

Pre-Submission Publication Representation Form

Name



Ref:

R074

(for official use only)

Name of the document (DPD) to which this representation relates:

Draft Revised Lambeth Local Plan Proposed Submission
Version January 2020 (DRLLP PSV Jan 2020) and associated
Proposed Changes to the Policies Map January 2020 (PCPM
Jan 2020)

Please return to: localplan@lambeth.gov.uk

or by post: Planning Policy Team, London Borough of Lambeth, PO Box 734 Winchester SO23 5DG

by 11pm on 13th March 2020.

Please read the Guidance Note and Privacy Notice attached to this form before completing the representation form or submitting your comments

This form has two parts –

Part A – Personal details (please see applicable privacy notices in Section 5 of the guidance note)

Part B – Your representation(s). Please fill in a separate sheet for each part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 you wish to make a representation about.

Part A

1. Personal details*

2. Agent's details (if applicable)

Title	Mr	N/A
First name	Edward	
Last name	Inman	
Job title(optional)	Chair	
Organisation(optional)	Jubilee Gardens Trust	
Address	2nd Floor Elizabeth House 39 York Road	
Postcode	SE1 7NQ	
Telephone	07860 318784	
Email(optional)	ted.inman@blueyonder.co.uk	

Pre-Submission Publication Representation Form

Part B – please use a separate sheet for each representation

Jubilee Gardens Trust Representation 1

3. To which part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 does this representation relate? *(identify specific reference if possible)*

Paragraph no. 10.26 Policy no. Policies Map

4. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is:

(please tick)

4.1 Legally compliant

Yes

4.2 Sound

No

4.3 Complies with the Duty to co-operate

Yes

^ The considerations in relation to being 'sound' are explained in the notes at the back of this form. If

you have ticked 'No' to 4.2, please continue to Q5. Otherwise please go to Q6.

5. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is unsound because it is not:

(please tick)

5.1 Positively prepared

5.2 Justified

5.3 Effective

5.4 Consistent with national policy

(Please tick only one option. A separate form should be used if you wish to raise more than one concern.)

6. Please give details of why you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible

If you wish to support the legal compliance or soundness of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 or their compliance with the duty to co-operate, please also use this box to set out your comments and then go to Q9.

There is no final published version of the Waterloo and South Bank Public Realm Framework. The consultation draft was the subject of objections by many South Bank and Waterloo stakeholders, including objections based on the fact that it was inconsistent in many ways with the priorities set out in the draft revised Local Plan. For example, and amongst many others, these inconsistencies included

- a passing reference only to the extension of Jubilee Gardens which is referenced frequently in the Local Plan as a very high priority for the Council.
- a comment on the design of the Gardens extension which is in conflict with the principles set out in Policy PN1.
- Inadequate coverage of management and maintenance issues which are also rightly highlighted as a key issue in Policy PN1 and elsewhere in the Plan .

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Further, the consultation and engagement process in the preparation of the Framework were defective. All reference to it should be omitted from the DRLLP PSV.

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7. Please set out what change(s) you consider necessary to make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound, having regard to the test you have identified in Q5 above where this relates to soundness. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination.) You will need to say why this change will make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of this part of policy or text. Please be as precise as possible.

omit the words 'and the Waterloo and South Bank Public Realm Framework' from para 10.26.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify your representation and your suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change to the DRLLP PSV Jan 2020 or associated PCPM Jan 2020, do you consider it necessary to participate at the oral part of the examination?

Yes I do wish to participate at the oral examination

Please note that while this will provide an initial indication of your wish to participate in hearing sessions(s), you may be asked at a later point to confirm your request to participate.

If you have selected 'No', your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

to reinforce the strong feelings of the Jubilee Gardens Trust on this matter and to ensure that this matter does not detract from the key issues raised by the Trust under Policy PN1.

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination. You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

10. Please tick relevant boxes if you require notification of any of the following to your address stated in Part A:

Yes That the DRLLP PSV Jan 2020 and associated PCPM Jan 2020 have been submitted for independent examination

Yes The publication of the inspector's recommendations following the independent examination

Yes The adoption of the Revised Lambeth Local Plan and Policies Map.

Edward Inman

13 March 2020

Pre-Submission Publication Representation Form

Part B – please use a separate sheet for each representation

Jubilee Gardens Trust Representation 2

3. To which part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 does this representation relate? *(identify specific reference if possible)*

Paragraph no. 11.12 Policy no. Policies Map

4. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is:

(please tick)

4.1 Legally compliant

Yes

4.2 Sound

No

4.3 Complies with the Duty to co-operate

Yes

^ The considerations in relation to being 'sound' are explained in the notes at the back of this form. If

you have ticked 'No' to 4.2, please continue to Q5. Otherwise please go to Q6.

5. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is unsound because it is not:

(please tick)

5.1 Positively prepared

5.2 Justified

5.3 Effective

5.4 Consistent with national policy

(Please tick only one option. A separate form should be used if you wish to raise more than one concern.)

6. Please give details of why you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible

If you wish to support the legal compliance or soundness of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 or their compliance with the duty to co-operate, please also use this box to set out your comments and then go to Q9.

There is no final published version of the Waterloo and South Bank Public Realm Framework. The consultation draft was the subject of objections by many South Bank and Waterloo stakeholders, including objections based on the fact that it was inconsistent in many ways with the priorities set out in the draft revised Local Plan. For example, and amongst many others, these inconsistencies included

- a) a passing reference only to the extension of Jubilee Gardens which is referenced frequently in the Local Plan as a very high priority for the Council.
- b) a comment on the design of the Gardens extension which is in conflict with the principles set out in Policy PN1.
- c) Inadequate coverage of management and maintenance issues which are also rightly highlighted as a key issue in Policy PN1 and elsewhere in the Plan .

Further, the consultation and engagement process in the preparation of the Framework were defective. All reference to it should be omitted from the DRLLP PSV.

Pre-Submission Publication Representation Form

7. Please set out what change(s) you consider necessary to make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound, having regard to the test you have identified in Q5 above where this relates to soundness. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination.) You will need to say why this change will make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of this part of policy or text. Please be as precise as possible.

omit the words 'The Waterloo and South Bank Public Realm Framework 2019 provides guidance on this' from para 11.12

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify your representation and your suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

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8. If your representation is seeking a change to the DRLLP PSV Jan 2020 or associated PCPM Jan 2020, do you consider it necessary to participate at the oral part of the examination?

Yes I do wish to participate at the oral examination

Please note that while this will provide an initial indication of your wish to participate in hearing sessions(s), you may be asked at a later point to confirm your request to participate.

