paul Chadwick. Details of Mr Chadwick's qualifications and experience are set out in his main Proof of Evidence (**LBR – 1A**).

The overall development aims of the Acquiring Authority can proceed without the use of CPO powers

- 2.2. Within this there are several specific points raised on page 1, which are as follows:
 - 2.2.1. The affordable housing to be delivered on Water Lane is not dependant on the CPO as the Acquiring Authority owns the land that the housing will be built on. The only element of the Acquiring Authority's proposal which that could not proceed within the grant of the CPO is the Wharf Lane building.
 - 2.2.2. Not granting the CPO would still allow for the development of a significant area of the Scheme Land.
- 2.3. In response to both points, the Council considers that all the Scheme Land is needed to find a comprehensive solution, regenerate the area and bring about the benefits of the Scheme detailed in the Statement of Case and Section 9 of Mr Chadwick's Proof of Evidence (**LBR – 1A**). The Council could not just build part of the planning approval, a whole new design and planning permission would need to be sought and this would not deliver the benefits of the current Scheme. Therefore the delivery of the Wharf Lane building, as part of the whole scheme, is indeed dependent upon a successful CPO inquiry.

As Deputy of the Stakeholder Reference Group, little or no regard was taken of the wishes of the Stakeholder Reference Group

- 2.4. This is in reference to Mr Driscoll's belief that the Design Brief showed little input from the Stakeholder Reference Group ("SRG"). The SRG is referred to in Paul Chadwick's Proof of Evidence (**LBR – 1A**) at paragraph 5.11.
- 2.5. In response to this, Mr Driscoll is incorrect in stating he was Deputy of the SRG. The SRG meetings were Chaired by the Leader of Council, or a Senior Officer should the Leader not be available. Mr Driscoll put himself forward as a nominee to be the SRG Representative on the Design Panel, this role would oversee the RIBA Design Competition and evaluate the submissions. The SRG voted for Mr Henry Harrison to be the SRG representative on the Design Panel given his architectural background, and as runner up (there being only two candidates) it was decided by the SRG that Mr Driscoll would become deputy to Mr Harrison in that role. Therefore, Mr Driscoll's deputy role was regarding the SRG Representative on the Design Panel. There was never a position titled Deputy Chairman of the SRG. This is set out in the minutes of the meeting in **LBR-5A** appendix 4 page 1 which notes *'The two candidates that had sent in expressions of interest were given the opportunity to say a few words and were asked questions by the Group. There was a secret ballot held to decide between the two with each group allowed one vote. Henry Harrison was confirmed the Stakeholder Group's Representative. It was agreed that Berkley Driscoll would act as his deputy.'*
- 2.6. Nonetheless, all stakeholder groups inputted into the RIBA Full Design Brief (**CD 3.01**), they were all given the opportunity to send in their key requirements for the brief which were carefully balanced in the final version, this is demonstrated in the minutes of the SRG meetings and in the principal summary documents included at **LBR-5A** appendix 3 and 4. The SRG also inputted into the process and offered opinion and advice around key project decisions during the design development phase of the Scheme.

3. **DESIGN AND OPEN SPACE (Chris Bannister)**

The proposed open space is not equal to, or an improvement on, the existing Gardens.

- 3.1. This section is being addressed by Chris Bannister. Details of Ms Bannister's qualifications and experience are set out in his main Proof of Evidence (**LBR – 2A**).
- 3.2. Within this there are several specific points raised on page 2, which are as follows:
- 3.2.1. The Gardens are not reprovided in a single form.
- 3.2.2. The Gardens are not positioned so as not to be affected by flooding.

- 3.3 The quality of the proposed open space compared to the existing is addressed in detail in Section 10 of Mr Bannister's Proof of Evidence (**LBR – 2A**) as is flooding, which is also addressed in (**LBR – 2B(13)**). It is considered that the Future Designated and Future Functioning Open Space is provided in a single coherent form as can be seen in Map C (**CD 4.03C**) and Map D (**CD 4.03D**) respectively and this is more cohesive than the existing Functioning Open Space which is split across three separate areas as can be seen in Map B (**CD 4.03B**).