



## OFFICER DECISION RECORD

This form should be used to record Executive Decisions taken by Officers

|   |   |                |               |
|---|---|----------------|---------------|
| <b>Decision Ref. No:</b>  |   |                |               |
| <b>Service Area:</b>  | Investment and Development  | <b>Date:</b>   | 01/12/2023    |
| <b>Contact Name:</b>  | Sarah Good, Head of Delivery, Investment and Development (Formerly Regeneration Delivery, Infrastructure) | <b>Tel No:</b> | 01202 128 964 |
| <b>E-mail:</b>  | Sarah.good@bcpcouncil.gov.uk  |                |               |
| <b>Subject:</b>   | <b>Former Power Station site at Holes Bay</b>   |                |               |
| <b>Decision:</b>  |   |                |               |
| <p>To confirm that £696,491 capital budget allocated to the Former Power Station site located at Holes Bay, is transferred to the new Investment and Development directorate to fund:</p> <ul style="list-style-type: none"><li>a) Essential health and safety investigations and measures.</li><li>b) Ongoing and or necessary site management works.</li><li>c) Timely ecological assessments.</li><li>d) Environmental Impact Assessment.</li><li>e) Rehabilitation, Remediation and Reclamation Strategy.</li></ul> <p>This will support necessary work to ensure that the site is compliant with health and safety regulations and that essential works are progressed in preparation for development.</p>   |   |                |               |
| <b>Reasons for the decision:</b>  |   |                |               |
| <p>In May 2020 the Council approved the acquisition of the former power station site located at Holes Bay. A capital budget was approved, and £696,491 remains allocated to the scheme in the Council's capital programme.</p> <p>Grant funding was secured from DLEP to part fund the acquisition of the site by the Council. There are several conditions relating to the funding award including delivery of 127 homes delivered to be completed by 2025.</p> <p>Building on the work undertaken by FuturePlaces, this decision record seeks to transfer the remaining capital budget to the newly formed Investment and Development Directorate to progress the scheme to meet both DLEP funding conditions and the regeneration aspirations of the current administration.</p> |   |                |               |

In addition, recent investigations have identified significant risks and issues which require the Council's immediate action. These include:

- Disused buildings which are in disrepair and potentially unsafe.
- Remnant structures from the former power station that are raised at ground level.
- Loose Asbestos fibres recently identified during technical surveys.
- Other contaminants in the ground that may post a health and safety risk.
- Time critical ecological investigations or appraisals that need to commence or complete in 2024, in order to inform a subsequent planning application for the site.

The use of this funding will enable the new Investment and Development directorate to procure and instruct any necessary preliminary work and to undertake site maintenance and management, ensuring the appropriate health and safety measures are implemented for the benefit of council staff, contractors, future occupiers and visitors to the site.

### **Background:**

The former Power Station site is part of the strategic supply of housing in the Poole area and has remained undeveloped since the authority allocated this site for development over 20 years ago. The site is one of the largest brownfield sites in the wider region and allocated within the local plan to bring forward 850 homes and associated uses.

In May 2020 the Council approved the acquisition of the former power station site located at Holes Bay. The 'Holes Bay, Poole (former power station site) Acquisition Strategy' Cabinet Report dated 27 May 2020 recommended that Cabinet:

- Agree that plans are developed promptly following acquisition to bring the site forwards, with a further report to Cabinet/Council seeking approval on the associated investment decisions, revenue implications and proposed detailed delivery model.
- Agree that a project team for this site be formally established as part of the Poole Regeneration Board framework within existing resources to drive the project forward and ensure appropriate governance.
- Delegate authority to the Corporate Property Officer to complete the acquisition and all associated property transactions to prepare the site for development.

DCLG Government Capital Grant funding was earmarked for the scheme along with additional grant secured from DLEP to part fund the site acquisition by the Council. There are several conditions relating to the DLEP funding award including delivery of 127 homes delivered to be completed by 2025.

In 2021 the project was passed to the Council's Urban Regeneration company – BCP FuturePlaces Limited - under a separate funding mechanism and initial works towards the development of a masterplan and remediation strategy for the site were progressed.

In September 2023 the Council approved the closure of FuturePlaces, and regeneration work has now passed back to the council. As part of this decision the former Power Station site at Holes Bay has been designated a priority by the political administration.

The in-house team have identified that the capital budget to acquire the site, approved by cabinet in May 2020, also included works to bring the site forward for development and £696,491 remains allocated within the capital programme to the Holes Bay scheme.

Building on the work undertaken by FuturePlaces, this decision record seeks to transfer the remaining capital budget to the newly formed Investment and Development Directorate to progress the scheme in order to meet both DLEP funding conditions and the regeneration aspirations of the current administration.

This will support necessary work to ensure that the site is compliant with health and safety regulations and that essential works are progressed in preparation for development.

- Disused buildings which are in disrepair and potentially unsafe.
- Remnant structures from the former power station that are raised at ground level.
- Loose Asbestos fibres recently identified during technical surveys.
- Other contaminants in the ground that may pose a health and safety risk.
- Time critical ecological investigations or appraisals that need to commence or complete in 2024, in order to inform a subsequent planning application for the site.