If you have selected 'No', your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

to reinforce the strong feelings of the Jubilee Gardens Trust on this matter and to ensure that this matter does not detract from the key issues raised by the Trust under Policy PN1.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination. You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

10. Please tick relevant boxes if you require notification of any of the following to your address stated in Part A:

Yes That the DRLLP PSV Jan 2020 and associated PCPM Jan 2020 have been submitted for independent examination

Yes The publication of the inspector's recommendations following the independent examination

Yes The adoption of the Revised Lambeth Local Plan and Policies Map.

Edward Inman

13 March 2020

Pre-Submission Publication Representation Form

Part B – please use a separate sheet for each representation

Jubilee Gardens Trust Representation 3

3. To which part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 does this representation relate? *(identify specific reference if possible)*

Paragraph no. 11.4 Policy no. Policies Map

4. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is:

(please tick)

4.1 Legally compliant

Yes

4.2 Sound

Yes

4.3 Complies with the Duty to co-operate

Yes

^ The considerations in relation to being 'sound' are explained in the notes at the back of this form. If

you have ticked 'No' to 4.2, please continue to Q5. Otherwise please go to Q6.

5. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is unsound because it is not:

(please tick)

5.1 Positively prepared

5.2 Justified

5.3 Effective

5.4 Consistent with national policy

(Please tick only one option. A separate form should be used if you wish to raise more than one concern.)

6. Please give details of why you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible

If you wish to support the legal compliance or soundness of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 or their compliance with the duty to co-operate, please also use this box to set out your comments and then go to Q9.

The Jubilee Gardens Trust welcomes the recognition of the Trust as a key stakeholder.

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7. Please set out what change(s) you consider necessary to make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound, having regard to the test you have identified in Q5 above where this relates to soundness. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination.) You will need to say why this change will make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of this part of policy or text. Please be as precise as possible.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify your representation and your suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change to the DRLLP PSV Jan 2020 or associated PCPM Jan 2020, do you consider it necessary to participate at the oral part of the examination?

Yes I do wish to participate at the oral examination

Please note that while this will provide an initial indication of your wish to participate in hearing sessions(s), you may be asked at a later point to confirm your request to participate.

If you have selected 'No', your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

to explain further the role of the Trust and the importance of addressing the amendments it seeks to Policy PN1.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination. You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

10. Please tick relevant boxes if you require notification of any of the following to your address stated in Part A:

Yes That the DRLLP PSV Jan 2020 and associated PCPM Jan 2020 have been submitted for independent examination

Yes The publication of the inspector's recommendations following the independent examination

Yes The adoption of the Revised Lambeth Local Plan and Policies Map.

Edward Inman

13 March 2020

Pre-Submission Publication Representation Form

Part B – please use a separate sheet for each representation

Jubilee Gardens Trust Representation 4

3. To which part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 does this representation relate? (identify specific reference if possible)

Paragraph no. 11.10 Policy no. Policies Map

4. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is:

(please tick)

4.1 Legally compliant

Yes

4.2 Sound

No

4.3 Complies with the Duty to co-operate

Yes

^ The considerations in relation to being 'sound' are explained in the notes at the back of this form. If

you have ticked 'No' to 4.2, please continue to Q5. Otherwise please go to Q6.

5. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is unsound because it is not:

(please tick)

5.1 Positively prepared

x

5.2 Justified

5.3 Effective

5.4 Consistent with national policy

(Please tick only one option. A separate form should be used if you wish to raise more than one concern.)

6. Please give details of why you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible

If you wish to support the legal compliance or soundness of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 or their compliance with the duty to co-operate, please also use this box to set out your comments and then go to Q9.

Is not sufficiently precise about the measures needed to mitigate the increasing numbers of visitors to achieve sustainable development. The final sentence: 'The council will seek to work with partners to manage and mitigate the impact of an increasing number of visitor numbers whilst also enhancing the visitor experience' is not clear and positive enough to address the pressures on public realm and open space in the area. Nor does it reflect adequately the provisions elsewhere in the Plan for planning obligations to meet these pressures.

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7. Please set out what change(s) you consider necessary to make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound, having regard to the test you have identified in Q5 above where this relates to soundness. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination.) You will need to say why this change will make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of this part of policy or text. Please be as precise as possible.

- a) in the sentence beginning 'The council will seek to work with partners....' omit the words seek to.
- b) add a further sentence 'The Council will support this work by making maximum use of the relevant provisions in Policies D4, EN1 and ED13 to secure planning obligations to mitigate pressures on the management and maintenance of public realm and open space.'

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify your representation and your suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

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8. If your representation is seeking a change to the DRLLP PSV Jan 2020 or associated PCPM Jan 2020, do you consider it necessary to participate at the oral part of the examination?

Yes I do wish to participate at the oral examination

Please note that while this will provide an initial indication of your wish to participate in hearing sessions(s), you may be asked at a later point to confirm your request to participate.

If you have selected 'No', your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

to expand on these matters as part of the case for the changes the Trust seeks to policy PN1.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination. You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

10. Please tick relevant boxes if you require notification of any of the following to your address stated in Part A:

Yes That the DRLLP PSV Jan 2020 and associated PCPM Jan 2020 have been submitted for independent examination

Yes The publication of the inspector's recommendations following the independent examination

Yes The adoption of the Revised Lambeth Local Plan and Policies Map.

Edward Inman

13 March 2020

Pre-Submission Publication Representation Form

Part B – please use a separate sheet for each representation

Jubilee Gardens Trust Representation 5

3. To which part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 does this representation relate? *(identify specific reference if possible)*

Paragraph no. 11.16 Policy no. Policies Map

4. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is:

(please tick)

4.1 Legally compliant

Yes

4.2 Sound

Yes

4.3 Complies with the Duty to co-operate

Yes

^ The considerations in relation to being 'sound' are explained in the notes at the back of this form. If

you have ticked 'No' to 4.2, please continue to Q5. Otherwise please go to Q6.

5. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is unsound because it is not:

(please tick)

5.1 Positively prepared

5.2 Justified

5.3 Effective

5.4 Consistent with national policy

(Please tick only one option. A separate form should be used if you wish to raise more than one concern.)

6. Please give details of why you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible

If you wish to support the legal compliance or soundness of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 or their compliance with the duty to co-operate, please also use this box to set out your comments and then go to Q9.

The Jubilee Gardens Trust welcomes the recognition of the Trust's very demanding management and maintenance responsibility for the current Jubilee Gardens and the legitimate assumption that the Trust will also manage the extension of the Gardens. This reflects the wish of the relevant stakeholders, which in turn is based on the fact that no other organisation appears to be willing to take this on. It recognises that it would be inefficient for any other body to do so, and illogical for the extension to be managed by a different organisation. The ability of the Trust to take on this additional responsibility is however subject to it being able to secure long term resources to do so, which is the key objective of the Trust's representations on Policy PN1.

