

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 OF THE ACQUISITION OF LAND ACT 1981**

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

LBR19-4

IN RESPONSE TO EVIDENCE SUBMITTED BY:

S-2 W4: TED CREMIN (TWICKENHAM RIVERSIDE TRUST) – TRT TIMELINE

1. INTRODUCTION

- 1.1 This is further proof of evidence (“rebuttal”) by Paul Chadwick for the Acquiring Authority in response to the statement prepared by Ted Cremin (Chair of Twickenham Riverside Trust).
- 1.2 This is not intended to be an exhaustive rebuttal of the contentions made in Mr Cremin’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 The same references and abbreviations as used in the main Proof of Evidence will be used in this document.

2. TWICKENHAM RIVERSIDE TIMELINE

- 2.1 Within this document there are a number of specific points raised, which are as follows:
 - 2.1.1 The first page of this document makes a note that there were no in person meetings between the Acquiring Authority and Trust from March 2020 until April 2022 and that there has never been an in person meeting between Trust and Architects
 - 2.1.2 8 May 2020 – Mr Cremin quotes the Chair of the Trust stating ‘Once you understand what space you are able to deliver [...] but no-one knows yet what you can do with the buildings and the area.’
 - 2.1.3 26 August 2020 – Mr Cremin notes that at the Stakeholder Reference Group the words ‘flood defence wall’ are not used, and that only flat plans are shown so that no one realises the flood defence wall exists.
 - 2.1.4 Mr Cremin refers to the ‘DP3’ who are three non-Councillor members of the Design Panel. Mr Cremin consistently refers to the DP3 as rejecting the Scheme.
 - 2.1.5 22 April 2022 – Mr Cremin notes that at this meeting the Acquiring Authority declared that any discussion of the CPO was ‘off the table’.
 - 2.1.6 22 April 2022 – Mr Cremin quotes part of an email response from the Leader of the Council, with regards to the Trust’s request to meet with him.

- 2.2 In response to the first point, the Acquiring Authority met virtually with members of the Trust at least 20 times during this period through a wide variety of meetings. The country was under intermittent periods of national lockdown between March 2020 and March 2021. The Acquiring Authority would not have endangered the lives of its staff, or the Trust by attempting to hold in person meetings. The Council considers that for a considerable period following March 2021 it was not wise to hold unnecessary face to face meetings for the same reason. There is no evidence that holding virtual meetings is in any way detrimental, and in fact it allowed the Trust to come into contact with far more of the design team consultants than may have been able to meet on site or in person.
- 2.3 In response to the second point, Mr Cremin offers no minutes or evidence to validate or justify the statement he has made. Therefore, the Acquiring Authority cannot comment on whether this is a true or factual statement or note the context within which the statement was said.
- 2.4 In response to the third point, that the words ‘flood defence wall’ were not used at the Stakeholder Reference Group held on 26 August 2020. I would refer Mr Cremin to **LBR - 5** appendix 37 which are the minutes of that meeting and I quote ‘Changes to the design have also occurred as a result of conversations with other organisations, in particular the Environment Agency (EA) concerning the **flood defence wall** and flood storage with the Council and design team are still working through with the EA.’ Clearly this term was used, and the SRG members were very aware that the flood defence wall would be a physical wall of a height required to provide the adequate amount of flood storage. Mr Cremin’s statement is incorrect.
- 2.5 In response to the fourth point, Mr Cremin places a lot of emphasis on the three Design Panel members who he claims rejected the scheme. Two of those Design Panel Members, Mr Brian Waters and Mr Jon Meggitt, have publicly supported the Scheme. Mr Waters submitted a letter of support to the CPO (**SUP-15**), concluding ‘this community project requires an integrated ‘whole site’ solution which can only be achieved by bringing together the constituent parts of the overall site through a Compulsory Purchase Order, including the sub-optimal area currently occupied by the Diamond Jubilee Gardens. Without a CPO the approved scheme supported by a majority of Twickenham residents cannot be implemented. We thus appeal to you to

uphold this CPO for the overall benefit of our community and our many visitors.' I believe it is therefore entirely incorrect to state that the DP3 reject the Scheme.

2.6 In response to the fifth point, where Mr Cremin claims that at a meeting on 22 April 2022 all discussion about the CPO was declared 'off the table' by the Acquiring Authority, the minutes of that meeting are appended at **LBR - 5** appendix 76. The minutes were drafted by the Trust and agreed with the Council, on reflection they are incorrectly dated 20.04.2020 and should be dated 22.04.2022. Nevertheless, the agreed minutes do not anywhere state that the Acquiring Authority declared all discussion of the CPO off the table, but in fact begin with the topic of the CPO and the Acquiring Authority noting that its desire was for discussions to focus on negotiations as the Council did not want to, nor had it ever wanted to, go down the CPO route. The Council then proceeded to discuss all aspects of its offer to the Trust, including the benefits of the Scheme and how the proposed reprovision of open space responded to the Trust's objects, something which is integral to the CPO process. Therefore, Mr Cremin's statement is incorrect.

2.7 In response to the sixth point, as stated by the Trust, Celia Holman requested a meeting with the Leader of Council in July 2022 to discuss adopting a 'more modest' approach to the Scheme, bypassing the ongoing negotiations with officers. The Leader took advice on the appropriateness of his meeting with the Trust, given the ongoing negotiations and legal discussions which were being undertaken at an officer level, as per was what discussed in April 2022. The Leader therefore responded, that 'as we're now in the legal process regarding the CPO it would, I'm afraid, be inadvisable for me to come and meet the Trust.' The Leader is referring to the offer made to the Trust, and the negotiations which were being led by officers, and that it would not be appropriate for him to step in.