

LBR 44 / INQ 38

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**

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IN RESPONSE TO EVIDENCE SUBMITTED BY:

NST-142: JON ROWLES

1. **INTRODUCTION**

- 1.1. This is further proof of evidence (“rebuttal”) by witnesses for the Acquiring Authority in response to the statement prepared by Mr Rowles (NST-142).
- 1.2. The same references and abbreviations as used in the main Proofs of Evidence are used in this document.

2. **RESPONSE (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**).

Former pool buildings held in Trust

- 2.2. This is reference to the query as to whether the former pool buildings are still held in a statutory trust from when the Council purchased Richmond House and whether the land is still formally public open space. In these circumstances, the land would not be available to be Exchange Land.
- 2.3. In response, the lido was built on land that was appropriated under the Baths and Washhouses Act 1846. The former pool buildings comprise disused/derelict areas of the former lido. None of the Exchange Land is therefore subject to any statutory open space trust. By contrast, the Diamond Jubilee Gardens were appropriated by the Council as open space in 2014.

Business rates

- 2.4. This is in reference to comments that the Council does not pay business rates on the derelict buildings/land and that this supports the position that they are formally open space.
- 2.5. The derelict buildings on the Scheme Land are not subject to non-domestic rates. The reason is that they do not comprise a ‘hereditament’ for the purposes of rating, as they are not capable of beneficial occupation in their current state. Scrub land does not attract business rates.