Pre-Submission Publication Representation Form

7. Please set out what change(s) you consider necessary to make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound, having regard to the test you have identified in Q5 above where this relates to soundness. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination.) You will need to say why this change will make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of this part of policy or text. Please be as precise as possible.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify your representation and your suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change to the DRLLP PSV Jan 2020 or associated PCPM Jan 2020, do you consider it necessary to participate at the oral part of the examination?

Yes I do wish to participate at the oral examination

Please note that while this will provide an initial indication of your wish to participate in hearing sessions(s), you may be asked at a later point to confirm your request to participate.

If you have selected 'No', your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

to comment on this paragraph in support of the representations the Trust wishes to make on Policy PN1, relating to the Trust's need for secure long-term sources of income to enable it to take on the additional responsibility of managing the Jubilee Gardens extension.

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination. You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

10. Please tick relevant boxes if you require notification of any of the following to your address stated in Part A:

Yes That the DRLLP PSV Jan 2020 and associated PCPM Jan 2020 have been submitted for independent examination

Yes The publication of the inspector's recommendations following the independent examination

Yes The adoption of the Revised Lambeth Local Plan and Policies Map.

Edward Inman

13 March 2020

Pre-Submission Publication Representation Form

Part B – please use a separate sheet for each representation

Jubilee Gardens Trust Representation 6

3. To which part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 does this representation relate? *(identify specific reference if possible)*

Paragraph no.	Policy no. PN1	Policies Map
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4. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is:

(please tick)

4.1 Legally compliant

Yes

4.2 Sound

No

4.3 Complies with the Duty to co-operate

Yes

^ The considerations in relation to being 'sound' are explained in the notes at the back of this form. If

you have ticked 'No' to 4.2, please continue to Q5. Otherwise please go to Q6.

5. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is unsound because it is not:

(please tick)

5.1 Positively prepared

5.2 Justified

5.3 Effective

5.4 Consistent with national policy

(Please tick only one option. A separate form should be used if you wish to raise more than one concern.)

6. Please give details of why you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible

If you wish to support the legal compliance or soundness of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 or their compliance with the duty to co-operate, please also use this box to set out your comments and then go to Q9.

There is no final published version of the Waterloo and South Bank Public Realm Framework. The consultation draft was the subject of objections by many South Bank and Waterloo stakeholders, including objections based on the fact that it was inconsistent in many ways with the priorities set out in the draft revised Local Plan. For example, and amongst many others, these inconsistencies included

- a) a passing reference only to the extension of Jubilee Gardens which is referenced frequently in the Local Plan as a very high priority for the Council.
- b) a comment on the design of the Gardens extension which is in conflict with the principles set out in Policy PN1.
- c) Inadequate coverage of management and maintenance issues which are also rightly highlighted as a key issue in Policy PN1 and elsewhere in the Plan .

Further, the consultation and engagement process in the preparation of the Framework were defective.

All reference to it should be omitted from the DRLLP PSV.

Pre-Submission Publication Representation Form

7. Please set out what change(s) you consider necessary to make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound, having regard to the test you have identified in Q5 above where this relates to soundness. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination.) You will need to say why this change will make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of this part of policy or text. Please be as precise as possible.

omit the words 'See guidance from the Waterloo and South Bank Public Realm Framework' at the end of Policy PN1 g)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify your representation and your suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change to the DRLLP PSV Jan 2020 or associated PCPM Jan 2020, do you consider it necessary to participate at the oral part of the examination?

Yes I do wish to participate at the oral examination

Please note that while this will provide an initial indication of your wish to participate in hearing sessions(s), you may be asked at a later point to confirm your request to participate.

If you have selected 'No', your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

to reinforce the strong feelings of the Jubilee Gardens Trust on this matter and to ensure that this matter does not detract from the key issues raised by the Trust under Policy PN1.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination. You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

10. Please tick relevant boxes if you require notification of any of the following to your address stated in Part A:

Yes That the DRLLP PSV Jan 2020 and associated PCPM Jan 2020 have been submitted for independent examination

Yes The publication of the inspector's recommendations following the independent examination

Yes The adoption of the Revised Lambeth Local Plan and Policies Map.

Edward Inman

13 March 2020

Pre-Submission Publication Representation Form

Part B – please use a separate sheet for each representation

Jubilee Gardens Trust Representation 7

3. To which part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 does this representation relate? (identify specific reference if possible)

Paragraph no.	Policy no.PN1	Policies Map
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4. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is:

(please tick)

4.1 Legally compliant

Yes

4.2 Sound[^]

No

4.3 Complies with the Duty to co-operate

Yes

[^] The considerations in relation to being 'sound' are explained in the notes at the back of this form. If

you have ticked 'No' to 4.2, please continue to Q5. Otherwise please go to Q6.

5. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is unsound because it is not:

(please tick)

5.1 Positively prepared

5.2 Justified

5.3 Effective

5.4 Consistent with national policy

(Please tick only one option. A separate form should be used if you wish to raise more than one concern.)

6. Please give details of why you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible

If you wish to support the legal compliance or soundness of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 or their compliance with the duty to co-operate, please also use this box to set out your comments and then go to Q9.

To maintain the Gardens to the standard required for a prime business, residential, cultural and tourist area of London and Lambeth requires adequate levels of funding. Additional funding will be required for the Trust to take on the costs of managing the extension of the Gardens, which is stated to be a key priority throughout the Plan (e.g. Spatial Strategy paras 3.6 and 3.8, Strategic Objective D, para 11, Policy EN1 c), para 9.11). Policy PN1 is generally helpful in setting out principles for the development of the Hungerford Car Park site, but makes no reference to the need for revenue for the Trust to be able effectively to manage it. In the Trust's view it is therefore not properly prepared because it does not provide for sustainable development.

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In addition to our submission that Policy PN1 is not positively prepared, because it does not provide for sustainable development, the Trust also believes that the Policy is

a) is not justified - it does not provide an appropriate strategy for securing either:

- 'the longstanding council and GLA objective of creating a coherent public space of metropolitan value to serve the increasing numbers of residents, workers and visitors in the South Bank/Waterloo area' (para 9.11 of the Plan).

or

- the effective management and maintenance ' of the space (para 11.16).

For the same reasons the Trust believes the policy as it stands is not effective - unsatisfactory provision for management and maintenance will affect the deliverability of the extension to Jubilee Gardens.

7. Please set out what change(s) you consider necessary to make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound, having regard to the test you have identified in Q5 above where this relates to soundness. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination.) You will need to say why this change will make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of this part of policy or text. Please be as precise as possible.

