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Lord Campbell-Savours
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JD June 2019

Dear Dale,

Kew Gardens (Leases) (No.3) Bill

Thank you for your contribution at the Report Stage debate of the Kew Gardens (Leases) (No.3) Bill, and indeed at previous stages.

Following your request at Report Stage, I would like to respond further to a number of technical questions you raised at Committee Stage. In regards to whether land at Kew could go out for tender or public auction, the grant of a lease of Crown land by the Secretary of State is caught by the general public law framework and Managing Public Money (formerly the Treasury Green Book), and in particular the basic principles of transparency and value for public money. By adhering to the principles set out in Managing Public Money, the Secretary of State will ensure an open transparent sale and will be able to demonstrate that the best price in all the circumstances has been achieved. One way of demonstrating that the best price has been achieved could be a sale by public auction, which would deliver the same benefits in terms of value to any tender. In deciding on the method of sale for each property the Secretary of State will seek advice from and be guided by a professional team including lawyers and estate surveyors who have the right experience in this property market.

Within the public law framework, the Secretary of State would require an open transparent public process proportionate to the circumstances including the asset value to ensure compliance with Managing Public Money and public law. This could be achieved in a number of ways, including a public auction.

Secondly, you enquired whether, if a housing development were to take place at some point in the future, there would be a social housing component. As I outlined at Committee Stage, any development would be subject to approval by the Secretary of State and RBG Kew's Board of Trustees and subject to all the usual national and local planning conditions and guidance, as well as the protections now on the face of the Bill. This would include consideration of any social housing element.

In response to your query regarding subleasing and if the state would in some way be in a position to approve the subleasing of the land, I can confirm a standard term of any lease will prohibit sub-leasing without the consent of the Secretary of State. Any such leases would always be subject to the same terms and conditions to ensure compatibility with the World Heritage Site status and Kew's functions.

A copy of this letter has been sent to all Peers who spoke. It shall also be deposited in the Library of the House.

John