

WESTMINSTER CITY COUNCIL

STATEMENT OF DECISION

SUBJECT: GARDEN BRIDGE TRUST ASSOCIATED AGREEMENTS

Notice is hereby given that the Cabinet Member for Finance and Corporate Services and the Cabinet Member for Built Environment, have made the following executive decision on the above mentioned subject for the reasons set out below.

Summary of Decision

1. That the Cabinet Members approved under the relevant Local Government, Housing and Planning, and Planning Act Provisions the following:-
 - Acquisition for planning purposes of the Airspace and the Compound under s.227 of the Town and Country Planning Act 1990 (the power to acquire an interest in land by agreement);
 - Appropriation for planning purposes of the Steps and Ramp Site and the Forecourt in accordance with s122 of the Local Government Act 1972. In addition, if either the Steps and Ramp Site or any part of the Forecourt is open space (i.e. rather than just highway) then s.122(2A) also requires the Council to advertise the proposed appropriation for planning purposes in two consecutive weeks in a newspaper circulating in Westminster and consider any objections;
 - s.203 of the Housing and Planning Act 2016 provides the powers that will enable the council or any successor in title to override any claim for an injunction in respect of the rights and covenants adversely interfered with as a result of the Garden Bridge (it is the new statutory provision for what was previously s.237 of the Town and Country Planning Act 1990);
 - s.241 of the Town and Country Planning Act 1990 permits open space which has been acquired by a local authority for planning purposes to be used by any person in accordance with the planning permission; and
 - Since the land which the Council will be acquiring for planning purposes is open space the Council has to advertise the proposed disposal thereof in accordance with s.233(4) of the Town and Country Planning Act 1990 for two consecutive weeks in a newspaper circulating in Westminster and consider any objections before such disposal decision can be taken
2. Following approval of the recommendations made in the report, the subsequent disposal Report recommending approval of the disposal to GBT under s233 of the Town and Country Planning Act 1990 of all the land held for planning purposes will be submitted once the abovementioned s233(4) procedure has satisfactorily been complied with

Reasons for Decision

By appropriating the Council owned land under s122 of the Local Government Act and acquiring land for planning purposes from LUL under s227 of the TCPA 1990, the development of the bridge will be facilitated pursuant to the planning permission conditions and s.106 legal agreement obligations. Furthermore, the construction of the bridge will likely contribute to the social well-being of the area by providing an additional physical link between the City Council to the north of the River Thames and Lambeth Council to the south. The Garden Bridge development will also contribute to the Council's environmental well-being objectives due to the pedestrian nature of this link and the stated environmental aims of the Garden Bridge project as a whole.

**Charlie Parker, Chief Executive,
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Publication Date: 21 December 2016

Implementation Date: 3 January 2017, 5pm, subject to call-in

Reference: CMfF&CS/29/2016
CMfBE/27/2016