Policy PN1 h) 1st para - add words as follows

An element of enabling development on the one third may be acceptable, to support the delivery of the main arts and cultural uses and the management and maintenance of the Jubilee Gardens extension.

Policy PN1 h) final para - amend and add as follows

The landscaping of the remaining two thirds of Hungerford car park to provide an extension to Jubilee Gardens should reflect the quality and design of the existing gardens and be predominantly soft landscape. It should be accessible to all and cater for a range of activity appropriate to the character of the Gardens, including quiet areas. Connections to the Belvedere Road spine route should be optimised. Maintenance requirements should be planned and designed from the outset. To ensure adequate resources to provide high quality management and maintenance of the new green space the Council will

i) ensure that contributions are secured to mitigate additional pressure on the Gardens arising from any local development in accordance with policies D4, EN1, or ED13.

ii) to the extent permitted by policy relating to MOL, support the provision of infrastructure for the generation of revenue to contribute to funding the management and maintenance of the Gardens (including the extension) to the highest standards.

The Council will also support the infrastructure necessary for the effective servicing of the Gardens and for sustainable initiatives such as the Trust's grey water project.

There should continue to be provision of public toilets in Jubilee Gardens.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify your representation and your suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change to the DRLLP PSV Jan 2020 or associated PCPM Jan 2020, do you consider it necessary to participate at the oral part of the examination?

Yes I do wish to participate at the oral examination

Please note that while this will provide an initial indication of your wish to participate in hearing sessions(s), you may be asked at a later point to confirm your request to participate.

If you have selected 'No', your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

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9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The new Jubilee Gardens has been an enormous success story for the South Bank and Waterloo neighbourhood, for Lambeth, and for London. The extension of the Gardens is a huge prize and a final piece of the jigsaw for the regeneration of the South Bank between Waterloo Bridge and County Hall. The proper management and maintenance of the extended Gardens are critical to the economic success and sustainable development of the South Bank. The Trustees wish to have the opportunity fully to inform the Examiner of all relevant aspects of its representations on the Plan.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination. You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

10. Please tick relevant boxes if you require notification of any of the following to your address stated in Part A:

That the DRLLP PSV Jan 2020 and associated PCPM Jan 2020 have been submitted for independent examination

The publication of the inspector's recommendations following the independent

examination

The adoption of the Revised Lambeth Local Plan and Policies Map.

Edward Inman

13 March 2020

Pre-Submission Publication Representation Form

Please use this section for any additional/continued comments

The following representations provide the context and background for the Trust's view that the Policy is unsound. The same considerations apply to the Trust's view that it is also not justified, nor effective.

1. These representations are submitted by the Jubilee Gardens Trust Jubilee Gardens Trust, a registered charity whose prime charitable objective is to 'provide a park and facilities at Jubilee Gardens, for the benefit of the public...' The Trust's membership structure reflects the mix of the South Bank/Waterloo community - members are drawn from resident organisations in the area, local enterprises and adjoining landowners. The representative nature of the Trust can be assessed from the list of Trust members at <https://jubileegardens.org.uk/about-the-gardens/>

2. The new Jubilee Gardens was created in 2011-12, with the capital cost funded by s106, Mayoral grant and private donations. It was a condition of the s106 funding that the Gardens should become the responsibility of a local community-based Trust, and in 2012 Southbank Centre granted the Jubilee Gardens Trust a long lease (until 2138) including full responsibility for the management and upkeep of the Gardens.

3. Jubilee Gardens is one of the most intensively used public spaces in the country. Sample visitor counts provide a reliable estimate of annual footfall of 7 million to 8 million on an area of only 1.5ha, (comparable to the numbers using Regent's Park which is 166ha). It is exceptional that such a prime and heavily used central London open space should be the responsibility of a small local charity.

4. In 2016 the Trust carried out extensive user research, with over 700 responses from local employees and residents and visitors from London, the rest of the UK and abroad. In all user categories 98.5% rated the Gardens as 'good' or 'very good', with high levels of approval for management, maintenance and safety. The research provided evidence of the importance of the Gardens to the local community and economy. 95% of respondents saw the Gardens as good/very good for the local community and 97% agreed/strongly agreed that they improve the quality of the South Bank area. 98% agreed or strongly agreed that 'The greenery of Jubilee Gardens is a welcome relief from the busy South Bank'.

Proposed Extension of the Gardens

5. The Council's ambition to extend Jubilee Gardens onto the adjoining section of Metropolitan Open Land on Hungerford Car Park, set out so clearly in the Plan, goes back many years and is strongly supported by all relevant stakeholders and the local community, including the Jubilee Gardens Trust. The potential extension provides a unique opportunity to create substantial (0.6ha) additional green space in Central London. It is important that the Local Plan provides every possible encouragement for this development to come forward and to be managed and maintained to the right standard on a long-term basis.

6. The Jubilee Gardens Trust generally welcomes the changes to Policy PN1 and its supporting text – the new Plan wording provides helpful additional guidance on Hungerford Car Park and the Jubilee Gardens extension. Trustees appreciate the inclusion of the Trust in the new para 11.4 listing key South Bank and Waterloo stakeholders. They also note and endorse the recognition (in para 11.16) of the assumption by all parties that the extended Gardens will be managed by the Trust. As implied by the reference in the policy to landscaping, the extended Gardens are intended to be a unified public green space and it would be highly illogical and inefficient if there were any division of responsibilities in the management of the enlarged Gardens. Nor is the Trust aware of any other body willing to take on the challenge.

The Trust's Financial Position

7. There is, however, a crucial issue not covered. As a charity the Trust would be legally precluded from taking on the additional responsibility of the extension if it could not see a clear route to funding the additional cost of doing so for the long term. As set out in the Trust's response to the previous Local Plan consultation and in all its responses to consultations on local developments, the Trust's medium/long-term finances are far from secure, largely because a covenant precludes commercial activity on the existing Gardens.

8. The Trust spent £480,000 on running costs for the existing Gardens in 2018-19. Over half of this expenditure was met by existing revenue s106 agreements (London Eye and Southbank Place). There is therefore strong precedent for mitigation payments from nearby developments helping to fund this critically important public space. A further 35% of running costs were covered by other contributions by adjoining landowners. With the covenants over the Gardens precluding commercial activity, the Trust's income just about covers regular expenditure but does not provide for asset renewals, forecast, without the extension, to cost £1.6m over the next 20 years. Additionally, the Southbank Place s106 contribution of £70k pa will cease in 2023. The Trust is therefore facing deficits arising in the medium term on the existing Gardens, without the additional costs of running the extension.

