



ADUR & WORTHING
COUNCILS

Joint Strategic Committee
31 March 2020
Agenda Item 7

Key Decision [Yes/No]

Ward(s) Affected:

Unlocking Development at Decoy Farm

Report by the Director for the Economy

1. Purpose

- To update Members on the progress made towards the remediation of the former landfill site, Decoy Farm which ensures that the money funded by the Local Enterprise Partnership is spent by the March 2020 deadline.
- To inform Members of the timetable to Remediation works commencing on site including the procurement of a specialist remediation contractor
- To seek the delegation of authority to the Director for the Economy to award the required contracts to enable the works to be carried out.

2. Recommendations

- 2.1 To authorise the Director for the Economy to undertake the procurement and awarding of all contracts necessary to support and enable the remediation works at Decoy Farm the costs for which shall be met from the budgets set out below.

3. Context

3.1 At over 7ha, Decoy Farm is the most significant opportunity to deliver new employment floorspace for Worthing and one of the last remaining large-scale development opportunities in Coastal West Sussex. Our planning framework has always highlighted Decoy Farm's potential as an opportunity for economic growth, but has been equally clear on the need to address some key constraints:

"The land was formerly a landfill area and there is clear evidence of existing contamination and flooding problems. Due to these constraints, and poor accessibility, this site has remained undeveloped and is in need of significant investment to realise its full potential." (pg 70, Adopted Core Strategy, April 2011).

3.2 Made possible by the funding from the Coast to Capital Local Enterprise Partnership, the Council have made significant progress towards the start of on site remediation works, which will finally unlock this site for development, 40 years after lying dormant.

4. Issues for consideration

4.1 Resolving historic contamination

4.1.1 The Decoy Farm project is progressing at pace. With our focus on remediation, our team have undertaken the following:

- Completed the Preliminary Ecological Appraisal and associated surveys. This has informed detailed discussions and reached the conclusion that the remediation of the landfill plateaus does not constitute EIA development. A Screening Request has now been submitted to LPA for their consideration. We are however, continuing with the ecological surveys
- The preliminary archaeological assessment and topographical survey has been completed and the Ground Investigations (GI) team are now on site, as well as updating the GI data from 2014, they are installing continuous gas monitoring. This information will be used directly as part of the works information for the remediation contractor
- Applications have been made to EA for flood modelling, and liaison with Sompting estate as they have much more recent modelling. And to WSCC to assist the Transport assessment, modelling and travel planning

4.2 Timetable

4.2.1 The remediation works are timetabled to commence on site in August 2020. In order for this to take place we shall be continuing with the preparatory works. A high level programme is attached at Appendix 1. Over the next year a significant amount of work will take place to get to the point of a remediation site suitable for industrial development. This includes:

- Receipt of the screening opinion (21 days)
- Ecological surveys will be continuing during this time as will our assessments of potential compensatory land. These will then inform the plan for translocation of species.
- Site specific flood and transport modelling will be concluded, to inform the remediation strategy as well as providing information to the planning and masterplanning teams.
- Once the on-site GI is completed later this month we will have the final analysis report which will support the remediation strategy.
- From these documents we will produce the works information to support the procurement of the remediation contractor to start on site in August.
- Subject to the final results from the GI works, we anticipate cleaning / crushing and reusing a significant proportion of material (approximately 40%) suitable for inert capping material as well as soils for landscaping. We will be recycling a similar proportion (e.g. wood, metal, some plastics). With only a limited amount of material having to be discarded. This cleaning and sorting would happen on site, to reduce the wider disruption to neighbouring areas during the remediation.
- Overall there would be an average of 1m reduction in height across the site.

4.3 Many of these processes will require the Council to enter into contracts with the service provider, including the most significant in financial terms, the contract with the remediation specialist to carry out the on site works.

4.4 We are therefore seeking the Committees agreement for this work to proceed, and for the Committee to delegate the authority to the Director for the Economy to award the required contracts. The costs will initially be paid from WBC funds, with claims made to the LEP quarterly for re-payment in arrears, working with the budget envelope of the agreed £4,844,400 grant funding from the Local Enterprise Partnership.

5. Engagement and Communication

5.1 Since the last report, engagement and communication has been focused on partner organisations, statutory bodies and adjoining land owners. These are critical for the delivery of the remediation works, which have prevented this site from coming forward for many decades.

5.2 This engagement and communication will continue throughout the process, ensuring that at each stage the requirements and obligations placed on the Council to safely and effectively undertake the works are being met.

6. Financial Implications

6.1 The overall budget for Decoy Farm is £4.844m which is funded from a Local Growth fund grant. This is expected to be spent as follows:

| | 2019/20 | 2020/21 | | | |
|----------------|---------|---------|-----------|-----------|-----------|
| | Q4 £ | Q1 £ | Q2 £ | Q3 £ | Q4 £ |
| Expected spend | 306,770 | 329,080 | 1,151,330 | 1,950,130 | 1,107,130 |

6.2 In line with previous Local Growth Fund grants, the Council will claim monies in arrears, providing the LEP with proof of expenditure.

7. Legal Implications

7.1 S1 of the Localism Act 2011 empowers the Council to do anything an individual can do apart from that which is specifically prohibited by pre-existing legislation.

7.2 S1 Local Government (Contracts) Act 1997 confers power on the local authority to enter into a contract for the provision of making available of assets or services for the purposes of, or in connection with, the discharge of the function by the local authority.

7.3 The Council must ensure that any authorised use and development of the site at Decoy Farm is compliant with any obligation imposed on the Council by the Coast to Capital Grant funding terms and conditions.

7.4 The Grant Funding must also be spent by the Council in a way that does not breach the funding terms and conditions or create any unlawful state aid to any commercial undertaking.

7.5 In procuring for a preferred developer, the Council is required to follow a lawful process as required by its Contract Standing Orders and have regard to the Public Contract Regulations 2015 and the Concession Contracts Regulations 2016. All the terms of the proposed arrangement are to be set out in a fair and transparent manner to all potential bidders.

7.6 Any authorised disposal of the site is to be compliant with s123 Local Government Act 1972 and the Secretary of State's General Consent on Disposals.

Background Papers

- Appendix 1: High Level Programme: Decoy Farm Remediation

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Sustainability & Risk Assessment

1. Economic

Through the actions of the Council undertaking the remediation of the site and bringing it back into use, the Council is increasing the supply of land available for employment use. It is making best use of Council assets and bringing brownfield land back into use.

2. Social

2.1 Social Value

Improving the condition of the site and bringing it back in to use for employment use will provide new jobs for the local area

2.2 Equality Issues

Matters considered and no issues identified

2.3 Community Safety Issues (Section 17)

Matters considered and no issues identified

2.4 Human Rights Issues

Matters considered and no issues identified

3. Environmental

The planned remediation of the site will improve the overall condition of the site removing contaminants and hazards from the site.

4. Governance

The decontamination and development of Decoy Farm are identified in the Councils corporate plan (Prosperous Places : Section 1.8.3 Decoy Farm) and Core Strategy as priorities for the Council.