**Note:** It is the responsibility of the 'Responsible Officer' – that is the Officer making the decision – to obtain the comments and signature of the Chief Finance Officer and Monitoring Officer **before** taking the decision and then send the completed record of the decision to Democratic Services for publication.

#### **Finance and Resourcing Implications:**

The confidential appendix to the May 2020 cabinet report set out the financial implications of the acquisition for the Council which included grant funding from both DLEP and DCLG. The remainder of the purchase price was funded by the Council through prudential borrowing.

As set out in the confidential appendix, and in accordance with the Prudential Code, the Council made annual provision within its Medium-Term Financial Plan (MTFP) for repayment of the prudential borrowing, and annual (loan and interest) repayments commenced in 2021/22 (first full year after the acquisition).

The report also noted that, in purchasing the site, the Council accepted the unquantified risk associated with the ground conditions, its contamination, and the costs which would be required to be incurred to bring forward the site for development.

The former power station project was briefly progressed by BCP FuturePlaces Limited, and it should be noted that, as part of the orderly closure of the company, a review of project work including technical studies is underway. This review may identify costs associated with this scheme and alternative funding will need to be identified should any of this preparatory work be required to be purchased by the Council.

**Funding identified:** Previously approved Prudential Borrowing.

**Financial risks:** Should scheme not conclude as intended all costs would need to be written off to the revenue account.

**Value for Money assessment:** The project will be overseen by internal project management resource supported by the Strategic Estates Manager and the Ecology Officer reducing the need for external consultants. All specialist works will be commissioned in line with the Council's Financial Regulations and PCR2015.

**Name:** Adam Richens

**Date:** 05/01/24

**Signature (of Chief Finance Officer):**

[Redacted]

**Legal Implications:**

There are no legal implications in transferring this capital budget to the new Investment and Development Directorate.

**Name: Janie Berry**

**Date: 11 January 2024**

**Signature (Monitoring Officer):**

[Redacted]

**Risk Assessment:**

**If the change is not made the following risks are possible:**

Grant conditions will not be met if essential works are not funded to progress the scheme. Significant health and safety issues will not be managed if a budget is not allocated. Urgent site management, including time critical ecological investigations, will not progress and project timescales will be seriously disrupted.

**Name: Sarah Good**

**Date: 19/12/23**

**Signature (of Officer Completing Assessment):**

[Redacted]

**Impact Assessments:**

Note:

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**Information for publication / not for publication**

Note:

- The information in this decision record can be public.  
**Confidential appendices attached.**

**Background Cabinet Report**

The Holes Bay, Poole (former power station site) acquisition strategy Cabinet report dated 27 May 2020

**Confidential Technical Reports**

- Ecological Appraisal to Inform the Holes Bay Masterplan, WSP, May 2022
- Poole Bridge to Hunger Hill – Wetland Bird Survey, Final Report, May 2022, BCP Council
- Holes Bay, Poole Breeding Bird Survey Report, Tetra Tech, August 2022

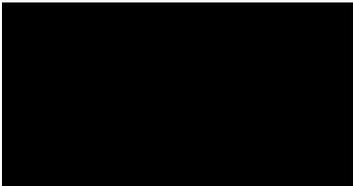
- d) Holes Bay Site Estate Management Plan, Atkins, April 2023
- e) Japanese Knotweed Management Plan Review, Technical Note, July 2023
- f) Hamworthy Power Station Site Characterisation and Flood Risk Proposal, Atkins, July 2022
- g) Former Hamworthy Power Station, Poole Ground Investigation and Flood Risk Update, Atkins, date unknown (2022/23)
- h) Hamworthy Power Station Geo-environmental Interpretive Report, Atkins, April 2023
- i) Hamworthy Power Station Reclamation and Earthworks Strategy, Atkins, June 2023
- j) Holes Bay Non-Technical Summary, Atkins, June 2023
- k) Holes Bay, Hamworthy Progress Update and Summary, Technical Note, March 2023.

|   |                    |
|---|--------------------|
| Any declaration of interest by the Officer responsible for the decision | Nature of Interest |
| Yes/No  |                    |

**Note:** No Officer having a personal financial interest in any matter should take a decision on that matter. Other interests of a non-disqualifying matter should be recorded here.

| Any conflict of interest declared by a Cabinet Member who is consulted by the Officer taking the decision | Name of Cabinet Member | Nature of interest | Details of any dispensation granted by the Monitoring Officer |
|---|------------------------|--------------------|---|
| Yes/No  |                        |                    |   |

**Decision taken by: (print name and designation)**

**Signature:**  **Date of Decision: 09/01/24**

**Date Decision Effective:**

**Date of Publication of record of decision: (to be inserted by Democratic Services)**

**Note:** A record of this decision should be kept by the Service Area within which the decision falls.

# Confidential Appendix

## Appendix 1 – Proposed Priority Investigation Works

### Professional Review of Technical Work

A peer review may be required to evaluate the validity of consultant Atkins's geotechnical methodology, to enable the council to make an informed decision on next steps.