9. The Trust's latest business planning for running the extended Gardens as a single unit forecasts cumulative deficits over 20 years amounting to between £4m and £6.5m, depending on inflation assumptions and the risk to voluntary income. This includes both the shortfall we forecast on the cost of managing and maintaining the current Gardens, and the additional costs of running

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the extension. To close this gap would require either a substantial endowment, or additional inflation-proof income in the range of £220,000 to £353,000 per annum at current prices.

10. The Policy rightly states that 'Maintenance requirements should be planned from the outset' but should also refer to how they might be funded.

11. The Trust accepts the statement at the end of Policy PN1 h) that 'There should continue to be provision for public toilets in Jubilee Gardens' but the policy should also recognise that if responsibility for this facility falls to the Trust it will add to the financial demands on the charity.

Amendments proposed to the Plan.

12. To help meet the situation set out above the Trust seeks changes to the Plan to highlight the need for the allocation of planning gain towards the management and maintenance of this key public space. There should be reference in Policy PN1 to the following policies from elsewhere in the Plan, as follows:

- a) Policy D4 Planning obligations which commits in paras b) ii and xiii to obligations to support local public open space and maintenance and management arrangements.
- b) Policy EN1 Open Space, where para c) iii) states that Planning obligations will also be sought towards management and maintenance of new or improved open space.
- c) Policy ED13, relating to visitor and cultural developments requiring mitigation of the impact of new visitors.

13. The Trust fully supports the lower case text in para 11.16, i.e.

'Jubilee Gardens (including its future extension) are maintained by the Jubilee Gardens Trust. Given the extensive and growing use of this and other open spaces in Waterloo, their effective management and maintenance is a priority'.

This should be replicated in the main policy PN1 with a specific commitment to secure relevant planning obligations.

14. The need for these changes is highlighted by the fact that in the most recent consent for a major development in Waterloo, Elizabeth House, which will bring 9,000 additional employees to the area and significant extra pressure on Jubilee Gardens, the Council secured a one-off contribution of only £50,000 for Jubilee Gardens, out of a total planning gain figure of some £50m. In comparison, earlier proposals for development on this site envisaged a contribution of £1m to the Gardens.

15. Policy PN1, para h), relating to the development of the one-third of Hungerford Car Park which is no longer MOL, states that an element of enabling development may be acceptable on the one-third to support the delivery of the main arts and cultural uses. This reference should be extended so that it also provides for support for the management of the extended Gardens alongside.

Revenue Generation on the Gardens Extension.

16. The Trust's financial position above is partly a result of the legal covenant precluding commercial activity on the existing Gardens. There is no similar legal bar on commercial activity on the extension, which could help to close the funding gap, but there may be severe constraints, because of MOL, on infrastructure to generate income to contribute to the running costs of the Gardens. All parties share the wish to maximise the new green open space the extension will provide, and recognise the national policy requirement for 'openness'. Nevertheless, in previous discussions with the Council about masterplanning proposals for cultural development and the Gardens extension on Hungerford Car Park there has been recognition of the need to provide for infrastructure for the generation of revenue to contribute to funding the management and maintenance of the Gardens (including the extension) to the highest standards. Such wording should be added to the principles set out under Policy PN1 h).

17 Servicing of the Gardens

Currently, welfare accommodation for Gardens maintenance staff, some of the storage needed to support their work, electrical switchgear and irrigation plant are all housed on the northern boundary of the current gardens in structures which will need to be reprovided elsewhere when the extension is built. Maintenance equipment is currently stored in a nearby railway arch but this is not in the control of the Trust and the space may need to be provided elsewhere. The policy needs to support adequate provision for servicing the Gardens. In addition the Trust is currently planning infrastructure for the use of grey and rain water from the nearby Southbank Place development which will involve water treatment equipment and large scale water storage. The Trust uses large quantities of water for irrigation and cleansing and wishes, for environmental and economic reasons, and to manage the risk of drought, to use grey and rain water instead of mains water wherever possible. The plan should support this initiative and the re-provision of the relevant infrastructure, some of which will be underground, when the Gardens are extended. The current reference to servicing is not sufficiently positive.

Conclusion

18. The context of this submission is the very unusual situation in which Lambeth's busiest public space is run by a small local charity, carefully constructed to be representative of the local resident and business community, and governed by a very committed group of volunteer trustees, determined to maintain the highest standards for the existing space and, in due course, the extended Gardens.

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19. The Trust has 118 years remaining on its lease of the existing Gardens, which carries with it the full responsibility for management and maintenance. The extension is likely be leased on similar terms. If the Trust fails, the lease(s) would revert to Southbank Centre, which has made it clear it does not have the resource to manage and maintain the Gardens. Nor can there be any assumption that the Council would be willing to step in and undertake the management of such a costly and demanding space.

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Part B – please use a separate sheet for each representation

Jubilee Gardens Trust Representation 8

3. To which part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 does this representation relate? *(identify specific reference if possible)*

Paragraph no. Policy no.PN1 Policies Map

4. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is:

(please tick)

4.1 Legally compliant

Yes

4.2 Sound[^]

No

4.3 Complies with the Duty to co-operate

Yes

[^] The considerations in relation to being 'sound' are explained in the notes at the back of this form. If

you have ticked 'No' to 4.2, please continue to Q5. Otherwise please go to Q6.

5. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is unsound because it is not:

(please tick)

5.1 Positively prepared

5.2 Justified

5.3 Effective

5.4 Consistent with national policy

(Please tick only one option. A separate form should be used if you wish to raise more than one concern.)

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6. Please give details of why you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible

If you wish to support the legal compliance or soundness of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 or their compliance with the duty to co-operate, please also use this box to set out your comments and then go to Q9.

To maintain the Gardens to the standard required for a prime business, residential, cultural and tourist area of London and Lambeth requires adequate levels of funding. Additional funding will be required for the Trust to take on the costs of managing the extension of the Gardens, which is stated to be a key priority throughout the Plan (e.g. Spatial Strategy paras 3.6 and 3.8, Strategic Objective D, para 11, Policy EN1 c), para 9.11). Policy PN1 is generally helpful in setting out principles for the development of the Hungerford Car Park site, but makes no reference to the need for revenue for the Trust to be able effectively to manage it. In the Trust's view it is therefore not justified because it does not provide an appropriate strategy for securing either:

- 'the longstanding council and GLA objective of creating a coherent public space of metropolitan value to serve the increasing numbers of residents, workers and visitors in the South Bank/Waterloo area' (para 9.11 of the Plan).

or

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7. Please set out what change(s) you consider necessary to make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound, having regard to the test you have identified in Q5 above where this relates to soundness. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination.) You will need to say why this change will make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of this part of policy or text. Please be as precise as possible.

