



ADUR & WORTHING
COUNCILS

Joint Strategic Committee
9 June 2020
Agenda Item 15

Key Decision Yes

Ward(s) Affected: Broadwater

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, The remediation (and decontamination) of Decoy Farm will ensure that the money funded by the Local Enterprise Partnership is spent by the March 2020 deadline.
- To inform Members of the timetable for 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 remediation contract to enable the works to be carried out subject to a compliant procurement process.
- To note that a further report will come forward in due course outlining a strategy with future ambitions for the site.

2. Recommendations

- To authorise the Director for the Economy to undertake the procurement for the remediation contractor and to award that contract and any recommended contracts arising from the works as 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.
- 4.2 The Decoy Farm project is progressing at pace. With our focus on remediation, our team have undertaken the following:
- Completion of 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 Environmental Impact Assessment (EIA) development. A Screening Request has been submitted to the LPA for their consideration, however, we are continuing with the ecological surveys.
 - The preliminary archaeological assessment and topographical surveys have been completed and the Ground Investigations (GI) team are now on site. As well as updating the GI data from 2014 they are also installing continuous gas monitoring. This information will be used directly as part of the work information for the remediation contractor.
 - Applications have been made to the EA for flood modelling and we have liaised with the Sompting Estate as they have more recent modelling. We are working with WSCC to assist the transport assessment, modelling and travel planning.

4.3 Timetable.

4.4 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.
- 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 at the end of August/September.
- 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 of wood, metal and 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.

4.5 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.

4.6 We are therefore seeking the agreement of the Committee 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 repayment in arrears, working with the budget envelope of the agreed £4,844,440 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 £4.844,440 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 Section 1 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 Section 1 of the Local Government (Contracts) Act 1997 confers power on the local authority to enter into a contract with another person for the provision or 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 the Contracts referred to in the recommendations, 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/or 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 will be compliant with S123 of the Local Government Act 1972 and the Secretary of State's General Consent on Disposals.

Background Papers

- Appendix 1: Decoy Farm - High Level Programme.

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Sustainability and Risk Assessment

1. Economic

Through the actions of 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 into use for employment use will provide new jobs for the local area.

2.2 Equality Issues

Matter considered and no issues identified.

2.3 Community Safety Issues (Section 17)

Matter considered and no issues identified.

2.4 Human Rights Issues

Matter considered and no issues identified

3. Environmental

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

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.