### Contamination Management

Contaminated dust, odours or vapours are possible from any disturbance of the ground, given that the site is contaminated. The Hamworthy Power Station Estate Management Plan, (Atkins, April 2023) reports and states that no immediate actions are required, but any proposed works within the site should consider the presence of asbestos in their RAMS and Pre-construction Information (PCI) documents.

Previous phases of ground investigation visually identified loose asbestos fibres in samples across the site at depths, but also at surface, in the shallow Made Ground, mainly across the former power station site. The asbestos is likely to be associated with the construction of the power station and its subsequent dispersal after demolition. Previous ground investigation has also identified contamination issues associated metals (arsenic, chromium, copper, nickel, selenium, zinc and vanadium) and hydrocarbons. These are not widespread across the site but are reported at surface level.

To provide a specific work based asbestos assessment, advice will be sought from an asbestos specialist appropriately certified to assess the risks posed by asbestos at the site, to staff undertaking maintenance, enabling or construction works, and visitors accessing the site, including the bridge control staff.

The outline objectives of the proposed asbestos works may include:

- Provision of sufficient information for the council and future CDM role holders to make informed decisions regarding compliance with Control of Asbestos Regulations.
- Provide sufficient information to inform recommendations for further assessments, remediation, or mitigation, if required, to reduce liabilities and constraints associated with the site.

The proposed scope of works would include a:

- Desk based exercise to zone the site into areas of differing risk and application.
- Visual inspection of site surface by an asbestos surveyor to identify and map surface asbestos presence and assess level of risk to future site visitors.
- Undertake an additional intrusive site investigation to obtain data to provide sufficient information to assess asbestos risks.

On completion of the sampling works and dust monitoring rounds, a factual report and detailed quantitative risk assessment will provide recommendations for any mitigation

measures, where required, to permit staff undertaking maintenance, enabling or construction works, and visitors to access the site safely.

### Rehabilitation, Remediation and Reclamation Strategy

Further to a more comprehensive risk assessment and testing of the above issues, a detailed Rehabilitation, Remediation and Reclamation Strategy will be prepared, informed by specialist external advice.

The strategy for the site will generally negate the need for substantial contamination remediation from the asbestos and limited metal and hydrocarbon contamination in the shallow Made Ground. However, there may be a need to complete limited remediation works in the area of the Shell Oil Depot, due to the presence of intermittent hydrocarbon contamination in the groundwater and potential vapour risks to proposed end users. In addition, limited works may also be required in the north-east area of the site, close to the Twin Sails Bridge, where elevated hydrocarbons have been recorded. Gas protection measures in certain areas of the site are also likely to be required, depending on final development proposals.

### Underground Structures

Previous site clearance works have raised the site to ground level. It is understood that all the foundations from the former power station are still in situ, along with other foundations associated with the water tanks, oil tanks, treatment tanks, chimney bases, and underground features, including the drainage pits and chambers. A number of these contain voids. The covers can be moved, and the voids therefore pose a risk to visitors to the site. The existing foundations include steel reinforcement that is protruding from the ground in locations. This may pose a physical hazard, in regard to both a trip hazard and also vehicle damage.

### Vegetation Cutback

The council will need to undertake vegetation management as part of its ongoing site maintenance responsibilities. This task cannot be undertaken whilst there is a risk of ground disturbance, in terms of existing site contamination. We therefore need to programme site safety measures first, before commencing with any vegetation clearance.

### Ecological Appraisals

Ecological constraints exist on site and various surveys are required to ensure the right level of protection and enhancement. Ecological work has been undertaken over the last couple of years, indicating where more detailed or specific assessments or updated information is required in some areas, to fully appraise the ecological status of the site. Ecological investigations will need to be undertaken at particular times of the year.

The timing of these assessments also needs to be considered within the overall project programme and the appropriate sequencing of tasks. Previous recommendations, and in the points raised within the Estate Management Plan (Atkins, April 2023), has indicated the need to consider wider surveying, to inform on-site conditions, before undertaking any land management activities.

Further information, with a schedule of survey works, is provided in the Estate Management Plan (Atkins, April 2023).

### Redundant Buildings

The former car wash site contains buildings which will need to be demolished, both for safety reasons, and to facilitate land for car parking provision, or for other temporary or meanwhile purposes. Planning permission may not be required for their removal, depending on the new uses, but rather a Permitted Development Right, which is subject to the prior approval process and where the buildings have been vacant for at least six months prior to the date of the application for prior approval. Advice from the Local Planning Authority is being sought, as to whether planning consent is needed to demolish these buildings. Planning will be needed if this site is repurposed for car parking.

### Site Security

Presently there is fencing around the site to prevent trespassers, but often parts of the fencing are cut, posing security and health and safety issues to unauthorised visitors. In addition, there is currently no signage to promote that the site is not currently accessible to the public. Given the potential health and safety risks, clear signage to prevent unauthorised access is critical.

### Routine Maintenance and Repairs

There will need to be sufficient budget to support routine monitoring inspections and ongoing management costs, which may be needed until the site is fully developed.