Policy PN1 h) 1st para - add words as follows

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The new Jubilee Gardens has been an enormous success story for the South Bank and Waterloo neighbourhood, for Lambeth, and for London. The extension of the Gardens is a huge prize and a final piece of the jigsaw for the regeneration of the South Bank between Waterloo Bridge and County Hall. The proper management and maintenance of the extended Gardens are critical to the economic success and sustainable development of the South Bank. The Trustees wish to have the opportunity fully to inform the Examiner of all relevant aspects of its representations on the Plan.

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That the DRLLP PSV Jan 2020 and associated PCPM Jan 2020 have been submitted for independent examination

The publication of the inspector's recommendations following the independent

examination

The adoption of the Revised Lambeth Local Plan and Policies Map.

Edward Inman

13 March 2020

Please use this section for any additional/continued comments

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Proposed Extension of the Gardens

5. The Council's ambition to extend Jubilee Gardens onto the adjoining section of Metropolitan Open Land on Hungerford Car Park, set out so clearly in the Plan, goes back many years and is strongly supported by all relevant stakeholders and the local community, including the Jubilee Gardens Trust. The potential extension provides a unique opportunity to create substantial (0.6ha) additional green space in Central London. It is important that the Local Plan provides every possible encouragement for this development to come forward and to be managed and maintained to the right standard on a long-term basis.

6. The Jubilee Gardens Trust generally welcomes the changes to Policy PN1 and its supporting text – the new Plan wording provides helpful additional guidance on Hungerford Car Park and the Jubilee Gardens extension. Trustees appreciate the inclusion of the Trust in the new para 11.4 listing key South Bank and Waterloo stakeholders. They also note and endorse the recognition (in para 11.16) of the assumption by all parties that the extended Gardens will be managed by the Trust. As implied by the reference in the policy to landscaping, the extended Gardens are intended to be a unified public green space and it would be highly illogical and inefficient if there were any division of responsibilities in the management of the enlarged Gardens. Nor is the Trust aware of any other body willing to take on the challenge.

The Trust's Financial Position

7. There is, however, a crucial issue not covered. As a charity the Trust would be legally precluded from taking on the additional responsibility of the extension if it could not see a clear route to funding the additional cost of doing so for the long term. As set out in the Trust's response to the previous Local Plan consultation and in all its responses to consultations on local developments, the Trust's medium/long-term finances are far from secure, largely because a covenant precludes commercial activity on the existing Gardens.

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9. The Trust's latest business planning for running the extended Gardens as a single unit forecasts cumulative deficits over 20 years amounting to between £4m and £6.5m, depending on inflation assumptions and the risk to voluntary income. This includes both the shortfall we forecast on the cost of managing and maintaining the current Gardens, and the additional costs of running the extension. To close this gap would require either a substantial endowment, or additional inflation-proof income in the range of £220,000 to £353,000 per annum at current prices.

10. The Policy rightly states that 'Maintenance requirements should be planned from the outset' but should also refer to how they might be funded.

11. The Trust accepts the statement at the end of Policy PN1 h) that 'There should continue to be provision for public toilets in Jubilee Gardens' but the policy should also recognise that if responsibility for this facility falls to the Trust it will add to the financial demands on the charity.

Amendments proposed to the Plan.

12. To help meet the situation set out above the Trust seeks changes to the Plan to highlight the need for the allocation of planning gain towards the management and maintenance of this key public space. There should be reference in Policy PN1 to the following policies from elsewhere in the Plan, as follows:

a) Policy D4 Planning obligations which commits in paras b) ii and xiii to obligations to support local public open space and maintenance and management arrangements.

b) Policy EN1 Open Space, where para c) iii) states that Planning obligations will also be sought towards management and maintenance of new or improved open space.

c) Policy ED13, relating to visitor and cultural developments requiring mitigation of the impact of new visitors.

13. The Trust fully supports the lower case text in para 11.16, i.e.

'Jubilee Gardens (including its future extension) are maintained by the Jubilee Gardens Trust. Given the extensive and growing use of this and other open spaces in Waterloo, their effective management and maintenance is a priority'.

This should be replicated in the main policy PN1 with a specific commitment to secure relevant planning obligations.

14. The need for these changes is highlighted by the fact that in the most recent consent for a major development in Waterloo, Elizabeth House, which will bring 9,000 additional employees to the area and significant extra pressure on Jubilee Gardens, the Council secured a one-off contribution of only £50,000 for Jubilee Gardens, out of a total planning gain figure of some £50m. In comparison, earlier proposals for development on this site envisaged a contribution of £1m to the Gardens.

15. Policy PN1, para h), relating to the development of the one-third of Hungerford Car Park which is no longer MOL, states that an element of enabling development may be acceptable on the one-third to support the delivery of the main arts and cultural uses. This reference should be extended so that it also provides for support for the management of the extended Gardens alongside.

Revenue Generation on the Gardens Extension.

16. The Trust's financial position above is partly a result of the legal covenant precluding commercial activity on the existing Gardens. There is no similar legal bar on commercial activity on the extension, which could help to close the funding gap, but there may be severe constraints, because of MOL, on infrastructure to generate income to contribute to the running costs of the Gardens. All parties share the wish to maximise the new green open space the extension will provide, and recognise the national policy requirement for 'openness'. Nevertheless, in previous discussions with the Council about masterplanning proposals for cultural development and the Gardens extension on Hungerford Car Park there has been recognition of the need to provide for infrastructure for the generation of revenue to contribute to funding the management and maintenance of the Gardens (including the extension) to the highest standards. Such wording should be added to the principles set out under Policy PN1 h).

17 Servicing of the Gardens

Currently, welfare accommodation for Gardens maintenance staff, some of the storage needed to support their work, electrical switchgear and irrigation plant are all housed on the northern boundary of the current gardens in structures which will need to be reprovided elsewhere when the extension is built. Maintenance equipment is currently stored in a nearby railway arch but this is not in the control of the Trust and the space may need to be provided elsewhere. The policy needs to support adequate provision for servicing the Gardens. In addition the Trust is currently planning infrastructure for the use of grey and rain water from the nearby Southbank Place development which will involve water treatment equipment and large scale water storage. The Trust uses large quantities of water for irrigation and cleansing and wishes, for environmental and economic reasons, and to manage the risk of drought, to use grey and rain water instead of mains water wherever possible. The plan should support this initiative and the re-provision of the relevant infrastructure, some of which will be underground, when the Gardens are extended. The current reference to servicing is not sufficiently positive.

Conclusion

18. The context of this submission is the very unusual situation in which Lambeth's busiest public space is run by a small local charity, carefully constructed to be representative of the local resident and business community, and governed by a very committed group of volunteer trustees, determined to maintain the highest standards for the existing space and, in due course, the extended Gardens.

19. The Trust has 118 years remaining on its lease of the existing Gardens, which carries with it the full responsibility for management and maintenance. The extension is likely to be leased on similar terms. If the Trust fails, the lease(s) would revert to Southbank Centre, which has made it clear it does not have the resource to manage and maintain the Gardens. Nor can there be any assumption that the Council would be willing to step in and undertake the management of such a costly and demanding space.

Pre-Submission Publication Representation Form

Part B – please use a separate sheet for each representation

Jubilee Gardens Trust Representation 9

3. To which part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 does this representation relate? *(identify specific reference if possible)*

Paragraph no.	Policy no.PN1	Policies Map
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4. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is:

(please tick)

4.1 Legally compliant

Yes

4.2 Sound[^]

No

4.3 Complies with the Duty to co-operate

Yes

[^] The considerations in relation to being 'sound' are explained in the notes at the back of this form. If

you have ticked 'No' to 4.2, please continue to Q5. Otherwise please go to Q6.

5. Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is unsound because it is not:

(please tick)

5.1 Positively prepared

5.2 Justified

5.3 Effective

x

5.4 Consistent with national policy

(Please tick only one option. A separate form should be used if you wish to raise more than one concern.)

6. Please give details of why you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible

If you wish to support the legal compliance or soundness of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 or their compliance with the duty to co-operate, please also use this box to set out your comments and then go to Q9.

To maintain the Gardens to the standard required for a prime business, residential, cultural and tourist area of London and Lambeth requires adequate levels of funding. Additional funding will be required for the Trust to take on the costs of managing the extension of the Gardens, which is stated to be a key priority throughout the Plan (e.g. Spatial Strategy paras 3.6 and 3.8, Strategic Objective D, para 11, Policy EN1 c), para 9.11). Policy PN1 is generally helpful in setting out principles for the development of the Hungerford Car Park site, but makes no reference to the need for revenue for the Trust to be able effectively to manage it. In the Trust's view it is therefore not effective because the absence of adequate funding is likely to prejudice the delivery of the extension of the Gardens.

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7. Please set out what change(s) you consider necessary to make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound, having regard to the test you have identified in Q5 above where this relates to soundness. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination.) You will need to say why this change will make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified in Q3 legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of this part of policy or text. Please be as precise as possible.

Policy PN1 h) 1st para - add words as follows

An element of enabling development on the one third may be acceptable, to support the delivery of the main arts and cultural uses and the management and maintenance of the Jubilee Gardens extension.

Policy PN1 h) final para - amend and add as follows

The landscaping of the remaining two thirds of Hungerford car park to provide an extension to Jubilee Gardens should reflect the quality and design of the existing gardens and be predominantly soft landscape. It should be accessible to all and cater for a range of activity appropriate to the character of the Gardens, including quiet areas. Connections to the Belvedere Road spine route should be optimised. Maintenance requirements should be planned and designed from the outset. To ensure adequate resources to provide high quality management and maintenance of the new green space the Council will

i) ensure that contributions are secured to mitigate additional pressure on the Gardens arising from any local development in accordance with policies D4, EN1, or ED13.

ii) to the extent permitted by policy relating to MOL, support the provision of infrastructure for the generation of revenue to contribute to funding the management and maintenance of the Gardens (including the extension) to the highest standards.

The Council will also support the infrastructure necessary for the effective servicing of the Gardens and for sustainable initiatives such as the Trust's grey water project.

There should continue to be provision of public toilets in Jubilee Gardens.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify your representation and your suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change to the DRLLP PSV Jan 2020 or associated PCPM Jan 2020, do you consider it necessary to participate at the oral part of the examination?

Yes I do wish to participate at the oral examination

Please note that while this will provide an initial indication of your wish to participate in hearing sessions(s), you may be asked at a later point to confirm your request to participate.

If you have selected 'No', your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The new Jubilee Gardens has been an enormous success story for the South Bank and Waterloo neighbourhood, for Lambeth, and for London. The extension of the Gardens is a huge prize and a final piece of the jigsaw for the regeneration of the South Bank between Waterloo Bridge and County Hall. The proper management and maintenance of the extended Gardens are critical to the economic success and sustainable development of the South Bank. The Trustees wish to have the opportunity fully to inform the Examiner of all relevant aspects of its representations on the Plan.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have

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indicated that they wish to participate at the oral part of the examination. You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

10. Please tick relevant boxes if you require notification of any of the following to your address stated in Part A:

That the DRLLP PSV Jan 2020 and associated PCPM Jan 2020 have been submitted for independent examination

The publication of the inspector's recommendations following the independent

examination

The adoption of the Revised Lambeth Local Plan and Policies Map.

Edward Inman

13 March 2020

Please use this section for any additional/continued comments

The following representations provide the context and background for the Trust's view that the Policy is unsound. The same considerations apply to the Trust's view that it is also not justified, nor effective.

1. These representations are submitted by the Jubilee Gardens Trust Jubilee Gardens Trust, a registered charity whose prime charitable objective is to 'provide a park and facilities at Jubilee Gardens, for the benefit of the public...' The Trust's membership structure reflects the mix of the South Bank/Waterloo community - members are drawn from resident organisations in the area, local enterprises and adjoining landowners. The representative nature of the Trust can be assessed from the list of Trust members at <https://jubileegardens.org.uk/about-the-gardens/>

2. The new Jubilee Gardens was created in 2011-12, with the capital cost funded by s106, Mayoral grant and private donations. It was a condition of the s106 funding that the Gardens should become the responsibility of a local community-based Trust, and in 2012 Southbank Centre granted the Jubilee Gardens Trust a long lease (until 2138) including full responsibility for the management and upkeep of the Gardens.

3. Jubilee Gardens is one of the most intensively used public spaces in the country. Sample visitor counts provide a reliable estimate of annual footfall of 7 million to 8 million on an area of only 1.5ha, (comparable to the numbers using Regent's Park which is 166ha). It is exceptional that such a prime and heavily used central London open space should be the responsibility of a small local charity.

4. In 2016 the Trust carried out extensive user research, with over 700 responses from local employees and residents and visitors from London, the rest of the UK and abroad. In all user categories 98.5% rated the Gardens as 'good' or 'very good', with high levels of approval for management, maintenance and safety. The research provided evidence of the importance of the Gardens to the local community and economy. 95% of respondents saw the Gardens as good/very good for the local community and 97% agreed/strongly agreed that they improve the quality of the South Bank area. 98% agreed or strongly agreed that 'The greenery of Jubilee Gardens is a welcome relief from the busy South Bank'.

Proposed Extension of the Gardens

5. The Council's ambition to extend Jubilee Gardens onto the adjoining section of Metropolitan Open Land on Hungerford Car Park, set out so clearly in the Plan, goes back many years and is strongly supported by all relevant stakeholders and the local community, including the Jubilee Gardens Trust. The potential extension provides a unique opportunity to create substantial (0.6ha) additional green space in Central London. It is important that the Local Plan provides every possible encouragement for this development to come forward and to be managed and maintained to the right standard on a long-term basis.

6. The Jubilee Gardens Trust generally welcomes the changes to Policy PN1 and its supporting text – the new Plan wording provides helpful additional guidance on Hungerford Car Park and the Jubilee Gardens extension. Trustees appreciate the inclusion of the Trust in the new para 11.4 listing key South Bank and Waterloo stakeholders. They also note and endorse the recognition (in para 11.16) of the assumption by all parties that the extended Gardens will be managed by the Trust. As implied by the reference in the policy to landscaping, the extended Gardens are intended to be a unified public green space and it would be highly illogical and inefficient if there were any division of responsibilities in the management of the enlarged Gardens. Nor is the Trust aware of any other body willing to take on the challenge.

The Trust's Financial Position

7. There is, however, a crucial issue not covered. As a charity the Trust would be legally precluded from taking on the additional responsibility of the extension if it could not see a clear route to funding the additional cost of doing so for the long term. As set out in the Trust's response to the previous Local Plan consultation and in all its responses to consultations on local developments, the Trust's medium/long-term finances are far from secure, largely because a covenant precludes commercial activity on the existing Gardens.

8. The Trust spent £480,000 on running costs for the existing Gardens in 2018-19. Over half of this expenditure was met by existing revenue s106 agreements (London Eye and Southbank Place). There is therefore strong precedent for mitigation payments from nearby developments helping to fund this critically important public space. A further 35% of running costs were covered by other contributions by adjoining landowners. With the covenants over the Gardens precluding commercial activity, the Trust's income just about covers regular expenditure but does not provide for asset renewals, forecast, without the extension, to cost £1.6m over the next 20 years. Additionally, the Southbank Place s106 contribution of £70k pa will cease in 2023. The Trust is therefore facing deficits arising in the medium term on the existing Gardens, without the additional costs of running the extension.

9. The Trust's latest business planning for running the extended Gardens as a single unit forecasts cumulative deficits over 20 years amounting to between £4m and £6.5m, depending on inflation assumptions and the risk to voluntary income. This includes both the shortfall we forecast on the cost of managing and maintaining the current Gardens, and the additional costs of running the extension. To close this gap would require either a substantial endowment, or additional inflation-proof income in the range of £220,000 to £353,000 per annum at current prices.

10. The Policy rightly states that 'Maintenance requirements should be planned from the outset' but should also refer to how they might be funded.

11. The Trust accepts the statement at the end of Policy PN1 h) that 'There should continue to be provision for public toilets in Jubilee Gardens' but the policy should also recognise that if responsibility for this facility falls to the Trust it will add to the financial demands on the charity.

Amendments proposed to the Plan.

12. To help meet the situation set out above the Trust seeks changes to the Plan to highlight the need for the allocation of planning gain towards the management and maintenance of this key public space. There should be reference in Policy PN1 to the following policies from elsewhere in the Plan, as follows:

a) Policy D4 Planning obligations which commits in paras b) ii and xiii to obligations to support local public open space and maintenance and management arrangements.

b) Policy EN1 Open Space, where para c) iii) states that Planning obligations will also be sought towards management and maintenance of new or improved open space.

c) Policy ED13, relating to visitor and cultural developments requiring mitigation of the impact of new visitors.

13. The Trust fully supports the lower case text in para 11.16, i.e.

'Jubilee Gardens (including its future extension) are maintained by the Jubilee Gardens Trust. Given the extensive and growing use of this and other open spaces in Waterloo, their effective management and maintenance is a priority'.

This should be replicated in the main policy PN1 with a specific commitment to secure relevant planning obligations.

14. The need for these changes is highlighted by the fact that in the most recent consent for a major development in Waterloo, Elizabeth House, which will bring 9,000 additional employees to the area and significant extra pressure on Jubilee Gardens, the Council secured a one-off contribution of only £50,000 for Jubilee Gardens, out of a total planning gain figure of some £50m. In comparison, earlier proposals for development on this site envisaged a contribution of £1m to the Gardens.

15. Policy PN1, para h), relating to the development of the one-third of Hungerford Car Park which is no longer MOL, states that an element of enabling development may be acceptable on the one-third to support the delivery of the main arts and cultural uses. This reference should be extended so that it also provides for support for the management of the extended Gardens alongside.

Revenue Generation on the Gardens Extension.

16. The Trust's financial position above is partly a result of the legal covenant precluding commercial activity on the existing Gardens. There is no similar legal bar on commercial activity on the extension, which could help to close the funding gap, but there may be severe constraints, because of MOL, on infrastructure to generate income to contribute to the running costs of the Gardens. All parties share the wish to maximise the new green open space the extension will provide, and recognise the national policy requirement for 'openness'. Nevertheless, in previous discussions with the Council about masterplanning proposals for cultural development and the Gardens extension on Hungerford Car Park there has been recognition of the need to provide for infrastructure for the generation of revenue to contribute to funding the management and maintenance of the Gardens (including the extension) to the highest standards. Such wording should be added to the principles set out under Policy PN1 h).

17 Servicing of the Gardens

Currently, welfare accommodation for Gardens maintenance staff, some of the storage needed to support their work, electrical switchgear and irrigation plant are all housed on the northern boundary of the current gardens in structures which will need to be reprovided elsewhere when the extension is built. Maintenance equipment is currently stored in a nearby railway arch but this is not in the control of the Trust and the space may need to be provided elsewhere. The policy needs to support adequate provision for servicing the Gardens. In addition the Trust is currently planning infrastructure for the use of grey and rain water from the nearby Southbank Place development which will involve water treatment equipment and large scale water storage. The Trust uses large quantities of water for irrigation and cleansing and wishes, for environmental and economic reasons, and to manage the risk of drought, to use grey and rain water instead of mains water wherever possible. The plan should support this initiative and the re-provision of the relevant infrastructure, some of which will be underground, when the Gardens are extended. The current reference to servicing is not sufficiently positive.

Conclusion

18. The context of this submission is the very unusual situation in which Lambeth's busiest public space is run by a small local charity, carefully constructed to be representative of the local resident and business community, and governed by a very committed group of volunteer trustees, determined to maintain the highest standards for the existing space and, in due course, the extended Gardens.

19. The Trust has 118 years remaining on its lease of the existing Gardens, which carries with it the full responsibility for management and maintenance. The extension is likely to be leased on similar terms. If the Trust fails, the lease(s) would revert to Southbank Centre, which has made it clear it does not have the resource to manage and maintain the Gardens. Nor can there be any assumption that the Council would be willing to step in and undertake the management of such a costly and demanding space.